ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

****

Cap. lxxxi.

An Act for enabling the Company of Proprietors of the Navigation from the *Trent* to the *Mersey* to make Two Branches or Cuts from and out of the same Navigation, and for further amending the Acts of the said Company.

[14th *June* 1827.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An* 6 G. 3. c. 96.
Act for making a navigable Cut or Canal from the River Trent *at or near* Wilden Ferry *in the County of* Derby *to the River* Mersey *at or near* Runcorn Gap: And whereas another Act was passed in the Tenth Year of the Reign of His said late Majesty, intituled *An Act to amend an Act made in the Sixth Year of the Reign* 10 G. 3. c. 102.
of His present Majesty, for making a navigable Cut or Canal from the River Trent *at or near* Wilden Ferry *in the County of* Derby *to the River* Mersey *at or near* Runcorn Gap; *and for granting further Powers for that Purpose:* And whereas another Act was passed in the Fifteenth Year of the Reign of His said late Majesty, intituled *An Act to amend and render more effectual Two Acts, passed in the Sixth* 15 G. 3. c. 20.
and Tenth Years of the Reign of His present Majesty, for making a navigable Cut or Canal from the River Trent *at or near* Wilden Ferry

in the County of Derby *to the River* Mersey *at or near* Runcorn Gap: And whereas another Act was passed in the Sixteenth Year of the
16 G.3. c.32. Reign of His said late Majesty, intituled *An Act to enable the Company of Proprietors of the Navigation from the* Trent *to the* Mersey *to make a navigable Canal from the said Navigation, on the South Side of* Harecastle *in the County of* Stafford *to* Froghall, *and a Railway from thence to or near* Caldon *in the said County, and to make other Railways:* And whereas another Act was passed in the Twenty-third
23 G.3. c.33. Year of the Reign of His said late Majesty, intituled *An Act to amend and render more effectual several Acts passed in the Sixth, Tenth, Fifteenth, and Sixteenth Years of the Reign of His present Majesty, for making a navigable Canal from the* Trent *to the* Mersey, *and a Branch from the said Canal to* Froghall, *and a Railway from thence to or near* Caldon *in the County of* Stafford: And whereas Two other Acts were passed in the Thirty-seventh Year of the Reign of His said
37 G.3. cc.36. 81. late Majesty, the one intituled *An Act to enable the Company of Proprietors of the Navigation from the* Trent *to the* Mersey *to make a navigable Canal from and out of a certain Branch of the said Navigation called the* Caldon Canal *at or near* Endon, *to or near the Town of* Leek *in the County of* Stafford, *and also a Reservoir for supplying the several Canals of the said Company with Water;* and the other intituled *An Act to enable the Company of Proprietors of the Navigation from the* Trent *to the* Mersey *to extend several Branches of Canal from and out of the said Navigation:* And whereas another Act was passed in the Forty-
42 G.3. c.25. second Year of the Reign of His said late Majesty, intituled *An Act to enable the Company of Proprietors of the Navigation from the* Trent *to the* Mersey *to make Railways; to alter the Course of the Railway from* Froghall *to* Caldon *and Part of the Course of the Canal from* Froghall *to* Uttoxeter; *and to amend the* Trent and Mersey *Canal Acts:* And whereas another Act was passed in the Forty-ninth Year of the Reign
49 G.3. c.73. of His said late Majesty, intituled *An Act to amend and enlarge the Powers of the several Acts passed for making a navigable Canal from the* Trent *to the* Mersey, *and other Canals connected therewith:* And whereas another Act was passed in the Fourth Year of the Reign of
4 G. 4. c. 87. His present Majesty, intituled *An Act to enable the Company of Proprietors of the Navigation from the* Trent *to the* Mersey *to make an additional Tunnel through* Harecastle Hill *in the County of* Stafford, *and an additional Reservoir in* Knypersly Valley *in the said County; and to amend and enlarge the Powers of the several Acts for making and maintaining the said Navigation, and the several Canals connected therewith:* And whereas an Act was passed in the Seventh Year of the Reign of
7 G.4. c.30. His present Majesty, intituled *An Act for making and maintaining a navigable Canal from the* Peak Forest *Canal in the Township of* Marple *in the County Palatine of* Chester *to join the Canal Navigation from the* Trent *to the* Mersey *at or near* Hardingswood Lock *in the Township or Hamlet of* Talk *or* Talk-on-the-Hill *in the County of* Stafford, whereby certain Persons were declared to be a Body Politic and Corporate, by the Name of "The Company of Proprietors of the *Macclesfield* Canal:" And whereas so much of the Canal or Navigation authorized by the said lastly-recited Act to be executed as extends from the Western Extremity of the Western Regulating Pound or Stop Lock, directed by the said Act to be made in a certain Field in the

Township

Township of *Oddrode*, near a certain Place called *Hall Green* in the said County of *Chester*, to or near to a Place called *Hardingswood Lock* in the said lastly-recited Act also mentioned, might be more conveniently made by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, and they are hereby authorized and empowered, from and after the passing of this Act, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain so much and such Part of the said Canal authorized by the said recited Act passed in the Seventh Year of the Reign of His present Majesty to be made and constructed as extends from the Western Extremity of the Western Regulating Pound or Stop Lock, directed by the said Act to be erected and made in a certain Field in the Township of *Oddrode*, numbered Three hundred and thirty-two on the Plan of the said intended Canal lodged with the Clerk of the Peace for the said County of *Chester* (then in the Possession of *Matthew Owen*), and near a certain Place called *Hall Green* in the said County of *Chester*, to join the said Navigation from the *Trent* to the *Mersey* at or near *Hardingswood Lock* in the Township or Hamlet of *Talk* or *Talk-on-the-Hill* in the Parish of *Audley* in the County of *Stafford*, and to construct, erect, make, and do all Aqueducts, Bridges, Towing Paths, Culverts, Wharfs, Quays, Landing Places, Cranes, Weighbeams, Warehouses, and all other Works, Matters, and Things auxiliary to or for the Purposes of making, completing, maintaining, supplying, and rendering fit for Use and using such Part of the said Canal or Navigation and Works aforesaid, or in any other Manner whatsoever in respect thereof, which the said Company of Proprietors of the *Macclesfield* Canal were by the said Act authorized to construct, erect, make, and do in that Behalf, under and subject nevertheless to all such Rules, Regulations, Conditions, Directions, and Provisions as the said last-mentioned Company were by the said Act made subject to in that Behalf, except as the same are herein-after altered, varied, or repealed.

Trent and Mersey Canal Company authorized to execute a certain Part of the Macclesfield Canal,

II. Provided always, and be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall unite that Part of the said Canal or Navigation which they are herein-before authorized to make to and with the said Canal from the *Trent* to the *Mersey* on the Western Side thereof, and at or near *Hardingswood Lock* aforesaid, that being the Side, Place, and Direction originally intended by the said Company of Proprietors of the *Macclesfield* Canal, and delineated in the said Plan deposited by them with the said Clerk of the Peace for the said County of *Chester*; and the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall make the said Part of the said *Macclesfield* Canal according to Line of the same Canal delineated in the said Plan.

and to unite the same to the West Side of the Trent and Mersey Canal.

III. And

Dimensions thereof.

III. And be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall and they are hereby required to make and construct that Part of the *Macclesfield* Canal hereby authorized to be made and constructed by them of no less Dimensions than the several Dimensions following; that is to say, of the clear Depth of not less than Five Feet of Water, and of the Width of not less than Sixteen Feet at the Bottom of the said Canal, and not less than Thirty-one Feet at the Top of the Water of the said Canal; and each of the Aqueducts to be made and constructed over the Canal or Navigation from the *Trent* to the *Mersey*, and over the Turnpike Road leading from *Lawton Red Bull Gate* to *Burslem*, shall be not less than Ten Feet wide, and shall have not less than Five Feet clear Depth of Waterway.

The Trent and Mersey Canal Company to keep in repair the Canal and other Works.

IV. And be it further enacted, That upon the Completion of the said Part of the said *Macclesfield* Canal hereby authorized to be made and constructed by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, according to the true Intent and Meaning of this Act, the said Company of Proprietors shall and they are hereby required for ever thereafter to maintain, uphold, support, and keep in perfect Repair the said Part of the said Canal, and the Aqueducts, Bridges, Towing Paths, Culverts, and all other Works, Matters, and Things thereunto belonging and appertaining, so as at all Times to keep up and preserve the free and complete Navigation of that Part of the said *Macclesfield* Canal; and in case the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall at any Time permit or suffer the said Part of the said *Macclesfield* Canal or any Part thereof, or any or either of the Aqueducts, Bridges, Towing Paths, Culverts, Works, Matters, and Things thereunto belonging, to be dilapidated or out of repair, and shall not, upon a Notice requiring the necessary Reparation and Amendment thereof being left at the Office of the said Company by or on behalf of the said Company of Proprietors of the *Macclesfield* Canal, forthwith repair and amend the same where necessary, it shall be lawful to and for the said Company of Proprietors of the *Macclesfield* Canal to proceed to do and execute such necessary Reparations and Amendments, and the Expense attending the same shall be paid and defrayed by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*; and in case the Amount thereof shall not be paid, upon Demand, the same may be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Law at *Westminster*, with full Costs of Suit.

Trent and Mersey Canal Company invested with same Powers as the Macclesfield Canal Company, as to the Canal hereby authorized to be made.

V. And be it further enacted, That from and after the passing of this Act the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, their Deputies, Agents, Officers, Workmen, and Servants, and all and every other Persons and Person, Bodies Politic, Corporate, and Collegiate whatsoever, shall have and be invested with and be seised and possessed of such and the like Powers and Authorities, Abilities, Rights, Privileges, Advantages, Profits, Emoluments, Estates, and Interests, and be subject to such and the like Rules, Conditions, Directions, Regulations, Limitations, Restrictions, Controls, Payments, Penalties, Forfeitures, Punishments, and

Benefit

Benefit of Appeal, as the said Company of Proprietors of the *Macclesfield* Canal, their Deputies, Agents, Officers, Workmen, and Servants, and all and every other Persons and Person, Bodies Politic, Corporate, and Collegiate whatsoever, had, or were and was, are or is invested with, or seised and possessed of or subject to, under and by virtue of the said recited Act passed in the Seventh Year of the Reign of His present Majesty, so far as the same are respectively applicable to, or to be exercised, used, enjoyed, possessed, observed, performed, made, or incurred for the Purpose or by reason or in respect of the making, completing and maintaining, supplying and rendering fit for Use and using, the said Part of the said *Macclesfield* Canal or Navigation, or the constructing, erecting, making, or doing of the said Aqueducts, Bridges, Towing Paths, Culverts, Wharfs, Quays, Warehouses, and other Works, Matters, or Things herein-before authorized to be made and done, or in any other Manner whatsoever, by reason or in respect of or with relation to the said Part of the said *Macclesfield* Canal or Navigation, or the said Works, Matters, or Things herein-before authorized to be made and done, or any or either of them; and the said recited Act passed in the Seventh Year of the Reign of His present Majesty, and all the Clauses, Provisoes, Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things therein respectively contained, except such Parts thereof as are by this Act repealed, altered, or varied, shall apply and extend, and are hereby applied and extended to, and shall take effect, operate, and be put in execution in, for, and in respect of the making, completing, repairing, maintaining, and rendering fit for Use and using the said Part of the said *Macclesfield* Canal or Navigation, and other Works, Matters, and Things herein-before authorized to be made, done, and performed, and for the Punishment of Offences in relation thereto, and for the purchasing, selling, and conveying of Lands, Tenements, and Hereditaments, and ascertaining the Value thereof, and for determining and assessing of Damages, and all other Matters and Things which shall relate to or happen to arise by or in consequence of the Execution of all or any of the Powers of this Act, with reference to the said Part of the said *Macclesfield* Canal, and other Works herein-before authorized to be made, in such and the same Manner, and as fully and effectually, to all Intents and Purposes whatsoever, as the same could or might have operated and been executed, or can or may operate and be executed, under and by virtue of the said recited Act passed in the Seventh Year of the Reign of His present Majesty, and as if all the said Clauses, Provisoes, Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things (*mutatis mutandis*) were herein repeated, re-enacted, and applied to the said Part of the said *Macclesfield* Canal or Navigation, and the said other Works, Matters, and Things herein-before authorized to be made, done, and performed.

Powers of the Macclesfield Canal

VI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to abridge, control,

Company protected as to remaining Parts of their Canal.

control, or in anywise affect the Power and Authority by the said Act passed in the Seventh Year of the Reign of His present Majesty given to the said Company of Proprietors of the *Macclesfield* Canal, to raise such Sum or Sums of Money as are by the said Act authorized, for the Purpose of making, carrying on, and completing the said Canal, and other Works and Conveniences by the said last-mentioned Act authorized to be made (except as herein mentioned and provided), or in anywise to alter, vary, or affect any of the Powers, Authorities, Directions, Regulations, or Provisions of the said Act (save and except as herein mentioned), or to subject the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* to any of the Directions, Regulations, or Provisions of the said last-mentioned Act, respecting the Money thereby authorized to be raised, or respecting the Meetings to be held, or the Appointments, Powers, or Duties of Committees, Sub-committees, or Officers, or the supplying of Vacancies, or the keeping, producing, or rendering of Accounts, or in any other Manner relating to the Administration or Management of the Affairs of the said Company by the said last-mentioned Act incorporated.

Macclesfield Canal Company not to receive Rates on that Part of the Canal.

VII. Provided always, and be it further enacted, That neither the said Company of Proprietors of the *Macclesfield* Canal, nor any Proprietor of any Share under and by virtue of the said recited Act passed in the Seventh Year of the Reign of His present Majesty, as such Proprietor under the said last-mentioned Act, shall be entitled to mortgage, assign, or deal with in any Manner, or to receive any Part or Proportion whatsoever of the Profits or Advantages which may arise or accrue by or from the Rates, Tolls, Duties, and other Monies to be raised, recovered, or received in respect of the said Part of the said *Macclesfield* Canal or Navigation, and the said other Works connected therewith, by this Act authorized to be made or done.

Amount of Rates, &c.

VIII. And be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall and may and they are hereby authorized and empowered to ask, demand, take, recover, and receive, in respect of the said Part of the said *Macclesfield* Canal hereby authorized to be made by them, the same Rates of Wharfage and other Dues for the Wharfage and Warehousing of all Goods, Commodities, Wares, Merchandizes, Articles, Matters, and Things loaded, landed, or placed in or upon any Wharf, Quay, or Warehouse which may be built or constructed by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* upon the Line of that Part of the said *Macclesfield* Canal hereby authorized to be made by them as they are already authorized and empowered to ask, demand, take, recover, and receive in respect of any Wharfs, Quays, or Warehouses, under or by virtue of the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His said late Majesty, and the Fourth Year of the Reign of His present Majesty, or any of them, and also to ask, demand, take, recover, and receive, to and for their own Use and Benefit, the same Rates, Tolls, and Duties for and upon the several Goods, Commodities, Wares, Merchandizes, Articles, Matters, and Things

Things which shall be carried or conveyed upon the said Part of the said *Macclesfield* Canal hereby authorized to be made by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, and the same Proportions of Rates, Tolls, and Duties for any greater or less Quantity than a Ton, or any greater or less Distance than a Mile, and as fully and effectually, to all Intents and Purposes, and in all respects, as the said Company of Proprietors of the *Macclesfield* Canal are authorized and empowered to ask, demand, take, recover, and receive, under and by virtue of the said recited Act passed in the Seventh Year of the Reign of His present Majesty, and which Rates, Tolls, and Duties are herein-after specified; (that is to say,)

For every Ton Weight of Sand, Gravel, Paving Stones, Bricks, Clay, Coal for burning Lime, Limestone, and Rubble Stone for Roads, the Sum of One Penny *per* Mile:

For every Ton of Ashler Stone, Slate, Flag, Spar, Coal (except for burning Lime), and other Minerals, the Sum of One Penny Halfpenny *per* Mile:

For every Ton of Timber, Lime, Goods, Wares, and all other Merchandize, Articles, Matters, and Things not mentioned above, the Sum of Two pence *per* Mile:

And which Tolls, Rates, and Duties shall be raised, recovered, received, and possessed by and for the Use of the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, as fully and effectually to all Intents and Purposes as any other Rates, Tolls, or Duties may be raised, recovered, received, or possessed by them in respect of any Part of the said Canal or Navigation from the *Trent* to the *Mersey*.

Exemption as to Manure.

IX. Provided always, and be it further enacted, That no Rate or Toll shall be demanded or taken, by virtue of this Act, for or in respect of any Boat, Barge, or other Vessel laden wholly with Dung, Soil, Marl, and Ashes of Coal or Turf, to be used for the Improvement only of the Lands and Grounds in any Parish, Township, Hamlet, Village, or Place through which the said Part of the said *Macclesfield* Canal hereby authorized to be made shall pass, so that the same do not pass through any Lock to be made on the said Part of the said *Macclesfield* Canal but at such Times when the Water shall flow over the Waste Weir of such Lock; and the Person or Persons who shall own, or be concerned or employed in carrying such Dung, Soil, Marl, Ashes, or Manure for the Improvement of Land, shall have free Liberty to make use of the Towing Paths, Wharfs, and Quays belonging to the said Company of Proprietors, such Person or Persons not suffering the same to be upon such Wharfs or Quays longer than may be necessary for the loading, unloading, and conveying thereof from and to the several Places where they are to be put on board and unloaded; provided that the Person or Persons claiming any such Exemption as aforesaid, and intending to pass through any Lock or Locks on the said Part of the said *Macclesfield* Canal hereby authorized to be made, shall give Notice to the nearest Collector of the said Rates, or Lock Keeper, of such his or their Intention, and shall

shall specify the Lock or Locks through which he or they intend to pass, Three Hours at least before the passing through of the same; and if any Person shall claim and take the Benefit of any of the said Exemptions who shall not be entitled thereto, or shall use or dispose of any of the Articles for which any such Exemption shall have been allowed in any other Manner than as before mentioned, he shall for every such Offence forfeit to the Company of Proprietors of the Navigation from the *Trent* to the *Mersey* any Sum not exceeding Five Pounds, to be recovered and enforced (in case of Nonpayment) by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* in the same and the like Manner as the Payment of the Penalties inflicted by the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and the Fourth Year of the Reign of His present Majesty, are directed to be recovered and enforced.

For vesting a certain Lock and other Works, when completed, in the Trent and Mersey Canal Company.

X. And whereas by the said recited Act passed in the Seventh Year of the Reign of His present Majesty it is enacted, that Two Regulating Pounds or Stop Locks shall, by and at the Expense, Costs, and Charges of the said Company of Proprietors thereby incorporated, be erected and built, and be for ever thereafter repaired and maintained, on the said Canal thereby authorized to be made; One of which Regulating Pounds or Stop Locks, that is to say, the Western Regulating Pound or Stop Lock, being the nearest to the intended Junction of the *Macclesfield* Canal with the Canal from the *Trent* to the *Mersey* near *Hardingswood Lock* aforesaid, shall be for the impounding and Protection of the Water on the said Canal from the *Trent* to the *Mersey*, and shall be placed in a convenient Situation in the said Field numbered Three hundred and thirty-two in the Plan lodged by the said Company of Proprietors, thereby incorporated, in the Private Bill Office of the House of Commons, and then in the Possession of *Matthew Owen*, situate at or near the said Place called *Hall Green* in the Township of *Oddrode* in the Parish of *Astbury* in the said County Palatine of *Chester*: And whereas the said last-mentioned Company of Proprietors are by their said Act required, within One Calendar Month after the Completion of the said Regulating Pounds or Stop Locks, to erect and build, and at all Times thereafter, at their own Expense, to keep in good Repair, a House near the said Regulating Pound or Stop Lock so to be erected for the Protection of the Water in the said Canal from the *Trent* to the *Mersey*, for the Habitation of a Person to be appointed by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, for superintending, under their Direction and Control, the said last-mentioned Regulating Pound or Stop Lock: And whereas it is by the said Act further enacted, that the said Company of Proprietors thereby incorporated shall construct and for ever maintain a Waste Weir within One hundred Yards above and upon the Eastern Side of the aforesaid Regulating Pounds or Stop Locks, together with a proper Feeder or Channel from the aforesaid Waste Weir into the Canal on the Western Side of and immediately below the said Stop Locks, in order

order that the Waste Waters therein mentioned may pass into the *Harecastle* Summit of the Canal from the *Trent* to the *Mersey*: And whereas it would be more convenient if the said Regulating Pound or Stop Lock so to be erected for the Protection of the Water of the said Canal from the *Trent* to the *Mersey*, together with the aforementioned House for the Residence of a Lock Keeper, and the said Feeder or Channel from the said Waste Weir, were, from and immediately after the same shall have been respectively completed by the said Company of Proprietors of the said *Macclesfield* Canal, to be vested in and become the Property of the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, and their Successors, and be from thenceforth repaired and maintained by them: Be it therefore enacted, That when and so soon as the said Company of Proprietors of the said *Macclesfield* Canal shall have completed the said last-mentioned Regulating Pound or Stop Lock, House, Waste Weir, and Feeder or Channel therefrom, and which they are hereby required to do in manner directed by the said Act passed in the Seventh Year of the Reign of His present Majesty, then that such last-mentioned Regulating Pound or Stop Lock, House, and Feeder or Channel from the said Waste Weir, shall from thenceforth be vested in and become the Property of the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, and shall be for ever thereafter repaired and maintained by them at their own Expense, Costs, and Charges.

Provisions of the Macclesfield Canal Act to remain in force, except as afore mentioned.

XI. Provided always, and be it further enacted, That, except as lastly herein-before enacted and provided, nothing herein contained shall extend or be construed to extend to alter or repeal all or any Part or Parts of the said recited Act passed in the Seventh Year of the Reign of His present Majesty, relating to or directing the erecting, building, Reparation, Construction, or Maintenance, by and at the Expense, Costs, and Charges of the said Company of Proprietors of the *Macclesfield* Canal, of the said Two Regulating Pounds or Stop Locks, or the said House, Waste Weir, Channel or Feeder, or any or either of them, but the said Act, so far as it relates to the same, and every or any or either of them, and all and every the Regulations, Provisions, Conditions, Restrictions, Clauses, and Directions relative thereto, except as aforesaid, and all and every other the Regulations, Provisions, Powers, Conditions, Restrictions, and Clauses in the said recited Act passed in the Seventh Year of the Reign of His present Majesty contained, in any way relating to or for the Benefit, Advantage, or Protection of the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, or of their said Navigation or Canal, or relating to the Erections, Works, Buildings, and other Matters and Things to be made, done, erected, completed, and maintained for those or any of those Purposes, and also all and every the Regulations, Provisions, Powers, Conditions, Restrictions, and Clauses in the said Act contained for the Protection or Supply of Waters for the said Navigation from the *Trent* to the *Mersey*, or in any way relating thereto, shall be and remain in full Force and Effect, anything herein contained to the contrary thereof in anywise notwithstanding.

Powers secured to the Trent and Mersey Canal Company by 7 G. 4. c. 30. not affected.

XII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to revoke, abridge, or in anywise affect all or any of the Powers, Rights, Interests, Privileges, or Advantages by the said recited Act passed in the Seventh Year of the Reign of His present Majesty given to or vested in the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, but the same shall be and remain in full Force and Effect, anything in this Act contained to the contrary thereof in anywise notwithstanding.

Power to purchase Lands regulated.

XIII. And whereas it was by the said last-mentioned Act provided, that it should be lawful to and for the said Company of Proprietors thereby incorporated to purchase from any Person or Persons who might be willing to sell the same any small Pieces or Parcels of Land lying adjacent or near to the said Canal or other Works thereby authorized to be made and done, containing any Materials proper for the maintaining and repairing of the said Canal or other Works of the said last-mentioned Company, where such Materials should be wanted for that Purpose, not exceeding Twenty Statute Acres in the whole; and it is expedient that the said Provision should be altered, so as to apportion the said Quantity so authorized to be purchased between the said last-mentioned Company and the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, according to the respective Proportions of the said Canal or Navigation and other Works to be made and done by the said respective Companies according to the Provisions of this Act: Be it therefore further enacted, That it shall not be lawful to or for the said Company of Proprietors by the said Act passed in the Seventh Year of the Reign of His present Majesty incorporated to purchase any larger Quantity of such Land as aforesaid than the Quantity of Nineteen Statute Acres in the whole; and that it shall and may be lawful to and for the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* to purchase, for the Purposes of making the said Part of the said *Macclesfield* Canal, and other Works connected therewith, hereinbefore authorized to be made, any such small Pieces or Parcels of Land as aforesaid, not exceeding the Quantity of One Statute Acre in the whole, any Law, Statute, or Usage to the contrary notwithstanding.

Upon Completion of the Works, certain Powers of the Macclesfield Canal Company to cease.

XIV. And be it further enacted, That when and so soon as the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall have well and duly made and completed that Part of the said *Macclesfield* Canal hereby authorized to be made and completed by them, so much of the said recited Act passed in the Seventh Year of the Reign of His present Majesty as authorizes the said Company of Proprietors of the *Macclesfield* Canal, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain the said Part of the said Canal or Navigation hereby authorized to be made by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, or to construct, erect, make, or do any Works, Matters, or Things necessary to or for the Purpose of making, completing, or maintaining, supplying, or

rendering fit for Use, or which in any other Manner whatsoever relate to or affect the said Part of the said Canal or Navigation as aforesaid, shall be and the same is and are hereby repealed, and then and from thenceforth all Powers and Authorities, Abilities, Rights, Privileges, Advantages, Profits, Emoluments, Estates, and Interests, by the said recited Act given to or vested in the said Company of Proprietors of the *Macclesfield* Canal, their Deputies, Agents, Officers, Workmen, or Servants, or any other Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, so far as the same are applicable to, or to be exercised, used, enjoyed, or possessed by the said last-mentioned Company, for the Purpose or by reason or in respect of the making, completing, maintaining, supplying, or rendering fit for Use such Part of the said Canal or Navigation as aforesaid, or the constructing, erecting, making, or doing of any such Works, Matters, or Things as last aforesaid, or in any other Manner whatsoever with relation to or in respect of such Part of the said Canal or Navigation as last aforesaid, shall cease and determine.

Power for the Macclesfield Canal Company to make Wharfs in a particular Place.

XV. Provided always, and be it further enacted, That, notwithstanding anything herein contained, it shall and may be lawful to and for the said Company of Proprietors of the *Macclesfield* Canal, under and by virtue and subject to the Provisions and Restrictions contained in the said recited Act passed in the Seventh Year of the Reign of His present Majesty, to make and erect public Wharfs, Quays, Basins, Landing Places, Cranes, Weighbeams, Warehouses, and other necessary Conveniences along the Western Bank or Side of the Line of the said Part of the said *Macclesfield* Canal hereby authorized to be made by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, which commences at the Distance of Eighty Yards or thereabouts Northward from the Boundary Line of the Counties of *Stafford* and *Chester* (crossing the said Canal), and extends Northwards to the Length of Seventy-five Yards from the said Commencement; provided that such Wharfs, Quays, Basins, Landing Places, Cranes, Weighbeams, Warehouses, and other Conveniences, all and every of them, and the Sites thereof respectively, shall not be converted to or used for any other Purposes than public Wharfs, Quays, Basins, Landing Places, Cranes, Weighbeams, and Warehouses for the *Macclesfield* Canal, and the said Navigation from the *Trent* to the *Mersey*, and the Convenience of all Persons using and navigating the same Canal and Navigation or either of them.

The Towing Path of the Canal to be made on the Eastern Side.

XVI. And be it further enacted, That the Towing Path for such Part of the said *Macclesfield* Canal hereby authorized to be made and completed by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* which extends along the said Space of Seventy-five Yards shall be made and constructed on the Eastern Side of the said Canal: Provided always, that in the Use and Management of the said Wharfs, Quays, Basins, Landing Places, Cranes, Weighbeams, and Warehouses the said Company of Proprietors of the *Macclesfield* Canal, and other the Person and Persons using the

Proviso as to the Wharfs, &c. to be made.

the same, shall not in any Manner interfere with, prejudice, obstruct, or impede the said Part of the said *Macclesfield* Canal hereby authorized to be made, or the free and full Navigation thereof.

No Cut or Communication to be made from the Wharfs by the Macclesfield Canal Company.

XVII. And be it further enacted, That no Branch Cut, Canal, Railroad, or other Way (except a Horse and Carriage Road for the necessary Communication from the said Wharfs and Premises lastly mentioned to or with the Turnpike Road leading from *Congleton* to *Newcastle*) shall be made or extended by the said Company of Proprietors of the *Macclesfield* Canal from the Land which shall or may be taken or used by the said Company of Proprietors of the *Macclesfield* Canal for the Purpose of the said last-mentioned Wharfs, Quays, Basins, Landing Places, Cranes, Weighbeams, and Warehouses, whereby any further or other Communication shall or may be made to or with the said Part of the said *Macclesfield* Canal hereby authorized to be made, or to or with the said Navigation from the *Trent* to the *Mersey*.

A Bridge to be erected over a certain Part of the Canal.

XVIII. And be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall and they are hereby required to build, erect, and complete a proper and substantial Bridge over the said Part of the *Macclesfield* Canal hereby authorized to be made at or near the Northern Extremity of the herein-before mentioned Distance of Eighty Yards, for the Purpose of enabling the Horses drawing any Boat or Vessel along the said Canal to cross the same.

On Failure of the Trent and Mersey Canal Company to complete the Works, the Macclesfield Canal Company may complete the same.

XIX. Provided always, and be it further enacted, That in case the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall not, within Two Calendar Months after receiving a Notice and Requisition to that Effect from the Company of Proprietors of the *Macclesfield* Canal, under their Common Seal, such Notice not to be given until after the Expiration of Twenty-eight Calendar Months next after the passing of the said recited Act of the Seventh Year of the Reign of His present Majesty, commence and proceed in the Execution of, or in case the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall not well and duly, within the Period of Three Years and Six Calendar Months from the passing of the said recited Act of the Seventh Year of the Reign of His present Majesty, make, construct, and complete, fit for the Navigation of Boats, Barges, and other Vessels, the said Part of the *Macclesfield* Canal hereby authorized to be made and completed by them, (unless prevented so doing by unforeseen or inevitable Accident,) it shall be lawful to and for the said Company of Proprietors of the *Macclesfield* Canal, immediately upon the Failure of the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* in complying with either of the said Provisoes, (unless the said Company of Proprietors of the *Macclesfield* Canal shall, by Writing under their Common Seal, give their Consent that the Time for the commencing or for the making and completing the said Part of the said Canal by the said Company of Proprietors of the Navigation

gation from the *Trent* to the *Mersey* shall be further extended,) to proceed to take possession of so much and such Part of the said *Macclesfield* Canal as is hereby authorized to be made by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, if such last-mentioned Company shall not have commenced to make the same, or of so much and such Part thereof as shall or may have been commenced by the said Company, and which shall have been left unfinished, and to make, construct, and complete the said Part of the said *Macclesfield* Canal, under and by virtue of the Powers of the said recited Act passed in the Seventh Year of the Reign of His present Majesty, without any Interference or Interruption on the Part and Behalf of the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, and as if this Act had not been passed; and upon such Failure on the Part and Behalf of the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, all Powers, Rights, Privileges, and Authorities given to or vested in them by virtue of this Act, in relation to the said Part of the *Macclesfield* Canal hereby authorized to be made and completed, shall immediately cease and determine, and become absolutely void, and the said last-mentioned Company shall from thenceforth cease to have or possess any Interest, Power, Authority, or Privilege in, over, or in relation to the said Part of the said *Macclesfield* Canal, but the same and every Part thereof shall be and become the Property of and be vested in the said Company of Proprietors of the *Macclesfield* Canal, as fully and completely as if this Act had not been passed, anything in this Act to the contrary in anywise notwithstanding.

In case of Failure to complete the Works within a certain Time, Powers to cease.

XX. Provided always, and be it further enacted, That in case the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall not, within the Period of Five Years from the passing of the said recited Act of the Seventh Year of the Reign of His present Majesty, and in manner aforesaid, make, construct, and complete, fit for the Navigation of Boats, Barges, and other Vessels, that Part of the said *Macclesfield* Canal hereby authorized to be made and constructed by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, then and in such Case all Powers, Rights, Privileges, and Authorities given to or vested in the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, by virtue of this Act, in relation to the said Part of the said *Macclesfield* Canal, shall thereupon immediately cease and determine, and become absolutely void, and the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall from thenceforth cease to have or possess any Interest, Power, Authority, or Privilege in, over, or in relation to the said Part of the said *Macclesfield* Canal, and precisely as if this Act had not been passed.

12 G. 3. c. 75.

XXI. And whereas an Act was passed in the Twelfth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making a navigable Cut or Canal from the River* Dee *within the Liberties of the City of* Chester *to or near* Middlewich *and* Nantwich

in the County of Chester: And whereas another Act was passed in the Seventeenth Year of the Reign of His said late Majesty, intituled
17 G. 3. c. 67. *An Act for varying and enlarging the Powers of an Act made in the Twelfth Year of the Reign of His present Majesty, for making a navigable Cut or Canal from the River* Dee *within the Liberties of the City of* Chester *to or near* Middlewich *and* Nantwich *in the County of* Chester: And whereas by the said last-mentioned Act it was amongst other things enacted, that the said Company of Proprietors for making the Navigation thereby authorized, their Successors and Assigns, and all other Persons, should be and were thereby restrained from making, carrying on, or extending the said Canal, or any Branch, Cut, Tunnel, or Way from the same, and from exercising any of the Powers or performing any of the Works thereby authorized, over or beyond the public Road or Highway leading from *Northwich* through *Middlewich* to *London*, or the public Road or Highway leading from *Middlewich* to *Nantwich*, or nearer in any Part to the navigable Canal authorized to be made from the *Trent* to the *Mersey* than the Distance of One hundred Yards, and also from taking, using, or diverting any Springs, Brooks, or Streams of Water which could be had or taken for the Supply of the said Canal from the *Trent* to the *Mersey*, by virtue of the Powers contained in the said recited Act, without first obtaining, for those or any of those Purposes, the Consent and Approbation of the said Company of Proprietors of the said navigable Canal from the *Trent* to the *Mersey*, their Successors or Assigns, in Writing under their Common Seal, at a General Assembly
53 G. 3. c. 80. of the said Proprietors to be held for that Purpose: And whereas an Act was passed in the Fifty-third Year of the Reign of His said late Majesty, whereby the Company of Proprietors of the said Canal from the River *Dee*, and which is in the said Act called the *Chester* Canal, and the Company of Proprietors of a certain other Canal called the *Ellesmere* Canal, were united and formed into One Company, and the several Powers granted to the said respective Companies by the several Acts relating to each respective Canal were by the said Act vested in the said Company so united as aforesaid: And whereas a Bill is now pending in Parliament to amend and enlarge the Powers and Provisions of the several Acts relating to the said *Ellesmere and Chester* Canal Navigation, and to enable the said United Company of Proprietors of the *Ellesmere and Chester* Canal to extend the Line of such Canal, by making, completing, and maintaining a navigable Branch, Cut, or Canal, passable for Boats, Barges, and other Vessels, from and out of the same Canal at or near to a certain Place called *Wardle Green* in the Township of *Wardle* in the Parish of *Bunbury* in the County of *Chester*, near to the East Side of a certain Bridge in the Township of *Newton* in the Parish of *Middlewich* in the same County, to the Distance of One hundred Yards from the said Navigation from the *Trent* to the *Mersey*, in the Course or Direction mentioned or described in the Map or Plan deposited by the said United Company of Proprietors in the Private Bill Office of the House of Commons: And whereas it is expedient that the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* should be empowered to

continue

continue the said Branch, Cut, or Canal, by making a further Cut or Canal, for the said Distance of One hundred Yards, near to and on the East Side of the said Bridge called the *Brick Kiln Field Bridge* or *Brook's Lane Bridge* in the Township of *Newton* aforesaid, from the said Navigation from the *Trent* to the *Mersey* into and so as to communicate with the said Branch, Cut, or Canal intended to be made by the said Company of Proprietors of the *Ellesmere and Chester* Canal, according to the Line described in the said Map or Plan: Be it therefore further enacted, That it shall and may be lawful for the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain a navigable Cut or Canal, passable for Boats, Barges, and other Vessels, from and out of the said Navigation from the *Trent* to the *Mersey*, on the East Side of the said Bridge called the *Brick Kiln Field Bridge* or *Brook's Lane Bridge* in the Township of *Newton* in the Parish of *Middlewich* in the County of *Chester*, to the Extent of One hundred Yards from the said Navigation from the *Trent* to the *Mersey*, to and to communicate with the said Branch, Cut, or Canal so intended to be made by the said United Company of Proprietors of the *Ellesmere and Chester* Canal, as hereinbefore is mentioned; and also to make, construct, erect, sink, and drive such and so many Reservoirs, Aqueducts, Feeders, Tunnels, Perforations, Weirs, Shafts, Wheels, Engines, and other Machinery, for the Purpose of filling and supplying the said Cut or Canal, or any Part or Parts thereof, and such Reservoirs, with Water, and for conveying Water to and from the same for the Purposes of Navigation, and for the Purpose of the better making and maintaining of such Cut or Canal, as the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall from Time to Time think necessary or expedient; and also to supply the said Cut or Canal, and Reservoirs, whilst making, and after the same shall have been made, with Water, from all such Brooks, Springs, Streams, Watercourses, Mines, Hollows, Caverns, and other Sources or Repositories of Water as shall be found in making the said Cut or Canal, and Reservoir or Reservoirs, and to enlarge, widen, deepen, divert, alter, or vary such Roads or Ways, and also the Courses of such Brooks, Streams, or Watercourses, as may be situated within the Line of the said Cut or Canal, or which may prevent or otherwise impede or obstruct the making of the same.

The Trent and Mersey Company also authorized to make a Canal to communicate with a Cut intended to be made by the Ellesmere and Chester Canal Company.

XXII. And be it further enacted, That for the Purpose of making the said Cut or Canal lastly hereby authorized to be made the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, their Deputies, Agents, Servants, Surveyors, and Workmen, shall be and they are hereby authorized and empowered to enter into and upon the Lands and Grounds of or belonging to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate whatsoever, subject to the Directions and Provisions contained in the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty,

Power to take Lands, and to construct and erect the necessary Works for that Purpose.

Majesty, and of the Fourth Year of the Reign of His present Majesty, and of this Act, and to survey and take Levels of the same or any Part thereof, and to set out, ascertain, and appropriate such Part or Parts thereof as they shall think necessary or expedient for making, maintaining, and completing the said Cut or Canal, and the other Works hereby lastly authorized to be made, and to bore, dig, cut, trench, drain, sough, get, raise, remove, take, carry away, lay, use, and manufacture any Earth, Soil, Clay, Stone, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things which can or may be dug, raised, or gotten in the making, carrying on, or maintaining or repairing of the said Cut or Canal or other Works respectively, or out of any Lands or Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, adjoining or lying contiguous thereto, and which may be proper, requisite, necessary, or convenient for the same, or which may hinder, prevent, or obstruct the same; and also to make, build, erect, bank, excavate, or set up, amend and alter, in, under, or upon the said Cut or Canal and other Works, or upon the Lands adjoining the same respectively, such and so many Bridges, Piers, Arches, Tunnels, Aqueducts, Sluices, Culverts, Locks, Weirs, Dams, Pens for Water, Tanks, Basins, Reservoirs, Drains, Wharfs, Quays, Docks, Landing Places, Houses, Warehouses, Toll Houses, Weighing Beams, Cranes, Fire Engines, or other Machines, and other Fences, Ways, Roads, and Conveniences, as, where, and in such Manner as the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall think requisite or convenient for the several Purposes aforesaid, subject to the Restrictions and Directions contained in the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and the Fourth Year of the Reign of His present Majesty, and also from Time to Time to alter, repair, amend, improve, or discontinue the same; and also to place, lay, work, or manufacture the Materials necessary for the making, erecting, maintaining, and repairing the said Cut or Canal and other Works on the Lands or Grounds adjoining to the Place or Places where the said Cut or Canal or other Works, or any of them, shall be carrying on and executed; and also to make, set out, and appoint such Roads, Towing Paths, Banks, and Ways, convenient for towing, hauling, or drawing of Boats, Barges, or other Vessels or Rafts, or Places for the same to lie or turn in, as the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall think proper or convenient; and to construct, erect, and keep in repair any Bridges, Piers, Arches, or other Works, in, upon, and across any Rivers or Brooks, for the making, effecting, preserving, improving, completing, using, maintaining, and repairing the said Cut or Canal and other Works; and also to dig, take, and carry away any Soil, Gravel, Sand, Stone, or other Materials, for the Purposes aforesaid, in or from the Grounds or Premises of any Person adjoining to the said Cut or Canal or other Works, and also to construct, erect, make, and do all other Works, Matters, and Things which they shall think necessary and convenient for the making, completing, altering, preserving, improving, carrying on, and

and rendering fit for Use and using the said Cut or Canal and other Works hereby secondly authorized to be made or constructed, according to the true Intent and Meaning of this Act; they the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted for the Purposes last aforesaid, and making full Satisfaction in the Manner directed by the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and of the Fourth Year of the Reign of His present Majesty, to the Owners and Proprietors of and all Persons interested in any Lands, Tenements, or Hereditaments, Mills, Forges, Watercourses, Brooks, or Rivers respectively, which shall be taken, used, removed, diverted, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted for the Purposes last aforesaid; and this Act shall be sufficient to indemnify the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted.

Powers of former Acts extended to this Act.

XXIII. And be it further enacted, That for the more easily and effectually making, completing, maintaining, and using the said navigable Cut or Canal secondly hereby authorized to be made, the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, their Agents, Servants, Workmen, and Labourers, and all and every Persons and Person, Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, Tenants for Life or in Tail, or for any other partial or qualified Estates or Interests, Husband, Guardians, Trustees, Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, shall take and have and be seised and possessed, and are and is hereby invested with such and the like Estates, Authorities, Powers, Securities, Rights, Remedies, Abilities, Interests, Privileges, and Advantages, and shall be and are and is hereby made subject and liable to such and the like Rules, Conditions, Directions, Limitations, Restrictions, Control, Payments, Penalties, Forfeitures, and Punishments, and with such and the like Benefit of Appeal, with respect or in relation to the said Cut or Canal and other Works by this Act secondly authorized to be made, as are mentioned, directed, given, granted, prescribed, established, and inflicted in and by the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and of the Fourth Year of the Reign of His present Majesty, to every Intent and Purpose whatsoever; and that the said lastly-recited Acts, and all the Clauses, Provisoes, Authorities, Rules, Orders, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exceptions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things therein

respectively contained, (except such Parts of the said Acts as are by any other of the said Acts or by this Act repealed, altered, or varied,) shall extend and are hereby extended to, and shall take effect, operate, and be put in execution in, for, and in respect of the making, completing, maintaining, repairing, rendering fit for Use and using the said Cut or Canal and other Works by this Act secondly authorized to be made, done, and performed, as if all the said Clauses, Provisions, Authorities, Rules, Regulations, Limitations, Orders, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things were herein repeated, re-enacted, and applied to the Cut or Canal and other Works secondly hereby authorized to be made, done, and performed, or as the same would have been done if the said Cut or Canal and other Works by this Act secondly authorized to be made, completed, maintained, and used had been authorized to be made, done, and performed by the said last-mentioned Acts or any of them.

Plan to remain with the Clerk of the Parliaments.

XXIV. And whereas a Map or Plan, describing the Line of the said intended Cut or Canal secondly hereby authorized to be made, and the Land in and through which the same is to be carried and made, and a Book of Reference thereto, containing a List of the Owners or reputed Owners and Occupiers of such Lands, have been deposited in the Office of the Clerk of the Parliaments: Be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Parliaments, and all Persons shall and may at all reasonable Times have Liberty to resort thereto as Occasion shall require.

Canal not to deviate more than Sixty Yards from the Line in the Plan.

XXV. And be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, in making or completing the said Cut or Canal and other Works secondly hereby authorized to be made, shall not deviate more than Sixty Yards from the Course or Direction delineated in the said last-mentioned Map or Plan, nor in such Manner as to extend into any Lands or Grounds the Owners of which are not mentioned in the said Book of Reference; and the said Company shall and they are hereby required to

Dimensions of Canal.

make and construct the said Cut or Canal secondly hereby authorized to be made and constructed, of no less Dimensions than the several Dimensions following, that is to say, of the clear Depth of not less than Five Feet of Water, and the Width of not less than Sixteen Feet at the Bottom of the said Canal, and not less than Thirty-one Feet at the Top of the Water of the said Canal.

Houses, &c. not to be taken, except in Schedule.

XXVI. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Cut or Canal secondly hereby authorized to be made, any House or other Building, or any Ground

Ground which at the Time of the passing of this Act formed the Site of a House or other Building, or any Land or Ground which at that Period was set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners and Occupiers thereof, and all other Persons interested therein respectively, other than and except such as are specified and set forth in the Schedule to this Act annexed.

For keeping Canal in repair.

XXVII. And be it further enacted, That upon the Completion of the said Cut or Canal secondly hereby authorized to be made and constructed the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall and they are hereby required, for ever thereafter, at their own Costs and Expenses, to maintain, uphold, support, and keep the same, and the Aqueducts, Bridges, Towing Paths, Culverts, and all other Works, Matters, and Things thereunto belonging and appertaining, in good and substantial Order and Repair, so as at all Times to keep open and preserve the free and complete Navigation of the same Cut or Canal to and with the other Part of the Branch Cut or Canal intended to be made by the said United Company of Proprietors of the *Ellesmere and Chester* Canals, and to and with the said Navigation from the *Trent* to the *Mersey*.

For making a Lock thereon.

XXVIII. And be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall and they are hereby required, at their own proper Costs and Charges, to make, erect, and build, and for ever thereafter to maintain and keep in good and perfect Repair, on the said Cut or Canal secondly hereby authorized to be made, in the Place mentioned or specified in the Plan (lastly herein-before referred to) for the Construction thereof, a Lock similar to and of the same Capacity as the Lock now made, erected, and completed on the said Navigation from the *Trent* to the *Mersey* at *Middlewich* aforesaid, next and immediately below the intended Point of Junction of the said Cut or Canal secondly herein-before authorized to be made to and with the said Navigation from the *Trent* to the *Mersey*; and which said Lock is of the Capacity and Dimensions following, that is to say, Seventy-seven Feet in Length, Eight Feet and Four Inches in Width at the Top, Seven Feet and One Inch in Width on the Bottom Sill, and Sixteen Feet and Three Inches in Height from the Bottom Sill to the Top of such Lock.

For preventing Waste of Water.

XXIX. And in order that no unnecessary Loss of Water may be occasioned to the said united *Ellesmere and Chester* Canals, be it further enacted, That the Proprietors of the said Navigation from the *Trent* to the *Mersey* shall at all Times keep the said last-mentioned Lock, so intended to be built by them as aforesaid, in good and substantial Order, Condition, and Repair, and shall cause the same Lock to be at all Times kept closed and shut, except at such Times as the same may require to be opened for the Passage of Boats, or for other necessary Purposes, and shall do all other Acts proper

proper or requisite to prevent the Escape, Leakage, or unnecessary Waste of Water through the said Lock, or through the Gates and Sluices thereof.

For making a Bridge over said Canal.

XXX. And be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall and they are hereby required, at their own proper Costs and Charges, to make, erect, and build, and for ever thereafter to support, maintain, and keep in good and perfect Repair, over the Cut or Canal secondly hereby authorized to be made, on the Place or Spot mentioned or specified in the Map or Plan lastly herein-before referred to, One Bridge of Brick, Stone, or Iron, of the clear Width of Twenty-six Feet, with Slopes and Approaches thereunto, and with Parapet Walls Four Feet high above the Top of the Arch of the said Bridge, and shall make and construct the said Bridge so that the Ascent thereto shall not be greater than One Foot in Thirty Feet, or shall be as near thereto as the Nature and Level of the Ground and other Circumstances will allow.

Rates and Tonnage to be taken.

XXXI. And be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall and may and they are hereby authorized and empowered to ask, demand, take, receive, and recover, to and for their own Use and Benefit, for the Tonnage of all Goods, Commodities, Wares, Merchandizes, Coal, Stone, Timber, Articles, Matters, and Things, which shall or may be carried or conveyed upon or along the said intended Canal from *Wardle Green* aforesaid, or any Part thereof, and which shall pass or be brought into or upon the said Navigation from the *Trent* to the *Mersey*, or which shall or may be carried or conveyed upon or along the said Navigation from the *Trent* to the *Mersey*, and pass or be brought into or upon the said intended Canal from *Wardle Green* aforesaid, or any Part thereof, or which shall or may be carried or conveyed upon or along any Part of the said Cut or Canal secondly hereby authorized to be made, the several Rates, Tolls, and Duties herein-after mentioned, being in full for all Tonnage Rates, Tolls, and Duties in respect of the said Canal secondly hereby authorized to be made; (that is to say,)

For every Ton Weight of Coal, Coke, Culm, Limestone, and Rock Salt, Nine-pence:

For every Ton Weight of Freestone, Timber, Slate, Ironstone, Lead Ore, Iron, and Lead, Nine-pence Halfpenny:

For every Ton Weight of all or any other Goods, Wares, Merchandizes, Articles, Matters, or Things whatsoever, Ten-pence Halfpenny.

And for the Wharfage and Warehousing of all Goods, Commodities, Wares, Merchandizes, Articles, Matters, and Things, loaded, landed, or placed in or upon any Wharfs, Quays, or Warehouses which may be built or constructed upon the Line of the said Cut or Canal secondly hereby authorized to be made, the same Rates, Dues, and Duties as they are already authorized and empowered to ask, demand,

take,

take, recover, and receive, in respect of any Wharfs, Quays, or Warehouses, under or by virtue of the said recited Acts passed in the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and in the Fourth Year of the Reign of His present Majesty; which said several Tolls, Rates, and Duties shall be paid and payable to the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, their Agents, Servants, and Appointees, in such and the like Manner, and under and subject to such and the same Provisions, Rules, Regulations, and Penalties, and with such and the like Powers for enforcing the Payment of such Tolls, Rates, and Duties, as is and are in and by the said recited Acts passed in the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and the Fourth Year of the Reign of His present Majesty, given, granted, directed, provided, appointed, and contained with respect to the other Tonnage Rates and Duties thereby respectively granted to the said last-mentioned Company of Proprietors, and in as full, ample, and beneficial a Manner, to all Intents and Purposes, as the said Company are authorized and empowered, under and by virtue of the said several Acts, or any or either of them, to ask, demand, take, receive, recover, and enjoy the said Tonnage Rates and Duties thereby respectively granted to them.

Power to buy a certain Quantity of Land.

XXXII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* to purchase, from any Person or Persons who may be willing to sell the same, any small Pieces or Parcels of Land lying adjacent or near to the said Cut or Canal, or other Works secondly hereby authorized to be made and done, containing any Materials proper for the maintaining and repairing of the said Part of the said Cut or Canal, or other Works, where such Materials shall be wanted for that Purpose, not exceeding the Quantity of One Statute Acre, any Law, Statute, or Usage to the contrary notwithstanding.

The said Canal to be completed within Five Years.

XXXIII. Provided always, and be it further enacted, That in case the said intended Cut or Canal secondly hereby authorized to be made and completed shall not have been completed and made navigable for Boats, Barges, and other Vessels, within the Space of Five Years, to be computed from the passing of this Act, then and in such Case all Powers, Rights, Privileges, and Authorities given to or vested in the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* by virtue of this Act, in relation to the said Cut or Canal, shall, from and immediately after the Expiration of the said Term of Five Years, cease and determine.

Canal and Works made under this Act to be

XXXIV. And be it further enacted, That the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall be and continue subject to the same Rules, Regulations, and Provisions for

consolidated with the Navigation of the Trent and Mersey Company.

for and in the Administration and Management of their Affairs as they were subject to before the passing of this Act, except so far as the same are herein varied, controlled, or repealed; and that the said Part of the said *Macclesfield* Canal or Navigation, and the said other Cut or Canal and other Works hereby authorized to be made by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, shall be consolidated with and become and be deemed Part of the general Navigation of the said last-mentioned Company, and be managed therewith, and under the Rules and Regulations thereof, and be subject and liable to the several Clauses, Powers, Provisoes, Enactments, Rules, Regulations, and Provisions contained in the said recited Acts passed in the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and in the Fourth Year of the Reign of His present Majesty, except so far as the same have been varied, altered, or repealed by the same Acts or any of them, or by this Act.

For dividing the Shares.

XXXV. And whereas the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* were, by the said recited Act passed in the Sixth Year of the Reign of His late Majesty, empowered to raise and contribute among themselves a Sum of Money not exceeding in the whole One hundred and thirty thousand Pounds (except as therein excepted), and were directed to divide the same into Six hundred and fifty equal Parts or Shares, at a Price not exceeding Two hundred Pounds *per* Share; and by the said recited Act passed in the Forty-second Year of the Reign of His said late Majesty, after reciting that the said Company had raised and contributed among themselves the said full Sum of One hundred and thirty thousand Pounds, which then stood divided into Six hundred and fifty equal Parts or Shares, at the Rate or Price of Two hundred Pounds *per* Share, and that it would be more convenient to the said Company if the said Six hundred and fifty Shares were divided and distinguished into One thousand three hundred Shares, at the Rate or Price of One hundred Pounds *per* Share, it was enacted, that the same should be and they were thereby divided accordingly: And whereas it would be more convenient to the said Company if the said One thousand three hundred Shares were still further divided as hereinafter mentioned and directed: Be it therefore enacted, That the said One thousand three hundred Shares shall be and the same are hereby divided into Two thousand six hundred equal Parts or Shares; and that all and every Persons and Person, Bodies and Body Politic, Corporate, and Collegiate, who now stand or standeth possessed of or entitled to One Part or Share in the said Navigation, Undertaking, and Premises, and the other Works united to and consolidated with the same, by any Act or Acts of Parliament now in being, or by this Act, at the Rate or Price of One hundred Pounds *per* Share as aforesaid, shall henceforth be deemed and taken to stand possessed of Two Shares or Parts at the Rate or Price of Fifty Pounds *per* Share, and so in proportion for any greater Number of Shares not exceeding One hundred Shares, and shall have and be entitled to the like Privileges,

Advantages,

Advantages, and Emoluments in respect to the Number of Shares such Persons or Person, Bodies or Body Politic, Corporate, or Collegiate, shall or may be possessed of or entitled to in the said Two thousand six hundred Parts or Shares, according to the Distribution aforesaid, as he or they now is or are or would have been entitled to had the said Shares continued or remained at the said One thousand three hundred Parts or Shares; and the said Two thousand six hundred Shares shall reman subject and liable to the same Charges and Incumbrances as the said One thousand three hundred Parts or Shares now are or would have been subject and liable to had the same not been divided as aforesaid, or this Act had not been passed, anything in this Act, or the said recited Acts or any of them, contained to the contrary notwithstanding.

No Proprietor to have less than One Share nor more than 100.

XXXVI. Provided always, and be it further enacted, That no Person, or Body Politic, Corporate, or Collegiate, now being or hereafter becoming a Proprietor in the said Navigation, Undertaking, and Premises, do or shall become a Proprietor (according to the Distribution and Division herein-before made and directed) of less than One Share or more than One hundred Shares, either in his or its own Name or in the Name of any other Person or Persons in trust for him or for such Body, (except the same shall have been acquired, or shall hereafter be acquired, by Will or Act of Law,) upon pain of forfeiting to the said Company, their Successors and Assigns, all such Shares exceeding One hundred Shares as aforesaid; nor shall any Person be qualified to be elected as a Member of the Committee for managing the Affairs of the said Company who is not at the Time of such Election possessed of Eight Shares at least in the said Navigation and Premises, according to the Distribution and Division herein-before made and directed.

Regulations as to voting.

XXXVII. Provided also, and be it further enacted, That no Person shall be entitled to vote in the General or Special Assemblies of the said Company who shall not be possessed of or entitled to Two Shares at the least, according to the Division and Distribution aforesaid, in the said Navigation and Premises, but every Person possessed of or entitled to Two or more such Shares shall have One Vote in respect of every such Two Shares in the said General and Special Assemblies, which Vote shall or may be given by him, her, or them, or by his, her, or their Proxy or Proxies (being a Proprietor or Proprietors in the said Undertaking) constituted and appointed in Manner and according to the Form in the said recited Act of the Forty-second Year of His said late Majesty in that Behalf directed; provided that no Person shall give or deliver more Proxies than for Ten absent Proprietors, or vote in any Question for more than Two hundred Shares, according to the Division and Distribution herein-before made and directed under or by virtue of such Appointment, anything in the said recited Acts of the Sixth and Forty-second Years of the Reign of His said late Majesty, or either of them, to the contrary thereof notwithstanding.

XXXVIII. And

For altering the Times of holding the General Meetings.

XXXVIII. And whereas the said Company were, by the said recited Act of the Sixth Year of the Reign of His said late Majesty, required to hold One General Assembly or Meeting of the said Proprietors on the last *Tuesday* in *March*, and another General Assembly or Meeting of the said Proprietors on the last *Tuesday* in *September* yearly, at or before the Hour of Eleven of the Clock in the Forenoon; and by the said recited Act of the Forty-second Year of the Reign of His said late Majesty, after reciting that the last *Tuesday* in *March* had been found an inconvenient Time for holding such General Assembly, it was enacted, that a General Assembly or Meeting of the said Proprietors should yearly thereafter be held on the *Wednesday* in *Easter* Week at or before the Hour of Eleven in the Forenoon, instead of the last *Tuesday* in *March* as aforesaid: And whereas the Days for holding such General Assemblies have been found inconvenient: Be it therefore further enacted, That a General Assembly or Meeting of the said Proprietors shall in every Year hereafter be held at the Office of the said Company of Proprietors at *Stone* in the County of *Stafford* on the Two following Days, (that is to say,) on the Second *Tuesday* in *June* and on the First *Tuesday* in *December* in each Year, at or before the Hour of Twelve at Noon, instead of the respective Days and Times in that Behalf appointed by the said recited Acts of the Sixth and Forty-second Years of the Reign of His said late Majesty; which said respective General Assemblies or Meetings to be held by virtue of this Act shall have Power to adjourn themselves over from Time to Time and from Place to Place as shall be thought convenient by the Persons there assembled entitled to a Majority of Votes; and every such General Assembly or Meeting so to be held on the respective Days and Times hereby appointed, or any other Days or Times, by Adjournment, as aforesaid, shall be invested with the like Powers and Authorities in all respects as General Assemblies or Meetings of the said Proprietors are invested with under or by virtue of the said recited Acts of the Sixth and Forty-second Years of the Reign of His said late Majesty.

At a General Meeting, if there are not Persons present having 1,000 Shares, another Meeting to be held.

XXXIX. Provided always, and be it further enacted, That if at any General Assembly to be held under the Provisions of this Act there shall not be Persons present who have One thousand Shares, according to the Distribution herein-before made or directed, a new Assembly of the said Proprietors shall be held at the same Place on that Day Fortnight following for the Purposes and in the Manner required by the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and the Fourth Year of the Reign of His present Majesty.

Meetings of the Committee.

XL. And be it further enacted, That a Meeting of a Committee of Twenty-one Persons, appointed or to be appointed under and by virtue of the Powers in that Behalf contained in the said recited Act of the Sixth Year of the Reign of His said late Majesty, shall be held at the Office of the said Company of Proprietors of the Navigation from the *Trent*

Trent to the *Mersey* on the Four following Days in each Year, at the least, that is to say, on the Day next preceding each of the said General Assemblies or Meetings of the said Proprietors so directed to be held at *Stone* aforesaid, and upon the *Tuesday* in *Easter* Week and the Second *Tuesday* in *September* in each Year at the Hour of Eleven of the Clock in the Forenoon, and that any Five or more of such Twenty-one Persons shall be competent to act.

Power of 6 G. 3. c. 96. as to Special Meetings not to be affected.

XLI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to abridge or in anywise affect the Powers by the said recited Act of the Sixth Year of His said late Majesty given to any Special Meeting of Proprietors to be convened by Fifteen Proprietors or more, in manner therein mentioned, so as at every such Meeting there shall be Persons present having not less than One thousand Shares, according to the Distribution and Division herein-before made and directed.

Select Committee may call Special Meetings.

XLII. Provided also, and be it further enacted, That if at any Time it shall appear to any Committee, or to any Select Committee, appointed or to be appointed under the Powers of the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and the Fourth Year of the Reign of His present Majesty, and this Act, that a Special Meeting of Proprietors is necessary to be held in *London* or elsewhere, it shall be lawful for such Committee or Select Committee to cause Notice thereof to be given in Three Newspapers published in the respective Counties of *Stafford*, *Chester*, and *Derby*, declaring in such Notices the Place where and the Time when such Meeting is to be held, the same not being less than Ten Days after such Notice given, and likewise specifying in every such Notice the Business for which such Meeting is called; and the Proprietors are hereby authorized to meet pursuant to such Notices, and proceed to the Execution of the Powers vested in them with respect to the Business so specified only, provided that at every such Meeting there shall be Persons present entitled to vote, having by themselves or by Proxy not less than One thousand Shares, according to the Distribution and Division herein-before made and directed.

Powers of Committees.

XLIII. And be it further enacted, That it shall and may be lawful for every Committee appointed or to be appointed under and by virtue of the Provisions of the said recited Act of the Sixth Year of His said late Majesty, to manage the Affairs of the said Company, to meet and assemble together for the Despatch of Business, from Time to Time, as often and at such Place or Places as they or any Five or more of the Persons composing such Committee from Time to Time shall deem meet; and such Committee, when so assembled, shall have Power to adjourn themselves over from Time to Time and from Place to Place, and at every such original Meeting, or Meetings by Adjournment, shall have Power to do all such Matters and Things as the said Committee are empowered to do under and by virtue of the said recited Act of the Sixth Year of His said late Majesty, or any other

Act now in force; provided that before any such Meeting shall be held by the said Committee Notice thereof shall be given by Letter to each Member of the said Committee, to be forwarded by the public Post, in which Notice shall be specified the Place where and the Time when such Meeting is to be held, the same not being less than Seven Days after such Notice given.

Special Notices.

XLIV. Provided also, That besides such Notices as are hereinbefore mentioned, and besides such Notice as is in the said recited Act of the Sixth Year of His said late Majesty in that Behalf provided with respect to the Special Meetings of Proprietors thereby authorized, special Notice shall be given, in Writing or otherwise, of all Assemblies and Meetings by Adjournment, and of all Special Meetings, to be held under the Authority of the said last-mentioned Act or of this Act, to all such of the said Proprietors as shall notify at the Office of the said Company at *Stone* to what Place and under what Address to them respectively such special Notice shall be sent, which special Notice shall be so sent within the respective Times limited and prescribed by the said last-mentioned Act and this Act with respect to the Notices thereby respectively directed to be given.

Shares to be entered in a Book, and Certificates given.

XLV. And for the better securing to the several Proprietors of the said Undertaking their respective Shares therein, be it further enacted, That the said Company shall and they are hereby required to cause the Names and proper Additions of the several Persons who shall after such Division as aforesaid be entitled to Shares in the said Undertaking, with the Number of Shares which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk of the said Company, and after such Entry made to cause a Certificate or Ticket, with the Common Seal of the said Company affixed thereto, to be delivered to every such Proprietor, on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking, every such Proprietor paying to the Clerk of the said Company One Shilling, and no more, for every such Certificate or Ticket; and such Certificate or Ticket shall be admitted in all Courts whatsoever as *primâ facie* Evidence of the Title of such Proprietor, his or her Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the Want of such Certificate or Ticket shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof; which said Certificate or Ticket may be in the Words or to the Effect following:

‘ Navigation from the Trent to the Mersey Company.

‘ Number

‘ THESE are to certify, That of
‘ is a Proprietor of the Share, Number , of the Under-
‘ taking of the Navigation from the Trent to the Mersey, subject to
‘ the Rules, Regulations, and Orders of the said Company; and that
‘ the said , his [*or* her] Executors, Admi-
‘ nistrators

'nistrators [*or* Successors], and Assigns, is and are entitled to the 'Profits and Advantages of such Share. Given under the Common 'Seal of the said Company, the Day of 'in the Year of our Lord .'

When Certificates are damaged, lost, or destroyed, others may be given.

XLVI. And be it further enacted, That if any such Certificates or Tickets as aforesaid shall be worn out or damaged, then, upon the same being brought and shown at some Meeting of the Select Committee of the said Company, such Certificates or Tickets may be cancelled and destroyed, and other similar Certificates or Tickets given, under the Common Seal of the said Company, to the Person or Persons in whom the Property of such Certificates or Tickets, and the Shares therein mentioned, shall be at that Time vested; or in case such Certificates or Tickets shall be lost, or burnt, or totally destroyed, then, upon due Proof thereof, like or similar Certificates or Tickets shall be given to the Person or Persons who was or were the Owner or Owners of or entitled to such Certificates or Tickets so lost, burnt, or destroyed; and a due Entry of the Transfer of such Certificates or Tickets (if any such have been made) shall be entered by the Clerk of the said Company in manner herein directed, the said Clerk receiving for every such Certificate or Ticket which shall be so given or exchanged the Sum of Two Shillings and Sixpence, and no more.

For raising an additional Sum of Money.

XLVII. And be it further enacted, That for and towards making the said Part or Portion of the said *Macclesfield* Canal, and the said other Cut or Canal, and other Works hereby authorized to be made or done by the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, it shall and may be lawful to and for the said last-mentioned Company of Proprietors, and they are hereby authorized and empowered, to borrow and raise, by Mortgage of their several Canals, Undertakings, and Premises, and the Rates and Duties thereby arising, at legal or less Interest, any Sum or Sums of Money not exceeding in the whole the Sum of Twenty thousand Pounds, from such Person or Persons who shall be willing to lend the same, and to assign the same Premises, or any Part thereof, as a Security for such Sum or Sums of Money, with Interest; and that all the Regulations and Provisions in the several Acts for making and maintaining the said Navigation from the *Trent* to the *Mersey*, and the several Works and Canals connected therewith, or any of them, contained, with respect to borrowing Money, and creating and transferring the Securities for the same, shall be extended to this Act, for the Purposes of borrowing and securing all or any Part of the said Sum of Twenty thousand Pounds and Interest.

Expenses of the Act.

XLVIII. And be it further enacted, That the Costs, Charges, and Expenses of applying for and obtaining and passing this Act, and all other Expenses relating to or concerning the same, or in anywise incident thereto, shall be borne, paid, and defrayed by the said Company out of any Money in their Hands, or out of the first Money to be received or raised by virtue of this Act, in preference to all other Payments whatsoever.

XLIX. And

Clerk and Treasurer not to be the same Person.

XLIX. And be it further enacted, That it shall not be lawful for the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and the Fourth Year of the Reign of His present Majesty, or of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of the said last-mentioned Acts or of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk for the Purposes of the same Acts or of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of the same Acts or of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of the same Acts or of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Cleek, or if any such Treasurer shall hold any Place of Profit under the said Company of Proprietors other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, and not more than One Imparlance, shall be allowed.

For making up any Deficiency in the Land Tax Assessment.

L. And whereas by reason of taking Land for the Purposes of this Act there may be a Deficiency in the Assessment for Land Tax in the Parishes of *Astbury*, *Church Lawton*, *Audley*, and *Middlewich*: Be it therefore further enacted, That for preventing the same the said Company of Proprietors of the Navigation from the *Trent* to the *Mersey* shall, from and after the passing of this Act, be subject and liable, from Time to Time, to pay and make good, to or in aid of the said Parishes of *Astbury*, *Church Lawton*, *Audley*, and *Middlewich*, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said Assessment for Land Tax within the said Parishes by reason or means of using for the Purposes of this Act any Lands or Hereditaments liable to such Assessment, according to the Rental at which the same were valued at the Time of passing this Act; and the Treasurer to be appointed or continued under this Act shall be and he is hereby authorized and required to pay such Assessment, on Demand thereof, to the Collector or Collectors of the Assessment.

LI. And

Confirming former Acts, except as hereby repealed.

LI. And be it further enacted, That all and every the Enactments, Clauses, Powers, Provisoes, Rules, Regulations, Provisions, Restrictions, Matters, and Things contained in the said recited Acts of the Sixth, Tenth, Fifteenth, Sixteenth, Twenty-third, Thirty-seventh, Forty-second, and Forty-ninth Years of the Reign of His late Majesty, and in the Fourth Year of the Reign of His present Majesty, except such as are hereby expressly varied, altered, or repealed, shall remain, continue, and be in full Force and Effect to all Intents and Purposes whatsoever.

Public Act.

LII. 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 the foregoing Act refers.

No. on the Plan.	Landowners Names.	Occupiers Names.	Description of Premises.	Parish.	Township.
17.	The Reverend Joseph Proctor, D.D., Vice Chancellor, the Reverend Christopher Wordsworth, D.D., Master of Trinity College, The Very Reverend James Wood, D.D., Master of Saint John's College, and the Reverend James Schofield, Greek Professor, Trustees for the University of Cambridge, and John Plant as their Lessee - - -	James Woodbinder Thomas Holford - William Walker - Samuel Moores - Joseph Hough - Samuel Collinson - John Gorst - John Walton - Elijah Halman - Thomas Ellis - Thomas Burgess - William Brookes - William Gorst - Richard Morris - James Calclough - Thomas Briscall - James Boston - John Chesworth - John Plant -	Potato Field -	Middlewich	Newton.
18.	The said Trustees, and Sarah Williams, Lessee - -	Samuel Moore -	Cottage and Garden -	Ditto -	Ditto.
19.	The said Trustees, and Sarah Williams, Lessee - -	Sarah Williams -	Ditto -	Ditto -	Ditto.

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