

WASC 1849

Petition by Thos. &  
Boucher Walton  
re Improvement  
of R. Lea





*With the compliments  
of the Clerk of the Records*

*Requested by phone pm 21.6.1989  
Received on 22.6.1989*

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RARDE 22.6.1989  
POWDERMILL LANE  
WALTHAM ABBEY  
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RECORD OFFICE  
HOUSE OF LORDS  
LONDON  
SW1A 0PW

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WASC 1849

P. 186 Lee N.A.

House of Commons Journal, Volume 31, 184-9

184

25<sup>o</sup>—26<sup>o</sup> Februarii.

A. 1767.

mission and Warrant Officers of the Royal Navy, and the Application thereof, from the 31st of May 1750 to the 31st of May 1766; distinguishing the Produce of each Fund, and each Year.

Mr. Stevens also, from the said Commissioners, presented to the House, pursuant to their Address to His Majesty,

Copy of a Report made by the Commissioners, for executing the Office of Lord High Admiral of Great Britain, in relation to an Augmentation of the Allowances at present made to the Widows of Sea Officers. And the Titles of the said Papers were read.

Ordered, That the said Papers do lie upon the Table, to be perused by the Members of the House.

The said Papers are preserved amongst the other Papers of this Session.

Sowerby Inclosure.

A Petition of John Sowerby, of Sowerby Row, in the Parish of Castlefowerby, in the County of Cumberland, Gentleman, and the several other Persons, whose Names are thereunto subscribed, being Owners of Lands and Tenements within the Manor and Parish of Castlefowerby aforesaid, and having Right of Common on the Wastes and Commons lying in the Manor and Parish aforesaid, on behalf of themselves and many other Persons interested in the said Wastes and Commons, was presented to the House, and read; Setting forth, That the Petitioners, in respect of their several Lands and Tenements, are entitled to Right of Common upon the said Wastes and Commons; and that the Petitioners observe by the Votes, that a Petition has been presented to the House, alledging, that if Sowerby Pasture, and other Waste Grounds within the said Manor, containing 5000 Acres, were divided and inclosed, the same might be greatly improved; and alledging, that these Petitioners have never come into any Agreement for dividing and inclosing the same; and that they apprehend such Division and Inclosure will be extremely prejudicial to them, and others: And therefore praying to be heard, by their Counsel, against the said Bill, and that the same may not pass into a Law.

Ditto.

A Petition of the several Persons, whose Names are thereunto subscribed, being Owners of Lands and Tenements within, and Parcel of, the Manor and Forest of Inglewood, in the County of Cumberland, and as such having Right of Common of Pasture, and other Privileges, in and upon the Waste and Commons, and within the said Manor and Forest, on behalf of themselves, and divers others, interested in the said Wastes and Commons, was also presented to the House, and read; Setting forth, That the Petitioners, in respect of their said several Lands and Tenements, and of a yearly Rent, called Fell Rent, which they pay to the Lord of the said Manor and Forest, and under divers Grants from the Crown, are entitled to a Right of Common upon the Wastes and Commons within the said Manor and Forest; and that the Petitioners observe by the Votes, that Leave has been given to bring in a Bill to divide and inclose Sowerby Pasture, and sundry small Parcels of Waste Ground, lying within the Manor of Castlefowerby, and Parcel of the said Forest, containing, by Estimation, Five Thousand Acres, or thereabouts; and alledging that these Petitioners have never come into any Agreement for dividing and inclosing the said Commons; and that they apprehend such Division and Inclosure will be extremely prejudicial to them, and many others: And therefore praying, That they may have Leave to be heard, by their Counsel, against the said Bill, and that the same may not pass into a Law.

Offices and Employments.

And the said Petitions were severally ordered to lie upon the Table.

Ordered, That it be an Instruction to the Gentlemen, who are appointed to prepare, and bring in, a Bill to in-

demnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, Deputy Lieutenants, and Officers of the Militia, or others, who have omitted to register, or deliver in, their Qualifications, within the Time limited by Law; and for giving further Time for those Purposes: and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped, according to the several Acts now in Force for that Purpose, or, having been stamped, have been lost or mislaid, and for allowing them Time to provide Admissions duly stamped; and to give further Time to such Persons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors; that they do make Provision in the said Bill, for given further Time to Lieutenants, Deputy Lieutenants, and Clerks of the Peace, of the several Counties, Ridings, and Places, within that Part of Great Britain called England, to make Certificates concerning the Militia, in the Manner they were directed to do by an Act passed in the last Session of Parliament, intituled, An Act for applying the Money granted in this Session of Parliament, for defraying the Charge of the Pay and Clothing of the Militia of that Part of Great Britain called England, for One Year, beginning the 25th Day of March 1766; and for explaining, amending, and rendering more effectual, several Acts of Parliament, passed in the 2d, 4th, and 5th Years of the Reign of His present Majesty, relating to the raising and training the Militia within that Part of Great Britain called England; and for indemnifying such Lieutenants, Deputy Lieutenants, and Clerks of the Peace, as have omitted to make such Certificates.

The Orders of the Day being read; Ordered, That the Call of the House be adjourned till this Day Fortnight.

Resolved, That this House will, upon Monday Morning next, resolve itself into a Committee of the whole House, to consider further of the present high Price of Provisions.

Resolved, That this House will, upon Monday Morning next, resolve itself into a Committee of the whole House, to consider further of the present high Price of Corn.

Resolved, That this House will, upon Friday Morning next, resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty,

Resolved, That this House will, upon Friday Morning next, resolve itself into a Committee of the whole House, to consider further of the Supply granted to His Majesty.

And then the House adjourned till To-morrow Morning, Nine of the Clock.

Jovis, 26<sup>o</sup> die Februarii;

Anno 7<sup>o</sup> Georgii III<sup>o</sup> Regis, 1767.

PRAYERS.

A Bill for building a Bridge cross Stonehouse Creek, from Stonehouse to Plymouth Dock, in the County of Devon, was read a Second Time.

Resolved, That the Bill be committed to Mr. Pitt, Colonel Howe, Mr. Calcraft, Sir George Yonge, Mr. Sturt, Mr.



Mr. Clive, Mr. Lascelles, Mr. Cholmley, Mr. Vane, Sir Charles Hardy, Sir Roger Newdigate, Mr. Upton, Mr. Dodd, Lord Howe, Mr. Montagu, Mr. Bentinck, Sir John Gibbons, Sir William Maynard, Lord North, Mr. Fitzherbert, Mr. Dummer, Sir Ellis Cunliffe, Mr. Bull, Sir Charles Fredrick, Mr. Sandys, Mr. Shiffner, Mr. Penton, Sir Charles Mordaunt, Mr. Lowndes, Mr. Weddell, Mr. Kynaston, Mr. Fomereau, Mr. Whately Mr. Townshend; and all the Members who serve for the Counties of Devon, Cornwall, Somerset, and Dorset: And they are to meet this Afternoon, at Five of the Clock, in the Speaker's Chamber.

An ingrossed Bill for vesting in the Dean and Chapter of Durham, a certain Piece of Ground, adjoining to the Town of South Shields, in the County Palatine of Durham, and for making an adequate Compensation to the Curate of the Chapel of Saint Hilds, in the said County, and his Successors, for the same; and to enable the said Dean and Chapter to remove the Fairs and Market out of the said Town of South Shields, and cause the same to be held on the said Piece of Ground; was read the Third Time.

Resolved, That the Bill do pass: And that the Title be, an Act for vesting in the Dean and Chapter of Durham, a certain Piece of Ground adjoining to the Town of South Shields, in the County Palatine of Durham, and for making an adequate Compensation to the Curate of the Chapel of Saint Hilds, in the said County, and his Successors, for the same; and for enabling the said Dean and Chapter to remove the Fairs and Market out of the said Town of South Shields, and cause the same to be held on the said Piece of Ground.

Ordered, That Mr. Vane do carry the Bill to the Lords, and desire their Concurrence.

Mr. Penton presented to the House, according to Order, a Bill to explain, amend, and render more effectual, an Act made in the 16th and 17th Years of King Charles the Second, intituled, An Act for making divers Rivers navigable, or otherwise passable, for Boats, Barges, and other Vessels, so far as the same relates to the River Itching, running from Alresford, through Winchester, to the Sea, near Southampton, and for better regulating the said Navigation; And the same was received; and read the First Time.

Resolved, That the Bill be read a Second Time.

An ingrossed Bill from the Lords, intituled, An Act to enable Thomas Willis, Esquire, (lately called Thomas Swettenham) and his Issue, to take, use, and bear, the Surname and Arms of Willis, pursuant to the Will of Daniel Willis, Esquire, deceased, was read the First Time.

Resolved, That the Bill be read a Second Time.

The Lord North reported from the Committee, to whom the Bill for dividing and inclosing the several Open and Common Fields, and Commonable Lands, within the Parish of Olney, in the County of Bucks, was committed, That the Committee had examined the Allegations of the Bill, and found the same to be true; and that the Parties concerned had given their Consent to the Bill, to the Satisfaction of the Committee; and that the Committee had gone through the Bill, and made several Amendments thereunto; which they had directed him to report to the House; and he read the Report in his Place; and afterwards delivered the Bill, with the Amendments, in at the Clerk's Table: Where the Amendments were Once read throughout; and then a Second Time, One by One; and, upon the Question severally put thereupon, were, with an Amendment to One of them, agreed to by the House.

Ordered, That the Bill, with the Amendments, be ingrossed.

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A Petition of Stephen Croft, of the City of York, Francis Cholmanley of Bransby, in the County of York, John Thompson, of Kirby Hall, in the said County, and William Stainforth, of Stillington, in the said County, Esquires, on the Behalf of themselves, and divers others, was presented to the House, and read; Setting forth, That the Petitioners observe, that a Petition has been presented to the House, for a Bill, for repairing and widening the Road, from the South End of the Horse Fair, near the City of York, by Wigginton Mill, over Sect Car, through Sutton upon Forest, and Stillington, and by Bransby Mill, through Gilling, to the Top of Oswaldkirk Bank, in the North Riding of the County of York; and therefore these Petitioners pray to be permitted to oppose the passing the said Bill into a Law, by themselves or Counsel, because they apprehend, that, if the same should pass into a Law, it will be a very great Burthen upon the Country, as the Road cannot be effectually repaired by any reasonable Toll; that the Turnpike Road from York to Northallerton lays within a Mile or Two of the new intended Road, for near Ten Miles together; and that the said Road, has not been duly considered and approved by the several Persons who have Estates adjoining upon the same.

Ordered, That the said Petition be referred to the Consideration of the Committee, to whom the Petition of several Gentlemen, Clergy, Freeholders, and others, of the County of York, and of the Mayor and Commonalty of the City of York, is referred.

Mr. Cholmley reported from the Committee, to whom the Petition of the several Gentlemen, Freeholders, Tradesmen, and others, of the County of York, whose Names are thereunder subscribed, on behalf of themselves, and others, was referred, That the Committee had examined the Matter of the said Petition; and had directed him to report the same, as it appeared to them, to the House; and he read the Report in his Place; and afterwards delivered it in at the Clerk's Table: Where the same was read; and is as followeth; viz.

To prove the Allegations of the said Petition, Mr. Isaac Milburn, a Surveyor, being examined, said, That he knows the Country from Emertland to Great Driffield; that he had surveyed the Rivers, Streams, and Becks, between those Places and the Country adjoining thereto, and had taken Levels for making a Navigation: that he made and took the said Survey and Levels by the Direction of Mr. Conyers of Malton, in pursuance of a Meeting of the principal Gentlemen of the County held at Driffield for that Purpose.

Mr. John Grundy, Engineer, being examined, said, That he had seen the Survey, Levels, and Plan, taken by Mr. Milburn; and that he had upon the Spot compared them with the Country, and found them true, from whence he drew a Plan for a Navigation, which may be easily made and completed agreeable thereto; and laid the same before the Committee: That he had likewise surveyed the River or Stream, from Frodingham Bridge to the River Hull, which is not at present navigable at all Times, but is capable of being made so: That the Expence of making and completing the said Navigation, from Emertland to Driffield, and from Frodingham Bridge to the River Hull, will be about £.7,450. And from his Observation he is of Opinion, that such Navigation may be carried into the Middle of the Town of Driffield, for the additional Expence of £.350.

That the proposed Navigation will be a Means of draining the adjoining Lands that are now subject to be overflowed, as he has calculated the Cuts to be made, so deep, that the Surface of the navigable Water will be Two Feet under the Surface of those Lands, and by which Means the navigable Canals will serve as a Mother Drain for the Country.

Mr. William Coates a Corn Factor and Waterman, being

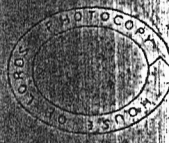
3 B

York Road.

Hull Navigation.







being examined, said, That he had navigated the River Hull, from the Port of Hull to Emerland, upwards of Twenty Years: That he had sometimes found Obstructions in the Navigation, from Shoals, by reason whereof, and in dry Seasons, they are obliged to unload their Goods into smaller Vessels: That they now tow their Vessels with Men, and thinks if they were permitted to tow them with Horses, it would save in the Freight of each Vessel containing Thirty-five or Forty Ton, Six Shillings.

Mr. William Porter, a Corn Factor, being examined, said, That he buys Corn at Driffield, and in the neighbouring Country, which he sends by Land Carriage to Emerland, Frodingham Bridge, and Corps-landing, and from thence by Water Carriage to Hull: That the Carriage of a Ton of Merchants Goods by Land, from Emerland to Driffield, is Eight Shillings, which he apprehends may be conveyed by Means of this Navigation, for Three Shillings and Six Pence Lock Duties, and One Shilling Freight.

That the Carriage of a Chaldron of Coals by Land, from Emerland to Driffield, is Eight Shillings, which he apprehends may be carried by this Navigation for Two Shillings and Six Pence Lock Duties, and One Shilling and Six Pence Freight; and that the Carriage of a Quarter of Corn by Land, from Driffield to Emerland, is One Shilling and Six Pence, which he apprehends will be carried by this Navigation for Four Pence Lock Duties, and Two Pence Freight.

That Four Meetings of the principal Gentlemen of the Country had been held, Two at Driffield, and Two at Malton, to consider of an Application to Parliament for making this Navigation: That he attended those Meetings, and that many Proprietors of Land were present, and that it was the general Sense of the Gentlemen present to make such Application, and that there were not any Objections made to it.

Mr. James Luccock, being examined, said, That he knew of two Meetings of the Proprietors of Lands to be held at Great Driffield, being advertised in the York Courant, and that Two other Meetings were held at Malton, in pursuance of Notice being sent by Letter to the Proprietors of Land and others, to consider of an Application to Parliament for making a Navigation from Emerland to Driffield: That he attended the Meetings at Malton, and that it was the general Sense of the Gentlemen at those Meetings that such Application should be made, and that there were not any Objections made to it; and he produced to your Committee an Account of several Sums of Money that had been subscribed towards carrying on this Undertaking, amounting to £.6,650 and he apprehends the whole Sum necessary would have been subscribed, if he had been able to attend the Gentlemen concerned; and that he knows of several Persons who will subscribe to the carrying on of this Navigation.

Ordered, That Leave be given to bring in a Bill for improving and extending the Navigation of the Rivers Hull, and the King's River, or West Beck, from the Port of Kingston upon Hull, into or near the Town of Great Driffield, and to Frodingham Bridge, in the East Riding of the County of York: And that Mr. Cholmley, Mr. Weddell, Mr. Lascelles, Mr. Hewet, and Admiral Frankland, do prepare, and bring in, the same.

Bennett's Name.

An ingrossed Bill to enable Richard Bennet, Esquire, and his Issue, to take and bear the Surname and Arms of Coffin, pursuant to the Will of Richard Coffin, Esquire, deceased, was read the Third Time.

Resolved, That the Bill do pass: And that the Title be, An Act to enable Richard Bennet, Esquire, and his Issue, to take and bear the Surname and Arms of Coffin, pursuant to the Will of Richard Coffin, Esquire, deceased.

Ordered, That Mr. Sandys do carry the Bill to the Lords, and desire their Concurrence.

An ingrossed Bill for dividing and inclosing the Open Fields, and Commonable Places, in Cosby and Littlethorpe, in the Parish of Cosby, in the County of Leicester, was read the Third Time.

Resolved, That the Bill do pass: And that the Title be, An Act for dividing and inclosing the Open Fields, and Commonable Places, in Cosby, and Littlethorpe, in the Parish of Cosby, in the County of Leicester.

Ordered, That Mr. Darker do carry the Bill to the Lords, and desire their Concurrence.

Ordered, That Mr. Walcot have Leave to go into the Country for a Month, upon extraordinary Occasions.

A Petition of Thomas Walton, and Bourchier Walton, of London, Merchants, Gunpowder-makers, and Partners, was presented to the House, and read; Setting forth, That it appears by the Votes of the House, that a Petition hath been presented for a Bill for the further improving the Navigation of the River Lee; and that these Petitioners are possessed of divers Lands, Mills, Streams, Waters, and Fishings, in the Parish of Waltham Holy Cross, in the County of Essex, and particularly of a Mill River (supplied by Three Inlets, or Channels, from the said River Lee) whereon the Petitioners have built Eleven Water Mills, and other considerable Works, for the making of Gunpowder, in which Business the Petitioners, in all Times of Necessity for Gunpowder, have employed all such Mills, for a great Length of Time together, for the Service of Government, and at all Times past, the Petitioners have made considerable Quantities of Gunpowder for the Public Service; and that the Petitioners have, within these few Years last past, laid out many Thousand Pounds in increasing and improving the said Mills and Works, relying on the Act of the Twelfth Year of his late Majesty, that the said Navigation should for ever be continued in the same Channel, wherein the same then run; and that the Petitioners said River and Mills are supplied with Water by Means of an ancient Lock erected on the said River Lee, which, the Petitioners are informed, may become useless, with regard to the said Navigation, and may be destroyed, if the Alterations intended should take place, and thereby, and otherwise, the Petitioners said Mills, River, and Property, will become greatly injured: And therefore praying, That they may be heard, by their Counsel, against the Prayer of the said Petition; and, if it should be thought proper to permit a Bill to be brought in for the Purposes therein mentioned, then that they may be heard, by their Counsel against such Bill, in order that proper Provision may be made therein to secure the Petitioners said Property from Injury.

A Petition of George Byrd, Esquire, on behalf of himself, and the rest of the Proprietors of the Westham Water Works, in the County of Essex, was also presented to the House, and read; Setting forth, That the Proprietors of the said Water Works have, for furnishing the Inhabitants of Stratford, Westham, Bow, Bromley, Mile End, Stepney, and other Parishes and Places adjoining, with good and wholesome Water, at a very considerable Expence, built Reservatories for Water, and also a Fire Engine, to be worked by Fire, and made Cuts, and laid Pipes into the Cut, or Stream, made out of the River Lee, which supplies a Mill, called Saines Mill, lying above the said Works; and in order to extend and render more useful the said Undertaking; by having their Property therein secured to them, obtained an Act in the 21st Year of his late Majesty, whereby they were authorized to make and maintain proper Works, Devices, and Buildings, for conducting or conveying Water to the said several Parishes and Places; and that, since the Passing of the said Act, the Petitioners have been at a further very great Expence, and have also erected on the said Stream, a new Water Mill, and

Cosby Inclosure

Leave of Absence

River Lee Navigation

Ditto.



and an Engine for raising of Water, the better to Supply the Inhabitants of the aforesaid Towns, and also *Bethnall Green, Shadwell, Cockhill, Ratcliff*, and other Places adjacent; and the Petitioners Expences of their different Purchases, Erections, and Works, for supplying the said Inhabitants with Water, have amounted to upwards of £.40,000; and that it appears, by the Votes of the House, that a Petition hath been presented for a Bill for further improving the Navigation of the River *Lee*; and that these Petitioners, in case new Cuts and Canals are made, will be greatly injured: And therefore praying, That they may be heard, by themselves, or Counsel, against the said Petition; and that they may have such Relief in the Premises as to the House shall seem proper.

And the said Petitions were severally ordered to be referred to the Consideration of the Committee, to whom the Petition of the Trustees appointed to put in Execution an Act passed in the Twelfth Year of the Reign of his late Majesty, for ascertaining, preserving, and improving, the Navigation of the River *Lee*, from the Town of *Hertford*, to the Town of *Ware*, in the County of *Hertford*; and for preserving and improving the said River; from the said Town of *Ware*, to the new Cut or River, made by the Mayor, Commonalty, and Citizens of *London*; and for enabling the Governor and Company of the *New River* the better to supply the Cities of *London* and *Westminster*, and the Liberties and Suburbs thereof, with good and wholesome Water; and of several Gentlemen, and other Inhabitants of the Counties of *Hertford, Essex, and Middlesex*, whose Names are thereunto subscribed; is referred; and these Petitioners are to be heard, by their Counsel, before the said Committee, upon their said Petition, if they think fit.

Ordered, That it be an Instruction to the said Committee that they do admit Counsel to be heard, at the same Time, in Favour of the former Petition, against the Petitions now presented.

A Petition of the several Persons, whose Names are thereunto subscribed, being Owners and Occupiers of Messuages, Farms, Lands and Tenements, within the several Parishes of *Harmondsworth, Harlington, Cranford, Heston, Isleworth, Twickenham, Teddington, Hampton, Hanworth, Feltham, and East Bedfont*, in the County of *Middlesex*, was presented to the House, and read, Setting forth, That the Petitioners observe by the Votes, that a Bill is depending for dividing and inclosing the several Open Arable Fields, Meadows, Woods, Commons, Moors, and Waste Land, within the Manor of *Stanwell* and *Hemonds*, otherwise *Shipcot*, and Parish of *Stanwell*, in the said County of *Middlesex*; and that the several Commons, and Waste Lands, lying within the said Parish of *Stanwell*, and intended to be inclosed as aforesaid, are Part of the large and extensive Common, or Heath called *Hounslow Heath*, over and upon every Part of which, the Petitioners, as well as the Owners and Occupiers of Messuages, Cottages, Lands and Tenements within the said Parish being Parishioners, and Inhabitants, within the same Parishes, are entitled to, and have for Time immemorial enjoyed, Common of Pasture for their Cattle and Sheep, at all Times in the Year, without Stint, and, in case such Part of the said Heath, as extends into the Parish of *Stanwell*, is inclosed, such Inclosure will not only be very injurious to all the Owners and Occupiers of Lands, Cottages, and Tenements, in the said Parish of *Stanwell*, except the Lord of the said Manors, but will also be prejudicial to the Rights and Properties of the Petitioners, and others entitled to such Right of Common as aforesaid: And therefore praying, that the said Bill may not pass into a Law.

Ordered, That the said Petition do lie upon the Table,

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until the Bill for dividing and inclosing the several Open Arable Fields, Meadow Grounds, or Lammas Lands, Commons, Moors, and Waste Lands, within the Manors of *Stanwell* and *Hemonds*, alias *Shipcot*, and Parish of *Stanwell*, in the County of *Middlesex*, be read a Second Time.

Mr. *Grosvenor* reported from the Committee, to whom the Petition of Doctor *Peter Swinton*, and *Mary* his Wife Devisee and Executrix of *Ann Acton*, deceased, who was the Devisee and Executrix of *Mary Daffy*, deceased, was referred, That the Committee had examined the Matter of Fact contained in the said Petition; and had directed him to report a State thereof to the House; and he read the Report in his Place; and afterwards delivered it in at the Clerk's Table: Where the same was read; and is as followeth; viz.

A State of the Matter of Fact contained in the said Petition is as followeth; viz.

The Agent for the Petitioners produced the Probate of the Will of the said *Mary Daffy*, and also of the said *Ann Acton*; whereby it appeared that *Mary Daffy* gave all her Estates to her Sister *Ann Acton*, who afterwards devised the same to *Mary Brereton*, her Niece.

And by the Evidence of General *Gansell* it further appeared, that in the Rebellion in 1745, his Royal Highness the late Duke of *Cumberland* ordered the Witnesses to join General *Douglas*, and to assist him in the King's Affairs, and that the General directed him to officiate as Engineer: That the General ordered him to make Report of the necessary Disposition for the Defence of the City and Castle.

That upon examining the Works, the Witnesses found it necessary, for the more immediate Safety of the Castle, to pull down several Houses that were directly opposite the weakest Part of it, and close adjoining to the Ditch of the Castle; which Houses, belonging to the late Mrs. *Daffy*, were situate in a Manor or Lordship independent of the City or Castle, though within the City Walls.

That Lord *Cholmondeley*, who was then Governor and Constable of *Chester* Castle, left it to the Witnesses to act upon the Occasion as he thought proper; whereupon the Witnesses went to Mrs. *Daffy*, and acquainted her that her Houses must be pulled down, and found Mrs. *Daffy* very ready to consent that they should be taken down; and at the same time she expressed the greatest Desire of doing every thing in her Power to assist His Majesty's Affairs, and left it to the Witnesses to do with her Estate what he should think most proper; and she added, that she took it for granted she should be indemnified for the Losses she should sustain, as soon as the Troubles should be over.

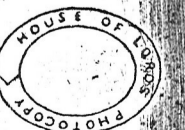
The Witnesses remembers he told her, she need not in the least doubt the Justice of Government, to indemnify her for any Losses she should receive in the Support of Government.

That Mrs. *Daffy* seemed extremely well satisfied, and even encouraged the Men in pulling down her Houses; that they were pulled down, and the Materials, such as Lead, Timber, &c. were carried into the Castle, to be made use of for his Majesty's Service, or returned to her: And the Witnesses added, that he particularly remembers a very fine Orchard was at the same Time destroyed, then in seeming Perfection, which, though not mentioned, he knows was Mrs. *Daffy's* Property.

That soon afterwards he went to *Flanders*, and at his Return which was about Two Years afterwards, Governor *Popple* acquainted him, that the Family of the *Daffy's* were applying to Government, in Order to obtain Satisfaction for the Damages they had sustained, for several Houses having been pulled down for the Security of the Castle of *Chester* in the late Rebellion, and which had not been included either in the Estimate made by Lord *Cholmondeley* of Damages sustained relative to the Defence of the Castle, or by the Magistrates of the

Town,

Swintons  
Petition  
for  
Recompence







Town, as in fact not annexed to the Government of either, though situate between them.

The Governor then shewed the Witnesses an Estimate of Damages sustained by Mrs. Daffy, attested by Two Surveyors on Oath, made before Mr. Salbury and Mr. Williams both of which Magistrates were intimately known to him the said Witness, amounting to between 6 and £. 700 and the Witness then made this Observation to Governor Popple, "That he was extremely glad " to see the Estimate was not greater, for that he thought " the Damage done upon that Spot must have been " much more," and that he then asked if the Materials were included in this Estimate, and the Governor answered, he could not tell; that the Witness then said, as he could venture to declare upon his Oath, that the material Articles contained in that Estimate were true, there was all the Reason in the World to suppose the trifling Parts of it were also true; and that he thought there could be no Objection made by any one to affixing such an Attestation to the Estimate; and therefore the Witness accordingly did it.

That about a Year and an half afterwards, the Witnesses met the late Mr. Salbury, who told him, that the then Application to the Treasury had miscarried, through the Mismanagement of the Gentlemen who had undertaken to solicit the Affair.

That Dr. Swinton no sooner became possessed of the Estate in Right of his Wife, but he frequently, and in the most earnest and most pressing Manner, applied to the Witness to give him a fresh Attestation agreeable to the Purport of the First, which was mislaid in the Treasury; but the Witness said, he was unwilling to give a Second Attestation, for fear there might be any Difference in them; but concluded with saying, that he should think it his Duty, as an honest Man, to give Evidence to the Truth, whenever he should be called upon, but could not presume to make himself an officious Evidence, as it might give Offence.

That upon every Change in the Treasury the Doctor has applied to the Witness, and he has always given him the same Answer.

And it further appeared to your Committee, that the principal Money stated to the said Estimate, and the Interest thereupon at 5 Pounds per Centum per Annum, from the beginning of September 1745 to the present Time, amounts to the Sum of £. 1,435, or thereabouts.

Then Mr. Leake, a Clerk in the Treasury, produced a Copy of his Majesty's Warrant, dated the 1st of March 1747, directing Compensation to be made to the City of Chester, and to several of the Inhabitants thereof, for the Losses sustained by them in the late Rebellion; and it does not appear to your Committee, that the Amount of the Losses sustained by the said Mary Daffy are included in the said Warrant.

Ordered, That the said Report do lie upon the Table.

Carlton Inclosure.

The House was moved, That the Petition of William Mellish, Esquire, Lord of the Manor of Carlton in Lindrick, in the County of Nottingham, and the most considerable Proprietor of Common Right Farms, or Tenements, Sheep, and Beast Gates, in Carlton, and the Parish of Carlton aforesaid, and of the Honourable and Reverend Gideon Murray, Doctor in Divinity, Rector of the said Parish, in Right of the said Rectory, entitled to all Great and Small Tithes whatsoever, to certain Glebe Lands, and several Sheep and Beast Gates within the said Parish; and of John White and Ralph Knight, Esquires, George Shuttleworth, and Marmaduke Metcalfe, Gentlemen, and of the several other Persons whose Names are thereunto subscribed, on Behalf of themselves and others, Proprietors of Lands and Tenements in Carlton aforesaid; which was presented to the House upon the 26th Day of January last, and then ordered to lie upon the Table, might be again read.

And the same being read accordingly;

Ordered, That Leave be given to bring in Bill, pur-

suant to the Prayer of the said Petition: And that Mr. Hewell and Sir Francis Vincent do prepare, and bring in, the same.

An ingrossed Bill for repairing the Roads from Tunbridge Wells, in the County of Kent, to Swifts Den, in the Parish of Etchingham, and from Frant to Poffingworth Great Wood, adjoining to the Turnpike Road there, leading to Blackboys, in the County of Sussex, was read the Third Time.

The Amendment following was proposed to be made to the Bill; viz.

Pr. 9. l. 4. To leave out "and," and insert, "Two" instead thereof.

And the said Amendment was, upon the Question put thereupon, agreed to by the House; and the Bill was amended at the Table accordingly.

Resolved, That the Bill do pass: And that the Title be, An Act for repairing the Roads from Tunbridge Wells in the County of Kent, to Swifts Den, in the Parish of Etchingham, and from Frant to Poffingworth Great Wood, adjoining to the Turnpike Road there, leading to Blackboys in the County of Sussex.

Ordered, That Mr. Fuller, do carry the Bill to the Lords, and desire their Concurrence.

A Bill for repairing and widening the Road, from the Borough of Warwick to King's Norton, and to the upper End of Gannow Green, and to the End of the Parish of Bromsgrove, in the County of Worcester, to the Bell Inn, in the Parish of Bell Broughton, in the said County, was read a Second Time.

Resolved, That the Bill be committed to Mr. Archer, Mr. Montagu, Lord Winterton, Mr. Fomereau, Mr. Harris, Mr. Bouverie, Mr. Sandys, Sir William Beauchamp Proctor, Mr. Hayes, Mr. Staunton, Mr. Methuen, Mr. Leigh, Mr. Grey, Mr. Bagot, Lord Beauchamp, Mr. Gore, Mr. Aufrere, Mr. Conway, Mr. Rushout, Sir John Etwell, Lord Catherlough, Lord Granby, Mr. Caswall, Mr. Calvert, Sir John Glyme, Sir Roger Newdigate, Mr. Lascelles, Mr. Burrell, Sir Joseph Mawbey, Sir Charles Hardy, Mr. Dyson, Mr. Townshend, Mr. West, Mr. Barrow, Sir George Yonge, Sir Ellis Cunliffe, Mr. Mellish, Sir Richard Mills, Mr. Buller, Lord Burghersh, Sir John Palmer, Mr. Bindley, Mr. Smith, Mr. Mackworth, Mr. Shiffner; and all the Members who serve for the Counties of Warwick, Worcester, Leicester, Nottingham, and Derby: And they are to meet this Afternoon, at Five of the Clock, in the Speaker's Chamber.

A Petition of the Nobility, and the humble Petition of the Gentry, and other Inhabitants residing in and about Grosvenor, Portman, Hanover; Cavendish, Soho, and Bloomsbury Squares, and others the Inhabitants residing in and about Oxford Road, and the Parish of Saint Mary le Bone, and other adjacent Parishes, was presented to the House, and read; Setting forth, That it appears from the Votes, that the Trustees of Uxbridge Road have petitioned for a Renewal of their Act, and for Leave to advance their Toll; and that there is a straight Road leading from the further Bridge in Notting Lane, (situated on the Uxbridge Road) over Shepherds Bush Common, through Gold Lock Lane, thence through Stanfast Lane, and Stanfast Brook, over Turnagain, otherwise Turnham Common, through a narrow Lane that comes into the great Western Road, near the Five Mile Stone on Turnham Green, which the Petitioners desire may be taken into the District, and made a Part of the Uxbridge Trust, as the same will be of great public Utility.

Ordered, That the said Petition be referred to the Consideration of a Committee: And that they do examine the Matter thereof; and report the same, as it shall appear to them to the House:

And it is referred to Mr. Onslow, Sir Charles Mordaunt, Sir Francis Vincent, Mr. Townshend, Mr. Ward, Mr.



Mr. Sullivan, Sir William Beauchamp Proctor, Mr. Fon-  
nereau, Mr. Clive, Mr. Shiffner, Mr. Calvert, Sir An-  
thony Abdy, Mr. Kynaston, Mr. Alderman Beckford,  
Lord Burghersh, Sir Joseph Mawbey, Mr. Sandys, Mr.  
Harris, Mr. Dyson, Sir Roger Newdigate, Mr. South-  
well, Mr. Lowndes, Mr. Bindley, Lord Verney, Sir John  
Gibbons, Mr. Ryder, Mr. Bullock, Sir Ellis Cunliffe, Sir  
Charles Hardy, Sir Charles Kemys Tynte, Mr. Lascelles,  
Mr. Brudenell, Lord Percy, Mr. Harbord, Mr. Rigby;  
and all the Members who serve for the Counties of  
Middlesex, Essex, Surrey, Kent, and Sussex: And they  
are to meet this Afternoon, at Five of the Clock,  
in the Speaker's Chamber; and have Power to send  
for Persons, Papers, and Records..

Mr. John Pitt presented to the House, according to  
Order, a Bill to explain, alter, and amend, an Act for  
repairing and widening several Roads, leading from be-  
tween the Second and Third Mile Stones on the Turn-  
pike Road, between the Town and County of Poole and  
Winborn Minster, in the County of Dorset, to Bratton  
Corner, in the County of Somerset; and for repairing  
and widening the Road, from the Turnpike in Brian-  
ston, to or near a House called Fontleroy's Farm House,  
in the County of Dorset: And the same was received;  
and read the First Time.

Resolved, That the Bill be read a Second Time.

A Bill for dividing and inclosing the Open Fields,  
Meadows, Common Pastures, and Commonable Lands,  
lying South of the Turnpike Road leading from Not-  
tingham to Alfreton, within the Liberties and Town-  
ships of Lenton and Radford, in the County of Notting-  
ham, was read a Second Time.

Resolved, That the Bill be committed to Mr. Hewett,  
Mr. Shiffner, Sir John Glyme, Mr. Clive, Mr. Harbord,  
Sir Charles Mordaunt, Sir Francis Vincent, Sir Joseph  
Mawbey, Lord Carysfort, Mr. Cooper, Mr. Burt, Mr.  
Ward, Sir William Baker, Sir John Gibbons, Mr. Dodd,  
Mr. Kynaston, Mr. Townshend, Mr. Grosvenor, Mr.  
Plumptre, Mr. Sandys, Admiral Keppel, Lord North,  
Mr. Lane, Mr. Burrell, Mr. Calvert, Mr. Prescott, Mr.  
Bindley, Mr. Grey, Mr. Barrow, Mr. Molyneux, Mr.  
Ongley, Mr. Fitzherbert, Mr. Southwell, Mr. Morgan,  
Mr. Mackworth, Sir John Lindsey; and all the Mem-  
bers who serve for the Counties of Nottingham, Lei-  
cester, Derby, Lincoln, and York: And they are to meet  
this Afternoon, at Five of the Clock, in the Speaker's  
Chamber

A Bill for dividing and inclosing the Open Fields,  
Meadows, Common Pastures, and all other Common-  
able Lands, within the Liberties of Ruddington, in the  
County of Nottingham, was read a Second Time.

Resolved, That the Bill be committed to Mr. Hewett,  
Sir Roger Newdigate, Mr. Fuller, Sir Anthony Abdy,  
Mr. Darker, Mr. Pennant, Mr. Prescott, Mr. Shiffner,  
Mr. Penton, Mr. Grosvenor, Mr. Ryder, Mr. Burrell,  
Mr. Kynaston, Mr. Barrow, Mr. Bull, Sir Charles Mor-  
daunt, Mr. Montagu, Sir John Gibbons, Mr. Calvert,  
Mr. Plumptre, Sir Joseph Mawbey, Mr. Burt, Sir John  
Glyme, Mr. Gascoyne, Mr. Harris, Mr. Sullivan, Sir El-  
lis Cunliffe, Mr. Onslow, Mr. Neville, Captain Bentinck,  
Mr. Coventry, Sir William Beauchamp Proctor, Sir John  
Griffin, Colonel Hervey, Sir William Baker, Lord Ca-  
rysfort, Lord Burghersh, Sir James Dashwood, Mr.  
Walter; and all the Members who serve for the Coun-  
ties of Nottingham, Leicester, Derby, Lincoln, and York:  
And they are to meet this Afternoon, at Five of the  
Clock, in the Speaker's Chamber.

The Order of the Day being read, for the Second  
Reading of the Bill for dividing and inclosing the feve-  
ral Open Arable Fields, Meadow Grounds or Lammas  
Lands, Commons, Moors, and Waste Lands, within

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the Manors of Stanwell and Hemonds, alias Shipcot, and  
Parish of Stanwell, in the County of Middlesex;

The Counsel for and against the Bill were called in.

And the said Bill was read a Second Time.

And the Petition of the several Persons, whose Names  
are thereunto subscribed, being Owners or Occupiers of  
Cottages or Tenements in the Parish of Stanwell, in the  
County of Middlesex; and also, the Petition of George  
Richard Carter, Esquire, Samuel Clark, Esquire, Jer-  
voise Clark, Esquire, John Bullock, Esquire, and the fe-  
veral other Persons whose Names are thereunto sub-  
scribed, being Owners and Proprietors of Farms and  
Lands in the Parish of Stanwell, in the County of  
Middlesex; were read.

And the Counsel against the Bill were heard, and  
examined several Witnesses, in Support of the said  
Petitions, and summed up their Evidence.

And then the Counsel on both Sides were directed  
to withdraw.

Ordered, That the further hearing of Counsel upon  
the said Bill be adjourned till Tuesday Morning next.

And then the House adjourned till To-morrow  
Morning, Nine of the Clock.

Veneris, 27<sup>o</sup> die Februarii;

Anno 7<sup>o</sup> Georgii III<sup>ii</sup> Regis, 1767.

PRAYERS.

A Message from the Lords, by Mr. Holford and Mr.  
Harris:

Mr. Speaker,

The Lords have agreed to the Bill, intituled, An  
Act for dividing and inclosing several Commons, or  
Waste Grounds, within the Manor of Chorley, in the  
County Palatine of Lancaster, without any Amend-  
ment: And also,

The Lords have agreed to the Bill, intituled, An Act  
for naturalizing Theodore Van Teylingen, an Infant,  
without any Amendment: And also,

The Lords have agreed to the Bill, intituled, An Act  
for dividing and inclosing the Open and Common  
Fields, Common Meadows, Common Pastures, Common  
Grounds, Lanes, and Waste Grounds, within the Manor  
and Parish of Old, otherwise Would, in the County of  
Northampton, without any Amendment: And also,

The Lords have agreed to the Bill, intituled, An Act  
for dividing, allotting, and inclosing, such Part of cer-  
tain Commons and Waste Grounds, called Bentham  
Moor, as lieth within the Manor of Ingleton, in the  
West Riding of the County of York, without any  
Amendment: And also,

The Lords have agreed to the Bill, intituled, An Act  
for amending and widening the Road leading from the  
Bell Inn at Northfield, in the County of Worcester, to  
the Wootton Turnpike in the great Turnpike Road  
leading from Stratford upon Avon, in the County of  
Warwick to Birmingham, in the same County, without  
any Amendment: And also,

The Lords have agreed to the Bill, intituled, An Act  
for dividing and inclosing the Open Fields, Meadows,  
Common Pasture, and Waste Grounds, and also the  
Marsh and Fenny Grounds, in the Manor and Parish  
of Yaxley, in the County of Huntingdon, without any  
Amendment; And also,

The Lords have agreed to the Amendments made by  
this House to the Bill, intituled, An Act for natura-  
lizing John Lewis Baumgartner; And also,

The Lords have passed a Bill, intituled, An Act for  
annexing the Rectory of Purleigh, in the County of Essex,

Chorley  
Inclosure.

Teylingen's  
Nat.

Old  
Common  
Inclosure.

Bentham  
Moor  
Inclosure.

Northfield  
&c.  
Road.

Yaxley  
Inclosure.

Baumgartner's  
Nat.

Purleigh  
Rectory.



being examined, said, That he had navigated the River *Hull*, from the Port of *Hull* to *Emerland*, upwards of Twenty Years: That he had sometimes found Obstructions in the Navigation, from Shoals, by reason whereof, and in dry Seasons, they are obliged to unload their Goods into smaller Vessels: That they now tow their Vessels with Men, and thinks if they were permitted to tow them with Horses, it would save in the Freight of each Vessel containing Thirty-five or Forty Ton, Six Shillings.

Mr. *William Porter*, a Corn Factor, being examined, said, That he buys Corn at *Driffield*, and in the neighbouring Country, which he sends by Land Carriage to *Emerland*, *Frodingham Bridge*, and *Corps-landing*, and from thence by Water Carriage to *Hull*: That the Carriage of a Ton of Merchants Goods by Land, from *Emerland* to *Driffield*, is Eight Shillings, which he apprehends may be conveyed by Means of this Navigation, for Three Shillings and Six Pence Lock Duties, and One Shilling Freight.

That the Carriage of a Chaldron of Coals by Land, from *Emerland* to *Driffield*, is Eight Shillings, which he apprehends may be carried by this Navigation for Two Shillings and Six Pence Lock Duties, and One Shilling and Six Pence Freight; and that the Carriage of a Quarter of Corn by Land, from *Driffield* to *Emerland*, is One Shilling and Six Pence, which he apprehends will be carried by this Navigation for Four Pence Lock Duties, and Two Pence Freight.

That Four Meetings of the principal Gentlemen of the Country had been held, Two at *Driffield*, and Two at *Malton*, to consider of an Application to Parliament for making this Navigation: That he attended those Meetings, and that many Proprietors of Land were present, and that it was the general Sense of the Gentlemen present to make such Application, and that there were not any Objections made to it.

Mr. *James Luccock*, being examined, said, That he knew of two Meetings of the Proprietors of Lands to be held at *Great Driffield*, being advertised in the *York Courant*, and that Two other Meetings were held at *Malton*, in pursuance of Notice being sent by Letter to the Proprietors of Land and others, to consider of an Application to Parliament for making a Navigation from *Emerland* to *Driffield*: That he attended the Meetings at *Malton*, and that it was the general Sense of the Gentlemen at those Meetings that such Application should be made, and that there were not any Objections made to it; and he produced to your Committee an Account of several Sums of Money that had been subscribed towards carrying on this Undertaking, amounting to £. 6,650 and he apprehends the whole Sum necessary would have been subscribed, if he had been able to attend the Gentlemen concerned; and that he knows of several Persons who will subscribe to the carrying on of this Navigation.

Ordered, That Leave be given to bring in a Bill for improving and extending the Navigation of the Rivers *Hull*, and the *King's River*, or *West Beck*, from the Port of *Kingston upon Hull*, into or near the Town of *Great Driffield*, and to *Frodingham Bridge*, in the East Riding of the County of *York*: And that Mr. *Cholmley*, Mr. *Weddell*, Mr. *Lascelles*, Mr. *Hewet*, and Admiral *Frankland*, do prepare, and bring in, the same.

Bennett's  
Name.

An ingrossed Bill to enable *Richard Bennet*, Esquire, and his Issue, to take and bear the Surname and Arms of *Coffin*, pursuant to the Will of *Richard Coffin*, Esquire, deceased, was read the Third Time.

Resolved, That the Bill do pass: And that the Title be, An Act to enable *Richard Bennet*, Esquire, and his Issue, to take and bear the Surname and Arms of *Coffin*, pursuant to the Will of *Richard Coffin*, Esquire, deceased.

Ordered, That Mr. *Sandys* do carry the Bill to the Lords, and desire their Concurrence.

An ingrossed Bill for dividing and inclosing the Open Fields, and Commonable Places, in *Cosby* and *Littlethorpe*, in the Parish of *Cosby*, in the County of *Leicester*, was read the Third Time.

Resolved, That the Bill do pass: And that the Title be, An Act for dividing and inclosing the Open Fields, and Commonable Places, in *Cosby*, and *Littlethorpe*, in the Parish of *Cosby*, in the County of *Leicester*.

Ordered, That Mr. *Darker* do carry the Bill to the Lords, and desire their Concurrence.

Ordered, That Mr. *Walcot* have Leave to go into the Country for a Month, upon extraordinary Occasions.

A Petition of *Thomas Walton*, and *Bourchier Walton*, of *London*, Merchants, Gunpowder-makers, and Partners, was presented to the House, and read; Setting forth, That it appears by the Votes of the House, that a Petition hath been presented for a Bill for the further improving the Navigation of the River *Lee*; and that these Petitioners are possessed of divers Lands, Mills, Streams, Waters, and Fishings, in the Parish of *Waltham Holy Cross*, in the County of *Essex*, and particularly of a Mill River (supplied by Three Inlets, or Channels, from the said River *Lee*) whereon the Petitioners have built Eleven Water Mills, and other considerable Works, for the making of Gunpowder, in which Business the Petitioners, in all Times of Necessity for Gunpowder, have employed all such Mills, for a great Length of Time together, for the Service of Government, and at all Times past, the Petitioners have made considerable Quantities of Gunpowder for the Public Service; and that the Petitioners have, within these few Years last past, laid out many Thousand Pounds in increasing and improving the said Mills and Works, relying on the Act of the Twelfth Year of his late Majesty, that the said Navigation should for ever be continued in the same Channel, wherein the same then run; and that the Petitioners said River and Mills are supplied with Water by Means of an ancient Lock erected on the said River *Lee*, which, the Petitioners are informed, may become useles, with regard to the said Navigation, and may be destroyed, if the Alterations intended should take place, and thereby, and otherwise, the Petitioners said Mills, River, and Property, will become greatly injured: And therefore praying, That they may be heard, by their Counsel, against the Prayer of the said Petition; and, if it should be thought proper to permit a Bill to be brought in for the Purposes therein mentioned, then that they may be heard, by their Counsel against such Bill, in order that proper Provision may be made therein to secure the Petitioners said Property from Injury.

A Petition of *George Byrd*, Esquire, on behalf of himself, and the rest of the Proprietors of the *Westham* Water Works, in the County of *Essex*, was also presented to the House, and read; Setting forth, That the Proprietors of the said Water Works have, for furnishing the Inhabitants of *Stratford*, *Westham*, *Bow*, *Bromley*, *Mile End*, *Stepney*, and other Parishes and Places adjoining, with good and wholesome Water, at a very considerable Expence, built Reservatories for Water, and also a Fire Engine, to be worked by Fire, and made Cuts, and laid Pipes into the Cut, or Stream, made out of the River *Lee*, which supplies a Mill, called *Saines Mill*, lying above the said Works; and in order to extend and render more useful the said Undertaking; by having their Property therein secured to them, obtained an Act in the 21<sup>st</sup> Year of his late Majesty, whereby they were authorized to make and maintain proper Works, Devices, and Buildings, for conducting or conveying Water to the said several Parishes and Places; and that, since the Passing of the said Act, the Petitioners have been at a further very great Expence, and have also erected on the said Stream, a new Water Mill, and

Cosby  
Inclous

Leave of  
Absence

River Lee  
Navigation

Ditto.



and an Engine for raising of Water, the better to Supply the Inhabitants of the aforesaid Towns, and also *Bethnall Green, Shadwell, Cockhill, Ratcliff*, and other Places adjacent; and the Petitioners Expences of their different Purchases, Erections, and Works, for supplying the said Inhabitants with Water, have amounted to upwards of £.40,000; and that it appears, by the Votes of the House, that a Petition hath been presented for a Bill for further improving the Navigation of the River *Lee*; and that these Petitioners, in case new Cuts and Canals are made, will be greatly injured: And therefore praying, That they may be heard, by themselves, or Counsel, against the said Petition; and that they may have such Relief in the Premises as to the House shall seem proper.

And the said Petitions were severally ordered to be referred to the Consideration of the Committee, to whom the Petition of the Trustees appointed to put in Execution an Act passed in the Twelfth Year of the Reign of his late Majesty, for ascertaining, preserving, and improving, the Navigation of the River *Lee*, from the Town of *Hertford*, to the Town of *Ware*, in the County of *Hertford*; and for preserving and improving the said River; from the said Town of *Ware*, to the new Cut or River, made by the Mayor, Commonalty, and Citizens of *London*; and for enabling the Governor and Company of the *New River* the better to supply the Cities of *London* and *Westminster*, and the Liberties and Suburbs thereof, with good and wholesome Water; and of several Gentlemen, and other Inhabitants of the Counties of *Hertford, Essex, and Middlesex*, whose Names are thereunto subscribed; is referred; and these Petitioners are to be heard, by their Counsel, before the said Committee, upon their said Petition, if they think fit.

Ordered, That it be an Instruction to the said Committee that they do admit Counsel to be heard, at the same Time, in Favour of the former Petition, against the Petitions now presented.

A Petition of the several Persons, whose Names are thereunto subscribed, being Owners and Occupiers of Messuages, Farms, Lands and Tenements, within the several Parishes of *Harmondsworth, Harlington, Cranford, Heston, Ilesworth, Twickenham, Teddington, Hampton, Hanworth, Feltham, and East Bedfont*, in the County of *Middlesex*, was presented to the House, and read, Setting forth, That the Petitioners observe by the Votes, that a Bill is depending for dividing and inclosing the several Open Arable Fields, Meadows, Woods, Commons, Moors, and Waste Land, within the Manor of *Stanwell* and *Hemonds*, otherwise *Shipcot*, and Parish of *Stanwell*, in the said County of *Middlesex*; and that the several Commons, and Waste Lands, lying within the said Parish of *Stanwell*, and intended to be inclosed as aforesaid, are Part of the large and extensive Common, or Heath called *Hounslow Heath*, over and upon every Part of which, the Petitioners, as well as the Owners and Occupiers of Messuages, Cottages, Lands and Tenements within the said Parish being Parishioners, and Inhabitants, within the same Parishes, are entitled to, and have for Time immemorial enjoyed, Common of Pasture for their Cattle and Sheep, at all Times in the Year, without Stint, and, in case such Part of the said Heath, as extends into the Parish of *Stanwell*, is inclosed, such Inclosure will not only be very injurious to all the Owners and Occupiers of Lands, Cottages, and Tenements, in the said Parish of *Stanwell*, except the Lord of the said Manors, but will also be prejudicial to the Rights and Properties of the Petitioners, and others entitled to such Right of Common as aforesaid: And therefore praying, that the said Bill may not pass into a Law.

Ordered, That the said Petition do lie upon the Table,

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until the Bill for dividing and inclosing the several Open Arable Fields, Meadow Grounds, or Lammas Lands, Commons, Moors, and Waste Lands, within the Manors of *Stanwell* and *Hemonds*, alias *Shipcot*, and Parish of *Stanwell*, in the County of *Middlesex*, be read a Second Time.

Mr. *Grosvenor* reported from the Committee, to whom the Petition of Doctor *Peter Swinton*, and *Mary* his Wife Devisee and Executrix of *Ann Acton*, deceased, who was the Devisee and Executrix of *Mary Daffy*, deceased, was referred, That the Committee had examined the Matter of Fact contained in the said Petition; and had directed him to report a State thereof to the House; and he read the Report in his Place; and afterwards delivered it in at the Clerk's Table: Where the same was read; and is as followeth; viz.

A State of the Matter of Fact contained in the said Petition is as followeth; viz.

The Agent for the Petitioners produced the Probate of the Will of the said *Mary Daffy*, and also of the said *Ann Acton*; whereby it appeared that *Mary Daffy* gave all her Estates to her Sister *Ann Acton*, who afterwards devised the same to *Mary Breerton*, her Niece.

And by the Evidence of General *Gansell* it further appeared, that in the Rebellion in 1745, his Royal Highness the late Duke of *Cumberland* ordered the Witnesses to join General *Douglas*, and to assist him in the King's Affairs, and that the General directed him to officiate as Engineer: That the General ordered him to make Report of the necessary Disposition for the Defence of the City and Castle.

That upon examining the Works, the Witnesses found it necessary, for the more immediate Safety of the Castle, to pull down several Houses that were directly opposite the weakest Part of it, and close adjoining to the Ditch of the Castle; which Houses, belonging to the late Mrs. *Daffy*, were situate in a Manor or Lordship independant of the City or Castle, though within the City Walls.

That Lord *Cholmondeley*, who was then Governor and Constable of *Chester* Castle, left it to the Witnesses to act upon the Occasion as he thought proper; whereupon the Witnesses went to Mrs. *Daffy*, and acquainted her that her Houses must be pulled down, and found Mrs. *Daffy* very ready to consent that they should be taken down; and at the same time she expressed the greatest Desire of doing every thing in her Power to assist His Majesty's Affairs, and left it to the Witnesses to do with her Estate what he should think most proper; and she added, that she took it for granted she should be indemnified for the Losses she should sustain, as soon as the Troubles should be over.

The Witnesses remembers he told her, she need not in the least doubt the Justice of Government, to indemnify her for any Losses she should receive in the Support of Government.

That Mrs. *Daffy* seemed extremely well satisfied, and even encouraged the Men in pulling down her Houses; that they were pulled down, and the Materials, such as Lead, Timber, &c. were carried into the Castle, to be made use of for his Majesty's Service, or returned to her: And the Witnesses added, that he particularly remembers a very fine Orchard was at the same Time destroyed, then in seeming Perfection, which, though not mentioned, he knows was Mrs. *Daffy*'s Property.

That soon afterwards he went to *Flanders*, and at his Return which was about Two Years afterwards, Governor *Popple* acquainted him, that the Family of the *Daffy*'s were applying to Government, in Order to obtain Satisfaction for the Damages they had sustained, for several Houses having been pulled down for the Security of the Castle of *Chester* in the late Rebellion, and which had not been included either in the Estimate made by Lord *Cholmondeley* of Damages sustained relative to the Defence of the Castle, or by the Magistrates of the

Town,

Swintons  
Petition  
for  
Recompence.

