ANNO PRIMO

VICTORIÆ REGINÆ.

****

Cap. xxxi.

An Act for building a Bridge over the River *Wye* at a Place called *Boughrood Ferry* in the Counties of *Brecon* and *Radnor*, and for making convenient Approaches thereto. [11th *June* 1838.]

WHEREAS the building and maintaining of a Bridge over the River *Wye* at or near a Place called *Boughrood Ferry* in the Parish of *Llyswen* in the County of *Brecon* to the opposite Side or Bank of the said River in the Parish of *Boughrood* in the County of *Radnor*, and the opening, making, and maintaining of convenient Roads, Avenues, and Approaches to communicate therewith, will be of great Advantage and Accommodation to the Proprietors and Occupiers of Lands in the Neighbourhood of the said Bridge and to the Inhabitants of the several adjacent Parishes, and will facilitate the Communication between those Parishes and the Town of *Brecon* and other neighbouring Places on the *Breconshire* Side of the said River, and will in many other respects be of great public Utility: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 *Walter Wilkins*, *Walter Wilkins* the younger, *Francis Walter Wilkins*, *Charles Stretton*, Proprietors Names.

Lancelot Morgan, *John Powell*, *Charles Powell*, and *Lancelot Powell*, Esquires, and the Reverend *Walter Powell* Clerk, together with such other Person or Persons, Body or Bodies Politic or Corporate as shall at any Time hereafter be possessed of One or more Share or Shares as herein-after mentioned of and in the said Bridge and Roads, their respective Successors, Executors, Administrators, and Assigns, shall be and are hereby united into a Company for the erecting, making, completing, and maintaining of the said Bridge, and for the making and maintaining the Roads, Avenues, and Approaches communicating therewith, according to the Rules, Orders, and Directions herein-after expressed, and shall for that Purpose be and become One Body Corporate by the Name of "The *Boughrood Bridge* Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and also shall have Power and Authority to purchase Lands and other Hereditaments to them, their Successors and Assigns, for making, erecting, forming, completing, and maintaining the said Bridge, Roads, Avenues, and Approaches, and other the Purposes herein mentioned, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Power to build the Bridge and make Approaches thereto.

II. And be it further enacted, That it shall be lawful for the said Company and their Successors, and they are hereby authorized, by themselves, their Deputies, Agents, Officers, Workmen, Servants, or Assistants, to design and build or cause to be built, and to complete, maintain, and keep in repair, a good and substantial Bridge, with Abutments, made of Stone, Iron, Brick, or other durable Materials, at or near the said Place called *Boughrood Ferry*, over the said River *Wye*, from the Side or Bank of the said River in the Parish of *Llyswen* in the said County of *Brecon* to the opposite Side or Bank of the said River in the Parish of *Boughrood* in the said County of *Radnor*, and for the Purposes aforesaid from Time to Time to dig and make proper Foundations in the said River and on the Lands on each Side thereof, and make Dams in the said River, and cut and level and embank and secure the Banks thereof, and cut, remove, scour, take and carry away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatsoever, and do and execute all and every other Things or Thing necessary or convenient for building, maintaining, and repairing the said Bridge, and to open, make, and maintain proper and convenient Roads, Avenues, and Approaches to communicate with the said Bridge on each Side of the said River; (that is to say,) a Road, Avenue, or Approach to the said Bridge from the Turnpike Road leading from the Town of *Builth* in the said County of *Brecon* to the Town of *Brecon* aforesaid, at or near the said Place called *Boughrood Ferry* in the Parish of *Llyswen* aforesaid; and also another Road, Avenue, or Approach to the said Bridge from the Road or Highway leading from *Paincastle* to *Glasbury*, and for that Purpose to alter, vary, divert, widen, maintain, and put in repair the present Road leading from the said Ferry called *Boughrood Ferry* to the Road or Highway leading from *Paincastle* to *Glasbury*, or such Part or Parts thereof as the said Company shall think fit or expedient, for the Passage of Travellers, Cattle, and Carriages, doing as little Damage as may be, and making Satisfaction, as herein-after mentioned, to the respective Owners and Occupiers of all Lands, Tenements, and Hereditaments which shall be damaged, taken, or used for the Purposes of this Act.

III. And

Construction of the Bridge.

III. And be it further enacted, That the Way for Passengers, Carriages, and Cattle over the said Bridge shall not be less than Eighteen Feet wide between the Rails, Balustrades, or Walls; and the Ascent to such Bridge shall not exceed One Foot in Thirty-six Feet; and the Rails, Balustrades, or Walls on each Side of such Bridge shall not be less than Four Feet above the Surface of such Bridge.

Meaning of certain Words in this Act.

IV. And be it further enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall comprise and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure; and where the Word "Company" is used, the same shall be understood to mean the said *Boughrood Bridge* Company; and the Word "Corporation" shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Materials may be brought and worked on Waste Lands making Recompense, and on private Grounds making Satisfaction for Injury done.

V. And be it further enacted, That it shall be lawful for the said Company, and their Agents, Workmen, and Servants, from Time to Time and at all Times from and after the passing of this Act, at their Will and Pleasure, to bring, place, lay, work, and use any Timber, Stone, Bricks, Lime, or other Materials for making or building or for repairing and maintaining the said Landing Places or Approaches or Works, or to bring, place, and lay any Stones, Gravel, or other Materials for making, repairing, or amending the said Landing Places or Approaches or Works or either of them, or for executing any other of the Purposes of this Act, in, upon, through, and over any Common or Waste Ground within One hundred Yards of the said Bridge or Approaches respectively, making a Recompence for so doing; and also in, upon, through, and over any private Lands or Grounds within One hundred Yards of the said Bridge or Approaches respectively, doing as little Damage as may be, and making Satisfaction for such Damage to the Owners and Occupiers of such Lands or Grounds; and in case of Dispute about the Quantum of such Damage and Satisfaction, the same shall be settled by any Two or more Justices of the Peace for the County, Borough, or Place wherein the Damage shall be done, and such Justices are hereby authorized and empowered to hear, settle, and determine the same accordingly.

Power to set out the Roads, &c.

VI. And be it further enacted, That it shall be lawful for the said Company, and their Agents, Officers, Surveyors, Workmen, Servants, and Assistants, to enter and go into, upon, over, or through any Lands, Grounds, or other Places through which or whereupon the said Roads, Avenues, or Approaches are intended to pass, and into, upon, over, or through any adjoining Lands or Grounds, to examine and survey the same, and to ascertain and set out such Parts thereof as may be thought necessary or convenient for carrying into execution the Purposes of this Act; and also from Time to Time to construct and make all

necessary

necessary Walls, Arches, Culverts, Ditches, Drains, and Fences, and to do and perform all other Matters and Things which shall be necessary or proper for the making, completing, amending, and maintaining the said Roads, Avenues, and Approaches, doing as little Damage as may be, and making full Satisfaction, in manner herein-after directed, to the respective Owners and Occupiers of all Lands or Grounds which shall be taken, used, prejudiced, or damaged in the Execution of the Powers hereby granted.

Plan, &c. deposited at the Office of the Clerk of the Peace to remain there, and be open to Inspection.

VII. And whereas Maps or Plans describing the Line of the said intended Roads, Avenues, and Approaches, and the Lands and Premises through which the same are intended to be made or carried, and the Situation of the said Bridge, together with Books of Reference containing the Names of the Owners and Occupiers of such Lands and Premises, have been deposited at the Offices of the Clerks of the Peace for the Counties of *Brecon* and *Radnor;* be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the Clerks of the Peace for the said Counties, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying the Clerk of the Peace in whose Custody the same may be the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies or Extracts.

Unintentional Errors in Plan or Book of Reference not to prevent the Execution of the Act.

VIII. And be it further enacted, That it shall be lawful for the said Company to set out and make the said Bridge, Roads, Avenues, Approaches, and other Works in the Line or Course, and upon, over, or through the Lands delineated on the said Maps or Plans, although such Lands or any of them, or the Situation thereof respectively, or the Names thereof, or of the Owners, Lessees, orOccupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the Schedule hereto, or in the said Books of Reference, if it shall appear to any Two or more of Her Majesty's Justices of the Peace acting for the County or Place wherein such Lands may lie, in case of Dispute about the same, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for such County or Place.

Company empowered to deviate from Plans to a certain Extent.

IX. And be it further enacted, That the said Company in making the said Bridge, Roads, and other Works by this Act authorized, shall have full Power and Authority to deviate from the Line delineated on the Maps or Plans so deposited with the Clerks of the Peace as herein-before mentioned: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the Line so delineated upon the said Maps or Plans, nor shall such Deviation extend into the Lands of any Person whose Name is not mentioned in the said Books of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided for in Cases of unintentional Errors in the said Books of Reference.

X. Pro-

X. Provided always, and be it further enacted, That nothing in this Act contained shall authorize the said Company, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected on or before the First Day of *November* last, or any Land then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to any Dwelling House, or planted and set apart as a Nursery for Trees, other than and except such as are specified in the Schedule to this Act annexed, without the previous Consent in Writing of the Owner and Occupier thereof respectively, unless the Omission thereof in such Schedule shall have proceeded from Mistake, and it shall be so certified in manner herein-before provided for in Cases of unintentional Errors in the said Books of Reference.

Certain Property not to be taken without Consent, except such as is specified in the Schedule.

XI. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized, in the Name of the said Company or of such Person as they shall for that Purpose appoint, to contract and agree with any Person for making the said Bridge and Roads, or any Part thereof, or any other of the Works hereby authorized to be made or done, and that in such Manner, and for such Sums, and under such Regulations and Restrictions as the said Company shall think proper; and all Contracts in Writing for any of the Purposes aforesaid shall be binding on the said Company and all other the Parties thereto, and their respective Successors, Heirs, Executors, and Administrators, and Actions and Suits may be maintained thereon, and Damages and Costs recovered against the said Company or any of the Parties failing in the Execution thereof.

Company may contract for the Works.

XII. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessments of Land Tax in the several Parishes, Townships, or Places through or in which the several Works hereby authorized may pass or be situate; be it therefore enacted, That the said Company shall, from and after they shall become seised and possessed by virtue of this Act of any Lands charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of Land Tax), be subject and liable from Time to Time to pay or make good to or in aid of the said several Parishes, Townships, or Places, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes, Townships, or Places, by reason or means of taking or using for the Purposes of this Act any Lands liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the said Company are hereby required to pay all such Deficiencies, on Demand thereof, to the Collector of the said Assessments for such Parishes, Townships, or Places respectively.

Provision for Deficiencies in the Land Tax.

XIII. And be it further enacted, That it shall be lawful for the said Company to treat and agree and to employ any Person to treat and agree for the Purchase of any Lands authorized to be taken and used by them as aforesaid, and of any subsisting Leases, Terms, Estates, Rights, and Interest

Power to treat for the Purchase of Lands.

Interest therein and Charges thereon, or such of them or such Part thereof as the said Company shall think proper; and also to treat and agree and make Arrangements with the Owners and Occupiers of Lands through or near which the said Bridge and Approaches may be made or pass, for the Purchase and for the Construction and Maintenance of such Ways, Roads, Works, and Conveniencies as may be deemed expedient, and as may be from Time to Time agreed on between the Owners and Occupiers thereof and the said Company.

Corporations and Persons capacitated to sell, and Owners and Occupiers empowered to agree for Satisfaction and Compensation.

XIV. And be it further enacted, That all Corporations and other Persons by this Act capacitated to sell and convey any Lands, or to sell and convey any Rights or Interests in Lands, and the respective Owners, Lessees, and Occupiers of any Lands upon, across, under, or over which the said Bridge and other Works hereby authorized are intended to be made, may agree to accept and receive, and may (subject to such Restrictions as in this Act are contained as to the Payment thereof) accept and receive Satisfaction for the Value of such Lands, or of the Interest therein by them conveyed, and also Compensation for and on account of any Damage occasioned to such Lands by reason of the severing or dividing of the same, or by reason or on account of the Execution of any of the Works by this Act authorized, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Corporations or other Parties by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners (including Persons hereby capacitated as aforesaid), Lessees, and Occupiers respectively, and the said Company; and in case the said Company and the said Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively or either of them concerning which they do not so agree shall be ascertained and settled by the Verdict of a Jury, if required, as in this Act is directed.

Corporations and Persons under legal Disability empowered to sell and convey Lands.

XV. And be it further enacted, That it shall be lawful for all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law under the Powers of this Act in case they had been sole, of full Age, and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for all other Persons whomsoever who are or shall be seised or possessed of or interested in any Lands authorized to be taken under the Powers of this Act, to contract for, sell, and convey the same or any Part thereof to the said Company; and all Conveyances for the Purposes of this Act shall be made at the Expence of the said Company, and may be in the Words or to the Effect following, or with such

Variations, Covenants, or Conditions as the Number of the Parties and the Circumstances of the Case may render expedient; (that is to say,)

Form of Conveyance to the Company.

'I of in consideration of the Sum of to me '[*or, as the Case may be,* into the Bank of *England* in the Name and 'with the Privity of the Accountant General of the Court of Exchequer, '*ex parte* "The *Boughrood Bridge* Company," *or* to *A.B.* of 'and *C.D.* of Trustees appointed to receive the 'same], pursuant to the Act after mentioned, paid by the *Boughrood* '*Bridge* [*or* said] Company, established and incorporated by an Act 'of Parliament passed in the Year of the Reign of 'Queen *Victoria*, intituled [*here insert the Title of this Act*], do hereby 'convey [*or, in Cases of Copyhold or Customary Lands requiring Sur-*'*render*, do hereby agree to surrender] to the said Company, their Suc-'cessors and Assigns, all [*describing the Premises to be conveyed*], together 'with all Ways, Rights, and Appurtenances thereto belonging, and all 'such Estate, Right, Title, and Interest in and to the same and every Part 'thereof as I am or shall become seised, possessed of, or entitled to, or 'am by the said Act capacitated or empowered to convey, to hold the 'Premises to the said Company, their Successors and Assigns for ever, 'according to the true Intent and Meaning of the said Act. In witness 'whereof I have hereunto set my Hand and Seal this 'Day of in the Year of our Lord .'

And all such Conveyances and Assurances as aforesaid shall be valid and effectual in Law to all Intents and Purposes, and shall operate to bar and destroy all such Estates Tail, and all such Titles to Dower, and all such other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, Interests of and to the Lands in such Conveyances respectively comprised as shall have been purchased or compensated for in manner herein-before mentioned, and also to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest thereby conveyed or aliened, except where the said Company shall have express Assignments or other Dispositions made of such Terms for their Benefit; but, although the said Terms shall be merged, they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the Company and to attend the Reversion and Inheritance.

In Case the Parties refuse, or are incapable to treat, the Amount of Satisfaction and Compensation to be settled by a Jury.

XVI. And for settling all Differences which may arise between the said Company and the several Owners and Occupiers of or Persons or Corporations interested in any Lands which may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted; be it further enacted, That if any Corporation, Trustee, or other Person so interested or entitled and capacitated to sell, contract, or convey as aforesaid, shall not agree with the said Company as to the Amount of such Purchase Money or Satisfaction or other Compensation as aforesaid, or if any of such Parties shall refuse to accept such Purchase Money or Satisfaction or other Compensation as aforesaid as shall be offered by the said Company, and shall give Notice thereof in Writing to the said Company within One Calendar Month next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall for the Space of One Calendar Month next after Notice

Notice in Writing shall have been given to him, or in case of any Corporation to the Clerk, Agent, or principal Officer of any such Corporation, either personally or by being left at his Place of Abode, neglect or refuse to treat or shall not agree with the said Company for the Sale and Conveyance of the respective Estates and Interests which they respectively are hereby capacitated to convey, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability be incapable of making such Agreement or Conveyance as shall be necessary or expedient for enabling the said Company to take such Lands and to proceed in making the said Bridge and other the Works aforesaid, or shall not disclose and prove the State of Title to the Premises of which they respectively may be in Possession, or the Share, Interest, or Charge which they may claim to be entitled unto or interested in, in case they shall be required by the said Company to do so, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of any of the Powers of this Act cannot be made, then and in every such Case the said Company shall and they are hereby required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the County in which the Lands in question shall be situate or the Matter in dispute shall arise, or in case the said Sheriff or his Under Sheriff shall be one of the said Company, or enjoy any Office of Trust or Profit under the said Company, or shall be in anywise interested in the Matter in question, then to any of the Coroners of the said County not interested as aforesaid, or if all the Coroners shall be so interested, then to some Person then living in the said County who shall have filled the Office of Sheriff or Coroner in the said County, and be free from personal Disability, and not interested as aforesaid (a Person having more recently served either Office being always preferred), commanding such Sheriff, Coroner, or other Person to impannel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impannel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*; and the Persons so to be impannelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, Coroner, or other Person, or by some other Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid such Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or of others that can speedily be procured (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required, on Request in Writing by either Party, to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may order

and

and authorize such Jury or any Six or more of them to view the Place or Matter in controversy; and such Jury shall upon their Oaths, or (being Quakers) upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths and Affirmations of all Persons who shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of, assess, and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands (except for such Interest therein as shall have been of right purchased by the said Company from any other Person or Corporation), and also the separate and distinct Sum or Sums of Money to be paid by way of Satisfaction or Compensation either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages to be so done or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Company, and which cannot or will not be further wholly obviated, removed, or repaired by them; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation as shall be assessed by such Jury: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Company to the Party with whom any such Controversy shall arise, by personally serving or leaving such Notice at the Dwelling House of the Person, or the Clerk or Agent or principal Officer of any such Corporation: Provided also, that in all such Cases the Party claiming such Satisfaction or Compensation shall be the Plaintiff, and shall be entitled to all such Advantages and Privileges as Plaintiffs are in Actions tried in any of Her Majesty's Courts of Record at *Westminster* by Law entitled.

Verdicts to be recorded by the Clerk of the Peace.

XVII. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the County or Place in which the Matter in dispute shall have arisen, amongst the Records of the Quarter Sessions for the said County or Place, and shall be deemed Records to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying to such Clerk of the Peace for such Inspection the Sum of One Shilling, and shall be entitled to be furnished with Copies thereof, paying to the said Clerk of the Peace for every Copy after the Rate of Sixpence for every One hundred Words.

Penalty on Sheriff or his Substitute, or Jurors or Witnesses, making default.

XVIII. And be it further enacted, That if any such Sheriff, or his Under Sheriff, or any Coroner, or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or being a Quaker to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned

moned to give Evidence as aforesaid shall not appear on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or being a Quaker affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse (such Excuse to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; all which Penalties and Forfeitures shall and may be levied by virtue of a Warrant, under the Hand and Seal of any Justice of the Peace for the County or Place in which the said Lands shall be situate or the said Inquisition shall be held, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty and the Charges and Expences of such Distress and Sale shall have been deducted.

Jurors to be under the same Regulations as those of the Superior Courts.

XIX. And be it further enacted, That every such Jury and Juryman as aforesaid shall, in addition to the Penalties hereby inflicted, also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster;* and all Persons who, in any Examination to be taken by virtue of this Act upon their Oaths, or being Quakers upon their solemn Affirmations, shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be liable to the Pains and Penalties to which Persons guilty of wilful Perjury shall or may by Law be subject or liable.

Lands bought of any Corporation or Person under any Disability to be first valued by Two Surveyors or their Umpire.

XX. Provided always, and be it further enacted, That the Consideration Money agreed to be paid for any Lands to be purchased from or conveyed by any Corporation or Person under any Disability or Incapacity as aforesaid, or not having Power to sell, except under the Provision herein-before contained, shall in no Case be less than such Sum as the same shall be valued at by Two able practical Surveyors, one of whom shall be nominated by the said Company, and the other by the Person or Corporation contracting or agreeing to sell the same; and if such Two Surveyors shall not agree in the Valuation thereof, or if such Person or Corporation shall be absent from the United Kingdom, or cannot be found, then by such Surveyor as any Two Justices acting for the County in which the Lands shall be situate shall for that Purpose nominate; and each of the said Two Surveyors, if they shall agree in and make their Valuation, or if not, then the Surveyor so to be nominated by the Justices as aforesaid, shall annex to their or his Survey, Estimate, or Valuation, when completed, a Declaration of the Correctness thereof, in the Form prescribed by an Act passed in the Fifth and Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more 'effectual Abolition of Oaths and Affirmations taken and made in various 'Departments of the State, and to substitute Declarations in lieu thereof, 'and for the more entire Suppression of voluntary and extra-judicial Oaths 'and Affidavits;' and to make other Provisions for the Abolition of unnecessary Oaths.*

5 & 6 W. 4. c. 62.

XXI. And

Expences of Jury and Witnesses, how to be paid.

XXI. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Company, for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in or be occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, and the Expences of the Bond to be given, as herein-after mentioned, by the Party requiring the Jury to be summoned, shall be borne by the said Company and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company (unless the Treasurer of the said Company shall pay such Costs, Charges, and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue, under his Hand and Seal, on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on the behalf of the said Company, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Company shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Company; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid, as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of such Money shall be deemed and taken, to all Intents and Purposes, to be a good Payment or Tender and Satisfaction of the whole thereof.

Persons requesting Juries to enter into Bonds to prosecute their Complaints, and pay Expences.

XXII. And be it further enacted, That all Parties with whom the said Company shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall, before the said Company shall be obliged to issue their Warrant for summoning such Jury, enter into a Bond to the said Company, in a Penalty of Two hundred Pounds, to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning, impannelling, and returning such Jury, taking such Inquisition, and of the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incidental to such Inquisition, in case any Part of such Costs and Expences shall fall upon them.

Demand of Compensation for Loss

XXIII. And be it further enacted, That the said Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed

or Injury to be made before any Proceedings taken.

allowed without the Consent of the said Company, to receive or take notice of any Complaint to be made by any Party for any Loss, Injury, or Damage by him sustained, or supposed to be sustained, in consequence of the Execution of any of the Powers of this Act, unless, after Application by the Company, Notice in Writing, setting forth this Provision, by the chief Clerk or Treasurer or other proper Officer of the Corporation, or by the Person making such Complaint, stating the Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Company, within Two Calendar Months next after the Time of such supposed Loss or Injury having been sustained, or after the doing or committing thereof shall have ceased, and Thirty Days before the summoning of such Jury.

Damages under 20*l.* may be settled by Justices; how to be recovered in case of Default.

XXIV. And be it further enacted, That in case any Difference shall arise between the said Company and any of the Owners or Occupiers of the Lands to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the said Company, their Deputies, Engineers, Contractors, Servants, Agents, or Workmen, to such Lands in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Twenty Pounds, be ascertained and determined by some One or more Justice or Justices of the Peace for the County, Liberty, or Place in which such Lands shall lie, who, upon Application made to him or them, by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Company.

Application of Compensation Money when amounting to 200*l.*

XXV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers and under the Authority of this Act, or of any Interest therein, or for the Release of any such Lands from any Rents or other Incumbrances charged thereon, or for the Enfranchisement of any such Lands being of Copyhold or Customary Tenure, or for any Compensation or Satisfaction under this Act, which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity or unborn, shall be entitled unto, interested in, or hereby capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The *Boughrood Bridge* Company," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth,

1 G. 4. c. 35. intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and

shall when so paid in there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the Lands in respect whereof such Money shall be paid, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting such Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, by Order of the said Court made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Purchase can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled in case the same had been so purchased and settled.

When less than 200*l.* and amounting to 20*l.*

XXVI. And be it further enacted, That if any Money so agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands in respect whereof such Money shall be so awarded or agreed to be paid, or of their respective Husbands, Guardians, or Committees in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Company signified in Writing under their Common Seal, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as last aforesaid, to be applied in manner last herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said Company), and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties and under such Common Seal; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as herein-before directed with respect to the Money so to be paid into the Bank of *England* in he Name of the Accountant General of the Court of Exchequer, but

without being required to obtain any Order of the said Court touching the Application thereof.

When less than 20*l.*

XXVII. And be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall be less than the Sum of Twenty Pounds, then the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof such Money, Compensation, or Satisfaction shall be paid, for their own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid for their Use to their respective Husbands, Guardians, Committees, or Trustees.

In Case of not making out Titles, or of Absence or Refusal to convey, Money to be paid into the Bank.

XXVIII. And be it further enacted, That in case any Party to whom any Sum of Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken under or by virtue of the Powers of this Act, or for the Release of any such Lands from any Rent or other Incumbrance charged thereon, or for the Enfranchisement of any such Lands being of Copyhold or Customary Tenure, or for any other Right or Interest to, in, or affecting any such Lands, or otherwise for Compensation or Satisfaction as aforesaid, shall refuse or neglect to accept the same, or shall refuse, neglect, or be unable to make a Title to such Lands to the Satisfaction of the said Company, for the Purposes of this Act, or shall be absent from *England*, or cannot be conveniently found; or if any Party entitled unto or by this Act capacitated to convey any such Lands, Right, or Interest be not known or discovered, or be absent from *England*, or shall refuse to convey the same; then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Company to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, (describing them so far as the said Company can do so), subject to the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money or any Part thereof by Petition, is hereby empowered, in a summary Way of Proceeding, or otherwise as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Company, or to the Party so paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received, and in respect of what Purchase the same has been so paid in.

In Case of disputed Title, Persons in Possession to be deemed pre-

XXIX. And be it further enacted, That where any Question shall arise in reference to the Provisions aforesaid, or otherwise upon this Act, touching the Title of any Party to any Lands, or to any Interest in any Lands, or to any Compensation in respect of any Damage done to any Lands, or to any Money to be paid into the Bank of *England* in the Name

sumptively entitled.

Name and with the Privity of the Accountant General of the said Court of Exchequer in pursuance of this Act, for the Purchase of any Lands, or of any Estate, Right, Title, or Interest in any Lands to be taken or used in pursuance of this Act for the Purposes aforesaid, or for Compensation or Satisfaction as aforesaid, or to any Annuities or Securities to be purchased with any such Money as aforesaid, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been in Possession or Receipt of the Rents or Profits of such Lands at the Time of taking or using the same, and all Corporations or Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands, or to such Interest therein, or to such Money as aforesaid, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court, and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly.

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Company.

XXX. And be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands or Hereditaments to be purchased, taken, or used under the Authority of this Act, or from any other Cause, (except the wilful Refusal of such Person or Corporation to convey the said Lands and Hereditaments, or to accept the Purchase or Compensation Money herein-after mentioned,) the Purchase Money for any Lands or Hereditaments, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of Land, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Reinvestment of the same, or the Government or Real Securities purchased therewith, in the Purchase of other Lands and Hereditaments, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders and of all other Proceedings for such Purposes, except such as may be occasioned by Litigation between Claimants, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the said Company; and the said Company shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

Expences of Titles to be paid by the Company.

XXXI. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Company for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Company may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Company may require, and all Expences whatsoever

whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or, in case there shall be any Dispute about the same, shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Lands shall be purchased or taken: Provided always, that the said Company shall not be prevented from entering into Possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to him by the said Company, deliver a Bill of his said Costs, Charges, and Expences to the said Company: Provided also, that in case the said Company shall not require the making out or furnishing such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Lands purchased or taken, such Seller shall be bound, at the Expence of the said Company, to produce or cause the Production of the Title Deeds relating to the said Lands, when required by the said Company so to do, without furnishing any Abstract of his Title.

How such Expences are to be ascertained.

XXXII. And be it further enacted, That if the said Company and the Party aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Company, to order and direct that such Costs, Charges, and Expences shall be referred to One of the Masters of the said Court, to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Company to the Party from whom such Lands shall have been purchased or taken, shall be paid to the Party aforesaid: Provided always, that the said Company shall not be at liberty to enter into Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Company shall have deposited the Sums claimed in respect of the same in the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The *Boughrood Bridge* Company," pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, which Sums shall be applied, under the Order of the said Court, in Payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Company, unless One Sixth Part of the said Costs, Charges, and

Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Company out of the said Sum so deposited by them as aforesaid.

Power to enter Lands on Payment or Tender of Purchase Money.

XXXIII. And be it further enacted, That upon Payment or legal Tender of such Money as shall have been agreed upon between the Parties, or awarded by a Jury or Justices in manner aforesaid, for the Purchase of any Lands or of any Estate or Interest in any Lands, to the respective Proprietors of such Lands, or other Persons entitled, according to the Provisions of this Act, to receive such Money, within Three Calendar Months next after the same shall have been so agreed upon or awarded, or whenever any of the respective Cases shall happen wherein such Money is herein-before authorized or directed to be paid into the Bank of *England*, then upon Payment into the Bank of *England* in manner in such Case herein-before authorized or directed, it shall be lawful for the said Company immediately to enter upon such Lands, and thereupon such Lands and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of all Parties therein whose Interests shall have been compensated for by such Payment, shall thenceforth be vested in and become the sole Property of the said Company to and for the Purposes of this Act, and the said Company shall not be bound to see to the Application of any such Purchase Money, Compensation, or Satisfaction; and such Payment or Tender and Conveyance as herein-before mentioned, or such Deposit in the Bank of *England* as aforesaid, shall not only bar all Right, Title, Interest, Claim, and Demand of every such Party, but shall also bar all such Dower, and all such Estates Tail, and other such Estates in Reversion and Remainder, and all such Rights, Titles, Limitations, and Trusts whatsoever of and in the said Lands, as shall have been compensated for as herein-before is mentioned: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England* as aforesaid shall have been made, it shall not be lawful for the said Company, or for any Person acting under their Authority, to bore under, dig, or cut into, or enter upon such Lands for the Purposes of this Act, save that the said Company shall have Liberty to enter into the said Lands for the Purpose of setting out the same by means of Stakes for the Purposes of this Act, with the previous Consent of the Owners and Occupiers thereof respectively, or in case such Owners and Occupiers shall not consent, at such reasonable Times and under such Regulations and Restrictions as shall be authorized and imposed by any Justice of the Peace within his Jurisdiction, after Notice given to the said Owners and Occupiers respectively.

Company may sell Lands not wanted for the Purposes of this Act.

XXXIV. And whereas by means of the Purchases which the said Company are empowered to make by virtue of this Act they may happen to be seised of more Lands than will be necessary for effecting the Purposes of this Act, or of Lands not applicable to the Purposes hereof: be it therefore enacted, That it shall be lawful for the said Company and they are hereby required within Ten Years after the passing of this Act to sell any such Lands, or any Estate or Interest purchased by the said Company in such Lands or in any Part thereof, either together or in Parcels, by public Auction or private Contract, or partly by public Auction and partly by private Contract, and for such Price as they shall

deem most convenient and think fit, and by any Deed under their Common Seal to convey and assure the same to the Purchaser thereof or as he may request; and all such Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any Law, Statute, or Custom, to the contrary notwithstanding: Provided always, that the said Company, before they shall dispose of any such Lands, shall first offer to sell the same to the Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, and who shall be in *England* and conveniently to be found and capable of entering into a Contract for the Purchase thereof; and all Persons and Corporations hereby capacitated to sell, in like Manner shall be and are hereby capacitated to purchase of the said Company; and every such Person, in case he shall be desirous of purchasing the same Lands, shall signify such his Desire and Intention in that Behalf to the said Company in Writing within Ten Days after such Offer of Sale shall have been made by Notice in Writing given to or left for him at his last known or usual Place of Abode; and in case such Persons shall decline or neglect to avail themselves of such Offer, or shall neglect so to signify their Desire and Intention to purchase such Lands for the Space of Ten Days after such Offer shall have been made, the Right of Pre-emption of every such Person so declining or neglecting in respect of such Lands included in such Offer shall cease; and a Declaration in the Form herein-after described, made before a Master or Master Extraordinary in the High Court of Chancery, or before a Justice of the Peace for the County or Place where such Lands may be situate, by some Person not interested in the said Lands, stating that at the Time such Lands shall have been sold the Person entitled to such Right of Pre-emption was not in *England* or was not to be found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made by or on behalf of the said Company, and was refused or was not accepted or agreed to (as the Case may be) by the Person to whom the same was made within the Space of Ten Days from the Time of making the same, shall in all Courts and on all Occasions whatever be conclusive Evidence and Proof of the Facts therein stated; and in case such Person shall be desirous of purchasing the same, and he and the said Company shall not agree with respect to the Price thereof, then the Price shall be ascertained by a Jury in manner by this Act directed with respect to the disputed Value of Lands to be taken by the said Company; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in this Act is directed with respect to the disputed Value of Lands to be taken or used by the said Company as aforesaid, *mutatis mutandis;* and the Money produced by the Sale which may be made by the said Company of any such Lands as aforesaid shall be applied to the Purposes of this Act.

If Lands are not sold within the Time limited they shall vest in the Owners of adjoining Lands

XXXV. And be it further enacted, That if the said Company shall not within the Time herein-before limited have sold such Parts of the Lands purchased by them as shall not be wanted for the Purposes of this Act, then and in such Case such last-mentioned Lands shall vest in the Owners for the Time being of the Land adjoining that which shall not have been sold, in manner following; that is to say, one Moiety in the Owners of the Land on the one Side thereof, and the other Moiety in the Owners of the Land on the other Side thereof.

XXXVI. And

Receipts to be given for Money paid to the Company.

XXXVI. And be it further enacted, That upon Payment of the Money which shall arise by the Sale of any Lands authorized by this Act to be sold by the said Company, or upon Payment to the said Company of any other Money under this Act, it shall be lawful for the Clerk of the said Company for the Time being, or any Officer appointed by the said Company for that Purpose, to sign and give Receipts for the Money so paid, which Receipts shall be sufficient Discharges to all Persons for the Purchase Money for such Lands as shall be so sold, or for such other Sums of Money as in such Receipts respectively shall be expressed to be received, and such Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase or other Monies or any Part thereof respectively.

The Word "grant" in Conveyances from the Company to amount to certain Covenants.

XXXVII. And be it further enacted, That in all Conveyances to be made by the said Company under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants to or with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of such Grantees Interest therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Company, for themselves and their Successors, and that they the said Company, notwithstanding any Act and Default done by them, were at the Time of the Execution of such Conveyances seised of or entitled to the Lands thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them, that the Purchasers thereof, their Heirs and Assigns, Successors and Assigns, or Executors, Administrators, and Assigns (as the Case may be), shall quietly enjoy the same against the said Company, their Successors, and all claiming under them, and be indemnified and saved harmless by the said Company and their Successors from all Incumbrances committed by the said Company, and also for further Assurance of such Lands by the said Company, their Successors and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature and the Estate or Interest expressed to be thereby conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

If Land not contracted for within Three Years Compulsory Power of purchasing to cease.

XXXVIII. And be it further enacted, That unless the said Company shall within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued and pay or cause to be paid for, as in this Act is mentioned, the Lands which they are by this Act empowered to take and use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purpose of making and improving the said Bridge or other Works hereby authorized, then and from thenceforth the Powers which are hereby granted to them for the compulsory taking or using of such Lands shall cease and be utterly void.

XXXIX. Pro-

If Bridge not completed in Seven Years Powers to cease, except as to such Part (if any) as shall be completed.

XXXIX. Provided always, and be it further enacted, That in case the said Bridge and Works shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Seven Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Seven Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said Bridge and Works as shall be declared and certified to have been completed within the said Term by the Justices of the Peace for either of the said Counties of *Brecon* and *Radnor* assembled at any General or Quarter Sessions of the Peace to be held in and for the said Counties respectively, as the Case may be, at any Time before the Expiration of the said Term of Seven Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of Two or more Witnesses upon Oath or (in the Case of Quakers) Affirmation to be produced before such Justices for that Purpose.

Power to purchase Boughrood Ferry.

XL. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to acquire, take, and hold the ancient Ferry called *Boughrood Ferry*, with the Rights, Members, and Appurtenances thereunto belonging, making Satisfaction to all Corporations and Persons interested therein; and every Provision, Clause, Matter, and Thing herein contained concerning the Purchase and Sale, Conveyance, and vesting of Lands and Hereditaments to be taken or used for the Purposes of this Act, and the Purchase Money thereof, and all other Provisions, Matters, and Things whatsoever concerning such Lands and Hereditaments, and the Owners thereof and Persons interested therein, shall extend and be applicable to the said Ferry, with its Rights, Members, and Appurtenances, and the Owners thereof and the Persons interested therein: Provided always, that the Powers granted by this Act to take Tolls shall have no Operation until the said Ferry shall have become vested in the said Company.

Company may raise among themselves a Sum not exceeding 5,000*l.*

XLI. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves, and in such Proportions as to them shall seem meet and convenient, any Sum or Sums of Money for building the said Bridge, and other the Purposes aforesaid, not exceeding in the whole the Sum of Five thousand Pounds.

The whole Estimate to be subscribed before proceeding with the Act.

XLII. And whereas the probable Expence of building the said Bridge, and of making the Roads, Avenues, and Approaches thereto will, according to an Estimate thereof made, amount to the Sum of Three thousand seven hundred and ninety-two Pounds, and the Sum of Three thousand and fifty Pounds (being more than Four Fifth Parts of such Expence) has already been subscribed for defraying such Expence, by several Persons, under a Contract, binding them, their Heirs, Executors, and Administrators for Payment of the several Sums so subscribed by them respectively; be it therefore further enacted, That the whole of the said Sum of Three thousand seven hundred and ninety-two Pounds shall be subscribed in like Manner before any of the Powers and Provisions given by this Act shall be put in force.

Principal Money to be

XLIII. And be it further enacted, That the said Sum of Five thousand Pounds shall be divided into Shares of One hundred Pounds each, which shall

shall be numbered in regular numerical Progression, and every Share shall for ever afterwards be distinguished by the Number to be applied to the same; and every Proprietor of a Share or Shares shall be entitled to and interested in the Capital Stock of the said Company, and of the Profits and Advantages that may arise and accrue by the Tolls and other Monies to be collected and received by virtue of this Act, in manner herein-after mentioned. divided into Shares.

XLIV. And be it further enacted, That all such Shares in the said Undertaking, and the Net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly. Shares to be deemed Personal Estate.

XLV. And be it enacted, That the respective Persons who have subscribed, or who shall hereafter subscribe or advance any Money for and towards the Purposes of this Act, or shall be Owners or Proprietors of any Share or Shares in the said Bridge and Roads, shall and they are hereby required to pay the Sums by them respectively subscribed, or such Parts and Proportions thereof as shall from Time to Time be called for by the said Company by virtue of and agreeably to the Powers and Directions of this Act, at such Times and Places and in such Manner as shall be directed by the said Company; and in case any such Subscriber shall neglect or refuse to pay the same at the Time, Place, or Manner so required for that Purpose, the said Company are hereby empowered to sue for and recover the same in any of Her Majesty's Courts of Law or Equity whatever. Subscribers to pay their Subscriptions when called for, and on Failure may be sued.

XLVI. And be it further enacted, That the said Company shall and they are hereby required, at their First or at some subsequent General Meeting, as soon as conveniently may be, to cause the Names and proper Additions of the several Persons who shall be then entitled to any Share or Shares in the said Bridge and Roads, 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 or Books to be kept by the Clerk of the said Company, and after such Entry made to cause their Common Seal to be affixed thereto; and shall also cause a Certificate or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber upon Demand, specifying the Share or Shares to which he is entitled in the said Bridge and Roads, or a Certificate for each separate and distinct Share in case any Proprietor of more than One Share shall request the same; and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Instrument shall not hinder or prevent the Owner or Proprietor of any Share or Shares from selling or disposing thereof; and in case any such Certificate or Instrument shall become defaced, worn out, or damaged, or shall be ascertained to have been lost or destroyed, then and in such Case another Certificate shall be made out and entered by the Clerk as aforesaid. Names of Proprietors and Numbers of their Shares to be entered in a Book, and Certificates of the Number delivered to them.

XLVII. And be it further enacted, That it shall be lawful for the said several Proprietors, their respective Executors, Administrators and Assigns, Shares may be sold.

Assigns, to sell or dispose of any Share or Shares they may be entitled to in the said Bridge and Roads, subject to the Rules and Conditions herein mentioned; and every Conveyance or Transfer of the said Shares shall be by Deed duly stamped, in which the Consideration for the same shall be truly stated, and may be in the Form or to the Effect following; (that is to say,)

Form of Transfer of Shares.

'I *A.B.*, in consideration of the Sum of paid to me 'by *C.D.*, do hereby bargain, sell, and transfer to the said *C.D.*, his '[her *or* their] Executors, Administrators, and Assigns, all that my Share '[*or* those my Shares, *as the Case may require*], numbered 'of and in the Bridge over the River *Wye*, called the *Boughrood Bridge*, 'and the Roads and Approaches thereto, to hold to the said 'his [her *or* their] Executors, Administrators, and 'Assigns, subject to the same Rules and Orders and on the same Conditions that I now hold the same; and I the said *C.D.* do accept the 'said Share *or* Shares, subject to the same Rules, 'Orders, and Conditions. Witness our Hands and Seals the 'Day of .'

Transfers to be registered.

And every such Transfer shall be produced to the Clerk of the said Company, and shall be registered by him in the Books of the said Company, for which the Sum of Two Shillings and Sixpence, and no more, shall be paid by the Person so requiring such Transfer to such Clerk; and the Registry thereof shall specify the Date of such Transfer, the Names of the Parties, and the Numbers by which the Shares transferred are distinguished; and a Copy of such Register, signed by the said Clerk, shall be sufficient Evidence of such Transfer, and be received and admitted as such; and until such Transfer shall be registered in the Books of the said Company, no Purchaser of any Share, or his Executors, Administrators, or Assigns, shall be deemed a Proprietor, or have any Part of the Profits or Advantages arising from the said Bridge and Roads, nor shall receive any Interest or Dividends for or in respect of such Share so purchased, nor be entitled to any Vote at any Meeting as a Member of the said Company in respect of such Share or Shares, until the Expiration of Three Calendar Months after such Transfer shall have been registered.

No Share to be sold after a Call till the Money is paid.

XLVIII. And be it further enacted, That after any Call of such Monies shall be made by Authority of this Act, no Person shall sell or transfer his Share or Shares in the said Bridge and Roads until the Monies so called for upon his respective Share or Shares so to be sold shall be paid; and until such Money so called for shall be paid every such Sale or Transfer of any Share shall be void, and every Person making default herein shall be subject and liable to forfeit such his respective Share or Shares of the said Bridge and Roads to the said Company, in Trust for the Benefit of all the other Proprietors, unless the Purchaser shall at the Time of such Transfer pay the Money so called for upon such Share or Shares so transferred to the Treasurer of the said Company; such Forfeiture nevertheless to be notified and declared at a General Meeting in manner herein-after directed with respect to other Forfeitures of Shares.

For ascertaining the Proprietors

XLIX. And whereas in Cases where the original Subscriber or Subscribers for One or more Share or Shares in the said Bridge and Roads

shall marry, die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the said Clerk, as directed by this Act, it may not be in the Power of the said Company or their Treasurer or Clerk to know who is the Owner or Proprietor of such Share or Shares; be it therefore enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Bridge and Roads shall pass from the original Proprietor thereof to any other Person by any other legal Means than by a Transfer or Conveyance thereof as herein directed, a Declaration shall be made by One or more credible Person or Persons before a Master or Master Extraordinary in Chancery, or One of Her Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person, his Executors, Administrators, Successors, or Assigns; and such Declaration shall be transmitted to the Clerk of the said Company, to the Intent that he may and he is hereby required to enter and register the Name of every such new Proprietor in the Register Book or List of Proprietors in the said Bridge and Roads.

of Shares in certain Cases.

L. Provided always, and be it further enacted, That it shall be lawful for the said Company, pursuant to an Order or Resolution to be made or entered into at a Special Meeting of the said Company for that Purpose to be called by them, and of which Meeting Thirty Days previous Notice shall be given by public Advertisement to be inserted in some Newspaper printed or circulated in the said Counties of *Brecon* and *Radnor*, or in such other Manner as the said Company shall at any General or Special Assembly or Meeting direct, after One Half of the said Capital of Five thousand Pounds shall have been paid up, to borrow and take up at Interest the Sum of One thousand six hundred and sixty Pounds, or any Part thereof, upon the Credit or by way of Mortgage of the said Bridge and Roads, and the Tolls arising therefrom, as to them shall seem meet and convenient; and the said Company are hereby accordingly fully authorized and empowered, under their Common Seal, to grant, assign, and make over, by way of Mortgage, the said Bridge and Roads, and the Tolls arising therefrom, or any Part thereof (the Costs and Charges of which Assignment shall be paid out of such Tolls, Rates, and Duties), as a Security for the Sum or Sums of Money so to be borrowed, with Interest for the same, unto the Person or Persons who shall lend and advance such Sum or Sums of Money, or unto his, her, or their Trustee or Trustees; all which Assignments or Mortgages shall be by Deed, duly stamped, in which the Consideration for the same shall be truly stated, and may be made in the Form or to the Effect following; (that is to say,)

Power to raise 1,660*l.* by Mortgage.

'BY virtue of an Act passed in the First Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*], 'we the *Boughrood Bridge* Company, incorporated by virtue of the said 'Act, in consideration of the Sum of
'to us lent and advanced by *A.B.* of do hereby 'bargain, sell, and assign unto the said *A.B.*, his *or* her Executors, 'Administrators, and Assigns, the said Bridge and Roads, with their 'Appurtenances, and all and singular the Tolls granted or arising and 'payable to us by virtue of the said Act, and all our Estate, Right, 'Title, and Interest of, in, to, or out of the same respectively, to hold 'unto

Form of Mortgage.

'unto the said *A.B.*, his *or* her Executors, Administrators, and Assigns, 'until the said Sum of together with 'Interest for the same after the Rate of *per Centum per* '*Annum*, shall be fully paid and satisfied. Given under our Common 'Seal this Day of .'

And all Persons to whom such Mortgages shall be made shall be equally entitled, one with the other, to the said Tolls and Premises thereby assigned, according and in proportion to the Sums by them respectively lent and advanced on the Credit thereof as aforesaid, without any Preference by reason of Priority of any such Mortgage or Assignment, or on any other Account whatsoever.

Entries to be made of Mortgages.

LI. And be it further enacted, That an Entry or Memorial of every such Mortgage as aforesaid, containing the Date thereof, the Name and Addition of the Party to whom the same shall be made, and the Sum thereby secured, with the Rate of Interest to be paid for the same, shall be made or entered in a Book to be kept for that Purpose by the Clerk to the said Company for the Time being, and such Book shall and may be perused *gratis*, at all seasonable Times, by any of the Proprietors or Creditors of the said Bridge and Roads; and all Persons to whom any such Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, shall and may from Time to Time assign, transfer, and make over their Right, Title, and Interest therein unto any Person whomsoever, either by Endorsement thereon, or otherwise; which Transfer shall be made by a Deed in Writing, duly stamped, in which the Consideration for the same shall be truly stated, and may be in the Form or to the Effect following; (that is to say,)

Mortgages may be transferred.

Form of Transfer of Mortgage.

'I *A.B.* [*or* We, *C.* and *D.*], in consideration of the Sum of 'Pounds to me [*or* us] paid by *E. F.* of 'do hereby transfer the within Mortgage [*or* a 'certain Mortgage made to me *or* us by the *Boughrood Bridge* Company, 'bearing Date the Day of] and 'the Principal Sum of Pounds thereby secured, and the 'Interest now due and hereafter to grow due for the same, and all my '[*or* our] Right and Property therein, unto the said *E.F.*, his Executors, 'Administrators, and Assigns. Witness my Hand and Seal [*or* our 'Hands and Seals] this Day of .'

Entries of Transfers to be made in the Company's Books.

And every such Transfer shall, within Thirty Days from the Date thereof, be produced to the Clerk to the said Company, who shall thereupon cause an Entry or Memorial thereof, in like Manner as is herein-before directed with respect to the original Mortgage, to be made or entered in the Book to be kept for entering the Memorials of such original Mortgages; and after such Entry shall be made, but not before, such Transfer shall entitle the Assignee therein named, and his Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage; and for the Entry of every such Security or Transfer the Clerk to the said Company shall be paid, by the Party to whom the same shall be made, the Sum of Two Shillings and Sixpence, and no more.

Interest of Money borrowed to be

LII. Provided always, and be it further enacted, That the Interest of the Money which shall be raised by Mortgage as aforesaid (if any), shall be paid half-yearly to the Persons entitled thereto, in preference to

to any Dividend or Distribution of Profits to the Proprietors of the said Bridge and Roads, or any of them, and shall from Time to Time be fully paid and discharged or provided for before any such Dividend shall be made or declared: Provided always, that no Person to whom any such Mortgage or Security shall be made or transferred as aforesaid, shall be deemed a Proprietor of the said Bridge and Roads, or be capable of acting or voting as such for or on account of his having paid, advanced, or lent any Money on the Credit of the said Bridge and Roads, or the Tolls thereof, as aforesaid.

paid half-yearly.

Mortgagees not to be considered as Proprietors of the Company.

LIII. And be it further enacted, That all the Sums of Money to be subscribed and raised as aforesaid shall be applied, in the first place, in discharging all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, and the Surveys, Plans, and Estimates, and other incidental Expenses relating thereto, and then in or towards, the making and completing the said Bridge, and the said Roads, Avenues, or Approaches thereto, and other Works by this Act directed to be made, and paying the Purchase Money for the Lands and Hereditaments herein-after authorized to be purchased, and otherwise for the Purposes of this Act.

Money raised to be applied in building the Bridge and other Purposes of the Act.

LIV. And be it further enacted, That the said Company shall have Power from Time to Time to make such Calls for Money from the Subscribers to or Proprietors of the said Bridge and Roads, their Executors, Administrators, Successors, and Assigns, as they shall from Time to Time find necessary for the Purposes of this Act, so that the First Call by virtue of this Act shall not exceed the Sum of Ten Pounds for every Share to be subscribed, and every succeeding Call not to exceed the Sum of Ten Pounds *per Centum* for every such Subscription, and so as no Calls be made but at the Distance of One Calendar Month from each other; which Money so called for shall be paid into the Hands of the Treasurer to the said Company for the Time being; and every Owner or Proprietor of One or more Share or Shares in the said Bridge and Roads shall pay his Share and Proportion of the Monies to be called for as aforesaid at such Time and Place as shall be appointed by the said Company, of which Time and Place Fourteen Days Notice shall be given by Advertisement to be inserted in some One Newspaper printed or circulated in the said Counties of *Brecon* and *Radnor*, or in such other Manner as the said Company of Proprietors shall at any Special or General Meeting direct; and the Clerk of the said Company shall also give Notice, by Letter directed to each Subscriber or Proprietor at his usual Place of Abode, of each Call, and of the Name and Place of Abode of the Treasurer to whom such Payments are to be made.

Company empowered to make Calls.

LV. And be it further enacted, That if any Subscriber or Proprietor of any Share in the said Bridge and Roads, his Executors, Administrators, Successors, or Assigns, shall refuse or neglect to pay his rateable or proportionable Part or Share of the said Monies to be called for by the first or any other Call to be made by virtue of this Act, at the Time and Place so to be appointed as aforesaid, or within Thirty Days next ensuing, then and in every such Case the Subscriber or Proprietor so refusing or neglecting shall (whether or not the same shall then have been sued for in any Court of Law or Equity) absolutely forfeit his respective Share and Interest

On Neglect to pay Calls Shares to be forfeited.

in the said Bridge and Roads, and all the Profits and Benefits thereof, and all Money theretofore advanced by him on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined by a Special or General Meeting of the said Company, and all which Shares so forfeited shall be publicly sold, and the Money arising therefrom applied in manner by this Act directed: Provided nevertheless, that no Advantage shall be taken of such Forfeiture of any Share or Shares in the said Bridge and Roads as aforesaid until after Fourteen Days Notice in Writing, signed by the Chairman of the said Company, shall have been given to the Owner thereof, or left at his usual or last Place of Abode; and every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Subscriber or Proprietor, or his Executors, Administrators, Succcessors, or Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls.

Notice to be given previous to Declaration of Forfeiture of Shares.

If the Purchase Money or Shares shall be more than sufficient to pay the Arrears of Calls, and Interest and Expences thereon, the Surplus to be paid to the Owner on Demand.

LVI. Provided always, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and lawful Interest thereon, with the Expences attending such Sale or Sales, the Surplus of such Money shall be paid, on Demand, to the Person or Persons to whom such Share or Shares shall have belonged; but the said Company shall not sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be, at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after the Payment of all such Calls, and the Interest and Expences as aforesaid, any Share or Shares so vested in such Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

Directing the Proceedings in Actions for Calls.

LVII. And be it further enacted, That in all Actions brought by the said Company against any Person who hath subscribed or who shall hereafter subscribe or advance any Money for and towards the Purposes of this Act, or against any Owner or Proprietor of any Share or Shares in the said Bridge and Roads, to recover any Sum of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant, being an Owner or Proprietor of so many Shares in the said Bridge and Roads, is indebted to the said Company in such Sum of Money as the Call or Calls in arrear shall amount to for such and so many Call or Calls of such and so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defendant, as the Case may happen to be, whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant, at the Time of making such Call or Calls, was an Owner or Proprietor of some Share or Shares in the said Bridge and Roads, and that such Call or Calls was or were in fact made, and that such Notice was given thereof as is directed by this Act, and the said Company shall thereupon be entitled to recover what shall appear to be due, unless it shall appear that the First Call to be made by virtue of this

Act

Act did exceed the Sum of Ten Pounds on every Share so subscribed, or that any succeeding Call exceeded the Sum of Ten Pounds for every One hundred Pounds, or was made within the Distance of One Calendar Month from the last preceding Call, or without Notice given as aforesaid.

First General Meeting or Assembly of the Company.

LVIII. And be it further enacted, That the First General Meeting or Assembly of the Proprietors of the said Bridge and Roads for putting this Act into execution shall be held at such Place as the said Company shall direct, within Ten Miles of the said Bridge, upon the First *Monday* in *July* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten and Two of the Clock; and all future General Meetings or Assemblies of the Proprietors of the said Bridge and Roads, except such Special General Meetings or Assemblies as herein-after mentioned, shall be held on the First *Monday* in the Month of *July* in each and every Year, between the Hours of Ten and Two of the Clock, at such Place as the said Company may direct, of which future General Meetings or Assemblies Fourteen Days previous Notice at least shall be given by public Advertisement to be inserted in some One Newspaper printed or circulated in the said Counties of *Brecon* and *Radnor*, or in such other Manner as the said Company at their respective General Meetings or Assemblies shall direct; and in case no Place shall have been so appointed, then where the last General Meeting or Assembly was holden; and at such General Meetings or Assemblies a Report shall be made of the State of the said Bridge and Roads, and the Proceedings of the said Company in carrying this Act into execution, which Report shall be fairly entered into the Book or Books of the Company kept for that Purpose by the Clerk, and a Copy of the same shall be left at the Clerk's Office for the Perusal of the Proprietors, who shall have Access thereto at all reasonable Times.

Subscribers to have Votes according to the Number of their Shares.

LIX. And be it further enacted, That every Person possessed of One or more Share or Shares in the said Bridge and Roads shall have One Vote for every Share he is possessed of in the said Bridge and Roads to the Number of Eight Shares, and also One additional Vote for every Five Shares he may possess in the said Bridge and Roads above the said first Number of Eight Shares, and no more, in every General or Special Meeting or Assembly of the said Company.

Lunatics and Minors how to vote.

LX. And be it further enacted, That in case any Proprietor entitled to vote at any General or Special Meeting or Assembly of the said Company shall be a Lunatic or a Minor, such Lunatic shall or may vote at such Meeting or Assembly by his Committee, or any One of such Committees, and such Minor shall or may vote by his Guardian or any One of such Guardians.

Power to vote by Proxy.

LXI. And be it further enacted, That every Proprietor entitled to vote at any such General or Special Meeting or Assembly of the said Company may give his Votes, either in Person, or by his Proxy appointed by Writing under his Hand and Seal, and in case of Infancy or Lunacy, then under the Hand and Seal or Hands and Seals of his Guardian or Guardians or of his Committee or Committees, and which Appointment may be in the Form or to the Effect following; (that is to say,)

'I *A.B.*

Form of Appointment of Proxy.

'I *A. B.* of one of the Company of Proprietors of the *Boughrood Bridge*, do hereby nominate, constitute, and appoint *C.D.* of to be my Proxy, in my Name and in my Absence to vote and give my Assent to or Dissent from any Business, Matter, or Thing relating to the said Bridge and Roads which shall be mentioned or proposed at any Meeting or Assembly of the said Company, or any Adjournment thereof, in such Manner as the said *C.D.* shall think proper, according to his Opinion and Judgment, for the Benefit of the said Bridge and Roads, or any thing appertaining thereto. In witness whereof I have hereunto set my Hand and Seal the Day of .'

And every such Proxy shall be entitled to give as many Votes for and on behalf of the Principal as such Principal could give in Person; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any public Meeting to be held in pursuance of this Act shall be finally determined by the Majority of Votes then given; and the Chairman at every such Meeting, in case of a Division of equal Numbers, shall have the casting Vote, although he shall have voted before; provided that no Person shall vote as Proxy unless he be a Proprietor.

Power of General Meetings as to the Common Seal.

LXII. And be it further enacted, That it shall be lawful for the said Company, at any General or Special General Meeting or Assembly convened for that Purpose, to order and dispose of the Custody of their Common Seal, and the Use and Application thereof.

General Meetings to examine and audit Accounts.

LXIII. And be it further enacted, That all Accounts of Money received, laid out, and disbursed on account of the said Bridge and Roads, or on any of the Works thereunto belonging, by the Treasurer, Receivers, Collectors, Clerk, and other Officers by them appointed, or by any other Person or Persons whomsoever employed by or concerned for or under them in or about the said Bridge and Roads, or the Works thereunto belonging, shall be laid before the said General or Special General Meeting or Assembly, to be audited and settled; and the said Company shall have Power to adjourn themselves from Time to Time to such Place or Places (within the Distance of Ten Miles from the said Bridge) as shall at such General or Special General Assembly be thought proper and convenient.

Meetings or Assemblies of the Proprietors may be specially convened.

LXIV. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act in execution a Special General Meeting or Assembly of the Proprietors of the said Company shall be necessary to be holden, it shall be lawful for any Two or more of the said Proprietors, by a Notice under their Hands, to give Thirty Days Notice of such Special General Meeting or Assembly in One or more Newspaper or Newspapers printed or circulated in the said Counties, or in such other Manner as the said Company may at any General Meeting or Assembly direct and appoint, specifying in such Notice the Reason, Occasion, and Intention of such Special General Meeting or Assembly, and the Time when and Place where the same shall be holden, which Place shall be within Ten Miles of the said Bridge; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present at such Special General Meeting or Assembly shall proceed to the Execution of the Powers by this Act given to the said

Company with respect to the Matters so specified in such Notice only; and all such Acts, Orders, or Determinations of the said Proprietors, or the Majority of them, met together at every such Special General Meeting or Assembly, shall be as valid with respect to the Matters specified in such Notice as if the same had been done at any stated General Meeting or Assembly.

Proceedings to be entered in a Book, which shall be open to Inspection.

LXV. And be it further enacted, That all Orders and Proceedings of the said Company, together with the Names of the Proprietors of Shares in the said Bridge and Roads, present at every Meeting, shall be entered in a Book or Books, to be kept by the Clerk to the said Company for that Purpose, and be signed by the Chairman of the Meeting at which such Orders or Proceedings shall be made or had, and such Book or Books shall be open at all reasonable Times to the Inspection of any of the Proprietors of Shares in the said Bridge and Roads without Fee or Reward; and such Orders and Proceedings so entered and signed by the Chairman of such Meeting or Meetings as aforesaid shall be deemed and taken to be original Orders and Proceedings; which said Book or Books shall and may be read in Evidence in all Courts whatsoever in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever.

Books of Account to be kept, and be open to Inspection.

LXVI. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Bridge and Roads, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the Proprietors of the said Bridge and Roads, or any Creditors on the Tolls to be collected and taken on the said Bridge and Roads, without Fee or Reward; and the said Proprietors and Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit any of the said Proprietors or Creditors to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are hereby directed to be levied and applied.

Company to appoint Officers.

LXVII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and required, from Time to Time to nominate and appoint a Treasurer, Engineer, Architect, Surveyor, Clerk, Collector or Receiver of the Rates and Tolls herein allowed to be demanded and taken, and such other Officers as to the said Company shall seem proper, and from Time to Time to remove any such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector or Receiver, or other Officers, or any of them, and to nominate and appoint another Person or other Persons in his or their Room or Stead, taking such Security

for every such Treasurer, Collector or Receiver, or other Officer, for the due Execution of their respective Offices, and to grant them respectively such Salary and Compensation as the said Company shall think proper.

Clerk and Treasurer not to be the same Person.

LXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as the Clerk to the said Company in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner or Partners, to be the Treasurer for the Purposes of this Act, nor to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person or Persons in the Service or Employ of any such Treasurer or of his Partner or Partners, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes 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 act as 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 the Clerk or other Person in the Service or Employ of the Partner of such Treasurer or of his Partner, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Company (other than as Treasurer), every 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 Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign or Protection shall be allowed.

Officers, &c. to account.

LXIX. And be it further enacted, That every such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Company so to be appointed as aforesaid shall, under his Hand, at such Times and in such Manner as the said Company shall direct, deliver to the said Company or to such Person or Persons as they shall appoint true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant and Person respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid, laid out, and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in his or their Hand or Hands to the said Company, or to such Person or Persons as they shall appoint; and if any such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person shall refuse to produce or deliver up such Accounts, Receipts, or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Company, or to such Person or Persons as they shall appoint, within Seven Days after being thereunto required by the said Company, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his or their respective Hands to the said Company, or as they shall direct

and appoint, then and in either of the Cases aforesaid it shall be lawful for any One Justice of the Peace for the said Counties of *Brecon* or *Radnor*, upon Complaint to him made by the said Company or such Person or Persons as they shall appoint for that Purpose, to summon before him any such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person, and upon his or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, (which Oath such Justice is hereby required and empowered to administer,) it shall appear to such Justice that any of the Monies that shall have been collected, raised, or received by virtue of this Act shall be in the Hands of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person respectively; and if no Goods or Chattels of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same, or if such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person shall not appear before the said Justice at the Time and Place by him appointed for that Purpose, unless for some sufficient Reason, or, if appearing, shall refuse or neglect to give and deliver to such Justice an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts in his Possession or Power relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his Custody or Power relating to the said Bridge and Roads, then and in any or either of the Cases aforesaid such Justice shall commit every such Offender to the Common Gaol for such County or Place wherein the Offence shall be committed, there to remain without Bail or Mainprize until he shall give and make such Account as shall be satisfactory to such or any other Justice, and make Payment as aforesaid, or until he shall compound with the said Company, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Company are hereby empowered to make), and until he shall deliver up such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company; but no Person committed for Want of sufficient Distress shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Three Calendar Months.

Ferry Boats to be kept by the Company until the Bridge is built.

LXX. And be it further enacted, That the said Company, from and after they shall be in Possession of the said Ferry under or by virtue of this Act, shall and may keep and use Boats for the carrying and conveying Persons, Horses, or other Beasts, Cattle, and Carriages, over the said Ferry, until the said Bridge so to be erected shall be built and completed; and it shall not be lawful for any other Person to carry or convey Persons, Horses, or other Beasts, Cattle, or Carriages, over the said Ferry, or within the Limits thereof, for Profit.

LXXI. And

Ferry Boats to be provided in case of Accident to Bridge.

LXXI. And be it further enacted, That in case at any Time after the said Bridge shall have been completed the Passage over the same shall become dangerous in consequence of Accident or Damage, or it shall be considered desirable to alter or repair or rebuild the said Bridge or any Part thereof, it shall be lawful for the said Company, during such Time as shall be necessary for altering, repairing, or rebuilding the said Bridge or any Part thereof, to provide a sufficient Ferry over the said River, and to receive such Tolls as are herein-after authorized to be taken for passing over the said intended Bridge; provided that such Ferry shall continue for such Time only as shall be necessary for altering, repairing, or rebuilding the said Bridge.

Power to erect Toll Gates, and to take Tolls.

LXXII. And be it further enacted, That the said Company shall and may, as soon as conveniently may be after a Passage shall be made over the said intended Bridge, cause to be erected and set up a Turnpike Gate or Gates, or Toll Gate or Gates, at or upon the said Bridge, and at or upon some or one of the said Roads, Avenues, or Approaches leading thereto or branching therefrom, belonging to the said Company, at any Part or Parts thereof, and from Time to Time shall and may remove the same Turnpike or Toll Gate or Turnpikes or Toll Gates, and erect or set up another Turnpike or Toll Gate or other Turnpikes or Toll Gates in lieu thereof, at any Place or Places upon any Part or Parts of the said Bridge, or Roads, Avenues, or Approaches respectively, and shall and may from Time to Time erect, provide, and maintain such Toll Houses and other Conveniences near or adjoining to the said Turnpike or Toll Gate as the said Company shall think proper; and the respective Tolls following shall and may be demanded and taken at the Turnpike or Toll Gate to be erected as aforesaid, by such Person or Persons as the said Company shall from Time to Time appoint as aforesaid; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-à-vis, Barouche, Phaeton, Chaise Marine, Calash, Curricle, Chair, Gig, Whiskey, Hearse, Litter, Chaise, or other such like Carriage, the Sum of Nine-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Sixpence:

For every Horse or Mule, laden or unladen, and not drawing, the Sum of Two-pence:

For every Ass, laden or unladen, the Sum of One Penny:

For every Drove of Oxen or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any less Number:

For every Carriage drawn or propelled by Steam, Gas, or any Means other than Animal Power, the Sum of Two Shillings and Sixpence:

For every Foot Passenger or Person on Foot (except the Person or Persons, not exceeding Two in Number, actually driving and accompanying any Waggon, Wain, Cart, or other Carriage,) who shall pass over the said Bridge, the Sum of One Halfpenny:

And for every Person who shall ride in or upon any Waggon or Wain, or any Cart or other such like Carriage (not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire), or who shall

shall ride upon any Horse or Beast drawing any such Waggon, Wain, Cart, or other such like Carriage, the Sum of One Halfpenny:

Such respective Tolls to be paid before any such Person, or any such Horse, Mule, Ass, Cattle, or Beast, or any such Carriage as aforesaid, shall be entitled to pass through such Turnpike or Toll Gate; and which said Tolls shall be and the same are hereby vested in the said Company and their Successors, for the Purposes of this Act.

Table of Tolls to be put up.

LXXIII. And be it further enacted, That after any Toll Gate shall be erected by virtue of this Act the said Company shall and they are hereby required to put up or cause to be put up and afterwards to be continued at every such Toll Gate a Table, painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List distinguishing the several Tolls to be paid by virtue of this Act, and to renew such Boards whenever any of the Letters or Figures thereof shall be worn out, defaced, or obliterated: Provided always, that it shall not be lawful for the said Company to demand or take or cause to be demanded or taken any Tolls for or in respect of any Horse, Cattle, Beast, or Carriage but for and during such Time as the Board so painted as aforesaid shall remain affixed to such Toll Gate.

Tolls to be paid but once a Day.

LXXIV. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Beast, Cattle, or Carriage through any or either of such Toll Gates, Turnpikes, or Side Gates, such Horse, Beast, Cattle, or Carriage shall, upon a Ticket denoting such Payment on that Day being produced, be permitted to pass Toll-free during that Day through all the Toll Gates, Turnpikes, or Side Gates to be erected or set up by virtue of this Act, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night, except as herein-after is excepted.

Tolls in respect of Foot Passengers to be paid for every Time of passing and repassing.

LXXV. Provided always, and be it further enacted, That the Tolls hereby made payable for Foot Passengers or Persons on Foot, and for Persons who shall ride in or upon any Waggon or Wain, or any Cart or other such like Carriage (not being a Cart or Carriage usually employed for carrying Passengers for Hire), or who shall ride upon any Horse or Beast drawing any such Waggon, Wain, Cart, or other such like Carriage, shall be paid for every Time of passing and for every Time of repassing over or along the said Bridge or Roads.

Stage Coaches, &c. to pay every Time of passing;

LXXVI. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing and for every Time of repassing along the said Bridge or Roads.

Post Chaises on every new Hiring.

LXXVII. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every

every Time of passing along the said Bridge or Roads, whenever any new Hiring thereof shall be made.

Exemption from Toll.

LXXVIII. Provided always, and be it further enacted, That no Toll shall be demanded or taken for any Horses or Carriages attending Her Majesty or any of the Royal Family, or returning after having so attended; or for any Horse, Beast, Cattle, or Carriage of whatever description, to be employed in conveying or guarding Mails of Letters and Expresses under the Authority of Her Majesty's Postmaster General, either when employed in conveying or guarding such Mails or Expresses, or returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Cattle, or Carriages attending them with their Arms and Baggage, and returning after having been so employed, nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance or Commissariat or other Public Stores of or belonging to Her Majesty, or to and for the Use of Her Majesty's Forces; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise, or for any Horse, furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for or on the Days of Exercise, provided that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions as aforesaid; or for Horses, Carts, or Waggons employed only in carrying or conveying any Vagrant sent by a legal Pass, or any Prisoner sent by any legal Warrant, or returning empty after having been so employed.

Directing the Application of the Tolls.

LXXIX. And be it further enacted, That the said Tolls, or any Rents payable in respect of the same, which shall be collected and received under or by virtue of this Act, shall be applied and disposed of in the Manner herein-after mentioned; (that is to say,) in the first place, in paying all the Costs, Charges, and Expences incident to or in anywise attending the obtaining and passing of this Act; then in paying the Expences for the Time being of carrying this Act into execution, and of keeping the said Bridge and Roads in proper Repair and Condition; and in the next place, in paying to the Mortgagees under this Act the Interest to which they shall be respectively entitled, in the Manner herein-before provided; and the Surplus thereof shall be divided amongst the said Proprietors in proportion to the Amount of their respective Shares.

Power to stop any Person refusing to pay Toll.

LXXX. And be it further enacted, That if any Person subject to the Payment of the Tolls hereby made payable, or any of them, shall, after Demand made thereof by any Collector appointed to receive the same, neglect or refuse to pay the same, it shall be lawful for such Collector, by himself or taking such Assistance as he shall think necessary, to stop and prevent the Passage of the Person so neglecting or refusing, or of the Horse, Beast, or Cattle for or in respect of which such Tolls ought to be paid, until full Payment thereof, or to seize and distrain any Horse or other Beast or Cattle, together with their Bridles, Saddles, Gears, Harness, or Accoutrements, (save and except the Bridles separate and apart from

from such Horses or other Cattle or Beasts,) or any Carriage drawn by such Horse, Cattle, or Beast; and if such Tolls, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Three Days next after such Seizure and Distress made, the Person so seizing and distraining shall and may sell the Horses, Cattle, Carriages, Goods, Chattels, or Things so seized and distrained, or any Part thereof, returning the Overplus (if any be) and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted; and if any Person shall forcibly pass over the said Bridge, or through any or either of the said Toll Gates, without having paid the said Tolls, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person offending in any of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, whereof one Moiety shall be paid to the Informer, and the other Moiety to the Treasurer of the said Company, to be applied for the Purposes of this Act.

Power to vary the Tolls.

LXXXI. And be it further enacted, That it shall be lawful for the said Company from Time to Time, at any General or Special General Meeting to be held in pursuance of this Act, to lessen or reduce all or any of the Tolls hereby granted, for such Time as they shall think proper, and to raise again the Tolls so lessened or reduced, or any Part thereof, so that the same do never exceed the Tolls herein-before granted; and the Tolls so lessened or reduced, or raised again, shall be collected, recovered, and applied in the same Manner as the Tolls hereby granted are authorized or directed to be collected, recovered, and applied.

Tolls not to be reduced partially.

LXXXII. And be it further enacted, That the Tolls to be taken by virtue of this Act shall at all Times be charged equally and after the same Rate upon all Persons passing over or using the said Bridge, and in respect of all Horses, Beasts, Cattle, and Carriages of whatsoever Description, and no Reduction or Advance of the said Tolls shall either directly or indirectly be made partially or in favour of any particular Person or Party, but every such Reduction or Advance of Tolls shall extend and take place in respect of the same Description of Beasts, Cattle, and Carriages, and to all Persons or Parties whomsoever passing over or using the said Bridge, any thing herein contained to the contrary thereof in anywise notwithstanding.

For preventing Toll Collectors from taking undue Toll or misbehaving.

LXXXIII. And be it further enacted, That every Toll Collector shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate, immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and every such Collector shall place or cause to be placed on the Front of the Toll House or Toll Houses at which such Collector shall be stationed a Board, whereon shall be painted, either in White Letters on a Black Ground or Black Letters on a White Ground, the List of the Tolls payable at such Gate; and if any Collector of the same Tolls shall not

place

place such Boards respectively as aforesaid, and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Company made in pursuance thereof, or shall demand and take a Toll from any Person who shall be exempted from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer or shall in anywise hinder any Person from reading the Inscriptions on such Boards respectively, or shall refuse to tell his Christian or Surname to any Person who shall demand the same, on having paid the said Tolls or any of them, or shall in answer to such Demand give a false Name, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll when demanded, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Treasurer, Clerk, Surveyor, or other Officer, or any Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Penalty on evading Tolls.

LXXXIV. And be it further enacted, That if any Person shall take off or cause to be taken off any Horse or other Beast from any Carriage at or near to the said Bridge, or at or near to any Toll House or Gate to be erected or set up by virtue of this Act, and afterwards put on or add the same after having passed the said Bridge, or any Toll House or Gate as aforesaid, with Intent to evade, and thereby shall evade or endeavour to evade the Payment of any Part of the said Tolls, or shall forge, counterfeit, or alter, or receive from or deliver to any other Person or Persons any Note or Ticket with Intent to evade, or to enable or assist any other Person or Persons to evade, the Payment of any Part of the said Tolls, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Penalty for crossing the River within 600 Yards of the Bridge.

LXXXV. And be it further enacted, That from and after the Day on which the said Bridge shall be opened for the Use of the Public it shall not be lawful for any Person, or for any Horse, Cattle, or Carriage, to pass over or across the said River *Wye*, with Intent to evade the Tolls, within Six hundred Yards on either Side of the said Bridge, except by means of such Bridge, and if any Foot Passenger, Horse, Beast, Cattle, or Carriage shall pass over or across the said River with such Intent within Six hundred Yards of the said Bridge without Payment of the Toll by this Act authorized to be collected in respect thereof, every such Foot Passenger, and every Person having the Care or Charge of such Horse, Beast, Cattle, or Carriage, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For settling Disputes concerning Tolls.

LXXXVI. And be it further enacted, That in case any Dispute shall happen about the Amount of Toll due, or the Charges of keeping or selling any Distress made for Nonpayment of such Toll, it shall be lawful for the Collector, or the Person distraining, to retain such Distress, or the Money arising from the Sale thereof (as the Case may be), until the

Amount of the Toll due and the Charges of the keeping and selling the Distress be ascertained by some Justice of the Peace for the Counties of *Brecon* or *Radnor*, who, upon Application made to him for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses, (which Oath every such Justice is hereby authorized to administer,) and shall determine the Amount of the Toll due and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, (which Warrant every such Justice is hereby empowered to issue,) and the Overplus (if any), after paying such Costs, and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Collectors of Tolls may give Evidence.

LXXXVII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls, or any of them, the Person appointed to collect the same, or any other Person acting by or under the Authority of the said Company, shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation, by reason of his being appointed to collect such Tolls.

Power to lease the Tolls.

LXXXVIII. And be it further enacted, That it shall be lawful for the said Company, at any General Assembly or Meeting to be held under or by virtue of this Act, to lease or demise all or any of the said Tolls for any Term of Years not exceeding Three Years at any one Time, for such Rent, payable at such Times and under such Covenants, as they shall think fit, the said Company taking such sufficient Security from the Person to whom such Tolls shall be leased or demised for Payment of such Rent and Performance of such Covenants as they shall think fit, which Rent shall be applied for the Purposes of this Act.

Company may remove Collectors and appoint temporary ones.

LXXXIX. And be it further enacted, That when and so often as any Collector or Receiver of the Tolls shall die, or neglect or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for any Two or more of the said Company, although not assembled at a Meeting of the said Company to be appointed by virtue of this Act, to discharge such Collector or Receiver so neglecting or refusing to perform or becoming incapable of performing his Duty, or absconding or absenting himself, and to nominate and appoint some other fit and proper Person to be a Collector or Receiver of the said Tolls until the then next Meeting of the said Company, in the Stead of such Collector or Receiver who shall so die or be discharged; and such Person so nominated and appointed shall be vested with the like Power and Authority, and be answerable and accountable in like Manner in all respects, as the Collector or Receiver who shall so die or be discharged would have been; and if any Collector or Receiver of the said Tolls who shall be discharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person who may have the Possession of any Toll House or Building, or any

If discharged Collectors refuse to deliver up Toll Houses, any Justice

may grant Warrants, and Constables enter and remove them.

any Appurtenances thereto, to be erected, set up, or used by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Two Days next after Demand thereof made by Notice in Writing, signed by the Clerk of the said Company, for that Purpose given to such Collector or Receiver, or any Person or Persons, or left at such Toll House, Building, or Premises, then and in every of the said Cases it shall be lawful for any One or more Justice or Justices of the Peace for the said Counties of *Brecon* or *Radnor*, by Warrant under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer for the said County, with such Assistance as may be necessary, to enter such Toll House or other Buildings or Premises in the Daytime, and to remove the Persons who shall be found therein, together with their Goods, out of the same, and put the said Company or such new appointed Collector or Receiver as aforesaid into the Possession thereof.

For preventing Nuisances on the Bridge and Roads.

XC. And be it further enacted, That if any Person shall wilfully or negligently injure, destroy, or otherwise damage, or shall ride or drive or lead any Horse, Beast, Cattle, or Carriage over or upon any Footpath or Causeway made or to be made on the Side or Sides of any Part of the said Bridge or Roads, or the Avenues or Approaches thereto, or shall wilfully obstruct the Passage thereof; or if any Driver of any Waggon or other Carriage shall wilfully or carelessly break or damage any of the Posts or Stones which may be erected for the Security of the said Footpaths or Causeways; or if any Person shall scrape off any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, with any Instrument so as to damage the said Bridge, Roads, Avenues, or Approaches thereto, or any Part thereof; or if any Person shall leave any Waggon, Wain, Cart, or other Carriage, or any Plough, Harrow, or other Implement of Husbandry, without some reasonable Cause to be allowed by the Justice before whom the Person so offending shall be summoned or conveyed in order to his Conviction, or except, with regard to such Waggon, Wain, Cart, or other Carriage, during such reasonable Time as the same shall be loading or unloading, and standing as near the Side of the said Roads, Avenues, or Approaches as conveniently may be, in, upon, or on the Sides of the said Bridge, Roads, Avenues, or Approaches thereto, either with or without any Horse or Beast harnessed or yoked thereto; or shall lay any Timber, Wood, or Bushes, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbish, or other Annoyance whatsoever, upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance of any Person travelling thereon; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Same Penalties for destroying Bridge as under Act of 7 & 8 G. 4. c. 30.

XCI. And be it further enacted, That the said Bridge, and the Toll Houses and Toll Gates, Works, and other Property belonging to the said Company, shall be deemed and taken to be within the Meaning of an Act passed in the Seventh and Eighth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relative to malicious Injuries to Property.*

Bridge not to be deemed

XCII. And be it further enacted, That the said Bridge shall not be adjudged or taken to be a County Bridge, or subject the Counties of *Brecon*

Brecon or *Radnor* to the repairing, amending, or supporting of the same; any Law or Statute to the contrary thereof notwithstanding. a County Bridge.

Damages and Charges in case of Dispute, to be settled by Two Justices, and Mode of Recovery thereof.

XCIII. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof or any Dispute respecting the same, shall be ascertained and determined by Two or more Justices of the Peace for the County or Place wherein such Damages or Charges shall be incurred; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Forfeitures or Penalties.

Money ordered by any Justice to be paid by the Company, how to be recovered.

XCIV. And be it further enacted, That when and so often as any Money shall be ordered by any Justice of the Peace to be paid in pursuance of this Act as or by way of Compensation or Satisfaction for any Materials, or for Costs or Expences, or for any Damage or Injury of any Nature or Kind soever done or committed by the said Company, or by any Person acting by or under their Authority, or for any Penalties, and such Money shall not be paid by the said Company to the Parties entitled to receive the same within Twenty-one Days after Demand in Writing shall have been made upon the said Company, in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Company or their Treasurer, under a Warrant to be issued for that Purpose by such Justice (which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Money); and in case any Overplus shall remain after Payment of such Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company.

Recovery and Application of Penalties.

XCV. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by virtue of any Bye Law, Rule, or Order to be made in pursuance thereof, (the Manner of levying and recovering whereof is not otherwise herein particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Two or more Justices of the Peace for the County or Place in which the Offence shall be committed, on Complaint to them for that Purpose made, and afterwards be levied as well as the Costs of any such Proceedings on Nonpayment by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices;

Justices; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeiture and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be so distrained; all which Penalties and Forfeitures, not herein directed to be otherwise applied, shall be paid, one Moiety to the Informer, and the other Moiety to the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case such last-mentioned Moiety shall be paid to the Overseers of the Poor of the Parish, Township, or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish, Township, or Place; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justices for his Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress (such Time not being more than Three Days from the taking of such Security,) and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalties or Forfeitures and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justices shall not be required to issue such Warrant of Distress, but in such Case it shall be lawful for such Justices, by Warrant under their Hands and Seals, to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be sooner paid or satisfied, together with all the Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall be otherwise discharged by due Course of Law.

Justices may proceed by Summons for the Recovery of Penalties.

XCVI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing or in Print shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing or in Print had been exhibited.

For securing Offenders

XCVII. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Company, and all such Persons as he shall call

call to his Assistance, to seize and detain any Person, whose Name and Place of Abode shall be unknown to such Officer or Agent, who shall commit any Offence against this Act, and to convey him before some Justice of the Peace for the County or Place within which such Offence shall be committed, without any other Warrant or Authority than this Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

whose Names and Places of Abode are unknown.

XCVIII. And be it further enacted, That all Justices of the Peace before whom any Person shall be convicted for or in respect of any Offence against this Act may cause the Conviction to be drawn up according to the following Form, or in any other Form to the same Effect, as the Case may require; (that is to say,)

Form of Conviction

'
' to wit. } BE it remembered, That on the Day of
' in the Year of our Lord
' *E.F.* is convicted before me *C.D.* one of Her Majesty's Justices of the
' Peace for the County of [*here describe the Offence, and*
' *the Time and Place when and where committed*], contrary to an Act
' passed in the Year of the Reign of Queen *Victoria*, intituled
' [*here insert the Title of this Act*]. Given under my Hand and Seal the
' Day and Year first above written.'

XCIX. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity shall and may recover full Satisfaction for the special Damage by an Action upon the Case.

Distress not unlawful for Want of Form.

C. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed for Want of Form or removed.

CI. And be it further enacted, That the said Company and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specially given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County or Place where the alleged Cause of Appeal shall arise, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Company (as the Case may be), and forthwith after such Notice entering into Recognizance before some Justice of the Peace, conditioned in such Penalty as to such Justice

Persons aggrieved may appeal to the Quarter Sessions.

Justice shall seem right, to try such Appeal and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or if they think proper may adjourn the Hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County or Place; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Bye Law, Rule, Order, or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing, as they shall think reasonable.

General Power to Justices to administer Oaths.

CII. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice, and he is hereby required, to administer an Oath to or (in case of a Quaker) to receive the Affirmation of any Person before he shall be examined by or before such Justice.

Prescribing Form of Declaration in lieu of Oath.

CIII. And be it further enacted, That in every Case in which by this Act a Declaration is required to be made, the same shall be in the Form (or as near thereto as the Circumstances of the Case will admit) prescribed in the Schedule to an Act of the Fifth and Sixth Year of His late Majesty King *William* the Fourth, for the Suppression of voluntary and extra-judicial Oaths and Affidavits; and that all Declarations required by this Act to be made shall be made in the Form before referred to, and shall be as valid and effectual as an Oath or Affirmation; and if any Declaration so made shall be false or untrue in any material Particular, the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

For compelling Witnesses to attend before the Justices.

CIV. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, or any Matter which is by this Act referred to any Justice of the Peace, either on the Part of the Prosecutor or on the Part of the Party summoned, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for the Loss of Time, Costs, and Expences, without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or, in case of a Quaker, on solemn Affirmation), to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Power to the Company to grant Releases to Witnesses.

CV. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, against or by or on behalf of the said Company, and in all Arbitrations, References, and other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Three or more of the said Company to make, sign, seal, execute, and deliver such general

general or other Releases as may be or may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person who shall or may be produced as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Company so as to qualify such Person to give Evidence as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding which any such Plaintiff or Defendant may do in any Action, Suit, or Prosecution, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects and to all Intents and Purposes whatsoever as if the same were made under the Seal of the said Company.

Declaring what shall be good Service of Notice on the Company.

CVI. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or Writ, or other Proceeding at Law or in Equity upon the said Company, personal Service thereof upon the Clerk of the said Company, or leaving the same at the Office of the said Company, or delivering the same to some Inmate at such Office, or in case the same shall not be found or known, then personal Service thereof upon any Agent of or Officer employed by the said Company, or leaving the same at the last or usual Place of Abode of such Agent or Officer, shall be demed good and sufficient Service of the same respectively on the said Company.

Declaring what shall be good Service of Notice by the Company.

CVII. And be it further enacted, That in all Cases in which it may be necessary for the said Company to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon any Corporation or Person whomsoever, under the Provisions or Directions contained in this Act, the same shall be in Writing or in Print, or partly in Writing and partly in Print, and be signed by the Clerk for the Time being of the said Company, without being required to be under the Common Seal of the said Company, and may be personally delivered to such Person, or left at his last or most usual Place of Abode in *England* or *Wales*, or be delivered to some Clerk or other Officer of such Corporation, or be left at the Office of such Clerk or principal Officer, or at his last or usual Place of Abode, which shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be), except in Cases where any other Mode of Service is by this Act particularly directed.

Plaintiff not to recover after Tender of sufficient Amends.

CVIII. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Adjudication shall

shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Execution upon any Judgment may be issued against any Member of the Company.

CIX. And be it further enacted, That Execution upon any Judgment in any Action obtained against the said Company may be issued against any Member for the Time being of the said Company to the Extent or Amount of his Shares unpaid, but not to any further or greater Extent or Amount: Provided always, that every such Member against whom Execution upon any Judgment obtained in any such Action shall be issued shall always be reimbursed and paid out of the Funds of the said Company all such Costs and Charges as by the Event of any such Proceeding he shall be put unto or become chargeable with.

Public Act.

CX. 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.

The

The SCHEDULE referred to by the foregoing Act.

No.	Owners or reputed Owners.	Occupiers.	Description of Property.
	In the Parish of Llyswen in the County of Brecon.		
1	- - - -	- - -	Turnpike Road.
2	Thomas Lawrence, Esquire -	Thomas Lawrence, Esquire -	Field Meadow.
3	Ditto - - - -	Jenkin Williams -	Cottage and Garden.
4	- - - -	- - -	Parish Road.
5	Reverend William Williams, Rector of Llyswen -	Reverend William Williams -	Field Arable, Part of Glebe Land of the Rectory of Llyswen.
6	Sir Charles Morgan, Baronet -	Richard Hopkins -	Field Meadow.
7	Thomas Lawrence, Esquire -	Thomas Lawrence, Esquire -	Field Pasture.
8	Sir Charles Morgan, Baronet -	- - -	Waste Land.
9	Sir Charles Morgan, Baronet and Walter Wilkins, Esquire -	- - -	River Wye and Ferry.
	In the Parish of Boughrood in the County of Radnor.		
10	Walter Wilkins, Esquire -	- - -	Waste Land.
11		William Davies -	Field Pasture.
12		Evan Pryce -	Field Orchard.
13		William Davies -	Water Corn Grist Mill.
14		Ditto - -	Field Pasture.
15		- - -	Private Roadway.
16		Ann Price - -	House and Garden.
17		David Prosser -	House and Garden.
18		Vacant - -	House.
19		Vacant - -	House.
20		Howell Lewis -	House and Garden.

No.	Owners or reputed Owners.	Occupiers.	Description of Property.
21	Walter Wilkins, Esquire -	William Davis -	House.
22		Ditto - -	Garden.
23		Ditto - -	Cart House and Stable.
24		David Prosser -	Field Pasture.
25		Ditto - -	Garden.
26		Ditto - -	Cottage and Yard.
27		Charles Fowke -	Cottage.
28		Ditto - -	Garden.
29		Evan Pryce -	House.
30		Ditto - -	Garden.
31		George Games -	Field Pasture.
32		William Evans -	Field Meadow.
33		- - -	River Wye and Ferry.
34		- - -	Parish Road.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1838.