ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

****

Cap. cxvi.

An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for erecting a Bridge over the River* Dungleddau, *within the Town and County of* Haverfordwest *and the Liberties thereof.*

[4th *July* 1836.]

WHEREAS by an Act passed in the Third Year of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for erecting a Bridge over the River* Dungleddau, *within the Town and County of* Haverfordwest *and the Liberties thereof,* certain Persons therein named were appointed Commissioners for the Purpose of erecting and maintaining a Bridge of such Form and Dimensions and of such Materials as they should think proper over the said River *Dungleddau* (otherwise called the *Western Cleddau*), within the Town and County of *Haverfordwest* and the Liberties thereof, and to set out and make Approaches to such 3 W. 4. c. 102.

such Bridge in the Line or Course therein mentioned or referred to; and the said Commissioners were empowered to erect upon or across the said Bridge, and upon or across the said Approaches or either of them, or any Part thereof respectively, or upon the Sides of such Approaches or either of them, or of any Part thereof respectively, when and where and as they should judge necessary, any Toll Gates or Toll Bars and Toll Houses, and to take at each such Toll Gate certain Tolls in the said Act specified; and by the said recited Act it was amongst other things enacted, that in consideration of the Sum of Two thousand Pounds agreed to be paid by *William Owen* of *Haverfordwest* to the said Commissioners, for the Purposes of the said Act, which Sum of Two thousand Pounds was the estimated Expence of making the said Bridge and the immediate Approaches thereto, it should be lawful for the said Commissioners to let the Tolls by the said Act made payable or any Part thereof to the said *William Owen* for any Term which they should think proper, not exceeding Twenty-one Years from the Commencement of such Lease, and to commence in Possession upon or within Two Calendar Months next after granting the same, and such Lease should be valid, and the said *William Owen* and such Persons as he should appoint to collect and receive the Tolls so let should, during the Continuance of such Term, be deemed Collectors of the Tolls so let, but for the proper Use of the said *William Owen*, and should have the same Power and Authority to collect and receive the same as if they had been appointed for that Purpose by the said Commissioners; and it was provided that if the said Commissioners should at any Time before the Expiration of the said Lease repay to the said *William Owen* the whole of the said Sum of Two thousand Pounds so to be advanced by him as aforesaid, the said Lease or such Term as should be then unexpired should thenceforth cease and determine; and it was also provided that after the Expiration of the said Term (if any such should be granted to the said *William Owen*), either by Effluxion of Time or otherwise, or at any Time after the Erection of the said Bridge, it should be lawful for the said Commissioners from Time to Time to let the Tolls by the said Act made payable, or any Part thereof, again to the said *William Owen*, or to any Corporation or Person for any Term which they should think proper not exceeding Three Years from the Commencement of such Lease, and every such Lessee should have the like Powers and Authorities as were therein-before granted to the said *William Owen*; and it was also provided that public Notice of the Intention to let the said Tolls, or the Part thereof intended to be let, should be given by the said Commissioners by Advertisement to be inserted in some Newspaper usually circulated in the County of *Pembroke* at least Twenty-one Days prior to any Meeting of the said Commissioners at which it might be intended that the said Tolls should be let as aforesaid; and it was provided that in such Lease to the said *William Owen* there should be contained proper Covenants on the Part of the Lessee or Tenant for maintaining and keeping the said Bridge in complete and effectual Repair during the Continuance of the said Lease; and by the said recited Act it was further enacted, that in case the said *William Owen* or some other Person or Persons should

should not, within the Space of Three Calendar Months after the passing of the said Act, pay to the said Commissioners, or should duly enter into a valid and legal Contract for the Payment of the said Sum of Two thousand Pounds for the Purposes of making the said Bridge and the immediate Approaches thereto, then and in such Case all the Powers thereby granted and Clauses therein contained for the Purpose of making the said Bridge and the immediate Approaches thereto should cease, determine, and be utterly void; and it was provided that until the said Sum of Two thousand Pounds should be so paid as aforesaid, or such Contract shall be duly entered into as aforesaid, it should not be lawful for the said Commissioners to put into execution the said Act or any of Powers or Clauses thereof, so far as such Act, Powers, or Clauses might relate to the making of the said Bridge or the immediate Approaches thereto: And whereas the said *William Owen* has paid the said Sum of Two thousand Pounds to the said Commissioners acting in the Execution of the said Act: And whereas the said Bridge hath been erected and built, and the same now is and has for some Time past been used by the Public: And whereas Doubts have been entertained whether, under the Provisions of the said herein-before in part recited Act, the Commissioners acting in the Execution thereof have the Power to assign the said Bridge and the Tolls thereof to the said *William Owen* as a Security for the Repayment of the said Sum of Two thousand Pounds, and at the same Time to grant him a Lease of the said Tolls for the Term of Twenty-one Years; and it is expedient that such Doubts should be removed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners acting under the Authority of the said recited Act, and they are hereby authorized and empowered and required, immediately upon the passing of this Act, by some Deed or Instrument in Writing under the Hands and Seals of Five of the Commissioners, to assign the said Bridge and the Tolls arising or to arise by virtue of the said recited Act unto the said *William Owen*, his Executors, Administrators, and Assigns, as a Security for the Repayment of the said Sum of Two thousand Pounds so advanced by him to the said Commissioners for the Purposes of the said recited Act as herein-before is mentioned; and the said *William Owen*, his Executors, Administrators, and Assigns, shall for the Space of Twenty-one Years, to be computed from the passing of this Act, be entitled to collect, receive, and retain the whole of the Tolls by the said recited Act made payable, for his and their own Use and Benefit, without rendering any Account thereof, in lieu of and as a full Satisfaction for all Interest which might otherwise accrue upon the said Principal Sum of Two thousand Pounds, he and they maintaining and keeping the said Bridge in effectual Repair during the Continuance of the said Term; and from and after the Expiration of the said Term of Twenty-one Years, to be so computed as aforesaid, it shall be lawful for the said *William Owen*, his Executors, Administrators, or Assigns, to retain Possession of the said Bridge and Tolls as a Security for the Repayment of the said Principal

Commissioners to grant Lease to Mr. Owen, who shall be entitled to receive the Tolls for 21 Years.

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Sum of Two thousand Pounds, with Interest thereon after the Rate of Five Pounds *per Centum per Annum*, such Interest to commence and be computed from the Expiration of the said Term of Twenty-one Years; and the said Bridge and Tolls shall not, after the Expiration of the said Term of Twenty-one Years, be redeemed by the said Commissioners acting under the Authority of the said recited Act, unless or until they shall have given unto the said *William Owen*, his Executors, Administrators, or Assigns, Six Calendar Months Notice in Writing under the Hands of Five of the said Commissioners of their Intention to pay off and discharge the said Sum of Two thousand Pounds, with the Arrears of Interest thereon, or so much thereof as shall be then due, either by giving such Notice to the said *William Owen*, his Executors, Administrators, or Assigns, personally, or by leaving the same at his or their usual or last known Place of Abode, or by affixing the same in the Front or upon some conspicuous Part of the Toll House or Toll Bar at which the Tolls authorized by the said recited Act shall be collected or received, and shall also have paid unto the said *William Owen*, his Executors, Administrators, or Assigns, all Arrears of Interest, to be computed after the Rate aforesaid, which shall have accrued due on the said Sum of Two thousand Pounds from the Time of the Expiration of the said Term of Twenty-one Years up to and including the Day of such Repayment, or so much and such Part of the said Principal Money and Interest as shall be then due and arising, together with all Monies which shall have been laid out or expended by the said *William Owen*, his Executors, Administrators, or Assigns, after the Expiration of the said Term of Twenty-one Years, in repairing or upholding the said Bridge, with Interest thereon from the Time of advancing the same after the Rate of Five Pounds *per Centum per Annum*.

Lessee empowered to collect the Tolls.

II. And be it further enacted, That in order to enable the said *William Owen*, his Executors, Administrators, and Assigns, to receive, collect, and retain the Tolls by the said recited Act made payable for his and their own absolute Use and Benefit during the said Term of Twenty-one Years, and after the Expiration thereof for the Purpose of repaying himself and themselves the said Principal Sum of Two thousand Pounds, with Interest thereon from the Time of the Expiration of the said Term at the Rate of Five Pounds *per Centum per Annum*, it shall be lawful for the said *William Owen*, his Executors, Administrators, and Assigns, and also for such Person or Persons as he or they shall appoint to collect and receive the said Tolls, to have, use, exercise, and enjoy the same Powers and Authorities for collecting and receiving the same as if he or they had been a Collector or Collectors of the said Tolls under the said Commissioners, or had been appointed by the said Commissioners to receive or collect the same.

After 21 Years an Account of Tolls to be rendered annually.

III. And be it further enacted, That after the Expiration of the said Term of Twenty-one Years, the said *William Owen*, his Executors, Administrators, or Assigns, shall, once in every Year, if required so to do by the said Commissioners, render and give unto them an Account in Writing under the Hand or Hands of the said *William Owen*, his Exe-

cutors, Administrators, or Assigns, of all Tolls received (stating and deducting the Expences of Collection), and of all Monies laid out or expended by him or them in repairing or upholding the said Bridge, or for any other Purpose relating thereto, during the preceding Twelve Months.

Commissioners may pay off Mortgage.

IV. Provided always, and be it further enacted, That notwithstanding any thing in the said recited Act or this Act contained it shall be lawful for the said Commissioners, at any Time before the Expiration of the said Term of Twenty-one Years, to pay off and discharge the said Principal Sum of Two thousand Pounds, upon giving unto the said *William Owen*, his Executors, Administrators, or Assigns, Six Calendar Months Notice in Writing under the Hands of Five of the said Commissioners of their Intention so to do, either personally or by leaving the same at his or their usual or last known Place of Abode, or by affixing the same upon the Front or some conspicuous Part of the Toll House or Toll Bar at which the Toll authorized by the said recited Act shall be collected or received, if by so paying off the said Sum of Two thousand Pounds the said Commissioners shall be in a Situation to declare the said Bridge to be a free Bridge; and when and as soon as the said Sum of Two thousand Pounds shall have been so repaid to the said *William Owen*, his Executors, Administrators, or Assigns, as last aforesaid, for the Purpose of making the said Bridge a free Bridge, then the Tolls by the said recited Act authorized to be collected or received shall cease and determine and be no longer payable.

Expences of Act.

V. And be it further enacted, That if any Person or Persons shall advance and pay, or shall have already advanced and paid, any Money in discharge of the Expences of applying for and obtaining this Act, such Person or Persons shall be repaid the same, with Interest after the Rate of Five Pounds *per Centum per Annum*, out of the first Monies which shall come into the Hands of the said Commissioners, and in the mean-time it shall be lawful for the said Commissioners to mortgage, assign, and charge the said Bridge and Tolls (subject and without Prejudice to the prior Claim of the said *William Owen* thereon) as a Security for the Payment thereof, with Interest, to or for the Benefit of the Party who shall advance the same, or his Trustee, and such Mortgage may be made in the Form or to the Effect prescribed by the said recited Act, with such Variations therein as the Circumstances of the Case may render necessary.

Powers of recited Act extended to this Act, except as hereby altered.

VI. And be it further enacted, That all and singular the Powers, Provisions, Directions, Penalties, Forfeitures, Clauses, Regulations, Matters, and Things whatsoever mentioned or contained in the said recited Act shall in the Execution of this Act, so far as the same are applicable (and except where and so far as the same are hereby expressly altered or varied), be used and applied, extended and construed, in like Manner as if the same (except as aforesaid) were specially repeated and re-enacted in and by this Act.

Public Act.

VII. 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 snch by all Judges, Justices, and others.

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