ANNO TERTIO

GEORGII IV. REGIS.

Cap. lxxv.

An Act to amend Two Acts, of the Forty-ninth and Fiftieth Years of His late Majesty, for making the *Severn* and *Wye* Railway and Canal.

[24th *June* 1822.]

WHEREAS an Act was passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and maintaining a Railway from the River* Wye *at or near to a Place called* Lidbrook, *in the Parish of* Ruardean, *in the County of* Gloucester, *to or near to a Place called* the Lower Forge, *below* Newern, *in the Parish of* Lydney, *in the said County, and for making other Railways therein mentioned, in the Forest of* Dean, *in the County of* Gloucester, by which Act certain Persons therein named were united into One Body Corporate, by the Name and Style of "The *Lydney* and *Lidbrook* Railway Company," and were authorized and empowered to make and maintain a Railway or Tram Road, to be called "The *Lydney* and *Lidbrook* Railway," between the Points or Places therein mentioned, and certain Railways or Tram Roads to branch from the said principal Railway or Tram Road as therein mentioned: And whereas another Act was passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act to alter and amend the* Lydney *and* Lidbrook *Railway Act*, *to* 49G.3.c.159. 50G.3.c.215.

to vary certain Parts of the said Railway, and to extend the same from Lidbrook *to* Bishop's Wood, *and from the* Lower Forge *to the* Cross Pill, *and for making a Basin and Canal to communicate with the River* Severn *at* Nass Point, whereby the Style of the said Company was changed to that of "The *Severn* and *Wye* Railway and Canal Company:" And whereas by the said Act of the Forty-ninth Year of the Reign of His late Majesty it was (amongst other Things) enacted, that the Right Honourable *Charles Bathurst*, his Heirs and Assigns, should, and he and they were thereby required and authorized, upon Notice in Writing to be given by the said Company of Proprietors, to set apart, allot, and employ such Quantity of Land adjoining or contiguous to the Termination of the said Railways at or near the Place therein mentioned, as should be necessary for public Wharfs; and also should, at all future Times, on Application and Notice in Writing made and given to him by the said Company of Proprietors, that the said Wharfs were too small and insufficient for their Purpose, increase and enlarge the same to such Extent and in such Manner as might be necessary; and in case any Difference of Opinion should arise between the said *Charles Bathurst* and the said Company of Proprietors, whether the Land which should be then already allotted and assigned was or was not sufficient and proper for such Wharfs, and for the Trade to be carried on upon the same, such Difference should be referred to and settled by the Commissioners appointed by or by virtue of the said last-mentioned Act for settling Differences between the said Company of Proprietors and any Owner of Land to be used for the Purposes of the said Act: And it was by the same Act further enacted, that if the Rates and Duties to be payable to the said *Charles Bathurst*, his Heirs or Assigns, for Goods to be landed and deposited on the Wharfs to be made upon his Lands and Grounds, should, after the First Day of *January* One thousand eight hundred and thirteen, be less than the Sum of Five hundred Pounds a Year, the Deficiency, if any, should be made good and payable unto the said *Charles Bathurst*, his Heirs and Assigns, from the said Company of Proprietors, by and out of the Tolls and Duties thereby granted to them, and such Deficiency should be paid and payable within Two Calendar Months next after the End of every Year, to be reckoned on the First Day of *January* yearly, and commencing as aforesaid from the First Day of *January* One thousand eight hundred and thirteen: And it was by the same Act further enacted, that certain annual Rents or yearly Sums of Money therein made payable to His Majesty and others, and also such Sum or Sums of Money as should or might be payable unto the said *Charles Bathurst*, his Heirs and Assigns, by the said Company of Proprietors from and out of the said Tolls and Duties, should be charged on the Tolls, Rates, or Duties therein-before granted to the said Company of Proprietors and their Successors, and should be paid by them as the same should become due and payable; and in case any such annual Rents, or the said Sum payable to the said *Charles Bathurst*, his Heirs or Assigns, should be in arrear and unpaid for the Space of Twenty-one Days next after the same should respectively become due and payable, it should be lawful for the said Commissioners, assembled at a Meeting to be held as aforesaid, or the major Part of them, not being less than Three, by an Order under their Hands, to appoint One or more Person or Persons to receive the said Tolls, Rates, or Duties, and to pay the same to such

Person or Persons to whom such annual Rent or Rents and other Sum so in arrear should be due, the said Commissioners taking such Security from every such Collector, for the due and faithful Execution of his Office, as they should judge proper and sufficient; and the Power and Authority of every such Collector should continue until such annual Rent or Rents or other Sums so in arrear, with the Costs and Charges of recovering and receiving thereof, should be fully paid and satisfied; or His Majesty, or the said *Charles Bathurst*, his Heirs or Assigns, or the Persons to whom such annual Rent or Rents or other Sum should be due and owing, might sue for and recover the same, with Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, or otherwise it should be lawful for him and them, and he and they was and were thereby empowered to seize and distrain any Waggons, Carriages, or other Goods and Effects of the said Company of Proprietors or their Successors, which should be found on the said Railways, or in, upon, or about the Wharfs, Warehouses, or other Works belonging to the said Company of Proprietors, and to detain the same until Payment of such Rent or Rents, together with the reasonable Charges attending such Distress; and if such Distress should not be redeemed within Five Days after the same should be taken, and Notice thereof given in Writing, by affixing such Notice on some public Place, at any of the Wharfs, Quays, or Toll Houses belonging to the said Company of Proprietors, then such Waggons, Carriages, or other Goods or Effects so distrained, should and might be appraised and sold in such Manner as the Law directs in Cases of Distress for Rent; and it was thereby further enacted, that the Person or Persons to whom such annual Rents or such Sums of Money for Damages should be payable as aforesaid, should and might, for the Recovery thereof, use more than One or all of the Remedies by the said Act given or provided for the Recovery of the same: And by the said Act of the Fiftieth Year of the Reign of His late Majesty, the said Company were authorized to extend their Railway down to or near to the *Cross Pill* therein mentioned, and also to make a Basin and Canal, situated as therein prescribed, for the Purposes of their said Undertaking; and all the Powers and Provisions of the said former Act were thereby extended to the new Works to be undertaken and completed, under the Authority of the said Act of the Fiftieth Year of the Reign of His said late Majesty; and it was (amongst other Things) enacted, that the Land of the said *Charles Bathurst*, his Heirs or Assigns, contiguous to and surrounding the Railways or Tram Roads and Basin thereby authorized to be made, and the upper Part of *Lydney Pill*, (which was to be set apart, allotted, and employed for the public Wharfs, Quays, and Landing Places to be made by virtue of the said Act, for the Use of the Works thereby authorized to be made, according to the true Intent and Meaning thereof), should not exceed the Quantity therein mentioned; and by the same Act, after reciting the Clause in the said former Act, which secured to the said *Charles Bathurst*, his Heirs and Assigns, such yearly Guarantee of Five hundred Pounds as aforesaid, it was further enacted, that as well the Tolls and Duties thereby granted to the said Company of Proprietors, as the Tolls and Duties granted to them by the said first recited Act, should, from and after the passing of the said Act of the Fiftieth Year of the Reign of His late Majesty, be and remain a Security to the said *Charles Bathurst*, his Heirs and Assigns, for any

Deficiency

Deficiency in the said yearly Sum of Five hundred Pounds, by the said recited Act guaranteed to him by the said Company of Proprietors as aforesaid; and he and they should have the same Power and Remedy in and over all and singular the said Tolls, as by the said first recited Act was given to him or them in and over the Tolls thereby granted and directed to be paid; but it was thereby expressly declared, that in respect of all the Wharfage to which the said *Charles Bathurst*, his Heirs and Assigns, should become entitled, as well under the said first recited Act as under the said Act of the Fiftieth Year of the Reign of His late Majesty, he and they should not be guaranteed by the said Company of Proprietors any further or greater Sum than the annual Sum of Five hundred Pounds, to be reckoned from the said First Day of *January* One thousand eight hundred and thirteen; and it was by the same Act further enacted, that in computing any Deficiency which might thereafter arise in the annual Sum of Five hundred Pounds guaranteed to the said *Charles Bathurst*, his Heirs and Assigns as aforesaid, the Profits to be received by him or them in respect of the Warehouse Rates, by the said first recited Act, or by the said Act of the Fiftieth Year of the Reign of His late Majesty authorized to be received, should be calculated according to the Amount that would be due and payable for the Wharfage only of the said Goods, Wares, and Merchandizes, and that the Amount thereof should be considered and taken in Part of the said annual Sum of Five hundred Pounds, and that the said Company of Proprietors should only be liable to make good what (if any Thing) the Wharfage and Warehouse Rates so calculated, to which the said *Charles Bathurst*, his Heirs and Assigns, should be entitled as aforesaid, should fall short of the annual Sum of Five hundred Pounds: And whereas the said *Charles Bathurst* did, in pursuance of the said recited Acts, set out Land for Wharfs and Warehouses adjoining or near to the Railways and Basin thereby authorized to be made, and incurred great Expences in making and erecting such Wharfs and Warehouses, and he hath since derived considerable Profits from the Wharfage and Warehousing of Goods upon and in the Wharfs and Warehouses so made and erected: And whereas the said *Severn* and *Wye* Railway and Canal Company have, under the Powers and for the Purposes of the aforesaid Acts, taken certain Lands of the said *Charles Bathurst*, including Two Pieces or Parcels of Land, One on the North and the other on the South Side of the said Canal, extending from the Wharfs of the said *Charles Bathurst* at the Basin of the said Company; the said Piece of Land on the North Side being in Length Forty Links, and in Breadth Fifteen Links, containing by Admeasurement One Perch, and extending to the Middle of the Scite of the Stream formerly called *The Cross Pill*, but now filled up; and the said Piece of Land on the South Side being in Length Two Chains and Forty Links, and in Breadth Fifteen Links, containing by Admeasurement Five Perches, and extending to Land of the said Company which formerly belonged to *Roynon Jones* Esquire; and the said Company have continued their Railway over the said Piece or Parcel of Land on the North Side, and also carried on the same down to the outer Harbour, made and formed by the said Company under the Provisions of the said Act of the Fiftieth Year of the Reign of His late Majesty: And whereas the Extension of the said Railway, in the Manner hereinbefore mentioned, will be of Benefit to the Public; but the said *Charles Bathurst*

Bathurst will probably sustain a considerable Injury thereby, on account of the Loss or Diminution of Wharfage which he may experience by Goods being deposited on the Wharfs adjoining to the said outer Harbour, which would otherwise be deposited on the Wharfs of him the said *Charles Bathurst*; and the said *Charles Bathurst* having formed his said Wharfs under the Authority of the said recited Acts, he ought to be indemnified against such Injury as he may so sustain as aforesaid, and it is reasonable that a Compensation should be given to him, to be paid out of the Tolls and Duties of the said Company as hereinafter provided, (but without Prejudice to the Yearly Sum of Five hundred Pounds guaranteed and secured to him by the said recited Acts of the Forty-ninth and Fiftieth Years of the last Reign as aforesaid): May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That (as an Indemnity and Compensation to the said *Charles Bathurst*, his Heirs and Assigns, for and in respect of the Injury which he and they may sustain as herein-before mentioned) the said *Severn* and *Wye* Railway and Canal Company, and their Successors, shall, from and after the passing of this Act, pay or cause to be paid to the said *Charles Bathurst*, his Heirs and Assigns, for ever, such Sums of Money as herein-after mentioned, (that is to say) One Halfpenny for every Ton of Coal (not exceeding in the Whole in any One Year Sixty thousand Tons), which shall be deposited on any Wharf or Wharfs of the said Company or their Successors, not being on the Lands of the said *Charles Bathurst*, his Heirs or Assigns, and from thence shipped or exported for the Purpose of being carried to any Place or Places Westward of the *Holmes Islands*; and One Penny for all such Coal deposited and shipped as aforesaid, over and above the Quantity of Sixty thousand Tons annually; and the Sum of Two-pence for every Ton of Coal which shall or may be deposited as aforesaid, and afterwards shipped or exported for the Purpose of being carried to *Bristol* or *Bridgewater*, in the Event of a Repeal or Equalization of the present Coastwise Duty on Coal taking place; such Sums of Money as aforesaid to be paid out of all and singular the Tolls, Rates, and Duties to be from Time to Time levied and raised by the said Company and their Successors, under the Authority of the said recited Acts, and to be paid Half-yearly, on the Twenty-fifth Day of *March* and Twenty-ninth Day of *September* in every Year, the First of such Payments to be made on such One of the said Half-yearly Days as shall happen first and next after any such Deposit and Shipment as aforesaid shall have taken place.

Compensation to Mr. Bathurst.

II. And be it further enacted, That in case the said *Severn* and *Wye* Railway and Canal Company, or their Successors, shall at any Time or Times hereafter permit or suffer any Vessel or Vessels to take in or discharge, or in case any Vessel or Vessels shall actually take in or discharge, a Cargo or Cargoes at any of the aforesaid Wharfs of the said Company (not being on the Lands of the said *Charles Bathurst*, his Heirs or Assigns), except such Vessels as shall *bonâ fide* take in Cargoes of Coal for the Purpose of carrying the same to any Port or Place or Ports or Places Westward of the *Holmes Islands*, or for the Purpose of carrying the same

In case Goods are landed elsewhere than on Lands of Mr. Bathurst, the same Sum to be paid him as if landed on his Land.

same to *Bristol* or *Bridgewater*, (in the Event of a Repeal or Equalization of the present Coastwise Duty on Coal), then and in every such Case the said Company and their Successors shall pay, or cause to be paid, to the said *Charles Bathurst*, his Heirs or Assigns, for and in respect of all such Coal, Stone, or other Goods as shall be so taken in or discharged at the said Wharf or Wharfs (except Coal to be taken in for such Purposes as aforesaid) such Sum or Sums of Money as the Wharfage or Warehousing of the same Coal, Stone, or other Goods would have amounted to, in case the same had been deposited or warehoused on the Wharfs or in the Warehouses of the said *Charles Bathurst*, his Heirs or Assigns, which adjoin or are near to the present Basin of the said Company, for and during the same or the like Period or Periods of Time, as the same shall actually be deposited or warehoused upon or in any such other Wharfs or Warehouses; such Sums of Money as last mentioned to be also accounted for and paid Half-yearly on the Days hereinbefore mentioned: Provided nevertheless, that no Sum or Sums of Money shall be payable under this Act to the said *Charles Bathurst*, his Heirs or Assigns, for or in respect of any Materials for the Repair of the Works of the said Company, which shall be landed on the Wharfs of the said Company, and thence forwarded within Fourteen Days, or for or in respect of any Goods (not being Coal) which shall or may be landed *in transitu* upon such Wharfs for the Purpose of Transhipment only, and which shall actually and *bonâ fide* be so transhipped within One Calendar Month.

Accounts to be kept of Goods landed.

III. And be it further enacted, That for ascertaining the Amount of the Monies which shall from Time to Time become payable to the said *Charles Bathurst*, his Heirs or Assigns, under the Provisions of this Act, the said *Severn* and *Wye* Railway and Canal Company, and their Successors, or the Clerks, Lock Keepers, Book Keepers, Agents, or Servants of the said Company for the Time being, shall keep a just and true Account in Writing, as well of all the Coal which shall be shipped or exported from any Wharf or Wharfs of the said Company, not being upon the Land of the said *Charles Bathurst*, his Heirs or Assigns (for which the said Sums of One Halfpenny, One Penny, and Two-pence *per* Ton are to be paid as aforesaid), as also of all Coal, Stone, and other Goods which shall be deposited on, or discharged or loaded at any such Wharf or Wharfs as last mentioned, or any Warehouse or Warehouses thereon, describing the Particulars of all such Coal, Stone, and Goods so deposited, discharged, shipped, or loaded, and the Names of the Parties shipping or receiving the same, and the Port or Place or Ports or Places to or from which every Vessel loaded or partly loaded with such Coal, Stone, or Goods, shall be bound or shall arrive, and such other Particulars as may be necessary to enable the said *Charles Bathurst*, his Heirs and Assigns, or his or their Agents, correctly to ascertain and determine the Quantities of the different Goods in respect of which he the said *Charles Bathurst*, his Heirs or Assigns, shall or may be entitled to any Payment or Payments under the Provisions of this Act, and the Amount or respective Amounts of all and every such Payment or Payments; and the said Company and their Successors, or their Clerks, Lock Keepers, Book Keepers, Servants, or Agents for the Time being,

shall within Ten Days next after each and every of the Half-yearly Days herein-before mentioned, make out and render to the said *Charles Bathurst*, his Heirs or Assigns, a true and exact Copy, or true and exact Copies of the Account so to be kept as aforesaid, for the then preceding Half Year; and the Person or Persons making and rendering such Copies of Accounts from Time to Time as aforesaid shall (if required so to do by the said *Charles Bathurst*, his Heirs and Assigns), make Oath (or if a Quaker or Quakers shall affirm), before a Magistrate of the County of *Gloucester*, that the Copy or Copies so rendered is or are a true and exact Copy, or true and exact Copies, of the Account or Accounts to be kept as aforesaid during the Half Year then last preceding, ending with One of the Half-yearly Days herein-before mentioned; and that such Account or Accounts doth or do, to the best of the Knowledge and Belief of the Person or Persons making such Oath or Affirmation, contain all the Particulars required by this Act to be comprehended in such Account or Accounts; and the Account or Accounts so to be kept as aforesaid shall, at all seasonable Times in the Day-time, be and remain open to the Inspection of the said *Charles Bathurst*, his Heirs or Assigns, or his or their Agent or Agents; and he or they shall, at all seasonable Times, have full and free Access to all and every the Wharf and Wharfs of the said Company, or their Successors, and to any Warehouse or Warehouses erected or to be erected thereon, for the Purpose of ascertaining what Goods shall or may be deposited, laid, or warehoused upon or in the same, in respect of which he the said *Charles Bathurst*, his Heirs or Assigns, may be entitled to any such Payment or Payments as aforesaid.

The said Compensation charged on Tolls of the Company.

IV. And be it further enacted, That all and every such Sum and Sums of Money as shall from Time to Time be payable to the said *Charles Bathurst*, his Heirs or Assigns, under the Provisions of this Act, shall be paid out of and charged upon all the Tolls, Rates, and Duties which the said *Severn* and *Wye* Railway and Canal Company, or their Successors, are or shall be authorized to levy and raise under the said recited Acts or any of them, and shall be recoverable by all such and the same Remedies, Ways, and Means, as the yearly Guarantee or Sum of Five hundred Pounds secured to the said *Charles Bathurst*, his Heirs and Assigns, in and by the said recited Acts of the Forty-ninth and Fiftieth Years of the Reign of His said late Majesty, is and shall be payable and recoverable.

Guarantee of 500*l.* not to be affected.

V. Provided always, and be it further enacted, That nothing in this Act contained shall in anywise defeat or alter, or be deemed or construed to defeat or alter, the Right of the said *Charles Bathurst*, his Heirs and Assigns, to receive and recover the said yearly Guarantee or Sum of Five hundred Pounds, in such Manner, and by such Remedies, Ways, and Means, as is or are provided in that Behalf by and in the said recited Acts of the Forty-ninth and Fiftieth Years of the Reign of His said late Majesty, except only that such Guarantee shall not be available to the said *Charles Bathurst*, his Heirs or Assigns, unless the Rates and Duties reserved to him and them by the said recited Acts, for Goods landed and deposited on his and their Wharfs, shall conjointly with the Sums secured

to

to be paid to him and them by this Act, be less than the Sum of Five hundred Pounds a Year.

Payments to be made to Persons entitled to Land or Ground on which Wharfs are made.

VI. Provided always, and be it further enacted, That the several Payments by the said recited Acts and this Act directed to be made to the said *Charles Bathurst*, his Heirs and Assigns, shall be made to him the said *Charles Bathurst*, and to such Person and Persons as shall from Time to Time be seised of or entitled to the Land or Ground whereon the present Wharfs and Warehouses of him the said *Charles Bathurst* are erected and made, or the Rents and Profits thereof (any thing in the said recited Acts or this Act contained to the contrary in anywise notwithstanding).

Company may regulate the Use of Wharfs adjoining the outer Harbour.

VII. And whereas the outer Harbour of the said Company was designed and constructed chiefly for the Use of large Vessels carrying Coal Westward to Places Coastwise, and to *Ireland*, which Vessels cannot navigate the Canal to the Basin of the said Company, and the limited Size of the Wharfs adjoining the said outer Harbour will not admit of other Trade being carried on, except to a very small Extent; be it therefore enacted, That the said Company of Proprietors shall and may, and they are hereby empowered, by a Bye Law or Bye Laws to be by them made, or by an Order or Resolution of a General Assembly of the said Company of Proprietors, consisting of at least Five in Number, or of the major Part of such Assembly (provided such major Part shall be possessed of at least Thirty Shares or Subscriptions of Fifty Pounds each in the said Undertaking, either as Principals or Proxies), to regulate the Use of the said Wharfs adjoining the said outer Harbour, and if they shall think fit, to confine the same to Vessels employed in the Foreign or Western Trade; and the said Company of Proprietors shall and may ask, demand, take, and recover to and for the Use of the said Company of Proprietors, such and the like Sums of Money, Rates, and Duties for and in respect of Goods to be landed or deposited on the aforesaid Wharfs, as other Land Owners are authorized to ask, demand, take, and receive for or in respect of Goods landed or deposited on their Wharfs, provided the Amount of such Sums of Money, Rates, and Duties shall not exceed the Amount of the Sums to be paid by the said Company to the said *Charles Bathurst*, his Heirs and Assigns as aforesaid, in respect of such Goods.

Full Amount of Toll to be taken on Goods from beyond Summit at Churchway.

VIII. And be it further enacted, That so much of the said Act of the Forty-ninth Year of the Reign of His said late Majesty, as limits the Amount of the Tolls and Duties to be taken for or in respect of all Coal, Coke, Culm, Stone Coal, Cinders, and other Forest Produce to be carried on the said Railways thereby authorized to be made, or any of them, and which should be brought from any Place or Places beyond the said Summit at *Churchway*, to Three-fourth Parts only of the highest Rates or Tonnages thereby imposed on the same Kind of Goods carried from Places on the Western Side of the said Summit, shall be and the same is hereby repealed; and that from and after the passing of this Act, it shall be lawful for the said *Severn* and *Wye* Railway and Canal Company, and their Successors, to take, ask, demand, receive, and recover, for or in respect of such

such Goods as last mentioned, the full Amount of such Tolls, Rates, Duties, and Tonnages as they are authorized to take for and in respect of any Goods of the same Kind carried from Places on the Western Side of the said Summit.

Communications may be made with the Railway.

IX. And be it further enacted, That nothing in the said recited Acts, or either of them, or in this Act contained, shall in anywise prevent or hinder any Person or Persons, Company or Companies, from making any Communication with the said *Severn* and *Wye* Railway, and any other Railway, Tram Road, or other Road; and it shall not be lawful for the said *Severn* and *Wye* Railway and Canal Company, or their Successors, to do any Act, or use any Means whatsoever, to prevent or impede any such Communication from being made: Provided always, that no Waggons, Carts, Trams, or Carriages, shall be allowed to come upon or pass along the said *Severn* and *Wye* Railway, except the same be such, in respect to the Dimensions thereof, and other Particulars, as the Waggons, Carts, Trams, and Carriages authorized to be used upon the said Railway, are required to be, either under the said recited Acts, or the present or future Bye Laws of the said Company.

Same Person not to act as Clerk and Treasurer.

X. And be it further enacted, That it shall not be lawful for the said Company to continue or appoint the Person who has been or may be appointed to act as their Clerk, in the Execution of the said Acts or this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of the said Acts and this Act, or for the said Company to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of the said Acts and this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk, every Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Directing what shall be deemed a Service of Notices, &c. on the Company.

XI. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service upon the Clerk of the said Company, or at the Office of such Clerk, or left at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any Agent or other Officer employed by the said Company, or on one of the Committee of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Expences of Act.

XII. And be it further enacted, That the Charges and Expences of obtaining and passing this Act, shall be defrayed by the said *Severn* and *Wye* Railway and Canal Company.

Public Act.

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

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