ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 101.

An Act for making and maintaining a Tram Road or Railway from the Pariſh of *Mamhilad*, in the County of *Monmouth*, to or near *Uſk Bridge*, in the ſaid County. [17th *June* 1814.]

WHEREAS the making and maintaining a Tram Road, for the Paſſage of Waggons and other Carriages, from the *Brecon* and *Abergavenny* Canal, beginning at or near *Croſs-yn-y-pant*, in the Pariſh of *Mamhilad*, in the County of *Monmouth*, to or near to the Turnpike Gate at *Uſk Bridge*, in the Pariſh of *Lanbaddock*, in the ſaid County, will be of great public Utility, by opening an eaſy and commodious Communication between *Pontymoyle* and *Uſk* aforeſaid, and with many large and extenſive Tracts of Stone, and other Minerals, which lie near to and under the Line of the ſaid intended Tram Road, will be the Means of ſupplying the Public to a great Extent with Coal, Lime, Stone, and other Minerals, at an eaſy and cheap Rate, materially aſſiſt the Agriculture of the Country, and tend greatly to improve the Value of Land and Eſtates throughout the ſaid Line and the Neighbourhood thereof; but the ſame cannot be effected without the Authority of Parliament: And whereas the ſeveral Perſons herein-after named are willing and deſirous, at their own Expence, to make and maintain the ſaid Tram Road; May it herefore 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 Sir *Robert Saluſbury* Baronet, *Richard Lewis*, *Edward Berry*, *Alexander Jones*, *Thomas Hill*, *Samuel Hopkins*, *John Saunders* Clerk, *James Barnard Davis* Clerk, *Edmund Hodgkinſon*, *Thomas Edwards*, *Philip Jones*, *Charles Jones*, *Thomas Jones*, *Zouch Turton*, *Hugh Powell*, *Robert Yarworth*, *Watkin George*, *Jane Maud* Widow, *William Coleman*, *John Overend*, *Charles Springet*, *Michael Davies*, *William Fortune Powell*, *Francis M'Donnell*, *William Matthews*, *Thomas Matthews*, *Thomas Rieu*, *Edward Harries Phillips*, *Henry Matthews*, *Thomas Chambers*, *John Aram* Junior, *David Davies*, *Richard Reece*, *Clement P Lorymer*, *John Edward*, *John Wigginton*, and their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, together with ſuch Perſon or Perſons as they, or the major Part of them, aſſembled at any General Meeting to be held as herein-after mentioned, ſhall nominate and appoint, under their Hands, ſhall be, and are hereby united into a Company, for the better carrying on, making, completing, and maintaining the ſaid intended Tram Road, and other Works by this Act authorized to be executed, according to the Rules, Orders, and Directions herein-after expreſſed and laid down, and ſhall for that Purpoſe be One Body Politic or Corporate, by the Name of "The *Uſk* Tram Road Company," and by that Name ſhall have perpetual Succeſſion, and ſhall have a Common Seal, and by that Name ſhall and may ſue and be ſued, and alſo ſhall and may have Power and Authority, from and after the paſſing of this Act, and at all Times thereafter, to purchaſe and hold Lands and Hereditaments, to them, their Succeſſors and Aſſigns, for the Uſe of the ſaid Undertaking, and the ſeveral Works hereby authorized to be made, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain, and alſo to ſell the ſaid Lands and Hereditaments, or any Part or Parts thereof, again; and the ſaid Company of Proprietors ſhall be, and are hereby authorized and empowered, by themſelves, their Agents, Officers, Workmen, and Servants, to make, complete, and maintain a Tram Road, to be called "The *Uſk* Tram Road," paſſable for Waggons and other Carriages, to be conſtructed as herein-after appointed, from or near a certain Place called *Croſs-yn-y-pant*, in the Pariſh of *Mamhilad*, in the County of *Monmouth*, through and into the ſeveral Pariſhes of *Mamhilad*, *Goytre*, and *Landbaddock*, and the Hamlet of *Monkſwood*, in the County of *Monmouth*, to or near to the Turnpike Gate at *Uſk Bridge*, in the ſaid Pariſh of *Lanbaddock*; and, for the Purpoſes aforeſaid, the ſaid Company of Proprietors, their Deputies, Surveyors, Agents, Servants, and Workmen, are hereby authorized and empowered to enter into and upon the Lands and Grounds of any Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, whatſoever, and to ſurvey and take Levels of the ſame, or any Part thereof, and to ſet out, aſcertain, and appropriate ſuch Parts thereof as they ſhall think neceſſary and proper for the making or altering the ſaid intended Tram Road, and all ſuch other Works, Matters, and Conveniences, as they ſhall think proper and neceſſary for making, effecting, preſerving, and improving, completing, maintaining and uſing the ſame, and alſo to bore, dig, cut, trench, ſough, get, raiſe, remove, take, carry away, lay, uſe, and manufacture any Earth, Clay, Stone, Soil, Rubbiſh, Trees, Roots of Trees, Beds of Gravel, Sand, or any other Materials or Things which may be dug, raiſed, or got, in making the ſaid Tram Road and other Works, or out of the

Proprietors incorporated.

Lands or Grounds of any Perſon or Perſons adjoining or lying contiguous thereto, and which may be proper, requiſite or neceſſary for making, carrying, or continuing, maintaining, altering, or repairing the ſaid Tram Road or other Works, or which may hinder, prevent and obſtruct the making, uſing, and completing, extending, or maintaining the ſame reſpectively, according to the Intent and Purpoſe of this Act, and to make, build, erect, and ſet up, in, under, or upon the ſaid Tram Road or other Works, or upon the Lands adjoining or near the ſame reſpectively; ſuch and ſo many Bridges, Arches, Tunnels, Aqueducts, Wharfs, Houſes, Warehouſes, Toll-houſes, Watch-houſes, Weigh-beams, Cranes, Fire Engines, and other Machines, or other Works, Ways, Roads, and Conveniences, as and where the ſaid Company ſhall think neceſſary and convenient for the Purpoſes of the ſaid Undertaking; and alſo, from Time to Time, to alter, repair and amend, or diſcontinue the ſame, and to make, divert, alter, widen, enlarge, and extend any Bridges, Ways, Roads, Paſſages, Tunnels, Aqueducts, or other Works or Conveniences, as well for the carrying and conveying of Coal, Lime, Limeſtone, Minerals, Goods, Wares, Merchandize, and other Articles, to and from the ſaid Tram Road, as for the carrying and conveying of all Manner of Materials neceſſary for the making, finiſhing, erecting, repairing, maintaining, amending, widening, or enlarging the ſaid Tram Road, and the Works of or belonging to the ſame, which may be uſed for any of the Purpoſes thereof; and alſo to place, lay, work or manufacture the ſaid Materials on the Ground near to the Place or Places where the ſaid Works, or any of them, ſhall be, or are intended to be made, erected, repaired or done; and alſo to make, maintain, repair, and alter any Fences or Paſſages over, under or through the ſaid Tram Road; and alſo to make, ſet out, and appoint ſuch Roads and Ways convenient for hauling or drawing of Waggons and other Carriages paſſing upon the ſaid Tram Road, with Men, Horſes, or otherwiſe, and proper Places for Waggons and other Carriages to turn, lie, or paſs each other, as they the ſaid Company ſhall think convenient, and to conſtruct, erect, and keep in Repair any Bridges, Arches, and other Works in, upon, and acroſs any Rivers or Brooks for the making, effecting, preſerving, improving, completing, uſing, maintaining, and repairing of the ſaid Tram Road or other Works, and to conſtruct, erect, and make, and do all other Matters and Things which they ſhall think convenient or neceſſary for the making, effecting, altering, extending, preſerving, improving, completing, and uſing of the ſaid Tram Road and other Works, to be made or conſtructed in purſuance of and according to the true Intent and Meaning of this Act; they the ſaid Company of Proprietors, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the ſeveral Powers to them hereby granted, and making full Satisfaction in Manner hereinafter mentioned, to the Owners or Proprietors of, and all Parties intereſted in the Lands, Tenements or Hereditaments which ſhall be taken, uſed, removed, diverted or prejudiced, for all Damages to be by them ſuſtained in or by the Execution of all or any of the Powers of this Act; and this Act ſhall be ſufficient to indemnify the ſaid Company, and their Deputies, Servants, Agents, and Workmen, and all other Perſons whomſoever, for what they or any of them ſhall do, by virtue of the Powers hereby granted, ſubject nevertheleſs to ſuch Proviſoes and Reſtrictions as are herein-after mentioned and contained.

II. And

Breadth of Land to be taken for the Tram Road.

II. And be it further enacted, That the Lands and Grounds to be taken or used for the making and using of the said Tram Road, shall not exceed Ten Yards in Breadth, (except in such Places where it shall be adjudged necessary for Waggons or other Carriages to turn, lie, or pass each other, or for raising Embankments for crossing the Vallies, or in deep cutting, or where any Warehouses, Cranes, or Weigh-beams may be erected, or where any Wharfs or other Places may be set out or appropriated for the Reception or Delivery of any Iron, Coal, Lime, Limestone, Minerals, Timber, or other Goods, Wares, or Merchandize which shall be conveyed on the said Tram Road, and except the Ground occupied by the Fences in the Sides thereof), and not above Sixty Yards in Breadth in any Place, without the Consent in Writing of the Owners of the Lands or Hereditaments adjoining the said Tram Road.

Company empowered to purchase Land for Wharf.

III. Provided always, and be it further enacted, That the said Company shall have full Liberty and Power to purchase any Parcel or Parcels of Land not exceeding One Acre in the Whole, at the End or Termination of the said Road, for the Purpose of making a Wharf or Wharfs.

Houses, Gardens, &c. not to be injured, except those mentioned.

IV. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Company, or any Person or Persons acting by or under their Authority, to take, use, injure or damage, for the Purposes of the said Tram Road, or any other of the Purposes aforesaid, any House or other Building which was erected or built on or before the First Day of *January* One thousand eight hundred and fourteen, or any Land or Ground which, on the said First Day of *January* One thousand eight hundred and fourteen, was set apart and used as or for a Garden, Orchard, Court, Yard, Park, Paddock, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners and Occupiers thereof, other than and except those specified in the Schedule hereunto annexed.

Plan and Book of Reference to remain with the Clerk of the Peace.

V. And whereas a Survey has been taken to ascertain the Practicability of making the said Tram Road, and a Map or Plan, with a proper Book of Reference thereto, containing Lists of the Names of the Owners, or reputed Owners and Occupiers of the Lands through which the same are to be carried, have been deposited at the Office of the Clerk of the Peace for the County of *Monmouth*; be it further enacted, That the said Map or Plan, and Book of Reference, shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons shall have Liberty, at all reasonable Times, to resort to and examine, or make Extracts from, or Copies of the same, as Occasion shall require, paying to the said Clerk of the Peace the Sum of Two Shillings and Sixpence for every such Inspection, and for Copies or Extracts from the said Book of Reference, at the Rate of Sixpence for every One hundred Words;

Not to deviate from the Line laid down in Plan, without Consent.

and the said Company, in making the said intended Tram Road, shall not deviate more than One hundred Yards from the Course or Direction delineated on the said Map or Plan, and set forth in the said Book of Reference, without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to whom any Lands, Grounds, or Hereditaments do or shall respectively belong, into, through, or over which any Deviation is desired to be made.

VI. Provided

Land Owners omitted in Book of Reference, not to obſtruct making the Tram Road.

VI. Provided always, and be it further enacted and declared, That the ſaid Company ſhall and may make the ſaid intended Tram Road and other Works, into, through, acroſs, or over the Eſtates, Lands, or Grounds of any Perſon or Perſons whomſoever, into whoſe Eſtates, Lands, or Grounds ſuch Deviation as aforeſaid ſhall extend, although their Names are not mentioned in the ſaid Book of Reference, or into, through, acroſs, or over the Eſtates, Lands, or Grounds of any Perſon or Perſons, whoſe Name or Names ſhall appear to the Satisfaction of the Commiſſioners hereby appointed, and be by them certified under their Hands, to be by Miſtake omitted in the ſaid Book of Reference, or that inſtead thereof the Name or Names of ſome other Perſon or Perſons to whom ſuch laſt-mentioned Eſtates, Lands, and Grounds do not belong, have or hath been by Miſtake inſerted therein; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

For making Roads in lieu of thoſe injured.

VII. Provided alſo, and be it further enacted, That in all Caſes when in Exerciſe of the Powers aforeſaid any Part of any Carriage or Horſe Road, either public or private, ſhall be found neceſſary to be cut through, taken, or ſo much injured as to be impaſſable or inconvenient for Travellers or Carriages, or to the Perſons entitled to the Uſe thereof, the ſaid Company, or their Succeſſors, ſhall at their own Expence, before any ſuch Road ſhall be cut through, taken, or injured as aforeſaid, cauſe a good and ſufficient Carriage or Horſe Road (as the Caſe may require) to be ſet out and made inſtead thereof, as convenient for Paſſengers and Carriages as the Road ſo cut through, taken, or injured as aforeſaid, or near thereto as may be, and ſhall cauſe the ſame to be put in good and ſubſtantial Order and Condition, where the former Road cannot be more immediately reſtored.

Form of the Tram Road when croſſing any Road.

VIII. Provided always, and be it further enacted, That where the ſaid Tram Road ſhall croſs any Turnpike Road or Public Highway, the Ledge or Flange of ſuch Tram Road, for the Purpoſe of guiding the Wheels of the Carriages, ſhall not exceed One Inch in Height above the Level of ſuch Road.

Bodies Politic, &c. empowered to ſell and convey Lands.

IX. And be it further enacted, That after any Lands, Grounds, or Hereditaments ſhall be ſet out and aſcertained for making the ſaid Tram Road, or any Part or Parts thereof, and for providing and conſtructing the Wharfs and other Works and Conveniencies, and for the doing the ſeveral other Matters or Things, which the ſaid Company of Proprietors are by this Act empowered or authorized to do or make, or any of them, it ſhall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Huſbands, Guardians, Truſtees, and Feoffees in Truſt for charitable and other Purpoſes, Committees, Executors, and Adminiſtrators, and all other Truſtees and Perſons whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts or Wards, whether Infants, Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſon or Perſons, and to and for all Femes Covert who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, or entitled to Dower or other Intereſt therein, and to and for all and every other Perſon or Perſons whomſoever, who is, are, or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Grounds, or Hereditaments which ſhall be

ſo ſet out or aſcertained for the Purpoſes aforeſaid, to contract for, ſell, and convey the ſame, and every Part thereof, unto the ſaid Company, and all Bodies Politic, Corporate, or Collegiate, and all other Perſons whomſoever, ſo conveying as aforeſaid, are hereby indemnified for what they ſhall reſpectively do in relation to any ſuch Sale which he, ſhe, they, or any of them, ſhall make by virtue and in purſuance of this Act; and all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances ſhall be made at the Expence of the ſaid Company, and ſuch of them as ſhall be made of any Lands or other Hereditaments to the ſaid Company, ſhall be made according to the following Form; (*videlicet*),

Contracts and Sales to be made at the Expence of the ſaid Company.

Form of Conveyance to the Company.

'I of in Conſideration of the Sum
'of to be paid (or in Conſideration of
'the annual Rent of to me to be herein-after
'yielded and paid, or as may be agreed upon) by The *Uſk* Tram Road
'Company, do hereby grant and releaſe to the ſaid Company, all [*de-*
'*ſcribing the Premiſes to be conveyed*] and all my Right, Title, and Inte-
'reſt to and in the ſame, and every Part thereof, to hold to the ſaid
'Company and their Succeſſors for ever, by virtue and according to the
'true Intent and Meaning of an Act paſſed in the Fifty-fourth Year of
'the Reign of His preſent Majeſty, for making and maintaining the ſaid
'Tram Road. In Witneſs whereof, I have hereunto ſet my Hand and
'Seal, this Day of in the Year of our Lord
'

Which ſaid Conveyance ſhall be kept by the Clerk of the ſaid Company, who ſhall from Time to Time when requeſted, deliver atteſted Copies thereof to any Perſon or Perſons requiring the ſame, and ſhall have and receive Sixpence for every One hundred Words of each atteſted Copy, and ſo in Proportion for any leſs Number of Words; and every ſuch Conveyance to be made by virtue of this Act, in the Form and Manner aforeſaid, ſhall be valid and effectual to all Intents and Purpoſes whatſoever; any Law, Statute, Uſage, or Cuſtom to the contrary thereof in anywiſe notwithſtanding.

Company compellable to purchaſe ſmall Slips of Land left by Sides of the Tram Road.

X. And be it further enacted, That if in making the ſaid Tram Road, or any of the ſaid Works, any Pieces or Parcels of Land or Ground ſhall be cut through and divided, ſo that what ſhall be left on each or either Side of the ſaid Tram Road ſhall be leſs than Half an Acre in Quantity, or leſs than Eighteen Yards in average Breadth throughout the whole Length thereof, and if the Owner or Owners of any ſuch Pieces or Parcels of Land or Ground, ſhall not have any other Land or Ground adjoining or contiguous to what ſhall be ſo left on each or either Side of the ſaid Tram Road, that then and in every ſuch Caſe, the ſaid Land ſo left being leſs than Half an Acre in Quantity, or leſs than Eighteen Yards in average Breadth, throughout the whole Length thereof as aforeſaid, the ſaid Company of Proprietors ſhall become the Purchaſers thereof, and ſhall pay for the ſame after the Rate and in the ſame Manner as they ſhall pay for the Land or Ground adjoining thereto, which ſhall be taken and uſed for making the ſaid Tram Road, provided the Owner or Owners, or Perſon or Perſons entitled to the Poſſeſſion, or to the Rents and Profits of ſuch ſmall Pieces or Parcels of Land or Ground reſpectively, ſhall require the ſaid Company to take and purchaſe the ſame, but not otherwiſe.

XI. Provided

Satisfaction to be made.

XI. Provided always, and be it further enacted, That all and every Body or Bodies Politic, Corporate, or Collegiate, Truſtees, and other Perſon or Perſons herein-before capacitated to ſell or convey Lands and other Hereditaments, and any other Owner or Owners, Occupier or Occupiers, of any Lands or other Hereditaments through, in, or upon which the ſaid Tram Road, or other Works hereby authorized and intended to be made, ſhall have, accept and receive ſuch Satisfaction for the Value of ſuch Lands, Grounds, and Hereditaments, and for the Damages to be ſuſtained by making or completing the ſaid Works herein-before directed, by Payment of ſuch Sum and Sums of Money as ſhall be agreed upon by and between the ſaid Parties intereſted reſpectively, or any of them, and the ſaid Company; and in caſe the ſaid Company, and the ſaid Parties intereſted in ſuch Lands and Grounds, or other Hereditaments, cannot agree as to the Amount or Value of ſuch Satisfaction, the ſame ſhall be aſcertained and ſettled by the Commiſſioners hereby appointed, in ſuch Manner and ſubject to ſuch Verdict of a Jury, if required, as are herein-after directed.

If Parties cannot agree, Price to be ſettled by Commiſſioners or a Jury.

Commiſſioners and their Qualifications.

XII. And be it further enacted, That every Perſon who ſhall in his own Right, or in the Right of his Wife, and not as a Mortgagee, or Truſtee, or Leſſee, be ſeized of or intereſted unto any Eſtate of Freehold or Copyhold of Inheritance, or both, ſituate within the County of *Monmouth*, of the clear Yearly Value of One hundred Pounds, over and above all Rents, Annuities, Incumbrances, and Reprizes, (except Property Tax) or poſſeſſed of a Perſonal Eſtate of the Amount of Three thouſand Pounds in the Stocks or Public Funds, or on Mortgage, Leaſe, Bonds, or Special Securities for Money, or being the eldeſt Son or Heir Apparent of a Peer, or of a Perſon qualified to ſerve in Parliament, or as a Knight of the Shire, ſhall be and are hereby appointed Commiſſioners for ſettling, determining, and adjuſting all Matters, Queſtions, and Differences which ſhall or may ariſe between the ſaid Company and the ſeveral Owners of and Perſons intereſted in any Lands, Grounds, Tenements, or Hereditaments which ſhall or may be taken, uſed, affected, or prejudiced by the Execution of any of the Powers hereby granted, and every Perſon ſo qualified ſhall be and is hereby appointed a Commiſſioner for all other the Purpoſes of this Act, for which Commiſſioners are hereby appointed; but no Perſon ſhall act or be qualified to act as a Commiſſioner for the Execution of the Powers hereby given to ſuch Commiſſioner during the Time of holding any Place of Profit ariſing out of the Rates to be collected by virtue of this Act, or of his being a Proprietor in the ſaid Undertaking, or concerned or intereſted in any Contract or Bargain to be made for the Purpoſes of this Act, or in any Caſe where he ſhall be any way intereſted or concerned in the Matter in Queſtion, nor unleſs he ſhall reſide in the County of *Monmouth*, or (except in giving Notice of the Firſt Meeting of the ſaid Commiſſioners, and adminiſtering the Oath or Affirmation herein-after mentioned) until he ſhall have taken and ſubſcribed an Oath or Affirmation to the Effect following, before any Three or more of the ſaid Commiſſioners, who are hereby authorized and required to adminiſter the ſame; *videlicet*,

Oath of Commiſſioners.

'I *A. B.* do ſwear, (*or*, being one of the People called *Quakers*, do ſolemnly affirm), That I will truly and impartially, according to the Evidence which ſhall be laid before me, and to the beſt of my Skill

'and Knowledge, execute and perform the Powers and Authorities veſted 'in me as a Commiſſioner, by an Act paſſed in the Fifty-fourth Year of 'the Reign of King *George* the Third, intituled *An Act*, [*here inſert the* '*Title of this Act*,] and that I am qualified to act as a Commiſſioner 'according to the Directions of the ſaid Act. So help me GOD.'

Penalty on Commiſſioners not being qualified.

And if any Perſon ſhall act as a Commiſſioner in the Execution of this Act, not being qualified as herein-before mentioned, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of One hundred Pounds, to any Perſon who ſhall ſue for the ſame, to be recovered with full Coſts of Suit by any Action at Law, or in any of His Majeſty's Courts of Record, and ſuch Perſon ſo ſued ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the Penalty without any other Proof or Evidence on the Part of the Plaintiff or Plaintiffs than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act: Provided always, that every Act, Matter, and Thing which ſhall be done by ſuch Commiſſioners as laſt aforeſaid, ſhall be valid and effectual to all Intents and Purpoſes, notwithſtanding any ſuch Want of Qualification as aforeſaid.

Commiſſioners may act as Juſtices of the Peace, but not while they hold any Place of Profit under this Act.

XIII. And be it further enacted, That any of the ſaid Commiſſioners who are or ſhall be Juſtices of the Peace for the ſaid County, ſhall and may, notwithſtanding their being Commiſſioners, act as Juſtices of the Peace in the Execution of this Act; but that no Perſon who ſhall have or accept any Place of Profit ariſing out of the Rates to be raiſed by virtue of this Act, or ſhall be a Proprietor of any Share or Shares in the ſaid Undertaking, or ſhall be concerned or intereſted in any Contract or Bargain made or to be made, for or on Account of the ſaid Undertaking, ſhall be capable of acting as a Juſtice of the Peace in any Matter reſpecting the ſame, ſo long as he ſhall hold or be intereſted in ſuch Place of Profit, Share or Shares, Contract or Bargain as aforeſaid.

Notice of Commiſſioners Meetings to be given.

XIV. And be it further enacted, That no Meeting whatſoever of the ſaid Commiſſioners ſhall at any Time or Times be had for putting in Execution any of the Powers or Authorities veſted in them by this Act, unleſs previous Notice of the Time and Place and Purpoſes of ſuch Meeting ſhall be given and inſerted in ſome Newſpaper uſually circulated in the ſaid County, at leaſt Twice before ſuch Meeting; and that every Meeting of the ſaid Commiſſioners to be held by virtue of this Act ſhall be public, and that no Act, Order, or Proceeding of the ſaid Commiſſioners, or any of them, in the Execution of this Act (except in ſuch Caſes as are hereby otherwiſe directed) ſhall be valid, unleſs the ſame ſhall be made or done at a Meeting to be held in purſuance of this Act, and that all Powers and Authorities of what Nature ſoever by this Act given to or veſted in the ſaid Commiſſioners, ſhall and may from Time to Time be exerciſed by a Majority of the Commiſſioners preſent at every ſuch Meeting, ſuch Meeting on all Occaſions not conſiſting of leſs than Three Commiſſioners, and at every ſuch Meeting, one of the Commiſſioners preſent ſhall be appointed Chairman, who, in caſe of an Equality of Votes (including the Vote of ſuch Chairman), ſhall have the deciſive or caſting Vote.

On Application of the Proprietors, or Land

XV. And be it further enacted, That upon Application in Writing being made by or on Behalf of the ſaid Company, or by the Owners or Occupiers of Lands or Hereditaments, to be taken for or affected by the ſaid

said Tram Road, or any of the Works necessary or relating thereto, or any of them, to any One or more of the Commissioners or Persons qualified to act as a Commissioner, requesting or desiring that a General Meeting of the said Commissioners may be holden, the Commissioners, so applied to, shall and they are hereby respectively authorized and required within Seven Days after such Request or Application, to give Notice in Manner aforesaid, of a General Meeting to be held at such Time and Place as shall be specified in such Notice, such Time not being less than Fifteen Days, nor more than Twenty-four Days from the Day on which such Request shall be made to them as aforesaid; and the said Commissioners are hereby authorized, empowered, and required to assemble at the Time and Place so to be appointed, in order to put this Act and the Powers and Authorities hereby given to and vested in them in Execution, and shall then adjourn themselves, and afterwards meet at such Time and Place as the said Commissioners there assembled shall think proper or convenient; and if it shall happen that there shall not appear at any Meeting which shall be appointed to be had or held by the said Commissioners, a sufficient Number of Commissioners to act at such Meeting, and to adjourn to any other Time as often as the Case shall happen, the Clerk or Clerks of the said Commissioners shall and may, by Notice to be given in Manner aforesaid, appoint the Commissioners to meet at the Place where the last Meeting of the said Commissioners was appointed to be held on that Day Fortnight, after the Day on which the last Meeting of the said Commissioners was appointed to be held.

Owner, Commissioners to meet.

XVI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, or any Three or more of them, and they are hereby empowered, although they shall not be assembled at any Meeting to be held by virtue of this Act, from Time to Time, and at all Times, upon such Request made as aforesaid, by Notice in Writing signed by them, and published in Manner aforesaid, to summon a Meeting of the said Commissioners at such Time and Place as shall be mentioned in such Notice for settling and ascertaining such Damages as are herein directed to be settled, and for other Purposes, notwithstanding any Adjournment of the said Commissioners.

Commissioners to hold occasional Meetings.

XVII. And be it further enacted, That all the Orders and Proceedings of the said Commissioners shall be regularly entered into a Book or Books to be kept for that Purpose, such Book or Books to be open at all seasonable Times for the Inspection of any Person or Persons interested in the said Proceedings, or his or their Agent or Solicitor, and desirous of seeing and examining the same, without Fee or Reward, and such Entries being signed by such Number of the said Commissioners respectively, as are empowered by this Act to make such Orders, or carry on such Proceedings, shall be deemed Originals, and the same, or true Copies thereof, shall be admitted as Evidence in all Courts whatsoever; and the said Commissioners may, and are hereby required, at their First Meeting to appoint one out of Three Persons to be named by the said Company to be their Clerk, and from Time to Time, may remove any such Person, and on such Removal, or in case any such Clerk shall die, or quit the said Employment, the said Company or their Committee for the Time being, shall, within the Space of One Calendar Month after Notice in Writing for that

Proceedings to be entered into a Book.

Purpoſe ſhall have been given by the ſaid Commiſſioners, nominate Three Perſons, and give Notice thereof unto the ſaid Commiſſioners, from whom ſuch Notice in Writing was received, and the ſaid Commiſſioners ſhall and may appoint ſuch one of the ſaid laſt Three mentioned Perſons as they ſhall think proper to be their Clerk; and in like Manner, a Clerk to the ſaid Commiſſioners ſhall be from Time to Time nominated and appointed, as Occaſion ſhall require, and ſuch Clerk ſhall be paid for his Care, Expences, and Trouble in the Execution of his Office by the ſaid Company; and any Clerk who ſhall be removed or die, or quit the Service as aforeſaid, his Executors or Adminiſtrators, ſhall, within One Calendar Month after ſuch Notice in Writing to him or them reſpectively given by the ſaid Commiſſioners, produce and deliver up to ſuch Commiſſioners all Books, Accounts, Papers or Writings whatſoever relating to the Execution of his Office, which ſhall be in his or their Cuſtody or Power, and every ſuch Perſon neglecting or refuſing to produce and deliver up ſuch Books, Papers, or Writings after ſuch Notice as aforeſaid, ſhall for every ſuch Neglect or Refuſal, reſpectively forfeit 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, in which Action no Eſſoign, Protection, Privilege, or Wager of Law, or more than one Imparlance ſhall be allowed.

Commiſſioners to examine Witneſſes on Oath and to ſettle any Matters in Diſpute.

XVIII. And be it further enacted, That the ſaid Commiſſioners ſhall be and they are hereby authorized and required at any of their Meetings to examine Witneſſes upon Oath, to be adminiſtered by them touching any Matter which may in purſuance of this Act be ſubmitted to the Conſideration of the ſaid Commiſſioners; and they are hereby empowered and enabled, by Writing under their Hands, to determine and adjuſt, from Time to Time, what Sum or Sums of Money ſhall be paid by the ſaid Company for the abſolute Purchaſe of, or as a Recompence for the Uſe of the Lands, Grounds, or Hereditaments, which ſhall be ſo ſet out and aſcertained as aforeſaid, for making the ſaid Tram Road, or for any other the Purpoſes of this Act, and alſo to adjuſt and determine the Compenſation to be made by the ſaid Company, for any Damages which may or ſhall at any Time or Times hereafter be ſuſtained by any Bodies Politic, Corporate, or Collegiate, or by any Perſon or Perſons reſpectively, being Owners of or intereſted in any Lands, Grounds, Tenements, or other Hereditaments, for or by reaſon of the ſevering or dividing the ſame, or by reaſon of the making, uſing, repairing, or maintaining the ſaid Tram Road, or other Works or Conveniences belonging thereto, by reaſon or Means of the Execution of any of the Powers given to the ſaid Company.

If Parties are diſſatisfied with Determination of Commiſſioners, Value to be aſcertained by a Jury.

XIX. Provided always, and be it further enacted, That if the ſaid Company, or their General Committee for the Time being, or any ſuch Body Politic, Corporate, or Collegiate, Truſtee or Truſtees, or other Perſon or Perſons ſo intereſted or entitled as aforeſaid, ſhall be diſſatisfied with any ſuch Judgment or Determination of the ſaid Commiſſioners, and ſhall give Notice thereof in Writing to any Three or more of the ſaid Commiſſioners within Twenty-one Days next after the ſame ſhall have been made, or ſhall refuſe or neglect to ſubmit any ſuch Matter to the Determination of the ſaid Commiſſioners; or if any ſuch Body Politic, Corporate, or Collegiate, Truſtee or Truſtees, or other Perſon or Perſons intereſted or entitled

titled as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase Money as shall be so determined to be paid, or shall, upon Notice in Writing given to the principal Officer of any such Body Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers, of any Lands or other Hereditaments to be made use of for the Purposes of this Act, for the Space of Twenty-one Days next after such Notice, Neglect or Refusal to treat, or shall not agree with the said Company, or by reason of Absence or otherwise, shall be prevented from treating, or through Disability by Marriage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or shall not within the before mentioned Space of Twenty-one Days, produce and fully disclose the State of the Title to the Premises which they are or shall be in Possession of, and to the Interest which they claim therein, then, and in every such Case, the said Commissioners shall, and are hereby empowered and required to issue a Warrant under their Hands and Seals to the Sheriff of the said County in which the Lands in Question shall be situated; and in case such Sheriff or his Under Sheriff shall be one of the said Company, or enjoy any Office or Trust under them, or shall be otherwise interested in the Matter in Question, then to any one of the Coroners of such County who shall not be so interested as aforesaid; and in case all the said Coroners of the said County shall be so interested, then to one of the last Persons who filled the Office of Sheriff of such County, and who shall not be interested as aforesaid, commanding such Sheriff, Coroner, or other Person to impannel, summon, and return a Jury; and the said Sheriff, Coroner, or other Person, is hereby required accordingly to impannel, summon, and return a Jury of Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm, to be returned, for Trials of Issues in His Majesty's Courts at *Westminster*, to appear before the said Commissioners at such Time and Place as in such Warrant shall be appointed, such Time not being less than Eight or more than Fourteen Days next after such Warrant shall be served upon the said Sheriff, Coroner, or other Person; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service (being so qualified as aforesaid) to make up the said Jury, to the Number of Twelve, and every such Jury and Jurymen shall be liable and subject to the same Regulations and to the same Pains and Penalties for Default as if he or they had been returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster*, and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Commissioners are hereby empowered and required, by Summons or Notice to be signed by Three or more of the said Commissioners, either previous to or at the Time of any such Meeting or Meetings, to summon or call before them all and every Person or Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matter in Question, either by or before them the said Commissioners, or by or before any Jury or Juries as aforesaid, as the Case may be, and to hear and examine such Witness or Witnesses upon Oath, and the said Commissioners may order and authorize the said Jury, or any Six or more of them, to

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view the Place or Places, or Matter or Matters in Queſtion, which Jury, upon their Oaths, (which Oaths, as well as the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Commiſſioners, or any One of them, is or are hereby empowered to adminiſter), ſhall enquire of, aſſeſs, and aſcertain the Sum of Money to be paid for the Purchaſe of ſuch Lands or other Hereditaments, or the Recompence to be made for the Damages that ſhall or may be ſuſtained as aforeſaid, and ſhall aſſeſs ſeparate Damages for the ſame; and the ſaid Commiſſioners ſhall give Judgment for ſuch Purchaſe Money, or Recompence ſo to be aſſeſſed by ſuch Jury, which ſaid Verdict, and the Judgment thereupon pronounced as aforeſaid, ſhall be ſigned by the ſaid Commiſſioners, and ſhall be binding and concluſive, to all Intents and Purpoſes, againſt all Bodies Politic, Corporate, or Collegiate, and all other Perſons, and ſhall not be removed by *Certiorari*, or other Proceſs, into any of His Majeſty's Courts of Record at *Weſtminſter*, or any other Court; any Law or Statute to the contrary notwithſtanding.

Fine on Sheriff making Default.

XX. And be it further enacted, That if the Sheriff or other Perſon ſo directed to ſummon and return a Jury as aforeſaid, or his Deputy or Agent, ſhall make Default in the Premiſes, he ſhall, for every ſuch Offence, forfeit the Sum of Twenty Pounds; and if any Perſon ſo ſummoned and returned as aforeſaid, upon ſuch Jury, ſhall not appear, or appearing ſhall refuſe to be ſworn or give his Verdict, or in any other Manner wilfully neglect his Duty contrary to the true Intent of this Act; or if any Perſon ſo ſummoned to give Evidence, ſhall not appear, after having been paid or tendered a reaſonable Sum for his or her Coſts and Expences, or appearing ſhall refuſe to be ſworn or examined or to give Evidence, every Perſon ſo offending, having no reaſonable Excuſe to be allowed by the ſaid Commiſſioners, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Pounds, to be levied by virtue of any Warrant under the Hands and Seals of the ſaid Commiſſioners, or any Three or more of them, by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo offending, rendering the Overplus, after ſuch Penalty, and the Charges of ſuch Diſtreſs and Sale ſhall be deducted, to the Owner or Owners thereof, and every ſuch Penalty which ſhall be paid by, or recovered from any Perſon who ſhall have been ſummoned to give Evidence as aforeſaid, ſhall go and be paid to the Perſon or Perſons who ſhall appear to the ſaid Commiſſioners to have been injured by the Default of ſuch Perſon; and that all and every Perſon and Perſons who, in any Examination to be taken by virtue of this Act, ſhall wilfully and corruptly give falſe Evidence before the ſaid Commiſſioners, or before any ſuch Jury as aforeſaid, ſhall and may be proſecuted for the ſame, and upon Conviction thereof ſhall be ſubject to ſuch Puniſhments and Diſqualifications as any Perſon and Perſons can or may be ſubject to for wilful or corrupt Perjury by the Laws and Statutes of this Realm.

Expences of Commiſſioners, Witneſſes, and Jury, by whom to be paid.

XXI. And be it further enacted, That whenſoever a Jury is or ſhall be called by the Commiſſioners as aforeſaid, or any Witneſs or Witneſſes is, are or ſhall be examined, by and before the ſaid Commiſſioners alone, or by and before the ſaid Commiſſioners and Jury jointly, as herein-before declared, the ſaid Commiſſioners ſhall, and they are hereby required, according to their Diſcretion, to give and award to the ſaid Sheriff or Coroner, and to each of the ſaid Jurors and Witneſſes in every ſuch Caſe,

ſuch ſeveral and reſpective Sum and Sums of Money as ſhall be a reaſonable Recompence for the Expences, Loſs of Time, and Trouble of their Journey and Attendance; and in each and every Caſe when a Verdict ſhall be given for more Money, as a Recompence or Satisfaction for the abſolute Sale of any Lands, Grounds, and other Hereditaments, of any Perſon or Perſons whomſoever, or as a Compenſation for any Damages done or to be done to ſuch Lands, or other Hereditaments or Property, than had been previouſly offered by or on Behalf of the ſaid Company, before the Meeting of the ſaid Commiſſioners, or than had been by them determined and aſſeſſed as aforeſaid; or when any Verdict ſhall be found for any Damages where the Diſpute is for Damages only, and where no Compenſation had been previouſly offered or tendered in reſpect thereof, by and on Behalf of the ſaid Company; or where by reaſon of Abſence in Foreign Countries, or any other Impediment or Diſability as aforeſaid, there ſhall not be found any Perſon or Perſons at hand, who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compenſations from the ſaid Company, as herein-before mentioned, then, and in all ſuch Caſes, all the Expences of calling ſuch Commiſſioners, ſummoning and returning ſuch Jury, and taking ſuch Verdicts, ſhall be ſettled by the ſaid Commiſſioners, and be defrayed by the ſaid Company; but if any Verdict ſhall be given for the ſame Sum that has been previouſly offered, by or on Behalf of the ſaid Company, or had been ſo determined or aſſeſſed by the ſaid Commiſſioners, or for a leſs Sum than had been ſo previouſly offered, determined, or aſſeſſed, or in caſe no Damages ſhall be given by the Verdict, where the Diſpute is for Damages only, or in caſe of ſuch Refuſal to enter into Treaty with or make Conveyances to, or receive Compenſation from the ſaid Company, by any Bodies Politic, Corporate, Collegiate, or by any Perſon or Perſons whomſoever, who is or are, by the Proviſions of this Act or otherwiſe, legally capacitated to treat, and convey, or receive ſuch Compenſation as aforeſaid, then, and in all ſuch Caſes, (except where by reaſon of Abſence or otherwiſe, any Perſon ſhall have been prevented from treating and agreeing as aforeſaid,) the Coſts and Expences of calling a Meeting of ſuch Commiſſioners, ſummoning and returning ſuch Jury, and taking ſuch Verdict, ſhall be ſettled in like Manner, by the ſaid Commiſſioners, and be borne and paid by the Perſon or Perſons with whom the ſaid Company ſhall have ſuch Concerns, Controverſies, or Diſputes; which ſaid Coſts and Expences having been ſo ſettled, ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged, where the ſame ſhall exceed ſuch Coſts and Expences, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons, and the Payment or Tender of the Remainder of ſuch Sum or Sums of Money ſhall be deemed and taken, to all Intents and Purpoſes, to be a Payment or Tender of the whole Sum or Sums ſo aſſeſſed, or adjudged or otherwiſe; ſuch Coſts and Expences, in caſe the ſame ſhall not be paid on Demand, after being ſo aſcertained and ſettled as aforeſaid, may be recovered by the Clerk to the ſaid Commiſſioners, in and by ſuch Ways and Means as are herein-after provided for the Recovery of Penalties and Forfeitures.

Perſons requeſting Juries to enter into Bonds to proſecute.

XXII. And be it further enacted, That all and every Perſon or Perſons making Complaint and requeſting ſuch Jury to be ſummoned, ſhall, before the ſaid Commiſſioners ſhall iſſue out their Warrant for that Purpoſe, enter into a Bond, with ſufficient Sureties, to the Treaſurers of the ſaid Company, in a Penalty not exceeding Two hundred Pounds, with Condition to proſecute his, her, or their Complaint, and to bear and pay all the Coſts and

Expences of ſummoning and returning ſuch Jury, and taking ſuch Verdict in caſe the ſame ſhall be given for no greater or for a leſs Sum than had been offered by or on Behalf of the ſaid Company, or than had been aſſeſſed by the ſaid Commiſſioners, before the ſummoning and returning the ſaid Jury or Juries, for the Purchaſe of, or as a Recompence for any Lands, Grounds, or Hereditaments, or as a Compenſation for any Damages, in caſe no Verdict ſhall be found for Damages, where the whole Diſpute was whether any Damage was or was not done as aforeſaid.

Notice of Inquiry to be given to Proprietors before Complaint made to Commiſſioners.

XXIII. And be it further enacted, That the ſaid Commiſſioners ſhall not, nor ſhall any of them, be obliged or allowed by virtue of this Act, to receive or take Notice of any Complaint or Complaints to be made by any Perſon or Perſons whomſoever, for any Injury or Damage by him or them ſuſtained, or ſuppoſed to be ſuſtained, by virtue or in conſequence of the Execution of any of the Powers of this Act, unleſs Application ſhall have been made in Writing in relation thereto, by or on Behalf of ſuch Perſon or Perſons to the ſaid Company, or to their Clerk, Fourteen Days at the leaſt before ſuch Complaint ſhall be made to the ſaid Commiſſioners, and within the Space of Three Calendar Months after the Time that ſuch ſuppoſed Injury or Damage ſhall have been ſuſtained, or the doing or committing thereof ſhall have ceaſed.

For making Recompence for Damages not herein-before provided for.

XXIV. And be it further enacted, That if at any Time or Times hereafter, any Perſon or Perſons ſhall ſuſtain any Damages in his, her, or their Lands, Tenements, or Hereditaments, or Property, by reaſon of the Execution of any of the Powers hereby given, or for which no Remedy is herein-before provided, then, and in every ſuch Caſe, the Recompence or Satisfaction for ſuch Damage ſhall from Time to Time be ſettled and aſcertained in ſuch Manner as herein-before directed in reſpect to any other Recompence or Satisfaction herein-before mentioned.

Verdict as to Value of Lands and Damages to be aſcertained ſeparately.

XXV. And be it further enacted, That the ſaid Commiſſioners and Juries reſpectively ſhall award all Determinations, Judgments, and Verdicts which they ſhall reſpectively make and give in the Execution of the Powers hereby veſted in them concerning the Value of Lands and other Hereditaments ſeparately and diſtinctly from the Conſideration of any other Damages ſuſtained or to be ſuſtained by any Perſon or Perſons in conſequence of the Execution of any of the Powers of this Act, and ſhall diſtinguiſh the Value ſet upon the Lands, and other Hereditaments, and the Money adjudged for ſuch Damages as aforeſaid ſeparately and apart from each other.

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

XXVI. And be it further enacted, That upon Payment or legal Tender of ſuch Sum or Sums of Money, as ſhall have been contracted or agreed for between the ſaid Parties, and adjuſted and determined by the ſaid Commiſſioners, or aſſeſſed by ſuch Jury or Juries in Manner reſpectively as aforeſaid, for the Purchaſe of any ſuch Lands, Tithes, or other Hereditaments, or as a Recompence for the Yearly Produce or Profits thereof, or as a Compenſation for Damages as herein-before mentioned, to the Proprietor or Proprietors of any ſuch Lands and Premiſes, or to ſuch other Perſon or Perſons as ſhall be intereſted therein, or entitled to receive ſuch Money, or Compenſation reſpectively, at any Time after the ſame ſhall have been actually ſo agreed for, determined, or aſſeſſed; or if the Perſon or Perſons

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so entitled or interested, or any of them, shall not be able to make a good Title thereto, to the Satisfaction of the said Company, or cannot be found, or shall refuse to receive the same, or execute such Conveyance, then upon the Payment of the said Sum or Sums of Money into the Bank of *England*, as the Case may be, in the Manner by this Act directed for the Use of such Person or Persons so interested or entitled as aforesaid; then, and in all or any of the said Cases, as often as the same shall happen, it shall be lawful for the said Company and their Agents, Workmen and Servants, immediately to enter into and upon such Lands, Grounds, and other Hereditaments respectively, and then and thereupon, such Lands and Grounds and other Hereditaments, together with the Yearly Profits thereof, and all the Estate, Use, Trust or Interest of any Person or Persons therein, shall from thenceforth be vested in, and become the sole Property of the said Company, to and for the Purposes of this Act, for ever; and such Tender, Payment, Investment, or Deposit, shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to, and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and all other Estates in Reversion or Remainder, or his, her, or their Issue, and of every other Person whomsoever, therein; provided nevertheless, that before such Payment, Tender, Investment, or Deposit as aforesaid, it shall not be lawful for the said Company, or any Person acting under their Authority, to dig or cut the Land or Grounds of the Person or Persons entitled to such Payment, for the Purpose of making the said Tram Road, without the Leave and Consent in Writing of such Person or Persons respectively.

Verdicts to be recorded.

XXVII. And be it further enacted, That all the Determinations of the said Commissioners, which shall be submitted to, and acquiesced in by the Parties concerned, and also the said Judgments and Verdicts shall be transmitted to, and be kept by the Clerk of the Peace, for the said County, and shall be deemed to be 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 for such Inspection the Sum of Two Shillings, and to have Copies thereof, paying for every Copy the Sum of Eight-pence for every One hundred Words, and so in Proportion for any less Number of Words.

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

XXVIII. And be it further enacted, That if any Money shall be agreed, ordered, or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, or for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, Cestuique Trust, or to any other Person whose Lands, Tenements or Hereditaments, are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, 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 High Court of Chancery, to be placed to his Account there, *ex parte* "The Usk Tram Road Company," to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signi-

fied by an Order made upon a Petition to be preferred in a ſummary Way, by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or in the Diſcharge of any Debt or Debts, or ſuch other Incumbrances or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, to, for, or upon 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 mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall 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; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, to be purchaſed by virtue of this Act, in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and amounting to 20l.

XXIX. Provided always, and be it further enacted, That if any Money ſo agreed, ordered or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed or be equal to the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option and approved of by the ſaid Company, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing therefrom, may be applied in Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XXX. Provided

Application where the Money is less than 20*l.*

XXX. Provided also, and be it further enacted, That where such Money so agreed, ordered, or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in every such Case the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased, taken, or used for any of the Purposes of this Act, in such Manner as the said Company shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

XXXI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be ordered or awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises, to the Satisfaction of the said Company; or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Company to order the said Sum or Sums of Money so ordered 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 Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same 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 Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Money, &c. the Person in Possession at the Time of the Purchase, shall be deemed entitled thereto, &c.

XXXII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person and Persons, shall be deemed and taken to have

have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court of Chancery may order reasonable Expences to be paid by the Company.

XXXIII. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Expences of obtaining such Order, to be paid by the said Company, who shall from Time to Time pay such Sum of Money accordingly, for such Purposes as the said Court shall direct.

Proprietors to raise Money amongst themselves for making the Tram Road.

XXXIV. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, in such Proportions as they shall think proper, a competent Sum of Money for making and completing the said Tram Road, Wharfs, Bridges, and other Works and Conveniences belonging or requisite thereto, not exceeding in the Whole the Sum of Six thousand Pounds, (except as herein-after mentioned) and the same shall be divided into Shares of Fifty Pounds each, and that such Shares shall be numbered in regular Progression, and every such Share always to be distinguished by the Number to be applied to the same, and that the said Shares shall be, and are hereby vested in the several Persons so raising and contributing the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably by the Sums they shall severally raise and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said Undertaking, and other the Purposes of the said Subscription, shall be entitled to and receive at such Time and Times as the said Company of Proprietors shall, at a General or Special Meeting to be convened for that Purpose, as Meetings on other Occasions are directed to be convened, direct and appoint the entire and net Distribution of an equal proportionable Part, according to the Money so by them respectively paid, of the Profits and Advantages that shall and may arise and accrue by the Rates and other Sums of Money, to be raised, recovered, or received by the said Company by the Authority of this Act; and every Body Politic, Corporate, or Collegiate, Person and Persons having such Property in the said Undertaking as aforesaid, shall

bear and pay a proportionable Sum towards carrying on the same, in Manner herein directed and appointed; and all and every the Shares and Proportions of all Bodies Politic, Corporate, or Collegiate, and all other Person or Persons of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Application of Money to be raised.

XXXV. And be it further enacted, That all the Money to be raised by the said Company, by virtue of this Act, shall be laid out and applied in the First Place, for and towards the Payment, Discharge and Satisfaction of all Costs, Charges, and Expences in applying for, obtaining, and passing this Act, and all other Expences preparatory and relating thereto, and all the Residue and Remainder of such Money, for and towards purchasing Lands and Grounds, making, completing, and maintaining the said Tram Road, Bridges, and other Works, and other the Purposes of this Act, and to no other Use, Intent or Purpose whatsoever.

Subscribers to have a Vote for every Share.

XXXVI. And be it further enacted, That all and every Body and Bodies Politic, Corporate or Collegiate, or other Person or Persons, who shall by virtue of this Act have subscribed for, or shall become entitled to be and be in the actual Possession of One or more Share or Shares in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall be deemed a Proprietor of every such Share, and shall have a Vote for, and in respect of every such Share in the stated and Special General Assemblies to be held as herein-after appointed for carrying on the said Undertaking; which Vote or Votes may be given by them, him, or her, or by their, his, or her Proxies or Proxy, constituted under the Seal of such Body Politic, Corporate or Collegiate, or the Hands of such other Person, every such Proxy being a Proprietor of the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes, as if such Principal had voted in Person; and every such Question, Matter, or Thing which shall be proposed, discussed, or considered in any stated or Special General Assembly of the said Company shall be determined by the Majority of Votes and Proxies then present, computing One Vote to every Share or Shares, the Appointment of which Proxies may be made according to the Form following:

Form of Proxy.

'I, *A. B.* of One of the Proprietors of
'I, "The Usk Tram Road," do hereby nominate, constitute, and ap-
'point *C. D.* of to be my Proxy, in my Name, and
'in my Absence, to vote or give my Assent or Dissent to any Business,
'Matter or Thing relating to the said Undertaking, that shall be men-
'tioned or proposed at any Assembly of the Company of Proprietors of the
'said Undertaking, in such Manner as the said *C. D.* shall think proper
'according to his Opinion and Judgment, for the Benefit of the said Un-
'dertaking, or any Thing appertaining thereto. In Witness whereof,
'I have hereunto set my Hand, the Day of .'

And that every Election of Committees and Officers, and Questions, Matters, and Things whatsoever, which shall be proposed, discussed, or considered, in any General or Special Assembly of the said Company, to be held by virtue of this Act, shall be finally determined by a Majority of Votes and Proxies then present, computing One Vote to every Share as aforesaid; and that at every such Assembly One of the Proprietors then present

preſent ſhall be appointed Chairman, who ſhall not only be entitled to vote as a Proprietor or Proxy, but in caſe of an Equality of Votes ſhall have the deciſive and caſting Vote: Provided always, nevertheleſs, that no Perſon ſhall have more than Three Votes in his, her, or their own Right, nor more than Five other Votes in Right of any Proxy or Proxies.

Proprietors may raiſe an additional Sum if neceſſary.

XXXVII. And be it further enacted, That in caſe the Money hereinbefore authorized to be raiſed ſhall be found inſufficient for the making, completing, and maintaining of the ſaid Tram Road, and other the Works hereby authorized to be made, and for defraying all neceſſary Charges and Expences relating thereto, then, and in ſuch Caſe, it ſhall be lawful for the ſaid Company to raiſe and contribute amongſt themſelves, in Manner and Form aforeſaid, and in ſuch Shares and Proportions as to them ſhall ſeem meet, or raiſe by the Admiſſion of new Subſcribers, any further or other Sum of Money for completing and perfecting the ſaid Undertaking, not exceeding the Sum of Three thouſand Pounds; and every Body Politic, Corporate or Collegiate, or other Perſon, being a Subſcriber towards raiſing ſuch further or other Sum of Money, ſhall be a Proprietor in the ſaid Undertaking, and ſhall have a like Vote, by themſelves, himſelf or herſelf, or their, his, or her Proxies or Proxy, in reſpect of every Fifty Pounds of the ſaid additional Sum ſo to be raiſed, and ſhall alſo be liable to ſuch Forfeitures, and ſtand intereſted in all the Profits and Powers of the ſaid Undertaking in Proportion to the Sum that he, ſhe, or they, ſhall or may ſubſcribe thereunto, as generally and extenſively, to all Intents and Purpoſes, as if ſuch further or other Sum hereby allowed to be ſubſcribed for and raiſed had originally been Part of the ſaid Sum of Six thouſand Pounds.

General Aſſembly.

XXXVIII. And be it further enacted, That the Firſt General Aſſembly of the ſaid Company for putting this Act into Execution ſhall be held at the *Three Salmons Inn*, in the Town of *Uſk*, in the ſaid County, upon the laſt *Tueſday* of *June* One thouſand eight hundred and fourteen, or as ſoon after as conveniently may be at the Hour of Twelve of the Clock at Noon, and all future General Aſſemblies of the ſaid Company (except ſuch General Aſſemblies as are herein-after mentioned) ſhall be held on the laſt *Tueſday* of *June* in every Year, at the Hour of Twelve, at ſuch Place or Places within the ſaid County as the ſaid Company at their preceding General Aſſembly ſhall from Time to Time direct or appoint, of which future General Aſſemblies, Fourteen Days previous Notice at the leaſt ſhall be given by public Advertiſement in ſome Newſpaper uſually circulating in the ſaid County, or in ſuch other Manner as the ſaid Company at their reſpective General Aſſemblies ſhall direct; and the ſaid Company at their reſpective General Aſſemblies ſhall chooſe and elect out of ſuch of the ſaid Proprietors, as at the Time of ſuch Election ſhall reſpectively be poſſeſſed in their own Right of Two Shares at the leaſt in the ſaid Undertaking, Seven Perſons, to be a Committee to manage the Affairs of the ſaid Company as herein directed; and the ſaid Company ſhall have Power and Authority at any ſuch General Aſſembly to remove and diſplace any Perſon or Perſons who ſhall have been choſen a Member or Members of ſuch Committee; or any Officer or Officers under them, to chooſe and elect others in Caſes of Death or other Vacancy, and to revoke, alter, amend or change any of the Rules and Directions which may have been preſcribed or laid down by virtue of this Act with regard to their Proceedings amongſt themſelves as

as they ſhall think proper (the Method of calling General or Special Aſſemblies, and their Time and Place of Meeting, and voting, and appointing Committees only excepted), and ſhall have Power and Authority to make ſuch Rules and Orders for the good Government of the ſaid Company, their Deputies, Servants, Agents, and Workmen; and the ſaid Committee, and their Servants, Agents and Workmen, and for the whole, complete, and total Superintendance, Regulation, Protection and Management of the ſaid Undertaking, and alſo for and concerning all ſuch Goods, Wares and Commodities as ſhall be conveyed thereon, and Perſons uſing the ſaid Tram Road, and alſo for the well governing of all Perſons who ſhall be employed in the conveying of any Goods, Wares, and Commodities, and other Articles and Things upon any Part of the ſaid Tram Road, and to declare any of the ſaid Rules and Orders ſo made to be a Bye Law or Bye Laws of the ſaid Company, and from Time to Time to alter and repeal the ſaid Bye Laws, Rules, Orders, and Regulations, as to the major Part of ſuch General Aſſembly ſhall ſeem meet; and alſo to impoſe and inflict ſuch reaſonable Fines and Forfeitures upon all Perſons who ſhall offend againſt the ſame, not exceeding the Sum of Five Pounds for any One Offence, ſuch Fines and Forfeitures to be levied and recovered by ſuch Ways and Means as herein-after is mentioned, which ſaid Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the ſaid Company, and printed, ſhall be binding upon and obſerved by all Parties, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame, provided that they be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Proviſions and Directions of this Act contained, or to any of them; and all ſuch Bye Laws, Rules, and Orders ſhall be ſubject to Appeal in Manner herein directed; and every ſuch General Aſſembly ſhall have Power to call for, audit, and ſettle all Accounts of Money received, laid out, and diſburſed on Account of the ſaid Undertaking by the Treaſurers, Receivers or Collectors of the Rates, and other Officers by them appointed, or by any other Perſon or Perſons whomſoever, employed by, or concerned for or under them, in and about the ſaid Undertaking, and the Works thereto belonging; but no Vote or Votes by Proxy ſhall be given, or have any Power in or to the Audit and Settlement of Accounts, and the ſaid General Aſſembly ſhall have Power to adjourn themſelves from Time to Time, to ſuch Place or Places in the ſaid County as they ſhall have Occaſion, for the further Execution of this Act.

General Aſſembly to conſiſt of Fifty Shares for chooſing Committees.

XXXIX. Provided always, and be it further enacted, That if at any General Aſſembly there ſhall not be Perſons preſent who ſhall be poſſeſſed of or entitled to at leaſt Fifty Shares in the ſaid Undertaking, either as Principals or Proxies, no Choice of a Committee, nor any Removal of a Perſon or Perſons from any ſuch Committee, nor any Election of any Perſon or Perſons in the room of ſuch of the Members of the ſaid Committee who ſhall die, or decline to act, ſhall be made, nor ſhall any Bye Law, Rule or Regulation be made, or altered at that Time; but in ſuch Caſe there ſhall be another Aſſembly of the ſaid Company of Proprietors at the ſame Place, at the Expiration of Three Weeks, and if a ſufficient Number of Proprietors as Principals, or by Proxies, ſhall not then attend, the ſaid General Aſſembly ſhall ſtand adjourned to that Day Fortnight next following, each of ſuch Meetings to be advertiſed in ſome Newſpaper uſually circulated in the ſaid County, and ſuch Choice, Removal, or new Appoint-

ment of any Member of any ſuch Committee ſo before appointed, ſhall then take place, and not before, and ſuch Committee, ſo before appointed, ſhall continue to act and have the ſame Powers as they had and were poſſeſſed of until a new Committee ſhall be appointed as aforeſaid; and in caſe of Failure of aſſembling a greater Number of Proprietors having ſuch Shares or Subſcriptions as Principals or Proxies, at ſuch Firſt General Aſſembly, every Proprietor who ſhall not attend ſuch Second Aſſembly in Perſon or by Proxy, ſhall forfeit to the ſaid Company of Proprietors for every Share or Subſcription of Fifty Pounds which he or ſhe ſhall poſſeſs in the ſaid Undertaking, the Sum of Twenty Shillings, to be deducted out of his or her next ſucceeding Payment of Intereſt or Dividends of the Profits of the ſaid Undertaking, as the Caſe may happen; and in caſe of no Intereſt or Dividends ſhall be payable to ſuch Perſon or Perſons making Default as aforeſaid, within Three Calendar Months next after the making of ſuch Default, then the Payment of the ſaid Forfeiture of Twenty Shillings may be recovered and enforced by the Ways and Means herein-after appointed for the Recovery of any of the Penalties or Forfeitures impoſed by this Act.

Aſſembly of Proprietors may be eſpecially convened.

XL. And be it further enacted, That if it ſhall at any Time appear that for the more effectually putting this Act into Execution, a Special General Aſſembly of the ſaid Company is or ſhall be neceſſary to be held, it ſhall be lawful for any Five or more of the ſaid Proprietors, who may each of them be poſſeſſed of or entitled unto Two Shares at leaſt in the ſaid Undertaking, to cauſe Twenty-one Days Notice at the leaſt to be given thereof, in ſome Newſpaper uſually circulating in the ſaid County, or in ſuch other Manner as the ſaid Company ſhall at any General Aſſembly direct or appoint, ſpecifying in ſuch Notice the Reaſon and Intention of requeſting ſuch Special Aſſembly, (which ſhall be held at *Uſk*) and the Time when the ſame ſhall be held; and the ſaid Proprietors are hereby authoriſed to meet purſuant to ſuch Notice, and ſuch of them as ſhall be preſent, ſhall proceed to the Execution of the Powers by this Act given to the ſaid Company with reſpect to the Matters ſo ſpecified only, and all and every ſuch Act and Acts of the Proprietors, or the major Part of them, met together at every ſuch Special General Aſſembly, ſhall be as valid with reſpect to the Matters ſpecified in ſuch Notice, as if the ſame had been done at a General Aſſembly.

General Aſſembly to appoint Officers.

XLI. And be it further enacted, That it ſhall be lawful for the ſaid Company at any General Aſſembly, and they are hereby authorized and required from Time to Time to nominate and appoint a Treaſurer or Treaſurers, and One or more Collector or Collectors of the ſaid Rates, and alſo One or more Clerk or Clerks to the ſaid Company, and alſo to ſuch Committee, and ſuch other Officers as they ſhall think proper, with ſuch Salaries or Salary, or Remuneration, as ſhall to the ſaid Committee ſeem proper, and ſhall take ſufficient Security from every ſuch Treaſurer or Treaſurers, Collector or Collectors, Clerk or Clerks, or other Officers having the Care or Cuſtody of any Money to be raiſed or received by virtue of this Act, for the due Execution of their reſpective Offices as the ſaid Company ſhall think proper, and from Time to Time to remove any ſuch Treaſurer or Treaſurers, Collector or Collectors, Clerk or Clerks, or other Officer or Officers, or any of them; and ſuch Clerk or Clerks ſhall attend the General Aſſemblies of the ſaid Company, and the Meetings of the ſaid Committee, and ſhall in a proper Book or Books, to be provided

provided by the ſaid Company for that Purpoſe, enter and keep a true and perfect Account of the Names and Places of Abode of the ſeveral Proprietors of the ſaid Undertaking, and of the ſeveral Perſons who ſhall from Time to Time become Owners and Proprietors of, or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Tranſactions of the ſaid Company and Committee reſpectively; and every Proprietor of the ſaid Undertaking ſhall and may, at all convenient Times, have Recourſe to and peruſe and inſpect the ſame, and alſo the Book or Books to be kept by the Clerk or Clerks to the ſaid Commiſſioners, *gratis*, and may demand and have Copies thereof, or any Part thereof, paying for every One hundred Words ſo to be copied, the Sum of One Shilling; and if any ſuch Clerk or Clerks to the ſaid Company and Committee, or to the Commiſſioners, ſhall refuſe to permit any Proprietor to inſpect or peruſe any ſuch Book or Books of Proceedings, at all convenient Times and Seaſons, or refuſe to make any ſuch Copy or Copies, in a reaſonable Time, at the Rate or Price aforeſaid, he ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds, for the Benefit of the ſaid Undertaking; and in caſe any ſuch Treaſurer, Collector, or Clerk, ſhall die, be removed from, or quit the Service of the ſaid Company, it ſhall be lawful for the ſaid Company, at their ſaid ſtated or Special General Aſſemblies, or for the Committee of the ſaid Proprietors, to appoint any other fit Perſon or Perſons to execute ſuch Office or Offices in the place of ſuch Perſon or Perſons who ſhall ſo die, be removed from, or quit the Service of the ſaid Proprietors, or of the ſaid Committee; but in caſe any ſuch new Appointment be made by the ſaid Committee, the ſame ſhall only continue until the next ſtated or Special General Aſſembly of the ſaid Proprietors, when the Appointment of ſuch Perſon or Perſons to ſuch reſpective Office or Offices, ſhall either be confirmed, or ſuch other fit Perſon or Perſons appointed to ſucceed to ſuch Office or Offices, as the ſaid Proprietors, at ſuch ſtated or Special General Aſſembly, ſhall think proper; all which Acts of the ſaid Committee ſhall be concluſive, unleſs revoked by the General Aſſembly holden next after ſuch Acts as aforeſaid.

Powers of the Committee, and Regulations.

XLII. And be it further enacted, That no Member of the ſaid Committee (although he may be a Proprietor of many Shares in the ſaid Undertaking) ſhall have more than One Vote in any Committee, except the Chairman, who, in caſe of an equal Diviſion, ſhall always have a Second or Caſting Vote, although he may have given One Vote before; and every ſuch Committee ſhall keep a regular Minute and Entry of their Proceedings, and from Time to Time make Reports of their Proceedings to the ſaid ſtated General Aſſemblies, and if required, to the ſaid Special General Aſſemblies of the Proprietors, and ſhall obey their Orders and Directions; but no Perſon holding any Place, Office, or Employment under the ſaid Company, ſhall be capable of being choſen to ſerve on any ſuch Committee, during the Time of his Continuance in ſuch Place, Office, or Employment; and in order to defray the Expences of their Meetings, the ſaid Committee ſhall from Time to Time receive out of the Capital Stock of the ſaid Proprietors ſuch Sum or Sums of Money as ſhall be directed, adjuſted, and ſettled at ſuch ſtated General Aſſemblies; and the ſaid Committee (ſubject nevertheleſs, at all Times, to ſuch Orders and Directions as aforeſaid) ſhall, by themſelves, or their Clerk or Clerks as aforeſaid, keep a full and true Account of all Monies diſburſed, and Payments made by the ſaid Committee, and by all and every Perſon and Perſons

ſons employed by or under them, and of all and every Sum and Sums of Money which they ſhall receive on Behalf of, or in reſpect of ſuch Undertaking, from any Collector or Collectors of the ſaid Rates, or other Officer or Officers, or from any other Perſon or Perſons whomſoever, employed in, or having any Concerns, Dealings, or Tranſactions with the ſaid Undertaking, or in or with any Part or Parts thereof, and ſhall regularly, by themſelves, or their Clerk or Clerks as aforeſaid, write, inſert, and enter in a Book or Books to be from Time to Time provided at the Expence of the ſaid Company for that Purpoſe, Notes, Minutes, or Copies, (as the Caſe ſhall require) of every ſuch Contract, Bargain, Receipt and Diſburſement, and of all other their Orders and Proceedings, which Book or Books ſhall be depoſited with and kept locked up under the Care and Direction of the ſaid Committee; (provided always, that every Proprietor, upon every reaſonable Deſire, ſhall have free Acceſs thereto, as herein-before mentioned, for his or their Inſpection); and the ſaid Committee ſhall have Power, from Time to Time, to make ſuch Call or Calls of Money from the Subſcribers to and Proprietors of the ſaid Undertaking, to defray the Expences of or to carry on the ſame, as they from Time to Time ſhall find wanting and neceſſary for thoſe Purpoſes, ſo that no ſuch Call ſhall exceed the Sum of Ten Pounds upon each Share which any Perſon or Perſons ſhall or may be poſſeſſed of or entitled unto in the ſaid Undertaking; and ſuch Calls ſhall not be made but at the Diſtance of Two Months at the leaſt from each other, and Twenty-one Days Notice at the leaſt ſhall be given of all ſuch Calls as aforeſaid, by Advertiſement in ſome Newſpaper uſually circulating in or next adjoining the ſaid County; which Monies ſo called for, ſhall be paid to ſuch Perſon and Perſons, and in ſuch Manner as the ſaid Committee ſhall from Time to Time appoint and direct, for the Uſe of the ſaid Undertaking; and ſuch Committee ſhall, until the next General Aſſembly to be holden in Manner aforeſaid, meet at ſuch Times and at ſuch Places, and from Time to Time adjourn themſelves to ſuch other Time as they ſhall think fit, at *Uſk* aforeſaid; and at all Meetings of the ſaid Committee, One of the Members preſent ſhall be appointed Chairman, and all Queſtions, Matters, and Things which ſhall be propoſed, diſcuſſed, or conſidered at ſuch Meetings, ſhall be finally determined by the Majority of Votes then preſent, the whole Number preſent not being in any Caſe leſs than Three; and ſuch Committee ſhall have full Power and Authority to direct and manage all and every the Affairs of the ſaid Company, as well in contracting for and purchaſing Meſſuages, Tenements, and other Hereditaments, and Materials for the Uſe of the ſaid Undertaking, as in employing, ordering, and directing the Works and Workmen, and in placing and diſplacing Officers, Clerks, Servants, Agents, and Workmen, and in making all Contracts and Bargains, touching the ſaid Undertaking; and every Owner or Owners of any Share or Shares in the ſaid Undertaking, ſhall pay his, her, or their rateable Proportions of the Monies to be called for as aforeſaid, to ſuch Perſon or Perſons, and at ſuch Time and Place as the ſaid Committee ſhall from Time to Time direct and appoint; and if any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their rateable or proportionable Part or Share of the ſaid Money ſo called for as aforeſaid, at the Time and Place ſo to be appointed as aforeſaid, it ſhall be lawful for the ſaid Company to ſue for and recover the ſame, in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Wager, or Protection of Law, or more than

Power of Committee to make Calls.

One Imparlance ſhall be allowed; or the ſaid Company may, and they are hereby authorized at a General Aſſembly, to declare the Shares belonging to any Perſon refuſing or neglecting to pay any ſuch Calls in Manner aforeſaid, to be forfeited to and for, and for the Uſe and Benefit of the other Proprietors of the ſaid Undertaking; and all ſuch Forfeitures ſhall be ſold at a public Sale, by the ſaid Company, for the moſt Money that can be gotten for the ſame, and the Produce thereof ſhall be equally divided amongſt the reſt of the ſaid Company, in Proportion to their reſpective Shares and Intereſts in the ſaid Undertaking: Provided nevertheleſs, that no Advantage ſhall be taken of any Forfeiture of any Share or Shares in the ſaid Undertaking, until perſonal Notice, in Writing under the Hand of the Clerk or Treaſurer of the ſaid Company, ſhall have been given to, and Notice left at the uſual Place or Places of Abode of the Owner or Owners of ſuch Share or Shares reſpectively, nor until the ſame Share or Shares ſhall have been declared to be forfeited at ſome ſtated or Special General Aſſembly of the ſaid Company, which ſhall be held after the End of Three Calendar Months from the Day on which ſuch Notice of Forfeiture ſhall have been given.

No Advantage to be taken of Forfeiture of Shares without perſonal Notice.

XLIII. And be it further enacted, That in any Action to be brought by the ſaid Company, againſt any Owner or Owners of any Share or Shares in the ſaid Undertaking, to recover any Sum or Sums 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 alledge that the Defendant or Defendants, being a Proprietor or Proprietors of ſuch or ſo many Share or Shares in the ſaid Undertaking, is or are indebted to the ſaid Company, in ſuch Sum or Sums of Money as the Call or Calls in Arrear ſhall amount to, for ſuch and ſo many Call or Calls of ſuch or ſo many Sum or Sums of Money, upon ſuch or ſo many Share or Shares belonging to the ſaid Defendant or Defendants (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 or Defendants, at the Time of making ſuch Call or Calls, was or were a Proprietor or Proprietors of ſome Share or Shares in the ſaid Undertaking, and that ſuch Call or Calls was or were in fact made, and that ſuch Notice thereof was given, as is directed by this Act, without proving the Appointment of the Committee who made ſuch Call or Calls, or any other Matter whatſoever; and the ſaid Company ſhall thereupon be entitled to recover what ſhall appear due, unleſs it ſhall appear that any ſuch Call exceeded Ten Pounds for every Sum of Fifty Pounds, or was made within the Diſtance of Two Months from the laſt preceding Call, or without Notice given in any Newſpaper as aforeſaid.

Proceedings in Actions of Calls.

XLIV. And be it further enacted, That it ſhall be lawful for the ſeveral Proprietors of the ſaid Undertaking, and his, her, or their reſpective Executors or Adminiſtrators, from and after Payment of the Sum of Twenty-five Pounds *per Centum*, by him, her, or them, on his, her, or their Share or Shares in the ſaid Subſcription, but not before, to ſell and diſpoſe of any Share or Shares to which he, ſhe, or they ſhall be entitled therein, ſubject to the Rules and Conditions herein mentioned and provided; and the Form of Conveyance of Sales ſhall be in the following Words, or to the like Effect,

Shares may be ſold.

Effect, (varying the Names and Descriptions of the contracting Parties, as the Case may require);

Form of Conveyance.

'I *A. B.* of in Consideration of
'paid to me by *C. D.* of do hereby bargain, sell,
'assign, and transfer to the said *C. D.* the Sum of
'Capital Stock of and in the Undertaking called *The Usk Tram Road*,
'to hold unto the said *C. D.* his Executors, Administrators, and Assigns,
'subject to the same Rules, Orders, and Regulations, and on the same
'Conditions that I held the same immediately before the Execution hereof;
'and I the said *C. D.* do hereby agree to take and accept of the said
'Capital Stock or Share of subject to the same
'Rules, Orders, Restrictions, and Conditions. As Witness our Hands
'and Seals, the Day of '

And on every such Sale the said Deed or Conveyance (being executed by the Seller or Sellers, and the Purchaser or Purchasers of such Share or Shares) shall be kept by the said Purchaser or Purchasers, for his, her, or their Security, after the Clerk or Clerks to the said Company shall have entered in a proper Book or Books to be kept for that Purpose, a Memorial of such Transfer and Sales, for the Use of the said Company, and have testified and indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Five Shillings shall be paid for each Share so transferred, and the said Clerk or Clerks is or are hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote or Votes in respect thereof, as a Proprietor or Proprietors of the said Undertaking.

After a Call no Share to be sold until such Call shall be paid.

XLV. And be it further enacted, That after any such Call of such Money shall have been made by such Committee as aforesaid, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, although Twenty-five Pounds *per Centum* shall have been paid thereon, on pain of forfeiting his, her, or their respective Share or Shares therein, to the said Company, in Trust for the Benefit of all the said Proprietors, unless he, she, or they at the Time of such Sale or Transfer shall have paid or discharged to the Treasurer of the said Company the whole and entire Sum of Money which shall have been called for in respect of each Share so sold or transferred, such Forfeiture nevertheless to be notified and declared at a General Assembly in Manner before directed.

Names of Proprietors to be entered, and Tickets of their Shares to be delivered to them.

XLVI. And for the better Security of the several Proprietors of the said Undertaking to their respective Shares therein, be it further enacted, That the said Company shall, and they are hereby required, at their first or some subsequent General Assembly, to cause the Names and proper Additions of the several Persons who shall then be entitled to the Shares in the said Undertaking, with the Number of the Shares, or the Amount of all the Subscriptions which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk of

the ſaid Company, and after ſuch Entry to cauſe their Common Seal to be affixed thereto; and alſo ſhall cauſe a Ticket or Inſtrument, with the Common Seal of the ſaid Company to be affixed thereto, to be delivered to every ſuch Subſcriber on Demand, ſpecifying the Share or Shares to which he, ſhe, or they is or are entitled in the ſaid Undertaking, every ſuch Proprietor paying to the Clerk Five Shillings and no more for every ſuch Ticket or Inſtrument, and ſuch Ticket or Inſtrument ſhall be admitted in all Courts whatſoever as Evidence of the Title of ſuch Subſcriber, his or her Executors, Adminiſtrators and Aſſigns, to the Share or Shares therein ſpecified, but the Want of ſuch Ticket or Inſtrument ſhall not hinder or prevent the Owner of any of the ſaid Shares from ſelling or diſpoſing thereof, and which ſaid Ticket or Inſtrument may be in the Words or to the Effect following; *videlicet*,

Form of Ticket.

'THE USK TRAM ROAD COMPANY.'

'Number

'THESE are to certify, That *A. B.* of is a 'Proprietor of the Share or Number being One Share 'of the ſubject to the Rules, Regulations, and 'Orders of the ſaid Company, and that the ſaid *A. B.* his (or her) Exe- 'cutors, Adminiſtrators, (or Succeſſors) and Aſſigns, is and are entitled 'to the Profits and Advantage of ſuch Share. Given under the Common 'Seal of the ſaid Company, the Day of 'in the Year .'

Power to take Rates.

XLVII. And in Conſideration of the great Charge and Expence which the ſaid Company muſt incur and ſuſtain in making and maintaining the ſaid Tram Road, and other Works hereby authorized to be made and maintained; be it further enacted, That it ſhall be lawful for the ſaid Company, from Time to Time and at all Times hereafter, to aſk, demand, take, recover, and receive to and for the Uſe and Benefit of the ſaid Company, the ſeveral Rates herein-after mentioned, for the Tonnage of all Coal, Lime, Limeſtone, Timber, Merchandize, and other Goods, Matters, and Things whatſoever, which ſhall be carried or conveyed upon any Part of the ſaid Tram Road; that is to ſay,

Rates.

For Coal, not exceeding the Sum of Three-pence *per* Ton *per* Mile:

For all Dung, Compoſt, Limeſtone, and all Sorts of Manure, and alſo Materials for the Repair of Roads, not exceeding Two-pence *per* Ton *per* Mile:

For all Lime, Chalk, Marl, Aſhes, Peat, Clay, Bricks, and Sand, not exceeding Three-pence *per* Ton *per* Mile:

For all Cinders, Coke, Culm, and Charcoal, Tin, Copper, Lead, Ore, Lead in Pigs or Sheets, Iron, Stone, or Ore, Iron in Pigs, Bar Iron, Tiles, Slates, Flagſtones, and other Stones, not exceeding Four-pence *per* Ton *per* Mile:

And for all Timber and other Goods, Wares, Merchandize, and Things whatſoever, not exceeding Sixpence *per* Ton *per* Mile:

Which ſaid reſpective Rates, to be fixed as aforeſaid, ſhall be the ſame along the whole Line of the ſaid Tram Road; and in all Caſes where there ſhall be a Fraction of a Ton, a Proportion of the ſame Rates ſhall be demanded and taken for ſuch Fraction, according to the Number of Quarters of

of a Ton contained in such Fraction, and where there shall be a Fraction of a Quarter of a Ton, such Fraction shall be demanded and considered as the whole Quarter of a Ton; and in all Cases where there shall be a Fraction of a Mile in the Distance which any Waggon, Cart or other Carriage, shall pass upon the said Tram Road, the Tonnage which shall be demanded and taken, shall be after the Rate of the Number of Quarters of Miles which the said Waggon, Cart or other Carriage, shall have passed; and where there shall be a Fraction of a Quarter of a Mile, such Fraction shall be deemed and considered as a Quarter of a Mile; and in order to ascertain and calculate, with greater Precision and Facility, the Distance for which Tonnage shall be demanded and taken upon the said Tram Road, the said Company of Proprietors shall cause the said Tram Road to be measured, beginning at *Cross-yn-y-pant* aforesaid, and Stones or other conspicuous Marks to be set up and for ever maintained, at the Distance of One Quarter of a Mile from each other, with proper Inscriptions, and whenever any Waggon shall have passed One or more of such Stones or Marks, or the Place where the same shall have been set up, such Waggon shall be deemed to have passed One or more Quarters of a Mile along the said Tram Road and Tonnage for such Distance shall be due and payable, although the Distance actually travelled be more or less than is thus computed.

Company empowered to take Toll for Horses, &c. passing on Tram Road.

XLVIII. And be it further enacted, That it shall and may be lawful to and for the said Company, from Time to Time and at all Times, for ever, to ask, demand, take, and receive, to and for their own proper Use and Benefit, the several further Tolls following; (that is to say),

For every Horse, Mare, Gelding, Colt, Mule, Ass, or other Beast, (not carrying or drawing any Goods, Wares, or Merchandize, in respect whereof a Rate, Toll, or Duty, is herein-before made payable), which shall or may go or travel upon the said Tram Road, and shall pass through or by any Stop-gate, or any other Gate or Toll-house, to be erected upon or across the same, by the said Company of Proprietors, or their Successors, and before such Horse, Mare, Gelding, Colt, Mule, Ass, or other Beast, shall be permitted to pass through or by the same, any Sum not exceeding Three-pence:

For all Cows, and horned or Neat Cattle, (except Sheep and Swine), which shall or may go or be driven loose upon the said Tram Road, and shall pass through or by any such Stop Gate, or other Gate or Toll House as aforesaid, and before such Cows and horned or Neat Cattle shall be permitted to pass through or by the same, any Sum not exceeding One Penny each:

For all Swine and Sheep, any Sum not exceeding One Shilling *per* Score.

And for all Waggons and Carriages carrying Persons for Hire upon or along the said Tram Road, any Sum not exceeding One Penny *per* Mile for each Passenger or Person so travelling in such Waggon or Carriage, upon or along the said Tram Road.

Collector of such Tolls to deliver Tickets.

XLIX. Provided always, and be it further enacted, That the Collector or other Person appointed by the said Company to receive the said last-mentioned Tolls, shall, on Payment thereof, give or deliver to the Person or Persons paying the same a Ticket, specifying the Day when, and the Number of Horses, or other Beasts or Cattle, and of Persons travelling, for

for which the ſame ſhall be paid, and that ſuch laſt-mentioned Tolls ſhall not be demanded or taken, or be payable, more than once in every One Day, upon ſuch Line of Tram Road, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night), for the ſame Horſe, Mare, Gelding, Colt, Mule, Aſs, Cow, or horned or Neat Cattle, Pigs, Sheep, or other Beaſt, or Paſſengers, which ſhall paſs or repaſs through or by all or any of the Stop-gates, or other Gates or Toll-houſes, to be erected upon or acroſs ſuch Tram Road, ſo that the Perſon or Perſons who ſhall be travelling with or attending ſuch Horſe, Mare, Gelding, Colt, Mule, Aſs, or horned or Neat Cattle, Pigs, or Sheep, or other Beaſt, Waggon, or Carriage, do and ſhall produce to the Collector, or other Perſon appointed by the ſaid Company to receive ſuch Tolls at every ſuch Stop-gate or other Gate or Toll-houſe, through or by which the ſame ſhall paſs or repaſs (if demanded) the Ticket which he, ſhe, or they ſhall have received at the Stop-gate or other Gate or Toll-houſe on the ſame Tram Road, at which he or they ſhall have already paid ſuch Toll.

Payment of Rates, and Recovery thereof.

L. And be it further enacted, That the Rates hereby authorized to be taken, ſhall be paid to ſuch Perſon or Perſons, at ſuch Place or Places, at or near the ſaid Tram Road, in ſuch Manner, and under ſuch Regulations as the ſaid Company, at their General Aſſembly or Aſſemblies, ſhall direct or appoint; and in caſe of Denial or Neglect of Payment of any ſuch Rates, or any Part thereof, on Demand, to the Perſon or Perſons appointed to receive the ſame as aforeſaid, the ſaid Company may ſue and recover the ſame by Action of Debt, or upon the Caſe, in any of His Majeſty's Courts of Record, or the Perſon or Perſons to whom ſuch Rates ought to have been paid, may, and he or they is and are hereby empowered to ſeize the Goods or other Things, for or in reſpect whereof any ſuch Rates ought to have been paid, or any Part thereof, and the Waggon or other Carriage laden therewith, and to detain the ſame until ſuch Payment ſhall be made, and alſo until Payment of all Arrears of the ſaid Rates which may be due from the Owner or Owners of ſuch Waggon or other Carriage to the ſaid Company, together with reaſonable Charges for ſuch Seizure and Detention, and if ſuch Goods ſhall not be redeemed within Seven Days next after the taking thereof, the ſame ſhall be appraiſed and ſold as the Law directs in caſe of Diſtreſs for Rent; and the ſaid Company ſhall have full Power, from Time to Time, at any General Aſſembly, to lower or reduce all or any of the ſaid Rates, and again to raiſe the ſame as they ſhall think proper, not exceeding the Rates herein-before mentioned, as often as it ſhall be deemed neceſſary for the Intereſt of the ſaid Undertaking.

Power to fix the Price of ſmall Parcels.

LI. And be it further enacted, That it ſhall be lawful for the ſaid Company from Time to Time, at any General Aſſembly, (with the Conſent of the major Part of the ſaid Commiſſioners preſent at any General Meeting of the ſaid Commiſſioners), to aſcertain and fix the Price or Sum or Sums of Money to be charged or taken for the Carriage of any Parcel (not exceeding Five hundred Pounds Weight) upon the ſaid Tram Road, or upon any Part thereof; and the ſaid Company ſhall from Time to Time cauſe to be printed and affixed upon any public Wharf, on the ſaid Tram Road, in ſome conſpicuous Place, a Liſt or Account aſcertaining and particularizing the Price or Sum or Sums of Money ſo to be charged or taken for the Carriage of ſuch Parcels as aforeſaid, and in caſe any Owner or other

Perſon having the Care of any Waggon or other Carriage paſſing upon the ſaid Tram Road, or upon any Part or Parts thereof, after ſuch Liſt or Account ſo aſcertaining and particularizing the Price, or Sum or Sums of Money at which every ſuch Parcel ſhall be ſo carried and conveyed, ſhall be ſo fixed up as aforeſaid, ſhall demand, or take for the Carriage of any ſuch Parcel as aforeſaid, more than the Price or Sum or Sums of Money in ſuch Liſt or Account aſcertained and particularized for that Purpoſe, ſuch Owner or other Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings at the Diſcretion of the Magiſtrates before whom ſuch Perſon ſhall be convicted.

Company empowered to leaſe the Tolls.

LII. And be it further enacted, That it ſhall be lawful for the ſaid Company, and they are hereby authorized and empowered, at any of their General Aſſemblies, by Writing under their Common Seal, at any Time or Times to let to farm the Rates and Tolls hereby made payable, or any Part or Parts thereof, from the whole, or any Part or Parts of the ſaid Tram Road, unto any Perſon or Perſons, for any Term or Time which they ſhall think proper, not exceeding Three Years from the Commencement of any Leaſe, and every ſuch Leaſe ſhall be valid and effectual to the Leſſee or Leſſees thereof, and alſo ſuch Perſon or Perſons as ſuch Leſſee or Leſſees, ſhall appoint to collect and receive the Rents and Tolls ſo let, ſhall, during the Continuance of ſuch Leaſe be deemed Collectors of the Rates ſo let, but for the proper Uſe of ſuch Leſſee or Leſſees, and ſhall have the ſame Power and Authority for collecting and recovering the ſame, as if they had been appointed for that Purpoſe by the ſaid Company of Proprietors, provided public Notice of the Intention to let the ſaid Rates and Tolls, or any Part thereof, be given in Writing by the ſaid Committee, or any Three or more of them, or by the Clerk of the ſaid Company by Advertiſement publiſhed in ſome Newſpaper uſually circulating in the ſaid County, at leaſt One Month prior to any ſuch General Aſſembly, at which the ſaid Rates and Tolls, or any Part thereof, are propoſed to be let as aforeſaid.

Tram Road to be free upon Payment of Rates under certain Reſtrictions.

LIII. And be it further enacted, That all Perſons whomſoever ſhall have free Liberty to uſe with Horſes, Cattle, and Carriages, the Roads, Ways, and Paſſages for the Purpoſes of conveying any Timber, Goods, Wares, Merchandize, and other Things to or from the ſaid Tram Road, and every Part thereof, and alſo to paſs upon and uſe the ſaid Tram Road, with Waggons and other Carriages, Horſes and other Cattle, and to employ the ſaid Wharfs for loading and unloading ſuch Merchandize, Timber, and other Goods, and Things, upon Payment of ſuch Rates as ſhall be demanded by the ſaid Company, not exceeding the reſpective Sums herein mentioned, and ſubject to the Rules and Regulations which ſhall be from Time to Time made by the ſaid Company by virtue of the Powers herein granted, provided the ſaid Waggons or other Carriages ſhall not, without the Licence and Conſent of the ſaid Company or their General Committee, paſs upon the ſaid Tram Road, at any other Times than between the Hours of Ten in the Morning and Five in the Evening, during the Months of *November*, *December*, *January*, and *February*, and between the Hours of Five in the Morning and Eight in the Evening, during the Months of *March*, *April*, *September*, and *October*, and between the Hours of Four in the Morning and Ten in the Evening, during the Months of *May*, *June*, *July*, and *Auguſt* in every Year.

LIV. And

No Waggons, &c. to paſs, unleſs conſtructed as directed by the Company.

LIV. And be it further enacted, That no Perſon or Perſons whomſoever ſhall paſs upon any Part of the ſaid Tram Road with any Waggon or other Carriage whatſoever, unleſs the ſame be conſtructed agreeably to the Orders and Regulations of the ſaid Company, which Orders and Regulations ſhall be affixed upon a conſpicuous Part of every Toll-houſe erected on ſuch Tram Road, for the collecting of the Rates and Tolls by this Act impoſed (except in croſſing the ſaid Tram Road, for the convenient Occupation of the adjacent Grounds, or in paſſing any public or private Carriage Road which may happen to croſs the ſaid Tram Road); and if any Perſon or Perſons whomſoever ſhall paſs upon any Part of the ſaid Tram Road, with any Waggon or other Carriage, not conſtructed in the Manner herein-after directed (except as aforeſaid), he, ſhe, or they ſo offending, ſhall, for every ſuch Offence, forfeit to the ſaid Company, any Sum not exceeding Ten Pounds.

Owners of Waggons and other Carriages to give Account of their Loadings.

LV. And for the better aſcertaining, and more eaſy and effectual collecting of the ſaid Rates hereby directed to be paid to the ſaid Company, be it further enacted, That the Owner or other Perſon or Perſons having the Care of any Waggon or other Carriage paſſing upon the ſaid Tram Road, or upon any Part or Parts thereof reſpectively, ſhall give to the Collector of the Rates, or to any other Officer to be appointed for ſuch Purpoſe, a juſt Account in Writing, ſigned by him or them, of the Quantities, Qualities, and Weight of the Goods and other Things which ſhall be put in or upon each ſuch Waggon or other Carriage from whence brought, and where the ſame is intended to be unladen and diſcharged, and if the Goods or other Things contained in any ſuch Waggon or other Carriage ſhall be liable to the Payment of different Rates, then ſuch Owner or other Perſon or Perſons ſhall ſpecify the Quantities liable to the Payment of each of the ſaid Rates, and in caſe he or they ſhall neglect or refuſe to give and deliver ſuch an Account, or ſhall refuſe to produce his or their Bill of Lading, to the Officer demanding the ſame, or ſhall with an Intent to avoid the Payment of the ſaid Rates or Duties, or any Part of them, give a falſe Account, or ſhall deliver out any Part of ſuch Goods, at any other Place or Places than what is or are mentioned in ſuch Bill of Lading, and ſhall be thereof convicted before any Juſtice of the Peace for the ſaid County, every ſuch Perſon ſo offending ſhall, for every ſuch Offence forfeit and pay to the ſaid Company, or their Succeſſors, any Sum not exceeding Ten Pounds, over and above the Rate, Toll, or Duty, to which ſuch Articles or Things are liable.

Owners to put their Names on the Outſide of their Waggons.

LVI. And be it further enacted, That the Owner or Owners of any Waggon or other Carriage paſſing along the ſaid Tram Road ſhall cauſe his, her, or their Name or Names, and Place or Places of Abode, and the Number of his, her, or their Waggon or other Carriage, to be entered with the Clerk or Clerks of the ſaid Company, and ſhall alſo cauſe ſuch Name or Names and Number to be painted in large White Capital Letters and Figures on a Black Ground, Three Inches high at the leaſt, and of a proportionable Breadth, on ſome conſpicuous Part of the Outſide of every ſuch Waggon or other Carriage, and ſhall permit and ſuffer every ſuch Waggon or other Carriage to be gauged, weighed, and meaſured at the Expence of the ſaid Company, whenever it ſhall be required by them, or any Perſon or Perſons by them appointed for that Purpoſe; and every Owner or Owners, or other Perſon having the Care of any Waggon or other Carriage, or who ſhall convey the ſame upon the ſaid Tram Road, without having ſuch Waggon or other Carriage previouſly gauged, weighed, and regiſtered,

registered, or without having such Names, Figures, and Indexes thereon respectively, as herein-before directed, or who shall alter, erase, deface, or destroy such Names, Figures, and Index, or either of them, or any Part thereof, or shall fix thereon any false Name, Figure, or Index, or who shall refuse to permit and suffer such Waggon or other Carriage to be gauged, weighed, and measured, shall for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Owners of Waggons to be accountable for Damage done by their Servants.

LVII. And be it further enacted, That the Owner or Owners of any Waggon or other Carriage passing upon the said Tram Road, shall be, and he and they is and are hereby respectively made answerable for any Trespasses, Damage, Spoil, or Mischief, that shall be done by his, her, or their Waggon or other Carriage, or by any of the Waggoners or other Person or Persons belonging to or employed in or about the same respectively, to the said Tram Road, Bridges, Engines, and other Works or Conveniences made by virtue of this Act, either by the loading or unloading of any Waggon or other Carriage, or by any Means whatsoever, or to the Owners or Proprietors of any Building or other Erection, Lands, Tenements, or Hereditaments, adjoining or lying near the same, or any other Trespass whatsoever; and the said Owner or Owners of such Waggon or other Carriage shall, for every such Damage, upon Conviction of such Person or Persons before any One Justice of the Peace, either by the Confession of the Party or Parties offending, or upon Oath or Oaths of One or more credible Witness or Witnesses, (which Oath or Oaths such Justice is hereby empowered and required to administer) pay the Person or Persons injured the Damages to be ascertained by such Justice, provided that such Damages do not exceed the Sum of Ten Pounds, and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Five Pounds, and all the Costs, Charges, and Expences attending such Conviction, which Damages, Penalties, and Costs, shall be levied by Distress and Sale of the Goods and Chattels of the Owner or Owners of any such Waggon or Carriage, by Warrant or Warrants under the Hand and Seal of such Justice, and the Overplus (if any) after such Penalty, Damages, and the Costs and Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner or Owners of such Goods and Chattels; or if the Damages shall exceed the Sum of Ten Pounds, then and in such Case the Owner or Owners of such Waggon or other Carriage may be sued or prosecuted for the same in any of His Majesty's Courts of Record, and if a Verdict or Judgment shall be given against him either in Proof made or by Default, or upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained, with full Costs of Suit; and if the Owner or Owners of any Waggon or other Carriage passing upon the same Tram Road shall be compelled to make any Satisfaction for any Damages by reason of any wilful Act, Neglect, or Default of his or their Servant or Servants, or Waggoners, then and in such Case every such Servant or Waggoner shall be liable to repay such Satisfaction for Damages, with the Costs attending the same, to such Owner or Owners, and in case of Non-payment thereof on Demand, the same shall be recovered in like Manner as any Penalty can or may by virtue of this Act be recovered.

Allowing the Owners of Lands adjoining the

LVIII. And be it further enacted, That nothing herein contained shall extend to prevent the Owners and Occupiers of the respective Lands or Grounds adjoining the said Tram Road from laying down any collateral

Branch or Branches from their respective Lands or Grounds, to communicate with the said Tram Road, nor from making at their own Expence such Openings in the Lodges or Flanches of the said Tram Road as may be necessary and convenient for effecting such Communication, and that the said Company shall not receive any Tonnage for the passing of any Goods or other Things along such Branch or Branches.

Tram Road to make Branches to communicate therewith.

LIX. And be it further enacted, That full Recompence and Satisfaction shall be made by the said Company for all the Tithes, both Great and Small, which would have been issuing from or out of any of the Lands which shall or may be taken or made use of by the said Company for the Purposes and in pursuance of the Powers of this Act, to the respective Persons entitled, or who would have been entitled to such Tithes, in case such Lands should not have been so taken and made use of, according to their respective Interests therein, such Tithes to be estimated at their Value of Four Years, commencing at *Michaelmas Day* One thousand eight hundred and nine, such average Value to be ascertained, in case of any Difference concerning the same, in like Manner as the Value of any Lands or other Hereditaments is herein-before directed to be ascertained.

Satisfaction to be made for Tythes.

LX. And be it further enacted, That the Lord or Lords, Lady or Ladies of any Manor or Manors, (upon the Wastes only) and the Owner or Owners of any Lands or Grounds, through or by which the said Tram Road shall be made by virtue of this Act, may build, construct, or use any Wharfs, Cranes, Weighbeams, or Warehouses, in or upon his or their respective Wastes, Lands, or Grounds adjoining to the said Tram Road, and may make and use proper convenient Places for Waggons and other Carriages to lie, turn in, and pass by each other, so that in making, constructing, or using thereof respectively, do not obstruct or prejudice the using of the said Tram Road; and all Rates which shall be paid for the Use and Benefit of the said Wharfs, Cranes, Weighbeams, and Warehouses respectively, shall be subject to the Power herein contained, for the said Commissioners to limit and make Regulations of and concerning such Rates of Wharfage, and are hereby vested in such Lord or Lords, Lady or Ladies of such Manor or Manors, or in the Owner or Owners of such Lands, Grounds, or Wastes, who shall make, construct, and erect the same respectively as aforesaid, and his and their Representatives.

Lords of Manors and Land Owners may erect Wharfs, &c.

LXI. And be it further enacted, That if any Person or Persons shall suffer the loading of any Waggon or other Carriage using the said Tram Road, to be over the Sides thereof, or shall overload any Waggon or other Carriage, or shall leave, place, or suffer any Waggon or other Carriage to be left or remain on any Part of the said Tram Road, or other Works as aforesaid, so as to obstruct the Passage of any other Waggon or other Carriage, and shall not, immediately upon Notice given of such Obstruction, remove the same, so as to make a free Passage for other Waggons or other Carriages passing thereon respectively; every such Owner or Owners, or other Person or Persons having the Care of such Waggon or other Carriage, shall forfeit and pay for every such Offence a Sum not exceeding Ten Pounds; and if any Person shall throw any Gravel, Stones, or Rubbish, or any other Matter or Thing, upon any Part of the said Tram Road, to be made by virtue of this Act, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this

Penalty on Persons obstructing the Passage of Waggons.

Penalty on destroying the Works.

this Act, or ſhall do any other Act, Matter, or Thing to obſtruct the free Paſſage of the ſaid Tram Road, or any Part thereof, every Perſon ſo offending in any of the Caſes aforeſaid, ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Ten Pounds; and if any Perſon ſhall wilfully and maliciouſly, and to the Prejudice of the ſaid Undertaking, break, throw down, deſtroy, or take away any Part of the ſaid Tram Road, or other Works to be erected and made by virtue of this Act, and being thereof lawfully convicted, ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony, and the Court, by and before whom ſuch Perſon ſhall be tried and convicted, ſhall have Power and Authority to cauſe ſuch Perſon to be tranſported for the Term of Seven Years, in like Manner as Felons are directed to be tranſported by the Laws or Statutes of this Realm, or in Mitigation of ſuch Puniſhment, ſuch Courts may, if they think fit, award ſuch Sentence as the Law directs in Caſes of Petit Larceny.

Wharfingers not to give preference.

LXII. And be it further enacted, That if any Wharfinger or other Servant belonging to the ſaid Company of Proprietors, ſhall give any undue Preference, or ſhew any Partiality in loading or unloading any Goods or other Things at any of the Wharfs, Warehouſes, Weigh Beams, Cranes, or other Machines belonging to the ſaid Company of Proprietors, any Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Twenty Shillings to the Informer.

6000l. to be ſubſcribed before the Act ſhall be put in force.

LXIII. And whereas the probable Expence of making the ſaid Railway will, according to an Eſtimate made thereof, amount to the Sum of Six thouſand Pounds, and the Sum of Four thouſand eight hundred Pounds, being Four-fifth Parts of ſuch Expences, has been already ſubſcribed for defraying ſuch Expences under a Contract binding them, their Heirs, Executors, and Adminiſtrators, for Payment of the ſeveral Sums of Money ſo ſubſcribed by them reſpectively; be it therefore enacted, That the whole of the ſaid Sum of Six thouſand Pounds ſhall be ſubſcribed in like Manner before any of the Powers given by this Act ſhall be put in force.

Railway to be completed in Three Years.

LXIV. And whereas the Whole of the ſaid Railway may be completed if not prevented by inevitable Accident, within the Space of Two Years, from the paſſing of this Act, according to an Eſtimate of the probable Time within which the ſame may be completed; be it therefore enacted, That if the ſaid Railway ſhall not have been completed ſo as to anſwer the Objects of this Act, within the Space of Three Years, from and after the paſſing of this Act, all the Powers given by this Act ſhall from thenceforth ceaſe and become void, ſave only as to ſo much of the ſaid Railway as ſhall have been completed within the ſaid Space of Three Years.

Recovery of Forfeitures.

LXV. And be it further enacted, That all Penalties or Forfeitures for Offences committed againſt this Act, or any Rule, Bye-law, or Order to be made by the ſaid Company or their Committee as aforeſaid, ſhall, upon Proof of the Offences reſpectively, before any Juſtice of the Peace for the ſaid County, either by the Confeſſion of the Party or Parties offending, or by the Oath of any credible Witneſs or Witneſſes, be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of ſuch Juſtice (which Warrant ſuch Juſtice is empowered and required to grant) and the Overplus,

plus, after such Penalties and Forfeitures, and the Costs and Charges attending such Distress and Sale are recovered and deducted, shall be rendered upon Demand to the Owner or Owners of such Goods or Chattels; and in case sufficient Distress cannot be found, or such Penalties or Forfeitures, and all such Costs and Charges shall not be forthwith paid, it shall be lawful for such Justice, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize, for such Time as such Justice shall direct, not exceeding Four Calendar Months, unless such Penalties, and all such Costs and Charges attending the Recovery thereof, shall be sooner paid and satisfied, and such Penalties and Forfeitures (the Application whereof is not herein-before particularly directed) shall go and belong to the said Company, and be applied for the Purposes of this Act.

Offenders aggrieved by Irregularity in Distress, to recover only Special Damages.

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

Form of Conviction.

LXVII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace, before whom any Person shall be convicted of any Offence against this Act, shall and 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 shall happen; *videlicet*,

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.* One of His Majesty's Justices of the Peace for the County of *Monmouth*, [*specifying the Offence, and the Time and Place when and where committed, as the Case may be*], contrary to an Act passed in the Fifty-fourth Year of the Reign of King *George* the Third, intituled [*here set forth the Title of this Act*]. Given under my Hand and Seal the Day and Year first above written.'

Compelling Payment of Subscription Money.

LXVIII. And be it further enacted, That all and every Person and Persons who have or hath already subscribed, or who shall hereafter subscribe, any Money for and towards the making and maintaining the said Tram Road, and other Works hereby authorized to be made as aforesaid, shall, and they are hereby required, to pay the Sum or Sums of Money by him, her, or them, respectively subscribed or to be subscribed, or such Part or Parts thereof, as shall from Time to Time be called for by the Committee of the said Company by virtue of the Powers and pursuant to the Directions of this Act, at such Time and Times, and Place and Places, as shall be appointed

pointed for that Purpose by the said Committee; and in case any Person or Persons shall neglect or refuse to pay the Sum or Sums so to be called for from him, her, or them, at the Time or Times, and Place or Places, and in the Manner to be appointed for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Courts of Law or Equity.

Persons aggrieved may appeal to the Quarter Sessions.

LXIX. And be it further enacted, That any Person or Persons thinking himself, herself, or themselves aggrieved by any Order or Judgment, made or given in pursuance of any Rule, Bye Law, or Order of the said Company or Committee, or by any Order, Judgment, or Determination of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, may, within Six Calendar Months next after such Order, Judgment, or Determination shall have been made or given, (first giving Fourteen Days Notice of such Complaint) to the Person or Persons against whom such Complaint is intended to be made, or to the Clerk of the said Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon), appeal to the Justices of the Peace, at the next General Quarter Sessions to be held in and for the said County, who shall in a summary Way either hear and determine the said Complaint at such General Quarter Sessions, or, if they think proper, adjourn the Hearing thereof to the next following General Quarter Sessions of the Peace, to be held for the said County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law or Determination, and may also order and award such further Satisfaction and Costs to be made and paid to the Party injured as they shall adjudge reasonable, but 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 His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

LXX. And be it further enacted, That no Action, Suit, or Information shall be brought, commenced, or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act, or in the Execution of the Powers or Authorities, or any of the Orders made, given, or directed, in, by, or under this Act, unless One Calendar Month's previous Notice shall be given by the Person or Persons intending to commence and prosecute such Action, Suit, or Information, to the said Company, or their Clerk or Treasurer for the Time being, nor unless such Action, Suit, or Information, shall be brought or commenced within Three Calendar Months next after the Fact committed; or in case there shall be a Continuation of Damages, then within Three Calendar Months next after the doing or committing such Damage shall have ceased and not afterwards, and shall be laid and brought in the County where the Matter in Dispute or Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action, Suit, or Information, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall happen to have been so done,

or if any ſuch Action, Suit, or Information, ſhall have been brought or commenced before or after the Time to be limited for bringing the ſame, or in any other County or Place than as aforeſaid, then and in every ſuch Caſe, the Jury ſhall find for the Defendant or Defendants, and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become non-ſuited, or ſuffer a Diſcontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants ſhall have appeared, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer or otherwiſe, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall (if the Judge before whom the Cauſe is tried, ſhall certify the ſame to have been vexatious) have Double Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant hath for recovering Coſts of Suit in any other Caſe by Law.

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

SCHEDULE to which this Act refers.

Defcription of Property.	Owners.	Occupiers.
An Orchard - - -	The Duke of Beaufort	Walter Morgan
Do. - - - - -	Do - - - - - -	Thomas Matthew
Do. - - - - -	Do. - - - - -	William Morgan
Do. - - - - -	Do. - - - - -	Do.
Do. - - - - -	Do - - - - -	Theophilus Morgan
A Garden - - - -	Do. - - - - -	Thomas Morgan

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's moſt Excellent Majeſty. 1814.