



ANNO SEXTO

# GEORGIIV. REGIS.

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## Cap. lxxiii.

An Act for making and maintaining a Railway or Tram Road from or near a certain Slate Quarry called *Gloddfarlon*, in the Parish of *Llandwrog*, in the County of *Carnarvon*, to the Town and Port of *Carnarvon* in the same County.

[20th May 1825.]

**W**HEREAS the making and maintaining a Railway or Tram Road for the Passage of Waggons and other Carriages, commencing at or near a certain Slate Quarry called *Gloddfarlon*, situate in the Parish of *Llandwrog* in the County of *Carnarvon*, in and through the several Parishes or Places herein-after mentioned, and terminating in the Town and Port of *Carnarvon* in the same County, will be the Means of opening a more direct, easy, cheap, and commodious Communication between the Interior of the principal District of Slate and other Quarries of the County of *Carnarvon* and the various Shipping Places at *Carnarvon* in the same County, and will greatly facilitate the Conveyance of Coals and other heavy Articles to the several Slate and other Quarries and Mines in the said District, and the Conveyance of the Slates, Copper and other Ores, and other Productions of the said Slate and other Quarries and Mines, and of the surrounding Country to the Sea-side, and will otherwise be of great public Utility : And whereas the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to make and maintain such Railway or

[Local.] 17 B Tram

Proprietors.

Tram Road; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Richard Garnons, Griffith Jones, George Bettiss, Sir William Henry Clerke, John Thomas Smedley, James Thomas Sewell, George Johnson, Bertie Entwisle Johnson Clerk, Henry Potts, Gilbert Harrison Timmins, William Brade, Alexander M'Gregor, John Drinkwater, Jane Young, Mary Richardson, Morecroft Kirkes, William Potter, Martha Humphreys, John William Trevor Clerk, and Jane Hughes,* and all and every other Person and Persons, Body and Bodies Politic and Corporate, who shall hereafter become Subscribers to the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and hereby are united into a Company for making, completing, and maintaining the said Railway or Tram Road, and other Works to be connected therewith, according to the Rules, Orders, and Directions herein-after mentioned, and for that Purpose shall be one Body Corporate, by the Name and Style of "The Nantlle Railway 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 the said Company of Proprietors shall 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 and their Successors and Assigns, for the Use of the said Undertaking and Works, and also to sell and dispose of the said Lands and Hereditaments again, in manner by this Act directed, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain.

Company empowered to make Railway from Gloddfarlon to the Port and Town of Carnarvon.

II. And be it further enacted, That the said Company of Proprietors shall be and are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain a Railway or Tram Road, to be called "The Nantlle Railway," passable for Waggon and other Carriages, from or near a certain Slate Quarry called *Gloddfarlon*, situate in the Parish of *Llandwrog*, near to *Nantlle Pool*, along the North Side of *Hafodlas* and *Coedmadoc* Slate Quarries, past the South Side of *Pen-y-Groes*, the South Side of certain Messuages or Farms called *Handu, Talysbenkins, Velin Llwyny, Gwalch Benallt,* and *Hen Castell*, on the North Side of *Garth* and *Glanrhyd*, on the South Side of *Llanwnda* Churchyard, on the South Side of *Dinas*, on the North Side of *Bontnewydd, Sarn Dwr Garw*, on the South Side of *Pontyclawddu*, on the North Side of *Bryn Seiont* and *Pont Seiont*, to the Shipping Quay at *Carnarvon* aforesaid; and also to complete and maintain Inclined Planes on such Parts of the said Land as may appear to the said Company to be necessary, and to make Wharfs, and to erect on such Wharfs all such Works as may be necessary for the making and maintaining the said Wharfs, and also thereon such Houses, Buildings, Erections, Cranes, and Machinery and other Works, as may be necessary, requisite, and proper for loading and landing the Slates, Ores, Coals, Goods, Wares, Merchandizes, Commodities, and other Things, which may be landed, loaded, received, and forwarded to and from the said Wharfs.

III. And

III. And be it further enacted, That for the Purposes of this Act, the said Company of Proprietors, their Deputies, Servants, Agents, Surveyors, and Workmen, shall be and they 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, for the Purposes herein mentioned, such Parts thereof as they are by this Act empowered to take or make use of for making the said Railway or Tram Road, and all such other Works, Matters, and Conveniences as are hereby authorized to be made, and there to bore, dig, cut, trench, embank, and sough, and also to remove, take, carry away, lay, and use any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things, which may be dug, raised, or gotten in making the said Railway or Tram Road, or other Works, out of the Lands or Grounds of any Person or Persons, Bodies Politic, Corporate, or Collegiate, adjoining to such Railway or Tram Road, which may be proper, requisite, or necessary for making, carrying, or continuing, maintaining, altering, or repairing the said Railway or Tram Road, and other Works, or which may hinder, prevent, or obstruct the making, using, or completing, extending or maintaining the same respectively, according to the true Intent and Meaning of this Act; and also to make, build, erect, bank, excavate, and set up, in, under, or upon the said Railway or Tram Road or other Works, or upon the Lands adjoining the same, such and so many Embankments, Bridges, Piers, Arches, and Tunnels, for passing any Vallies, Rivers, Brooks, and Streams, or other Waters, and to alter the Course of such Water for such Time as may be necessary for completing Bridges or Passages over the same; and such and so many Houses, Warehouses, Toll Houses, Landing Places, Weighing Beams, Cranes, Fire Engines, or other Machines, and other Works and Ways, Roads and Conveyances, as the said Company of Proprietors 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 also to place, lay, work, and manufacture the Materials necessary for the making, erecting, or maintaining and repairing the said Railway or Tram Road and other Works, on the Lands or Grounds adjoining 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 Railway or Tram Road, and also to make, set out, and appoint such Roads and Ways convenient for hauling or drawing of Waggon and other Carriages passing upon the said Railway or Tram Road, with Men or Horses or otherwise, and proper Places for Waggon and other Carriages to turn, remain, or pass each other, as the said Company of Proprietors shall think convenient; and to construct, erect, and keep in repair any Embankments, Bridges, Piers, Arches, and other Works, in, upon, and across any Vallies, Rivers, or Brooks, for the making, preserving, improving, using, maintaining, and repairing of the said Railway or Tram Road and other Works; and to construct, make, and do all other Matters and Things fit or necessary for the making, altering, preserving, improving, completing, and using the said Railway or Tram Road, Wharfs, 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, their Deputies, Agents, Servants,

Powers to  
take Lands,  
&c.

and

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 herein-after mentioned, to the Owners or Proprietors of, and all Persons interested in any Lands or other Hereditaments, which shall be taken, used, removed, diverted, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby vested or granted; 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 Provisoos and Restrictions as are herein-after mentioned and contained.

Steam Engines to consume their own Smoke.

IV. And be it further enacted, That the said Company of Proprietors, and all Persons employed by them in erecting or setting up any Engine or Engines commonly called Steam Engines, shall use the most approved Method to consume and burn the Smoke arising therefrom, so as to prevent the same occasioning any Nuisance whatsoever; and if the said Company of Proprietors, or any Person or Persons employed by them, shall set up or use any Steam Engine without burning or consuming the Smoke upon the Principle aforesaid, they shall forfeit and pay for every such Neglect or Default the Sum of Fifty Pounds, to be recovered with full Costs of Suit, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*; and such Steam Engine may be abated as a Nuisance.

Crossings.

V. Provided always, and be it further enacted, That where the said Railway or Tram Road shall cross any Turnpike Road or Public Highway, the Ledge or Side of such Railway or Tram Road, for the Purpose of guiding the Wheels of the Carriages, shall not be above nor shall the same be more than Three Quarters of an Inch below the Level of such Road.

Regulations as to Ascent to Bridges, and Height of adjoining Fence.

VI. Provided also, and be it further enacted, That in all Places where it may be necessary to erect or build any Bridge or Bridges to communicate with any Public Carriage Road, the Ascent to every such Bridge for the Purpose of such Road shall not be more than One Foot in Thirteen Feet, and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Plans and Books of Reference.

VII. And whereas a Map or Plan, describing the Line or Course of the said Railway or Tram Road, and the Lands and Grounds in, through, and upon which the said Railway or Tram Road are respectively to be carried or made, together with a Book of Reference thereto, containing Lists of the Names of the Owners and Occupiers, or reputed Owners and Occupiers of such Lands and Grounds, has been deposited with the Clerk of the Peace for the County of *Carnarvon*; be it therefore further enacted, That the said Map or Plan, and Book of Reference, so deposited, shall remain with and be kept by the said Clerk of the Peace; and all Persons interested in any Manner therein shall have Liberty to inspect and peruse, and make Extracts from and Copies of the same, at all seasonable Times, paying to the said Clerk for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference, after the Rate of

Sixpence for every One hundred Words; and the said Map or Plan, and Book of Reference, or true Copies thereof, or of so much thereof as shall relate to any Matter which may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

VIII. And be it further enacted That the said Company of Proprietors, in making the said intended Railway or Tram Road, shall not deviate more than One hundred Yards from the Course or Direction delineated in the said Map or Plan, without the Consent in Writing of the Owners and Occupiers of the Lands or Grounds through which such Deviations shall be made, first had and obtained for that Purpose: Provided always, that nothing herein contained shall extend or be construed to extend to authorize the said Company of Proprietors to deviate from the Line laid down on the said Map or Plan, to the Westward of the said Line, so as to pass through the Demesne Lands of *Glynllifon*, now the Property of the Right Honourable *Thomas John Lord Newborough*.

Not to deviate more than One hundred Yards from the Plan.

IX. Provided always, and be it further enacted, That no Advantage shall be taken of or against the said Company of Proprietors, or any Interruption be given to the making of the said Railway or Tram Road, and other Works hereby authorized to be made, on account of any Error or Omission in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace acting for the said County of *Carnarvon*, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake only.

Land Owners omitted in Book of Reference, not to obstruct making the Railways, &c.

X. Provided also, and be it further enacted, That nothing herein contained shall extend to authorize or empower the said Company of Proprietors, or any Person or Persons, acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Railway or Tram Road, or other Works, or for 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 twenty-five, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, without the Consent in Writing of the Owners or Proprietors thereof, and Persons interested therein respectively, other than and except such as are specified in the Schedule to this Act annexed.

Houses and Gardens not to be used, except those specified in the Schedule.

XI. And be it further enacted, That if the said Company shall not, within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for as herein-after mentioned, the several Houses, Buildings, Lands, Tenements, and Hereditaments which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities hereby granted to them for such Purpose only shall cease, determine, and be utterly void, (save and except with the Consent in Writing of the Owners and Occupiers thereof respectively).

Houses, &c. to be purchased within Three Years.

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XII. And

Breadth of  
the Land to  
be taken for  
the Railways.

XII. And be it further enacted, That the Lands and Grounds to be taken or used for the Purposes of this Act shall not exceed Twenty Yards in Breadth, except in such Places where it shall be judged necessary for Waggons or other Carriages to turn, remain, or pass each other, or for raising Embankments for crossing the Vallies, or in deep Cuttings, or where any Warehouses, Cranes, or Weigh Beams may be erected, or where any Places may be set out or appropriated for the forming of Wharfs, or for the Reception or Delivery of Goods, Wares, and Merchandize, which shall be conveyed on the said Railway or Tram Road, and not above Sixty Yards in Breadth in any Place, except on Commons, Downs, or Waste Lands, without the Consent of the Owners of the Lands or Hereditaments adjoining to the said Railway or Tram Road.

Bodies Po-  
litic, &c.  
empowered  
to sell and  
convey  
Lands.

XIII. And be it further enacted, That after any Lands, Grounds, or Hereditaments shall have been set out and ascertained for making the said Railway or Tram Road, or any Part or Parts thereof respectively, and for providing and constructing the Works and Conveniences hereby authorized to be made, 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, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, 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 for all and every other Person and Persons whomsoever, who is, are, or shall be seised, possessed of, or interested in any Lands, Grounds, or Hereditaments which shall be set out and ascertained for the Purposes aforesaid, to contract for, sell, and convey the same, and every Part thereof, unto the said Company; and all such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be made at the Expence of the said Company of Proprietors, and shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; (that is to say),

Form of  
Conveyance  
to the Com-  
pany.

I, \_\_\_\_\_ of \_\_\_\_\_ in consideration of the Sum of \_\_\_\_\_ to me paid by \_\_\_\_\_ do hereby, in pursuance and by virtue of the Power in that Behalf contained in an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act, &c.* [*here set forth the Title of this Act*], grant and release to the said Company of Proprietors all [*describing the Premises to be conveyed*], and all my Estate, Right, Title, and Interest in and to the same, and every Part thereof, to hold to the said Company of Proprietors and their Successors for ever, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal, the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

And all such Conveyances and Assurances as aforesaid shall be good, valid, and effectual in the Law, to all Intents and Purposes, and shall

operate

operate and be as a Merger of all outstanding Terms of Years, and be a complete and effectual Bar of all Estates Tail, and other Estates, Rights, Titles, Remainders, Reversions, Trusts, and Interests whatsoever.

XIV. And be it further enacted, That if, in making the said Railway or Tram Road, any Pieces or Parcels of Ground shall be cut through and divided, so that what shall be left on each or either Side of the said Railway or Tram Road shall be less than Three Quarters of an Acre in Quantity, or less than Twenty Yards in average Breadth throughout the whole Length thereof; and if the Owner or Owners of any such Pieces or Parcels of Ground shall not have any other Land or Ground adjoining to that which shall be so left on each or either Side of the said Railway or Tram Road, then and in every such Case, if the Owner or Owners, or Person or Persons entitled to the Possession, or to the Rents and Profits of the same, shall so require, but not otherwise, the said Company of Proprietors shall also take and purchase the Piece or Parcel, or Pieces or Parcels of Ground, so left on each or either Side of the said Railway or Tram Road, being less than Three Quarters of an Acre in Quantity, or less than Twenty Yards in average Breadth throughout the whole Length thereof as aforesaid; the Value thereof to be ascertained in the same Manner as is herein-after directed concerning any Land or Ground to be taken and used for the Purposes of this Act.

Where small Parcels of Land are intersected, Company compellable to purchase the Whole.

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XV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give to the said Company any Mines or Minerals, or of Coals, or any Stone or Slate, under any Land taken or purchased by the said Company under the Provisions of this Act; but all such Mines, Minerals, Coals, Stone, or Slate, shall be deemed to be excepted out of such Purchase, and may be worked by the Owners or Lessees thereof, under the said Lands, or any Railway or Wharfs, of the said Company, in such and the same Manner as if this Act had not passed; but so nevertheless as not to prejudice or to injure such Railway, Wharfs, or other Works hereby authorized or directed to be made.

Company not to claim Mines, &c. under Land purchased.

XVI. And be it further enacted, That from and after the passing of this Act, no Shaft, Pit, or Quarry shall be dug, sunk, or made, and no Adit, Drift, or Cut shall be made under the said Railway or Tram Road, or under any Banks, Bridges, or Works, upon which any Part of the said Railway or Tram Road shall be laid down, nor any Shore Ropes, Chains, Connexion Rods, or any other Ropes, Chains, Rods, or other Matters, be fixed over, under, across, near, or by any Part of the said Railway or Tram Road, so as to injure the Road, or to interrupt in any Manner the free Passage of Carriages with their Lading along the same.

No Shaft to be sunk.

XVII. And be it further enacted, That all Bodies Politic, Corporate, or Collegiate, Trustees, and other Persons herein-before capacitated or enabled to sell and convey Lands, Tenements, and Hereditaments, and the Owner and Owners, and Occupier and Occupiers of any Lands, Tenements, or Hereditaments, through, in, or upon which the said Railway or Tram Road and other Works hereby authorized are intended to be made, or any of them, may accept and receive Satisfaction for the Value of such Lands, Tenements, and Hereditaments, and also Compensation for the Damages to be sustained in making or completing the said Works

Satisfaction to be made for Lands taken for the Railway or Tram Road.

and... the

Works

Works herein-before directed to be made, in such gross Sums as shall be agreed upon between the said Owners and Occupiers respectively, or any of them, and the said Company of Proprietors; and from and immediately after the Time of making and executing every such Sale and Conveyance, or any Contract or Contracts for the same, the said Company of Proprietors may and shall be at liberty to enter upon, and thenceforth for ever to have, take, and enjoy the said Lands, Tenements, and Hereditaments for the Purposes of this Act; and in case the said Company and the several Parties interested in any such Lands, Tenements, and Hereditaments, cannot or do not agree as to the Amount or Value of such Satisfaction and Compensation, the same shall be ascertained and settled by the Verdict of a Jury, as herein-after is directed.

In case the Parties refuse, or are incapable to treat, the Value to be settled by a Jury.

XVIII. And for settling all Differences which may arise between the said Company of Proprietors and the several Owners of or Persons interested in any Lands and Grounds, Messuages, Buildings, Tenements, Hereditaments, Streams, Brooks, Waters, or Watercourses, which shall or may be taken, used, damaged, stopped up, affected, or prejudiced by the Execution of any of the Powers hereby granted; be it further enacted, That if any Body Politic, Corporate, or Collegiate, Trustee, or Trustees, or any other Person or Persons so interested, entitled, or empowered, or capacitated to sell as aforesaid, for and on behalf of himself, herself, or themselves, or for or on behalf of his, her, or their Cestuique Trusts, or of the Person or Persons entitled in Remainder or Reversion after them as aforesaid, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money or Recompence as shall be offered them by the said Company, and shall give Notice thereof in Writing to the said Company, within Twenty-one Days next after such Offer shall have been made, and the Party or Parties giving such Notice shall therein request that the Matter or Matters in dispute may be submitted to the Determination of a Jury; or if any Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons interested, entitled, or empowered to sell as aforesaid, shall for the Space of Twenty-one Days next after Notice in Writing shall have been given to the principal Officer of any such Body or Bodies 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 (required for the Purposes of this Act), neglect or refuse to treat, or shall not agree with the said Company for the Sale and Conveyance of their respective Estates and Interests therein, or shall by reason of Absence be prevented from treating, or shall by reason of Non-age, or any other Impediment or Disability not provided for by this Act, be incapable of treating or making such Agreement as shall be expedient for enabling the said Company to proceed in making the said Railway or Tram Road, and other the Works aforesaid, or shall not produce or evince a clear Title to the Premises they may be in Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Company, then and in every such Case the said Company of Proprietors shall, and they are hereby empowered and required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the County in which the Lands or Hereditaments in question shall be situated, or the Matter in question

To be summoned by the Sheriff,



question or dispute shall arise; or in case such Sheriff or his Under Sheriff shall be One of the said Company of Proprietors, or enjoy any Office of Trust or Profit under them, or shall be in any ways interested in the Matters in question, then to any One of the Coroners of such County, not interested as aforesaid; or if all the Coroners shall be so interested, then to the last Person then in being who filled the Office of Sheriff of the said County, not interested as aforesaid, commanding such Sheriff or Coroner, or other Person, to impanel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly authorized, empowered, and required to impanel, summon, and return a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*; and the Persons so to be impanelled, summoned, and returned, are hereby required to come and appear before the Justices of the Peace for the County in which such Lands, Tenements, or Hereditaments shall lie, or the Matter in question or dispute shall arise, at some Court of General or Quarter Sessions of the Peace to be holden in or for the same County, or at some Adjournment thereof, as in such Warrant shall be directed or appointed, and to attend such General or Quarter Sessions from Day to Day, until discharged by the said Court; and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by the Clerk of the Peace for the County wherein such Jury shall be returned, or his Deputy, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Clerk of the Peace or his Deputy shall return other honest and indifferent Men of the Standers-by, or of others 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 all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Clerk of the Peace, or his Deputy, is hereby empowered and required to summon and call before the said Justices all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matters in question or dispute, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Matter or Matters in controversy; and such Jury shall upon their Oaths, or being of the Society called *Quakers* upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations to such Person or Persons as shall be called upon to give Evidence, the said Justices are hereby empowered and required to administer), inquire of, assess, and ascertain and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands, Grounds, Messuages, Buildings, Tenements, and Hereditaments, and also the separate and distinct Sum or Sums of Money to be paid by way of Recompence or Compensation, either for the Damages which shall or may before that Time have been, or sustained as aforesaid, or for the future temporary or perpetual Continuance of any recurring Damages which shall have been so occasioned as aforesaid, and the Cause or Occasion of which shall have been in part only removed by the said Company, and which can or will be no further obviated, remedied, or repaired by them; and the said Justices shall

or Coroner, or Person who shall have last filled the Office of Sheriff, not interested.

In default of Attendance of Jurymen, Standers-by may be returned.

Witnesses may be summoned.

Jury may view the Place or Matter in question,

Verdict and Judgment thereon to be conclusive. Notice of the Time and Place of Meeting to be given.

accordingly give Judgment for such Purchase Money, Recompence, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereupon to be pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes, upon all Bodies Politic, Corporate, or Collegiate, and all other Persons whatsoever: Provided always, that Seven Days Notice in Writing of the Time and Place at which such Juries are so required to be returned shall be given by the said Company to the Party or Parties with whom any such Controversy shall arise, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Clerk or Agent, or Head Officer of any such Body Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises intended to be valued, or respecting which any such Question shall arise.

Value of Land, and Damages to be ascertained separately.

XIX. Provided also, and be it further enacted, That in ascertaining the Sum or Sums of Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments, to be taken or made use of for the Purposes of this Act, the Jury shall also ascertain and assess the Compensation and Satisfaction to be made by the said Company for any Damages which shall or may at any Time or Times hereafter be sustained by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons respectively, being Owner or Owners of or interested in such Lands, Tenements, or other Hereditaments, for or by reason of the renewing or dividing the same from other Lands, Tenements, or Hereditaments belonging to such Body or Bodies Politic, Corporate, or Collegiate, or to any such Person or Persons as aforesaid, and for or on account of the Detriment, Injury, Loss and Damage, or Prejudice, which shall or may accrue to, or be sustained by such Body or Bodies Politic, Corporate, or Collegiate, Owner or Owners, or other Person or Persons interested in such Lands, Tenements, or other Hereditaments, or any of them, by reason of the making, using, repairing, or maintaining the said Railway or Tram Road, and other Works and Conveniences belonging thereto, or by reason or means of the Execution of any of the Powers given to the said Company of Proprietors; such Damages and Compensation to be settled and ascertained separately and distinctly from the Value of the Lands, Tenements, and Hereditaments so to be taken and used as aforesaid.

Compensation Money to be apportioned.

XX. And be it further enacted, That the said Juries shall, and they are hereby respectively empowered to settle what Shares and Proportions of the Purchase Money or Compensation for Damages, which shall be assessed as aforesaid, shall be allowed to any Tenant, or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such his, her, or their Interests or respective Interests therein.

Verdicts to be recorded.

XXI. And be it further enacted, That all the said Verdicts and Judgments, being first signed by the Clerk of the Peace or his Deputy present at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the County in which the Matter of Dispute shall have arisen, among the Records of the Quarter Sessions for such County, and shall be deemed Records to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling

Shilling and no more, and also to take and make Copies thereof, paying for every Copy after the Rate of Sixpence for every One hundred Words.

XXII. And be it further enacted, That if such Sheriff, or his Deputy, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall, for every such Offence, forfeit the Sum of Fifty Pounds; and if any Person so to be summoned and returned upon any such Jury as aforesaid shall not appear, without sufficient Excuse, or appearing shall refuse to be sworn, or being of the Society of Persons called *Quakers*, to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so to be summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn, examined, or to give Evidence; then and in every such Case every such Person so offending, having no reasonable Excuse (to be allowed by the said Justices), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose account such Jury or Witness shall be summoned, any Sum not exceeding Ten Pounds, to be levied by virtue of any Warrant under the Hand and Seal of any One of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus of the Money they produced, after such Penalty and the Charges and Expences of such Distress and Sale shall have been deducted.

Penalty upon Sheriff, &c.

Jurors or Witnesses making Default.

XXIII. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be liable and subject to the same Regulations, Pains, and Penalties, as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*; and all and every Person and Persons who in any Examination to be taken by virtue of this Act, upon their Oath, or being of the Society of Persons called *Quakers* upon their solemn Affirmation, shall wilfully and corruptly give false Evidence before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof, shall be subject and liable to the same Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

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

Persons giving false Evidence subject to the Penalties of Perjury.

XXIV. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Company of Proprietors, as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Company of Proprietors, out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Ten Days after Demand made thereof from the said Company,

By whom Expences of Juries shall be paid.

then

then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Company; or of any Goods or Chattels of the Treasurer or Treasurers of the said Company, (unless such Treasurer or Treasurers shall pay such Costs and Charges out of the Monies received by him by virtue of this Act, which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Carnarvon*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Company, as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Company; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Company, the Costs and Charges so incurred shall be borne by the said Company in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County of *Carnarvon*, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Company as aforesaid, the Amount thereof, having been first paid by the said Company, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Company from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

Persons requesting Juries to enter into a Bond to prosecute their Complaint, and pay Expences.

XXV. And be it further enacted, That all and every Person or Persons who shall refuse to accept such Purchase or Compensation Money as shall have been offered them by the said Company, and shall request that the Matter in dispute shall be referred to the Determination of a Jury, shall, before the said Company shall be obliged to issue out their Warrant or Warrants for the summoning of such Jury, first enter into a Bond, with Two sufficient Sureties, to the Treasurer of the said Company, in a Penalty of One hundred Pounds, to prosecute such his, her, or their Complaint, and to bear and pay his, her, or their Proportion of the Costs and Expences of summoning and returning such Jury, and taking such Verdict, and of the summoning and of the Attendance of Witnesses, in case any Part of such Costs and Expences shall fall upon him, her, or them to be paid, according to the true Intent and Meaning of this Act.

XXVI. And

XXVI. And be it further enacted, That if at any Time or Times hereafter, any Person or Persons shall sustain any Damage in his, her, or their Land, Tenements, or Hereditaments, by reason of the Execution of any of the Powers given by this Act, and for which a Compensation is not herein-before provided, then and in every such Case such Damages shall from Time to Time be settled and ascertained or assessed by a Jury, and the Sum or Sums of Money to be paid for the same shall be recovered, levied, and applied in such and the same Manner as is herein directed with respect to such Damages as are herein-before provided for, and the Money to be paid as a Recompence for the same.

Compensation for Damages not herein-before provided for.

XXVII. And be it further enacted, That the said Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, 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 Notice in Writing, stating the Particulars of such Injury or Damage, and the Amount of the Compensation claimed in respect thereof, shall have been given by or on behalf of such Person or Persons to the said Company or to their Clerk, Ten Days at the least before such Complaint shall be made to the said Company, and within the Space of Six Calendar Months after the Time of such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Notice of Injury to be given to Company before Complaint made.

XXVIII. 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 Parties, or assessed by any Jury or Juries in manner aforesaid, for the Purchase of any such Lands, Tenements, 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 such Lands, Tenements, or other Hereditaments, or to such other Person or Persons as shall be interested therein; or entitled to receive such Money or Compensation respectively, within One Calendar Month after the same shall be so agreed for, determined, or assessed; or if the Person or Persons so entitled or interested as aforesaid, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to, or shall refuse to execute Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act; then upon Payment of the said Sum or Sums of Money into the Bank of *England*, as herein-after directed and required, for the Use of the Person or Persons entitled thereto, it shall be lawful for the said Company, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively; and then and thereupon such Lands and Grounds, Tenements, and other Hereditaments, and the Fee Simple and Inheritance thereof, together with the Yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Company of Proprietors, to and for the Purposes of this Act for ever; and such Payment, Tender, or Investiture, shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whom

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

[Local.]

17 E

the

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 other Estates in Reversion and Remainder, of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England* as aforesaid, it shall not be lawful for the said Company, or any Person acting under their Authority, to dig or cut into such Lands or Grounds, Tenements or Hereditaments, for the Purpose of making the said Railway or Tram Road, or collateral Branches, or other Works hereby authorized to be made, without the Leave of the respective Owners or Occupiers thereof in Writing, made under their respective Hands; and in case any Person or Persons shall enter upon any such Premises for any of the Purposes of this Act, before such Payment or Deposit into the Bank of *England* as aforesaid shall have been made, every Person or Persons so offending shall forfeit and pay the Sum of Ten Pounds for every Day he or they shall remain on the said Premises.

Tenants at Will, or for Years, to quit Lands, &c. after Notice.

XXIX. And be it further enacted, That every Tenant at Will, Lessee for a Year, and other Person or Persons in Possession of any Lands, Tenements, and Hereditaments, which shall be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenant at Will, or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Company, or to such Person or Persons as they shall appoint to take Possession of the same, at the Expiration of Two Calendar Months next after Notice to that Effect shall have been given by the said Company, or left upon the said Premises, whether such Notice be given with reference to the Time or Times of such Tenant's holding or not; and in case any such Tenant or Lessee, or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid, it shall be lawful for the said Company to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall be situate, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Interest of such Tenants may be settled by a Jury.

XXX. Provided also, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up the Possession of any Premises so occupied by him to the said Company, or to the Person or Persons authorized by them to take Possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Company shall and they are hereby directed to make or tender unto such Tenant or Lessee Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in manner herein-before directed with regard to any other Satisfaction or Compensation in and by this Act provided for and directed to be made and assessed.

XXXI. And

XXXI. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on any Lands, Tenements, or Hereditaments, to be taken or used for the Purposes of this Act, shall, within Three Calendar Months from and after the passing of this Act, give Notice in Writing to the said Company of such Mortgage or Mortgages, and of his, her, or their Right and Claim in respect thereof, and shall, on Tender of the Principal Money and Interest due thereon, together with the Amount of Three Calendar Months Interest on the said Principal by the said Company, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Company, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Three Calendar Months (to be computed from the Day of giving such Notice), then and at the End of such Three Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due for Principal and Interest upon any such Mortgage or Mortgages shall amount to more than the real Value of the Premises to be taken and made use of for the Purposes of this Act, and which shall be ascertained in manner herein-before directed, then the said Company shall not be liable to pay to the said Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid, or the Residue thereof after such Allowance and Payment thereof to any Lessee or Tenant as herein-before directed: Provided also, that in case any such Mortgagee or Mortgagees shall neglect or refuse to convey or assign as aforesaid, then upon Payment of the Principal Money and Interest due on any such Mortgage or Mortgages as aforesaid, or such Proportion thereof as aforesaid, into the Bank of *England*, at the End of Three Calendar Months from the Day of giving such Notice as aforesaid, for the Use of such Mortgagee or Mortgagees, the Cashier or Cashiers of the said Bank of *England* shall give a Receipt or Receipts for the said Money, in like Manner as is by this Act directed in Cases of other Payments into the said Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the Premises comprized in such Mortgage or Mortgages, to all Intents and Purposes whatsoever: Provided also, that if such Mortgage or Mortgages shall comprize any other Lands, Tenements, or Hereditaments than those which shall be so taken by the said Company, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum so ascertained as the Value of the said Lands, Tenements, or Hereditaments as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, or Hereditaments to the said Company; and in default of such Conveyance, Assignment, or Transfer, and on Payment of such Money into the Bank of *England* for the Use of such Mortgagee or Mortgagees, the

Mortgages to be conveyed to the Company after Tender.

to appear  
in the  
year 1797  
of the  
said Act  
30th 10  
1797

to appear  
in the  
year 1797  
of the  
said Act  
30th 10  
1797

Cashier

Cashier or Cashiers of the Bank shall give such Receipt or Receipts as above mentioned; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, in the said Lands, Tenements, or Hereditaments, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the said Premises to all Intents and Purposes whatsoever, and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages.

Application  
of Compen-  
sation Money  
amounting to  
200l.

1G.4. c.35.

XXXII. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust; or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, *ex parte* the Company of Proprietors of the *Nantle* Railway, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall, when so paid in, there remain until the same shall by Order of the said Court, made upon a Petition to be preferred to the said Court 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, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of



of taking Effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities, or Government or Real Securities, shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by the 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 such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled:

XXXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act, 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 amount 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, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Company, signified in Writing under their Common Seal, be paid into the said Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased and settled, such Nomination to be approved of by the said Company, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Application  
of Compensation Money  
when less  
than 200*l.*  
and not less  
than 20*l.*

XXXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to 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 the Purposes of this Act, for his, her, or their own Use and Benefit, or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or

Application  
of Compensation Money  
when less  
than 20*l.*

[Local.]

17 F

Trustees;

Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out Titles, or Persons entitled not being found.

XXXV. And be it further enacted, That in case the Person or Persons to whom any Sum, or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Company, or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded 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 be lawful for the said Company to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the said Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person 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 said 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 therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid.

Persons in Possession to be deemed presumptively entitled.

XXXVI. Provided always, 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 Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, 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 or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities,

ties; 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.

XXXVII. Provided also, 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, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or 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 be lawful for the said Court 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 Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XXXVIII. And whereas by means of the Purchases which the said Company of Proprietors are empowered and required to make by virtue of this Act, they may happen to be seised of more Land or Ground than will be necessary for effecting the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Company to sell and dispose of any Piece or Pieces of such Land or Ground, either together or in Parcels, by public Auction or private Contract, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same; and such Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom to the contrary thereof notwithstanding: Provided always, that the said Company, before they shall sell and dispose of any such Piece or Pieces of Land or Ground, shall first offer to re-sell the same to the Owner or Owners of the adjoining Lands, and in case such Owner or Owners shall be desirous of re-purchasing the same, he, she, or they shall signify such his, her, or their Desire and Intention in that Behalf to the said Company, within Fifteen Days after such Offer of Re-sale shall have been made; and in case such Person or Persons shall refuse or decline to avail himself, herself, or themselves of such Offer, or shall neglect or omit to signify his, her, or their Desire and Intention to re-purchase such Messuages, Lands, Tenements, and Hereditaments, for the Space of Fifteen Days, then and in every such Case, an Affidavit made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said County of *Carnarvon*, by some Person or Persons not interested in the said Messuages, Lands, Tenements, or Hereditaments, stating that such Offer was made by or on behalf of the said Company, and that such Offer was refused or declined, or was not accepted or agreed to by the Person or Persons to whom the same was made within the said Space of Fifteen Days from the Day or Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused or declined,

Enabling the Company of Proprietors to sell Lands not wanted.

Lands intended to be re-sold, to be first offered to former Owners.

clined, or was not accepted and agreed to within the Time aforesaid, by the Person or Persons to whom such Offer was made, as the Case may be; and in case such Person or Persons shall be desirous of purchasing or repurchasing the same, and he, she, or they and the said Company shall differ and not agree with respect to the Price thereof, then and in such Case the Price or Prices thereof shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Premises to be purchased by the said Company in pursuance thereof, and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in and by this Act is directed with respect to Purchases made by the said Company *mutatis mutandis*, and the Money produced by the Sale or Sales which may be made by the said Company, of such Messuages, Lands, Tenements, or Hereditaments as aforesaid, shall be applied to the Purposes of this Act.

Treasurers upon Payment of Money to give Receipts.

XXXIX. Provided always, and be it further enacted, That upon Payment of the Money which shall arise by the Sale or Sales of such Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Company, to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof, as shall be sold, or for so much thereof as in such Receipts respectively shall be expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof.

Empowering the Company to purchase 20 Acres of Land.

XL. And whereas it may tend to the Public Advantage and Accommodation if the said Company be empowered to purchase any Quantity of Land not exceeding Twenty Statute Acres, and also to purchase any Messuages or other Buildings, for the Purpose of making, erecting, forming, and providing any Coal Yards, Staiths, Messuages, Warehouses, and other Buildings and Conveniences for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, to contract with any Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, for the Purchase of any Parcel or Parcels of Land, Messuages, Buildings, or Hereditaments, so consenting to the Sale of the same, (not exceeding in the whole Twenty Statute Acres,) in such Place or Places as shall be deemed eligible or convenient, for the Purpose of making, erecting, forming, and providing any Coal Yard, Staiths, Messuages, Warehouses, and other Buildings and Conveniences, for the Purpose of receiving, lodging, depositing, or keeping any Goods, Merchandize, or other Things carried or conveyed, or intended to be carried or conveyed upon the said Railway or Tram Road, or any of them, or for making any convenient Roads, Avenues, or Ways leading thereto, or for any other Purposes whatsoever connected with the said Railway or Tram Road, or any of them, which the said Company shall judge requisite and necessary; and it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, and all other Persons whomsoever so consenting, to sell and grant or convey to the said Company and their Successors, any Parcel or Parcels of Land, Messuages, Buildings, and Hereditaments whatsoever, for the Purposes last aforesaid,

or

or any of them, in the same Manner as is herein-before directed concerning Lands, Messuages, Buildings, and Hereditaments, to be taken or used for the Purposes of forming, making, and maintaining the said Railway or Tram Road.

XLI. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered from Time to Time, and at any Time or Times hereafter, to sell and dispose of such additional Lands, Tenements, and Hereditaments as they are hereby authorized and empowered to purchase, and shall have actually purchased for the Purposes of this Act, or so much and such Part or Parts of the same Messuages, Lands, Tenements, and Hereditaments, as the said Company shall think proper, and either together or in Parcels, by public Auction or private Contract, as shall be thought advisable or expedient, to any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, and again from Time to Time to contract for the Purchase of any other Messuages, Lands, Tenements, and Hereditaments, more eligible or convenient for the Purposes aforesaid, or any of them, and afterwards to sell and dispose of the same as aforesaid, so that the total Number or Quantity of Acres to be purchased by the said Company of Proprietors for any of the Purposes herein-before mentioned, shall not exceed at any Time the Quantity or Number of Acres by this Act specified, or allowed for the same respective Purposes.

Company may sell Lands not required for the Purposes of the Act, and afterwards purchase and sell again from Time to Time.

XLII. And whereas the said Company are enabled to purchase Twenty Statute Acres of Land by virtue of this Act, for the Purposes thereof, in addition to the Land hereby authorized to be purchased, used, or taken, for the making and completing the said Railway or Tram Road; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and Per-

Restraining the Company from purchasing more than Twenty Acres of Land from incapacitated Persons, &c.

sons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such Twenty Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Twenty Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same, or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, nor for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or instead of those Twenty Statute Acres, or any Part thereof so sold or disposed of by the said Company.

The Word  
"Grant" in  
Conveyances  
from the  
Company of  
Proprietors  
to amount to  
certain Cove-  
nants.

XLIII. And be it further enacted, That in all Conveyances to be made by the said Company, under or by virtue or in pursuance of the several Powers and Authorities to them hereby given, the Word "Grant" shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantees or other Purchasers, his, her, or their Heirs, Executors, Administrators, or Assigns, from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances for quiet Enjoyment thereof against the said Company, their Successors and Assigns, and all claiming under them, indemnified and saved harmless by the said Company and their Successors, from all Incumbrances committed by the said Company, and also for further Assurance of such Hereditaments and Premises by the said Company, their Successors and Assigns, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances or any of them; and such Purchasers or Grantees, and his, her, and their several Heirs, Executors, Administrators, and Assigns respectively, shall and may, in any Action or Actions to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances.

Work may be  
commenced  
on the pass-  
ing of the  
Act.

XLIV. And whereas the probable Expence of making the said Railway or Tram Road, and other Works hereby authorized to be made, will amount to the Sum of Twenty thousand Pounds, and the whole of which said Sum of Twenty thousand Pounds has been already subscribed by several Persons, under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed respectively; be it further enacted, That the Powers given by this Act may be put in force immediately on the passing thereof.

**XLV.** And be it further enacted, That such Sum of Twenty thousand Pounds shall be divided into Shares of One hundred Pounds each, and such Shares shall be numbered, beginning with Number One in regular or arithmetical Progression ascending, whereof the common Excess or Difference shall always be One; and every such Share shall always be distinguished by the Number to be applied to the same, and the said Shares shall be, and are hereby vested in the several Persons so raising and contributing to the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sum 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 or their Committee 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 net 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 or 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.

Proprietors  
to raise Mo-  
ney amongst  
themselves  
for making  
Tram Roads,

**XLVI.** And be it further enacted, That 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 be transmissible as such, and not of the Nature of Real Property.

Shares to be  
Personal  
Property.

**XLVII.** And be it further enacted, That the several Persons who have subscribed, or who shall hereafter subscribe or advance any Money for or towards making and maintaining the said Railway or Tram Road, and other Works hereby authorized to be made, and for other the Purposes of this Act, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Company under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Company or their Committee, in manner herein-after mentioned; and in case any Person or Persons shall refuse or neglect to pay the same at the Time and in the Manner required for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity.

To compel  
Payment of  
Subscription.

**XLVIII.** 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,

Subscribers  
to be deemed  
Proprietors.

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 Meetings to be held as herein-after appointed for carrying on the said Undertaking, or relative thereto, which Vote or Votes shall and may be given by him, her, or them, or by his, her, or their Proxy or Proxies, duly constituted under his, her, or their Hand or Hands, or Common Seal if a Corporation, or in case of the Infancy or Lunacy of any such other Person or Persons, then under the Hand or Hands of his, her, or their Guardian or Guardians, Committee or Committees, as the Case may be, every such Proxy being a Proprietor of the said Undertaking; and every such Vote by Proxy shall be as good and valid to all Intents and Purposes as if such Principal or Principals had voted in Person; the Appointment of which Proxies may be made according to the Form or to the Effect following; (that is to say),

Form of  
Proxy.

‘ I of , one of the Proprietors of the *Nantlle*  
‘ Railway, do hereby nominate, constitute, and appoint  
‘ of to be my Proxy, in my Absence to vote or give my  
‘ Assent or Dissent to any Business, Matter, or Thing relating to the  
‘ said Undertaking, which shall be mentioned or proposed at any Meet-  
‘ ing of the Company of Proprietors of the said Railway, in such Manner  
‘ as the said shall think proper, according to his Opinion  
‘ and Judgment, for the Benefit of the said Undertaking, or any thing  
‘ appertaining thereto. In witness whereof I have hereunto set my Hand,  
‘ the Day of in the Year of our Lord .’

All Questions  
to be decided  
by the Major-  
ity of Votes.

And every Election of Committees and Officers, and every Question, Matter, and Thing whatsoever which shall be proposed, discussed, or considered in any General or Special Meeting of the said Company to be held by virtue of this Act, shall be finally determined by the Majority of Votes and Proxies then present; and at every such Meeting one of the Proprietors then 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 also have the decisive or casting Vote.

Names of  
Proprietors  
to be entered,  
and Certifi-  
cates of their  
Shares deli-  
vered to  
them.

XLIX. And for the better securing to the several Proprietors of the said Undertaking 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 Meeting, to cause the Names and proper Additions of the several Persons who shall then be entitled to 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 made, to cause their Common Seal to be affixed thereto, and also shall cause a Certificate or Ticket, 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 to the said Company One Shilling, and no more, for every such Certificate or Ticket; and such Certificate or Ticket shall be admitted in all Courts whatsoever as Evidence of the Title of such Subscriber, his or her Executors, Admi-  
nistrators,



nistrators, or Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Ticket shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof; and which said Certificate or Ticket may be in the Words or to the Effect following; (that is to say),

The *Nantlle* Railway Company.

Form of Certificate.

Number

THESE are to certify, That \_\_\_\_\_ is a Proprietor of the \_\_\_\_\_ Share Number \_\_\_\_\_ of the *Nantlle* Railway, subject to the Rules, Regulations, and Orders of the said Company, and that the said \_\_\_\_\_, his [or her] Executors, Administrators, [or Successors], and Assigns, is and are entitled to the Profits and Advantages of such Share. Given under the Common Seal of the said Company the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

L. And be it further enacted, That if any of such Certificates or Tickets as aforesaid shall be worn out or damaged, then upon the same being brought and shewn at some General Meeting of the said Company, such Certificates or Tickets may be cancelled and destroyed, and other similar Certificates or Tickets given under the Seal of the said Company, to the Person or Persons in whom the Property of such Certificates or Tickets, and the Shares therein mentioned, shall be at that Time vested; or in case such Certificates or Tickets shall be burnt or totally destroyed, then upon due Proof thereof, like Certificates or Tickets shall be given to the Person or Persons who was or were the Owner or Owners of or entitled to such Certificates or Tickets so burnt or destroyed; and a due Entry of the Transfer of such Certificates or Tickets (if any such have been made) shall be entered by the Clerk of the said Company in manner herein directed, the said Clerk receiving for every Certificate or Ticket which shall be so given or exchanged the Sum of One Shilling, and no more.

For granting new Certificates when old ones destroyed or worn out.

LI. 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 Railway or Tram Road, Ways, Loading or Landing Places, Wharfs, Tunnels, Bridges, and other Works, and other the Purposes of this Act.

Application of Money to be raised.

LII. And be it further enacted, That the said Company of Proprietors shall meet together at some convenient Place within the Town of *Car-narvon* aforesaid, within Two Calendar Months next after the passing of this Act, between the Hours of Ten and Three, and shall then and there proceed in the Execution of this Act; and shall and may adjourn such Meeting from Time to Time, and from Place to Place, as they shall think fit; and from and after the said First General Meeting of the said Company of Proprietors, there shall be a General Meeting of the said Company on the Second *Tuesday* in the Month of *May* in each and every Year, or within the Space of Ten Days next thereof, and also such and so many Special General Meetings of the said Proprietors as shall be

First and other General Meetings.

[Local.]

17 H

called

called as herein-after provided; of which said General Meetings and Special General Meetings, one public Notice at the least shall be given by Advertisement in some one or more Newspaper or Newspapers usually circulated in the County of *Carnarvon*, and which said Notice shall specify the Purpose for which any such Special General Meeting is called; and all such General Meetings and Special General Meetings may be adjourned from Time to Time and from Place to Place, as shall be found expedient.

General Meetings may make Bye Laws.

LIII. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any such General or Special Meeting as aforesaid, to make such Rules, Orders, and Bye Laws, as to them shall seem right and proper for the good Government of the said Undertaking, and for regulating the Proceedings of their Committee of Management, and for the Regulation of all Officers, Workmen, and Servants, to be employed in or about the Affairs of the said Company, and for the Superintendance and Management of the said Undertaking in all respects whatever; and from Time to Time to alter or repeal such Bye Laws, Orders, and Regulations, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same, as to the major Part of such Meetings shall seem meet, not exceeding the Sum of Five Pounds for any Offence; such Fines and Forfeitures to be levied and recovered by such Ways and Means as herein-after mentioned; which said Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the said Company, and printed and published, and painted on Boards, shall be hung up and affixed on the Front of the several Toll Houses to be erected on the said Railway and Wharfs, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated, defaced, or destroyed; and such Rules, Bye Laws, and Orders 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 they be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any Directions in this Act contained; and all such Rules, Bye Laws, and Orders, shall be subject to Appeal in manner herein-after mentioned.

Meetings to settle Accounts.

LIV. And be it further enacted, That any General or Special General Meeting shall have full Power to call for, audit, and settle the Accounts of the said Company, and of the Committee of Management, and of the Treasurers, Receivers, or Collectors of the Rates, and other Officers of the said Company; and pursuant to the Directions hereafter contained, to fix the Tolls to be taken from Time to Time for the Conveyance of any Matters or Things in, over, or upon the said Railway or Tram Road, and to reduce and again to raise the said Tolls, and to fix the Rate of Carriage of small Parcels carried along the said Railway or Tram Road.

Committee of Management.

LV. And be it further enacted, That Sir *William Henry Clerke* Baronet, *George Bettiss*, *Richard Garnons*, *Griffith Jones*, *James Thomas Sewell*, and *John Thomas Smedley*, shall be and they are hereby constituted and appointed

pointed the First Committee of Management for managing the Affairs of the said Company.

LVI. And be it further enacted, That the several Persons herein-before nominated, constituted, and appointed the First Committee of Management, shall continue in Office, and be respectively Members of the said Committee, until the General yearly Meeting of the said Company, which shall be held in the Month of *May* in the Year of our Lord One thousand eight hundred and twenty-six; and until others shall be appointed in their or any of their Stead as herein-after mentioned; and at the General Meeting of the said Company which shall be held in the Month of *May* in the Year of our Lord One thousand eight hundred and twenty-six, and also at every succeeding General Meeting to be held in the Month of *May* in each Year, or at some Adjournment thereof respectively, a new Committee shall be elected and appointed out of the Proprietors of Shares in the said Undertaking, to be the Committee of Management for managing the Affairs of the said Company, who shall continue in their Offices for the Space of One Year, to be computed from the Day of Election, or until others or another shall be duly elected into their or any of their Places; provided that nothing herein contained shall render any One of the Committee whose Office shall have expired ineligible to be elected a Member of the Committee for the ensuing Year: Provided also, that no Person holding any Office, Place, or Employment, or being concerned or interested in any Contract or Contracts under the said Company, shall be capable of being chosen to serve on any such Committee.

Committee to serve until the next General yearly Meeting.

Committee to be annually elected.

LVII. And be it further enacted, That when and so often as any Member of the Committee of Management, to be elected by virtue of this Act, shall die, or shall cease to be a Proprietor of a Share in the said Undertaking, it shall be lawful for the said Committee of Management, or for the remaining Members thereof, to elect some other Proprietor to be a Member of the said Committee; and every such Proprietor so elected to fill any such Vacancy shall continue in his Office as a Member of the said Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have continued had he lived or been a Proprietor of a Share in the said Undertaking.

For supplying Vacancies in Committee.

LVIII. And be it further enacted, That Five or more Proprietors of the said Company, holding in the Aggregate Twenty-five Shares or upwards in the said Undertaking, may at any Time, by Writing under their Hands, left at the Office of the said Company, or given to any Member of the said Committee of Management, or left at his last or usual Place of Abode, require the Committee of Management to call a Special General Meeting, so as such Requisition fully express the Objects for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Committee to call such Meeting for the Space of Ten Days after such Notice given as aforesaid, the same may be called by such Proprietors, by giving Fourteen Days Notice thereof in some one or more Newspaper or Newspapers usually circulated in the said County of *Carnarvon*; and the said Company are hereby authorized to meet in pursuance of 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 such

Meetings of Proprietors may be specially convened.

such Acts of the Proprietors, or the major Part of them met together at every such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice, as if the same had been done at a General Meeting at the Time herein-before appointed for holding the same.

General Meetings for choosing Committees, to consist of Fifty Shares.

LIX. Provided always, and be it further enacted, That if at any General Meeting there shall not be Persons present who shall be possessed of or entitled to at least Fifty Shares, or Subscriptions of Five thousand Pounds or upwards in the said Undertaking, either as Principals or Proxies, no Choice of a Committee, nor any Removal of 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 as 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 that case there shall be another Meeting of the said Company of Proprietors at the same Place, at the Expiration of Fourteen Days; and if a sufficient Number of Proprietors as Principals or by Proxies shall not then attend, the said General Meeting shall stand adjourned to that Day Two Weeks next following, and so from Time to Time as often as the same shall happen, until at any such General Meeting there shall be a sufficient Number of Proprietors as Principals or Proxies present, and such Choice, Removal, or new Appointment 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.

Treasurer and Clerk to be elected.

LX. And be it further enacted, That the said Company of Proprietors shall at their said First General Meeting, or at some Adjournment thereof, elect and choose a Treasurer and Clerk for transacting the Business of the said Company; and it shall be lawful for the said Company, at any subsequent General or Special Meeting to be holden as herein-before directed, from Time to Time to remove and displace such Treasurer and Clerk or either of them, or any other Person or Persons who shall be hereafter elected and appointed to their respective Offices; and shall also from Time to Time elect, choose, and appoint, in manner aforesaid, any other Person or Persons to act as Treasurer and Clerk of the said Company, in the Room of such of the said Officers as shall happen to die or resign, or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers, or any of them, as at any such General or Special Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company of Proprietors shall, and they are hereby required to take sufficient Security from every Person who shall hereafter be appointed Treasurer of the said Company, for the faithful Execution of his Office, before he shall enter thereupon.

Treasurers to give Security.

Same Person not to be Clerk and Treasurer.

LXI. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for

for the Purposes of this Act; or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk or of his Partner, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place of Profit or Trust under the said Company, other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same; to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

LXII. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act, shall from Time to Time, when thereunto required by the said Company, by Writing under their Hands, make out and deliver to the said Company, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing, under his or her Hand, of all Monies which shall have been by him or her had, collected, or received, and how, and to whom, and for what Purpose the same and every Part thereof hath or have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as, upon the Balance of every such Account, shall appear to be owing from him or her, to such Person or Persons as the said Company shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render and deliver such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Company, or to such Person or Persons as they shall appoint, within Seven Days after being thereunto required by the said Company, or by such other Person or Persons, all Books, Papers, and Writings in his or her Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by any of the said Company, or by any Person on their Behalf, to any Justice of the Peace for the County of *Carnarvon*, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him; and upon his or her not appearing or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Company might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof,

Officers to  
account.

To whom  
the same  
shall be  
paid.

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by

by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing, shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby authorized and required, by Warrant under his Hand, to commit such Officer or Person to the Common Gaol or House of Correction of the said County of *Carnarvon*, there to remain without Bail or Mainprize until he or she shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in the Hands of, or owing from him or her, and the reasonable Charges of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Company for such Money and Charges, and paid the Composition Money to the said Company (and which Composition the said Company are hereby empowered to make), and shall have delivered up all such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Company: Provided always, that no Person who shall be committed for want of sufficient Distress shall be detained in Prison for any longer Space of Time than Six Calendar Months.

Powers of  
Committee  
and Regula-  
tions.

LXIII. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and to direct the same to be affixed to any Contract or Contracts, Instrument or Instruments; and shall have full Power and Authority to meet and adjourn from Time to Time, and from Place to Place, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places of holding such Special General Meetings; 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, or other Hereditaments and Materials for the Use of the said Undertaking, as in employing, ordering, and directing the Works and Workmen, and in nominating, appointing, electing, placing, or displacing any Officer, Engineer, Agent, Servant, and Workmen of the said Company (except the Treasurer or Treasurers and Clerks hereinbefore directed to be appointed by a General Meeting of the said Company), with such Salary, Gratuity, or Recompence as to the said Committee shall seem proper, and in making all Contracts and Bargains touching the said Undertaking; and the said Committee of Management may require such Security to be given to the said Company of Proprietors

from any Officer or Officers (not being a Treasurer or Clerk of the said Company), or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable; and 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 Report of their Proceedings to the said Stated General Meetings, and if required, to the Special General Meetings of the Proprietors, and shall obey their Orders and Directions; and the said Committee shall keep, or cause to be kept, a full and true Account of all Monies disbursed and Payments made by the said Committee, and by all and every Person and Persons 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 write, insert, and enter, or cause to be written, inserted, and entered, 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 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 shall have free Access thereto for his or their Inspection, without paying any thing for the same.

LXIV. And be it further enacted, That the Orders and Proceedings of every Meeting, as well of the General and Special General Meeting of the Company, as of the Committee of Management, shall be entered in a Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of such respective Meetings; and such Orders and Proceedings when so entered and signed shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others.

Orders and Proceedings to be entered in a Book.

LXV. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special Meetings of Proprietors, or of any Adjournment thereof respectively, or to any of the said Proprietors, and not herein otherwise provided for, shall be given by Advertisement, to be inserted in some One Newspaper usually printed or circulated in the County of *Carnarvon*, or by Letters from the Clerk of the said Company, sent by the Post to or left at the usual Place of Abode of the Proprietors respectively; and such Notices, when so published or given, shall be deemed and considered the same as personal Notices.

Notice of Meetings how to be given.

LXVI. And be it further enacted, That the Clerk of the said Company shall, in a proper Book or Books to be provided by the said Company for that Purpose, enter and keep a perfect and true Account of the Names and Places of Abode of the several Proprietors of the said Undertaking,

Clerk of the Company to keep List of the Proprietors.

taking, 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 *gratis*, and may demand and have Copies thereof or any Part thereof, paying at and after the Rate of Sixpence for every One hundred Words so to be copied; and if any such Clerk to the said Company 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.

Accounts to be kept of Receipts and Disbursements, which shall be open to Inspection.

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

Committee may appoint temporary Treasurer, &c.

LXVIII. And be it further enacted, That in case any such Treasurer 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 Meetings, 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 the Person or Persons who shall so die, be removed from, or quit the Service of the said Proprietors; 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 Meeting 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 Meeting shall think proper; all which Acts of the said Committee shall be conclusive, unless revoked by the General Meeting holden next after such Acts as aforesaid.

Power of Committee to make Calls.

LXIX. And be it further enacted, That the said Committee shall have Power from Time to Time to make such Call or Calls of Money from  
the



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 Twenty 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 One Calendar Month at the least from each other, and Ten Days Notice at the least shall be given of all such Calls as aforesaid, by Advertisement in some One or more Newspaper or Newspapers usually circulated in the said County of *Carnarvon*; which Monies so called for shall be paid to such Person and Persons, and in such Manner as the Committee shall from Time to Time appoint and direct, for the Use of 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 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 One Imparance, shall be allowed; or the said Company may, and they are hereby authorized at a General Meeting to declare the Shares belonging to any Person refusing or neglecting to pay any such Calls in Manner as aforesaid, to be forfeited to and for the Use 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; provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking, until Notice in Writing under the Hand of the Clerk or Treasurer of the said Company shall have been given or sent by the Post to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, nor until the said Share or Shares shall have been declared to be forfeited at some stated or General Special Meeting 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 Notice.

to give in 2018

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

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

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Person

Person or Persons to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

Proceedings  
in Actions  
for Calls.

LXXI. 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 allege 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 to be due; unless it shall appear that any such Call exceeded Twenty Pounds for every Sum of One hundred Pounds, or was made within the Distance of One Calendar Month from the last preceding Call, or without Notice given in any Newspaper as aforesaid.

For ascer-  
taining the  
Proprietor-  
ship of  
Shares in  
certain Cases.

LXXII. And whereas in Cases where the original Holder or Proprietor, or Holders or Proprietors, of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his, her, or their Right and Interest to some other Person or Persons, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of any Officer acting for the said Company to ascertain who is or are the Owner or Proprietor, or Owners or Proprietors of such Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, or to maintain any Action or Actions, Suit, or other Proceedings against him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same; be it therefore enacted, That in all the Cases aforesaid, where the Right and Property in any Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer and Conveyance thereof in the Form and Manner herein specified, or herein otherwise provided, an Affidavit shall be made and sworn to by Two credible Persons, before One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns; and such Affidavit

Affidavit shall be delivered to and left with the Clerk to the said Company, to the Intent that he may preserve the same, and enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Undertaking, to be kept in the Office of the said Company; and in all or any of the said Cases, after Thirty Days Notice in Writing shall have been given by the said Committee of Management, under the Hand of the Clerk or Treasurer of the said Company, to the Person or Persons stating or claiming in such Affidavit to be the Owner or Owners of such Share or Shares, or left at his, her, or their last or usual Place of Abode, to pay his, her, or their Proportion of Money so to be called for, and such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid; it shall be lawful for the said Subscribers and Proprietors, at any General Meeting, or Special General Meeting, after the Expiration of such Notice, to declare the same Share or Shares to be forfeited, and in such Case the same shall become forfeited, and shall and may be sold and disposed of in such Manner as the said Subscribers or Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the General Fund of the said Company.

LXXIII. Provided also, and be it further enacted, That no Proprietor in Arrear for any Call shall at any Meeting be allowed to vote or give his Voice in the Agitation of any Question respecting the Concerns of the said Company, either personally or by Proxy, until such Time as he shall have paid all such Arrears as may be due from him in respect of such Calls.

Proprietor in Arrear not to vote.

LXXIV. And be it further enacted, That such Committee shall keep a regular Minute or Entry of their Proceedings, and from Time to Time make Reports to, and be subject to the Examination and Controul of the said General and Special Meetings of the said Proprietors as aforesaid, and shall pay due Obedience to all such Orders and Directions in and about the Premises, as shall from Time to Time be made by the said Proprietors at any such General or Special Meeting, such Orders and Directions not being contrary to any express Directions or Provisions in this Act contained.

Committee to be under Controul of General Meetings.

LXXV. And be it further enacted, That it shall be lawful for the said Committee to nominate and appoint out of their own Body One or more Sub-Committee or Sub-Committees, who shall have full Power and Authority to enter into and make any such Contracts or Agreements on behalf of the said Company as aforesaid, and to hire and employ any Agents, Workmen, or Servants, in and about the said Undertaking, and to do, execute, and perform all other Matters and Things whatsoever in and about the said Undertaking, which the said Committee are themselves herein before authorized to do, or such of them as the said Committee shall think proper to intrust to the Care and Management of any such Sub-Committee or Sub-Committees, (save and except, nevertheless, the making of Calls for Money upon the Proprietors of the said Undertaking); and it shall be lawful for the said Committee for the Time being to order and direct such Compensation or Recompence to be made to the Sub-Committee or Sub-Committees, from Time to Time, as they shall think

Committee may appoint Sub-Committees, with Power to make Contracts, &c.

think reasonable; and it shall be lawful for the said Committee, by an Order or Resolution for that Purpose, to break up and dissolve any such Sub-Committee or Sub-Committees, or to remove and displace any Member or Members thereof; and to appoint some other or others in his or their Place and Stead, when and as often as such Committee shall think proper and expedient; and Sub-Committees shall have full Power and Authority to meet from Time to Time, and adjourn from Place to Place, as they shall think proper, and as Occasion shall require, for effectuating the Purposes aforesaid; and all Powers and Authorities hereby vested, or which shall, by the said Committee, be vested in any such Sub-Committee or Sub-Committees, within the Intent and Meaning of this Act, shall and may be exercised by the major Part of the Members present at their respective Meetings; and at all Meetings of such Sub-Committees respectively, One of the Members present shall be appointed President or Chairman, and all Questions shall be decided by the Majority of Votes, and the President or Chairman shall have the casting Vote in case of an equal Division, although he may have given One Vote before.

Shares may  
be sold.

LXXVI. And be it further enacted, That it shall be lawful for the several Proprietors of any Share or Shares in the said Undertaking, and his, her, or their respective Executors or Administrators, 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 Shares may be in the following Words, or to the like Effect, varying the Names and Descriptions of the contracting Parties as the Case may require; that is to say,

Form of  
Conveyance.

I, \_\_\_\_\_ of \_\_\_\_\_, in consideration of \_\_\_\_\_ do hereby bargain, sell, assign, and transfer to the said \_\_\_\_\_ Share (or Shares, as the Case may be) numbered \_\_\_\_\_ of and in the Undertaking called "The Nantlle Railway Company," to hold unto the said \_\_\_\_\_ his Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Regulations, and on the same Conditions as I held the same immediately before the Execution hereof; and I the said \_\_\_\_\_ do hereby agree to accept and take the said Share (or Shares) subject to the same Rules, Orders, Restrictions, and Conditions. As witness our Hands and Seals the \_\_\_\_\_ Day of \_\_\_\_\_ 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 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 Sale 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 Two Shillings and Sixpence shall be paid; and the said Clerk is 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.

LXXVII. And be it further enacted, That no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after any Call shall have been made by the said Committee, for any Sum or Sums of Money in respect of such Share or Shares, 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, or to such Person or Persons as the said Committee shall appoint to receive the same, the whole and entire Sum of Money which shall have been called for in respect of each Share so sold or transferred.

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

LXXVIII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, shall, for the Purposes of this Act, be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices hereby required to be given to the Owner or Proprietor of any Share or Shares in the said Company shall and may be given or sent to such Person whose Name shall so stand first in the Books of the said Company; and such Notice to such Person shall be deemed and taken to be a sufficient Notice to all the Owners or Proprietors of such Share or Shares, for all the Purposes for which such Notice is intended to be given; and such Owners or Proprietors shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, and whose Vote shall, either in Person or by Proxy, on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares.

The Person whose Name stands first as a Joint Proprietor with others, to be deemed the Owner, and to be entitled to vote.

LXXIX. And be it further enacted, That in case any Proprietor or Proprietors entitled to vote at any such Meetings as aforesaid, shall be a Lunatic or Lunatics, or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings by his, her, or their Committee, or any One of such Committee, and such Minor or Minors shall and may vote by his, her, or their Guardians, or any One of such Guardian, provided that such Committee or Guardian may also vote in right of his own Shares, as well as in the Character of the Committee of any Lunatic or Lunatics, or of Guardian of any Minor or Minors, on the same Occasion.

Lunatics and Minors to vote by Committees and Guardians.

LXXX. And be it further enacted, That when and so soon as the said Railway or Tram Road shall have been fully completed, the said Company of Proprietors or their Committee shall cause a true and particular Account to be taken and balanced of all and every the Sum and Sums of Money which shall have been expended in the obtaining this Act, in making and completing such Railway or Tram Road, and for making such Compensation as aforesaid, and also for carrying into effect the general Purposes of this Act, and also of all and every the Sum and Sums of Money which shall have been raised and contributed by the said Com-

Application of Monies to be raised.

[Local.]

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pany

pany of Proprietors for the doing thereof, and for the Purposes of this Act, distinguishing the Days upon which such Sums shall have been respectively advanced and paid by the said Proprietors, and which shall then remain due and owing to them; and at the Expiration of Twelve Calendar Months from the taking of such Account, the said Company of Proprietors, or the Committee of Management, shall and are hereby required to cause a like Statement and Account to be made up and balanced of all Sums of Money which shall from Time to Time have been received by the said Company, or any Person on their Account, for or in respect of the Tolls, Duties, or Tonnage under or by virtue of this Act, and of all other Sums due and owing or belonging to the said Company, and also of the Charges and Expences attending the supporting and maintaining the said Railway or Tram Road from the Time of the Completion thereof; and when such last-mentioned Account shall have been so made up as aforesaid, the Balance of Money which on such Account shall appear to be in the Hands of or due to the said Company of Proprietors, after defraying all Expences of maintaining and managing the said Railway or Tram Road during the Year last passed, shall be appropriated in manner following; (that is to say), in the first Place, the Amount of the computed Costs, Charges, and Expences of supporting and managing the said Railway or Tram Road for the Year ensuing the Day when such Account is made up, and the Balance shall be set apart for defraying such Costs, Charges, and Expences as and when they shall severally arise and be incurred; in the next Place, a Dividend shall be declared and made out of the Surplus of such Balance in the Hands of or due to the said Company of Proprietors, to be paid to each and every Holder or Proprietor of each and every Share and Shares, at and after the Rate of Five Pounds *per Centum per Annum* upon the Sum or Sums paid to the said Company in respect of each such Share or Shares, from the Time of the respective Payments or Advances of such Sum or Sums, and if there shall be any Residue of such Balance as aforesaid remaining undisposed of, the same shall be added to and form Part of the Sum to be set apart for the Discharge of the computed Costs, Charges, and Expences of supporting and managing the said Railway or Tram Road; and the said Company of Proprietors or their Committee of Management shall, at the Expiration of Twelve Calendar Months next after the stating and Allowance of such last-mentioned Account, and so on from Year to Year, until the several Sums of Money raised and contributed for the Purposes of this Act shall have been wholly repaid as herein-after mentioned, cause a like Account to be made up and balanced of all Sums of Money which shall have been from Time to Time received by the said Company, or any Person on their Account, for or in respect of the Tolls, Duties, or Tonnage under or by virtue of this Act, within the Year next preceding the making out of each such Account, and also of the Costs, Charges, and Expences attending the supporting or managing the said Railway or Tram Road during the same Period, and the Salaries of Officers, and all other Expences attending the same; and the Balance of Money which on each such stated Account shall appear to be in the Hands of or due to the said Company of Proprietors, after discharging thereout any Costs, Charges, or Expences of maintaining and managing the said Railway or Tram Road during the Year then last passed, which the Fund set apart for that Purpose on the last stated Account shall have been found insufficient to satisfy, shall be appropriated in manner next herein-after mentioned;

tioned; (that is to say), in the first Place, the Amount of the computed Costs, Charges, and Expences of supporting and managing the said Railway or Tram Road for the Year ensuing the Day when each such Account is made up and balanced, and the Salaries of Officers and all other Expences allowed, the same shall be set apart for defraying such Costs, Charges, and Expences as and when they shall severally arise and be incurred; and in the next Place, a Dividend shall be declared and made out of the Surplus of such Balance in the Hands of or due to the said Company of Proprietors, to be paid to each and every Holder or Proprietor of each and every Share or Shares, at and after the Rate of Five Pounds *per Centum per Annum* upon the Sum or Sums paid to the said Company in respect of each such Share or Shares, for so much thereof as at that Time shall not have been repaid or redeemed as hereinafter mentioned, and also such further Dividend as shall be necessary to make up any Deficiency in the Dividend of Five Pounds *per Centum* of any former Year or Years; and the clear Residue of such Balance remaining undisposed of for the Purposes aforesaid, shall be paid to the Holders or Proprietors of Shares, in proportion to the several and respective Shares, and towards the Repayment of so much of the Money which shall have been raised and contributed under or by virtue of this Act; provided always, that no Proprietor shall be obliged to accept any such Payment towards the Redemption or Reduction of the Money which shall have been contributed by him, and in respect of which he shall be entitled to such yearly Dividend as aforesaid, of any Sum or Sums of Money amounting to less than Ten Pounds in respect of each Share to which he shall be entitled in the said Railway or Tram Road; and within Twenty-one Days after such clear Residue shall have been ascertained, a Notice shall be inserted in some Newspaper usually printed or circulated in the County of *Carnarvon*, specifying the Amount of such Residue so ascertained as aforesaid, and also specifying how much of such clear Residue is to be applied and appropriated to the Holder or Proprietor of each and every of the said Shares towards the Repayment or Redemption of the Money advanced by him in respect thereof; and from and after the Publication of such Notice, so much of the Claim and Demand of the Holder or Proprietor of each and every such Share or Shares as the said Sum so to be applied and appropriated as aforesaid amounts to, shall be deemed and taken to be paid off to such Holder or Proprietor.

LXXXI. And be it further enacted, That the said Company of Proprietors or their Committee of Management shall and are hereby required, from and after the Time at which the several Sums of Money raised and contributed for the Purposes of this Act shall have been wholly paid off in manner herein mentioned, to cause a true, exact, and particular Account to be kept, and annually made up and balanced on the Thirty-first Day of *December* in each Year, of the Money collected or received by the said Company, or their Committee of Management, or otherwise for the Use of the said Company by virtue of this Act, and of the Charges and Expences attending and erecting, making, supporting, maintaining, and carrying on the said Works, and of all other the Receipts and Expenditure of the said Company, or their Committee of Management, and at the General yearly Meeting of the Proprietors of the said Undertaking, to be from Time to Time holden as aforesaid, or at some Adjournment thereof, a Dividend shall be made out of the clear Profits of the said Undertaking,

As to making up Accounts and Division of Profits annually.

Undertaking, unless such yearly Meeting shall declare otherwise, and such Dividend or Dividends shall be at and after the Rate of so much *per Centum* upon the several Sums invested by the Members thereof in the Joint Stock of the said Company, as such Meeting or Meetings shall think fit to appoint and determine; provided always, that no Dividend shall be declared or paid, until the General yearly Meeting which shall be holden next after the Expiration of Six Calendar Months from the passing of this Act; provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any Degree reduced or impaired, nor shall any Dividend be paid in respect of any Share or Shares, after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid.

Committee of Management may declare intermediate Dividends.

LXXXII. Provided always, and be it further enacted, That notwithstanding any thing herein-before contained, it shall be lawful for the Committee of Management, and they are hereby authorized and empowered, to declare One or more Dividend or Dividends at such intermediate Time or Times between the said annual Meetings as the said Committee shall think fit.

Regulation as to Acquisitions of Shares.

By Marriage.

By Will, or in the Course of Administration.

LXXXIII. And whereas, by Marriage or Death of Proprietors of Shares in the said Undertaking, it may be difficult to ascertain to whom the Dividends arising or becoming due upon such Share ought to be paid or may belong; be it therefore further enacted, That before any Person or Persons who shall claim any Part of the Profits of the said Undertaking in right of Marriage, shall be entitled to receive the same, or be entitled to vote in respect of any Share, an Affidavit, or solemn Affirmation by any Person of the Society of Quakers, in Writing, containing a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, shall be made and sworn to, or solemnly affirmed by some credible Person before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers of Sales of Shares in the said Railway; and before any Person or Persons who shall claim any Part of the Profits of the said Undertaking by virtue of any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same, or be entitled to vote in respect of any Shares, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shewn to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator or Intestate, shall be made and sworn to, or solemnly affirmed to, by the Executor or Executors of the said Will, or the Administrator or Administrators of the Intestate, before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, and also be transmitted to the said Clerk, who shall file and enter the same as herein-before mentioned; and in all Cases other than herein-before mentioned, when the Right and Property of any Share or Shares in the said Railway shall pass from the original Proprietor or Proprietors thereof to any other Person or Persons, by any other legal Means than by a Transfer and Conveyance thereof as herein directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to, or solemnly affirmed to, by One or more credible Person or Persons, before a Master or



or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors of the said Company; and the Clerk of the said Company shall be entitled to receive for each and every of such Entries as is herein-before directed, the Sum of Two Shillings and Sixpence, and no more.

LXXXIV. And be it further enacted, That the Receipt or Receipts of the Person, or any one of the Persons in whose Name or Names any Share or Shares in the said Undertaking shall stand in the Books of the said Company, shall from Time to Time be a sufficient Discharge to the Treasurer or Treasurers for the Time being of the said Company, for any Dividend or Dividends, Sum or Sums of Money, which shall become due and payable, and be paid for or in respect of such Share or Shares, notwithstanding any Uses, Trusts, Intents, or Purposes, upon or to which Share or Shares shall be then settled, conveyed, or assigned.

Receipt of the Person in whose Name Shares stand for Dividends, to be good.

LXXXV. And be it further enacted, That in all Cases where Money shall be payable under the Provisions of this Act to any Proprietor in the said Undertaking who shall be a Minor under the Age of Twenty-one Years, the Receipt of the Parent or Guardian for the Time being of such Minor, shall be sufficient Discharge to the said Company and their Treasurer for the same.

Receipt of Parents, &c. of Minor Subscribers, to be a Discharge to the Company.

LXXXVI. And in consideration of the great Charges and Expences which the said Company must necessarily incur and sustain in making and maintaining the said Railway or Tram Road, and other the 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, until the whole Amount of the several Sums of Money raised and contributed for the Purposes of this Act shall have been in manner aforesaid repaid, to ask, demand, take, recover, and receive to and for the Use and Benefit of the said Company, for the Tonnage of all Slates, Slate Stones, Blocks of Slate, Tiles, Tile Stones, Copper, Tin, Lead, Iron, and other Ores, Copper, Tin, Lead, Iron, and other Metals, Coals, Coke, Culm, Cinders, Chalk, Marle, Earth, Clay, Stone, Bricks, Lime, Sand, Timber, Corn, Grain, Flour, and all other Goods, Commodities, Wares, Merchandize, Articles, Matters, and Things, which shall be carried or conveyed upon or along the said Railway or Tram Road thereof, or upon or along any Part thereof respectively, the Rates, Tolls, and Duties herein-after mentioned; (that is to say), Copper, Tin, Lead, Iron, and other Ores, and all Matters containing Ores of Copper, Tin, Lead, Iron, and other Metals, and for all Slates, Slate Stones, and Blocks of Slate and Slate Stone, Tiles, and Tile Stones, such Sum as the said Company at any General Meeting of the said Company, to be held as herein-before is directed, shall from Time to Time direct or appoint, not exceeding the Sum of Sixpence *per Ton per Mile*; and for all Lime Stone, Lime, Dung, Compost, and all Sorts of Manure, and all Materials for the Repair of public Roads or Highways, Timber, Coals, Coke, Culm,

Rate of Tonnage.

[Local.]

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Cinders,

Cinders, Stones, Bricks, Earth, Clay, Chalk, Marle, Lime, Sand, Corn, Grain, Flour, and all other Goods, Commodities, Wares, Merchandize, Articles, Matters, and Things, such Sum as the said Company at any General Meeting of the said Company, to be held as herein-before is directed, shall from Time to Time direct or appoint, not exceeding the Sum of Three-pence *per* Ton *per* Mile.

Regulations  
as to frac-  
tional Parts  
of a Ton or  
Mile.

LXXXVII. And be it further enacted, That 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 a Ton contained in such Fraction; and when there shall be a Fraction of a Quarter of a Ton, such Fraction shall be deemed and considered as a 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 Railway or Tram Road, the Tonnage which shall be demanded and taken shall be after the Rate of the Number of Quarters of a Mile which the said Waggon, Cart, or other Carriages shall have passed; and when 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 Railway or Tram Road, the said Company shall cause the said Railway or Tram Road to be measured, 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 Railway or 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: Provided always, that where any Waggon shall come into the said Railway or Tram Road between any Two such Stones or Marks, Tonnage shall not be due and payable for the Distance which shall be travelled up to the First Stone or Mark which shall be passed by any such Waggon, unless the Point where such Waggon shall enter upon the said Railway or Tram Road shall be more than One hundred and fifty Yards from such Stone or Mark: Provided also, that it shall not be lawful for the said Company to demand or take, or cause to be demanded or taken, any Rates for or in respect of Goods, Wares, or Merchandize, or other Things, but for and during such Time as such Stones so set up as aforesaid shall remain and continue as aforesaid.

Reduction  
of Rates  
when Money  
raised shall  
be repaid.

LXXXVIII. And be it further enacted, That if at any Time or Times hereafter the several Sums of Money raised and contributed for the Purposes of this Act shall have been wholly paid off in manner herein-before mentioned, then and in such Case, and from and immediately after such Payment and Satisfaction as aforesaid, all and every of the Rates, Tolls, and Duties herein-before by this Act authorized to be taken, for or in respect of all Copper, Tin, Lead, Iron, and other Ores, and all Matters containing Ores of Copper, Tin, Lead, Iron, and other Metals, and all Slate, Slate Stones, and Blocks of Slate and Slate Stone, which shall be conveyed upon all or any Part of the said Railway or Tram Road, or any

Part thereof, shall be reduced and lowered from the said several Rates, Tolls, and Duties herein-before by this Act authorized to be taken, and that the Sum of Three-pence Halfpenny *per* Ton, and no more, of the Weight aforesaid *per* Mile, shall be paid, received, and taken for and in respect thereof, any thing herein-before or hereafter contained to the contrary thereof in anywise notwithstanding; but the Tolls, Rates, and Duties not hereby specifically reduced and lowered, shall remain and continue payable to the said Company, as if the said several Sums of Money raised and contributed for the Purposes of this Act had not been so paid off.

LXXXIX. And be it further enacted, That it shall be lawful for the said Company, at any General Meeting of the said Company to be held as is herein-before directed, from Time to Time, and as often as they shall think fit, to lessen or reduce all or any of the Rates, Tolls, and Duties herein-before by this Act authorized to be taken for or in respect of all or any other of the Articles or Things herein-before specified or mentioned, which shall be conveyed upon the said Railway or Tram Road, such Reduction of Tonnage to apply to the whole Length of the said Railway or Tram Road, as the said Company at such General Meeting shall direct, and afterwards from Time to Time again to raise, advance, and vary the same Rates, Tolls, and Duties, so as not at any Time to exceed the Amount herein-before set forth and authorized to be collected.

Power to reduce the Rates.

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

Table of Rates to be put up.

XCI. And be it further enacted, That every Toll Collector shall and he is hereby required to place his Christian and Surname painted on a Board in legible Characters in the Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand or take a greater or less Rate or Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the

For preventing Toll Collectors taking undue Tolls.

said

said Company made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading the Inscriptions on the Boards to be affixed and placed as aforesaid or either of them, or shall refuse to tell his Christian and Surname to any Person or Persons who shall demand the same on having paid the said Rates or Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or upon the legal Rate or Toll being paid or tendered, shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Person or Persons from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Treasurer, Clerk, Surveyor, or other Officer; then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds.

Recovery of Rates.

XCII. And be it further enacted, That the Rate of Tonnage herein authorized and demanded to be taken shall be paid to such Person or Persons, at such Place or Places at, upon, or near the said Railway or Tram Road, in such Manner, and under such Regulations, as the said Company at some General or Special Meeting or Meetings, or as the Committee shall, by Notice to be annexed to the Account or List of Tonnage, direct or appoint; and in case of Refusal or Neglect of Payment of such Rates, Tolls, or Duties, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same as aforesaid, the said Company may sue for 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, Tolls, or Duties ought to have been paid may, and he and they is and are hereby empowered to seize the Goods or other Things for or in respect whereof any such Rates, Tolls, or Duties ought to have been paid, or any Part thereof, and the Horse, Cattle, Waggon, or other Carriages laden therewith, and detain the same until such Payment shall be made, together with reasonable Charges for such Seizure and Detention; and if such Goods shall not be redeemed within Five Days next after the taking thereof, the same shall be appraised and sold as the Law directs in cases of Distress for Rent.

Penalty on Persons evading Payment of proper Rates.

XCIII. And be it further enacted, That if any Person or Persons shall fraudulently carry or convey any Article or Thing whatsoever on the said Railway or Tram Road, or on any Part thereof respectively, on Payment of a lower Rate, Toll, or Duty than that to which such Articles or Things may at any Time be subject or liable, and shall be thereof convicted before any Justice of the Peace for the said County of *Carnarvon*, every such Person so offending shall, for every such Offence, forfeit and pay to the said Company any Sum not exceeding Ten Shillings, over and above the Rate, Toll, or Duty to which such Articles or Things may be liable; to be levied and recovered in the same Manner as any other Penalty or Forfeiture under this Act can or may be levied and recovered.

Dispute about the Amount of Rates due.

XCIV. And be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates, Tolls, or Duties due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful

lawful for the Collector or Person distraining, to detain such Distress, until the Amount of the Rates, Tolls, or Duties due, and the Charges of seizing, distraining, keeping, or selling such Distress (as the Case shall happen), shall be ascertained by some Justice of the Peace for the said County of *Carnarvon*, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath of the Parties, or other Witness or Witnesses, and determine the Amount of the Rates, Tolls, or Duties due; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the Parties to the other of them, as he shall think just and reasonable; and in case of Nonpayment thereof on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same, by Warrant under the Hand and Seal of such Justice.

XCV. And be it further enacted, That it shall be lawful for the said Company, at any of their General Meetings, by Writing under their Common Seal, at any Time or Times to let to farm the Rates, Tolls, and Duties hereby made payable, or any Part or Parts thereof, upon the Whole or any Part or Parts of the said Railway or Tram Road, and 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; and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Rates, Tolls, and Duties so let, shall, during the Continuance of any 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; provided public Notice of the Intention to let the said Rates, Tolls, and Duties, or any Part thereof, be given in Writing by the said Committee, or any Three or more of them, or by the Clerk to the said Company of Proprietors, by Advertisement published in some Newspaper published within the said County of *Carnarvon*, or by Notice to such Proprietors as aforesaid, at least Twenty Days prior to any such General Meeting at which the said Rates, Tolls, and Duties, or any Part thereof, are proposed to be let as aforesaid.

Company empowered to lease the Rates.

Notice of the Intention to let the same to be given.

XCVI. And be it further enacted, That in case all or any of the Tolls or Duties arising by virtue of this Act shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof, shall be in arrear or unpaid for the Space of Fourteen Days next after any of the Days on which the same ought to be paid pursuant to the Lease, Agreement, or Contract for demising or letting the same Tolls or Duties; or in case any temporary or other Collector of the said Tolls and Duties shall be discharged from his Office by virtue of this Act, or shall die, abscond, or absent himself, and any such Collector who shall be so discharged, or the Wife, Widow, or any of the Children or Family, or other Representatives, of any Collector who shall die, abscond, absent himself, or be discharged, or any other Person or Persons, shall refuse to deliver up the Pos-

Power to re-enter.

To execute or enforce the same.

[Local.]

session of any Toll House or Toll Houses, Weighing Machine or Weighing Machines, or other Building or Buildings, with the Gardens and other Appurtenances thereto respectively belonging; to be erected, built, constructed, or set up by virtue of this Act, for the Space of Four Days after Demand thereof made in Writing, given or left at such Toll House, Weighing Machine, or Building, or at any One of such Toll Houses, Weighing Machines, or Buildings, which shall be or have been in the Possession or Occupation of such Collector or other Person or Persons, such Demand in Writing to be signed by any Three or more of the Committee of Management (although not assembled at a Meeting), or by the Clerk or Treasurer for the Time being of the said Company; or in case any such Lease, Agreement, or Contract shall in any other Manner become void; then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the said County of *Carnarvon*, upon Application made by the said Committee, or any Three or more of them, or by the Treasurer for the Time being of the said Company, by Warrant under their respective Hands or Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of every or any such Toll House, Weighing Machine, or other Building, with the Garden, and all other the Appurtenances thereto belonging; and to remove and put such Lessee or Lessees, Farmer or Farmers, or other the Person or Persons who shall be found therein, together with his, her, or their Goods, from and out of the same, and the Possession thereof, and from the Collection of such Tolls and Duties, and to put the said Company, or any One of them, or their new Lessee, Farmer, or Collector, Lessees, Farmers, or Collectors, into the Possession thereof; and thereupon it shall be lawful for the said Committee or any Three or more of them, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement (if any) which was previously subsisting, and the same shall accordingly be utterly void to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part), as if such Lease, Contract, or Agreement had never been made; and it shall be lawful for the said Committee, or any Three or more of them, in every such Case, again to demise or let to farm the said Tolls and Duties to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

Owners of  
Waggons to  
give an Ac-  
count of  
Lading.

XCVII. And for better ascertaining and more easily collecting of the said Tolls and Duties, be it further enacted, That the Owner or Owners, or Person or Persons having the Care of any Waggon or other Carriage passing upon the said Railway or Tram Road, or upon any Part thereof respectively, shall give an exact and true Account in Writing, signed by him or them, to the Collectors of the said Rates and Tolls, at the Place or Places where they shall attend for that Purpose, of what Quantity of Goods and other Things as aforesaid shall be in such Waggon or other Carriage, and with respect to such Waggon or other Carriage from whence brought, and where the same are intended to be unloaded or left, 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 each

each or any of the said Rates; and in case he or they shall neglect or refuse to give and deliver such an Account, or to produce his or their Bill of Lading to any Collector demanding the same, or shall give a false Account, or shall deliver any Part of his Lading or Goods at any other Place than is or are mentioned in such Account, with an Intent to avoid the Payment of the said Rates, Tolls, and Duties, or any Part of them, and shall be thereof convicted before any Justice of the Peace for the County of *Carnarvon*, every such Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Ten Shillings for every Ton of Goods and other Things, and so in proportion for any less Quantity than a Ton, which shall be in such Waggon or other Carriage, of which such Account shall be so refused to be given, or which shall be fraudulently delivered out as aforesaid, as the Case shall happen to be, over and above the Rate, Toll, or Duty to which such Articles or Things may be liable.

**XCVIII.** And for better ascertaining the Tonnage of Goods and other Things to be charged with the Payment of such Rate as aforesaid, be it further enacted, That One hundred and twelve Pounds shall, for the Purposes of this Act, be declared, rated, or estimated as for One Hundred Weight; and Twenty-one such Hundred Weight shall, for the Purposes of this Act, be deemed, rated, or estimated as for One Ton of Slates, Slate Stones, Blocks of Slate and Slate Stones, Tiles and Tile Stones, Copper and other Ores; and Twenty such Hundred Weight shall be deemed, rated, or estimated as for One Ton of all other Articles; and Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Beech, and Ash, and Fifty Cubic Feet of all other Wood, shall, for the Purposes of this Act, be deemed, rated, or estimated as for One Ton Weight, any Usage to the contrary notwithstanding.

**XCIX.** And be it further enacted, That if any Difference shall arise between any Collector of the said Rates, Tolls, and Duties, and the Owner or Person having the Charge of any Waggon or other Carriage, or the Owner of any Goods or other Things, it shall be lawful for any such Collector to stop and detain any such Waggon or other Carriage, and to weigh, measure, and gauge, or cause to be weighed, measured, or gauged, such Waggon or other Carriage, and all such Goods and other Things as shall be therein respectively contained; and in case the same shall, upon such weighing, measuring, or gauging, appear to be of greater Weight or Quantity than what is set forth and contained in the Account given thereof as aforesaid, then the Owner or Person giving such Account shall pay the Cost and Charges of such weighing, measuring, and gauging; all which Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be recovered and levied by such Ways and Means, and in such Manner as the said Rates, Tolls, and Duties are hereby appointed to be recovered and levied; but if such Goods or other Things shall appear to be of the same, or less Weight or Quantity than the same shall by such Account appear to be of, then the said Collector shall pay the Costs and Charges of such weighing, measuring, or gauging, and also pay to such Owner or Person, or to the Owner or Owners of such Goods or other Things, such Damages as shall appear to any Justice of the Peace for the County of *Carnarvon*, on the Oath of any credible Witness, to have arisen from such Detention; and in default of immediate Payment thereof by the

Weight of Tonnage ascertained.

If any Difference concerning Weight, Collectors may weigh or measure Waggon's.

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the Collector, the same may be recovered by Distress and Sale of the Goods of the said Company, or of the said Collector, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) upon Demand, after deducting the Costs of such Distress and Sale, to the said Company.

Owners to  
put their  
Names on the  
Outside of  
their Wag-  
gons.

C. And for the better Regulation of the Owners of Waggon and other Carriages, and others employed by or under them respectively, and for the more easy Detection of any Thing by them done contrary to the Directions of this Act; be it further enacted, That the Owner or Owners of any Waggon or other Carriage passing along the said Railway or 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 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, Two Inches high at the least, and of a proportionable Breadth, on some conspicuous Part of the Outside of every such Waggon or other Carriage, so as to be always open to view, 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 conduct the same upon the said Railway or Tram Road, without having such Waggon or other Carriage previously gauged, weighed, and measured, or without having such Names and Figures thereon respectively as herein-before directed, or who shall alter, erase, or deface such Names and Figures or any of them, or any Part thereof, or shall fix thereon any false Name or Figure, 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  
Waggon to  
be account-  
able for Da-  
mages done  
by their Ser-  
vants.

CI. And be it further enacted, That the Owner or Owners of any Waggon or other Carriage passing upon the said Railway or Tram Road, shall be, and he, she, and they is and are hereby respectively made answerable for any Trespass, Damage, Spoil, or Mischief that shall be done by his, her, or their Waggon or other Carriage, or Horses, Mules, or Cattle drawing the same, or by any of the Waggoners, or other Person or Persons belonging to or employed in or about the same respectively, to the said Railway or Tram Road, or to any Bridges, Engines, and other Works or Conveniences made, or to be made by virtue of this Act, either by the loading or unloading of any Waggon or other Carriage, or by any Means 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 some Justice of the Peace, either by the Confession of the Party or Parties offending, or upon Oath or Oaths of some credible Witness or Witnesses, pay to the Person or Persons injured the Damages to be ascertained by such Justice, provided that such Damage do not exceed the Sum of Five Pounds, and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Forty Shillings, and all the Costs, Charges, and Expences attending such Conviction; which Damages, Penalties, and Costs shall be levied



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 have been 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 Five Pounds, then and in such Case the Owner or Owners of such Waggon or other Carriage may be sued and 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 on Proof made or by Default upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained, with full Costs of Suit.

CII. Provided always, and be it further enacted, That if in case the Owner or Owners of any Waggon or other Carriage passing upon the said Railway or Tram Road, shall be compelled to pay any Penalty, or 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 Penalty or Satisfaction for Damages, with the Costs attending the same, to such Owner or Owners; and in case of Nonpayment thereof on Demand, and Oath made by such Owner or Owners of the Payment by him, her, or them of such Penalty or Satisfaction, and that the same hath not been repaid to him; her, or them by such Servant or Servants, although demanded, (such Oath to be made before some Justice of the Peace for the County or Place in which such Penalty was incurred), the same Penalty and Satisfaction shall be levied by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant or Servants, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction when recovered, shall be paid to such Owner or Owners in discharge of such Penalty and Satisfaction so by him, her, or them paid for the wilful Neglect or Default of such Servant or Servants as aforesaid; and in case no sufficient Distress can be had, such Justice shall and is hereby required to commit such Servant or Servants to the Common Gaol or House of Correction for the said County or Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Owners to recover back from their Servants any Sums paid for their Neglect, &c.

CIII. And be it further enacted, That if any Person shall throw any Gravel, Stones, or Rubbish, or any other Matter or Thing, upon any Part of the said Railway or Tram Road to be made by virtue of this Act, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act, or shall do any other Act, Matter, or Thing to obstruct the free Passage of the said Railway or Tram Road, or any Part thereof respectively, every Person so offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Penalties on Persons obstructing the free Course of Railway.

CIV. And be it further enacted, That if any Person shall wilfully or maliciously, and to the Prejudice of the said Undertaking, break, throw down,

Penalty on destroying Works.

[Local.]

down, destroy, steal, carry, or take away any Part of the said Railway or Tram Road, or any Works to be erected and made by virtue of this Act, every Person so offending, 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 Persons shall be tried and convicted shall have Power and Authority to cause such Person to be transported for the Term of Seven Years, or in mitigation of such Punishment such Court may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

Penalty for allowing Carriages to remain on the Railway.

CV. And be it further enacted, That if any Waggon or other Carriage shall be placed or suffered to remain in any Part of the said Railway or Tram Road, or other Works, so as to obstruct the Passage thereof, and the Person having the Care of such Waggon or other Carriage shall not immediately, upon Request made, remove such Waggon or other Carriage, he shall forfeit for every such Offence any Sum not exceeding Twenty Shillings for every Hour every such Obstruction shall continue after the making of such Request; and it shall be lawful for any Agent or Officer to the said Company to cause any such Waggon or other Carriage to be unloaded, if necessary, and to be removed in such Manner as shall be proper for preventing such Obstruction, and to detain such Waggon or other Carriage, and the Loading thereof, or any Part of such Loading, until the Charges occasioned by such Removal shall be paid.

Company empowered to make and erect Gates, &c. under Direction of Justices of the Peace.

CVI. And be it further enacted, That the said Company of Proprietors shall, at their own Expence, Costs, and Charges, within One Calendar Month next after any Part of the said Railway or Tram Road shall be laid out and formed, make, erect, and set up, and from Time to Time maintain and support such and so many convenient Gates in and upon the said Railway or Tram Road, and also all Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages over and under or by the Side of the said Railway or Tram Road, of such Dimensions and in such Manner as Two or more Justices of the Peace for the said County of *Garnarvon* shall from Time to Time judge necessary and appoint, in case there shall be any Dispute about the same, for the Use of the Owners or Occupiers of the Lands and Grounds through which such Railway or Tram Road thereof shall be made, or for protecting the said Lands and Grounds from Trespass, or the Cattle or other Property of the Owners or Occupiers thereof from estraying or escaping thereout, by reason of such Railway or Tram Road, or any other Matter or Thing to be done in pursuance of this Act; and all such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages so to be made as aforesaid, shall from Time to Time, and at all Times thereafter, be supported, maintained, and kept in sufficient Repair and Condition by the said Company; and in case the said Company shall refuse or neglect to make, erect, or set up such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages as herein-before directed, or to maintain and support the same or any of them when erected, set up, and made in manner aforesaid, for the Space of Thirty Days next after the Time to be appointed for those Purposes respectively by such Justices, then and in every such Case it shall be lawful for every or any of the Owners or Occupiers of the said Lands or Hereditaments, who shall find himself, herself, or themselves aggrieved by such

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Neglect

Neglect or Refusal, to make, erect, and set up all such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages, as the said Justices shall have before directed or appointed to be made, erected, and set up as aforesaid, and to maintain, repair, and support the same from Time to Time as Occasion shall require, so that in making and maintaining such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages as aforesaid, the said Railway or Tram Road, or any of them, or any Buildings and other Things hereby authorized to be made or erected by the said Company, shall not be obstructed or injured for any longer Space of Time, or in any other Manner than shall be necessary for the doing thereof, and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Justices, shall be repaid by the respective Owners or Occupiers of the said Lands and Hereditaments, who shall have so erected and made, repaired or maintained, such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages as aforesaid, by the said Company, within the Space of Ten Days next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered and made thereof to and from the said Company; and in default of Payment of the said Costs and Charges within the Time aforesaid, the said Justices shall and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company, for the Use of such Person or Persons to whom such Costs and Charges shall have been allowed, rendering to the said Company the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; and every or any of the said Owners or Occupiers, upon Refusal or Neglect by the said Company to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedy against them, or any of them, for the Recovery thereof, by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is by this Act directed.

CVII. Provided always, and be it further enacted, That if the Owners or Occupiers of any Lands or other Hereditaments through which the said Railway or Tram Road shall be made, do or shall at any Time or Times hereafter apprehend that any of the Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, and Passages respectively, which the said Justices shall have so directed or appointed to be made by the said Company, are insufficient, either in their Number or Situation, for the commodious Use and Occupation of the respective Lands or Hereditaments through which the said Railway or Tram Road shall pass, then and so often, and in any such Case, it shall be lawful for any such Owners or Occupiers, with the Consent and Approbation of the said Company, upon Request made to them, or in case of their Refusal for the Space of Thirty Days next after such Request, then with the Consent and Approbation of the said Justices, to make, fix, and erect, at their own Costs and Charges, any other Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, or Passages, of the same or like Construction or Form with those made and erected by the said Company, in, upon, along, or near to the said Railway or Tram Road, in such Places as shall be found and adjudged most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of such Lands or Hereditaments, and to repair and support

Owners of  
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the same at their own Costs and Charges, as Occasion shall require, so that the Passage through or along the said Railway or Tram Road be not prevented or obstructed thereby for any longer Space of Time, or in any other Manner than the same would necessarily have been if such Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, and Passages had been made or erected by the said Company.

Owners and Occupiers to pass along Railways without Payment of Toll.

CVIII. And be it further enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands or Grounds through which the said Railway or Tram Road shall be made, and his and their Servants and Workmen, Cattle and Carriages, at all Times to pass and repass over and across such Part of the said Railway or Tram Road as shall be made in and upon the said Lands and Grounds respectively, and also along the said Railway or Tram Road, as far only as the Lands in his, her, or their own Occupation shall extend, for the Purpose of occupying the same Lands, such Person or Persons not damaging or obstructing the said Railway or Tram Road, or the Passages thereof, without Payment of any Toll or Tonnage for the same.

Passage on Railway to be free on Payment of Tonnage.

CIX. And be it further enacted, That all Persons shall have free Liberty to use, with Horses, Cattle, and Carriages, all Roads, Ways, and Passages for the Purpose of conveying any Goods, Wares, Merchandize, or other Things to or from the said Railway or Tram Road, and every Part thereof, and also to pass upon and use the said Railway or Tram Road with Carts, Waggon, or other Carriages properly constructed as herein-after mentioned, and to employ the Wharfs and Quays for loading and unloading such Goods and other Things, upon Payment only of such Rates and Tolls 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.

Railways not to be used as a Passage for Horses or other Cattle.

CX. And be it further enacted, That if any Person or Persons (save and except the said Proprietors, and the Agents or Servants employed by them) shall ride, lead, or drive, or cause to be ridden, led, or driven upon such Railway or Tram Road, or any Part thereof respectively, any Horse, Mule, or Ass, or shall lead or drive, or cause to be led or driven thereon, any Cow or other Neat Cattle, Sheep, Swine, or any other Beast or Animal, (except only in directly crossing the same, or for the necessary Occupations of the respective Farms through which the said Railway or Tram Road may be laid), he or they shall forfeit and pay to the said Company any Sum not exceeding Five Pounds: Provided always, that nothing herein contained shall extend or be construed to extend to subject any Person or Persons, having any Goods or Merchandize hauled along the said Railway or Tram Road, to any Penalty for passing along the same with any Horse, Mule, or Ass, for the *bonâ fide* Purpose of superintending the Carriage and Delivery of such Goods.

No Waggon to pass unless constructed as directed by the Company.

CXI. And be it further enacted, That no Person or Persons whatsoever shall pass upon any Part of the said Railway or Tram Road with any Waggon or other Carriage whatsoever, unless the same shall be constructed

structed 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 Railway or Tram Road for the collecting of the Rates and Tolls by this Act imposed (except in crossing or passing along the same for the convenient Occupation of the adjacent Grounds, or in passing any public or private Carriage Road which may happen to cross the said Railway or Tram Road); and if any Person or Persons whomsoever shall pass upon any Part of the said Railway or Tram Road with any Waggon or other Carriage not constructed in the Manner herein-before directed or referred to (except as aforesaid), he, she, or they so offending shall, for every such Offence, forfeit to the said Company any Sum not exceeding Five Pounds.

CXII. And be it further enacted, That no Cart or other Carriage having only Two Wheels, shall carry along or over any Part of the said Railway or Tram Road, at any one Time, including the Weight of such Cart or Carriage, more than Thirty Hundred Weight; and no Waggon or other Carriage having Four Wheels, shall carry at any one Time, along or over any Part of the said Railway or Tram Road, including the Weight of such Waggon or Carriage, more than Three Tons Weight, except in any one Piece of Timber, Block, or Stone, Boilers, Cylinder, Bob, or simple Piece of Machinery, or other simple Article, which nevertheless shall not exceed the Weight of Four Tons, including the Weight of the Waggon or Carriage, and for the Tonnage or Carriage of which the said Company are hereby authorized to receive and take such Rate or Rates as they from Time to Time direct or appoint, not exceeding One Shilling per Ton per Mile; and no Piece of Timber, Machinery, or other Article, exceeding the Weight of Four Tons, shall be carried upon or along the said Railway or Tram Road, or any Part thereof respectively, without the special Licence of the said Company or their Agents, and for the Tonnage or Carriage of which the said Company or their Agent are hereby authorized to receive and take such Rate or Tonnage as they or he may deem reasonable and proper.

CXIII. And be it further enacted, That the said Company shall and they are hereby empowered and required, at their own proper Charges, after any Land shall be taken for the Use of the said Railway or Tram Road and other Works, to divide and separate, and keep constantly divided and separated, the same from the Lands or Grounds adjoining to such Railway or Tram Road and other Works, with good and sufficient Posts, Rails, Hedges, Ditches, Mounds, or other Fences, in case the Owner or Owners of such Lands or Grounds adjoining to such Railway or Tram Road and other Works, or any of them respectively, shall at any Time desire the same to be fenced off, or in case the said Company shall think proper to fence off the same, instead of Gates being erected as aforesaid; and the said Company shall also make and maintain all necessary Gates and Stiles in all such Fences to be made as aforesaid, all such Gates being made to open towards such Lands and Grounds; and in every such Case the Powers, Provisions, Directions, and Regulations herein-before contained, with respect to the Gates and other Works as aforesaid, shall extend and apply to the making and maintaining of such Fences, as fully and effectually to all Intents and Purposes, as if the said

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For fencing off Railway through private Lands.

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Powers, Provisions, Directions, and Regulations were here repeated and enacted with respect to such Fences.

Gates to be shut and fastened after Waggon shall have passed through them.

CXIV. And be it further enacted, That all and every Person or Persons opening any Gate set up across the said Railway or Tram Road shall, and he, she, and they is and are hereby directed and required, as soon as he, she, or they and the Waggon or other Carriage shall have passed through the same, to shut and fasten the said Gate; and every Person neglecting so to do shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, to be levied and recovered as herein-after mentioned; and the Money arising by such Forfeiture or Forfeitures shall be applied in the Manner following; that is to say, One Moiety or Half Part thereof shall be paid to the Informer, and the Residue thereof to the Poor of the Township or Parish where such Offence shall be committed.

Allowing the Owners of Land to make Branches to communicate therewith.

CXV. And be it further enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands or Grounds lying adjoining or near to the said Railway or Tram Road, or any other Person or Persons whomsoever, to lay down either upon their own Lands, or upon the Lands of other Persons, with the Consent of such other Persons, any Collateral Branch or Branches from their respective Lands or Grounds, to communicate with the said Railway or Tram Road, or for making at their own Expence such Openings in the Ledges or Sides of the said Railway or Tram Road as may be necessary and convenient for effecting such Communication; and the said Company shall not receive any Tonnage for the passing of any Goods or other Things along such Branch or Branches so to be made by any such Owner or Occupier, or Person or Persons as aforesaid.

Openings in the Sides to be made in the Night-time.

CXVI. And be it further enacted, That all such Openings in the Ledges or Sides of the said Railway or Tram Road as may be necessary or convenient for effecting such Communication or Junction as aforesaid, shall not be made at any other Time or Times than between the Hours of Ten in the Evening and Three in the Morning.

Roads may be made across the Railway by the Owners of adjoining Land.

CXVII. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent the Owner and Owners of any Land or Ground lying adjoining or near to the said Railway or Tram Road, from making any Tram Roads, Rail Roads, common Roads, or Watercourses, to, from, and across the said Railway or Tram Road hereby authorized to be made, and to use such Tram Road, Rail Road, common Road, or Watercourse, for the Benefit of themselves, and all and every other Person and Persons to whom they may from Time to Time give leave, and in such Way and for such Purpose as they may require, so that such Tram Road, Rail Road, common Road, or Watercourse, do no Injury to, and do not prevent the free Passage over and along the said Railway or Tram Road hereby authorized to be made by the said Company.

Lords of Manors and Owners may

CXVIII. And be it further enacted, That it shall be lawful for the Lord or Lords, Lady or Ladies of any Manor or Manors, and the Owner  
or

or Owners of any Lands or Grounds near to, through, or by which the said Railway or Tram Road or any Part thereof shall be made, to erect and use any Wharfs, Depots, Landing Places, Cranes, Weigh Beams, or Warehouses in or upon his, her, or their respective Works, or Lands or Grounds adjoining or near to the said Railway or Tram Road, and to land any Goods or other Things upon such Wharfs or Landing Places, or upon the Banks lying between the same and the said Railway or Tram Road, or any Part thereof; and also to make and use proper and convenient Places for Waggons, Carts, and other Carriages to remain and turn in and pass each other, so that the making or using thereof do not obstruct or prejudice the Passage of the said Railway or Tram Road; and all Rates or Tolls which shall be paid for the Use of such Wharfs, Landing Places, Cranes, Weigh Beams, and Warehouses respectively, shall be and the same are accordingly hereby vested in the Lord or Lords, Lady or Ladies of such Manors, or the Owner or Owners of such Lands or Grounds who shall make and erect the same as aforesaid, and his, her, or their Representative, so that the Rates and Powers herein granted to the said Company be not thereby reduced, altered, or infringed.

erect Wharfs on their Lands.

CXIX. And be it further enacted, That it shall be lawful for the Lord or Lords, Lady or Ladies of the Soil of any Waste Lands, and the Owner or Owners of any Land or Grounds near to, through, or by which the said Railway or Tram Road, or any Part thereof, shall be made, at their own Costs and Charges to construct and make any Railway or Tram Road or other Road that may be necessary to connect such Wharfs, Loading or Landing Places, with the main Line of the said Railway or Tram Road, so as to enable Waggons and other Carriages to come up and discharge and take in Loadings at such Wharfs, Loading or Landing Places.

Lords of Manors and Owners may make Roads to connect Wharfs with the Line of the Railway.

CXX. Provided always, and be it further enacted, That no Part of the said Wharfs, Loading or Landing Places, shall be within Ten Yards of the main Line of the said Railway or Tram Road hereby authorized to be made and constructed as aforesaid.

Wharfs not to be within 10 Yards of main Line of Railway.

CXXI. Provided nevertheless, and be it further enacted, That if the Lord or Lords, Lady or Ladies of any Manor or Manors, and the Owner or Owners of such Lands or Grounds, in the prosecuting, repairing, keeping up, and maintaining any Part of such Works, or in doing any other Matter or Thing, or in neglecting to do any Repairs, Matter, or Thing necessary for such Purposes aforesaid, shall in any way hurt, damage, or impede, or cause to be hurt, damaged, or impeded, the main Line of the said Railway or Tram Road, such Lord or Lords, Lady or Ladies, and Owner or Owners as aforesaid, shall be liable to such Penalties, not exceeding Five Pounds, as any Two or more Justices of the Peace for the County shall think proper and determine for each Offence, besides paying the Expences of the Repair and Removal of such Damage, Impediment, or Obstruction, and besides also paying the Expences of all Delays and Damages that such Impediment or Obstruction may occasion by such Operations.

Railway not to be impeded by any such Works.

CXXII. And

If Obstructions not removed on Notice, the Company may do it.

CXXII. And be it further enacted, That if such Lord or Lords, Lady or Ladies of any Manor or Manors, or the Owner or Owners of such Lands or Grounds, after due Notice of any such Damage, Injury, Impediment, or Obstruction as aforesaid thereof given to him, her, them, or either of them so offending, or left at his, her, or their usual Place of Residence by the Officers, Agents, or Servants of the said Company, shall not, within the Space of Twenty-four Hours next after the Delivery of such Notice, repair or remove, or cause to be repaired or removed, any such Damage, Injury, Impediment, or Obstruction, then and in every such Case, and as often as it shall so happen, it shall be lawful for the said Company, and their Officers, Agents, or Servants, to repair or remove any such Damage, Injury, Impediment, or Obstruction, and to charge the Lord or Lords, Lady or Ladies of any such Manor or Manors, or the Owner or Owners of such Lands or Grounds, with the Expences, which the said Company, their Officers, Agents, or Servants, shall or may incur in the doing thereof; all which Expences shall and may be recovered in the Manner as in this Act is herein-before provided, in addition to such Penalty or Penalties.

Regulations respecting private Wharfs.

CXXIII. And be it further enacted, That nothing herein contained shall authorize or empower the said Company, or any other Person or Persons, to make use of any Wharfs, Loading or Landing Places, Cranes, Weigh Beams, or Warehouses, which shall be set out, erected, or made by the Lord or Lords, Lady or Ladies of any Manor, or the Owner or Owners of any Lands or Grounds adjoining or near to the said Railway or Tram Road, for his, her, or their private Use only, or to set up, erect, or use any Cranes or Weighing Machines in or upon any such Wharfs, Loading or Landing Places, without the Consent of such Lord or Lords, Lady or Ladies, Owner or Owners.

Company may contract for the Works.

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

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

CXXV. And be it further enacted, That in all Cases wherein it may be necessary and requisite for any Person or Persons, or Party or Parties, to serve any Notice or Notices, or any Writ or Writs, or other legal Proceedings, or Proceedings in Equity, upon the said Company, Service thereof respectively upon any One of the Members of the said Committee, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company; or in case the



same respectively shall not be found or known, then Service upon any other Agent or Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

CXXVI. And be it further enacted, That in case the said intended Railway or Tram Road shall not have been completed and made (unless prevented by inevitable Accidents) within the Space of Three Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Three Years, all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said intended Railway or Tram Road and Works, as shall have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said County of *Carnarvon*, assembled at any Quarter Sessions of the Peace to be holden in and for the said County, at any Time before the Expiration of the said Term of Three Years, or within Three Calendar Months next after the Expiration thereof, upon the Evidence of One or more Witness or Witnesses upon Oath, to be produced before them for that Purpose.

If Railway not completed in Three Years, Powers to cease, except as to such Part, if any, as shall be completed.

CXXVII. Provided always, and be it further enacted, That if the said Railway or Tram Road hereby authorized to be made, or any Part thereof respectively, shall at any Time hereafter be abandoned or given up by the said Company, and shall not for the Space of Three Years be used and employed as a Railway or Tram Road, then and in such Case the Land or Ground so purchased or taken by the said Company for the Purposes of this Act, or so much and such Part thereof over which the said Railway or Tram Road, or any Part or Portion of such Railway or Tram Road which shall be so abandoned or given up by the said Company, shall pass, shall vest in the Owner or Owners of the Land adjoining that which shall be so abandoned or given up, in manner following; (that is to say), one Moiety thereof in the Owner or Owners of the Lands on the one Side, and the other Moiety thereof in the Owner or Owners of the Land on the other Side thereof.

If Railway abandoned by the Company, the Land to revert to the former Owners.

CXXVIII. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Damages and Charges, in case of Dispute, to be settled by Justices.

CXXIX. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or com-

In case of Nonpayment of Compensation for Damages, &c. the same to be levied.

[Local.]

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mitted

by Distress  
of the Goods  
of the Com-  
pany or their  
Treasurer.

mitted by the said Company, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the said Company, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him, or them, for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain, after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Recovery and  
Application  
of Penalties.

CXXX. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by any Rule, Order, or Bye Law made in pursuance hereof, (the Manner of levying and recovering whereof is not otherwise particularly directed), may, in case of Nonpayment thereof, be recovered in a summary Way, by the Order and Adjudication of any One Justice of the Peace for the said County of *Carnarvon*, on Complaint to him for that Purpose exhibited by the Oath of any Witness or Witnesses, or on the Confession of the Party offending (which Oath such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and also Sale being first deducted); and one Moiety of the Penalties and Forfeitures when recovered shall be paid to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of the Parish or Place where the Offence shall be committed, for the Use and Benefit of the Poor of such Parish or Place; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice, for his, her, or their Appearance

Appearance before such Justice, or before some other Justice of the Peace for the said County of *Carnarvon*, on such Day or Days as shall be appointed for the Return of such Warrant of Distress (such Day or Days not being more than Seven Days from the taking of any such Security), and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture shall be sooner paid and satisfied, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, or shall otherwise be discharged by due Course of Law.

CXXXI. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining 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.

CXXXII. And be it further enacted, That it shall be lawful for any Collector, Surveyor, or other Officer of the said Company, and such Person or Persons as he shall call to his Assistance, to seize and detain any Person or Persons, being unknown to such Collector, Surveyor, or other Officer, who shall commit any Offence or Offences against this Act, and to convey him, her, or them before any One or more of the Justice or Justices of the Peace for the said County of *Carnarvon*, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby respectively empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

CXXXIII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn

Persons aggrieved by Irregularity in Distress to recover Damages.

For securing transient Offenders.

Form of Conviction.

drawn up according to the following Form, or any other Form to the same Effect, as the Case shall happen; (that is to say),

to wit. } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_  
 in the Year of our Lord \_\_\_\_\_ A. B. is con-  
 victed before me, C. D., One of his Majesty's Justices of the Peace for  
 the County of *Carnarvon* [*specifying the Offence, and the Time and  
 Place when and where the same was committed, as the Case may be*],  
 contrary to an Act passed in the Sixth Year of the Reign of King  
*George the Fourth*, intituled [*here set forth the Title of this Act*]. Given  
 under my Hand and Seal the Day and Year first above written.

Persons ag-  
 grievd may  
 appeal to  
 the Quarter  
 Sessions.

CXXXIV. And be it further enacted, That any Body or Bodies, Per-  
 son or Persons, who may think 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 Four Calendar Months next after such Order, Judgment, or De-  
 termination shall have been made or given, appeal to the Justices of the  
 Peace at any General or Quarter Sessions to be held for the County where  
 the Cause of Appeal shall happen to arise, first giving Fourteen Days  
 Notice in Writing of such Intention to appeal, and of the Nature thereof,  
 to the Body or Bodies, Person or Persons, against whom such Complaint  
 is intended to be made, or to the said Company, as the Case may be, and  
 forthwith after such Notice entering into Recognizance before some Jus-  
 tice of the Peace, with Two sufficient Sureties, conditioned to try such  
 Appeal, and abide the Order and Award of the said Court thereon; and  
 the said Justices shall, in a summary Way, either hear and determine the  
 said Complaint at such General or Quarter Sessions, or if they think  
 proper, adjourn the Hearing thereof to the following General or Quarter  
 Sessions of the Peace to be held for such County; and the said Justices  
 may, if they see Cause, mitigate any Penalty or Forfeiture, and may order  
 any Money to be returned which shall have been levied in pursuance of  
 such Rule, Bye Law, Order, or Determination, and may also order any  
 such further Satisfaction to be made to the Party injured as they shall  
 judge reasonable, and may also order such Costs to be paid to the Party  
 aggrieved by the Party aggressing, as they in their Judgment shall think  
 just and reasonable.

Proceedings  
 not to be  
 quashed for  
 Want of  
 Form.

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

Limitation of  
 Actions.

CXXXVI. And be it further enacted, That no Action, Suit, or Infor-  
 mation 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 Fourteen Days pre-  
 vious Notice in Writing shall be given by the Person or Persons intending  
 to commence and prosecute such Action, Suit, or Information, to the said  
 Company,

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 appear to have been so done, or if any such Action, Suit, or Information shall have been brought or commenced before or after the respective Times so limited for bringing or commencing the same, or in any 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 nonsuited, or suffer a Discontinuance of his 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 have Treble 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.

CXXXVII. 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.

## The SCHEDULE to which the foregoing Act refers.

No. on Plan.	Description of Premises.	Parish.	County.	Owners or reputed Owners.	Occupiers.
1	Quay	Llanbeblig	Carnarvon	{ Carnarvon Harbour Trustees.	
1 a	Ditto	Ditto	Ditto	Ld. Newborough	
6	Wooded Bank	Ditto	Ditto	Rice Thomas, Esq.	Rice Thomas, Esq.
7	Orchard	Ditto	Ditto	Robt. Roberts, Esq.	Robt Williams.
8	Lane or Avenue	Ditto	Ditto	Rice Thomas, Esq.	
12 a	Stack Yard	Ditto	Ditto	Ditto.	Richd Jones.
13	Lane or Avenue	Ditto	Ditto	Ditto.	
27	Wooded Bank	Llanwnda	Ditto	Mrs. Jane Hughes	John Jones.
31	Avenue	Ditto	Ditto	Assheton Smith, Esq.	Richd Jones.
35	Garden	Ditto	Ditto	Ditto.	Wm Owen.
56	Plantations	Llandwrog	Ditto	Ld Newborough	Ld Newborough.
83 a	Orchards	Ditto	Ditto	Richd Garnons, Esq.	Wm. Griffith.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1825.