



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. cxxvii.

An Act for establishing a Floating Bridge over the Harbour of *Dartmouth*, from or near to *Lower Sand Quay Point* to *Old Rock* in the County of *Devon*, and for building Quays and Landing Places, and for making Roads and Approaches thereto, with Branches therefrom.

[17th June 1830.]

WHEREAS the establishing and maintaining of a Floating Bridge over and across the Harbour of *Dartmouth*, at or near to a certain Point or Place called *Lower Sand Quay*, in the County of *Devon*, on the Western Side of the said Harbour, unto or near to a certain Point or Place called *Old Rock*, in the Parish of *Brixham* in the said County, on the Eastern Side of the said Harbour, and also for building, erecting, making, and maintaining proper Piers, Wharfs, Quays, Houses, and Landing Places at or near the same Points, and also proper and convenient Roads to and from the said Bridge on each Side of the said Harbour, and to and from certain Points and Places on the Eastern Side of the said Harbour, to and from or near to *Brixham Cross*, into and through the several Parishes of *Townstal*, *Brixham*, and *Churston Ferrers*, in the said County, there being no Bridge within Ten Miles thereof, will be of great Advantage and Accommodation to the Proprietors and Occupiers of Lands in the Neighbourhood of the said Bridge, and the several

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adjacent

adjacent Parishes, and will facilitate the Communication between the various Seaports and Towns situate on the Southern Coast of the said County, and will in many other Respects be of great public Utility: And whereas the Harbour of *Dartmouth* and Waters thereof, and the Office of Bailiff thereof, are Part and Parcel of the Duchy of *Cornwall*; and certain Dues are payable and paid for Vessels anchoring, and also for Vessels taking the Ground, in the said Harbour, to the Duke of *Cornwall* for the Time being, or to His Majesty, His Heirs and Successors, when there is no Duke of *Cornwall*, or to the Lessees thereof for the Time being: And whereas His Majesty claims to be entitled in Right of His said Duchy, and as Part and Parcel thereof, to the Shores of the said Harbour between High and Low Water Mark, as being Lands covered with the Waters of the said Harbour: And whereas divers Persons also claim to be entitled to certain Portions of the said Shores, as adjoining to and in Right of their respective Manors or Lands: And whereas His Majesty, and the Lessees of the said Harbour, and such divers other Persons as aforesaid, have consented, but without Prejudice to any such respective Claims as aforesaid, that certain Portions of the Shores of the said Harbour between High and Low Water Mark shall be used for the Wharfs and Quays and Landing Places for the said Floating Bridge, and for laying the Chain for the said Bridge across the said Harbour, upon certain Conditions: And whereas the Purposes aforesaid 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 *George Stanley Cary, Sir Lawrence Vaughan Palk Baronet, John Henry Seale, John Geaves, William Follett, William Couch, William Lamb Hockin, John Foulston, James Meadows Rendel, Richard Coombe, George Baker, Charles Vincent, Susanna Bitten, John Puddicombe, Nicholas Gillard, John Teage, John Colton, Henry Paul Seale, William Manley, William John Clark, John Johnson, Robert Abraham the younger, John Vickery, William Lougher, Joseph Foot, Margaret Bond, Henry Limbrey Toll, Charles Seale Hayne, Mary Cook, Christian Vaux, Vavasor*, together with such other Person or Persons as shall at any Time hereafter be possessed of One or more Share or Shares as herein-after mentioned of and in the said Bridge, Piers, Wharfs, Quays, Toll Houses, Landing Places, and Roads, their respective Executors, Administrators, and Assigns, shall be and are hereby united into a Company for the making, erecting, and completing and maintaining the said Bridge, Piers, Wharfs, Quays, Toll Houses, and for making and maintaining the Roads, Avenues, and Approaches communicating therewith, according to the Rules, Orders, and Directions herein-after expressed, and shall for that Purpose be and become One Body Corporate by the Name of "The *Dartmouth* Floating Bridge Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and also shall have Power and Authority to purchase Lands, Quay Dues, Tolls, Ferries, and other Hereditaments, to them, their Successors and Assigns, for making, erecting, forming, completing, and maintaining the said Bridge, Piers, Wharfs, Quays, Houses,

Company
incorporated.

Houses, Roads, Avenues, and Approaches, and other the Purposes herein mentioned, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, subject nevertheless to the Provisions of this Act.

II. Provided always, and be it further enacted, That all such Part of the said Harbour belonging to the said Duchy, or of the Shores thereof, below High-water Mark, as may hereafter be established by Law to belong to His Majesty in Right and as Parcel of His said Duchy, as shall be used for the Purposes of this Act, shall from thenceforth be deemed and taken to be held of the Duke of *Cornwall* for the Time being, or of His Majesty, His Heirs and Successors, for the Time when there shall be no Duke of *Cornwall*, as Part and Parcel of the Duchy of *Cornwall*, for the Purposes of this Act only, and for no other Purpose whatsoever; and that the said Company shall pay annually to the Bailiff of the Duchy of *Cornwall* of the said Harbour and Waters thereof the Sum of Forty Shillings for the Use of the said Harbour or Premises aforesaid, and for the Liberty of laying the said Chain across the said Harbour, to be paid on or within Ten Days after, in every Year, to the Person or Persons, or Body or Bodies Corporate, holding the Office of Bailiff for the Time being; and if the same shall not be paid upon Demand, the said Rent may be levied and recovered as any Rent of the Duchy of *Cornwall* may be recovered; and it shall not be lawful for the said Company to use the said Harbour or the Shores thereof for any other than the Purposes of this Act, or to assign the same.

Securing the Rights of the Duchy of Cornwall.

III. Provided also, and be it further enacted, That if the said Company shall at any Time hereafter cease to maintain the said Floating Bridge or some other sufficient Communication across the said Harbour, then and in such Case such Parts of the said Harbour belonging to the said Duchy of *Cornwall* as shall have been used by the said Company for the Purposes of this Act shall revert to the Duchy of *Cornwall*; and such Part of the Shores thereof as shall be used for the Purposes of this Act shall revert to the Duchy of *Cornwall* or such Persons as may be entitled thereto by Law, together with all Erections thereon, as if this Act had not passed; and the said Rent of Forty Shillings shall in such Case cease and determine.

Property to revert to the Duchy of Cornwall on Company ceasing to maintain the Bridge.

IV. And be it further enacted, That it shall be lawful for the said Company and their Successors, or their Committee of Management to be hereafter appointed, and they are hereby authorized, by themselves, their Deputies, Agents, Officers, Workmen, Servants, or Assistants, to design and build or cause to be built, and to complete, maintain, and keep in good Repair, a good and substantial Floating Bridge, with Abutments, made of Stone, Iron, Brick, or other durable Materials, at or near the said Point or Place called *Lower Sand Quay Point*, over the said Harbour, from the Western Side or Bank of the said Harbour of *Dartmouth*, and the Waters thereof, in the County of *Devon*, to the opposite or Eastern Side or Bank of the said Harbour in the Parish of *Brixham* in the same County, and for those Purposes to stretch, throw, fix, or cast an Iron Chain or Chains across the said Harbour

Power to build the Bridge, &c. and make Approaches thereto.

Harbour for the Purpose of working the said Bridge, and also for the building, erecting, making, laying down, and maintaining proper Piers, Wharfs, Quays, Houses, and Landing Places, of such or the like Materials aforesaid, on each Side or Bank of the said Harbour, with proper Chains and other Implements for working and using such Bridge; and for the Purposes aforesaid from Time to Time to dig and make proper Foundations on the said Harbour within Low-water Mark, and on the Lands on each Side thereof, and make Dams on the Sides of the said Harbour as aforesaid, in such Manner as in this Act is mentioned, and cut and level and embank and secure the Banks thereof, and cut, remove, scour, take, and carry away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatsoever, and do and execute all and every other Things or Thing necessary or convenient for building, maintaining, and repairing the said Bridge, Piers, Wharfs, Chains, Quays, Houses, and Landing Places; and to open, make, and maintain proper and convenient Roads, Avenues, and Approaches to communicate with the said Bridge on each Side of the said Harbour, that is to say, a Road, Avenue, or Approach on the Western Side of the said Harbour, to commence at or near to a certain House or Inn called the *Ship in Dock*, in the Parish of *Townstal* aforesaid, and to lead from thence unto or near to a certain Place called *Lower Sand Quay Point*, in the same Parish, but not to interfere with the Ropewalk near adjoining thereto, and from thence to the said Harbour, and such Road, Avenue, or Approach on the Eastern Side of and adjoining to the said Harbour shall commence at the said Point or Place called *Old Rock*, and the Roads or Communications from thence shall be made into and through certain Lands and Premises in the Parishes of *Brixham* and *Churston Ferrers* aforesaid, or One of them, unto or near to a Place called *Brixham Cross*, in the Turnpike Road leading from *Kingsweare Ferry* to *Torquay* in the said County, for the Passage of Travellers, Cattle, and Carriages, doing as little Damage as may be, and making Satisfaction as herein-after mentioned to the respective Owners and Occupiers of all Lands, Tenements, and Hereditaments which shall be damaged, taken, or used for the Purposes of this Act.

Landing
Places to be
built.

V. And be it further enacted, That there shall be built on the Sides of the said Harbour, at the Places before mentioned, proper Landing Places or Abutments.

Extent of
Embank-
ments.

VI. Provided nevertheless, and be it further enacted, That the embanked Works for making the said Abutments shall not approach nearer to Low-water Mark on the Western Shore of the said Harbour than in a right Line with the Outer-face Wall of the present Dock-yard at or near to *Sand Quay Point*, belonging to *John Henry Seale* Esquire; and that on the Eastern Bank of the said Harbour the Embankment to be made, with its Outer-face Wall, extending from North to South across a Cove there called *Old Rock Cove*, shall not in its widest Part, measured from the Bottom of the said Cove to the said Face Wall, be more than One hundred and fifty Feet in Extent: Provided also, that any additional Works to extend from the said Embankment towards Low-water Mark shall be built on Arches, so that

that the Tide may flow through, and may not be impeded thereby; provided also, that for all the Ground so embanked there shall be an equal Quantity excavated and kept clear of Mud capable of receiving as much Water as will be excluded from the Harbour by the said Embankments; provided also, that to make the said Bridge, Roads or Approaches thereto, no other Embankment of any Description whatever, to the Exclusion of any Water whatever between High and Low Water Marks, shall be made within the said Harbour.

VII. And be it further enacted, That it shall be lawful for the said Company from Time to Time to bring, place, land, work, and use any Timber, Stone, Iron, Brick, Lime, or other Materials for building and making or rebuilding and repairing the said Bridge, Piers, Wharfs, Quays, Houses, and Landing Places, and the Roads, Avenues, and Approaches communicating therewith, or for executing any other the Purposes of this Act, in, upon, through, and over any Common or Waste Ground within Five hundred Yards of the said Bridge, and also in, upon, through, and over any private Lands or Grounds within One hundred Yards of the said Bridge, (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk, Ropewalk, Shipbuilders Yard, or Avenue to any House, or any inclosed Ground planted or set apart as a Nursery for Trees,) without any previous Agreement with the Owner or Owners of the Lands or Grounds on which such Materials shall be placed, landed, worked, or used, or the Tenant or Tenants thereof, doing as little Damage as may be, and making Satisfaction, in manner herein-after directed, to the respective Owners and Occupiers of all Lands or Grounds which shall be damaged, taken, or used as aforesaid.

Power to place Materials on any Lands within Five hundred Yards of the Bridge.

VIII. And be it further enacted, That it shall be lawful for the said Company, and their Agents, Officers, Surveyors, Workmen, Servants, and Assistants, to enter and go into, and upon, over, or through, any Lands, Grounds, or other Places through which or whereupon the said Roads, Avenues, or Approaches are intended to pass, and into, upon, over, or through any adjoining Lands or Grounds, to examine and survey the same, and to ascertain and set out such Parts thereof as may be thought necessary or convenient for carrying the Purposes of this Act into execution, and also from Time to Time to construct and make all necessary Walls, Arches, Culverts, Ditches, Drains, and Fences, and to do and perform all other Matters and Things which shall be necessary or proper for the making, completing, amending, and maintaining the said Roads, Avenues, and Approaches, doing as little Damage as may be, and making full Satisfaction, in manner herein-after directed, to the respective Owners and Occupiers of all Lands or Grounds which shall be taken, used, prejudiced, or damaged in the Execution of the Powers hereby granted.

Power to enter upon Lands for the Purposes of this Act.

IX. And whereas a Map or Plan describing the Lines of the said intended Roads, Avenues, and Approaches, and the Lands and Premises through which the same are to be made or carried, and the Situation of the said Bridge, together with a List of the Names

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

of the Owners and Occupiers of such Lands and Premises, hath been deposited at the Office of the Clerk of the Peace for the said County of *Devon*; be it therefore further enacted, That the said Map or Plan and List shall remain in the Custody of the said Clerk of the Peace for the said County, to the end that all Persons may at any reasonable Time have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying the Clerk of the Peace for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Company in building the said Bridge, and in building, erecting, and making the said Piers, Wharfs, Quays, Houses, and Landing Places, and in making the said Roads, Avenues, or Approaches to communicate therewith, shall not deviate more than One hundred Yards from the Situation or Lines described in the said Map or Plan, without the Consent in Writing of the Owner or Owners for the Time being of the Lands and Grounds in which such Deviation shall take place.

Company not to deviate more than 100 Yards from Plan.

Company may make the Roads conformably to the Plan (except as herein mentioned), notwithstanding Errors in the same.

X. And be it further enacted, That it shall be lawful for the said Company to set out and make the said Roads, Avenues, and Approaches into, through, across, under, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or may be the Owner or Owners, Occupier or Occupiers of Lands and Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, except the Line from the *Ship in Dock* to *Sand Quay Point*, across the Mud at *Coombe*, which is hereby excluded from the said Plan, although such Lands or Premises, or the Name of such Person or Persons, may happen to be erroneously described, omitted, or mis-stated in the said Map or Plan or List, in case it shall appear to any Two or more Justices of the Peace for the said County of *Devon*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Company may treat for the Purchase of Lands and Ferries wanted for the Purposes of this Act.

XI. And be it further enacted, That it shall be lawful for the said Company of Proprietors, or any Person or Persons for or on their Behalf, to treat, contract, and agree with any Person or Persons, of any Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, respectively, as shall be or be deemed to be the Owner or Owners of or otherwise interested in any Houses, Buildings, Lands, Tenements, or Hereditaments which may be necessary for the Purposes of this Act, or of or in any Ferry or Ferries over or across the said Harbour, or any Rent or Rents to be payable in respect thereof, for the Purchase thereof respectively, or for any Loss or Damage such Owner or Owners, or any of them, or any other Person or Persons, shall or may sustain by reason of the Execution of any of the Powers of this Act.

The Owner of the Ferry at *Kingswear* still to keep up the same.

XII. Provided always, and be it further enacted, That the Owner or Owners for the Time being of the *Kingswear* Ferry shall not, by reason of any of the Powers and Authorities granted by this Act,

Act, be or be deemed to be in any Way absolved or released from keeping up and maintaining the said Ferry as heretofore hath been done.

XIII. Provided always, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend to empower or authorize the said Company, in making the said Road, Avenues, or Approaches, to take or pull down, injure or damage, any Dwelling House, Quay, or other Building, or to take in or make use of any Orchard, Garden, Yard, Paddock, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, nor to purchase any Ferry, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained (except such as are comprised and specified in the Schedule annexed to this Act).

Houses, &c: not to be injured without Consent, unless specified in the Schedule.

XIV. And be it further enacted, That if the said Company shall not within the Space of Five Years, to be computed from the passing of this Act, agree for, or cause to be valued and paid for, as hereinafter mentioned, the 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 those Powers which are hereby granted to them for such Purpose only shall cease, determine, and be utterly void.

If Company do not contract for Premises within Five Years, Power to cease.

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

Company may raise Money amongst themselves.

XVI. And whereas the probable Expence of building the said Bridge, with the necessary Chains, Piers, Wharfs, Quays, Houses, and Landing Places, and of making the Roads, Avenues, and Approaches thereto, will, according to an Estimate made thereof, amount to the Sum of Three thousand six hundred and fifty Pounds, and the Sum of Two thousand nine hundred and twenty Pounds (being Four Fifths of such Expences) has already been subscribed for defraying such Expences by several Persons under a Contract binding them, their Heirs, Executors, and Administrators, for Payment of the several Sums so subscribed by them respectively; be it therefore further enacted, That the whole of the said Sum of Three thousand six hundred and fifty Pounds shall be subscribed in like Manner before any of the Powers and Provisions given by this Act shall be put in force.

The whole of the probable Expence to be subscribed before the Act shall be put in force.

XVII. And be it further enacted, That the said Sum of Three thousand six hundred and fifty Pounds shall be divided into Shares of Twenty-five Pounds each, which shall be numbered in regular numerical Progression, and every Share shall for ever afterwards be

The Capital to be divided into Shares.

distin-

distinguished by the Number to be appointed for the same; and every Proprietor of a Share or Shares shall be entitled to and interested in the Capital Stock of the said Company, and of the Profits and Advantages that may arise and accrue by the Tolls and other Monies to be collected and received by virtue of this Act, in manner hereinafter mentioned.

Shares to be deemed Personal Estate.

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

Subscribers to pay their Subscriptions as called for by the Committee of Management.

XIX. And be it further enacted, That the respective Persons who have subscribed or who shall hereafter subscribe or advance any Money for and towards the Purposes of this Act, or shall be Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, shall, and he, she, and they is and are hereby required to pay the Sum or Sums by them respectively subscribed, or such Parts and Proportions thereof as shall from Time to Time be called for by the Committee of Management of the said Company, by virtue of and agreeably to the Powers and Directions of this Act, at such Times and Places and in such Manner as shall be directed by the said Committee; and in case any such Subscriber or Subscribers shall neglect or refuse to pay the same at the Time, Place, or in manner so required for that Purpose, the said Company are hereby empowered to sue for and recover the same in any of His Majesty's Courts of Law or Equity whatever; but that no Subscriber shall be liable to pay more than the Amount of his or her Subscription, and the Expences of recovering and enforcing the Payment thereof.

In case of Failure, they may be sued.

Names of Proprietors, and Numbers of their Shares, to be entered in a Book, and Certificates delivered to them.

XX. And be it further enacted, That the said Company shall and they are hereby required, at their first or at some subsequent General Meeting, as soon as conveniently may be, to cause the Names and proper Additions of the several Persons who shall be then entitled to any Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, with the Number of Shares which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by the Clerk of the said Company, and after such Entry made to cause their Common Seal to be affixed thereto, and shall also cause a Certificate or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber, on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, or a Certificate for each separate and distinct Share in case any Proprietor of more than One Share shall request the same; and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his, her, or their Executors, Administrators, and Assigns,

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to the Share or Shares therein specified ; but the Want of such Certificate or Instrument shall not hinder or prevent the Owner or Proprietor of any Share or Shares from selling or disposing thereof ; and in case any such Certificate or Instrument shall become defaced, worn out, or damaged, or shall be ascertained to have been lost or destroyed, then and in such Case another Certificate shall be made out and entered by the Clerk as aforesaid.

XXI. And be it further enacted, That it shall be lawful for the said several Proprietors, his, her, or their respective Executors, Administrators, and Assigns, to sell or dispose of any Share or Shares he, she, or they may be entitled to in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, subject to the Rules and Conditions herein mentioned ; and every Conveyance or Transfer of the said Shares shall and may be in the Form or to the Effect following ; (that is to say,)

‘ I *A. B.*, in consideration of the Sum of _____ paid to me
 ‘ by *C. D.*, do hereby bargain, sell, and transfer to the said *C. D.*,
 ‘ his, her, or their Executors, Administrators, and Assigns, all that
 ‘ my Share [*or those my Shares, as the Case may require,*] numbered
 ‘ _____ of and in the Bridge over the Harbour of *Dartmouth*,
 ‘ called the *Dartmouth* Floating Bridge, and the Piers, Wharfs,
 ‘ Quays, Houses, and Landing Places, together with the Roads and
 ‘ Approaches thereto, to hold to the said _____ his, her,
 ‘ or their Executors, Administrators, and Assigns, subject to the same
 ‘ Rules and Orders and on the same Conditions that I now hold the
 ‘ same ; and I the said _____ do accept the said Share
 ‘ [*or Shares*] subject to the same Rules, Orders, and Conditions.
 ‘ Witness our Hands and Seals the _____ Day of _____.’

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

XXII. And be it further enacted, That after any Call of such Monies shall be made by Authority of this Act, no Person or Persons shall sell or transfer his, her, or their Share or Shares in the said Bridge, Piers,
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 No Share to be sold after a Call, till the Money is paid.

Piers, Wharfs, Quays, Houses, Landing Places, and Roads, until the Monies so called for upon his, her, or their respective Share or Shares so to be sold shall be paid; and until such Money so called for shall be paid, every such Sale or Transfer of any Share or Shares shall be void; and all and every Person and Persons making Default herein shall be subject and liable to forfeit such his, her, or their respective Share or Shares of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, to the said Company, in Trust for the Benefit of all other the Proprietors, unless the Purchaser or Purchasers shall at the Time of such Transfer pay the Money so called for upon such Share or Shares so transferred to the Treasurer of the said Company; such Forfeiture, nevertheless, to be notified and declared at a General Meeting in manner herein-after directed with respect to other Forfeitures of Shares.

For ascertaining the Proprietors of Shares in certain Cases.

XXIII. And whereas in Cases where the original Subscriber or Subscribers of One or more Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, shall marry, die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the said Clerk as directed by this Act, it may not be in the Power of the said Company, or their Treasurer or Clerk, to know who is the Owner or Proprietor of such Share or Shares; be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, shall pass from the original Proprietor thereof to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof as herein directed, an Affidavit shall be made and sworn to by One or more credible Person or Persons before a Master or Master Extraordinary in Chancery, or 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 shall be transmitted to the Clerk of the said Company, to the Intent that he may and he is hereby required to enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors of the said Bridge or Roads; but none of the Shares held by any Proprietor who shall be absent from *Great Britain* shall be forfeited until after the Expiration of Twelve Calendar Months from the Time that such Absence shall have been made known to the Treasurer or Clerk of the said Company, and an Entry made thereof in the Book of the Proceedings of the said Company.

Power to raise Money by Mortgage.

XXIV. Provided always, and be it further enacted, That if the said Company shall be desirous of raising a further Sum of Money by Mortgage of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, and the Tolls arising therefrom, and shall make an Order or enter into a Resolution to that Effect at a Special Meeting of the said Company for that Purpose to be called by them, and of which Meeting Thirty Days previous Notice shall be given by public Advertisement to be inserted in some Newspaper printed or circulated

in the said County of *Devon*, it shall be lawful for the said Company, pursuant to such Order or Resolution, to borrow or take up at Interest, upon Credit or by way of Mortgage of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, and the Tolls arising therefrom, as to them shall seem meet and convenient, so that the Money borrowed shall not at any Time exceed the Sum of Six thousand Pounds; and the said Company are hereby accordingly fully authorized and empowered, under their Common Seal, to grant, assign, and make over, by way of Mortgage, the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, and the Tolls arising therefrom, or any Part thereof, (the Costs and Charges of which Assignment shall be paid out of such Tolls, Rates, and Duties,) as a Security for the Sum or Sums of Money so to be borrowed, with Interest for the same, unto the Person or Persons who shall lend and advance such Sum or Sums of Money, or unto his, her, or their Trustees or Trustee; all which Assignments or Mortgages shall be in the Form or to the Effect following; (that is to say,)

‘ **BY** virtue of an Act passed in the Eleventh Year of the Reign of
 ‘ His Majesty King *George* the Fourth, intituled [*here insert* Form of
 ‘ *the Title of this Act*], We, the Mortgage.
 ‘ incorpo-
 ‘ rated by virtue of the said Act, in consideration of the Sum of
 ‘ to us lent and advanced by *A. B.* of
 ‘ do hereby bargain, sell, and assign unto the
 ‘ said *A. B.*, his or her Executors, Administrators, and Assigns, the
 ‘ said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and
 ‘ Roads, with their Appurtenances, and all and singular the Tolls
 ‘ granted or arising and payable to us by virtue of the said Act, and
 ‘ all our Estate, Right, Title, and Interest of, in, to, or out of the
 ‘ same respectively, to hold unto the said *A. B.*, his or her Executors,
 ‘ Administrators, and Assigns, until the said Sum of
 ‘ together with Interest for the same after the Rate of
 ‘ *per Centum per Annum*, shall be fully paid and satisfied. Given
 ‘ under our Common Seal this Day of .’

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

XXV. And be it further enacted, That an Entry or Memorial of every such Mortgage as aforesaid, containing the Date thereof, the Name or Names and Addition of the Party or Parties to whom the same shall be made, and the Sum thereby secured, with the Rate of Interest to be paid for the same, shall be made or entered into a Book to be kept for that Purpose by the Clerk to the said Company for the Time being; and such Book shall and may be perused *gratis* at all reasonable Times by any of the Proprietors or Creditors of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads; and all and every Person and Persons to whom any such Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, shall and may from Time to Time assign, transfer, and make over

Entries to
be made of
Mortgages.

over his, her, or their Right, Title, and Interest therein unto any Person or Persons whomsoever, either by Endorsement thereon or otherwise; which Transfer shall and may be made by a Deed in Writing in the Form or to the Effect following; (that is to say,)

Form of
Transfer of
Mortgage.

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

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

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

Interest of
Money bor-
rowed to be
paid in pre-
ference to
Dividends.

XXVI. Provided always, and be it further enacted, That the Interest of the Money which shall be raised by Mortgage as aforesaid (if any) shall be paid by the Treasurer to the Persons entitled thereto, in preference to any Dividend or Distribution of Profits to the Proprietors of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, or any of them, and shall from Time to Time be fully paid and discharged or provided for before any such Dividend shall be made or declared: Provided always, that no Person or Persons to whom any such Mortgage or Security shall be made or transferred as aforesaid shall be deemed a Proprietor or Proprietors in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, or be capable of acting or voting as such, for or on account of his, her, or their having paid, advanced, or lent any Money on the Credit of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, or the Tolls thereof, as aforesaid.

Mortgagees
not to be
considered
Proprietors
of the Com-
pany.

Committee
of Manage-
ment.

XXVII. And be it further enacted, That for the better managing and conducting the Affairs of the said Company there shall be a Committee of Management, consisting of Nine Proprietors, the major Part of whom, not being less than Three, present at any Meeting, shall be competent to act; and that Sir *Laurence Vaughan Palk* Baronet, *John Henry Seale*, *George Stanly Cary*, *William John Clark*, *Henry Limbrey Toll*, *William Lamb Hockin*, *Charles Hayne Seale*, *Nicholas Gillard*, and *John Foulston*, shall be the first Committee of Manage-

Management, and shall continue in Office until the Annual General Meeting to be held in the Year One thousand eight hundred and thirty-one, or some Adjournment thereof, and until others shall be chosen in their Stead, unless any Member of the said Committee of Management shall die, or be removed, or shall cease to be entitled to Two Shares in the said Undertaking.

XXVIII. Provided always, and be it further enacted, That no Person who shall hold any Place of Profit under or any Contract with the said Company, or be in any Manner interested or concerned, directly or indirectly, in supplying any Articles or Materials for the Use of the said Company, unless gratuitously, shall be entitled to vote at any Meeting of the said Committee of Management during the Time that he shall be so employed or shall be so concerned or interested as aforesaid; and in case any Person so concerned or interested as aforesaid shall vote or attempt to vote at any such Meeting of the said Committee of Management, then and in every such Case every Person so offending shall forfeit and pay for every such Offence the Sum of Fifty Pounds, together with full Costs of Suit, to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and one Moiety of such Penalty, when recovered, shall be paid to the Person or Persons who shall sue for the same, and the other Moiety shall be paid to the said Company, to be applied to the Purposes of this Act.

No Person holding any Place of Profit or Contract under the Company to vote in the Committee.

XXIX. And be it further enacted, That the Committee of Management of the said Company shall meet at the *Castle Inn* in *Dartmouth* aforesaid, or at some other convenient House or Place, within One Month next after the passing of this Act, for the Purpose of putting this Act into execution, and shall afterwards meet constantly once in every Three Months, (or oftener, if the said Committee shall find it necessary,) at a Day, Hour, and Place to be by them for that Purpose appointed, until the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads shall be completed, and as often afterwards, at such Place to be by them appointed, (not being at a greater Distance than Twelve Miles from the said Bridge,) after Seven Days Notice given thereof by the Clerk to the said Company, as Occasion shall require.

Meetings of Committee.

XXX. And be it further enacted, That the Committee of Management for the Time being of the said Company shall, at every Meeting to be holden by them during the Continuance of their said Office, appoint a Chairman from and out of the Members then present; and no Member shall have more than One Vote upon any Question that may be agitated at the said Meeting, except in Cases of an Equality of Votes, and in that Case the Chairman shall have the decisive or casting Vote, although he may have given One Vote before.

Committee to appoint a Chairman.

XXXI. And be it further enacted, That the Committee of Management for the Time being of the said Company shall have
 [Local.] 37 H Power

Committee empowered to make Calls.

Power from Time to Time to make such Call or Calls for Money from the Subscribers to or Proprietors of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, their Executors, Administrators, Successors, and Assigns, as they shall from Time to Time find necessary for the Purposes of this Act, so that the first Call by virtue of this Act shall not exceed the Sum of Ten Pounds for every Share to be subscribed, and every succeeding Call shall not exceed the Sum of Twenty-five Pounds *per Centum* for every such Share, and so as no Calls be made but at the Distance of One Calendar Month from each other; which Money so called for shall be paid into the Hands of the Treasurer to the said Company for the Time being, or to such Person as he shall authorize to receive the same; and every Owner or Owners, Proprietor or Proprietors of One or more Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, shall pay his, her, or their Share and Shares, Proportion and Proportions of the Money to be called for as aforesaid, at such Time and Place as shall be appointed by the said Committee, of which Time and Place Twenty Days Notice shall be given in such Manner as the said Company of Proprietors shall at any Meeting from Time to Time direct; and the Clerk of the said Company shall also give Notice, by Letter directed to each Subscriber or Proprietor at his, her, or their usual Place of Abode, of each Call, and the Name and Place of Abode of the Treasurer or other Person to whom such Payments are to be made.

On Neglect to pay Calls, Shares to be forfeited; and may be sold after Notice given to the Owner.

XXXII. And be it further enacted, That if any Person or Persons, Subscriber or Subscribers, Proprietor or Proprietors of any Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, his, her, or their Executors, Administrators, Successors, or Assigns, shall refuse or neglect to pay his, her, or their rateable or proportionate Part or Share of the said Money to be called for by the first or any other Call to be made by virtue of this Act, at the Time and Place so to be appointed as aforesaid, or within Thirty Days next ensuing, then and in every such Case he, she, or they so neglecting or refusing shall (whether or not the same shall then have been sued for in any Court of Law or Equity) absolutely forfeit his, her, and their respective Share and Shares and Interests in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, and all the Profits and Benefits thereof, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined by a Special or General Meeting of the said Company; and all such Shares so forfeited shall be publicly sold, and the Money arising therefrom applied in manner by this Act directed: Provided nevertheless, that the Party or Parties so making Default shall still be liable to the Payment of his, her, and their Subscription, and all the Expences attending the Recovery thereof; and no Advantage shall be taken of such Forfeiture of any Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads as aforesaid, until after Twenty Days Notice in Writing, signed by the Chairman of the said Committee of Management, shall have been given to the Owner or Owners thereof, or left at his, her,

or their usual or last Place of Abode ; and every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Subscriber and Subscribers, Proprietor or Proprietors, or their Executors, Administrators, Successors, or Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls.

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

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

XXXIV. And be it further enacted, That in all Actions brought by the said Company of Proprietors against any Person or Persons who hath or have subscribed or who shall hereafter subscribe or advance any Money for or towards the Purposes of this Act, or against any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, 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 an Owner or Owners, Proprietor or Proprietors of so many Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, 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 an Owner or Owners, Proprietor or Proprietors of some Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, and that such Call or Calls was or were in fact made, and that such Notice was given thereof as is directed by this Act ; and the said Company shall thereupon be entitled to recover what shall appear to be due, unless it shall appear that the first Call

Mode of Proceeding in Actions for Calls.

to

to be made by virtue of this Act did exceed the Sum of Five Pounds on every Share so subscribed, or that any succeeding Call exceeded the Sum of Twenty Pounds *per Centum* on each Share, or was made within the Distance of Two Calendar Months from the last preceding Call, or without Notice given as aforesaid.

General Powers of Committee of Management.

XXXV. And be it further enacted, That (subject nevertheless to the Rules, Orders, and Directions of the General Meeting of the said Company,) the major Part of the Committee of Management for the Time being of the said Company present at any Meeting shall contract and agree for the Purchase of the Lands and Hereditaments and Materials to be taken or used for the Purposes of this Act, and make Agreements and Contracts with the Workmen, Agents, Undertakers, and other Persons employed or concerned in or about the Works hereby authorized to be made, and have full Power and Authority to direct and manage all the Affairs of the said Company; Provided always, that no Resolution shall be taken or Business done at any Meeting of the said Committee unless Three at the least of the Members of such Committee be present.

Committee to make Reports of their Proceedings.

XXXVI. And be it further enacted, That such Committee shall from Time to Time make Reports of their Proceedings to, and be subject to the Examination and Controul of, the General or Special Meeting of the said Company to be hereafter appointed, 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 Company at any of their General or Special Meetings, such Orders and Directions not being contrary to the Laws and Statutes of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, nor to any of the express Directions or Provisions in this Act contained.

First General Meeting of the Company.

XXXVII. And be it further enacted, That the First General Meeting or Assembly of the Proprietors of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, for putting this Act into execution, shall be held at such Place as the said Committee of Management shall direct, within Twelve Miles of the said Bridge, within Three Calendar Months next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon; and all future General Meetings or Assemblies of the said Proprietors of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, (except such Special General Meetings or Assemblies as herein-after mentioned,) shall be held on the Second *Tuesday* in the Month of *September* in each and every Year, between the Hours of Ten in the Forenoon and Three in the Afternoon, at such other Times and Place or Places as the Committee of Management for the Time being may direct, of which future General Meetings or Assemblies Fourteen Days previous Notice at least shall be given in such Manner as the said Company at their respective General Meetings or Assemblies shall direct; and in case no Place or Places shall have been so appointed, then where the last General Meeting or Assembly was holden; and at such General Meetings or Assemblies it shall be the

the Duty of the Committee of Management of the said Company to report to the Proprietors at large the State of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, and their Proceedings in carrying this Act into execution, which Report shall be fairly entered into the Book or Books of the said Company kept for that Purpose by the Clerk, and a Copy of the same shall be left at the Clerk's Office for the Perusal of the Proprietors, who shall have Access thereto at all reasonable Times.

XXXVIII. And be it further enacted, That every Person possessed of One or more Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, shall have One Vote for every Share he or she is possessed of in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, not exceeding Five, and One Vote for every additional Five Shares in the whole, and no more, in every General or Special Meeting or Assembly of the said Company.

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

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

Power to vote by Proxy.

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

And every such Proxy shall be entitled to give as many Votes for and on behalf of the Principal as such Principal could give in Person; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any public Meeting to be held in pursuance of this Act shall be finally determined by the Majority of Votes then given; and 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 have the decisive or casting Vote.

XL. And be it further enacted, That all Accounts of Money laid out and disbursed on account of the said Bridge, Piers, Wharfs, Quays, [Local.] 37 I General Meetings to examine and

audit Ac-
counts.

Quays, Houses, Landing Places, and Roads, or on any of the Works thereunto belonging, by the Treasurer, Receivers, Collectors, Clerk, and other Officers by them appointed, or by any other Person or Persons whomsoever employed by or concerned for or under them in or about the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, or the Works thereunto belonging, shall be laid before the said General or Special Meeting or Assembly to be audited and settled; and the said Company shall have Power to adjourn themselves from Time to Time to such Place or Places (within the Distance of Twelve Miles from the said Bridge) as shall at such General or Special General Assembly be thought proper and convenient.

Proceedings
to be entered
in a Book.

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

Books of Ac-
counts to be
kept, and to
be open to
Inspection.

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

XLIII. And

XLIII. And be it further enacted, That it shall be lawful for the said Committee of Management, and they are hereby authorized and required, from Time to Time to nominate and appoint a Treasurer, Engineer or Engineers, Architect or Architects, Surveyor or Surveyors, Clerk, Collector or Collectors, Receiver or Receivers of the Rates and Tolls herein allowed to be demanded and taken, and such other Officers as the said Committee of Management shall seem proper, and from Time to Time remove any such Treasurer, Engineer or Engineers, Architect or Architects, Surveyor or Surveyors, Collector or Collectors, Receiver or Receivers, or other Officers, or any of them, and to nominate and appoint another Person or other Persons in his or their Room or Stead, taking such Security from every such Treasurer, Collector, or Receiver, or other Officer, for the due Execution of their respective Offices, and to grant them respectively such Salary and Compensation, as the said Committee of Management shall think proper.

Committee of Management to appoint Officers.

XLIV. Provided always, and be it further enacted, That it shall not be lawful for the said Company, or their Committee of Management, to appoint the Person who may be appointed to act as Clerk to the said Company or Committee in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner or Partners, to be the Treasurer for the Purposes of this Act, nor to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person or Persons in the Service or Employ of any such Treasurer or of his Partner or Partners, the Clerk to the said Company or Committee; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer or of his Partner, shall act as Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Company (other than as Treasurer), every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Clerk and Treasurer not to be the same Person.

XLV. And be it further enacted, That every such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Company or Committee of Management, so to be appointed as aforesaid shall, under his or their Hand or Hands, at such Time or Times and in such Manner as the said Company or Committee

Officers, &c. to account.

Committee shall direct, deliver to the said Company or Committee, or to such Person or Persons as they respectively shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his or their Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant, and Person or Persons, respectively received by virtue of this Act, and how much thereof hath been paid, laid out, and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in his or their respective Hand or Hands to the said Company or Committee, or to such Person or Persons as they shall respectively appoint; and if any such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person shall refuse to produce or deliver up such Accounts, Receipts, or Vouchers, or to make Payments as aforesaid, or shall not deliver to the said Company or Committee, or to such Person or Persons as they shall respectively appoint, within Fourteen Days after being thereunto required by the said Company or Committee, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his or their respective Hands to the said Company or Committee, or as they shall respectively direct and appoint, then and in either of the Cases aforesaid it shall be lawful for any One Justice of the Peace for the County or Place where the Cause of Complaint shall or may arise, such Justice not being interested in the said Undertaking, upon Complaint to him made by the said Company or Committee, or such Person or Persons as they shall respectively appoint for that Purpose, to summon before him any such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, and upon his, her, or their appearing, or not being found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered and required to administer,) it shall appear to such Justice that any of the Monies that shall have been collected, raised, or received by virtue of this Act shall be in the Hands of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant or Warrants under his Hand and Seal, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same, or if such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons shall not appear before the said Justice at the Time and Place by him appointed for that Purpose, unless for some sufficient Reason, or if appearing shall

shall refuse or neglect to give and deliver to such Justice an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power relating to the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, then and in any or either of the Cases aforesaid such Justice shall commit every such Offender to the Common Gaol of the County or Place where the Offender shall live or reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Company or Committee, and shall have paid such Composition in such Manner as they shall respectively appoint, (which Composition the said Company or Committee are hereby empowered to make,) and until he shall deliver up such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company or Committee; but no Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person so committed for Want of sufficient Distress shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Twenty-four Calendar Months.

XLVI. And be it further enacted, That the said Company shall have full Power and Authority to make such Rules, Orders, and Bye Laws as to them shall seem meet and proper for the good Government of the said Company, and for regulating the Proceedings of the said Committee, and for the regulating of all Officers, Workmen, and Servants to be employed in or about the Affairs or Business of the said Company, and for the better Regulation and Government of the said Bridge to be made by virtue of this Act, and from Time to Time to alter and repeal such Rules, Orders, and Bye Laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any One Offence, as to the said Company shall seem meet and expedient; and all Rules, Orders, and Bye Laws so to be made as aforesaid, being reduced into Writing, with the Common Seal of the said Company thereto affixed, shall be binding upon and be observed by all Persons using or in anywise concerned in the said Undertaking, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act upon the same, provided that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom called *England*, or any of the express Directions or Provisions of this Act, and provided that Copies thereof be painted on Boards, and affixed on some conspicuous Place on or near the said Bridge; and such Boards shall be renewed from Time to Time when and so often as the same shall or may be destroyed, defaced, or obliterated.

Power to
make Bye
Laws.

XLVII. And be it further enacted, That the said Company, or their Committee of Management, shall and may, as soon as conveniently may be after the said intended Bridge and Roads, or any of them, shall be made passable, cause to be erected and set up One

Power to
erect Toll
Gates and
take Tolls.

[*Local.*]

37 K

or

or more Toll Gate or Toll Gates at or near the said Bridge, and at or upon the said Roads, Avenues, or Approaches leading thereto or branching therefrom, belonging to the said Company, at any Part or Parts thereof, and from Time to Time shall and may remove the same Toll Gate or Toll Gates, Bridge House or Bridge Houses, and erect or set up another Toll Gate or Toll Gates in lieu thereof at any Place or Places upon any Part or Parts of the said Roads, Avenues, or Approaches and Branches respectively, or on the said Bridge, and shall and may from Time to Time erect, provide, and maintain such Toll Houses and other Conveniences near or adjoining to the said Toll Gate or Toll Gates as the said Company, or their Committee of Management for the Time being, shall think proper; and the respective Tolls following shall and may be demanded and taken at each and every of the Toll Gate or Toll Gates, Bridge House or Bridge Houses, to be erected as aforesaid, by such Person or Persons as the said Committee of Management shall from Time to Time appoint as aforesaid; (that is to say,)

Tolls.

For every Horse or other Beast drawing a Hearse, or any Stage Coach, Van, or other Carriage for conveying Passengers or Goods, the Sum of One Shilling :

For every Horse or other Beast drawing any Waggon or other Carriage, not on Springs, the Sum of Ten-pence :

For One Horse or other Beast drawing any Coach, Chaise, Gig, or other Carriage, the Sum of One Shilling and Sixpence :

For every Horse or other Beast drawing any other Coach, Chaise, Gig, or other Carriage, with Two or more Horses or other Beasts, the Sum of One Shilling and Three-pence :

For each Wheel of every Carriage, Waggon, &c. fastened to another, and drawn by any Horse or other Beast, the Sum of Nine-pence :

For every Foot Passenger, the Sum of One Penny :

For every Horse, Mule, or Ass, not drawing, the Sum of Three-pence :

For every Bull, Ox, Cow, or other Bullock, the Sum of Two-pence :

For every Calf, Pig, Sheep, Lamb, or other Beast, the Sum of One Penny :

For every Chest, Barrel, or Cask, not conveyed by any Carriage or Beast chargeable with Toll, the Sum of Sixpence :

For every Package, Box, or Parcel of Goods or other Things, not conveyed by any Horse or other Beast, or Carriage, chargeable with Toll, and not exceeding One Hundred Weight, the Sum of Sixpence; and at the same Rate if it exceeds such Weight :

Which respective Tolls shall be paid before any such Person, or any such Horse, Mule, Ass, Cattle, or Beast, or any such Carriage, Goods, or other Articles or Things as aforesaid, shall be permitted to pass through any such Toll Gate, or the Roads, Avenues, Approaches, and Landing Places before referred to; and which said Tolls shall be and the same are hereby vested in the said Company and their Successors, for the Purposes of this Act; and that such Tolls shall be paid and payable for every Time of passing, and for all such Persons, Horses and other Animals, and Carriages, as shall be landed from or embark on board of Boats on the said Harbour upon or from any Part of the said Bridge or Ferry, or the Roads, Avenues, or

Approaches to or from the same; and that the Hours of working the said Bridge shall be, from the First Day of *November* to the First Day of *February* yearly, between Seven o'Clock in the Morning and continue until Ten o'Clock in the Evening, and from the First Day of *February* to the First Day of *May* yearly, from Six o'Clock in the Morning until Ten o'Clock in the Evening, and from the First Day of *May* to the First Day of *August* yearly, from Five o'Clock in the Morning until Ten o'Clock in the Evening, and from the First Day of *August* until the First Day of *November* yearly, from Six o'Clock in the Morning until Ten o'Clock in the Evening, and that at all other Times Double the Amount of the several Tolls herein-before specified shall be paid and payable: Provided always, that Attendance shall be regularly given by Day and Night at the said Bridge, for the Conveyance of Passengers, Horses, Mules, and Carriages.

XLVIII. And whereas Persons may arrive at all Hours of the Night on the Eastern Shore of the said Harbour, and great Injury may be sustained by them and their Horses if they are compelled to wait on the said Shore beyond a reasonable Time for preparing the said Bridge or Boat to cross the said Harbour; be it further enacted, That the said Bridge or Boat shall be at all Times kept during the Night, from Sunset to Sunrise, on the Eastern Side of the said Harbour, so that the Person or Persons navigating the same may be always at hand, and on being called be ready to convey the Passengers, Horses, and Carriages so arriving across the said Harbour, and which they are hereby required to do without occasioning any unnecessary Delay.

The Bridge or Boat to be kept at Nights on the Eastern Side of the Harbour.

XLIX. 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 distinguishing the several Tolls to be paid by virtue of this Act, and to renew such Boards whenever any of the Letters or Figures thereof shall be worn out, defaced, or obliterated: Provided always, that it shall not be lawful for the said Company to demand or take, or cause to be demanded or taken, any Tolls for or in respect of any Horse, Cattle, Beast, or Carriage, but for and during such Time as the Board so painted as aforesaid shall remain affixed at such Toll Gate.

Table of Tolls to be put up.

L. Provided also, and be it further enacted, That it shall not be lawful for the said Company to demand or take more than Two full Tolls in the whole for or in respect of the same Horses, Cattle, Carriages, or Foot Passengers passing Once in any One Day along the said Bridge, and the Whole or any Part or Parts of the Roads, Avenues, or Approaches communicating therewith, and the Branch or Branches out of the same Roads, Avenues, or Approaches, except as herein-after mentioned.

Limiting the Number of Tolls to be taken on the Bridge and Roads.

LI. Pro-

Exemptions
from Toll.

LI. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages belonging to His Majesty, or attending His Majesty or any of the Royal Family, or returning after having so attended; or for any Horse, Beast, Cattle, or Carriage of whatever Description employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriages attending them with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces; or for any Horse, Beast, Cattle, or Carriages travelling with Vagrants sent by legal Passes; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse, Mare, or Gelding furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons be dressed in the Uniforms of the respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemptions as aforesaid; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted from the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds.

Power to
stop any Per-
son refusing
to pay Toll.

LII. And be it further enacted, That if any Person subject to the Payment of the Tolls hereby made payable, or any of them, shall, after Demand made thereof by any Collector or Collectors appointed to receive the same, neglect or refuse to pay the same, it shall be lawful for such Collector or Collectors, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to stop and prevent the Passage of the Person or Persons so neglecting or refusing, or of the Horse, Beast, or Cattle for or in respect of which such Tolls ought to be paid, until full Payment thereof, or to seize and distrain any Horse or Horses or other Cattle or Beast, together with their Bridles, Saddles, Gears, Harness, or Accoutrements, (save and except the Bridles separate and apart from such Horses or other Cattle or Beasts,) or any Carriage drawn by such Cattle or Beast; and if such Tolls and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Three Days next after such Seizure and Distress made, the Person and Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriages, Goods, Chattels, or Things so seized and dis-

distraigned, or any Part thereof, returning the Overplus (if any be) and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted; and if any Person shall forcibly pass over the said Bridge, or through any or either of the said Toll Gates, without having paid the said Tolls, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person offending in any of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, whereof one Half shall be paid to the Informer, and the other Half to the Treasurer of the said Company, to be applied for the Purposes of this Act.

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

Power to reduce the Tolls.

LIV. And be it further enacted, That all and every Toll Collector shall and he or she is hereby required to place his or her 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 or her 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 or she shall be upon Duty; and every such Collector shall place or cause to be placed on the Front of the Toll House or Toll Houses at which such Collector shall be stationed a Board whereon shall be painted, either in White Letters on a Black Ground or Black Letters on a White Ground, the List of the Tolls payable at such Gate; and if any Collector of the same Tolls shall not place such Boards respectively as aforesaid, and keep the same there during the Time he or she shall be such Collector as aforesaid, or shall demand or take a greater or less Toll from any Person than he or she shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Company made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempted from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder, any Person or Persons from reading the Inscriptions on such Boards respectively, or shall refuse to tell his or her Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls, or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll when demanded, or upon legal Toll being paid or tendered shall

For preventing Toll Collectors from taking undue Tolls or misbehaving.

unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Toll Gate, or from crossing the said Harbour in the said Bridge or Boat, or shall make use of any scurrilous or abusive Language to any Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge (such Justice or Justices not being interested in the said Undertaking); and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Penalty for evading Tolls.

LV. And be it further enacted, That if any Person shall forge, counterfeit, or alter, or receive from or deliver to any other Person or Persons, any Note or Ticket, with Intent to evade, or to enable or assist any other Person or Persons to evade, the Payment of any Part of the said Tolls, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

For settling Disputes concerning Tolls.

LVI. And be it further enacted, That in case any Dispute or Disputes shall happen about the Amount of Toll due, or the Charges of keeping or selling any Distress made for Nonpayment of such Toll, it shall be lawful for the Collector or the Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may be), until the Amount of Toll due, and the Charges of keeping and selling the Distress, be ascertained by some Justice of the Peace for the County or Place where the Cause of Complaint shall or may arise, such Justice not being interested in the said Undertaking, who upon Application made to him for that Purpose shall examine the Matter upon Oath of the Parties, or other Witness or Witnesses, (which Oath every Justice is hereby authorized to administer,) and shall determine the Amount of Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue); and the Overplus (if any), after paying such Costs and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Collectors of Tolls may give Evidence.

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

LVIII. And

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

Power to lease the Tolls.

LIX. And be it further enacted, That it shall be lawful for the said Company, at any General Meeting or Assembly to be held under or by virtue of this Act, from Time to Time, as they shall see convenient, to compound and agree, for any Term not exceeding One Year at any One Time, with any Person or Persons for the said Tolls.

Power to compound for Tolls.

LX. And be it further enacted, That all and every Person and Persons, Horses and other Beasts and Cattle, Coaches, Waggon, Carts, and other Carriages and Things which shall be landed from or embarked in any other Boat or Vessel, other than such as shall belong to the said Company of Proprietors, upon or from the said Bridge, or the Roads, Avenues, or Approaches to or from the same, shall be liable to the Payment of the Tolls herein-before specified, and that all the Powers and Provisions of this Act shall be in full Force at all Times for recovering and enforcing the Payment thereof; but that no Toll shall be demanded or taken of or from any Person or Persons, nor for any Horses, Carriages, Carts, Cattle, or other Things passing on the Road between the *Ship in Dock Inn* and *Lower Sand Quay Point* aforesaid, on the Western Side of the said Harbour, unless the same shall pass over or come upon the said Bridge.

Persons proceeding in Boats not belonging to the Company to be liable to Toll.

No Toll to be taken between the *Ship in Dock Inn* and *Lower Sand Quay*.

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

Committee may remove Collectors and appoint temporary ones.

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

Corporations
and other
Persons em-
powered to
sell and con-
vey Lands.

LXII. And be it further enacted, That it shall be lawful to and for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and for all and every other Person or Persons whomsoever, who is or are or shall be seised, possessed of, or interested in any Lands, Buildings, Tenements, or Hereditaments authorized to be taken or used, and which the said Company or their Committee shall cause to be taken or set out, for the Purposes of this Act or any of them, to contract for, sell, and convey the same and every Part thereof to the said Company; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit of:

Form of
Conveyance.

‘ I of in consideration of
 ‘ the Sum of to me paid by the Company of Proprietors
 ‘ established and incorporated by an Act of Parliament passed in
 ‘ the Eleventh Year of the Reign of His Majesty King George the
 ‘ Fourth, intituled [*here set forth the Title of this Act*], do hereby
 ‘ grant and release to the said Company of Proprietors all [*describing*
 ‘ *the Premises to be conveyed*], together with all Ways, Rights, and
 ‘ Appurtenances thereunto belonging, and all my Estate, Right,
 ‘ Title,

‘ 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 this
 ‘ Day of _____ in the Year of our
 ‘ Lord _____ .’

All which said Contracts, Agreements, Conveyances, and Assurances shall be kept by the Clerk to the said Company, who shall from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons interested therein requiring the same, and shall have and receive Sixpence for every One hundred Words of each such attested Copy, and so in proportion for any greater or less Number of Words; and every such Conveyance to be made by virtue of this Act, in Manner and Form aforesaid, shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, and shall operate as and be a Merger of all outstanding Terms, and a complete and effectual Bar to all Estates Tail, and other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

LXIII. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every Person or Persons who is or are seised, possessed of, or interested in any Lands, Buildings, Tenements, and Hereditaments which may be taken, used, injured, or damaged by virtue of this Act, may accept and receive Satisfaction for the Value of such Lands, Buildings, Tenements, and Hereditaments, and for the Damages to be sustained by the making and completing or using the said Bridge, Roads, Avenues, and Approaches herein directed and authorized to be made, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company or their Committee of Management; and in case the said Parties so interested in the said Lands, Buildings, Tenements, and Hereditaments, or any of them, and the said Company or Committee, cannot agree as to the Amount or Value of such Satisfaction, the same shall be settled and ascertained as herein-after directed.

Satisfaction to be made for Lands taken or Damages sustained.

LXIV. Provided also, and be it further enacted, That if any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executor, Administrator, Husband, Guardian, Trustee, Committee of or for any Idiot or Lunatic, or any Feme Covert, or any Person, whether Tenant for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or any other Person or Persons, so interested or entitled as aforesaid, cannot agree with the said Committee of Management respecting the Purchase of any Lands, Buildings, Tenements, or Hereditaments, or the Satisfaction

If Parties cannot agree, a Jury to be impannelled to assess the Value.

to be made for any Damages that may be sustained from Time to Time by him, her, or them by the making or using of the said Bridge, Avenues or Approaches, or any of the Works to be made and maintained by virtue of this Act, and shall give Notice in Writing to the Clerk of the said Company or of the said Committee, requiring a Jury to be summoned for the Purpose of determining such Purchase or Satisfaction; or if any such Body Politic, Corporate, or Collegiate, or any Person or Persons, so interested or entitled as aforesaid, shall, upon Notice in Writing given by the Clerk of the said Company or Committee to the principal Officers of any such Body Politic, Corporate, or Collegiate, and to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee of or for any Idiot, Lunatic, or any Feme Covert, or to such Tenant for Life, or in Fee Tail, General or Special, or for Years determinable upon any Life or Lives, or other Person or Persons so interested or entitled as aforesaid respectively, or left at their 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 Hereditaments to be made use of for the Purposes of this Act, for the Space of Fourteen Days next after such Notice, neglect or refuse to treat or shall not agree with the said Company or their Committee, or by reason of Absence or otherwise shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or shall not, within the before-mentioned Space of Fourteen Days, produce and fully disclose the State of the Title to the Premises which he, she, or they respectively is or are or shall be in Possession of, and the Interest which he, she, or they respectively is or are or shall be in Possession of, and the Interest which he, she, or they respectively may claim therein; then and in every such Case the said Company or Committee, or any Three or more of them, shall and they are hereby empowered and required, within Five Days after the Receipt of such Notice by the Clerk to the said Company or Committee, or after the Expiration of Fourteen Days after the Delivery of such Notice by the said Clerk (as the Case may be), to issue a Warrant under their Hands and Seals, directed to the Sheriff of the County of *Devon*, commanding such Sheriff to impanel, summon, and return a Jury, and the said Sheriff is hereby required accordingly to impanel, summon, and return a Jury of Forty-eight honest, sufficient, and indifferent Men, qualified according to the Laws of this Realm for the Time being to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff at such Time and Place as in such Warrant shall be appointed; and the said Sheriff is hereby required, out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, (being qualified as last aforesaid,) to make up the said Jury to the Number of Twelve; and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen when they

they come to be sworn, but shall not challenge the Array ; and the said Sheriff is hereby empowered and required, by a Summons or Notice to be signed by such Sheriff previous to or at the Time of any such Meeting or Meetings, to call before them all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath touching and concerning the Premises ; and the said Sheriff may order and authorize the said Jury, or any Three or more of them, to view the Place or Places or Matter or Matters in question, if there be Occasion, and to use all other lawful Ways and Means as well for his own as for the Jury's better Information in the Premises, as the said Sheriff shall think fit ; which Jury, upon their Oaths, (which Oaths, as well the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands or other Hereditaments, or what Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Occupiers, or other Person or Persons interested for or on account of the taking or damaging of such Lands or other Hereditaments for the Purposes of this Act ; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Company or Committee to the said Owners or Occupiers of or other Person or Persons interested in the said Lands or Hereditaments, according to such Verdict or Inquisition of the said Jury, and shall give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury ; which said Verdict or Inquisition, Order or Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff, and shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever claiming any Estate in Fee Simple or Fee Tail for Life or Lives, in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Courts ; any Law or Statute to the contrary thereof notwithstanding.

LXV. And be it further enacted, That if any Person so impannelled, summoned, and returned as aforesaid upon such Jury, shall not appear without some reasonable Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give his Verdict, or shall in any Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, he shall be liable and subject to the same Rules and Regulations, and to the same Pains and Penalties for such Default, as if he had been impannelled, summoned, and returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster* ; and if any Person so summoned and required to give Evidence before the said Jury touching

Penalty on Persons refusing to appear or to be sworn on the Jury, and on Witnesses refusing to appear or give Evidence.

touching the Premises shall neglect or refuse to appear, after having been paid or tendered a reasonable Sum for his or their Costs, Charges, or Expences, or shall not allege a sufficient Excuse to the said Sheriff for not appearing, or appearing shall refuse to be sworn and examined or to give Evidence, then and in every such Case every such Person so offending, upon Proof thereof made before One or more of His Majesty's Justices of the Peace for the County or Place in which the Matter or Question shall arise, upon Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of the said Justice; and in case any such Penalty shall not be forthwith paid, it shall and may be levied, by virtue of any Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus, after such Penalty and Charges of such Distress and Sale shall be deducted; and every such Penalty which shall be paid by or recovered from any Person who shall be impannelled, summoned, and returned on such Jury or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice to be injured by the Default of such Persons.

For punish-
ing Persons
guilty of
Perjury.

LXVI. And be it further enacted, That all and every Person and Persons who in any Examination to be taken upon Oath by virtue of this Act shall wilfully and corruptly give false Evidence, or otherwise forswear themselves, before any such Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

By whom
Expences of
Jury and
Witnesses
shall be paid.

LXVII. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money for a Recompence or Satisfaction for the absolute Sale of any Lands, Buildings, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or to any Person or Persons whomsoever, or as a Compensation for any Damages done or to be done to any Lands, Buildings, Tenements, Hereditaments, or other Property, than had been previously offered by or on behalf of the said Company or the Committee of Management, where the Dispute is for Damages only, and where no Compensation, or a smaller Sum than shall be given by such Verdict, had been previously offered or tendered in respect thereof by or on behalf of the said Company or Committee, or where, by reason of Absence in Foreign Countries or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensation from the said Company or Committee as herein-before mentioned, then and in all such Cases all the Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled by the said Sheriff so impannelling, summoning, and returning, and taking such Verdict, as aforesaid, and
be

be defrayed by the said Company or Committee; and in case of Nonpayment thereof by the said Company or Committee for the Space of Thirty Days next after the same shall have been so settled, and an Account and Demand in Writing shall have been delivered and made thereof to and from the said Company or Committee, then the said Sheriff shall and he is hereby required, by Warrant under his Hand and Seal, to levy the same by Distress and Sale of any of the Goods and Chattels of the said Company, or of any of the Goods and Chattels of the Treasurer to the said Company appointed in pursuance of this Act, (unless such Treasurer shall pay such Expences out of any Money received by him by virtue of this Act, and which he is hereby authorized to do,) rendering to the said Company or to their Treasurer (as the Case may be) the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale; but if any Verdict shall be given for the same Sum as had been previously offered by or on behalf of the said Company or Committee, or for a less Sum than had been previously offered, or for Damages, where the Dispute is for Damages only, the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Sheriff so impannelling, summoning, and returning such Jury, and taking such Verdict, and be borne and paid in the Manner following; (that is to say), one Moiety or Half Part of such said Costs and Expences shall be borne and paid by the said Company or their Committee, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons with whom the said Company or Committee shall have such Disputes or Controversies; which said last-mentioned Moiety of the said Costs and Expences shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons as aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; and in case no Damages shall be given by such Verdict, where the Dispute is for Damages only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company, or by their Committee of Management, by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

LXVIII. And be it further enacted, That the said Sheriff and Juries respectively, in their Awards, Determinations, Adjudications, Judgments, and Verdicts concerning the Value of Lands, Tenements, and other Hereditaments, shall separately and distinctly proportion off any particular Estate, Terms, or Interests, and also any Damages sustained or to be sustained by any Body Politic, Corporate, Collegiate, Ecclesiastical, or Civil, or any other Person or Persons whomsoever, by or in consequence of the Execution of any of the Powers of this Act, and shall assess and adjudge the Value set upon such Estate, Term, and Interest, and the Money assessed and adjudged for such Damages as aforesaid, distinct and apart from each other.

The Value of Lands and Compensation for Damages to be assessed separately.

[*Local.*]

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LXIX. And

Lands to vest
in the Com-
pany on Pay-
ment or
Tender
of Value
assessed.

LXIX. 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 such Jury in manner aforesaid, for the Purchase of any such Lands or other Hereditaments, to the Person or Persons entitled to receive such Purchase Money respectively, or his or their Agent or Agents, within the Space of One Calendar Month next after the same shall have been so agreed for, determined, or assessed, or upon depositing the same in the Bank of *England* in manner by this Act directed (as the Case may be) within the same Period, it shall be lawful for the said Company, or their Committee of Management, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, or other Hereditaments respectively, and then and thereupon such Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company and their Successors, to and for the Purposes of this Act, for ever; and such Payment, Tender, or Deposit shall not only bar all Right, Title, Claim, Interest, or Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion, Remainder, Expectancy, or otherwise, of his, her, or their Issue, and of all and every other Person or Persons interested therein: Provided always, that nothing in this Act contained shall authorize and empower, or be construed to authorize and empower, the said Company, or their Committee of Management, or their Agents, Workmen, or Servants, or any of them, for the Purposes herein mentioned, to enter into and upon the Lands, Tenements, and Hereditaments so to be purchased by virtue of this Act as aforesaid, (except to examine and survey the same, to ascertain and set out such Parts thereof as may be necessary for the Purposes of this Act, as herein-before is provided,) without having first paid or legally tendered for the same such Sum or Sums of Money as shall have been contracted or agreed for between the Parties or assessed by a Jury in the Manner herein-before directed; and in case the said Company or Committee, or their Agents, Workmen, and Servants, or any of them, shall for the Purposes aforesaid enter into and upon the said Lands, Tenements, and Hereditaments, without having previously paid or otherwise legally tendered the Purchase Money for the same in the Manner herein-before directed, then and in such Case the Person or Persons making such Entry shall be deemed a Trespasser or Trespassers, and shall forfeit and pay for the doing thereof the Sum of Five Pounds.

Verdicts of
Juries to be
recorded.

LXX. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and be kept by the Clerk of the Peace, or other Person or Persons having the Custody of the Records of the Quarter Sessions of the said County, and shall be deposited with and be deemed to be Records of such Quarter Sessions respectively 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,

same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any greater or less Number of Words.

LXXI. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of or Damages to be done to any Lands, Tenements, and Hereditaments purchased, taken, or used, injured or damaged, by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any other Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer, to be placed to his Account there "*ex parte the Dart Bridge Company*", pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His 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 Accountment 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, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes

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

1 G. 4. c. 35.

poses aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of Compensation when less than 200*l.* and exceeding 20*l.*

LXXII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used, injured or damaged, for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, 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, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Body or Bodies, Person or Persons, making such Option, and approved of by the said Company or their Committee of Management, (such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

Application of Compensation when less than 20*l.*

LXXIII. And be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies or 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, injured or damaged, for the Purposes of this Act, in such Manner as the said Company shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Directing how Monies are to be paid in case Parties refuse the same, or

LXXIV. And be it further enacted, That in case the Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands or Hereditaments to be purchased by virtue of this Act for the Purposes of the said Bridge, Roads, Avenues, Approaches, or

or other Works, or any of them, shall refuse to accept the same, or shall not be able to make a good Title to the said Premises, to the Satisfaction of the said Company or their Committee, or in case the Person or Persons to whom any such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the said Committee of Management, or any Three or more of them, to order the Sum and 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 Party or Parties interested in the said Lands or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Body or Bodies, Person or Persons, making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Body or Bodies, Person or Persons, making claim thereunto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

cannot make a good Title, or cannot be found.

LXXV. And be it further enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of or in Satisfaction for any Lands or Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments, to be purchased, taken, or used, damaged or injured, in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in Possession of the Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under them, or under the Possession of any such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased by such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful one, and that some other Person or Persons

In case of doubtful Titles, the Person in Possession to be deemed presumptively entitled.

was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

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

LXXVI. 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 or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and to be applied in the Purchase of other Lands 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 said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company or their Committee of Management, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Tenants at Will to deliver Possession upon One Month's Notice.

LXXVII. And be it further enacted, That every Tenant at Will, or Lessee for a Year or from Year to Year, shall deliver up the Possession of the Lands and Premises he, she, or they shall respectively hold, to the said Company or to their Committee of Management, or to such Person or Persons as they shall appoint to take possession of the same, upon having One Calendar Month's Notice to quit such Possession from the Clerk to the said Company; and the Person or Persons in Possession shall at the End of the said One Calendar Month, whether such Notice be given with reference to the Time or Times of such Tenant's holding, or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Company or their Committee of Management, or to such Person or Persons authorized by them to take possession thereof, such Authority being signified under the Hands of the said Committee of Management, or any Three or more of them; they the said Company making such Satisfaction and Compensation to every such Tenant or Lessee, or other Person or Persons in Possession as aforesaid, in case he, she, or they shall be required to quit before the Expiration of his, her, or their current Year in the Premises, as the said Company shall deem just and reasonable; and if any Dispute shall arise touching the Amount of such Satisfaction or Compensation, then and in such Case the same shall be settled and ascertained by a Jury in such and the like Manner as the Satisfaction and Compensation to be made for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments herein-before directed to be settled and ascertained in case of any Dispute or Difference about the same; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, all reasonable Satisfaction being first made or tendered, it shall be lawful for the said Committee, or any Three or more of them, to issue their Precept or Precepts to the Sheriff of the said County of *Devon*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Pre-

Satisfaction to be made to such Tenants.

cepts 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, and the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

LXXVIII. And be it further enacted, That from and after the said Bridge shall have been made passable and opened for Carriages, Horses, and Passengers, no Ferry shall be set up or used across the said Harbour, or Waters thereof, save and except the present existing Ferries; and if any Person or Persons except the said Company, or other Person or Persons acting under their Authority, shall use any Boat, Barge, or other Vessel in ferrying or conveying any Carriages or Cattle, or Person or Persons, Goods, Wares, or Merchandizes, or other Things, for Hire, across the said Harbour within the Distance herein-after mentioned, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

No Ferry to be used within a certain Distance of the Bridge.

LXXIX. And be it further enacted, That if the said Company shall erect the Bridge which they are hereby authorized to erect, and open the same for Carriages, Horses, and Foot Passengers within Five Years after the passing of this Act, it shall not be lawful for any other Person or Persons to erect, within the Distance of Three Miles of the said Bridge, any other Bridge for the Passage of Horses, Cattle, or Foot Passengers, nor for the Passage of Carriages; and if any Person or Persons erecting such Bridge shall suffer or permit Horses, Cattle, Foot Passengers, or Carriages, and the Horses drawing the same, and the Drivers attending the same, and the Passengers thereon, to pass along any Bridge that may be erected within the Distance aforesaid, every such Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

No other Bridge to be erected for general Passage within Three Miles.

LXXX. And be it further enacted, That if any Person or Persons shall wilfully or negligently injure, destroy, or otherwise damage, or shall ride or drive or lead any Horse, Beast, Cattle, or Carriage over or upon, any Footpath or Causeway made or to be made on the Side or Sides of any Part of the said Bridge or Roads, or the Avenues or Approaches thereto, or shall wilfully obstruct the Passage thereof; or if any Driver of any Waggon or other Carriage shall wilfully or carelessly break or damage any of the Posts or Stones which may be erected for the Security of the said Footpaths or Causeways; or if any Person shall make or assist in making any Bonfire, or shall wantonly let off or discharge any Gun, Pistol, Blunderbuss, or other Fire-arms, or shall wantonly let off any Serpent or Rocket, or throw any Cracker, Squib, or other Fireworks, or play at Football or any other Game or Games to the Annoyance of any Inhabitant or Passenger; or if any Person or Persons shall scrape off any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, with any Instrument so as to damage the said Bridge, Roads, Avenues, or Approaches thereto, or any Part thereof; or if any Person or Persons shall leave any

For preventing Nuisances on the Bridge and Roads.

any Waggon, Wain, Cart, or Carriage, or any Plough, Harrow, or other Implement of Husbandry, without some reasonable Cause, to be allowed by the Justice before whom the Person so offending shall be summoned or conveyed in order to his Conviction, or except, with regard to such Waggon, Wain, Cart, or other Carriage, during such reasonable Time as the same shall be loading or unloading, and standing as near the Side of the said Roads, Avenues, or Approaches as conveniently may be, in, upon, or on the Sides of the said Bridge, Roads, Avenues, or Approaches thereto, either with or without any Horse or Beast harnessed or yoked thereto; or shall lay any Timber, Wood, or Bushes, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbish, or other Annoyance whatsoever, upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, or on the Side or Sides thereof, to the Prejudice thereof or to the Annoyance of any Person travelling thereon; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Persons wilfully destroying the Bridge or Works guilty of Felony.

LXXXI. And be it further enacted, That if any Person shall wilfully or maliciously pull down or destroy the said Bridge, or any Part thereof, or any Toll House to be erected by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be deemed guilty of Felony; and if any Person or Persons shall by Carelessness or Inattention injure or damage any Part of the Bridge, Boats, Chains, or other Articles or Things belonging to the said Company, or if the Persons working in or navigating the said Bridge or Boat shall by Carelessness or Inattention injure or damage any Vessel, Barge, or Boat navigating or being on the said Harbour, he, she, or they shall for every such Offence, on Conviction before One or more Justice or Justices of the Peace for the County or Place where the Offence shall be committed, such Justice not being interested in the said Undertaking, forfeit and pay any Sum not exceeding Five Pounds, over and above the Amount of the Damage actually sustained by the said Parties.

Bridge not to be deemed a County Bridge.

LXXXII. And be it further enacted, That the said Bridge shall not be adjudged or taken to be a County Bridge, or subject the County of *Devon* to the repairing, amending, or supporting the same, any Law or Statute to the contrary thereof notwithstanding.

Power to Company to rebuild the Bridge when necessary, and in the meantime to provide a Ferry.

LXXXIII. And be it further enacted, That in case the said Bridge, or the Roads leading thereto, shall at any Time become impassable or unsafe for Travellers or Carriages, the said Company or their Successors shall and they are hereby empowered and required to cause the same to be forthwith rebuilt or repaired, and made safe and commodious for the Passage of Travellers, Cattle, and Carriages; and in the meantime until the said Bridge shall be so rebuilt or repaired, and made safe and commodious, it shall be lawful for the said Company, and they are hereby required, during all such Time as the said Bridge shall be impassable or unsafe as aforesaid, to provide a proper and convenient Ferry for the Passage of Travellers, Cattle, and Carriages over the said Harbour, as near to the said Bridge as conveniently may be; and it shall be lawful for such Person or

Persons

Persons as the said Company or their Successors shall appoint for that Purpose to demand, collect, and receive for the Passage of such Travellers, Cattle, and Carriages in or over the said Ferry, before they shall be permitted to pass, the like Tolls as are hereby authorized to be taken for passing over the said Bridge, and to apply the same in manner by this Act directed, any thing herein-before contained to the contrary notwithstanding: Provided always, that nothing herein contained shall render any Parish through which the said Roads shall pass liable for the Repairs of the said Roads, but the whole of such Roads shall be made, sustained, and kept in repair at the sole Cost and Charge of the said Company, who are hereby made liable thereto.

LXXXIV. 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 committed 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 Thirty 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.

In case of Nonpayment of Compensation for Damages, &c., the same to be levied by Distress of the Goods of the Company or their Treasurer.

LXXXV. 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

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

[*Local.*]

37 P

Offender

Offender shall be convicted of any such Offence or Offences, (such Justice or Justices not being interested in the said Undertaking,) who is hereby authorized and required, on Nonpayment thereof, to levy the 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.

Justices may proceed by Summons in the Recovery of Penalties.

LXXXVI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act (such Justice not being interested in the said Undertaking) to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited or taken before such Justice; and all such Proceedings by Summons without Information in Writing shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

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

LXXXVII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons or Party or Parties to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceeding, or Proceedings in Equity, the Service thereof upon the Chairman or any Member of the said Committee for the Time being, or delivered to some Inmate at his usual Place of Abode, or upon the Clerk of the said Company for the Time being, or at the Office of such Clerk, or delivered to some Inmate at his usual Place of Abode, or upon any Agent or Officer of the said Company, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed a good and sufficient Service of the same respectively on the said Company.

Complaints and Informations may be made before a Justice of the Peace.

LXXXVIII. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offender is not particularly mentioned or directed, shall be adjudged by and be recovered before any Justice of the Peace, not being interested in the said Undertaking, for the County or Place wherein the Cause or Matter of such Complaint or Information shall arise, in a summary Way, and who is hereby authorized and empowered to take cognizance thereof, and to summon the Person complained of to appear before him, and upon the appearing or not appearing of such Person, pursuant to such Summons, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath, or otherwise, (which Oath such Justice is hereby empowered to administer,) and to make such Determination therein as such Justice shall think proper; and upon the Conviction of any such Person such Justice shall and may issue a Warrant under his Hand and Seal for levying the Penalty or Forfeiture by this Act imposed for such Offence by Distress and Sale of the Goods and Chattels of the Person so convicted;

victed; and all such Penalties and Forfeitures, when recovered, after rendering the Overplus (if any), when demanded, to the Owner of such Goods and Chattels, (the Charges of such Distress and Sale being first deducted,) shall be paid, one Half to the Informer or Informers, and the other Half to the Treasurer of the said Company, to be applied for the Purposes of this Act; 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 be conveniently 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 before such Justice, or before some other Justice of the Peace for the said County or Place, such Justice not being interested in the said Undertaking, 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 Fourteen Days from the Time of taking 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 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 to the Common Gaol of the said County, there to remain for any Time not exceeding Twelve Calendar Months, or until such Penalties or Forfeitures shall be paid or compounded for, which Composition the said Company are hereby empowered to make.

LXXXIX. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall, on being paid or tendered a reasonable Sum for his, her, or their Loss of Time, Costs, Charges, and Expences, refuse or neglect to appear at any Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or, in case of a Quaker or Quakers, on solemn Affirmation,) and to give Evidence before such Justice of the Peace, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For compelling the Attendance of Witnesses.

XC. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collector, Surveyor, or other Officers under this Act; be it therefore enacted, That it shall be

For securing transient Offenders.

be lawful for any of the said Collectors, Surveyors, or other Officers respectively to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and forthwith to convey him, her, or them before One or more Justice or Justices of the Peace for the County or Place where any such Offence or Offences shall be committed, (such Justice or Justices not being interested in the said Undertaking,) without any other Warrant or Authority than this Act for so doing.

Conviction of Offenders.

XCI. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or any Matter or Thing done in the Execution of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say,)

Form of Conviction.

‘ to wit. } BE it remembered, That on this . Day of
 ‘ in the Year of the Reign of
 ‘ *A. B.* is convicted before His Majesty’s Justices of the
 ‘ Peace for the of having [*as the Offence shall be*];
 ‘ and I [*or we*] the said do adjudge him [*her or*
 ‘ them] to forfeit and pay for the same the Sum of
 ‘ Given under my Hand and Seal [*or our Hands and Seals*] the Day
 ‘ and Year aforesaid.’

Allowing an Appeal.

XCII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Judgment or Determination, or by any Matter or Thing done in pursuance of this Act, such Person or Persons may appeal to the Justices of the Peace at the first General Quarter Sessions of the Peace to be holden for the County of *Devon* within Four Calendar Months next after such Matter of Appeal shall have arisen, the Person or Persons appealing having first given Thirty Days Notice at least of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Treasurer or Clerk of the said Company, and within Three Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County or Place, with sufficient Securities, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices at such Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and to make such Determination therein, and to award such Costs to either of the Parties, or otherwise, as they shall judge proper; and the said Justices may also order such further Satisfaction to be made by the Party injured as they shall judge reasonable; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Distress not unlawful for Want of Form.

XCIII. And be it further enacted, That where any Distress shall be made for any Sum of 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 Information, Summons,

Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity that shall afterwards be done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in any Action upon the Case.

XCIV. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceedings made touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed for Want of Form only, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

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

XCV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against the said Company or any Person for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Fourteen Days before such Action shall be commenced, of such intended Action, signed by the Attorney of the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

No Plaintiff to recover without Notice, or on Tender of sufficient Amends.

XCVI. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, after the Expiration of Six Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall arise, and not elsewhere; and if any such Action or Suit shall be brought before Four Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County 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 be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover his, her, or their Costs, and shall have such Remedy for

Limitation of Actions.

[*Local.*]

37 Q

recovering

recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

The Bridge
to be com-
pleted within
Five Years.

XCVII. And be it further enacted, That if the said Company shall not, within Five Years from the passing of this Act, complete the said Bridge, and the several Roads, Avenues, and Approaches communicating therewith, so as to make the same passable for Horses and Carriages, then and from thenceforth all and singular the Powers and Authorities vested in them by this Act shall cease and determine to all Intents and Purposes whatsoever.

For paying
the Expences
of the Act.

XCVIII. 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 any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Ferry or Ferries over or across the said Harbour, and in making, completing, and maintaining the said Bridge and other Works, and for other the Purposes of this Act.

Saving of
Rights.

XCIX. Provided also, and be it further enacted, That neither this Act, nor any thing herein contained, shall extend, or be deemed or construed to extend, by Implication or otherwise, to affect, alter, take away, destroy, lessen, or prejudice the Rights or Interests of His Majesty in right of or in respect of the said Duchy of *Cornwall*, or of any Lord or Lords, Owner or Owners of any Manor or Lands on either Side of the said Harbour, nor at any Time or Times be admitted in any Court of Law or Equity or otherwise considered as Evidence upon any Occasion to affect in any Manner such Rights of His Majesty, or of any such Lord or Lords, Owner or Owners as aforesaid, but that such Rights shall remain of the same Force and Effect as if this Act had not been made and passed.

Public Act.

C. 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 referred to by the foregoing Act.

No.	Name of Lands.	Owners.	Occupiers.	Parish.	
3.	Public Road -	- - -	- - -	Borough of Dartmouth. Ditto, Parish of Townstall. Ditto.	
4.	Private Road -	John Henry Seale	- - -		
5.	Quay, &c. -	Ditto - -	John Henry Seale		
6.	River Dart.	—	—		
7.	Brake and Cliff {	John Fownes Luttrell - - }	Richard Paige -	Parish of Brixham. Ditto. Ditto.	
8.	Arable and Brake	Ditto - -	Ditto - -		
9. } 10. }	Ditto - -	Ditto - -	Ditto - -		
11.	Brake - -	Ditto - -	Ditto - -	Ditto.	
12.	Plantation - -	John Henry Seale	John Henry Seale	Ditto.	
13.	Ditto - -	Ditto - -	Ditto - -	Ditto.	
14.	Brake - -	Ditto - -	Samuel Furneaux and William Nicholson - }	Ditto. Ditto.	
15. { 16. {	Ditto - - } Arable - - }	Ditto - -			Ditto - -
17.	Arable - -	John Buller Yard } Buller - - }			— King -
18.	Ditto - -	Ditto - -	Ditto - -	Ditto.	

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