



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. lxxvi.

An Act for building a Bridge over the River *Trent*, from *Dunham* in the County of *Nottingham* to the opposite Shore in the County of *Lincoln*.

[29th May 1830.]

WHEREAS the building of a Bridge at or near an ancient Ferry called *Dunham Ferry*, over the River *Trent*, from *Dunham* otherwise *Dunholme* in the County of *Nottingham* to the opposite Shore in the Parish of *Newton* in the County of *Lincoln*, will be of great Utility and Advantage to the Neighbourhood and the Public: And whereas the several Persons herein-after named are willing and desirous of undertaking the Execution of the Purposes aforesaid, and of being united into a Company for that Purpose: 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 *John Augerstein* Esquire, *Edward Baxter*, *William Bedford* junior, *Sir Edward French Bromhead* Baronet, *George Brooks*, *William Calvert*, *S John Cartwright*, *James Chambers*, *Edward Parker Charlesworth* Doctor of Medicine, *John Clark*, *John Clater*, *Garvis Wells Cole*, *Joseph Collingham*, *Robert Cracroft* Esquire, *William Dawber*, *Edward Bell Drury*, *John Walter Dudding*, *Richard Dudding*, *Benjamin Eddison* senior, *Benjamin Eddison* junior, *John Fardell* Esquire, *Thomas Fisher*, *Samuel Francis Flower*, the Reverend

Names of Proprietors.

[Local.]

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Henry

Henry Foulis, Edward Fowler, Thomas Fox, the Very Reverend George Gordon Dean of Lincoln, William Gourley, Jephthah Greesham, William Quible Hall, Richard Hannam junior, the Reverend William Hett, John Holmes Esquire, John Holmes, Sir William Amcotts Ingilby Baronet, Lady Kinloch, Miss Kinloch, John Lesiter, the Corporation of Lincoln, Henry Machin Esquire, Francis Marriott, the Right Honourable Lord Monson, John Nelson, Thomas Nettleship, Thomas Newton, John Parkinson, the Reverend George T Pretyman, the Reverend Richard Pretyman, John Rose, William Scolah, William Scorer, James Scott, Robert Sharpe, Stephen Camm Short, Charles Delaet Waldo Sibthorp Esquire, Thomas Silvester, Francis Sisson, Thomas Skepper, John Smith, John Smith, William Spencer, Charles Stacy, Robert Swan, Joseph Tomlin, Richard Turner, William Wakefield, Frederick and Charles Winn, Thomas Winn Alderman, and William Wriglesworth Alderman, and all and every such other Person and Persons, Body and Bodies Politic, Corporate, or Collegiate, as shall from Time to Time become a Subscriber or Subscribers to the said Undertaking, and be duly admitted a Proprietor or Proprietors as herein-after mentioned, their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for erecting, building, making, and maintaining a Bridge over or across the River Trent at or near Dunham Ferry aforesaid, for the Passage of Carriages, Horses, Cattle, and Passengers, with proper Ways, Passages, or Approaches to and from such Bridge, according to or consistently with the Rules, Orders, and Directions herein-after contained, and for that Purpose shall be One Body Politic and Corporate by the Name and Style of "The Dunham 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, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or any Offence indictable by the Laws of this Realm, and shall and may have Power and Authority, from Time to Time and at all Times, to purchase and hold to them, and their Successors and Assigns, any Lands, Tenements, and Hereditaments, for the Use of the said Undertaking, in manner by this Act directed, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and also to sell and convey any of the Lands, Tenements, and Hereditaments so purchased in manner by this Act directed.

Proprietors
united into
a Company.

Power to
build the
Bridge, &c.

II. And be it further enacted, That it shall be lawful for the said Company, or their Committee of Management to be appointed as herein-after mentioned, to erect or build and make, or cause to be erected, built, and made, a Bridge of Stone, Iron, Bricks, or any other Materials, over or across the River Trent at or near to Dunham Ferry aforesaid, from the Shore or Bank of the said River in the Parish of Dunham otherwise Dunholme in the County of Nottingham to the opposite Shore or Bank of the said River in the Parish of Newton in the County of Lincoln, and also to make, construct, lay, erect, and build, or cause to be made, constructed, laid, erected, and built, all proper or necessary Foundations, Piers for Arches, or other Support of the said Bridge, Buttresses and other Works in the Bed

of the said River and on the Shores and Banks thereof and Lands adjoining thereto, and also to open, form, make, and maintain all necessary Ways or Approaches to the said Bridge on both Sides of the said River within One hundred and eighty Yards from the Centre of the said River, and to make, build, or construct all necessary Footpaths and Causeways, and Steps for Landing Places near the same, and for the Purposes aforesaid, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and Assistants, to enter upon any Lands and Hereditaments necessary to be taken or used for the Site of the said Works and Ways or Approaches, or adjoining thereto, and with or without Horses, Carts, or Carriages, for the Purposes of this Act, or for lodging Materials for the Construction of the Works authorized by this Act, and to dig, cut, bore, excavate, and work in or on any such Lands and Hereditaments, and to make any temporary Dam or Dams on the said River, and to cut and level the Banks thereof, and to take or remove and carry away from the Bed thereof, or from the Shores or Banks thereof, all Trees, Roots of Trees, Beds of Gravel, Stone, Sand, Mud, Earth, Soil, or any other Matter or Thing whatsoever which may be an Impediment to the full Execution of the Purposes of this Act, and to do and execute all and every Things and Thing necessary or convenient for erecting, building, making, and maintaining the said Bridge and Works, and Ways or Approaches thereto, and for the other Purposes of this Act, doing as little Damage as may be in the Execution of the Works aforesaid, and making full Satisfaction and Compensation for all Lands taken or used for the Purposes of this Act, and for all Damage done in the Execution thereof: Provided always, that in building the said Bridge no Interruption or Impediment shall be caused to the Navigation of the said River *Trent*, or the Haling Path on the Side thereof, otherwise or for a longer Space of Time than shall be absolutely necessary and unavoidable; and when the said Bridge shall be made, the same shall at all Times hereafter be kept in good and sufficient Repair by the said Company.

III. And be it further enacted, That the said Bridge shall be constructed and consist of Four Arches of not less than One hundred and ten Feet Span each, and that the Centre of each of the said Arches shall be not less than Twelve Feet clear above the Level of the present Haling Path contiguous to the intended Site of the said Bridge; and that the Face of the Eastern Abutment of the said Bridge shall be placed Twenty Feet towards the Eastern Bank of the River from the Front of the present Staith of the Ferry; and that there shall be constructed and made a good and sufficient Haling Path of not less than Ten Feet in Width, and of the same Height as the present Haling Path, with a proper and sufficient Handrail or Ballustrade thereon, and which Haling Path shall be so made under the Eastern Arch and adjoining to the Abutment, and shall be extended for the Space of Sixty Yards on each Side of the said Bridge, and that there shall be a clear Headway of not less than Seven Feet under the said Arch above the Level of the said Haling Path at the Front thereof; and that such Haling Path and Railing or Ballustrade shall be at all Times supported and maintained by and at the Expence of the said Bridge Company; and that the Roadway or Passage upon the

Description
of the Bridge
and Works.

the Bridge for Carriages and Horses shall be at least Eighteen Feet in Width, and the Height of the Walls or Ballustrades or other Fence on each Side of the said Bridge shall be at least Four Feet, and the Ascent to such Bridge shall not exceed One Foot in every Thirteen Feet.

Bridge not to be deemed a County Bridge.

IV. 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 *Nottingham*; or the Parts of *Lindsey* in the County of *Lincoln*, to the repairing, amending, or supporting the same; any Law or Statute to the contrary thereof notwithstanding.

If Bridge, &c. not completed in Five Years, Powers to cease.

V. Provided always, and be it further enacted, That in case the said intended Bridge and Approaches shall not have been completed and made passable for Horses and Carriages within the Space of Five Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Five Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said intended Bridge and other Works as shall have been completed within the said Term.

No other Bridge or Ferry to be erected within 1000 Yards.

VI. And be it further enacted, That if the said Company shall erect the said intended Bridge, and open the same for Horses, Beasts, Cattle, Carriages, and Passengers, within Five Years after the passing of this Act, it shall not be lawful for any other Person or Persons to erect any other Bridge nor to establish any Ferry over or across the said River *Trent*, within the Distance of One thousand Yards from the said Bridge, for the Passage of Horses, Beasts, Carriages, or Cattle.

Company to rebuild or repair the Bridge when necessary, and in the meantime to provide a temporary Bridge or Ferry.

VII. And be it further enacted, That in case the said Bridge shall at any Time become impassable or unsafe for Travellers or Carriages, the said Company shall and are hereby empowered 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, during all such Time as the said Bridge shall be impassable or unsafe as aforesaid, to erect, construct, or provide a temporary Bridge, or to provide a proper and convenient Ferry and Boats and Barges, for the Passage of Travellers, Cattle, and Carriages over the said River, as near to the Site of the said Bridge as conveniently may be; and it shall be lawful for such Person or Persons as the said Company shall appoint for that Purpose to demand, collect, and receive, for the Passage of such Travellers, Cattle, and Carriages in or over the said temporary Bridge or Ferry, before they respectively shall be permitted to pass, the like Tolls as are hereby authorized to be taken for passing over the said Bridge; any thing herein contained to the contrary notwithstanding.

Bridge to be free on Payment of Tolls.

VIII. And be it further enacted, That all Persons, with Horses, Beasts, Cattle, and Carriages, Goods, Wares, and Merchandize, Matters and Things, and all Foot Passengers, shall have free Liberty to

to pass and repass at all Times upon and over the Bridge and Approaches by this Act authorized to be erected or made, upon Payment of the Tolls in this Act mentioned, without any Hindrance or Interruption of or by the said Company or any Person or Persons whomsoever.

IX. And be it further enacted, That it shall be lawful for the said Company or the Committee of Management to treat, contract, and agree with any Person or Persons, or any Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay respectively, as shall be or be deemed to be the Owner or Owners of or 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 across the River *Trent*, 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 Purposes of this Act.

Company empowered to treat with Bodies Politic, &c.

X. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower or authorize the said Company to take or pull down any Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Paddock, Park, Lawn, Shrubbery, planted Walk, or Avenue to a House, or inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first obtained.

Company not to pull down Houses, &c. without Consent of Owner.

XI. Provided also, and be it further enacted, That after the Expiration of Five Years from the passing of this Act, the said Company shall not be at liberty to purchase any Lands, Tenements, or Hereditaments, or any Ferry or Ferries, without the Consent of the Owner or Owners thereof; and in case any Purchase or Purchases shall be so made with the Consent of the Owner or Owners, such Purchases shall be completed, subject to the Regulations and Provisions of this Act, in the same Manner as if the same had been made before the Expiration of the said Five Years.

Power to purchase without Consent to determine in Five Years.

XII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, 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, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person or Persons, and to and for all Femmes Coverts who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever who is or

Bodies Politic and other incapacitated Persons empowered to sell and convey.

are or shall be seised, possessed of, or interested in any Lands or Grounds, Messuages, Tenements, Hereditaments, or other Property through or over which the said Bridge, Ways, or Approaches and Works shall be erected or made, or of or in any Ferry or Ferries across the River *Trent*, to contract and agree with the said Company or Committee of Management for the Satisfaction to be made for the same, or for any Losses or Damages to be sustained by the Execution of any of the Purposes of this Act, and to sell and convey or transfer to the said Company all or any such Lands or Grounds, Messuages, Tenements, Hereditaments, or Property, or any such Ferry or Ferries, as Occasion shall require; and all such Contracts, Sales, and Conveyances, or Transfers, 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 Circumstances of the Case will admit; (namely,)

Form of Conveyance to the Company.

I, _____ of _____ in consideration of the Sum of _____ to _____ paid by the *Dunham Bridge* Company, do hereby grant, release, assign, and confirm unto the said Company and their Successors all [*describe the Premises to be conveyed*], and all Right, Title, and Interest of, in, and to the same and every Part thereof; to hold unto the said Company and their Successors for ever, according to the true Intent and Meaning of an Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*]. In witness whereof _____ have hereunto set _____ Hand and Seal, this _____ Day of _____ in the Year of our Lord _____

And all such Contracts, Agreements, Sales, Conveyances, Transfers, and Assurances as aforesaid shall be good, valid, and effectual in the Law to all Intents and Purposes, and shall operate and enure as and be a Merger of all outstanding Terms of Years, and be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, and be held and enjoyed absolutely freed and discharged therefrom.

Satisfaction to be made for Lands taken or Damage sustained.

XIII. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, and 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 other Person or Persons who is or are seised, possessed of, or interested in any Lands or Grounds, Messuages, Tenements, or Hereditaments, which may be required for the Purposes of this Act, or in any Ferry or Ferries which may be sold or transferred in pursuance of this Act, may accept and receive Satisfaction for the Value of such Lands or Grounds, Messuages, Tenements, or Hereditaments, Ferry or Ferries, and for the Losses or Damages to be sustained by the Execution of any of the Purposes of this Act, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company or Committee of Management.

XIV. And

XIV. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or any Feoffee or Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Trustees, Committees 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 Company or Committee of Management respecting the Purchase or Transfer of any Lands, Tenements, or Hereditaments, Ferry or Ferries, or the Satisfaction to be made for any Losses or Damages that may be sustained from Time to Time by him, her, or them by or in consequence of the making or maintaining of the said Bridge or Works to be made and maintained by virtue of this Act, and shall give Notice in Writing to the said Company requiring a Jury to be summoned for the Purpose of determining such Purchase Money or Satisfaction; or if any such Body Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, Feoffee in Trust, Executor, Administrator, Husband, Guardian, Trustee, or Committee, Tenant for Life or in Fee Tail, General or Special, or for Years, or any Person or Persons so interested or entitled as aforesaid, shall, upon Notice in Writing given by the Clerk to the said Company to the principal Officers of any such Body Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or 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 on any Life or Lives, or other Person or Persons so interested or entitled as aforesaid respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands, Tenements, or Hereditaments, Ferry or Ferries, to be made use of for the Purposes of this Act, for the Space of Thirty Days next after such Notice neglect or refuse to treat, or shall not agree with the said Company or Committee of Management, or by reason of Absence or otherwise shall be prevented from treating, or through Disability, or Nonage, Coverture, or other legal 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 Thirty Days produce and fully disclose the State of the Title to the Premises which he, she, or they respectively is, 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 of Management shall and they are hereby empowered and required to issue a Warrant under their Common Seal, directed to the Sheriff of the County in which the Lands or Hereditaments in question shall be situate, or in which the Matter in question or dispute shall arise, thereby requiring him or them to impanel, summon, and return a Jury, and such Sheriff is hereby required accordingly to impanel, summon, and return a Jury of Twenty-four honest and indifferent Men, qualified according to the Laws of this Realm 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

If Parties are dissatisfied, they may cause a Jury to be impanelled to decide the Matter.

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in such Warrant shall be appointed, such Time not being less than Fourteen or more than Twenty-eight Days after such Warrant shall be served upon the Sheriff, and Ten Days Notice at the least in Writing under the Hand of the Clerk of the said Company is hereby required to be given to the Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons as aforesaid interested in any such Lands, Tenements, or Hereditaments, Ferry or Ferries, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Corporations, or at the House of the Tenant in Possession of such Lands, Tenements, or Hereditaments, Ferry or Ferries, of the Time and Place of the said Jury being so impanelled, summoned, and returned; 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 of them, 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 it shall be lawful for all Persons concerned, by themselves, their Counsel and Solicitors, to attend and be heard and to adduce Evidence before the said Sheriff; and such Persons shall also have their lawful Challenges against any of the said Jurymen when 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 him either previous to or at the Time of any such Meeting or Meetings, to call before him all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath touching or concerning the Premises; and the said Sheriff may order and authorize the said Jury or any Six or more of them to view the Place or Places or Premises in question, if there be Occasion, and to use all other 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 as the Oaths of 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, Tenements, or Hereditaments, Ferry or Ferries, or what Losses or Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Occupiers, or Person or Persons interested, for or on account of the taking such Lands, Tenements, or Hereditaments, Ferry or Ferries, by virtue 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 to the said Owners or Occupiers of or other Person or Persons interested in the said Lands, Tenements, or Hereditaments, Ferry or Ferries, according to such Verdict or Inquisition of the said Jury, and give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or

Inquisition, Order and Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff, and shall be binding, final, 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, Spiritual or Lay, 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 Court; any Law or Statute to the contrary thereof notwithstanding.

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

Value of Land and Damages to be ascertained separately.

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

Compensation Money to be apportioned.

XVII. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, and Person or Persons requesting a Jury to be summoned, shall (before such Warrant shall be issued for that Purpose) enter into a Bond, with Two sufficient Sureties, to the said Company, in a Penalty of One hundred Pounds, with Condition to pay and bear his, her, or their Proportion of the Costs and Expences

Persons requesting Juries to enter into Bonds.

of summoning such Jury as they respectively are by this Act directed to pay, and taking such Verdict, before the impannelling, summoning, and returning the said Jury or Juries, for the Purchase of or as a Recompence for any Lands, Tenements, or Hereditaments, Ferry or Ferries, or as a Compensation for any Losses or Damages, or in case no Verdict shall be found for Damages where the whole Dispute was whether any Damages were or were not done as aforesaid.

Penalty on Sheriffs, Jurors, or Witnesses for Default.

XVIII. And be it further enacted, That if any Sheriff or Sheriffs shall make default in the Premises they shall for every such Offence forfeit and pay the Sum of Ten Pounds, to be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, by the said Company, or by such other Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or other Person or Persons interested in the Matter in question; and if any Person so impannelled, summoned, and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act; and if any Person or Persons summoned to give Evidence before the said Jury touching the Premises shall neglect or refuse to appear after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and 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 such Person so offending, upon Proof thereof made before any Justice or Justices of the Peace, upon the 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 such Justice or Justices; and in case any such Penalty shall not forthwith be paid, it shall and may be levied, by virtue of any Warrant under the Hand and Seal of such Justice or Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty as 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 or Justices to be injured by default of such Persons.

Company not to take notice of any Complaint unless previous Notice has been given.

XIX. And be it further enacted, That the said Company shall not be obliged by virtue of this Act to receive or take notice of any Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained or supposed to be sustained by virtue or in consequence of this Act, unless Notice shall have been given thereof, by or on behalf of such Person or Persons, to the said Company, within the Space of Six Calendar Months next after the Time that such Injury or Damage, or supposed Injury or Damage, shall have been sustained, or the doing or committing thereof shall have ceased.

XX. And

XX. And be it further enacted, That in all Cases where a Verdict shall be given in pursuance of the Provisions of this Act for more Money as a Recompence or Satisfaction for any Lands, Tenements, or other Hereditaments, or for any Losses or Damages done or to be done to any Lands, Tenements, Hereditaments, or other Property, than had been previously offered by or on behalf of the said Company, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, or 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 where by reason of Absence in Foreign Countries or other Impediments 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 for such Lands, Tenements, or Hereditaments, or Damages, then and in all such Cases all the reasonable Costs and Expences attending the impannelling, summoning, and returning such Jury and taking such Verdict shall be settled by such Sheriff and defrayed by the said Company; and in case such Costs shall not be paid by the said Company within Thirty Days after the same shall be demanded, the same shall and may be levied, by virtue of any Warrant under the Hand and Seal of any Justice of the Peace, by Distress and Sale of the Goods and Chattels of the said Company, in whatever County such Goods and Chattels may be, or of their Treasurer; 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 for a less Sum than had been so previously offered, or in case of such Refusal or Neglect to enter into Treaty with or make Conveyances to or receive Compensation from the said Company, by any Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or by any Person or Persons whomsoever who is or are by the Provisions of this Act or otherwise legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, in which Case such Costs and Expences shall be paid by the said Company,) 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 Costs and Expences shall be borne and paid by the said Company, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or other Person or Persons with whom the said Company shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, 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, Spiritual or Lay, 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 of

Expences of
Juries.

of Money so assessed and adjudged ; and in case no Compensation shall be given by such Verdict where the Dispute is for Compensation for Injury only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

Lands to vest in the Company on Payment or Tender of the Sums assessed.

XXI. 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 Juries in manner aforesaid, within One Calendar Month after the same shall have been so contracted or agreed for or assessed as aforesaid, for the Purchase or Transfer of any such Lands, Tenements, or Hereditaments, Ferry or Ferries, or as a Compensation for Losses or Damages as herein-before mentioned, to the Proprietor or Proprietors of such Lands, Tenements, or Hereditaments, Ferry or Ferries, or to such other Person or Persons as shall be interested therein, or entitled to receive such Purchase Money or Compensation respectively, or to his, her, or their Agent or Agents, or depositing the same in the Bank of *England* in manner by this Act directed, as the Case may be, it shall be lawful for the said Company, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, or Hereditaments, Ferry or Ferries respectively, and then and thereupon such Lands, Tenements, or Hereditaments, Ferry or Ferries, 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 for the Purposes of this Act for ever ; and such Tender, Payment, or Deposit shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion, Remainder, Expectancy, or otherwise, to his, her, or their Issue, and of all and every other Person and Persons interested therein : Provided nevertheless, that before such Payment, Tender, or Deposit as aforesaid shall be made, it shall not be lawful for the said Company, or any Person or Persons acting under or by virtue of their Authority, to dig or cut or otherwise affect any Lands, Tenements, or Hereditaments of the Person or Persons entitled to such Payment, for the Purposes of this Act, without the Leave and Consent of such Person or Persons respectively.

Verdicts of Juries to be recorded.

XXII. 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 Peace of the County or Division in which the Verdict shall be given, and shall be deposited with and be deemed to be Records of such Quarter Sessions to all Intents and Purposes ; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever ; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, or to have Copies thereof, paying for every Copy the Sum

Sum of Sixpence for every One hundred Words, and so on in proportion for any greater or less Number of Words.

XXIII. And be it further enacted, That all Sums of Money which are to be paid to any Bodies Politic, Corporate, Collegiate, Spiritual, Lay, Ecclesiastical, or Civil, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees acting as Guardians, Committees, or other Trustees for or on behalf of any Lunatics, Idiots, Femes Covert, or other Cestuique Trusts, or to any Person or Persons whose Lands or Hereditaments, Ferry or Ferries, are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, for the Purchase or Transfer of or for the Damage to be done to any such Lands, Tenements, or Hereditaments, Ferry or Ferries, by virtue or in consequence of the Powers in this Act contained, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the *Dunham* Bridge Company, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, according to the General Orders of the said Court, 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 Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, Ferry or Ferries, in the Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Charge or Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, Ferry or Ferries, or affecting other Lands, Tenements, or Hereditaments, Ferry or Ferries, 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 Uses, Trusts, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments, Ferry or Ferries, which shall be so purchased, taken, used, or injured 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, 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 aforesaid, the Dividends and annual Proceeds of the said

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

1 G. 4. c. 35.

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

Application when less than 200% and exceeding 20%.

XXIV. Provided always, and be it further enacted, That if any Money so agreed and awarded to be paid for any Lands, Tenements, or Hereditaments, Ferry or Ferries, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, or on account of any Damage to be done or occasioned to any such Lands, Tenements, or Hereditaments as herein-before mentioned, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Ferry or Ferries, so purchased, taken, used, or injured, in respect whereof the same shall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, Trustee or Trustees, Receiver or Receivers, or other Person or Persons acting as such as aforesaid, 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 be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Company or Committee of Management, (such Nomination and Approbation to be signified in Writing under the Hands of the Parties nominating such Trustees, and under the Common Seal of the said Company,) in order that such Principal Money and the Dividends arising thereon may be applied in the 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 said Court of Exchequer.

Application when less than 20%.

XXV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last above mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Ferry or Ferries, in respect whereof the same shall be paid, in such Manner as the said Company shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Company or Committee of Management shall direct the same to be paid shall be sufficient Discharges for the same.

XXVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased, taken, or used by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, or in case the Person or Persons entitled to such Lands, Tenements, or Hereditaments, Ferry or Ferries, be not known or discovered, then and in such Case it shall and may be lawful to and for the said Company or Committee of Management to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, Ferry or Ferries, [describing them,] subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be placed out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate, Title, or Interest of the 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 or are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of
Failure of
Title, &c.

XXVII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any 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 the Lands, Tenements, or Hereditaments, Ferry or Ferries, or of any Estate, Right, or Interest in the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased in pursuance thereof, or to the Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, Ferry or Ferries, in respect whereof such Money shall have been so paid, at the Time of passing this Act, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Ferry or Ferries, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, or that such Person or Persons was or were not lawfully entitled

Where any
Question
shall arise as
to the Title
to Money,
the Person
who shall be
in Possession
of the Lands,
&c. to be
deemed en-
titled thereto.

entitled to such Lands, Tenements, or Hereditaments, Ferry or Ferries, or to some Estate or Interest therein.

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

XXVIII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Exchequer 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, to be paid by the said Company out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Tenants to deliver Possession after Six Months Notice.

XXIX. And be it further enacted, That every Tenant of the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased or taken for the Purposes of this Act, shall deliver up the Possession of the same to the said Company, or to such Person or Persons as the said Company or Committee of Management shall appoint to take Possession thereof, upon receiving Six Calendar Months Notice to quit such Possession from the Clerk to the said Company, or from the Person or Persons so authorized by the said Company to take such Possession; and the Person or Persons in Possession shall, at the End of the said Six Calendar Months, 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 to the Person or Persons authorized by the said Company to take Possession thereof: Provided always, that the said Company shall make such Recompence and Satisfaction to the said Tenants or Occupiers as the said Company or Committee of Management shall think fit and reasonable; and in case of any Dispute concerning the same, such Recompence and Satisfaction shall be settled and ascertained in such and the like Manner as the Recompence and Satisfaction to be made by the said Company for the Purchase of any Lands, Tenements, or Hereditaments, Ferry or Ferries, for the Purposes of this Act, are herein directed to be ascertained and settled; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid (all such reasonable Satisfaction being first made and tendered), it shall be lawful for the said Company to issue their Warrant or Warrants under their Common Seal to the Sheriff or Sheriffs to deliver Possession of the said Premises to such Person or Persons as shall in such Warrant or Warrants be nominated to receive the same, and the Sheriff and Sheriffs is and are 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 Warrant or Warrants, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

XXX. And

XXX. And whereas the probable Expence of erecting and making the said Bridge and Works will amount to the Sum of Fourteen thousand two hundred and fifty Pounds, and more than Four Fifths thereof have been already subscribed by several Persons, under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed respectively; be it further enacted, That the whole of the said Sum of Fourteen thousand two hundred and fifty Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

The whole of the Expence to be subscribed before the Works commence.

XXXI. And be it further enacted, That it shall and may be lawful for the said Company to raise and contribute amongst themselves a competent Sum of Money for making and completing the said Bridge and other Works, not exceeding in the whole the Sum of Fourteen thousand two hundred and fifty Pounds, and the Money so to be raised and contributed shall be and is hereby declared to be the Joint Stock or Fund of the said Company, and shall be laid out and applied, in the first place, for and towards Payment, Discharge, and Satisfaction of all Fees and Disbursements for obtaining and passing this Act, and for making the Surveys, Plans, and Estimates preparatory and incident thereto, and all other Expences relating to the same; and all the Residue and Remainder thereof shall be used and applied in, for, and towards the making and completing the said Bridge and other Works, and in carrying on the said Undertaking, and for other the Purposes of this Act, and to and for no other Use, Intent, or Purpose whatsoever.

Empowering the Company to raise a Capital or Joint Stock.

XXXII. And be it further enacted, That the said Capital or Joint Stock shall be divided and distinguished into equal Parts and Shares of Fifty Pounds each, and such Shares shall be numbered in numerical Progression, and such Shares shall be and are hereby vested in the said several and respective Subscribers, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Behoof respectively; and all Persons, and Bodies Politic, Corporate, and Collegiate, and their several and respective Executors, Administrators, Successors, and Assigns, who shall severally subscribe for One or more such Share or Shares, and who shall pay the said Sum of Fifty Pounds *per* Share, or such Sum or Sums as shall be demanded in lieu thereof, for or towards the carrying on and completing the said Undertaking and other the Purposes of this Act, and other Persons who shall be or become legally possessed of any such Share or Shares, shall be deemed to be Proprietors or a Proprietor of the said Undertaking and of the Capital or Joint Stock of the said Company, and shall be entitled to and shall receive a proportionate Part of the Profits and Advantages that shall and may arise and accrue by the Rates and other Sums of Money to be raised, recovered, and received by or under the Authority of this Act, according to the Number of Shares so respectively paid for or possessed; and every Body Politic, Corporate, and Collegiate, or Person or Persons, having or holding any such Share or Shares as aforesaid, shall bear and pay an adequate proportionable Sum of

The Money to be divided into Shares.

[*Local.*]

23 L

Money

Money towards carrying on the said Undertaking, in manner herein enacted, directed, and appointed.

Shares to be
Personal
Property.

XXXIII. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, or Collegiate, and all other Person or Persons, of and in the said Undertaking or the Capital or Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and be transmissible as such, and not of the Nature of Real Property.

To compel
Payment of
Subscrip-
tions.

XXXIV. And be it further enacted, That the several Persons, and Bodies Politic, Corporate, or Collegiate, who have subscribed for or agreed to advance, or who shall hereafter subscribe for or agree to advance, any Money for or towards any of the Purposes of this Act, shall and they are hereby required to pay the Sum or Sums of Money by them respectively so subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Company or the Committee of Management, under and by virtue of the Powers and Directions of this Act, to such Person or Persons, and in such Manner, and at such Times and Places as shall be directed by the said Company or Committee in manner herein-after mentioned; and in case any Person or Persons shall refuse or neglect to pay the same at the Time and in manner required for that Purpose, it shall and may be lawful for the said Company to sue for and recover the same, with legal Interest thereon from the Time appointed for the Payment thereof, and with full Costs of Suit, in any Court of Law or Equity.

Power to
raise Money
by Mortgage.

XXXV. And be it further enacted, That in case the said Company shall be desirous to raise Money by Mortgage of the said Bridge and Undertaking, for completing or carrying on the same, any further Sum beyond the said Sum of Fourteen thousand two hundred and fifty Pounds, then and in such Case it shall be lawful for the said Company to borrow and take up at Interest, of and from any Person or Persons who shall be willing to advance and lend the same upon the Credit of the said Undertaking, any such Sum or Sums of Money, not exceeding the Sum of Eight thousand Pounds, as to them shall seem meet and convenient, and they are hereby authorized and empowered to assign and make over the said Bridge and Works, and the Rates and Tolls to arise by virtue of this Act, or any Part thereof, as a Security for any Sum or Sums of Money so to be borrowed, with Interest, to the Person or Persons who shall advance the same, or to his, her, or their Trustee or Trustees, by Deed of Mortgage according to the Form following; (that is to say,)

Form of
Mortgage.

‘ WE, the *Dunham Bridge Company*, in consideration of the Sum
‘ of _____ to us paid by *A. B.* of _____
‘ do hereby, by virtue of an Act passed in the Eleventh Year of the
‘ Reign of King *George* the Fourth, [*set forth the Title of this Act,*]
‘ bargain, sell, and transfer unto the said *A. B.* all and singular the
‘ Rates and Tolls arising by virtue of the said Act, and also the said
‘ Bridge, and all the Right, Title, and Interest of us the said Com-
‘ pany of, in, and to the same; to hold unto the said *A. B.*, his Exe-
‘ cutors,

‘ cutors, 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 discharged. Given
 ‘ under our Seal, the Day of .’

And all and every Person and Persons to whom such Mortgage or Mortgages shall be made shall be equally entitled as Mortgagee or Mortgagees to his, her, or their Proportion or Proportions of the said Rates, Tolls, and Premises, according to his, her, or their respective Sums in such Mortgages mentioned to be advanced, without any Preference by reason of the Priority of Date of any such Mortgage or on any other Account whatsoever; and the Money so to be borrowed is hereby directed and appointed to be laid out and applied for and towards the making, completing, and maintaining the said Bridge and other the Purposes of this Act, and to no other Use or Purpose whatsoever; and an Entry or Memorial of every such Mortgage, containing the Date thereof, and an Account of the Name or Names of the Party or Parties, with their proper Additions, to whom the same shall have been made, and of the Sum of Money borrowed, together with the Rate of Interest to be paid thereon, shall within Forty Days next after the Date thereof be written and inserted (*gratis*) in One or more Book or Books to be kept for that Purpose by the Clerk to the said Company; and every such Mortgagee or Mortgagees, and all and every Person and Persons to whom any such Mortgage or Mortgages shall be transferred or assigned, or shall be entitled to the Money thereby secured, may from Time to Time assign and transfer his, her, or their Right, Title, Interest, or Benefit, to his, her, or their Mortgage or Security to any Person or Persons whomsoever; which Transfer shall and may be made according to the Form following; (that is to say,)

Memorials of Mortgages to be kept by the Clerk.

Mortgages may be transferred.

‘ I *A. B.* of in consideration of the Sum of
 ‘ paid by *C. D.* of do hereby,
 ‘ transfer a certain Mortgage made by the *Dunham Bridge* Company,
 ‘ Number being dated the Day
 ‘ of for securing the Principal Sum of
 ‘ and the Interest now due and hereafter to become due thereon,
 ‘ and all my Right and Property therein, to the said *C. D.*, his Exe-
 ‘ cutors, Administrators, and Assigns. In witness whereof I have
 ‘ hereunto set my Hand and Seal, this Day of
 ‘ in the Year of our Lord .’

Form of Transfer.

And every such Transfer shall be produced and certified to the Clerk to the said Company, who shall thereupon cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sums of Money thereby transferred, in the said Book or Books to be kept for entering the said original Mortgages, for which last-mentioned Entry such Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more; and after such Entry made every such Assignment shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage, and it shall not be in the Power of any Person or Persons who shall have made any such Assignment or Assignments at any Time afterwards to make void, release, or discharge

Memorials of Transfers to be kept.

Interest to be paid in preference to Dividends.

charge the original Mortgage, or any Money thereby secured, or any Part thereof; and the Interest of the Money to be so borrowed by Mortgage as aforesaid shall be paid from Time to Time to the several Persons entitled thereto, in preference to any Interest or Dividends due and payable by virtue of this Act to the said Company, or to any of them.

To enable Company to borrow Exchequer Bills under the Provisions of the Act 3. G. 4. c. 86.

XXXVI. And be it further enacted, That it shall be lawful for the said Company to borrow, of and from the Commissioners for carrying into execution an Act of Parliament made and passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty, and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, such Sum or Sums of Money as the said Company may deem expedient for the Purposes of this Act, upon Mortgage or Assignment of the said Bridge and Undertaking, and of all Tolls authorized to be collected and received by this Act; subject nevertheless to such of the Provisoes and Conditions particularly mentioned and expressed in the said Act of the Third Year of His present Majesty, and the Acts therein recited and referred to, and in such Form as the said Commissioners for the Issue of Exchequer Bills shall direct and appoint.

Mortgages given for such Bills to have Priority over other Securities.

XXXVII. And be it further enacted, That any Mortgage or Assignment which shall be given by the said Company to the said Commissioners for the Issue of Exchequer Bills shall have Priority over and shall precede all other Mortgages or Securities granted by the said Company; any thing in this Act, or in any Mortgage or Security which shall hereafter be granted as aforesaid, to the contrary in anywise notwithstanding.

First and other General Meetings.

XXXVIII. And be it further enacted, That the said Company shall hold their First General Meeting at some convenient Place within the City of *Lincoln* on the Third *Saturday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten in the Morning and Three in the Afternoon; and the Proprietors of the said Undertaking then and there assembled shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time, and from Place to Place, as they shall think fit; and from and after the said First General Meeting there shall be a General Meeting of the said Company on the last *Saturday* in the Month of *September* in each and every Year, or on some other Day within the same Month, in case the Company shall at any Time or Times by public Notice appoint such other Day; and it shall also be lawful to hold such and so many Special General Meetings of the said Proprietors as shall be called as herein-after provided; and of all such General Meetings (except General Meetings held on the said last *Saturday* in the Month of *September*), and of all Special General Meetings, public Notice shall be given Fourteen Days at least before the Day of holding the Meeting; and all such General Meetings and Special General Meetings may

may be adjourned from Time to Time and from Place to Place as shall be found expedient; and all and every the Proprietors of the said Undertaking shall be entitled to vote at every such Meeting according to the Number of Shares possessed by such Proprietors respectively in the Proportions or Manner following; that is to say, for Twenty Shares or upwards, to give Six Votes; for Fifteen Shares and under Twenty Shares, Five Votes; for Ten Shares and under Fifteen Shares, Four Votes; for Five Shares and under Ten Shares, Three Votes; for Three Shares and under Five Shares, Two Votes; and for Two Shares or One Share, One Vote; which Vote or Votes shall and may be given by him, her, or them personally, or by his, her, or their Proxy or Proxies duly constituted under the Common Seal of any Corporation or under the Hand of any other such Person or Persons, or in case of the Infancy or Lunacy of any such Person or Persons, then under the Hand or Hands of his, her, or their Guardian or Guardians, Committee or Committees, as the Case may be, every such Proxy being a Proprietor of the said Undertaking; and every such Vote by Proxy shall be as good and valid to all Intents and Purposes as if such Principal or Principals had voted in Person; the Appointment of which Proxies may be made according to the Form or Effect following:

Votes may be given by Proxy.

‘ I of _____ of _____ being a Proprietor Form of
 ‘ of _____ Share [or of _____ Shares, as the Proxy.
 ‘ *Case may be,*] in the Capital or Joint Stock of the *Dunham Bridge*
 ‘ Company, do hereby nominate, constitute, and appoint
 ‘ of _____ to be my Proxy, in my
 ‘ Absence to vote or give my Assent or Dissent to any Business,
 ‘ Matter, or Thing relating to the Affairs of the said Company which
 ‘ shall be mentioned or proposed at any Meeting of the said Com-
 ‘ pany, in such Manner as the said _____ shall think
 ‘ proper, according to his Opinion and Judgment, for the Benefit of
 ‘ the said Company or their Undertaking, or any thing appertaining
 ‘ thereto. In witness whereof I have hereunto set my Hand, the
 ‘ _____ Day of _____ in the Year of our
 ‘ Lord One thousand eight hundred and _____’

And every Election of Committees and Officers, and every Question, Matter, and Thing whatsoever which shall be proposed, discussed, or considered in any General or Special Meeting of the said Company to be held by virtue of this Act, shall be finally determined by the Majority of Votes then present, by Principals and Proxies, computing such Votes in manner aforesaid; and no Person shall be Proxy for more than Two absent Proprietors; and at every such Meeting One of the Proprietors then present shall be appointed Chairman, who shall not only be entitled to vote according to his Number of Shares as a Proprietor and as a Proxy, but in case of an Equality of Votes upon any Question, shall also give and be entitled to give, as such Chairman, another or the decisive and casting Vote.

All Questions to be decided by the Majority of Votes.

XXXIX. And be it further enacted, That Sir *William Amcotts* *Ingilby* Baronet, *John Angerstein* Esquire, *Robert Cracroft* Esquire, the Very Reverend *George Gordon* Dean of *Lincoln*, the Reverend *Richard Pretymann*, the Mayor of *Lincoln* for the Time being, the
 [Local.] 23 M Reverend

Committee of Management.

Reverend *Henry Foulis*, *John Fardell* Esquire, *Henry Machin* Esquire, *Edward Parker Charlesworth* M.D., *John Parkinson*, *Robert Swan*, the Reverend *William Hett*, *Thomas Winn* Alderman, *Edward Fowler*, *Samuel Francis Flower*, *Thomas Nettleship*, and *William Catvert*, being respectively Proprietors of not less than Two Shares in the said Undertaking, shall be the Committee of Management of the Affairs of the said Company, until others shall be appointed in their Places respectively as herein-after mentioned.

Committee to serve until the next General Annual Meeting.

Committee to be elected annually.

XL. And be it further enacted, That the several Persons herein-before named and appointed the Committee of Management shall continue in Office and be respectively Members of the said Committee until the General Annual Meeting of the said Company which shall be held in the Year of our Lord One thousand eight hundred and thirty-one, in case they shall so long live and continue such Proprietors respectively, and until other Proprietors of the said Undertaking shall be appointed in their or any of their Stead as herein-after mentioned; and at such General Annual Meeting of the said Company, and also at every succeeding General Annual Meeting, or at some Adjournment thereof respectively, Eighteen Proprietors of the said Undertaking, being respectively possessed of Two Shares each, shall be elected and appointed by the said Company to be the Committee of Management for the ensuing Year for managing the Affairs of the said Company; and the respective Members of every such Committee shall continue in their Offices until the ensuing General Annual Meeting of the said Company, in case they shall so long live and continue such Proprietors of the said Undertaking, and also until others or another shall be duly elected into their or any of their Places, in case they shall continue such Proprietors respectively; but every or any Member of any such Committee whose Office shall have expired shall nevertheless be re-eligible and may be re-elected a Member of the Committee of Management for any ensuing Year: Provided always, that no Person holding any Office, Place, or Employment, or being concerned or interested in any Contract or Contracts, under the said Company, or being a Dealer, either directly or indirectly, in any Stone, Bricks, Iron, Timber, or other Article, Matter, or Thing purchased, sold, furnished, or provided by or for the Use of the said Company, or for any of the Purposes of this Act, shall be capable of serving or of being chosen to serve on any such Committee.

For supplying Vacancies in the Committee.

XLI. And be it further enacted, That when and so often as any Member of the Committee of Management appointed or to be elected by virtue of this Act shall die, or shall cease to be a Proprietor of Two Shares in the said Undertaking, or be otherwise disqualified from acting as a Member of such Committee, or shall by Writing under his Hand delivered to the Clerk of the said Company decline or refuse to act, it shall be lawful for the said Committee of Management, or for the remaining Members thereof, to elect some other Proprietor to be a Member of the said Committee; and every such Proprietor so elected to fill any such Vacancy shall continue in his Office as a Member of the said Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have

have continued had he lived or continued a Proprietor of Two Shares in the said Undertaking.

XLII. And be it further enacted, That it shall be lawful for Fifteen or more of the Proprietors of the said Undertaking, holding in the Aggregate One hundred Shares or upwards, to call a Special General Meeting of the said Company by public Notice, specifying the Objects for which such Special General Meeting is so called, and appointing the same to be held on some Day to be mentioned in such Notice not earlier than Ten Days after the Publication of such Notice; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of the Proprietors of the said Undertaking as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters only specified in such Notice as aforesaid; and all such Acts of the Proprietors, or the major Part of them, assembled at every such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice as if the same had been done at a General Meeting at the Time herein-before appointed for holding the same.

Special Meetings of Proprietors may be convened.

XLIII. And be it further enacted, That the said Company or the Committee of Management may elect or appoint a Treasurer, Clerk, and Engineer, Architect, Surveyor, Collector, and other Officers, for transacting the Business of the said Company; and it shall be lawful for the said Company from Time to Time to remove and displace such Treasurer, Clerk, Engineer, Architect, Surveyor, Collector, and other Officers, or either of them, or any other Person or Persons who may be hereafter elected and appointed to their respective Offices, and may also from Time to Time elect, choose, and appoint in manner aforesaid any other Person or Persons to act as Treasurer, Clerk, Engineer, Architect, Surveyor, Collector, and other Officer, in the Room of such of the said Officers as shall happen to die or to resign, or be removed from their respective Offices; and the said Company shall allow and pay such Salaries or other Emoluments to the said Officers or any of them as at any General or Special Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company or Committee shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company, for the due and faithful Execution of his Office, before he shall enter thereupon, and may also take sufficient Security from any other of their Officers or Servants, for the due and faithful Execution of their respective Offices, if the said Company shall think proper.

Appointment of Officers.

Treasurer to give Security.

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

Same Person not to be Clerk and Treasurer.

Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Company; and if any Person shall accept both the Offices 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 any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every such 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, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Impar lance, shall be allowed.

Officers to
account.

XLV. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall, from Time to Time when thereunto required by the said Company or the Committee of Management by Writing under their Hands, make out and deliver to the said Company or Committee, or to such Person or Persons as the said Company or Committee shall for that Purpose appoint, a true and perfect Account in Writing under his or her Hand of all Monies which shall have been by him or her had, collected, or received, and how, and to whom, and for what Purpose the same and every Part thereof hath or have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to such Person or Persons as the said Company or Committee shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render and deliver such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Company or Committee, or to such Person or Persons as the said Company or Committee shall appoint, within Twenty-one Days after being thereunto required by the said Company or Committee, or by such other Person or Persons, all Books, Papers, and Writings in his or her Custody or Power, relating to the said Undertaking or of the Execution of this Act, then and in every such Case, Complaint being made thereof by any of the said Proprietors, or by any Person on the Behalf of the said Company or Committee, to any Justice of the Peace, such Justice may
and

and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Company or Committee might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of or be owing from such Officer or Person, and unpaid, such Justice may and he is hereby empowered, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person, together with the reasonable Costs and Charges of such Distress and Sale; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse to be sworn or affirmed, or shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Officer or Person to any Common Gaol or House of Correction, there to remain without Bail or Mainprize until he or she shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charges of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Company or Committee for such Money and Charges, in case the said Company or Committee shall think proper to enter into any Composition, and paid the Composition Money to the said Company or Committee, and shall have delivered up all such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Company or Committee: Provided always, that no Person who shall be committed for Want of sufficient Distress shall be detained in Prison for any longer Space of Time than Six Calendar Months.

XLVI. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, unless the said Company shall otherwise order or dispose of the Custody thereof; and the Committee of Management for the Time being, or any Five or more of them, shall have full Power and Authority to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call by public Notice any Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places of holding such Special General Meetings; and at all Meetings of such Committee One of the Members present shall be appointed

Powers and
Duties of
Committee.

[*Local.*]

23 N

Chairman,

Chairman, and all Questions, Matters, and Things which shall be proposed, discussed, or considered at such Meetings shall be finally determined by the Majority of Votes then present (the whole Number present not being in any Case less than Five); and such Committee shall have full Power and Authority to direct and manage all and every the Affairs of the said Company, as well in contracting for and purchasing Lands, Tenements, or other Hereditaments, and Materials, for the Use of the said Undertaking, as in employing, ordering, and directing the Works and Workmen, and in nominating, appointing, electing, placing, or displacing any Officer, Servant, and Workmen of the said Company, with such Salary, Gratuity, or Recompence as to such Committee shall seem proper, and in making all Contracts and Bargains touching the said Undertaking; and such Committee may require such Security to be given to the said Company from any Officer or Officers or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable; and no Member of such Committee (although he may be a Proprietor of many Shares in the said Undertaking) shall have more than One Vote in any Committee, except the Chairman, who in all Cases of an equal Division shall have and give the decisive or casting Vote, although he may have given One Vote before; and every such Committee shall keep or cause to be kept a Book or Books in which shall be fairly entered regular Minutes and Statements of all their Proceedings, and shall from Time to Time make report of the State of the said Bridge and Works, and of their Proceedings in carrying this Act into execution, to the General Annual Meetings, and if required to the Special General Meetings of the Proprietors, and shall obey their Orders and Directions, and shall be subject to the Examination and Controul of the said General and Special General Meetings; and such Committee shall keep or cause to be kept a full and true Account of all Monies disbursed and Payments made by such Committee, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive on behalf of or in respect of the said Undertaking, from any Collector or Collectors of the Rates, or other Officer or Officers, or from any Person or Persons whomsoever employed in or having any Concerns, Dealings, or Transactions with the said Undertaking, or in or with any Part or Parts thereof, and shall regularly write, insert, and enter, or cause to be written, inserted, and entered, in a Book or Books to be from Time to Time provided at the Expence of the said Company for that Purpose, Notes, Minutes, or Copies (as the Case shall require) of every such Contract, Bargain, Receipt, and Disbursement.

Committee
may appoint
Sub-Commit-
tees with
Power to
make Con-
tracts, &c.

XLVII. And be it further enacted, That it shall be lawful for the Committee of Management to nominate and appoint out of their own Body One or more Sub-Committee or Sub-Committees, who shall have full Power and Authority to enter into and make such Contracts and Agreements on behalf of the said Company as aforesaid, and to hire and employ any Agents, Workmen, or Servants in and about the said Undertaking, and to do, execute, and perform all other Matters and Things whatsoever in and about the said Undertaking which the Committee of Management are themselves herein-before authorized

to do, or such of them as the Committee shall think proper to entrust to the Care and Management of any such Sub-Committee or Sub-Committees (save and except, nevertheless, the making of Calls for Money upon the Proprietors of the said Undertaking); and it shall be lawful for the Committee of Management for the Time being to order and direct such Compensation or Recompence to be made to the Sub-Committee or Sub-Committees from Time to Time as they shall think reasonable; and it shall be lawful for the Committee of Management, by an Order or Resolution for that Purpose, to break up and dissolve any such Sub-Committee or Sub-Committees, or to remove and displace any Member or Members thereof, and to appoint some other or others in his or their Place and Stead, when and as often as such Committee of Management shall think proper and expedient; and such Sub-Committees shall have full Power and Authority to meet from Time to Time and adjourn from Place to Place as they shall think proper and as Occasion shall require; and all Powers and Authorities hereby vested in the Committee of Management, and which shall be by them delegated to any such Sub-Committee or Sub-Committees, within the Intent and Meaning of this Act, shall and may be exercised by the major Part of the Members of such Sub-Committees present at their respective Meetings, the Number present not being less than Three; and at all Meetings of such Sub-Committees respectively One of the Members present shall be appointed President or Chairman, and all Questions shall be decided by the Majority of Votes, and each Member, and also the President or Chairman, shall have One Vote, and the President or Chairman shall also have another or the casting Vote, in case of an equal Division, although he may have given One Vote before.

XLVIII. And be it further enacted, That the Committee of Management of the said Company shall be and they are hereby empowered from Time to Time to make such Call or Calls of Money from the Subscribers to and Proprietors of Shares in the said Undertaking, their Heirs, Successors, Executors, Administrators, and Assigns, and Persons entitled to or claiming to be entitled to the Benefits of the said Undertaking in respect of any Share or Shares therein, to defray the Expences of or to carry on the same, as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds at any one Time upon any one such Share in the said Undertaking, and so that such Calls shall not be made but at the Distance of One Calendar Month at the least from each other, and Fourteen Days public Notice at the least shall be given of all such Calls as aforesaid; and every Owner or Proprietor of any Share or Shares in the said Undertaking, or his, her, or their Heirs, Successors, Executors, Administrators, or Assigns, and Persons aforesaid, shall pay his, her, or their respective rateable Proportions of the Monies to be called for as aforesaid, to such Person or Persons, and at such Time and Place or Times or Places, as such Committee shall from Time to Time direct and appoint; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share of the said Money so called for as aforesaid at the Time and Place to be appointed as aforesaid,

Committee
to make
Calls.

In case of
Neglect to
pay Calls, the
same may be
sued for, or
it

the Shares
declared for-
feited, and
Power of
Sold.

No Advan-
tage to be
taken of For-
feiture of
Shares with-
out Notice.

it shall be lawful for the said Company to sue for and recover the same in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, or more than One Imparance, shall be allowed; or the said Company may and they are hereby authorized at a General Meeting to declare the Shares of any such Persons refusing or neglecting to pay any such Calls in manner as aforesaid to be forfeited to and for the Use and Benefit of the other Proprietors of the said Undertaking; and all Shares which shall or may be so forfeited shall be vested in the said Company, and be sold at a public Sale by the said Company for the most Money that can be gotten for the same, and the Produce thereof shall be applied and disposed of in manner by this Act directed: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking until Notice in Writing under the Hand of the Clerk or Treasurer of the said Company shall have been given or sent by the Post to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, or Person or Persons entitled or claiming to be entitled as aforesaid, nor until the same Share or Shares shall have been declared to be forfeited at some General Annual Meeting of the said Company, or at some Special General Meeting which shall be held after the End of Thirty Days from the Day on which such Notice of Forfeiture shall have been given; and every such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, and Person and Persons, and their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls; and every Share so sold shall be transferred to the Purchaser or Purchasers thereof by the said Company under their Common Seal; and the Proprietor or Proprietors of such Shares so sold and transferred shall be and be deemed a Member or Members of the said Company to all Intents and Purposes whatsoever, and shall be entitled to all the same Privileges and Advantages, and be subject to all the same Liabilities, as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking.

If the Pur-
chase Money
of forfeited
Shares be
more than
sufficient to
pay the Ar-
rears, &c.
the Surplus
to be paid to
the Owner.

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

whose Property such Share or Shares shall have been immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

L. And be it further enacted, That in any Action to be brought by the said Company against any such Proprietor or Proprietors, or Owner or Owners, or Person or Persons, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant or Defendants, being a Proprietor or Proprietors of or Claimant or Claimants of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to, for such and so many Call or Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to or claimed by the said Defendant or Defendants (as the Case may happen to be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were a Proprietor or Proprietors of or had made claim to some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made such Call or Calls, or any other Matter whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, unless it shall appear that any such Call exceeded Ten Pounds at any one Time upon any one Share, or was made before the Interval of One Calendar Month from the last preceding Call, or was made without public Notice given as aforesaid.

Proceedings
in Actions
for Calls.

LI. And be it further enacted, That the said Company or Committee of Management shall, as soon as the same can be done, cause the Names and Additions of the several Persons who shall be entitled to any Share or Shares in the said Capital or Joint Stock, and the Number of Shares to which they shall be respectively entitled, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered into a Register Book to be kept by the Clerk of the said Company, and after such Entry to cause the Common Seal of the said Company to be affixed to such Entry; which said Book shall from Time to Time be altered and corrected, and new Books shall from Time to Time be sealed with the said Common Seal, as the Change of Proprietors and Transfers of Shares shall render necessary and expedient; and the said Clerk shall also cause as many Tickets or Instruments to be prepared as there shall be Shares in the said Capital or Joint Stock bearing respectively the same Numbers as in the said Books, and the said Common Seal of the said Company to be affixed to each of such Tickets or Instruments, and thereupon to cause to be delivered to every Subscriber towards the said Undertaking, upon Demand, a Ticket or Tickets specifying the Share or Shares to which he or she is entitled

Shares to be
registered,
and Tickets
delivered to
Subscribers.

in the said Joint Stock or Undertaking; and every such Subscriber shall pay to the Clerk of the said Company, or there shall be paid to the Clerk by the said Company, out of the Joint Stock or Funds of the Company, Two Shillings and Sixpence and no more for every such Ticket or Instrument; and every such Ticket or Instrument shall be admitted as Evidence in all Courts whatsoever of the Title of such Subscriber, his or her Executors, Administrators, Successors, or Assigns, to the Share therein specified; but the Want of any such Ticket or Instrument shall not hinder or prevent the Owner of any Share from selling or disposing thereof, or from receiving annually or otherwise, as the Account shall be made up, his or her Share of the Profits of the said Bridge and Undertaking in respect thereof; which said Ticket shall be in the Words or to the Effect following; (that is to say,)

Such Tickets to be Evidence of the Subscriber's Title.

Form of the Ticket.

‘ THESE are to certify, That _____ of
 ‘ _____ is [or are] a Member [or Members] of the *Dunham Bridge*
 ‘ Company, and is [or are] possessed of the Share or Number
 ‘ _____ in the said Undertaking, for building *Dunham*
 ‘ *Bridge*, subject to the Rules, Orders, and Regulations of the said
 ‘ Company, and that the said _____ his [her or their]
 ‘ Executors, Administrators, [or Successors] or Assigns, is [or are]
 ‘ entitled to the Profits and Advantages of the said Share. Given
 ‘ under the Common Seal of the said Company, the
 ‘ Day of _____ in the Year of our Lord _____ .’

The Persons whose Names appear in Register to be deemed Proprietors.

LII. And be it further enacted, That the Bodies Politic and Corporate, and all and every Person and Persons, whose Name or Names shall at any Time hereafter stand in the Register Books of the said Company, either as a Proprietor or as Proprietors of One or more Share or Shares in the said Bridge and Undertaking, whether as original Subscribers, or as Successors, Executors, Administrators, or Assigns of original Subscribers, or as Purchasers, or as Creditor or Creditors on the said Bridge and Undertaking as aforesaid, shall be deemed and taken to be Proprietors of the several Shares standing in the said Books in his, her, or their respective Names, and as Creditors for the Sums mentioned therein, and shall be subject to such Rules, Orders, and Regulations to which Proprietors of Shares in or Creditors on the said Bridge and Undertaking are subject and liable to; and all Payments of Interest and Dividends due and to grow due on any such Shares, or on or in respect of any Securities on the said Bridge and Undertaking, as in this Act mentioned, shall be made to such Persons as by the said Books shall so appear to be Proprietors or Purchasers thereof or Creditors thereon as aforesaid; and that no Assignment, Transfer, or Bargain and Sale of any Share or Shares, or other Instrument giving Title thereto, or to any Securities on the said Bridge and Undertaking, or the Monies thereby secured, which shall not have been brought to the said Clerk to be entered as directed by this Act, shall be given or admitted as Evidence to make the said Company liable to the Payment of any Interest or Dividends to any other Person or Persons than such as appear upon the said Books to be a Proprietor or Proprietors of or Person or Persons entitled to such Shares, or Holder or Holders of such Securities as aforesaid; but that in all such Cases, unless where

it shall be expressly proved that the said Books are defective by reason of some Default or Neglect of the said Clerk, the said Books shall be considered as sufficient and conclusive Evidence of the Right and Title in and to the said Shares and Securities respectively.

LIII. And be it further enacted, That in case any Tickets or Transfers, Assignments or Instruments, denoting the Ownership of Shares or Securities, shall be worn out or damaged, then, and upon the same being produced and shewn at some General Assembly of the said Company, such Tickets or Transfers, Assignments or Instruments, shall be cancelled and destroyed, and other original Tickets and Securities given, under the Common Seal of the Company, of correspondent Numbers to the said original Tickets and Securities, to the Persons in whom the Property of such Shares and Securities shall be at any Time vested; and in case such Tickets, Transfers, Assignments, or Instruments shall be burnt or destroyed, then upon satisfactory Proof thereof like new or original Tickets and Securities shall be given to the Person or Persons who was or were the Owner or Owners of or entitled to those so burnt or destroyed, so as that a due Entry of the same had been duly made by the Clerk of the said Company, and of any Transfers of the same (if any made in manner herein directed), for which the Sum of Two Shillings and Sixpence and no more shall be paid to such Clerk for each such new or original Ticket and Security.

For giving new Tickets or Securities in case the old ones are damaged or destroyed.

LIV. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors and Administrators, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Transfer of which Shares shall be in the Form or to the Effect following:

Shares may be sold.

‘ I of in consideration of
 ‘ I paid to me by of do hereby
 ‘ bargain, sell, assign, and transfer to the said
 ‘ Executors, Administrators, and Assigns, Share [or Shares]
 ‘ in the Joint Stock or Capital of the *Dunham Bridge* Company,
 ‘ being Number of the Shares in the said Bridge and
 ‘ Undertaking; to hold to the said Executors, Admi-
 ‘ nistrators, and Assigns, subject to the same Rules, Orders, and
 ‘ Restrictions, and on the same Conditions, that I held the
 ‘ same immediately before the Execution hereof; and I the said
 ‘ do hereby agree to accept and take the said Share
 ‘ [or Shares], subject to the same Rules, Orders, Restrictions, and
 ‘ Conditions. As witness our Hands and Seals, the Day
 ‘ of .’

Form of Conveyance.

And in every such Sale the said Transfer, being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares, shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk of the said Company shall have registered in a proper Book or Books, to be provided by the said Company and kept for that Purpose, an Entry of such Transfer and Sale, for the

Conveyance of Shares to be entered in Company's Books.

the Use of the said Company, and shall have testified or indorsed the Entry of such Transfer accordingly on the same, for which Two Shillings and Sixpence and no more, shall be paid and the said Clerk is hereby required to enter the same accordingly; and until the same shall have been entered as above directed, such Purchaser or Purchasers shall have no Part of the Profits of the said Undertaking, nor any Dividend on such Share or Shares, paid unto him, her, or them, or any Vote or Votes in respect thereof as Proprietor or Proprietors in the said Undertaking.

No Share to be sold while a Call remains unpaid.

LV. Provided always, and be it further enacted, That no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after any Call or Calls shall have been made by the said Committee for any Sum or Sums of Money in respect of such Share or Shares, unless he, she, or they at the Time of such Sale or Transfer shall have paid or discharged to the Treasurer of the said Company, or to such Person or Persons as the said Committee shall appoint to receive the same, the whole and entire Sum of Money which shall have been called for in respect of each Share so sold or transferred.

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

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

Lunatics and Minors to vote by their Committees and Guardians.

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

LVIII. And

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

Proprietors in arrear not to vote at Meetings.

LIX. And be it further enacted, That before any Person or Persons who shall claim any Part of the Profits of the said Undertaking in right of Marriage shall be entitled to receive the same, or be entitled to vote in respect of any Share, an Affidavit, or solemn Affirmation by any Person of the Society of Quakers, in Writing, containing the Copy of the Register of such Marriage, or the Particulars of the Celebration thereof, shall be made and sworn to or solemnly affirmed by some credible Person before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry and Transfer of Sales of Shares in the said Undertaking; and before any Person or Persons who shall claim any Part of the Profits of the said Undertaking by virtue of any Bequest or Will, or in Course of Administration, shall be entitled to receive the same, or be entitled to vote in respect of any Shares, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator or Intestate shall be made or sworn to or solemnly affirmed to by the Executor or Executors of the said Will, or the Administrator or Administrators of the Intestate with the Will annexed, before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, and shall also be transmitted to the said Clerk, who shall file and enter the same as herein-before mentioned; and in all Cases other than herein-before mentioned, when the Right and Property of any Share or Shares in the said Undertaking shall pass from any Proprietor or Proprietors thereof to any Person or Persons by any other legal Means than by a Transfer and Conveyance thereof as herein directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to or solemnly affirmed by One or more credible Person or Persons, before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors of the said Undertaking: Provided always, that such and similar Entries shall be made in the Register Book of the said Company of all Acquisitions or Devolutions of Mortgages, Assignments, or Securities on the said Tolls, Rates, and Duties, (if any,) by Sale or Assignment, Marriages, Wills, Intestacy, or by any other Means as aforesaid, in order to ascertain the Parties who shall from Time to Time be Creditors on the said Undertaking, and entitled to receive

Provision as to Persons claiming Proprietorship of Shares by Marriage;

by Will, or in Course of Administration;

by any other Means.

The like as to Mortgages or Securities on the Bridge and Undertaking.

the Interest of or Dividends in respect of such Mortgages, Assignments, or Securities as aforesaid, as herein-before directed with respect to Shares in the Joint Stock of the said Company, *mutatis mutandis*; and the Clerk of the said Company shall be entitled to receive for each and every such Entry herein-before directed the Sum of Two Shillings and Sixpence, and no more.

The Com-
pany may
buy up
Shares.

LX. And be it further enacted, That if the said Company or the Committee of Management shall deem it expedient, out of any Surplus of Money or otherwise, to buy up any Share or Shares in the said Undertaking which shall be offered to Sale, then and in such Case it shall be lawful for any General Meeting of the said Company, either to direct that any such Share or Shares so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk of the said Company in Trust for the said Company; and such Share or Shares may in such last-mentioned Case at any Time thereafter be sold for the Benefit of the said Company, and for the raising of any Sum of Money which may be wanted for or towards erecting, rebuilding, or repairing of any Buildings or Works requisite for or belonging to the said Bridge and Undertaking, or for any other Purpose necessary for carrying on, continuing, and maintaining the same.

Orders and
Proceedings
to be entered
in a Book.

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

Books to be
kept, and be
open to the
Inspection of
Proprietors
and Creditors.

LXII. And be it further enacted, That proper Books of Account, and other Matters relating to the said Bridge and Undertaking, shall be kept, and the same shall be deposited, under the Direction of the said Company or the Committee of Management, at such Place or Places as they shall from Time to Time appoint; and every Proprietor or Proprietors at all reasonable Times shall have free Access to the same, for his, her, or their Inspection, without Fee or Reward; and in One or more of such Book or Books, to be provided by the said Company for that Purpose, the Clerk to the said Company shall enter and keep a true and perfect Account of the Names and Places of Abode of the several Members of the said Company and Proprietors of Shares in the said Undertaking, and of the several Persons who shall from Time to Time become Owners or Proprietors of or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions of the said Company, and of all Receipts, Payments, and Disbursements under this Act, and of the several Articles, Matters, and Things for which such Payments and Disbursements have been made; and each of the several Members and Proprietors of any Share or Shares in the said Undertaking, and Persons entitled to any such Share or Shares, and every Creditor under this Act, shall

and may, at all convenient Times, have recourse to and peruse and inspect the several and respective Books or any of them kept in pursuance of this Act, or for the Purposes thereof, *gratis*, and may demand and take Copies thereof or of any Part thereof, without Fee or Reward; and if any such Clerk to the said Company shall refuse to permit, or shall not permit any Proprietor or Person so interested, or Creditor as aforesaid, to inspect or peruse such Books, or any or either of such Books, or to take any such Copy or Copies, he shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds; and all and every the Books kept in pursuance of this Act or for the Purposes thereof, and all Accounts, Writings, and Papers whatsoever, which shall be in the Custody of any Treasurer, Superintendent, Engineer, Surveyor, Clerk, Collector, and every other Officer and Person to be appointed as aforesaid, his Executors or Administrators respectively, in anywise relating to the said Bridge or Undertaking, shall be, and the same are hereby declared to be, and shall be construed, deemed, and taken to be, the Right and Property of the said Company.

LXIII. Provided always, and be it further enacted, That all public Notices by this Act directed to be given of any General or Special General or other Meetings of the Proprietors, or of any adjourned Meeting, or of or for any other Matter or Purpose, and not otherwise provided for by this Act, shall be given by Advertisement, to be inserted in some Newspaper or Newspapers usually circulated in the Counties of *Nottingham* and *Lincoln*.

Public Notice how to be given.

LXIV. And be it further enacted, That any General Annual Meeting, or any General Meeting specially called for the Purpose, shall have full Power to call for, audit, and settle the Accounts of the said Company and of the Committee of Management, and of the Treasurers, Receivers, or Collectors of the Rates, and the other Officers of the said Company.

Meetings to settle Accounts.

LXV. And in order to ascertain the Amount of the clear Profits of the said Undertaking, be it further enacted, That the said Company or the Committee of Management shall and they are hereby required to cause a true, exact, and particular Account to be kept, and annually made up and balanced Ten Days at the least before each General Annual Meeting, of the Monies received and Monies paid for or by the said Company or Committee, or otherwise, by virtue of this Act, showing the Particulars and Amount of the Charges and Expences attending the erecting, making, supporting, maintaining, and carrying on the said Bridge, Undertaking, and Works, and of all other the Receipts and Expenditure of the said Company or Committee; and at the General Annual Meeting of the said Company to be from Time to Time holden as aforesaid, or at some Adjournment thereof, a Dividend shall be made out of the clear Profits of the said Undertaking, unless such Annual Meeting shall declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much *per Centum* upon the several Sums invested by the respective Proprietors in the Joint Stock of the said Company, as such Meeting or Meetings shall think fit to appoint and determine:

An Account of Profits to be annually made up,

and Dividend made thereof.

determine: Provided always, that no Dividend shall be declared or paid until the General Annual Meeting which shall be holden next after the Expiration of Twelve Calendar Months from the passing of this Act; provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any degree reduced or impaired, nor shall any Dividend be paid in respect of any Share or Shares, after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid.

Application
of Money to
be raised.

LXVI. And be it further enacted, That the Capital or Joint Stock of the said Company, and all and every the Sum and Sums of Money to be subscribed or raised by virtue of this Act, and Tolls and other Monies accruing to the said Company by virtue of this Act, shall be laid out and applied, in the first place, in discharging all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, and of the Surveys, Plans, and Estimates, and other Expences preparatory and incidental thereto, together with Interest for any Money advanced by any Person or Persons for such Purposes or any of them, and after Payment of all such Costs, Charges, and Expences, and Interest, then in, for, or towards the making and completing the said Bridge and the Approaches thereto, and other Works by this Act directed to be made, and paying the Purchase Money for the Lands and Hereditaments by this Act authorized to be purchased, and for other the Purposes of this Act.

Company
may contract
for erecting
the Bridge and
making the
Approaches.

LXVII. And be it further enacted, That it shall be lawful for the said Company or the Committee of Management, or such Person or Persons as the said Company shall for that Purpose authorize or appoint, to contract with any Person or Persons for erecting, constructing, building, making, or repairing the said intended Bridge and Approaches and Works, or any or either of them, and to do any other Work for the Purposes of this Act, in such Manner and for such Sum or Sums of Money as the said Company or Committee, or the said Person or Persons so to be authorized or appointed as aforesaid, shall think proper; and all Contracts in Writing entered into pursuant to any Order made at any Meeting of the said Company, or made by the Committee of Management, shall be binding on all Parties who shall sign the same, his, her, and their Executors and Administrators, and Actions and Suits may be maintained thereon, and Damages recovered against the Parties failing in the Execution thereof.

Power to
erect Toll
Gates, &c.

LXVIII. And be it further enacted, That it shall be lawful for the said Company or the Committee of Management to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Bridge, when, where, and as they shall judge necessary, a Gate or Turnpike, and also a Toll House, with Outbuildings and Conveniences suitable thereto, and from Time to Time to take down and remove or to alter the same, as they shall think proper, and direct or appoint.

Tolls to be
taken.

LXIX. And be it further enacted, That as soon as the said Bridge shall be made fit for the Passage of Carriages, Horses, Cattle, and Passengers, it shall and may be lawful for the said Company or the
Committee

Committee of Management, or the Collector to be appointed by the said Company or Committee, or by any Lessee or Lessees of the Tolls, from Time to Time and at all Times hereafter, to demand, collect, and receive, before any Horses, Beasts, Cattle, Carriages, or Foot Passengers shall be permitted to pass over the said Bridge, or through any Gate to be erected by virtue of this Act across the Approaches thereto, such Tolls as the said Company shall from Time to Time think proper, not exceeding the respective Sums following; (that is to say,)

For every Horse or other Beast (not exceeding Two) drawing any Coach, Stage Coach, Chariot, Chaise, Hearse, or other such like Carriage with Four Wheels, the Sum of One Shilling and Three-pence: Tolls.

For every Horse or other Beast (exceeding Two) drawing any Coach, Stage Coach, Chariot, Chaise, Hearse, or other such like Carriage with Four Wheels, the Sum of One Shilling:

For every Horse or other Beast drawing any Chaise, Chair, or other such like Carriage with less than Four Wheels, the Sum of One Shilling:

For every Horse or other Beast drawing any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, or other such like Carriage with Four Wheels, the Fellies of the Wheels whereof are of a less Breadth than Four Inches and a Half, the Sum of Nine-pence:

For every Horse or other Beast drawing any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, or other such like Carriage with Four Wheels, the Fellies of the Wheels whereof are of the Breadth of Four Inches and a Half or upwards, the Sum of Sixpence:

For every Horse or other Beast drawing any Cart, Van, Wain, or Dray, or other such like Carriage with less than Four Wheels, the Fellies of the Wheels whereof are of a less Breadth than Four Inches and a Half, the Sum of Sixpence:

For every Horse or other Beast drawing any Cart, Van, Wain, or Dray, or other such like Carriage with less than Four Wheels, the Fellies of the Wheels whereof are of the Breadth of Four Inches and a Half or upwards, the Sum of Four-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence:

For every Ox, Cow, Calf, or Head of Neat Cattle, the Sum of One Penny:

For every Hog, Pig, Sheep, or Lamb, the Sum of One Halfpenny:

For every Foot Passenger, (except the Person employed in driving any Waggon, Cart, or other such like Carriage,) the Sum of One Penny:

For every Person riding in any Waggon, Wain, Cart, or other such like Carriage, (not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire,) or who shall ride upon any Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of One Penny:

And for every Coach, Waggon, Cart, or other Carriage not drawn by Horses or other Beasts, but propelled or moved by means of Steam or otherwise, the Sum of One Shilling shall be payable and be paid for each Wheel whereon the same shall run.

No more than One full Toll to be taken in One Day.

LXX. Provided always, and be it further enacted, That no more than One full Toll shall be taken for or in respect of the same Horses, Beasts, or Cattle in any One Day, for passing and repassing any Number of Times through the said Toll Gate or Toll Bar to be erected by virtue of this Act.

Horses drawing Stage Coaches, &c. to be subject to Toll each Time of passing.

LXXI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, for each Time of passing or repassing over or along the said Bridge.

Post Chaises to pay each new Hiring.

LXXII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Post Chaise or other Carriage, for each Time of passing or repassing over or along the said Bridge, whenever a new Hiring thereof shall take place.

The Toll paid on Horses, having passed through a Gate, and returning drawing a Carriage, to be deducted.

LXXIII. And be it further enacted, That where any Horse, Beast, or Cattle shall have passed through the said Toll Gate or Toll Bar not drawing any Carriage, and a Toll shall have been paid on such Horse, Beast, or Cattle at such Toll Gate or Toll Bar, and the same Horse, Beast, or Cattle shall return drawing any Carriage on the same Day, the Toll paid on such Horse, Beast, or Cattle, on originally passing, shall be deducted from the Toll payable on the same when drawing the Carriage to which it shall be attached on its Return, so that no higher Toll shall in the whole be taken than if such Horse, Beast, or Cattle had in the first instance passed through such Toll Gate or Toll Bar drawing the same Carriage.

Tolls to be paid upon Carriages affixed to others.

LXXIV. And be it further enacted, That when any Coach, Chariot, Chaise, or any other Carriage whatsoever with Four Wheels shall pass through the said Toll Gate or Toll Bar erected by virtue of this Act, affixed, tied, or secured to any Waggon, Cart, or other Carriage, the same Toll and no more shall be demanded and taken for or in respect of such Coach, Chariot, Chaise, or other Carriage, as if the same had passed through drawn by Two Horses; and when any Chair, Cart, or other Carriage whatsoever with Two Wheels only shall pass through such Toll Gate or Toll Bar, so affixed, tied, or secured to any Waggon, Cart, or other Carriage as aforesaid, the same Toll and no more shall and may be demanded and taken for or in respect of such Chair, Cart, or other Carriage with Two Wheels only, as if the same had passed through drawn by One Horse only; and when any Horse shall be fastened to but not used in drawing any Waggon, Cart, or other Carriage, such Horse shall not be liable to a higher Toll than a single Horse: Provided always, that if any Coach, Chariot, Chaise, Chair, Cart, or other Carriage so affixed, tied, or secured to any Waggon or Cart shall have any Goods conveyed therein other than the Harness thereto belonging, and such Articles of Package as may be necessary for the Protection of such Carriages, the same shall be liable to the whole Toll hereby imposed, each Carriage with Four
Wheels

Wheels paying the same as if drawn by Two Horses, and each Carriage with Two Wheels paying as if drawn by One Horse.

LXXV. And be it further enacted, That a Table of the Tolls payable under this Act shall be affixed on each Toll House or Toll Gate to be erected in pursuance of this Act, and the Name of each Toll House or Toll Gate shall be placed over the said Table of Tolls. Table of Tolls to be set up.

LXXVI. Provided always, and be it further enacted, 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 Carriages, Horses, Cattle, or Passengers, at any Toll Gate, but for and during such Time as a Table of the Tolls payable under this Act shall remain affixed as aforesaid at such Toll House or Toll Gate. The Tolls to be taken but whilst Tables are affixed.

LXXVII. And be it further enacted, That if any Person shall wilfully pull down, deface, or destroy any Board or Table of Tolls put up or placed on any Toll House or Toll Gate in pursuance of this Act, or shall obliterate or deface any Inscription, Word, or Figure thereon, or shall assist or concur in any such Offence, he or she shall on Conviction forfeit and pay to the said Company a Sum not exceeding Forty Shillings for every such Offence, over and above the Amount of the Damage done. Penalty on wilfully destroying Tables, &c.

LXXVIII. And be it further enacted, That upon Payment of the Tolls by this Act granted the Collector or Receiver thereof shall and he is hereby required to deliver, *gratis*, to the Person paying such Toll a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Company or Committee of Management, and there shall be printed thereon the Name of the Toll House or Gate at which such Ticket shall be delivered. Tickets to be provided, denoting Payment of Tolls.

LXXIX. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll His Majesty, or any Member of the Royal Family, or any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom. The Royal Family exempted from Toll.

LXXX. And whereas Sir *William Amcotts Ingilby* Baronet, Lord of the Manor of *Newton*, has been exempted from Toll at the aforesaid ancient Ferry called *Dunham Ferry*; be it therefore further enacted, That this Act shall not extend or be construed to extend to charge with Toll the said Sir *William Amcotts Ingilby*, or any of his Horses, Carriages, or Servants, for passing over the said Bridge, to the same Extent as now enjoyed, in case the said Ferry shall be purchased by the said Company. Exemption for Sir W. A. Ingilby.

LXXXI. Provided always, and be it further enacted, That no Toll whatever shall be demanded or taken for any Horse, Beast, Cattle, or Carriage of whatsoever 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, General Exemption.
or

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 Carriage 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 Carriage travelling with Vagrants sent by legal Passes, or any Prisoner in Custody under any legal Warrant; 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 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 their 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; or for any Coach, Berlin, Landau, Chariot, Calash, Chair, or other Carriage, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Nottingham* or *Lincoln*, or either of them, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted for 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, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Penalty on
evading Tolls.

LXXXII. And be it further enacted, That if any Person or Persons shall wilfully evade the Payment of the said Tolls or any of them, or any Part thereof; or if any Person or Persons, having the Care of any Horses, Beasts, or Carriages passing through any such Toll Gate, shall refuse to pay the proper Toll or any Part thereof; or if any Person or Persons shall deliver to any other Person or Persons, or if any Person or Persons shall receive from any other Person or Persons, any Note or Ticket by this Act directed to be given by the Collectors or Receivers of the said Tolls; or if any Person or Persons shall alter, or forge or counterfeit, any such Note or Ticket, and the Payment of Toll shall be thereby evaded; or if any Person or Persons not having paid the Toll shall offer or produce or use any such Note or Ticket for the Purpose of evading the said Tolls or any of them, or shall wilfully or fraudulently pass through any Toll Gate to be erected by virtue of this Act, with any Horse, Carriage, Cattle, or Beast, without Payment of Toll, or shall take off or cause to be taken off any Horse, Beast, or Cattle from any Carriage, or after having passed through any such Toll Gate shall put on an additional Horse or Beast to any such Carriage, or shall leave or cause to be left upon or near to the said Bridge any Horse, Cattle, Beast, or Carriage, or shall unload or cause to be unladen any Goods, Merchandize, or other Things from

or

or out of any Carriage, or put, or cause to be put or placed, any Goods, Merchandize, or other Things upon or in any Carriage, with Intent to evade Payment of any of the said Tolls; all and every such Person or Persons so offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds, over and besides such Damages or Punishment as he, she, or they shall be otherwise liable to by Law.

LXXXIII. And be it further enacted, That if any Person or Persons subject to the Payment of any of the Tolls by this Act granted or made payable, shall, after Demand thereof made, either at the Gate where such Tolls shall be collected or after passing through the same, neglect or refuse to pay the same, it shall be lawful for the Person or Persons appointed to collect such Tolls, by himself, herself, and themselves, or taking such Assistance as he, she, or they shall think necessary, to seize or distrain any Horse or Horses, Beast or Beasts, Cattle, Carriage, or other Thing upon or for which such Toll is hereby imposed, together with the Harness, Bridles, Reins, (except the Bridle or Reins apart from the Horse or Horses,) Saddles, Gears, or Accoutrements, or their Loading, or a sufficient Part thereof, or any of the Goods or Chattels of or belonging to or in the Possession of the Person or Persons so then and there neglecting or refusing to pay the Tolls as aforesaid; and if such Toll or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Five Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriage, Thing or Things so distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any), and what shall remain unsold, upon Demand, to the Owner thereof, after such Toll, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted, to be ascertained or determined, in case of Dispute concerning the same, by some Justice of the Peace.

Tolls may be
distrained for.

LXXXIV. And be it further enacted, That if any Dispute or Disputes shall happen respecting the demanding or taking or the Payment of Toll, or about the Amount of the Toll due, or the Charges of making, keeping, or selling any Distress for Recovery of the said Tolls, such Dispute shall be settled and determined by some Justice of the Peace for the said County, Liberty, or Place in which respectively such Dispute or Disputes shall happen, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses (which Oath such Justice is hereby authorized to administer), and shall determine the Amount of the Tolls due, and other Matter in dispute between the Parties, and may also award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Non-payment thereof forthwith, by Distress and Sale of the Goods and Chattels of the Person or Persons awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs and

For settling
Disputes
concerning
Tolls.

[*Local.*]

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Charges

Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Collectors,
&c. not to be
deemed in-
competent
Witnesses.

LXXXV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls, the Person or Persons appointed by the said Company or by the Committee of Management, or by the Lessee or Lessees of the Tolls, to collect the same, or being Lessee and Collector, or any other Person or Persons acting by or under the Authority of the said Company or Committee of Management, or Lessee of the Tolls, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation by reason of his, her, or their being so appointed, or interested under such Appointment, or being Lessee, or being paid to collect the Tolls, or acting or being paid to act under the Authority of the said Company or Committee of Management or Lessee or Lessees.

Power to
lessen the
Tolls ;

LXXXVI. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered from Time to Time to lessen or reduce all or any of the Tolls by this Act granted, and for such Time or Times as they the said Company shall think proper, and from Time to Time afterwards to advance any of the Tolls so lessened or reduced to any Sum or Sums of Money not exceeding the respective Tolls granted by this Act: Provided always, that it shall not be lawful for the said Company to lessen or reduce the said Tolls or any of them without the Consent of Three Fourths in Value of the Creditors on the said Tolls respectively ; and no Toll shall be lessened, reduced, or advanced unless at a Meeting of the said Company of which Twenty-one Days public Notice shall be given.

but not with-
out Consent
of Four Fifths
in Value of
Creditors.

Tolls may be
compounded
for.

LXXXVII. And be it further enacted, That it shall be lawful for the said Company from Time to Time to compound, for any Term not exceeding One Year at One Time, with any Person or Persons, for any Carriage or Carriages, Horses, Beasts, or Cattle, travelling on the said Bridge, for all or any of the said Tolls to be paid in respect of such Carriage or Carriages, Horses, Beasts, or Cattle ; and such Composition Money shall be paid in advance quarterly, and in default of such Payment the Composition or Agreement with the Person so making default, shall from thenceforth be void.

Tolls may
be leased.

LXXXVIII. And be it further enacted, That it shall be lawful for the said Company, upon Twenty-one Days public Notice to be given thereof, from Time to Time to demise or let to farm, or agree to demise or let to farm, all or any of the Tolls arising by virtue of this Act, and all or any of the Toll Houses, and the Conveniences and Appurtenances thereto belonging, for any Term not exceeding Three Years, upon public Bidding or private Tender to the best Bidder, or for the best Price or Rent to be gotten for the same, payable quarterly in advance, or at such other Time or Times as the said Company shall think proper, to any Person or Persons who shall be willing to take or farm the same, under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Company shall think fit ; and at any such public Letting the said Company shall have and be

entitled to One or more Bidding or Biddings for such Tolls, by their Clerk or Treasurer, or other Person by them authorized.

LXXXIX. And be it further enacted, That during such Time as the said Tolls or any Part or Parts thereof shall be leased, demised, or let to any Person or Persons whomsoever, it shall and may be lawful to and for the Lessee or Lessees, Farmer or Farmers thereof, or such other Person or Persons as he or they shall authorize or appoint, to occupy and enjoy the Toll House or Toll Houses at which the said Tolls so let are to be collected and to arise, with all the Appurtenances and Conveniences to the same Toll House or Toll Houses belonging, for the Purpose of collecting such Tolls, during so long Time only as such Lessee or Lessees, Farmer or Farmers, shall regularly and duly pay his, her, or their Rent or Rents, and perform the Covenants and Agreements and Conditions of such Lease, Demise, or Letting, but no further or otherwise; and that such Lessee or Lessees, Farmer or Farmers, and the Person or Persons so to be by him, her, or them appointed, (such Rents and Covenants being duly paid and performed,) shall and may demand and take the said Tolls so leased, demised, farmed, or let, with the like Powers for the Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls appointed by the said Company is by virtue of this Act authorized and empowered to demand, take, and recover the same; and such Lessee or Lessees, Farmer or Farmers, Collector or Collectors, or other Person or Persons as aforesaid, shall be subject to the Regulations of this Act, and to the like Pains, Penalties, and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls appointed in pursuance of this Act is subject or liable to.

Lessees, or Persons appointed by them, may collect Tolls.

XC. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, or appointed, either by any such Lessee or Lessees or by the said Company or Committee of Management, to collect the Tolls by this Act granted, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and every such Collector shall place or cause to be placed on the Front of the Toll House or Toll Gate at which such Collector shall be stationed the Board hereinbefore directed to be provided, containing the usual Name of the Bridge, and of the Toll Gate where the Board shall be fixed, and also the List of the Tolls payable at such Bridge or Gate; and if any Collector of the said Tolls shall not place such Boards respectively as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the Company or Committee of Management, made in pursuance thereof, or shall demand and take a
Toll

For preventing Toll Collectors from misbehaving.

Toll from any Person or Persons who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading such Boards respectively, or shall refuse to tell his 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 refuse to give a Ticket denoting the Payment of Toll, or shall in answer to such Demand give a false Name or Names, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Horse, Beast, Cattle, Carriage, or Passenger from passing over the said Bridge or through the said Toll Gate, or shall make use of any scurrilous or abusive Language to any Proprietor, 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 Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, to be recovered and applied as herein-after mentioned: Provided also, that if any Person or Persons shall at any Time assault, obstruct, hinder, or molest any Collector who shall or may be employed by virtue of or in the Execution of this Act, in the Performance of his Duty, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, as the Justice or Justices before whom the Information shall be laid shall adjudge.

Penalty on obstructing Collectors.

If discharged Collector or other Officer in Possession of Houses or Buildings of the Company refuse to quit, any Justice may order his Removal.

XCI. And be it further enacted, That in case any Collector of the said Tolls, Rates, or Duties, or any other Officer, Agent, or Servant of the said Company, who shall quit or be dismissed from such Offices, shall refuse to deliver up the Possession of any Toll House, Counting-house, or Offices, or any Dwelling Houses, Buildings, and Appurtenances, or any Books, Papers, or other Matters and Things belonging to the said Company, in his Possession, Custody, or Power in right of his or their Appointment or Appointments to such Office or Offices, within Twenty-one Days after Notice given to him or them, or left at any such Buildings or Dwelling Houses, or at his or their Dwelling House, under the Hand of the Clerk of the said Company, by Direction of the said Company or the Committee of Management; or if the Widow or any of the Family of any such Collector or other such Officer, Agent, or Servant who shall so die as aforesaid, or any other or others who shall be in Possession of the Premises by any Means whatsoever, shall refuse to deliver up such Houses or Offices, Dwelling Houses and Appurtenances, Books, Papers, and other Matters and Things, within Two Days after Notice shall have been given, or left on the Premises, signed as aforesaid; then and in every or any such Case or Cases it shall and may be lawful for any Justice of the Peace for the County, Liberty, or Place wherein the Premises shall be situate, or where such Books, Papers, and other Matters and Things shall then be, to order any Constable or other Peace Officer, with such Assistants as shall be necessary, to enter such Counting-houses or other Offices, Dwelling Houses, Buildings, and Premises, with the Appurtenances, in the Daytime, and thereout and therefrom to remove all Persons whomsoever who shall be found therein, together with their Goods and Chattels, and take Possession of all Books, Papers, Matters, and Things which shall be found

found therein belonging to the said Company, and to deliver Possession thereof to the said Company or Committee, or to whom they shall appoint to receive the same.

XCII. And be it further enacted, That if any Person shall wilfully or maliciously damage the said Bridge or any Part thereof, or any Toll Gate, Turnpike, or Toll House belonging thereunto, or shall wilfully or maliciously remove or take away any Works, Materials, or Things thereunto belonging, or belonging to the said Company, or in any way direct or procure the same to be done, or shall be aiding or assisting therein, whereby the said Bridge, or the Works thereto belonging, may be injured, or shall moor or fasten any Ship, Lighter, Barge, Boat, Keel, Wherry, or other Vessel, or any Float or Raft, to the same or any Part thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and shall also pay and defray the Amount of the Damage so done as aforesaid, and the Value of the Materials or Things taken therefrom, and the Expence of replacing the same; the Amount of which Damage and Expences shall and may be recovered in the same Manner as any Penalty or Forfeiture may be recovered under this Act.

For preventing wilful Damage to the Bridge, &c.

XCIII. And in order that a clear Passage along the Approaches, Ways, or Passages to and from the said Bridge, and that the said Bridge and Approaches may at all Times, for the Convenience of the Public, be kept and maintained free and uninterrupted, be it further enacted, That if any Person or Persons shall do, or cause or permit to be done, any Act, Matter, or Thing whatsoever whereby or by means whereof the Passage of the said Bridge or the Approaches thereto shall be interrupted or obstructed, impeded or prevented, and not show sufficient Cause in extenuation, to be allowed by the Justice before whom Complaint of the Offences shall be made, every such Person or Persons whosoever shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Penalty on Persons obstructing the Bridge without Cause.

XCIV. 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 the 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 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 or Approaches thereto, with any Instrument so as to damage the said Bridge or Approaches thereto or any Part thereof; or if any Person or Persons shall set fire to or let off or throw any Squib, Rocket, Serpent, or other Firework whatsoever, or play at Football or any other Game, upon the said Bridge or Approaches thereto; or if any Person or Persons shall leave any Waggon, Wain, Cart, or Carriage, or any Plough, Harrow, or other Implement of Husbandry, without some reasonable Cause, to be

For preventing Nuisances on the Bridge.

[*Local.*]

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allowed

allowed by the Justice before whom the Person so offending shall be summoned or conveyed in order to his Conviction, in, upon, or on the Sides of the said Bridge 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 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 Five Pounds.

Penalty on Use of any other Bridge or Ferry within 1,000 Yards.

XCV. And be it further enacted, That after the said Bridge to be erected by virtue of this Act shall be made passable and opened for Carriages, Horses, Cattle, and Passengers, if any Person or Persons erecting or causing to be erected any other Bridge within One thousand Yards of the Bridge to be erected by virtue of this Act, or any Person or Persons acting under the Authority of such Person or Persons, shall permit or suffer any Horse, Beast, or Carriage to pass or go over the same; or if any Person or Persons (except the said Company, or any Person or Persons acting under their Authority, and except the Proprietor or Proprietors of any Ferry which shall not be purchased in pursuance of this Act, and Persons acting under the Authority of such Proprietor or Proprietors,) shall use any Boat, Barge, Float, Raft, or other Vessel in ferrying or carrying any Horse, Beast, Carriage, or Passenger for Hire across the said River, within the Limits aforesaid; every Person or Persons so offending shall, for every Horse, Beast, Carriage, or Passenger so permitted or suffered to pass over such other Bridge, and for every such Horse, Beast, Carriage, or Passenger so ferried across the said River, forfeit and pay any Sum not exceeding Five Pounds, to be recovered in manner herein-after mentioned.

Compensation ordered to be paid by the Company may be levied by Distress.

XCVI. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid by the said Company, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Costs, Damages, 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 or Direction, such Sum or Sums of Money, together with the reasonable Costs and Charges of hearing and determining the Matter, shall forthwith be paid by the Treasurer to the said Company, out of any Monies then in the Hands of such Treasurer, to the Party or Parties entitled to receive the same; and if the same shall not be so paid within Fourteen Days after Demand thereof in Writing shall have been made, and delivered to the Clerk or Clerks or Treasurer to the said Company for the Time being, then and in such Case the Amount of such Compensation or Satisfaction and Costs as aforesaid shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, or of the Goods and Chattels of their Treasurer for the Time being, together with the Costs also of such Distress and Sale, under a Warrant to be issued for that Purpose by any Justice or Justices of the Peace; which Warrant any such

such Justice or Justices is and are hereby authorized and required to grant, upon Application made to him or them for that Purpose by the Party or Parties entitled to receive such Compensation or Satisfaction for any such Costs, Damages, Spoil, or Injury as aforesaid.

XCVII. And be it further enacted, That in all Cases where any Damages or Charges are by this Act directed to be paid, and the Manner of ascertaining the Amount thereof shall not be specified or provided for, the Amount of such Damages and Charges, in case of Nonpayment or of any Dispute respecting the same, shall be settled, ascertained, and determined by some Justice or Justices of the Peace; and the Justice and Justices aforesaid is and are hereby authorized and required, on Nonpayment of the Amount of such Damages and Charges, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, in manner directed by this Act for levying of any Penalties or Forfeitures.

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

XCVIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act 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 to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was or had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

XCIX. 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 or Justices 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 refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his, her, or their Costs and Charges, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined, or shall not answer upon Oath, (or, in case of a Quaker or Quakers, on solemn Affirmation,) and to give Evidence before such Justice or Justices of the Peace, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Compelling Witnesses to attend and give Evidence.

C. And be it further enacted, That all and every Person or Persons who in any Examination to be taken upon Oath by virtue of this Act shall wilfully give false Evidence or otherwise forswear themselves, before any such Jury, or before any Justice or Justices of the Peace acting as such in the Execution of this Act, shall and may be prosecuted

For punishing Persons giving false Evidence.

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.

Recovery of Penalties and Forfeitures.

CL. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed, (the Manner of levying, recovering, and applying whereof is not otherwise herein directed,) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County, Liberty, or Place where the Offence shall have been committed, (as the Case may require,) either by the Confession of the Party offending or by the Oath or Affirmation of any credible Witness or Witnesses (which Oath or Affirmation such Justice is in every Case hereby fully authorized to administer), be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant); and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not forthwith be paid upon Conviction, then it shall be lawful for such Justice 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 or their Appearance before such Justice 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 Five Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of any such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, Liberty, or Place where the Offender shall be or reside, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Forfeitures, Penalties, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers to the said Company, and applied and disposed of for the purposes of this Act.

If Penalties cannot be levied, the Offenders to be committed for any Time not exceeding Six Months.

Application of Penalties.

CII. And

CII. And be it further enacted, That it shall and may be lawful for any of the said Company, or their Collectors, Lessees or Farmers of Tolls, Surveyors or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance (and which all Bystanders and other Persons, on Demand, are hereby required to give), without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Company, Collectors, Lessees, Farmers, Surveyors, or other Officers,) who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the County, Liberty, or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized or apprehended; and such Justice or Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

For securing transient Offenders.

CIII. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form, or to the like Effect; (that is to say,)

Form of Conviction of Offenders.

‘ *Nottingham, or* } **B**E it remembered, That on the _____ Day
 ‘ *Lincoln, to wit.* } _____ in the _____ Year of
 ‘ His Majesty _____ *A. B.* is convicted before
 ‘ me, One of His Majesty’s Justices of the Peace for the said County
 ‘ of *Nottingham*, [*or the Parts of Lindsey in the County of Lincoln,*]
 ‘ by virtue of an Act of Parliament made in the Eleventh Year of the
 ‘ Reign of His Majesty King *George* the Fourth [*here set forth the*
 ‘ *Title of this Act, and specify the Offence, and the Time and Place*
 ‘ *when and where the same was committed, as the Case may be*]. Given
 ‘ under my Hand and Seal, the Day and Year aforesaid.’

CIV. And be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act (except in such Cases where the final Determination is directed by this Act), and for which no particular Method of Relief hath been hereby appointed, such Person may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden in and for the County or Parts in which the Cause of Complaint shall arise and within Four Calender Months after such Cause of Complaint shall have arisen, the Person appealing first giving or causing to be given Ten Days Notice in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the said Company, or other the Respondent or Respondents, and within Two Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at the said General or Quarter Sessions, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and award such Costs to the Party appeal-

Persons aggrieved may appeal to the Quarter Sessions.

ing or appealed against as the said Justices shall think proper; and the Determination of the said Justices in their said General or Quarter Sessions shall be binding and conclusive to all Intents and Purposes.

Proceedings not to be quashed, nor Distress deemed unlawful for Want of Form.

CV. Provided always, and be it further enacted, That no Order, Verdict, Judgment, or other Proceedings made touching or concerning any of the Matters aforesaid, or touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable, by Certiorari or 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; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case; provided that no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity, if sufficient Tender of Amends hath been made to him, her, or them, by or on behalf of the Defendant or Defendants, before such Action brought.

Limitation of Actions.

CVI. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any thing done in pursuance of this Act, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of 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, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases at Law.

General Issue.

Costs.

Service of Notices, &c. on the Company.

CVII. And be it further enacted, That in all Cases wherein it may be requisite or necessary, under the Provisions of this Act or otherwise, for any Person or Persons or Party or Parties to serve upon the

the said Company any Notice or Notices, Writ or Writs, or other judicial or legal Proceeding, or Proceedings in Equity, the Service thereof upon any One of the Members of the Committee of Management, or upon the Clerk of the said Company, or left at the Office or usual Place of Abode of such Member or of such Clerk, or upon any Agent or Officer of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively upon the Company.

CVIII. And be it further enacted, That this Act shall be deemed Public Act. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1830.

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