



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. xii.

An Act to alter the Line of the *Avon and Gloucester Rail Way*, to make certain Branches from the same, and to amend the Act for making the said Rail Way. [30th July 1831.]

WHEREAS by an Act passed in the Ninth Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for making and maintaining a Rail Way or Tram Road from Rodway Hill in the Parish of Mangotsfield in the County of Gloucester to the River Avon in the Parish of Bitton in the same County*, certain Persons and their Successors, incorporated by the Name or Style of the *Avon and Gloucestershire Rail Way Company*, were authorized to make, complete, and maintain the said Rail Way in manner thereby directed, and to raise and contribute certain Sums of Money therein mentioned for those Purposes: And whereas since the passing of the said recited Act it hath been ascertained that the Line of the said Rail Way or Tram Road would be materially improved by making the Deviations and Alterations hereinafter described or referred to: And whereas it would be useful and advantageous to the Public that the several Branch Rail Ways or Tram Roads hereinafter described should be made from the same: And whereas a further Sum of Money, in addition to the Sums authorized to be raised by the said Act, will be necessary to complete the said Rail Way or Tram Road, and the said several Branches therefrom: And whereas it is expedient that several of the Powers and Provisions contained

[Local.] 3 A tained

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Provisions of recited Act extended to this Act, except as hereby repealed.

tained in the said recited Act should be altered, amended, enlarged, and repealed in the Manner hereinafter mentioned: And whereas the several Purposes aforesaid cannot be accomplished without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Powers and Provisions, Restrictions, Limitations, Penalties, Forfeitures, Tolls, Rates, Duties, Payments, Exemptions, Remedies, Matters, and Things therein contained shall (so far as the same respectively are or can be made applicable to this Act, and not hereby repealed, varied, altered, or otherwise provided for,) be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated or re-enacted in this Act.

Company empowered to make Deviations and Branches.

II. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, subject to the Provisions hereinafter contained, to make several Deviations in the Line of the said Rail Way or Tram Road authorized to be made by the said recited Act, and by themselves, their Deputies, Agents, Officers, Contractors, Workmen, and Servants, to make, complete, and maintain the said Rail Way or Tram Road, with such Deviations or Variations, and such Extensions and Branch Rail Ways or Tram Roads as hereinafter are described or referred to; (that is to say,) the Deviations and Alterations in the Main Line of the said Rail Way or Tram Road shall be made within, or pass from, in, through, and into the several Parishes, Townships, Tithings, or Places of *Bitton*, *Sciston*, and *Mangotsfield*, all in the said County of *Gloucester*, in the Lines and Directions delineated and described on the Map or Plan hereinafter mentioned; and also to make and maintain a certain Branch Rail Way or Tram Road from and out of the said Main Rail Way or Tram Road from near certain Mills called the *Bone Mills*, in the said Parish of *Bitton*, to or near certain Coal Works called *Cowhorn Hill Coal Works*, in the same Parish, the whole of which said last-mentioned Branch is intended to be made from, into, or within the said Parish of *Bitton*; and also to make and maintain a certain other Branch Rail Way or Tram Road from and out of the said Main Rail Way or Tram Road from near to a certain Place called *Red Field Lane*, in the said Parish of *Bitton*, to or near to certain Coal Works called the *Haul Lane Coal Works*, in the same Parish, the whole of which said last-mentioned Branch is intended to be made from, into, or within the said Parish of *Bitton*; and also to make and maintain a certain other Branch Rail Way or Tram Road from the said Main Rail Way or Tram Road from near to a Messuage called the *Crown Inn*, in the Tithing of *Warmley* in the said Parish of *Sciston* in the said County, to or near to certain Coal Works called *Grimsbury Coal Works*, in the said Parish of *Bitton*; which said last-mentioned Branch Rail Way or Tram Road is intended to be made from, into, or through the several Parishes of *Bitton* and *Sciston* aforesaid; and also to make and maintain a certain other Branch Rail

Cowhorn Hill Branch.

Haul Lane Branch.

Grimsbury Branch.

Soundwell Branch.

Rail Way or Tram Road from and out of the said Main Rail Way or Tram Road from a certain Part of *Sciston Common* nearly opposite to a Cottage or Tenement and Garden in the Occupation of

to or near to certain Coal Works called *Soundwell Coal Works*, in the said Parish of *Bitton*, which said last-mentioned Branch Rail Way or Tram Road is intended to be made from, into, or through the several Parishes of *Bitton* and *Sciston* aforesaid; and also to alter, straighten, and divert any Streams, Brooks, or Watercourses which may interfere with the making and maintaining any of the said Rail Ways or Tram Roads, or any or either of them; and also to make, erect, construct, and maintain Quays, Wharfs, and Landing Places, and all such Engines, Machines, inclined Planes, Roads, Works, Accommodations, and Conveniences, and to do, perform, and exercise such Powers and Authorities, Matters and Things, for making, effecting, preserving, improving, completing, maintaining, and using the said Main Rail Way or Tram Road and Branch Rail Ways, or the said several Tram Roads, Quays, Wharfs, and Landing Places, and other Works intended to be made by virtue of this Act, as they were by the said recited Act authorized to make, erect, set up, construct, maintain, do, perform, and exercise with respect to the Rail Way or Tram Road and other Works thereby authorized to be made.

III. And whereas a Map or Plan describing the Lines or Courses of the said intended Deviations and Alterations, and the said several Branch Rail Ways or Tram Roads, and the Lands or Grounds in, through, across, under, over, or upon which the same are proposed to be carried or made, together with a Book of Reference thereto, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands and Grounds, have been deposited at the Office of the Clerk of the Peace for the said County of *Gloucester*; be it therefore further enacted, That the said Map or Plan and Book of Reference so deposited shall remain with and be kept by the said Clerk of the Peace, to the End and Intent that all Persons interested therein may have Liberty to inspect and peruse the same, and to make Extracts therefrom and Copies thereof, at all seasonable Times, on Payment to the Clerk of the Peace of One Shilling for each Inspection, and of One Shilling more for every Hour during which such Inspection shall continue after the first Hour, and also paying for every Copy not exceeding One hundred Words the Sum of Sixpence, and so in proportion for any greater Number of Words; and the said Map or Plan and Book of Reference, or true Copies thereof, or of so much thereof as shall relate to any Matters which may be in question, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Plan and Book of Reference to remain with Clerk of the Peace, and to be open to Inspection.

IV. And be it further enacted, That the said Company of Proprietors, in making the said Rail Way or Tram Road, and the said several Branch Rail Ways or Tram Roads, shall not deviate more than One hundred Yards from the Course or Direction delineated on the said Map or Plan.

Not to deviate more than 100 Yards from Plan.

V. And

Misnomers in the Book of Reference not to obstruct making the Railway, &c.

Houses not to be taken without Consent, except those mentioned in the Schedule.

Limiting the Time of purchasing Lands, &c. to Three Years.

Former Act repealed as to such Part of the old Line as is now abandoned.

Power to raise a further Sum of Money.

Company may raise the same or any Part of it upon Bond or by Mortgage.

V. And be it further enacted, That the said Company of Proprietors shall and may make the said Rail Way or Tram Road, and the said several Branch Rail Ways or Tram Roads, all, any, or either of them, and other Works, in, through, across, or over any Lands or Grounds described or intended to be described in the said Map or Plan, although the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, is or are omitted or mis-stated in the said Book of Reference, in case it shall be made to appear to any Two or more of His Majesty's Justices of the Peace for the said County of Gloucester, and be certified under their Hands, that such Omission or Mis-statement proceeded from Mistake: Provided always, that nothing herein contained shall authorize or empower the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage any House or other Building which was erected or built on or before the First Day of January One thousand eight hundred and thirty-one, or any Land or Ground which was then set apart or used as and for a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners thereof, or Persons interested therein respectively, other than and except those specified in the Schedule annexed to this Act.

VI. Provided always, and be it further enacted, That in case the said Company shall not, within the Space of Three Years from the passing of this Act, purchase the Houses and Gardens which they are by the said recited Act and this Act authorized to purchase, all the Powers granted by the said Act and this Act, for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners thereof for the Time being, and save and except for so much thereof as shall then have been paid for.

VII. Provided always, and be it further enacted, That from and after the passing of this Act all the Powers, Authorities, and Privileges granted by the said recited Act to the said Company shall immediately cease and determine, so far only as relates to those Parts of the Line of the said Main Rail Way or Tram Road which are intended to be abandoned as aforesaid, except only so far as the same may have been acted upon previously to the passing of this Act.

VIII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, (in addition to the Sums authorized to be raised by the said recited Act,) to raise any Sum or Sums of Money not exceeding in the Whole the Sum of Fifteen thousand Pounds, by all, any, or either of the Ways and Means by which the said Company are authorized by the said recited Act to raise any Sum or Sums of Money.

IX. Provided always, and be it further enacted, That it shall be lawful for the said Company of Proprietors, after an Order or Direction of any General or Special General Meeting of the said Company authorizing them so to do, but not otherwise, to borrow and take up at Interest from any Person or Persons, Body or Bodies Politic, Corporate,

porate, or Collegiate, who shall be willing to lend the same, the Whole or any Part of the said Sum of Fifteen thousand Pounds by this Act authorized to be raised, and also the said Sum of Ten thousand Pounds by the said recited Act authorized to be raised, or either of them, or any Part or Parts of them or of either of them, as to the said Company shall seem meet and convenient, at such Rate of Interest as may be agreed upon, not exceeding Five Pounds *per Centum per Annum*, and to secure the Repayment thereof, with Interest, by Bonds under the Common Seal of the said Company, payable at such Day or Days as the said Company and the Person or Persons lending such Money shall agree upon; and all and every the Person or Persons to whom such Bond or Bonds shall be given, and also the Person or Persons to whom any Mortgage may be made by virtue of the said recited Act or this Act, shall be equally entitled to be paid, out of the Rates, Tolls, and Duties or other Effects of the said Company, according to the respective Sums in such Bonds and Mortgages respectively mentioned and thereby intended to be secured, without any Preference by reason of the Priority of Date thereof; and an Entry or Memorial of every such Bond, containing the Number and Date thereof, and the Name or Names of the Person or Persons, with his, her, or their proper Additions, to whom the same shall have been made or given, and of the Sum borrowed, together with the Rate of Interest to be paid thereon, shall within Thirty Days next after the Date thereof be entered in a Book or Books to be kept by the Clerk or Clerks to the said Company; which said Book or Books shall and may be perused at all reasonable Times by any of the Proprietors or Creditors of the said Undertaking, or other Persons interested therein, without Fee or Reward; and all and every the Person and Persons to whom any such Bond or Bonds shall have been made and given as aforesaid, or who shall be entitled to the Monies due thereon, shall and may from Time to Time transfer his, her, or their Interest therein to any Person or Persons whomsoever; which Transfer shall or may be in the Words or to the Effect following; (that is to say,)

Bonds to be transferable.

‘ I [or We], of _____ paid by _____
 ‘ in consideration of the Sum of _____ do hereby
 ‘ of _____, do hereby
 ‘ transfer a certain Bond, No. _____, entered into by the *Avon* and
 ‘ *Gloucestershire* Rail Way Company with _____ of
 ‘ _____, bearing Date the _____ Day of _____
 ‘ _____, for securing the Sum of _____
 ‘ _____, with Interest after the Rate of _____ *per Centum*
 ‘ *per Annum*, and all my [or our] Right, Interest, and Property
 ‘ therein, to _____ of _____, his
 ‘ [or her] Executors, Administrators, and Assigns. Dated this _____
 ‘ Day of _____ in the Year of our Lord _____.’

Form of Transfer.

And every such Transfer shall, within Twenty-one Days after the Date thereof, be produced to the Clerk of the said Company, who shall cause an Entry or Memorial thereof to be made in the same Manner as of the original Bond or Bonds, for which the said Clerk shall be paid such Sum as the said Company shall appoint not exceeding Two Shillings and Sixpence; and after such Entry made every such Transfer shall entitle such Assignee or Assignees, his, her, or their
 [Local.] 3 B Executors,

Executors, Administrators, and Assigns, to the full Benefit thereof; and to sue the said Company at Law for Payment thereof in his, her, or their own Name or Names; and it shall not be in the Power of any Person who shall have made such Transfer to make void or release the said Bonds so transferred, or any Sum of Money thereon due or thereby secured, or any Part thereof.

Bondholders not to be deemed Proprietors.

X. Provided always, and be it further enacted, That no Person to whom any such Bond shall be given shall thereby be deemed a Proprietor of any Share, or shall thereby be rendered capable of acting as such at any Meeting of the said Company, for or on account of his or her having lent or advanced any Sum or Sums of Money on such Bond.

Power to pay off Bonds.

XI. Provided always, and be it further enacted, That it shall be lawful for the said Company and they are hereby empowered from Time to Time to pay off and discharge all or any of the said Bonds before the Days respectively appointed for Payment thereof, upon giving Three Months Notice to the Holder or Holders of the said Bonds respectively of their Intention so to do.

In case Bonds are paid off, the Company may raise the Amount again.

XII. And be it further enacted, That in case the said Company shall be required or shall be desirous to pay off, and shall accordingly pay off, all or any of the said Bonds, then and in every such Case it shall be lawful for the said Company and they are hereby authorized and empowered, immediately, or at any Time or Times thereafter, again to raise, in lieu of the Principal Money so paid off or to be paid off by them, so much of such Sum or Sums of Money as they shall from Time to Time have paid off or be required or be desirous to pay off, to the Holders of the said Bonds or any of them, by the Issue of new Bonds, and so from Time to Time as often as the same shall happen; but so nevertheless that the said Company shall not in any Event borrow or raise by such Means, and be indebted on such Bonds and Mortgages, more than the said Sum of Fifteen thousand Pounds in the whole at any one Time.

Interest of the Money borrowed on Bond to be paid in preference to Dividends.

XIII. And be it further enacted, That the Interest of the Money which shall become due and payable, or any Money to be raised by Bond as aforesaid, shall be paid to the several Persons entitled thereto in preference to any Interest or Dividends to become due and payable to the said Company or any of them under the Provisions of this Act or of the said recited Act; and in case such Interest or any Part thereof shall be behind and unpaid for the Space of Thirty Days next after the same shall have become due and payable, and the same shall not be paid within Twenty-one Days next after Demand thereof in Writing shall have been made of the said Company, then, in addition to such Remedies as the Obligees or Obligees, or Assignee or Assignees of such Bond or Bonds may be entitled to at Law or in Equity, it shall be lawful for Two or more Justices of the Peace acting for the said County of Gloucester, and they are hereby required, on Request to them made by or on behalf of any such Obligees or Obligees, or Assignee or Assignees whose Interest shall be so in arrear, by an Order under

the Hands of such Justices, to appoint some Person or Persons to receive the Whole or any Part of the Rates, Tolls, and Duties arising or to arise by virtue of the said recited Act and this Act, or either of them, until all such Interest in arrear, together with all the Costs and Charges of recovering and receiving such Rates, Tolls, or Duties, shall be fully satisfied and paid; and the Money so to be received by such Person or Persons is hereby declared to be so much Money received by or to the Use of the Person or Persons to whom such Interest shall be then due; and after such Interest and Costs shall have been paid and satisfied, the Power and Authority of such Receiver or Receivers for the Purposes aforesaid shall cease and determine.

XIV. And be it further enacted, That in case the said Company of Proprietors shall raise any Part of the said Sums of Fifteen thousand Pounds and Ten thousand Pounds, or of either of them, upon Mortgage, and shall afterwards be required or be desirous to pay off or shall pay off all or any Part of the Principal Sum or Sums secured or intended to be secured by such Mortgages, then and in every such Case it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, again to raise, in lieu of the Principal Money or Principal Monies so paid or to be paid off by them, so much and such Sum or Sums of Money as they shall from Time to Time have paid off or be required or desirous to pay off to the Holders of the said Mortgages or any Part or Parts thereof, and so from Time to Time as often as such Case shall occur.

In case Mortgages shall be paid off, Company may raise the Amount again.

XV. And be it further enacted, That if Default shall happen to be made by the said Company in Payment of the Principal Money secured by any such Mortgage or Mortgages, or of any Part thereof respectively, at the Time or Times in any such Mortgage appointed for Payment thereof, and the same shall not be paid within the Space of Thirty Days next after Notice given by the Person or Persons entitled to or interested in such Mortgage or Mortgages, to the said Company, requiring Payment of the Money due thereon, then and in such Case, but not until then, it shall be competent for any Person or Persons, Body or Bodies Politic or Corporate, to whom any such Mortgage or Mortgages shall have been made, and in respect whereof such Defaults shall have been made, his, her, or their Executors, Administrators, Successors, and Assigns respectively, and without joining or uniting the other or any of the other Person or Persons to whom any such Mortgage or Mortgages shall have been made in such Proceeding, to have and exercise such and the same Powers and Remedies, as well at Law as in Equity, for obtaining the Possession of the Premises therein comprised, and for foreclosing the Company from any Equity of Redemption, as are or may be had or exercised by any Mortgagee or Mortgagees in ordinary Cases.

Power for Recovery of Possession of mortgaged Premises.

XVI. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, to contract and agree with any Person or Persons, Body or Bodies Politic, Corporate, or Collegiage, Corporations Aggregate or Sole,

Company empowered to purchase Six Acres of Land.

Sole, who shall be willing to sell the same, over and above the Quantity of Land which they are authorized to purchase under and by virtue of the said recited Act, for the Purchase of any Parcel or Parcels of Lands or Hereditaments not exceeding in the whole Six Statute Acres, in such Place or Places as shall be deemed by the said Company eligible and convenient, for the Purpose of making; constructing, erecting, forming, and providing Coal or other Yards, Wharfs, Quays, Landing Places, Messuages, and any other Buildings or Conveniences whatsoever, for the Purpose of loading or unloading of Vessels, or of loading, receiving, or conveying, or for the Purpose of depositing or keeping, Coals, Culm, Cinders, Stone, Lime, and other Minerals, and also Goods, Wares, and Merchandize, carried or to be carried or conveyed upon the Main Rail Way or Tram Road, or on any of the Branch Rail Ways or Tram Roads which the said Company are hereby authorized to make, or for making convenient Roads, Avenues, and Ways leading thereto, or for any other Purposes whatsoever connected with the said Undertaking which the said Company shall judge requisite and necessary; and it shall be lawful for all Bodies Politic, Corporate and Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, to sell and grant or convey to the said Company and their Successors any Lands, Tenements, or Hereditaments whatsoever, for the Purposes aforesaid, in the Manner directed by, and under and subject to the Provisions, Restrictions, Rules, Regulations, and Directions, and other Matters contained in the said recited Act, in reference to Lands, Messuages, Buildings, and Hereditaments to be purchased or taken under the Powers of the said Act, for the Purpose of forming, making, and maintaining the Rail Ways or Tram Roads thereby authorized to be made, and that without enquiring or ascertaining, or being bound to enquire or ascertain, that the Lands and Hereditaments so sold, granted, or conveyed to the said Company of Proprietors and their Successors, for the Purposes aforesaid or any of them, will not, together with any other Lands purchased by the said Company for the same Purposes or any of them, amount to or make up a greater Quantity of Land than Eleven Acres.

Company may sell Lands not required for the Purposes of the Act, and purchase and sell again within the Quantity prescribed.

XVII. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter, to sell and dispose of any Lands, Tenements, and Hereditaments whatsoever which they are hereby authorized and empowered to purchase, for the Purpose of making such Coal or other Yards, Wharfs, Quays, Landing Places, and Conveniences as last aforesaid, and shall have actually purchased for such Purposes, or so much and such Part or Parts of the same Messuages, Lands, Tenements, and Hereditaments as the said Company of Proprietors shall think proper, and either together or in Parcels, by Public Auction or Private Contract, as shall be thought expedient, to any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, and again from Time to Time to contract for and to purchase any other Messuages, Lands, Tenements, or Hereditaments more eligible or convenient for such Purposes or any of them, and afterwards to sell and dispose of the same as aforesaid, so that the total Quantity

Quantity or Number of Acres to be purchased by the said Company of Proprietors for any of such Purposes shall not exceed at any One Time the Quantity or Number of Acres by the said recited Act and this Act specified or allowed for the same respective Purposes; and upon Payment of the Money which shall arise by the Sale or Sales of such last-mentioned Messuages, Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Company of Proprietors to sign and give Receipts for the Money for which the same shall be sold; which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Messuages, Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof as shall be sold, or for so much thereof as in such Receipts respectively shall be expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money or any Part thereof.

Treasurer upon Payment of Money to give Receipts.

XVIII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under the said recited Act or this Act, or otherwise, for any Claim or Compensation against or for or on behalf of the said Company, and also in Prosecutions commenced and instituted by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Three or more of the said Company to make, sign, seal, execute, and deliver all and every such general or other Release and Releases as may be or may be deemed to be necessary for the Purpose of exonerating, releasing, and discharging all and every and any Person or Persons who shall or may be produced as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings as aforesaid, from all or any Claims or Demands which may be necessary to be released by the said Company to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings as aforesaid, and also to do any other Act, Matter, or Thing in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings, which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution, Arbitration, Reference, or other Proceedings; and every such Release, Act, Matter, and Thing respectively shall be as valid and effectual in all respects and to all Intents and Purposes whatsoever as if the same were made under the Common Seal of the said Company.

Clerk of the Company may grant Releases to Witnesses.

XIX. And whereas by the said recited Act it is enacted, that in case the said intended Rail Way or Tram Road shall not have been completed and made within the Space of Five Years, to be computed from the passing of the said recited Act, then from and immediately after the Expiration of the said Term of Five Years all the Powers, Authorities, and Privileges given by the said recited Act shall cease and determine, except as therein is mentioned: And whereas it is expedient to grant further Time for completing the said Rail

Extending the Term for Completion of Rail Way.

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Way or Tram Road, and the several Branch Rail Ways or Tram Roads which the said Company are hereby authorized to make; be it further enacted, That the said Provision shall be and the same is hereby extended to the Term of Four Years from the passing of this Act.

For removing Doubts as to the Form of certain Conveyances.

XX. And whereas, although by the said recited Act the Proprietors of the said Railway are incorporated by the Name and Style of "The *Avon and Gloucestershire Rail Way Company*," yet nevertheless by the Form of Conveyance of Lands to the said Company set forth in the said Act such Conveyance is directed to be made to the said Company by the Description of "The Company of Proprietors of the *Avon and Gloucestershire Rail Way*:" And whereas Doubts may arise as to the Validity or Effect of Conveyances made in the said Form; be it therefore enacted and declared, That all Conveyances of Lands, Tenements, or Hereditaments which heretofore have been made or have been intended to be made to the said Company, or which hereafter shall be made to the said Company, for the Purposes of the said recited Act or this Act, shall be equally valid and effectual, whether the same shall be expressed and be intended to be made to the said Company by the Name and Style of "The *Avon and Gloucestershire Rail Way Company*," or by the Name and Style of "The Company of Proprietors of the *Avon and Gloucestershire Rail Way*;" any thing in the said recited Act or this Act to the contrary notwithstanding.

Expences of Act.

XXI. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and of making the Surveys, Plans, and Estimates, and all other Costs, Charges, and Expences relating to or concerning the same, or in any Manner incident thereto, shall be borne and defrayed by the said Company out of the Money already received or out of the first Money to be received by virtue of the said recited Act or this Act, or either of them, in preference to all other Payments whatsoever.

Public Act.

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

The SCHEDULE to which the Act refers.

Owners.	Occupiers.	Description.
IN BITTON PARISH.		
Charles Martin and others	Ann Dark	Cottage and Garden.
Richard Carter	Himself	Cottage and Garden.
Late Robert Long	William Caines and Cryer	Garden.
David Dark	Himself	Cottage and Garden.
Thomas Evans	Himself	Ditto.
Thomas Henderson	Himself	Ditto.
Ann Ship	Herself	Ditto.
Betty Wickham	William Jarrett and Samuel Jarrett	Ditto.
Poor of Bitton	Parish Poor	Ditto.
Samuel Willmott	Ruth Kilminster and Williams	Gardens.
John Wrench	William Jarrett	Hatter's Shop and Yard.
Samuel Smith	Himself	Garden.
Christopher Pope and Co.	Themselves	Garden.
Samuel Whittuck	Samuel Jefferies	Orchard and Road to House.
IN SCISTON PARISH.		
Philippa Toghill and Thomas Peckstone Peterson	Henry Iles, John Preddy, Edward Davis, John Davis, Simon Brain, Rose Iles, John Henty, and Edward Warren	A Cottage and Gardens.
Representatives of Thomas Jefferies	Vacant	Crown Inn and Garden.
Ditto	William Truebody	Garden and Orchard.
Jane Jefferies and Sisters, under P. Toghill and T. P. Peterson	Henry Stone, John Nash, and themselves	A Cottage and Gardens.
William Sanders and others, under ditto	Robert Hook, Olive Stone, Thomas Fussell, and Edward Davis	Gardens and Orchard.
Giles Stuckey, under ditto	Jonathan Bond	Garden.
T. Luce, under ditto	Joseph Rogers	Ditto.
Hannah Ashley, under ditto	Herself	Ditto.
William Stone, under ditto	Himself and Richard Palmer	Ditto.

STATE OF NEW YORK

No.	Name	Residence
1	John Smith	New York
2	Jane Doe	Albany
3	Robert Johnson	Syracuse
4	Mary White	Buffalo
5	William Brown	Rochester
6	Elizabeth Green	Schenectady
7	Thomas Black	Watkinsville
8	Sarah Gray	Utica
9	James Blue	Geneva
10	Anna Pink	Canastota
11	George Red	Malone
12	Lucy Purple	Warrensburg
13	Henry Yellow	Delaware
14	Isabella Orange	Wells
15	Charles Green	Malone
16	Frances White	Malone
17	Edward Black	Malone
18	Martha Gray	Malone
19	Samuel Blue	Malone
20	Rebecca Pink	Malone
21	Benjamin Red	Malone
22	Esther Purple	Malone
23	Jonathan Yellow	Malone
24	Ann Orange	Malone
25	David Green	Malone
26	Elizabeth White	Malone
27	John Black	Malone
28	Mary Gray	Malone
29	James Blue	Malone
30	Anna Pink	Malone
31	George Red	Malone
32	Lucy Purple	Malone
33	Henry Yellow	Malone
34	Isabella Orange	Malone
35	Charles Green	Malone
36	Frances White	Malone
37	Edward Black	Malone
38	Martha Gray	Malone
39	Samuel Blue	Malone
40	Rebecca Pink	Malone
41	Benjamin Red	Malone
42	Esther Purple	Malone
43	Jonathan Yellow	Malone
44	Ann Orange	Malone
45	David Green	Malone
46	Elizabeth White	Malone
47	John Black	Malone
48	Mary Gray	Malone
49	James Blue	Malone
50	Anna Pink	Malone

STATE OF NEW YORK

IN SENATE

January 1, 1850

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

IN ANSWER TO A RESOLUTION PASSED BY THE SENATE

APRIL 18, 1849

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