

Proprietors
incorporated.

cannot be effected without the 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 Right Honourable *John* Earl of *Morley*, the Honourable *Ernest Augustus Edgcombe* commonly called Lord Viscount *Valletort*, Sir *William Mordaunt* Baronet, Sir *William Call* Baronet, *Edward Archer*, *George Aldham* the younger, *Alexander Baring*, *James Wentworth Buller*, *Samuel Brooking*, *John Billing*, *Solomon Browne*, *John Burrell*, *John Tillie Coryton*, *Sophia James Fox*, *John Hearle*, *John Johnson*, *James Little*, *Edmund Lockyer*, *John Mare*, *John Pope*, *Edward Prior*, *Francis Hearle Rodd*, *Jonathan Ramsey*, *Philip Sleeman*, *William Hales Symons*, *William Symons*, *George Strode*, *Charles Trelawny*, and *John Whiddon*, together with such other Person or Persons as shall at any Time hereafter be possessed of One or more Share or Shares, as herein-after mentioned, of and in the said Bridge, their respective Successors and Assigns, shall be and are hereby united into a Company for the making, erecting, completing, and maintaining the said Bridge, and the Piers, Wharfs and Quays, Houses, and Landing Places belonging thereto, and for making and maintaining the Roads, Avenues, and Approaches communicating therewith, according to the Rules, Orders, and Directions herein-after expressed; and shall for that Purpose be and become One Body Corporate by the Name of "The *Saltash* Floating Bridge Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and also shall have Power and Authority to purchase Lands, Quay Dues, Tolls, Ferries, and other Hereditaments to them, their Successors and Assigns, for making, erecting, forming, completing, and maintaining the said Bridge, Piers, Wharfs, Quays, Houses, Roads, Avenues, and Approaches, and other the Purposes herein mentioned, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, subject nevertheless to the Provisions of this Act.

Company
may raise
Money
among them-
selves.

II. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves any Sum or Sums of Money for building the said Bridge, and other the Purposes of this Act, not exceeding in the whole the Sum of Four thousand seven hundred and fifty Pounds.

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

III. And whereas the probable Expence of building the said Bridge, with the necessary Chains, Piers, Wharfs, Quays, Houses, and Landing Places, and of making the Roads, Avenues, and Approaches thereto, will, according to an Estimate made thereof, amount to the Sum of Four thousand seven hundred and fifty Pounds, and the Sum of Four thousand Pounds, (being more than Four Fifths of such Expences) has already been subscribed for defraying such Expences by several Persons, under a Contract binding them, their Heirs, Executors, and Administrators, for Payment of the several Sums so subscribed by them respectively; be it therefore further enacted, That the whole of the said Sum of Four thousand seven hundred and fifty Pounds shall

shall be subscribed in like Manner before any of the Powers and Provisions given by this Act shall be put in force.

IV. And be it further enacted, That the said Sum or Sums of Money shall be divided into Shares of One hundred Pounds each, which shall be numbered in regular numerical Progression; and every Share shall for ever afterwards be distinguished by the Number to be appointed for the same; and the said Shares are hereby vested in the Persons by whom the same respectively shall have been subscribed, and their respective Successors; and every Proprietor of a Share or Shares shall be entitled to and interested in the Capital Stock of the said Company, and of the Profits and Advantages that may arise and accrue by the Tolls and other Monies to be collected and received by virtue of this Act, in manner hereafter mentioned.

The Capital to be divided into Shares.

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

Shares to be deemed Personal Estate.

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

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

In case of Failure they may be sued.

VII. And be it further enacted, That the said Company shall and they are hereby required, at their first or at some subsequent General Assembly, as soon as conveniently may be, to cause the Names and proper Additions of the several Persons who shall be then entitled to any Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, with the Number of Shares which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by the Clerk of the said Company, and after such Entry made to cause their Common Seal to be affixed thereto; and shall also cause a Certificate or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every such Shareholder, on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Bridge, or a Certificate for each separate and distinct Share,

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

Share, in case any Proprietor of more than One Share shall request the same; and such Certificate or Instrument shall be admitted in all Courts whatsoever as Evidence of the Title of such Subscriber, his, her, or their Executors, Administrators, and Assigns, to the Share or Shares therein specified, but the Want of such Certificate or Instrument shall not hinder or prevent the Owner or Proprietor of any Share or Shares from selling or disposing thereof; and in case any such Certificate or Instrument shall become defaced, worn out, or damaged, or shall be ascertained to have been lost or destroyed, then and in such Case another Certificate shall be made out and entered by the Clerk as aforesaid.

Shares may
be sold.

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

Form of
Transfer.

‘ I *A. B.*, in consideration of the Sum of _____ paid to
‘ me by *C. D.*, do hereby bargain, sell, and transfer to the said
‘ *C. D.*, his, her, or their Executors, Administrators, and Assigns, all
‘ that my Share [*or those my Shares, as the Case may require,*]
‘ numbered _____ of and in the Bridge over the River *Tamar*,
‘ called the *Saltash* Floating Bridge, with the Appurtenances, to hold
‘ to the said _____ his, her, or their Executors, Admi-
‘ nistrators, and Assigns, subject to the same Rules and Orders and
‘ on the same Conditions that I now hold the same; and I the said
‘ _____ do accept the said Share [*or Shares*] subject to the
‘ same Rules, Orders, and Conditions. Witness our Hands and Seals
‘ the _____ Day of _____

Transfer to
be registered.

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

No Share to
be sold after
a Call till the
Money is paid.

IX. And be it further enacted, That after any Call of such Monies shall be made by Authority of this Act, no Person or Persons shall sell
sell

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

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

For ascertaining the Proprietors of Shares in certain Cases.

XI. And be it further enacted, That the Map or Plan describing the Line of the said intended Piers, Landing Places, and Roads, and the Lands and Hereditaments through which the same are to be made, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands and Hereditaments, which have been deposited at each of the Offices of the Clerks of the Peace for the said Counties of *Devon* and *Cornwall*, shall remain in the Custody of the Clerks of the Peace for the said Counties respectively, to the end that all Persons may at any reasonable Time have Liberty to inspect and peruse the same, and take Copies or

The Plans and Books deposited with the Clerks of the Peace to remain in their Custody.

[*Local.*]

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Extracts

Extracts thereof at their Will and Pleasure, paying the respective Clerks of the Peace for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts.

The Company not to deviate more than One hundred Yards from Plan.

XII. And be it further enacted, That the said Company, in making the said intended Piers, Landing Places, and Roads, shall not deviate more than One hundred Yards from the Lines or Directions in the said Map or Plan and in the said Books of Reference respectively set forth, nor carry or make the same into, through, across, or over any other Part or Parts of the several Estates, Lands, and Grounds now or late belonging or reputed to belong to such Person or Persons respectively, than are mentioned in the said List.

Houses, &c. not to be injured.

XIII. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend to empower or authorize the said Company, in making the said Bridge, Roads, or other Works, to pull or take down, injure, or damage any Dwelling House or other Buildings, or to take in or make use of any Orchard, Garden, Yard, Paddock, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained except such as are comprised and described in the Schedule to this Act annexed.

The Company may take Lands specified in Plans, notwithstanding Errors in Book of Reference.

XIV. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Piers, Landing Places, and Approaches to the said intended Bridge into, through, across, or over the Lands or Grounds of any Person or Persons who is or are or may be Owner or Owners of Lands or Grounds over which the same is or are set or described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be erroneously described or omitted in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the said Counties of *Devon* or *Cornwall*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the County in which the Lands or Grounds respectively in which such Error shall have occurred are situated.

Securing the Rights of the Duchy of Cornwall.

XV. Provided always, and be it further enacted, That all such Part as shall be used for the Purposes of this Act of the said River, or of so much of the Shores thereof between High and Low Water Mark as do belong to His Majesty in right and as Parcel of His said Duchy, shall be deemed and taken to be held of the Duke of *Cornwall* for the Time being, or of His Majesty, His Heirs and Successors, for the Time, when there shall be no Duke of *Cornwall*, as Part and Parcel of the Duchy of *Cornwall*, for the Purposes of this Act only, and for no other Purpose whatsoever; and the said Company shall pay annually to the Bailiff of the Duchy of *Cornwall* of the said River and Waters thereof the Sum of Forty Shillings for the Use of the said

Shores or Premises aforesaid, and for the Liberty of laying the said Chain or Chains across the said River, to be paid on or within Thirty Days after the said Bridge is completed for the Use of the Public, in every Year, to the Person or Persons or Body or Bodies Corporate holding the Office of the said Bailiff for the Time being; and if the same shall not be paid upon Demand, the said Rent may be levied and recovered as any Rent of the Duchy of *Cornwall* may be recovered; and it shall not be lawful for the said Company to use the said River or the Shores thereof for any other than the Purposes of this Act, or to assign the same.

XVI. Provided also, and be it further enacted, That if the said Company shall at any Time hereafter cease to maintain the said Bridge, or some other sufficient Communication across the said River, then and in such Case such Parts of the said River belonging to the said Duchy of *Cornwall* as shall have been used by the said Company for the Purposes of this Act shall revert to the Duchy of *Cornwall*, and such Part of the Shores thereof as shall be used for the Purposes of this Act shall revert to the Duchy of *Cornwall*, or such Person or Persons as may be entitled thereto by Law, together with all Erections thereon, as if this Act had not been passed; and the said Rent of Forty Shillings shall in such Case cease and determine; and then and in such Case the present Ferry, and the Tolls payable in respect thereof, shall revert to the Body or Bodies, Person or Persons, as may be entitled thereto by Law, in such and the same Manner as they would have stood possessed thereof in case this Act had not been passed.

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

XVII. And be it further enacted, That it shall be lawful for the said Company and their Successors, or their Committee of Management for the Time being, and they are hereby authorized, by themselves, their Deputies, Agents, Officers, Workmen, Servants, or Assistants, to design and build or cause to be built, and to complete, maintain, and keep in good Repair, a good and substantial Floating Bridge, with Abutments made of Stone, Iron, Brick, or other durable Materials at or near the Landing Place of the said Floating Bridge, in the said Parish of *Saint Stephen's* and Borough of *Saltash* in the said County of *Cornwall*, on the West Shore of the said River, to the opposite Lands on the East Shore of the said River *Tamar*, lying between the North Shore of a certain Bay or Creek of the said River commonly called *Kill* or *Kiln Bay*, and a certain House known by the Sign of the *Devonport Inn*, situate in that Part of the Parish of *Saint Budeaux* which is in the County of *Cornwall*; and for these Purposes to stretch, throw, fix, or cast an Iron Chain or Chains across the said River for the Purpose of working the said Bridge, and also to build, erect, lay down, and make proper Piers, Wharfs, Quays, Houses, and Landing Places of such or the like Materials aforesaid, on each Side or Bank of the said River, with proper Chains and Implements for working and using such Bridge; and for the Purposes aforesaid from Time to Time to dig and make proper Foundations on the said River within Low-water Mark, and on the Lands on each Side thereof, and make Dams on each Side of the said River as aforesaid in such Manner as in this Act is mentioned, and cut and level and

Power to build the Bridge.

and embank and secure the Banks thereof, and cut, remove, scour, take, and carry away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatsoever, and do and execute all and every other Thing or Things necessary or convenient for building, maintaining, and repairing the said Bridge, Piers, Wharfs, Chains, Quays, Houses, and Landing Places: Provided always, that all such Abutments, Piers, Wharfs, Quays, Houses, and Landing Places which may be so built, erected, laid down, and made, shall be constructed on Arches, or with Openings through them, so that the Flux and Reflux of the Tide shall not be impeded thereby, and so as that as much Water as shall be displaced by such Abutments, Piers, Wharfs, Quays, Houses, and Landing Places, shall be provided for by Excavations on other Parts of the adjoining Shores of the said River between High and Low Water Mark.

Power to
make Ap-
proaches, &c.

XVIII. And be it further enacted, That it shall be lawful for the said Company, or their Committee, to open, make, and maintain proper and convenient Roads, Avenues, and Approaches to communicate with the said Bridge on each Side of the said River, that is to say, a Road, Avenue, or Approach on the Eastern Side of the said River, to commence at or near a certain House or Inn called the *Devonport Inn*, in that Part of *Saint Budeaux* aforesaid which is situated in the County of *Cornwall*, and to lead from thence to the Landing Place of the said Bridge at or near to an old Slate Quarry commonly known by the Name of *Little Ash Quarry* otherwise *Saltash Passage Quarry*, lying in the Part of *Saint Budeaux* aforesaid; and also a Road, Avenue, or Approach on the Western Shore of the said River, to commence at the Landing Place of the said intended Floating Bridge, and extend Northward to the East End of a Street commonly called or known by the Name of *Fone Street* or *High Street*, in the Town and Borough of *Saltash* in the Parish of *Saint Stephen's* in the said County of *Cornwall*, and to extend from the Landing Place last-mentioned to the Westward, through a Street commonly called *Tamar Street*, and thence on a Road commonly called *Back Lane* to the End of *Coombe Lane* near *Culver Park House*, which Street and Road are both situated in the Town and Borough of *Saltash*.

Power to
place Mate-
rials on any
Lands within
Five hundred
Yards of the
Bridge.

XIX. And be it further enacted, That it shall be lawful for the said Company from Time to Time to bring, place, land, work, and use any Timber, Stone, Iron, Brick, Lime, or other Materials for building and making or rebuilding and repairing the said Bridge, Piers, Wharfs, Quays, Houses, and Landing Places, and the Roads, Avenues, and Approaches communicating therewith, or for executing any other the Purposes of this Act, in, upon, through, and over any Common or Waste Ground within Five hundred Yards of the said Bridge, and also in, upon, through, and over any private Lands or Grounds within One hundred Yards of the said Bridge, (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk, Rope Walk, Shipbuilder's Yard, or Avenue to any House, or any inclosed Ground planted or set apart as a Nursery for Trees,) without any previous Agreement with the Owner or Owners of the Lands or Grounds, or the Tenant

Tenant or Tenants thereof, doing as little Damage as may be, and making Satisfaction in manner herein directed to the respective Owners and Occupiers of all Lands or Land which shall be damaged, taken, or used as aforesaid.

XX. And be it further enacted, That the Committee of Management shall have Power from Time to Time to make such Call or Calls for Money from the Subscribers to or Proprietors of the said Bridge, their Executors, Administrators, Successors, and Assigns, as the said Committee shall from Time to Time find necessary for the Purposes of this Act, so that the first Call by virtue of this Act shall not exceed the Sum of Ten Pounds for every Share to be subscribed, and every succeeding Call shall not exceed the Sum of Twenty-five Pounds *per Centum* for every such Share, and so as no Calls be made but at the Distance of One Calendar Month from each other; which Money so called for shall be paid into the Hands of the Treasurer to the said Company for the Time being, or to such Person as he shall authorize to receive the same, at such Time and Place as shall be appointed by the said Committee, of which Time and Place Twenty Days Notice shall be given in such Manner as the said Company of Proprietors shall at any Meeting from Time to Time direct; and Notice thereof shall also be given by the Clerk of the said Company by Letter directed to each Subscriber or Proprietor at his, her, or their usual Place of Abode.

Committee empowered to make Calls.

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

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

[*Local.*]

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their

their Executors, Administrators, Successors, or Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls.

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

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

Mode of Proceeding in Actions for Calls.

XXIII. And be it further enacted, That in all Actions brought by the said Company of Proprietors against any Person or Persons who hath or have subscribed or who shall hereafter subscribe or advance any Money for or towards the Purposes of this Act, or against any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Bridge, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant or Defendants, being an Owner or Owners, Proprietor or Proprietors of so many Share or Shares in the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to for such and so many Call or Calls of such or so many Share or Shares belonging to the said Defendant or Defendants (as the Case may happen to be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were an Owner or Owners, Proprietor or Proprietors of some Share or Shares in the said Bridge, and that such Call or Calls was or were in fact made, and that such Notice was given thereof as is directed by this Act; and the said Company shall thereupon be entitled to recover what shall appear to be due, unless it shall appear that the first Call to be made by virtue of this Act did exceed the Sum of Ten Pounds on every Share so subscribed, or that any succeeding Call exceeded the Sum of Twenty-five Pounds *per Centum* on each Share, or was made within the Distance of One Calendar Month from the last preceding Call, or without Notice given as aforesaid.

XXIV. And

XXIV. And be it further enacted, That (subject nevertheless to the Rules, Orders, and Directions of the General Assembly of the said Company) the Committee of Management shall contract and agree for the Purchase of the Lands, Hereditaments, and Materials to be taken or used for the Purposes of this Act, and make Agreements and contract with the Workmen, Agents, Undertakers, and other Persons employed or concerned in or about the Works hereby authorized to be made, and shall have full Power and Authority to direct and manage all the Affairs of the said Company.

General Powers of Committee of Management.

XXV. And be it further enacted, That such Committee shall from Time to Time make Reports of their Proceedings to and be subject to the Examination and Controul of the General or Special Assemblies of the said Company, and shall pay due Obedience to all such Orders and Directions in and about the Premises as shall from Time to Time be made by the said Company at any of their General or Special Assemblies, such Orders and Directions not being contrary to the Laws and Statutes of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, nor to any of the express Directions or Provisions in this Act contained.

Committee to make Reports of their Proceedings.

XXVI. And be it further enacted, That the First General Assembly of the said Company of Proprietors shall be held on the *Monday* Fort-night after the passing of this Act at the *Royal Hotel*, or at some other convenient House or Place in the Borough of *Plymouth* aforesaid, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, for the Purpose of putting this Act into execution; and a General Assembly shall afterwards be holden on the Second *Monday* in the Month of *July* in each and every Year, at such Place within the Borough of *Saltash* or within Ten Miles thereof, and at such Hour, as the said Company of Proprietors shall at any Assembly appoint; and in case no Place or Hour shall have been so appointed, then such General Assembly shall be holden where the last General Assembly was holden; and such Notice shall be given of every such General Assembly as any such General Assembly shall appoint.

First General Assembly.

XXVII. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act into execution a Special Assembly of the said Company of Proprietors is necessary to be holden, it shall be lawful for any Five or more of the said Proprietors who may collectively be possessed or entitled unto Ten Shares at the least in the said Undertaking to cause Fourteen Days Notice at least to be given thereof in One or more Newspaper or Newspapers printed and circulated in the said County of *Devon*, or in such other Manner and with such Notice thereof as the Company of Proprietors shall at any General Assembly direct or appoint, specifying in such Notice the Reason and Intention of requiring such Special Assembly, and the Time when and Place where the same is to be holden, which Place shall be within Ten Miles of the Borough of *Saltash*; and the said Proprietors are hereby required to meet pursuant to such Notice.

For assembling Special Assemblies.

XXVIII. And

Assemblies
may be ad-
journed.

XXVIII. And be it further enacted, That any General Assembly or Special General Assembly may be adjourned from Time to Time and from Place to Place within the Distance of Ten Miles of the said Borough of *Saltash*; and where any Adjournment shall be made to a more distant Time than the next Day, such Notice thereof shall be given as any General Assembly shall appoint.

As to the
Business to
be done at
General As-
semblies.

XXIX. And be it further enacted, That no Business shall be transacted at any General Assembly unless Five Proprietors possessed of in the Aggregate at least Seven Shares in the said Undertaking shall assemble and proceed to Business; and no Business shall be transacted at any Special General Assembly besides the Matters specified in the Notice by which it shall have been called; and no other Business shall be transacted at any adjourned General Assembly than the Business left unfinished at the Assembly from which such Adjournment shall have taken place.

Chairman to
be appointed.

XXX. And be it further enacted, That the said Company of Proprietors, at their respective Assemblies, shall and may appoint a Chairman, and such Chairman shall not only vote as a Proprietor or Proxy, but in case of an Equality of Votes shall have the decisive or casting Vote.

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

XXXI. And be it further enacted, That every Person possessed of One or more Share or Shares in the said Bridge shall have One Vote for every such Share not exceeding Five, and One Vote for every additional Five Shares in the whole, and no more, in every General or Special Assembly of the said Company.

Power to
vote by
Proxy.

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

Form of
Proxy.

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

And every such Proxy shall be entitled to give as many Votes for and on behalf of the Principal as such Principal could give in Person:

Person: Provided nevertheless, that no Vote shall be given by Proxy respecting the Audit or Settlement of any Accounts.

XXXIII. And be it further enacted, That every Question, Matter, or Thing which shall be proposed, discussed, or considered in any General Assembly to be held in pursuance of this Act, shall be finally determined by the Majority of the Votes given by the Proprietors and Proxies present not declining to vote.

How Questions are to be decided.

XXXIV. And be it further enacted, That the General or Special Assemblies of the said Company shall audit and settle all Accounts of Money laid out and disbursed on account of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, or on any of the Works thereunto belonging, by any Officer or Officers or other Person or Persons whomsoever employed by or concerned for or in or about the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, or the Works thereunto belonging, or otherwise relating to the said Company; and at every Annual General or Special Assembly, or some Adjournment thereof, a Dividend or Dividends shall be made out of the Profits of the said Company, unless such General Assembly shall declare otherwise.

General Meetings to examine and audit Accounts and declare Dividends.

XXXV. And be it further enacted, That it shall be lawful at a Special Assembly of the said Company for that Purpose to be called by them, and of which Fourteen Days previous Notice shall be given by public Advertisement to be inserted in some Newspaper printed or circulated in the said County of *Devon*, to come to a Resolution that any further Sum or Sums of Money, not exceeding at any one Time the Sum of Ten thousand Pounds, shall be raised, in addition to the Capital of the said Company; and thereupon it shall be lawful for the said Company, pursuant to such Order or Resolution, to borrow or take up at Interest, upon Credit or by way of Mortgage of the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, and the Tolls arising therefrom, as to them shall seem meet and convenient, any such Sum or Sums of Money, so that the Money borrowed shall not at any Time exceed the Sum of Ten thousand Pounds; and the said Company are hereby accordingly fully authorized and empowered, under their Common Seal, to grant, assign, and make over by way of Mortgage the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, and the Tolls arising therefrom or any Part thereof, (the Costs and Charges of which Assignment shall be paid out of such Tolls, Rates, and Duties,) as a Security for the Sum or Sums of Money so to be borrowed, with Interest for the same, unto the Person or Persons who shall lend and advance such Sum or Sums of Money, or unto his, her, or their Trustees or Trustee; all which Assignments or Mortgages shall be in the Form or to the Effect following; (that is to say,)

Power to raise a further Sum by way of Mortgage.

‘ BY virtue of an Act passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled [*here insert the Title of this Act*], we the incorporated by virtue of the said Act, in consideration of the Sum of to us lent and advanced by *A. B.* of [Local.] X do hereby bargain,

Form of Mortgage,

‘ bargain, sell, and assign unto the said *A. B.*, his or her Executors,
 ‘ Administrators, and Assigns, the said Bridge, Piers, Wharfs, Quays,
 ‘ Houses, Landing Places, and Roads, with their Appurtenances,
 ‘ and all and singular the Tolls granted or arising and payable to us
 ‘ by virtue of the said Act, and all our Estate, Right, Title, and
 ‘ Interest of, in, to, or out of the same respectively, to hold unto the
 ‘ said *A. B.*, his or her Executors, Administrators, and Assigns, until
 ‘ the said Sum of _____ together with Interest for the
 ‘ same after the Rate of _____ *per Centum per Annum*, shall
 ‘ be fully paid and satisfied. Given under our Common Seal this
 ‘ _____ Day of _____

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

Entries to be
 made of
 Mortgages.

XXXVI. And be it further enacted, That an Entry or Memorial
 of every such Mortgage as aforesaid, containing the Date thereof,
 the Name or Names and Addition of the Party or Parties to whom
 the same shall be made, and the Sum thereby secured, with the Rate
 of Interest to be paid for the same, shall be made or entered into
 a Book to be kept for that Purpose by the Clerk to the said Company
 for the Time being; and such Book shall and may be perused *gratis*
 at all reasonable Times by any of the Proprietors or Creditors of the
 said Bridge; and all and every Person and Persons to whom any such
 Mortgage shall be made as aforesaid, or who shall be entitled to the
 Money thereby secured, shall and may from Time to Time assign,
 transfer, and make over his, her, or their Right, Title, and Interest
 therein unto any Person or Persons whomsoever, either by Indorse-
 ment thereon or otherwise; which Transfer shall and may be made
 by a Deed in Writing in the Form or to the Effect following; (that
 is to say,)

Form of
 Transfer of
 Mortgage.

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

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

And every such Transfer shall, within Twenty Days from the Date
 thereof, be produced to the Clerk of the said Company, who shall
 thereupon cause an Entry or Memorial thereof, in like Manner as is
 herein-before directed with respect to the original Mortgage, to be
 made or entered in the Book to be kept for entering the Memorials of
 such original Mortgages; and after such Entry shall be made, and

not before, such Transfer shall entitle the Assignee or Assignees therein named, and his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage; and for the Entry of every Security or Transfer the Clerk to the said Company shall be paid by the Party to whom the same shall be made the Sum of Two Shillings and Sixpence, and no more.

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

Interest of Money borrowed to be paid in preference to Dividends.

Mortgagees not to be considered Proprietors of the Company.

XXXVIII. And be it further enacted, That, for the better managing and conducting the Affairs of the said Company, a Committee of Management consisting of Nine Proprietors shall be nominated and appointed by Ballot at the First General Assembly of the Company that shall be held after the passing of this Act, or some Adjournment thereof, and also at the Annual General Assembly to be held in any Year as aforesaid, or some Adjournment thereof; and any Special General Meeting called for that Purpose may remove any Member or Members of the Committee of Management, and elect any other Person or Persons in the Room of any Member or Members who may be removed, or die, or resign, or otherwise cease to be Members of the said Committee of Management.

Committee of Management.

XXXIX. And be it further enacted, That any Member of the said Committee of Management may at any Time vacate his Office by sending his Resignation in Writing to the Office of the said Company; and in case any Member of the said Committee shall, during the Continuance of his respective Office, by Transfer, Forfeiture, Bankruptcy, or otherwise, cease to be entitled to a Share in the said Undertaking, or shall otherwise become disqualified to be a Member of the said Committee, or shall be removed by any General Meeting, then and in every such Case the Office of such Member of the said Committee shall instantly become vacant; and every Person appointed a Member of the said Committee by any Special General Meeting shall continue in Office until the next Annual General Assembly, and until another Member shall be elected in his Stead.

Members of the Committee may resign or become disqualified.

XL. And be it further enacted, That the Committee of Management of the said Company shall meet at such Times as they shall think fit and proper; and any Member of the said Committee may at any Time call a Meeting of the said Committee by Notice in Writing sent to the Residence of every Member of the said Committee; and

Regulations as to the Committee.

no

no Business shall be transacted at any Meeting of the said Committee unless Three Members shall be present; and all Questions at any Committee shall be decided by the Votes of the Majority in Number of the Members present; and at every Committee One of the Members shall be chosen Chairman by the Members present, and in case of an equal Division he shall have the casting Vote besides his own Vote; and the Proceedings of every Committee shall be entered in a Book to be kept for that Purpose, and signed by the Member in the Chair.

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

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

Committee of Management to appoint Officers.

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

Clerk and Treasurer not to be the same Person.

XLIII. Provided always, and be it further enacted, That it shall not be lawful for the said Committee of Management to appoint the Person who may be appointed to act as Clerk to the said Company or Committee in the Execution of this Act, or the Partner of any such

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

XLIV. And be it further enacted, That all Orders and Proceedings of every General Assembly shall be entered in a Book to be kept for that Purpose, and be signed by the Chairman of the Assembly at which such Order or Proceeding shall be made or had; and such Book or Books shall be open at all reasonable Times to the Inspection of any of the Proprietors of Shares in the said Bridge, without Fee or Reward; and such Orders and Proceedings so entered and signed by the Chairman as aforesaid shall be deemed and taken to be original Orders and Proceedings, which said Book or Books shall and may be read in Evidence in all Courts whatsoever in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever.

Proceedings
to be entered
in a Book.

XLV. And be it further enacted, That the said Committee of Management shall and they are hereby required from Time to Time and at all Times to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Bridge and Roads, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the Proprietors of the said Bridge or Roads, or any Creditor or Creditors on the Tolls to be collected and taken on such Bridge and Roads, without Fee or Reward; and the said Proprietors or Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit any of the

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

[Local.]

Y

said

said Proprietors or Creditors to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are hereby directed to be levied and applied.

Officers, &c.
to account.

XLVI. And be it further enacted, That every such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Company or Committee of Management so to be appointed as aforesaid, shall, under his or their Hand or Hands, at such Time or Times and in such Manner as the said Company or Committee shall direct, deliver to the said Company or Committee, or to such Person or Persons as they respectively shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his or their Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant, and Person or Persons, respectively received by virtue of this Act, and how much thereof hath been paid, laid out, and disbursed, and for what Purpose, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in his or their respective Hand or Hands to the said Company or Committee, or to such Person or Persons as they shall respectively appoint; and if any such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or other Person shall refuse to produce or deliver up such Accounts, Receipts, or Vouchers, or to make Payments as aforesaid, or shall not deliver to the said Company or Committee, or to such Person or Persons as they shall respectively appoint, within Fourteen Days after being thereunto required by the said Company or Committee, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his or their respective Hands to the said Company or Committee, or as they shall respectively direct or appoint, then and in either of the Cases aforesaid it shall be lawful for any One Justice of the Peace for the Counties of *Devon* or *Cornwall*, or Borough of *Saltash*, (such Justice not being interested in the said Undertaking,) upon Complaint made to him by the said Company or Committee, or such Person or Persons as they shall respectively appoint for that Purpose, to summon before him any such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, and upon his, her, or their appearing, or not being found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered and required to administer,) it shall appear to such Justice that any of the Monies that shall have been collected, raised, or received by virtue of this Act shall be in the Hands of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by War-

rant or Warrants under his Hand and Seal, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same, or if such Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place by him appointed for that Purpose, unless for some sufficient Reason, or if appearing shall refuse or neglect to give and deliver up to the said Justice an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power relating to the said Bridge, Piers, Wharfs, Quays, Houses, Landing Places, and Roads, then and in any or either of the Cases aforesaid such Justice shall commit every such Offender to the Common Gaol of the County or Place where the said Justice shall be acting for, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Company or Committee, and shall have paid such Composition in such Manner as they shall respectively appoint, (which Composition the said Company or Committee are hereby empowered to make,) and until he shall deliver up such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company or Committee; but no Treasurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Person so committed for Want of such Distress shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Twelve Calendar Months.

XLVII. And be it further enacted, That the said Company shall have full Power and Authority to superintend, regulate, and controul all the Affairs and Concerns of the said Company, and to make such Rules, Orders, and Bye Laws as to them shall seem meet and proper for the good Government of the said Company, and for regulating the Proceedings of the said Committee, and for the regulating all Officers, Workmen, and Servants to be employed in or about the Affairs or Business of the said Company, and for the better Regulation and Government of the said Bridge to be made by virtue of this Act, and from Time to Time to alter and repeal such Rules, Orders, and Bye Laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding Five Pounds for any One Offence, as to the said Company shall seem meet and expedient; and all Rules, Orders, and Bye Laws so to be made as aforesaid, being reduced into Writing, with the Common Seal of the said Company thereto affixed, shall be binding upon and be observed by all Persons using or in anywise concerned in the said Undertaking, and shall be sufficient in any Court

Power to
make Bye
Laws.

Court of Law or Equity to justify all Persons who shall act upon the same; provided that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom called *England*, or any of the express Directions or Provisions of this Act; and provided that Copies thereof be painted on Boards, and affixed on some conspicuous Place on or near the said Bridge; and such Boards shall be revived from Time to Time when and so often as the same shall or may be destroyed, defaced, or obliterated.

Committee of Management, when to go out of Office.

XLVIII. And be it further enacted, That the Members of the Committee of the said Company to be appointed as aforesaid shall continue in Office until the next General Annual Assembly, or some Adjournment thereof, and until others shall be chosen in their Stead, unless any Member of the said Committee of Management shall die, or resign, or be removed, or shall cease to be entitled to a Share in the said Undertaking; and any Member of the Committee upon going out of Office shall be immediately re-eligible.

Power to take Tolls.

XLIX. And be it further enacted, That the said Company or their Committee of Management shall and may, as soon as conveniently may be after the said intended Bridge shall be made passable, cause to be erected and set up One or more Toll Gate or Toll Gates at or near the said Bridge, and from Time to Time shall and may remove the same Toll Gate or Toll Gates, Bridge House or Bridge Houses, and erect and set up another Toll Gate or Toll Gates in lieu thereof, at any Place or Places upon any Part or Parts of the said Roads, Avenues, or Approaches, and Branches thereof respectively, or on the said Bridge, and shall and may from Time to Time erect, provide, and maintain such Toll Houses and other Conveniences near or adjoining to the said Toll Gate or Toll Gates as the said Company or their Committee of Management for the Time being shall think proper; and the respective Tolls following shall and may be demanded and taken at each and every of the Bridge House or Bridge Houses, or on the said Bridge to be erected as aforesaid, by such Person or Persons as the said Committee of Management shall from Time to Time appoint as aforesaid; (that is to say,)

Tolls.

For each and every Horse or other Beast drawing any Stage Coach, Van, or other Carriage used for the Conveyance of Passengers or Goods for Pay or Reward, the Sum of One Shilling and Three-pence:

For each and every Horse or other Beast, when more than One is employed, drawing any Coach, Chaise, Gig, Car, Waggon, Wain, Cart, Van, or other Carriage, the Sum of One Shilling and Six-pence; and if only drawn by One Horse or other Beast, the Sum of One Shilling and Nine-pence:

For each Wheel of every Carriage or Waggon attached to another Carriage or Waggon, the Sum of Nine-pence:

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

For every Bull, Ox, Cow, or other Bullock, the Sum of One Shilling:

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

For every Foot Passenger, the Sum of One Penny:

For

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

Which respective Tolls shall be paid before any Person, or any such Horse, Mule, Ass, Cattle, or Beast, or any such Carriage, Goods, or other Articles or Things as aforesaid, shall be permitted to pass over the said Bridge; and which said Tolls shall be and the same are hereby vested in the said Company and their Successors, for the Purposes of this Act; and such Tolls shall be paid and payable for every Time of passing, and for all such Persons, Horses, and other Animals and Carriages as shall be landed from or embark on board of Boats on the said River upon or from any Part of the said Bridge or Ferry, or the Roads, Avenues, or Approaches to or from the same, having been conveyed and passed over, and having been embarked for the Purpose of being conveyed and passed over, the said River within the Distance herein-after mentioned; and the Hours of working the said Bridge shall be, from the First Day of *November* to the First Day of *February* yearly, from Seven of the Clock in the Morning and continued until Nine of the Clock in the Evening; and from the First Day of *February* to the First Day of *May* yearly, from Half past Six of the Clock in the Morning to Half past Nine of the Clock in the Evening; and from the First Day of *May* to the First Day of *August*, from Six of the Clock in the Morning until Ten of the Clock in the Evening; and from the First Day of *August* until the First Day of *November*, from Half past Six of the Clock in the Morning until Half past Nine of the Clock in the Evening.

L. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages belonging to His Majesty or attending His Majesty or any of the Royal Family, or returning after having so attended, nor to charge with Toll, other than the Tolls herein-before authorized to be taken for Horses drawing and for Wheels, any Inhabitant of the Borough of *Saltash* aforesaid; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted from the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds.

Exemption
from Toll.

LI. And be it further enacted, That if any Person subject to the Payment of the Tolls hereby made payable, or any of them, shall, after Demand made thereof by any Collector or Collectors appointed to receive the same, neglect or refuse to pay the same, it shall be lawful for such Collector or Collectors, by himself, herself, or themselves, or taking any such Assistance as he, she, or they shall think necessary, to stop and prevent the Passage of the Person or Persons so neglecting or refusing, or of the Horse, Beast, or Cattle for or in respect of which such Tolls ought to be paid, until full Payment thereof, or to seize and distrain any Horse or Horses or other Cattle or Beast, together with their Bridles, Saddles, Gears, Harness, or

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

[*Local.*]

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Accoutre-

Accoutrements, (save and except the Bridles separate and apart from such Horses or other Cattle or Beasts,) or any Carriage drawn by such Cattle or Beast; and if such Tolls and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Three Days next after such Seizure and Distress made, the Person and Persons so seizing and distraining shall and may sell the Horse and Horses, Cattle, Carriages, Goods, Chattels, or Things so seized and distrained, or any Part thereof, returning the Overplus (if any be) and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted; and if any Person shall forceably pass over the said Bridge, or through any or either of the said Toll Gates, without having paid the said Tolls, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person so offending in any of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, whereof one Half shall be paid to the Informer, and the other Half to the Treasurer of the said Company, to be applied for the Purposes of this Act.

Power to
reduce the
Tolls.

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

For prevent-
ing Toll Col-
lectors from
taking undue
Tolls or mis-
behaving.

LIII. And be it further enacted, That all and every Toll Collector shall and he or she is hereby required to place his or her Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate, immediately on his or her coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he or she shall be upon Duty; and every such Collector shall place or cause to be placed on the Front of the Toll House or Toll Houses at which such Collector shall be stationed a Board whereon shall be painted, either in White Letters on a Black Ground or Black Letters on a White Ground, the List of the Tolls payable at such Gate; and if any Collector of the same Tolls shall not place such Boards respectively as aforesaid, and keep the same there during the Time he or she shall be such Collector as aforesaid, or shall demand or take a greater or less Toll from any Person than he or she shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Company made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempted from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons

from reading the Inscriptions on such Boards respectively, or shall refuse to tell his or her Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or neglect to give (*gratis*) a Ticket to denote the Payment of the Toll, when demanded, or upon legal Toll being paid or tendered shall unnecessarily detain, or wilfully obstruct, hinder, or prevent, any Passenger or Passengers from passing through any Toll Gate or from crossing the said River in the said Bridge or Boat, or shall make use of any scurrilous or abusive Language to any Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, (such Justice or Justices not being interested in the said Undertaking,) and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

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

Penalty for evading Tolls.

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

For settling Disputes concerning Tolls.

LVI. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls

Collectors of Tolls may give Evidence.

Tolls or any of them, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Company or Committee, shall not be disqualified from giving Evidence in such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Tolls.

Power to lease the Tolls.

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

Power to compound for Tolls.

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

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

LIX. And be it further enacted, That all and every Person and Persons, Horses and other Beasts and Cattle, Coaches, Waggon, Carts, and other Carriages and Things, which shall be landed from and embarked in any other Boat or Vessel, other than such as shall belong to the said Company of Proprietors, upon or from the said Bridge, or the Roads, Avenues, or Approaches to or from the same, having been conveyed and passed over, and having been embarked for the Purpose of being conveyed and passed over, the said River within the Distance herein-after mentioned, shall be liable to the Payment of the Tolls herein-before specified; and all the Powers and Provisions of this Act shall be in full Force at all Times for recovering and enforcing the Payment thereof.

Committee may remove Collectors, and appoint temporary ones.

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

minable on any Life or Lives, and Tenants in Fee Tail, General or Special, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in the said Ferry and Tolls, or any Lands, Buildings, Tenements, or Hereditaments authorized to be taken or used, and which the said Company or their Committee shall cause to be taken or set out for the Purposes of this Act, or any of them, to contract for, sell, and convey the same and every Part thereof to the said Company; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit of :

Form of
Conveyance
to the Com-
pany.

‘ I of the Sum of of in consideration
‘ of the Sum of to me paid by the
‘ Company of Proprietors established and incorporated by an Act of
‘ Parliament passed in the Second Year of the Reign of His Majesty
‘ King *William* the Fourth, intituled [*here set forth the Title of this*
‘ *Act*], do hereby grant and release to the said Company of Pro-
‘ prietors all [*describing the Premises to be conveyed*], together with
‘ all Ways, Rights, and Appurtenances thereunto belonging, and all
‘ my Estate, Right, Title, and Interest in and to the same and
‘ every Part thereof, to hold to the said Company of Proprietors and
‘ their Successors for ever, according to the true Intent and Mean-
‘ ing of the said Act. In witness whereof I have hereunto set my
‘ Hand and Seal this Day of in the Year
‘ of our Lord .

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

Company
empowered
to sell Ground
not wanted
for the Pur-
poses of this
Act.

LXV. And whereas the said Company of Proprietors may be seised of some Piece or Pieces of Ground over and above what may be necessary for effectuating the Purposes of this Act, be it therefore further enacted, That it shall and may be lawful for the said Company from Time to Time to sell and dispose of such Piece or Pieces

of Ground, together or in Parcels, either by public Sale or private Contract (as they shall find most advantageous and convenient), to such Person or Persons as shall be willing to contract for and purchase the same.

LXVI. Provided always, and be it further enacted, That in case the said Company shall think proper, or shall by virtue of this Act be required, to sell and dispose of any Piece or Pieces of Ground not wanted for the Purposes of this Act, and which is not by this Act directed to be otherwise disposed of, they shall first offer the same for Sale to the Owner of the adjoining Land; and if such Owner shall then and thereupon refuse or shall not agree, except with respect to or on account of the Price thereof, to purchase the same respectively, an Affidavit to be made and sworn before a Master or Master Extraordinary in Chancery, or before One of His Majesty's Justices of the Peace for the County or Place where the same shall be situate, who is hereby respectively empowered to take such Affidavit by some Person or Persons in no way interested in the said Piece or Pieces of Ground, Toll House, or any Erection, Building, or Garden attached thereto, stating that such Offer was made by or on behalf of the said Company, and that such Offer was then and there refused or was not agreed to by the Person or Persons to whom the same was made, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and refused or not agreed to by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Piece or Pieces of Ground, Toll Houses, or any Erection, Building, or Garden attached thereto, and he, she, or they, and the said Company, shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury in manner by this Act directed with respect to disputed Value of Premises to be purchased by the said Company in pursuance of this Act, and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as by this Act is directed with respect to such Purchases made by the said Company, *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said Company of such Piece or Pieces of Ground as aforesaid shall be applied for the Purposes of this Act; but the Purchaser or Purchasers thereof shall not be answerable or accountable for the Misapplication or Nonapplication of such Money; and the Conveyances of such Piece or Pieces of Ground shall be made to the Purchaser or Purchasers thereof, and in such Manner and Form as herein-before mentioned with respect to the Conveyances to be made of the Land wanted for the Purposes of this Act.

Owners of the adjoining Lands to have the first Offer.

LXVII. And be it further enacted, That the said Mayor and Free Burgesses, and all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every Person and

Satisfaction to be made for Lands taken or Damages sustained.

Persons

Persons who is or are seised, possessed of, or interested in any Lands, Buildings, Tenements, and Hereditaments which may be taken, used, injured, or damaged by virtue of this Act, may accept and receive Satisfaction for the Value of such Lands, Buildings, Tenements, and Hereditaments, and for the Damages to be sustained by the making and completing or using the said Bridge, Roads, Avenues, and Approaches herein directed and authorized to be made, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company or their Committee of Management; and in case the said Parties so interested in the said Lands, Buildings, Tenements, and Hereditaments, or any of them, and the said Company or Committee cannot agree as to the Amount or Value of such Satisfaction, the same shall be settled and ascertained as hereinafter directed.

When Parties do not agree or cannot be found, a Jury to be impanelled.

LXVIII. Provided also, and be it further enacted, That if the said Mayor and Free Burgesses, or any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executor, Administrator, Husband, Guardian, Trustee, Committee of or for any Idiot or Lunatic, or any Feme Covert, or any Person, whether Tenant for Life or for Years determinable on any Life or Lives, or in Fee Tail, General or Special, or any other Person or Persons, so interested or entitled as aforesaid, cannot agree with the said Committee of Management respecting the Purchase of the present Ferry and Tolls, or any Lands, Buildings, Tenements, or Hereditaments, or the Satisfaction to be made for any Damages that may be sustained from Time to Time by him, her, or them by the making or using of the said Bridge, Avenues, or Approaches, or any of the Works to be made and maintained by virtue of this Act, and shall give Notice in Writing to the Clerk of the said Company or of the said Committee, requiring a Jury to be summoned for the Purpose of determining such Purchase or Satisfaction; or if any such Body Politic, Corporate, or Collegiate, or any Person or Persons, so interested or entitled as aforesaid, shall, upon Notice given in Writing by the Clerk of the said Company or Committee to the principal Officers of any such Body Politic, Corporate, or Collegiate, and to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee of or for any Idiot, Lunatic, or any Feme Covert, or to such Tenant for Life or for Years determinable upon any Life or Lives, or in Fee Tail, General or Special, or other Person or Persons so interested or entitled as aforesaid respectively, or left at their last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or Hereditaments to be made use of for the Purposes of this Act, for the Space of Fourteen Days next after such Notice, neglect or refuse to treat or shall not agree with the said Company or their Committee, or, by reason of Absence or otherwise, shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment, cannot treat for themselves or make such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or cannot be found or known, or shall not, within the before-mentioned Space of Fourteen Days, produce and fully disclose the State of the Title to the Premises which he, she, or they respectively is or are or shall be in Possession

Possession of, and the Interest which he, she, or they respectively may claim therein, or shall not produce a clear Title thereto to the Satisfaction of the said Committee; then and in every such Case the said Company or Committee, or any Three or more of them, shall and they are hereby empowered and required, within Five Days after the Receipt of such Notice by the Clerk to the said Company or Committee, or after the Expiration of Fourteen Days after the Delivery of such Notice by the said Clerk, as the Case may be, to issue a Warrant under their Hands and Seals, directed to the Sheriff of the County of *Cornwall*, commanding such Sheriff to impanel, summon, and return a Jury, and the said Sheriff is hereby required accordingly to impanel, summon, and return a Jury of Forty-eight honest, sufficient, and indifferent Men, qualified according to the Laws of this Realm for the Time being to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff at such Time and Place as in such Warrant shall be appointed; and the said Sheriff is hereby required out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, (being qualified as last aforesaid,) to make up the said Jury to the Number of Twelve; and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff is hereby empowered and required, by a Summons or Notice to be signed by such Sheriff previous to or at the Time of any such Meeting or Meetings, to call before them all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath touching and concerning the Premises; and the said Sheriff may order and authorize the said Jury, or any Three or more of them, either before or after they are sworn, to view the Place or Places or Matter or Matters in question, if there be Occasion, and to use all other lawful Ways and Means as well for his own as for the Jury's better Information in the Premises, as the said Sheriff shall think fit; which Jury upon their Oaths (which Oaths, as well the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer,) shall inquire, assess, and ascertain the Sum of Money to be paid for the Purchase of such Ferry, Tolls, Lands, or other Hereditaments, or what Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested for or on account of the taking or damaging of such Lands or other Hereditaments for the Purposes of this Act; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Company or Committee to the said Owners or Occupiers of or other Person or Persons interested in the said Ferry, Tolls, Lands, or Hereditaments, according to such Verdict or Inquisition of the said Jury, and shall give Judgment for

[*Local.*]

B b

such

such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order or Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff, and shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever claiming any Estate in Fee Simple or Fee Tail for Life or Lives, in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Courts, any Law or Statute to the contrary thereof notwithstanding.

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

LXIX. And be it further enacted, That if any Person so impannelled, summoned, and returned as aforesaid upon such Jury shall not appear, without some reasonable Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give his Verdict, or shall in any Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, he shall be liable and subject to the same Rules and Regulations and to the same Pains and Penalties for such Default as if he had been impannelled, summoned, and returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster*; and if any Person so summoned and required to give Evidence before the said Jury touching the Premises shall neglect or refuse to appear after having been paid or tendered a reasonable Sum for his or their Costs, Charges, or Expences; or shall not allege a sufficient Excuse to the said Sheriff for not appearing, or appearing shall refuse to be sworn and examined or to give Evidence, then and in every such Case every such Person so offending, upon Proof thereof made before One or more of His Majesty's Justices of the Peace for the County or Place in which the Matter or Question shall arise, upon Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of the said Justice; and in case any such Penalty shall not be forthwith paid, it shall and may be levied, by virtue of any Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus, after such Penalty and Charges of such Distress and Sale shall be deducted; and every such Penalty which shall be paid by or recovered from any Person who shall be impannelled, summoned, and returned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice to be injured by the Default of such Persons.

For punishing Persons guilty of Perjury.

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

subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

LXXI. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money for a Recompence or Satisfaction for the absolute Sale of any Ferry, Tolls, Lands, Buildings, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or to any Person or Persons whomsoever, or as a Compensation for any Damages done or to be done to any Ferries, Lands, Buildings, Tenements, Hereditaments, or other Property, than had been previously offered by or on behalf of the said Company or their Committee of Management, where the Dispute is for Damages only, and where no Compensation or a smaller Sum than shall be given by such Verdict had been previously offered or tendered in respect thereof by or on behalf of the said Company or Committee, or where, by reason of Absence in Foreign Countries or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensation from the said Company or Committee as herein-before mentioned, then and in all such Cases all the Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled by the said Sheriff so impannelling, summoning, and returning, and taking such Verdict as aforesaid, and be defrayed by the said Company or Committee; and in case of Nonpayment thereof by the said Company or Committee for the Space of Thirty Days next after the same shall have been so settled, and an Account and Demand in Writing shall have been delivered and made thereof to and from the said Company or Committee, then the said Sheriff shall and he is hereby required, by Warrant under his Hand and Seal, to levy the same by Distress and Sale of any of the Goods and Chattels of the said Company, or of any of the Goods and Chattels of the Treasurer to the said Company appointed in pursuance of this Act, (unless such Treasurer shall pay such Expences out of any Money received by him by virtue of this Act, and which he is hereby authorized to do,) rendering to the said Company or to their Treasurer (as the Case may be) the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale; but if any Verdict shall be given for the same Sum as had been previously offered by or on behalf of the said Company or Committee, or for a less Sum than had been previously offered, or for Damages where the Dispute is for Damages only, the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Sheriff so impannelling, summoning, and returning such Jury, and taking such Verdict, and be borne and paid in the Manner following; (that is to say,) One Moiety or Half Part of such said Costs and Expences shall be borne and paid by the said Company or their Committee, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons with whom the said Company or Committee shall have such Disputes or Controversies; which said last-mentioned

Expences of
the Jury.

mentioned Moiety of the said Costs and Expences shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons as aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; and in case no Damage shall be given by such Verdict, when the Dispute is for Damages only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company or by their Committee of Management by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

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

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

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

LXXIII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Jury in manner aforesaid, for the Purchase of any such Ferry, Tolls, Lands, or other Hereditaments, to the Person or Persons entitled to receive such Purchase Money respectively, or his or their Agent or Agents, within the Space of One Calendar Month next after the same shall have been so agreed for, determined, or assessed, or upon depositing the same in the Bank of *England* in manner by this Act directed (as the Case may be) within the same Period, it shall be lawful for the said Company or their Committee of Management, and their Agents, Workmen, and Servants, immediately to enter upon such Ferry, Lands, Tenements, or other Hereditaments respectively, and then and thereupon such Ferry, Tolls, Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company and their Successors to and for the Purposes of this Act for ever; and such Payment, Tender, or Deposit shall not only bar all Right, Title, Claim, Interest, or Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion, Remainder, Expectancy, or otherwise of his, her, or their Issue, and of all and every other Person or Persons interested therein: Provided always, that nothing in this Act contained shall authorize and

and empower, or be construed to authorize and empower, the said Company or their Committee of Management, or their Agents, Workmen, or Servants, or any of them, for the Purposes herein mentioned, to enter into and upon the Ferry, Lands, Tenements, and Hereditaments so to be purchased by virtue of this Act as aforesaid (except to examine and survey the same to ascertain and set out such Parts thereof as may be necessary for the Purposes of this Act as herein-before is provided,) without having first or legally tendered for the same such Sum or Sums of Money as shall have been contracted or agreed for between the Parties or assessed by a Jury in the Manner herein-before directed; and in case the said Company or Committee, or their Agents, Workmen, and Servants, or any of them, shall, for the Purposes aforesaid, enter into and upon the said Ferries, Lands, Tenements, and Hereditaments without having previously paid or otherwise legally tendered the Purchase Money for the same in the Manner herein-before directed, then and in such Case the Person or Persons making such Entry shall be deemed a Trespasser or Trespassers, and shall forfeit and pay for the doing thereof the Sum of Five Pounds.

LXXIV. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and be kept by the Clerk of the Peace or other Person or Persons having the Custody of the Records of the Quarter Sessions of the said County of *Cornwall*, and shall be deposited with and be deemed to be the Records of such Quarter Sessions respectively to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any greater or less Quantity of Words.

Verdict of
Juries to be
recorded.

LXXV. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of or Damages to be done to any Ferry, Tolls, Lands, Tenements, and Hereditaments purchased, taken, or used, injured or damaged, by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Bodies Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Idiot, Lunatic, Feme Covert, or other Cestuique Trust, in strict or other Settlement, or to any other Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer, to be placed to his Account there *ex parte* "The *Saltash* Floating Bridge Company", pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant*

Application
of Compen-
sation when
amounting to
or exceeding
200*l.*

1 G. 4. c. 35.

[Local.]

C c

General

*General and Two Masters of the said Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Ferry, Tolls, Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Ferry, Tolls, Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Ferry, Tolls, Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or 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 Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.*

Application
of Compensation when
less than
200*l.* and ex-
ceeding 20*l.*

LXXVI. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used, injured or damaged, for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons, for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option, to Two Trustees, to be nominated by the

Body or Bodies, Person or Persons, making such Option, and approved of by the said Company or their Committee of Management, (such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties,) in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, as far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

LXXVII. And be it further enacted, That when such Money so agreed and awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies or Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, injured or damaged for the Purposes of this Act, in such Manner as the said Company shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of Compensation when less than 20*l.*

LXXVIII. And be it further enacted, That in case the Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons, to whom any Sum or Sums of Money shall be awarded for the Purchase of any Ferry, Tolls, Lands, or Hereditaments to be purchased by virtue of this Act, for the Purpose of the said Bridge, Roads, Avenues, Approaches, or other Works, or any of them, shall refuse to accept the same, or to execute a proper Conveyance or Conveyances, or shall not be able to make a good Title to the said Premises to the Satisfaction of the said Company or their Committee, or in case the Person or Persons to whom any such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons so entitled to such Ferry, Tolls, Lands, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the said Committee of Management, or any Three or more of them, to order the Sum and Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Party or Parties interested in the said Ferry, Tolls, Lands, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Body or Bodies, Person or Persons, making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof or Payment of the Dividends thereof according to their respective Estate or Estates, Title, or Interest of the Body or Bodies, Person or Persons, making claim thereunto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive

Directing how Monies are to be paid in case Parties refuse same, or cannot make a good Title, or cannot be found.

receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums of Money into the Bank of *England*.

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

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

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

LXXX. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and to be applied in the Purchase of other Lands or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company or their Committee of Management, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Tenants at Will to deliver Possession upon Six Months Notice.

LXXXI. And be it further enacted, That every Tenant at Will or Lessee for a Year or from Year to Year shall deliver up the Possession of the Lands and Premises he, she, or they shall respectively hold to the said Company or to their Committee of Management, or to such Person or Persons as they shall appoint to take possession of the same, upon having Six Calendar Months Notice to quit such Possession from the Clerk to the said Company; and the Person or
Persons

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 Tenants holding or not, or so soon after as he, she, or they shall require, peaceably and quietly deliver up the Possession of the said Premises to the said Company or their Committee of Management, or to such Person or Persons authorized by them to take possession thereof, such Authority being signified under the Hands of the said Committee of Management, or any Three or more of them, they the said Company making such Satisfaction or Compensation to every such Tenant or Lessee, or other Person or Persons in Possession as aforesaid, in case he, she, or they shall be required to quit before the Expiration of his, her, or their current Year in the Premises, as the said Company shall deem just and reasonable; and if any Dispute shall arise touching the Amount of such Satisfaction or Compensation, then and in such Case the same shall be settled and ascertained by a Jury in such and the like Manner as the Satisfaction and Compensation to be made for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments herein-before directed to be settled and ascertained in case of any Dispute or Difference about the same; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, all reasonable Satisfaction being first made or tendered, it shall be lawful for the said Committee, or any Three or more of them, to issue their Precept or Precepts to the Sheriff of the said Counties of *Cornwall* or *Devon*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts and the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Satisfaction to be made to such Tenants.

LXXXII. And be it further enacted, That upon the Completion of the Purchase of the present Ferry by the said Company of Proprietors, the Liability (if any) of the said Mayor and Free Burgesses to maintain a Ferry shall thenceforth cease, so long as the said Bridge or any sufficient Communication in lieu thereof shall be maintained and kept up under the Provisions of this Act.

Upon the Completion of the Purchase, Liability of the Mayor, &c. shall cease.

LXXXIII. And be it further enacted, That from and after the said Bridge shall have been made passable, and opened for Carriages, Horses, and Passengers, no Ferry shall be set up or used across the said River, save and except the present existing Ferries; and if any Person or Persons except the said Company, or other Person or Persons acting under their Authority, shall use any Boat, Barge, or other Vessel in carrying or conveying any Carriage or Cattle, or Person or Persons, Goods, Wares, or Merchandize, or other Things, for Hire, across the said River within the Distance of One Mile of the said Bridge, without paying the Tolls herein-before made payable, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

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

[*Local.*]

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LXXXIV. And

For prevent-
ing Nuisances
on the Bridge
and Roads.

LXXXIV. And be it further enacted, That if any Person or Persons shall wilfully or negligently injure, destroy, or otherwise damage any Part of the said Bridge or Roads, or the Avenues or Approaches thereto, or shall wilfully obstruct the Passage thereof; or if any Driver of any Waggon or other Carriage shall wilfully or carelessly break or damage any of the Posts or Stones which may be erected for the Security of the said Bridge or Roads; or if any Person shall make or assist in making any Bonfire, or shall incautiously let off or discharge any Gun, Pistol, Blunderbuss, or other Fire-arms, or shall wantonly let off any Serpent or Rocket, or throw any Cracker, Squib, or other Fire Works, or play at Foot Ball or any other Game or Games to the Annoyance of any Inhabitant or Passenger; or if any Person shall scrape off any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, with any Instrument so as to damage the said Bridge, Roads, Avenues, or Approaches thereto, or any Part thereof; or if any Person or Persons shall leave any Waggon, Wain, Cart, or Carriage, or any Plough, Harrow, or other Implement of Husbandry, without some reasonable Cause, to be allowed by the Justice before whom the Person so offending shall be summoned or conveyed, or, except with regard to such Waggon, Wain, Cart, or other Carriage, during such reasonable Time as the same shall be loading or unloading, and standing as near the Side of the said Road, Avenues, or Approaches as conveniently may be, in, upon, or on the Sides of the said Bridge, Roads, Avenues, or Approaches thereto, either with or without any Horse or Beast harnessed or yoked thereto; or shall lay any Timber, Wood, or Bushes, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbish, or other Annoyance whatsoever upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance of any Person travelling thereon; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Persons wil-
fully destroy-
ing the
Bridge or
Works guilty
of Felony.

LXXXV. And be it further enacted, That if any Person shall wilfully or maliciously pull down or destroy the said Bridge or any Part thereof, or any Toll House to be erected by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be deemed guilty of Felony, and, being thereof lawfully convicted, shall be subjected to the like Punishment and Penalties as in Cases of simple Larceny.

Penalty on
Persons in-
juring the
Bridge, &c.

LXXXVI. And be it further enacted, That if any Person or Persons shall, by Carelessness or Inattention, injure or damage any Part of the Bridge, Boats, Chains, or other Articles or Things belonging to the said Company, or if the Persons working in or navigating the said Bridge or Boat shall, by Carelessness or Inattention, injure or damage any Vessel, Barge, or Boat navigating or being on the said River, he, she, or they shall for every such Offence, on Conviction before One or more Justice or Justices of the Peace for the County or Place where the said Justice shall be acting for, such Justice not being interested in the said Undertaking, forfeit and pay any Sum not exceeding

exceeding Five Pounds, over and above the Amount of the Damage actually sustained by the said Parties.

LXXXVII. And be it further enacted, That in case any Damage or Mischief shall be done to the Bridge or any of the said Works by any Ship, Lighter, Barge, Boat, Float, Raft, or other Vessel, through the Mismanagement or Negligence of any Person having Command of any such Ship, Lighter, Barge, Boat, Float, Raft, or other Vessel, or any of the Mariners or Persons employed therein, then and in every such Case the Owner or Owners of such Ship, Lighter, Barge, Boat, Float, Raft, or other Vessel shall be and is hereby made answerable to the said Company or their Committee of Management for the Amount or Value of any such Damage or Mischief; and the same, provided it shall not exceed the Sum of Five Pounds, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

Owners of Vessels liable for Damage.

LXXXVIII. And be it further enacted, That in case the Owner or Owners of any such Ship, Lighter, Barge, Boat, Float, Raft, or other Vessel shall be compelled to pay any Penalty or to make Satisfaction for any Damages by reason of any Neglect or Default done or committed by his, her, or their Servants or Mariners, or any of them, such Servants or Mariners, and each and every of them, shall be liable to pay such Penalty or Damages, with the Costs thereof, to such Owner or Owners; and in case of Nonpayment on Demand thereof, and Oath made by such Owner or Owners of the Payment made by him, her, or them of such Penalty, Satisfaction, or Damages, and the same and the Costs thereof have not been repaid to him, her, or them by such Servants or Mariners, or any of them, although demanded, (such Oath to be made before any One or more Justice or Justices of the Peace of the County or Place where such Penalty or Satisfaction shall have been recovered,) the Amount thereof, provided the same shall not exceed the Sum of Five Pounds, shall be recovered in the same Manner as any Penalty is hereby directed to be recovered.

Masters to recover from their Servants any Sum paid for their Default.

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

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

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

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

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

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

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

Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

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

Justices may proceed by Summons for Recovery of Penalties.

XCIII. And be it further enacted, That all Penalties and Forfeitures hereby inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not otherwise particularly directed,) shall, upon Proof of the Offence respectively before any One or more Justice or Justices of the Peace for the County of *Devon* or *Cornwall* or Borough of *Saltash*, or any of them, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, 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 or Hands and Seals of such Justice or Justices; and the Overplus, if any, after such Penalties and Forfeitures, 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 the Monies arising from such Penalties and Forfeitures respectively, when paid and levied, (if not otherwise directed to be applied by this Act,) shall be from Time to Time paid, one Moiety to the Informer, and the other Moiety to the Treasurer of the said Company, for the Use of the Company; and in case such Penalties and Forfeitures respectively shall not be paid forthwith upon Conviction, then it shall be lawful for such Justice or Justices to order such Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, such Day or Days not being more than Six Days from the Time of taking any such Security, and such Security such Justice or Justices is and are hereby empowered to take by way of Recognizance, or otherwise, as to him or them shall seem right and proper; but if upon Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath not nor have Goods and Chattels within the Jurisdiction of such Justice or Justices sufficient whereon to levy such Penalties and Forfeitures, Costs and Charges, such Justice or Justices

Recovery and Application of Penalties.

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tices may, at his or their Discretion, without issuing any Warrant of Distress, commit the Offender or Offenders to the Common Gaol of the said County of *Devon* or *Cornwall* or Borough of *Saltash*, or to any House of Correction within the same, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

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

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

For compelling the Attendance of Witnesses.

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

For securing transient Offenders.

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

Conviction of Offenders.

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

‘ BE

His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding.

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

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

Limitation of Actions.

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

The Bridge to be completed within Three Years.

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

For paying the Expences of the Act.

CIV. And be it further enacted, That all the Money to be raised by the said Company by virtue of this Act shall be laid out and applied, in the first place, for and towards the Payment, Discharge, and Satisfaction of all Costs, Charges, and Expences in applying for, obtaining,

obtaining, and passing this Act, and all other Expences preparatory and relating thereto; and all the Residue and Remainder of such Money for and towards purchasing any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Ferry or Ferries over or across the said River, and in making, completing, and maintaining the said Bridge and all other Works, and for other the Purposes of this Act.

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

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

The SCHEDULE to which the foregoing Act refers.

Referential Number on the Plan.	Description of Property.	Proprietors Names.	Lessees Names.	Occupiers Names.	Parish.	County.
1.	Tenement over the North End of Tamer Street	J. T. Tucker Esq. and J. Buller Esq.	Corporation of Saltash	James Pyne } Joseph Moyes }	St. Stephen's	Cornwall.
2.	Stable and Store	J. T. Tucker Esq.	- - -	Jos. Moyes, for Stable Store unoccupied	Ditto	Ditto.
3.	House	Ditto	- - -	Unoccupied	Ditto	Ditto.
4.	Beach and Road	Duke of Cornwall	- - -	J. T. Tucker Esq., and Corporation of Saltash	Ditto	Ditto.
6.	Beach	Duke of Cornwall	- - -	- - -	St. Budeaux (in Devon) lying in	Ditto.
7.	Plot, or Old Garden	Ditto	Miss Couch and others	John Symons	Ditto	Ditto.
8.	Arable and Cliff	Ditto	Mrs. Bate	John Parsons	Ditto	Ditto.
9.	Beach	Ditto	- - -	- - -	Ditto	Ditto.
10.	Public Road	- - -	- - -	- - -	Ditto	Ditto.

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