



## CHAPTER xix.

An Act for making and maintaining a Bridge across the river Taff at a place called Castell Coch, in the parishes of Pentyrch and Eglwysilan, in the county of Glamorgan, and for making convenient approaches thereto.

A.D. 1872.

[13th May 1872.]

**W**HEREAS the construction and maintenance of a free bridge, with approach roads in connexion therewith, over the river Taff, at or near a place called Castell Coch, between the parishes of Pentyrch and Eglwysilan in the county of Glamorgan, would be of advantage to the public, and especially to the inhabitants of the aforesaid parishes, and the adjacent parishes of Radyr and Whitechurch :

And whereas a plan and section of such bridge and approach roads, showing the situation and levels thereof, and a book of reference, containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands which may be required to be taken for the purposes thereof, have been deposited with the clerk of the peace for the county of Glamorgan, and are herein-after respectively referred to as “the deposited plan, section, and book of reference :”

And whereas it is expedient that the powers of making and maintaining the said bridge should be vested in a board (herein-after referred to as the Board) consisting of the highway board of the district of Llandaff, and the highway board, number 2, of the district of Pontypridd, within which districts the said parishes respectively are situate :

And whereas it is expedient that the said parishes should respectively contribute out of moneys arising from the highway rates, or a special rate to be levied as herein-after mentioned, towards the expense of constructing and maintaining such bridge, and that the Board should be enabled to borrow money on mortgage of such contributions and rates :

A.D. 1872.      And whereas the objects and purposes aforesaid 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 Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.      1. This Act may be cited for all purposes as "The Castell Coch Bridge Act, 1872."

Provisions of general Acts herein named incorporated.      2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, and the clauses of "The Commissioners Clauses Act, 1847," with respect to mortgages to be created by the commissioners (except where expressly varied by this Act), are incorporated with and form part of this Act, and the Acts and parts of Acts so incorporated are in this Act referred to as "the incorporated Acts."

Interpretation of terms.      3. In this Act the several words and expressions to which meanings are assigned by the incorporated Acts shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction :

The expression "the Board" shall mean the Castell Coch Bridge Board constituted by this Act;

The expression "the parishes" shall mean the parishes of Eglwysilan, Pentyrch, Whitchurch, and Radyr, and the expression "the parish" shall mean any one of the parishes;

The expression "the highway boards" shall mean the highway board for the time being of the district of Llandaff, and the highway board, number 2, of the district of Pontypridd;

The expression "highway rate" shall include any rate, whether poor rate or not, out of the produce of which moneys are payable in satisfaction of precepts of the highway board;

The expression "bridge and roads" shall mean the bridge, roads, and works by this Act authorised, or any part thereof respectively;

And the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act, or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Appointment of Board.      4. The highway boards and their successors are hereby constituted a board by the name of "The Castell Coch Bridge Board" for the purpose of carrying this Act into execution, subject to the same conditions as if the purposes of this Act were purposes of the Highway Acts, and by that name shall be incorporated, and have



perpetual succession and a common seal, and all other incidents of a body corporate. A.D. 1872.

5. The Board shall hold their first meeting at Cardiff within one month after the passing of this Act, and shall then and from time to time thereafter adjourn to and meet at such times and at such places as they shall think proper. First and other meetings of Board.

6. The Board may appoint a committee out of their number to take the care and management of the bridge and roads, or to execute any of the other purposes of this Act, according to such restrictions and regulations as shall be laid down by the Board at any general meeting, and the said committee or their officers may proceed and act according to such appointment. Board may appoint committee.

7. The number of members of the Board present to constitute a meeting of the Board shall be three. Quorum.

8. Any person may at one and the same time be and continue to be both an officer of the Board and also an overseer or officer of any parish. Same person may be officer of the Board and of vestry.

9. Subject to the provisions of this Act the Board may from time to time enter upon, take, and use such of the lands shown on the deposited plan and specified in the deposited book of reference as they think expedient for any of the purposes of this Act. Power to enter lands for purposes of Act.

10. The powers of the Board for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act. Powers for compulsory purchases limited.

11. Subject to the provisions of this Act, the Board from time to time shall make and maintain the bridge and roads in the lands shown on the deposited plans and specified in the deposited books of reference, and, so far as the same are shown on the deposited plans and sections, shall make and maintain the same in the lines and in accordance with the levels shown thereon respectively. Power to make and maintain works authorised by Act.

12. If there be any omission, mis-statement, or wrong description of any lands, or of the owners, lessees, or occupiers of any lands, shown on the deposited plan, or specified in the deposited book of reference, the Board, after giving ten days notice to the owners, lessees, and occupiers of the lands in question, may apply to two justices of the county of Glamorgan for the correction thereof, and if it appears to the justices that the omission, mis-statement, or wrong description arose from mistake they shall certify the same accordingly, and they shall in their certificate state the particulars of the omission, mis-statement, or wrong description. Correction of errors in deposited plans.

13. Such certificate of the justices shall be in duplicate, and one part thereof shall be deposited with the clerk of the peace for Deposit of certificate of correction.



A.D. 1872. — the county of Glamorgan, and a duplicate thereof with the parish clerk of the parish in which the lands in question lie, and the certificate and duplicate respectively shall be kept by the clerk of the peace and the parish clerk respectively with the other documents to which the same relate, and thereupon the deposited plans and books of reference shall be deemed to be corrected in accordance with the certificate, and the Board may execute the works in accordance with the certificate.

Power to enter on lands for surveys and works.

14. The Board from time to time may enter on the lands in which the bridge and roads are to be made, and also on any adjoining lands to examine and survey the same, and to ascertain and set out the parts thereof requisite for the execution of this Act, and may make all walls, arches, culverts, ditches, drains, fences, and works, and do all things requisite for the making, maintaining, and repairing of the bridge and roads, doing as little damage as may be, and making full satisfaction to all parties interested for all damage so done.

Power to get materials.

15. The Board from time to time may enter on any lands lying within seventy-five yards from the bridge and roads respectively, and may occupy such lands as long as may be necessary for the construction and repair of the bridge and roads, and may obtain therefrom materials for making and maintaining the bridge and roads, doing as little damage as may be, and making full compensation to all parties interested for all damage so done: Provided that the Board shall not so enter on any house or any plantation attached to or belonging to a house or park, or any planted walk, avenue, or ground ornamentally planted, without in every case the previous consent in writing of the owner and occupier thereof.

Works authorised by Act.

16. The bridge and roads by this Act authorised comprise the following; (that is to say,)

A bridge over the river Taff, with all proper piers, abutments, and other approaches connected therewith, at or near a place called Castell Coch, and being situate in the parishes of Eglwysilan and Pentyrch, in the county of Glamorgan:

A road of approach, in the parish of Pentyrch, commencing on the cross road in the parish of Pentyrch, where the said road leaves the parish road leading from Radyr to Pontypridd, and terminating by a junction with the western end of the said bridge:

A road of approach, in the parish of Eglwysilan, commencing on the said cross road one hundred and twenty-four yards, or thereabouts, west of the turnpike road leading from Cardiff to Merthyr Tydfil, and terminating by a junction with the eastern end of the said bridge.



**17.** For the purposes of this Act, the Board from time to time may, within the limits of deviation shown on the deposited plans, dig and make proper foundations in the river Taff, and in the lands on each side thereof, and make dams in the river during the making or repairing of the bridge, and cut, level, embank, and secure the banks of the river, and cut, remove, scour, take, and carry away all trees, roots of trees, beds of gravel, sand, mud, and other impediments in the river, and execute all other works necessary or convenient for making, maintaining, and repairing the bridge and roads.

A.D. 1872.  
Incidental  
works.

**18.** In making the bridge and roads the Board may deviate from the lines thereof shown on the deposited plan to any extent within the limits of deviation shown thereon.

Power to  
deviate late-  
rally within  
limits of de-  
viation on  
plans ;

**19.** Provided that no such deviation shall extend into the lands of any person whose name is not stated in the book of reference without his previous consent, unless his name is omitted by mistake, and the fact that the omission proceeded from mistake be certified as by this Act is in that behalf provided.

but not into  
lands not  
mentioned in  
book of re-  
ference with-  
out consent.

**20.** In making the bridge and roads, the Board may deviate from the levels thereof shown on the deposited section to any extent not exceeding three feet.

Power to  
deviate ver-  
tically from  
levels on  
section.

**21.** During the making and repairing of the bridge and roads, the Board shall take all precautions and provide all works and conveniences proper and sufficient for keeping the flow of water in the river Taff free from all obstruction, except only such obstruction as is unavoidable, and if and whenever the Board make or occasion any obstruction they shall make to all persons interested full compensation for all loss, damage, or injury thereby occasioned.

River not  
to be ob-  
structed.

**22.** The bridge and roads shall be completed within five years after the passing of this Act, and on the expiration of that period the powers of the Board for making the same or otherwise in relation thereto shall cease to be exercised, except with respect to so much thereof as is then completed : Provided that, notwithstanding the expiration of that period, the Board may from time to time repair, rebuild, improve, and maintain such of the works as they execute within that period.

Period for  
completion of  
works.

**23.** From and after the completion of the bridge and roads they shall be deemed a public bridge and public highways, and subject to the provisions of this Act all persons, whether with or without horses, animals, and carriages, shall have free liberty to pass over the same without any interruption.

Bridge to be  
public.

**24.** In order to provide the necessary funds for defraying the cost of constructing the bridge and roads, including the purchase of

Power for  
Board to bor-  
row on mort-  
gage.



A.D. 1872. — lands, the applying for and obtaining this Act, and all expenses incidental thereto, the Board may from time to time borrow at interest on mortgage of the contributions to be paid by the parishes to the Board and of the rates to be levied under this Act, such sum or sums of money as they from time to time think fit, not exceeding in the whole three thousand pounds, and every such mortgage and every transfer thereof may respectively be in the form in the schedule to this Act annexed or to the like effect.

Sinking fund. **25.** The sum to be set apart yearly by the Board for the repayment of the money borrowed under this Act shall be of such an amount as will secure the repayment of the money borrowed, together with the interest thereon, by equal annual instalments in the course of any period of years not exceeding forty years from the period of such advance, and every sum so set apart shall be applied in paying off mortgages granted under the provisions of this Act.

Receiver for mortgagees. **26.** The mortgagees of the Board may enforce the payment of arrears of interest, or of principal and interest, due to them by the appointment of a receiver; the amount of principal in arrear to authorise the appointment of a receiver shall be one hundred pounds.

Application of moneys borrowed. **27.** All moneys from time to time borrowed by the Board shall be applied only in payment of the costs of constructing the bridge and roads by this Act authorised, including the purchase of lands, the applying for and obtaining this Act, and all expenses incident thereto.

Contributions by parishes. **28.** The parishes shall each contribute one fourth of the costs and expenses incurred in carrying this Act into execution, and in maintaining and repairing the bridge and roads when constructed, and towards the instalments for paying off principal and interest upon mortgages granted by the Board under the powers of this Act, and all other expenses chargeable to capital account; and for the purpose of obtaining contributions from the parishes of the sums due from them the Board shall order precepts to be issued to the overseers of the parishes, stating the sum to be contributed by each parish, and requiring the overseer to whom the precept is addressed, within a time to be limited by the precept, to pay the sum therein mentioned to the treasurer of the Board.

Power to levy rates for making payments to highway board. **29.** All overseers to whom precepts of the Board are hereby directed or authorised to be issued shall, within their respective parishes, have the same powers, remedies, and privileges for and in respect of assessing and levying a bridge rate in obedience to such precept as they have in assessing and levying ordinary rates for the relief of the poor.



**30.** If any contribution required to be made by the overseers of any parish of moneys due to the Board is in arrear, it shall be lawful for any justice, on application, under the hand of the chairman for the time being, or by the clerk of such Board, to summon the said overseers to show cause at petty sessions why such contribution has not been made, and the justice at such petty sessions, after hearing the complaint preferred on behalf of the Board, may, if they think fit, cause the amount of contribution in arrear, together with the costs occasioned by such arrear, to be levied and recovered from the said overseers, or any of them, in like manner as moneys assessed for the relief of the poor may be levied and recovered, and the amount of such arrear, together with the costs aforesaid, when levied and recovered, shall be paid to the Board.

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Justices may order arrears of contributions to be paid.

**31.** Within six months after the passing of this Act the Board shall make an estimate of the probable amount of current and other expenditure not chargeable to capital account, and the same shall be provided and paid accordingly.

Estimate of expenditure to be made by Board.

**32.** The Board shall keep all such accounts as may from time to time be necessary for elucidating all the monetary transactions of the Board in carrying the provisions of this Act into effect, and all such accounts shall be open at all reasonable times to the inspection of any person or persons appointed by any parish for the purpose.

As to keeping accounts.

**33.** The accounts shall be made up, balanced, and audited half-yearly, and if found correct shall be allowed and signed by the chairmen of the highway boards, or one of them.

Accounts to be balanced and audited half-yearly.

**34.** The amount of any bridge rate to be levied by the overseers of any parish under this Act may, if the overseers think fit, be such an amount as in their judgment will be sufficient to raise or discharge not only the sum in respect of which the rate is made, but also such a sum as will meet the expenses, or what is in their judgment a due proportion of the expenses, incurred and to be incurred in and about making and recovering the rate.

Amount of rate to include expenses of receiving it.

**35.** All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Board out of the first moneys which shall come to their hands under this Act.

Expenses of Act.

A.D. 1872.  
—SCHEDULE to which the foregoing Act refers.FORM OF MORTGAGE.

By virtue of "The Castell Coch Bridge Act, 1872," the Castell Coch Bridge Board, appointed in pursuance of the said Act, in consideration of the sum of \_\_\_\_\_ paid to the treasurer of the said Board by *A.B.* of \_\_\_\_\_ for the purposes of the said Act, do grant and assign unto the said *A.B.*, his executors, administrators, and assigns, such proportion of the contributions to be paid to the Board under the said Act by the several parishes of Eglwysilan, Penttyrch, Whitchurch, and Radyr, and of the rates to be levied by those parishes respectively, for the purposes of raising those contributions, as the said sum of \_\_\_\_\_ doth or shall bear to the whole sum which is or shall be borrowed upon the credit of the said contributions and rates, to hold to the said *A.B.*, his executors, administrators, and assigns, from this day until the said sum of \_\_\_\_\_, with interest at \_\_\_\_\_ per centum per annum for the same, shall be fully paid and satisfied. The principal sum to be repaid at the end of \_\_\_\_\_ years from the date hereof.

Given under our corporate seal this \_\_\_\_\_ day of \_\_\_\_\_  
one thousand eight hundred and \_\_\_\_\_.

FORM OF TRANSFER OF MORTGAGE.

I, *A.B.* of \_\_\_\_\_ in consideration of the sum of \_\_\_\_\_ paid to me by *C.D.* of \_\_\_\_\_ do hereby transfer and assign to the said *C.D.*, his executors, administrators, and assigns, a certain mortgage, Number \_\_\_\_\_ made by the Castell Coch Bridge Board under "The Castell Coch Bridge Act, 1872," to \_\_\_\_\_ bearing date the \_\_\_\_\_ day of \_\_\_\_\_ for securing the sum of \_\_\_\_\_ and interest (*or, if such transfer be by indorsement, the within security*), and all my right, estate, and interest in and to the money thereby secured, and in and to the proportion of contributions and rates or other moneys thereby assigned.

In witness whereof I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred \_\_\_\_\_ and \_\_\_\_\_.