



ANNO QUADRAGESIMO NONO

GEORGI II. REGIS.

Cap. 85.

An Act for building a Bridge over the River *Wensum*, between the Scite where the Gates called *King-Street Gates* formerly stood, and *Carrow Abbey*, to the Hamlet of *Thorpe*, in the County of the City of *Norwich*. [20th May 1809.]

WHEREAS the building of a Bridge across the River *Wensum*, at or near the Hamlet of *Carrow*, in the County of the City of *Norwich*, and the opposite Shore in the Hamlet of *Thorpe*, in the County of the same City, would be of great publick Utility; 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 Mayor, Recorder, and Steward of the City and County of the City of *Norwich*, for the Time being, the Representatives in Parliament for the said City for the Time being, the Reverend the Dean and Prebend Residentiary of the Cathedral Church of *Norwich* for the Time being, *Thomas Kett*, *George Samuel Kett*, *Timothy Tompson*, *Francis Gosling*, *Philip Meadows Martineau*, *William Cooch Pillans*, *William Taylor* the younger, *Edward Booth*, *Crisp Brown*, *Joseph Scott*, *William Hanks* the younger, *Edward Taylor*, *Joseph Gurney*, *John Herring* the younger, *Henry Harmer*, *Segismund Trafford*, *Henry Francis*, *William Simpson*, *Francis Noverre*, *Richard Mackenzie Bacon*, *John Blake*,

[Loc. & Per.]

Blake, Joseph Sewell, Joseph Clarke, William Stevenson, Edward Browne, Thomas Brake, Arthur Browne, James Back, George Back, George Barker, Benjamin Utting Dawson, Gardiner Chapman, Gardiner Chapman the younger, William Chase, Henry Riches, Francis Markland, John Kitton, and James Brownson, Esquires, Henry Reece, James Edward Smith, and Warner Wright, Doctors of Physic, Jeremiah Ives, Thomas Watson, Charles John Chapman, William Farley Wilkinson, and James Brown, Clerks, and their Successors, to be elected in the Manner herein-after mentioned, shall be and they are hereby constituted Commissioners for carrying this Act into Execution.

Meetings of the Commissioners.

II. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby required to meet together at or in the Guildhall of the City of Norwich, or in any other convenient Place within the County of the same City, on the Second Monday next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven and One of the Clock on the Day of such Meeting; and the said Commissioners, or any Five or more of them, so assembled, shall and may proceed to put this Act in Execution, and then and from Time to Time afterwards may adjourn themselves to meet, and may meet at such Time and Place as the said Commissioners, or any Five or more of them present at any such Meetings, shall think convenient; and if Five Commissioners shall not attend at the Time and Place appointed for any such Meeting, then the Clerk to the said Commissioners or any One Commissioner shall and may adjourn the Meeting of the said Commissioners to the same Place and to the same Day Three Weeks next after the Day when their Meeting ought to have been held; and the Clerk to the said Commissioners shall cause Fourteen Days Notice of every intended Meeting under or for the Purposes of this Act, to be given in such Manner as the said Commissioners shall direct; and the said Commissioners, or any Five of them, shall have Authority, as often as they shall think fit, to call an extraordinary Meeting at such Time and Place as they by a previous Notice of Fourteen Days at least to be given in such Manner as they shall direct; and the said Commissioners shall at all their Meetings pay their own Expences.

Five Commissioners to be a Quorum for executing this Act, (except etc.)

Chairman.

III. And be it further enacted, That all and every the Powers, Acts, Matters, and Things by this Act directed or authorized to be done or executed by the said Commissioners, shall and may (except in every Case where the Authority, Assent, or Concurrence of a greater Number of Commissioners is hereby required) be done and executed by or before any Five or more of such Commissioners, and every Question shall be determined by a Majority of the Votes of the Commissioners present at every such Meeting as aforesaid, and such Determination shall be as valid and of as full Force as if done or executed by or before all the said Commissioners; and the Commissioners present at every Meeting to be held under this Act shall before they proceed to Business elect One of the Commissioners then present to be Chairman of such Meeting; and if at any Meeting a Question shall be put to the Vote, and there shall happen to be an equal Number of Votes for and against the Question (including the Vote of the said Chairman), then and in such Case it shall be lawful for the said Chairman, and he is hereby required to give another and the casting or decisive Vote, which shall determine the Question.

IV. And,

IV. And, in order to keep up a constant Succession of Commissioners for executing the Purposes of this Act, be it further enacted, That when and so often as any of the Commissioners named in or appointed by virtue of this Act, or hereafter to be appointed under or by virtue hereof, shall die, resign, or refuse to act, or become on any Account incapable of acting under the same, then and in every such Case it shall be lawful for the surviving or other Commissioners, or any Five or more of them, at any Meeting whereof a previous Notice of Fourteen Days, with the Cause of such Meeting, shall be given in such Manner as the said Commissioners shall direct, to elect and appoint by Ballot One or more fit Person or Persons to be a Commissioner or Commissioners for the Purposes of this Act, in the Place and Stead or Places and Steads of the Commissioner or Commissioners so dying, resigning, refusing to act, or becoming incapable of acting, and the Person or Persons so to be elected and appointed shall be and is and are hereby vested with the several Powers given or granted by this Act to the Commissioners herein-before named: Provided always, that no Person shall act as a Commissioner in the Execution of this Act unless he shall either in his own Right, or in the Right of his Wife, be in the actual Possession of a Real or Personal Estate, or a Real and Personal Estate together of the Value of Five hundred Pounds over and above all Debts and Reprisals; and in case any Person not being so possessed as aforesaid shall act as a Commissioner in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Ten Pounds to any Person or Persons who shall sue for the same, such Forfeiture to be recovered by Action of Debt or on the Case, or by Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, and every such Person so prosecuted for acting as such Commissioner shall prove that he is so qualified or not incapable of acting as aforesaid, or otherwise shall pay the said Forfeiture upon Proof given of his having acted as a Commissioner in the Execution of this Act; and that no Person to be hereafter appointed shall act as a Commissioner in the Execution of this Act until he shall have taken and subscribed an Oath to the Effect following; (that is to say),

Appointment
of new Com-
missioners.

Qualification
of Commis-
sioners.

• I Do swear, that I am seized and possessed of a Real Estate [or, Personal Estate, or a Real and Personal Estate together, as the Case may be], of the Value of Five hundred Pounds, over and above all Debts and Reprisals.

• So help me GOD.

Which Oath it shall be lawful for any Two of the Commissioners to administer; but nevertheless all Acts done by such Person or Persons before he or they shall become disqualified, shall be valid and effectual in Law.

V. And be it further enacted, That all such Commissioners appointed or to be appointed under or by virtue and for the Purposes of this Act, as are or shall be Justices of the Peace, may act as Justices notwithstanding their being Commissioners, except in Cases where they may be personally interested; and that in all Cases where any Justice or Justices of the Peace is or are hereby authorized to do any Act, Matter, or Thing, it shall be lawful to and for such Commissioner or Commissioners, being such Justice or Justices, to execute the same in such Way and Manner as he or they might have done if he or they had not been a Commissioner or Commissioners under this Act; and that in all Cases where any Parties, Witnesses, or other Persons are to be

Commission-
ers being Jus-
tices may act
as such,

be heard or examined by or in the Presence of the said Commissioners, in or about any Matter or Thing relating to this Act, it shall be lawful for the Clerk or Clerks to the said Commissioners for the Time being to administer an Oath, or to take the Affirmation of such Parties, Witnesses, or Persons respectively.

No Commis-
sioner con-
cerned in any
Contract, etc.
to act.

VI. And be it further enacted, That no Commissioner appointed or to be appointed under or by virtue and for the Purposes of this Act, who shall hold any Contract, or be beneficially employed, or in any Manner interested or concerned directly or indirectly in supplying any Articles or Materials for the Use of the said Commissioners, shall act as a Commissioner for the Purposes of this Act during the Time that he shall be so employed, concerned, or interested as aforesaid; and in case any such Commissioner shall hold any Contract, or shall be in any Manner beneficially employed or concerned, directly or indirectly, in supplying any Articles or Materials for the Use of the said Commissioners, then and in every such Case every such Person so acting as a Commissioner shall forfeit and pay for every such Offence the Sum of One hundred Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or 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 Commissioners, to be applied to the Purposes of this Act; and the Person or Persons so convicted shall be absolutely disqualified from acting any longer as a Commissioner under or for the Purposes of this Act.

Officers to be
appointed.

VII. And be it further enacted, That it shall be lawful for the said Commissioners at any such Meeting as aforesaid, and they are hereby authorized and required, from Time to Time, to nominate and appoint a Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers of the Rates and Tolls herein-after allowed to be demanded and taken, and such other Officers as to the said Commissioners shall seem proper, and from Time to Time, in case of Want of Ability, or for Negligence, Misconduct, or Fraud, to remove any such Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, or other Officers, or any of them, and to nominate and appoint another Person or Persons in his or their Room or Stead in Manner aforesaid, taking such Security from every such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, or other Officer, for the due Execution of their respective Offices, and granting to them respectively such Salary and Compensation as the said Commissioner shall think proper; and all the Acts, Orders, Resolutions, and Proceedings of the said Commissioners, in or relative to the Execution of this Act, and the Names of the Commissioners who shall be present at their respective Meetings, shall be entered by the said Clerk or Clerks for the Time being in a Book or Books to be provided and kept for that Purpose, and signed by the Chairman presiding thereat, and all such Entries being so signed shall be deemed Originals, and shall and may be produced and read in Evidence in all Courts and Places whatsoever.

VIII. And

VIII. And be it further enacted, That every such Treasurer, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Commissioners so to be appointed as aforesaid, shall under his or their Hand or Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they 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, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Company, and Person or Persons, received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in his or their respective Hand or Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer, or Person, shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days after being thereunto required by the said Commissioners, 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 Commissioners, or as they shall direct and appoint, then and in either of the Cases aforesaid the said Commissioners may, and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the said Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons so neglecting or refusing as aforesaid, in order for the Recovery of the Money that shall be in the Hands of such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more of the Justices of the Peace for the County, City, or Place wherein the said Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons so neglecting or refusing shall be and reside, such Justices may and they are hereby authorized and required by a Warrant or Warrants under their Hands and Seals, to cause the Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons so neglecting or refusing, to be brought before them, and upon his, her, or their appearing, or not being to be found, to hear and determine the Matter in a summary Way, and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses, upon Oath, it shall appear to such Justices 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, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, such Justices may and are hereby authorized and required, upon Non-payment thereof, by Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale, of the Goods and Chattels of such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Treas-

Officers, etc.
to account.

surer, Engineer, 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, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, shall still persist in refusing or neglecting to deliver up all such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, to the said Commissioners, or other Person or Persons as they shall appoint, then and in any or either of the Cases aforesaid such Justices shall commit every such Offender to the Common Gaol for such County, City, or Place, 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 Commissioners, and shall have paid such Composition in such Manner as they shall appoint, 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 Commissioners; but no Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Person so committed for Want of sufficient Distress, shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Three Calendar Months.

How Commissioners may be sued.

IX. And be it further enacted, That the said Commissioners shall and may sue and be sued in the Name or Names of their Treasurer or Treasurers, or Clerk or Clerks for the Time being, to be appointed under this Act, and that no Action or Suit which may be brought by or against the said Commissioners or any of them, in relation to this Act, in the Name or Names of their Treasurer or Treasurers, or Clerk or Clerks, shall abate or be discontinued by the Death or Removal of such Treasurer or Treasurers, Clerk or Clerks, or by the Act of him or them, without the Consent of the said Commissioners; but the Treasurer or Treasurers, or Clerk or Clerks for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, in every such Action or Suits, as the Case may be: Provided always, that all and every such Treasurer or Treasurers, or Clerk or Clerks, shall be reimbursed out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences, as he or they shall be put unto or become charged or chargeable with, by reason of his or their being so made Plaintiff or Defendant, or Plaintiffs or Defendants, as aforesaid.

Authority to build Bridge, etc.

X. And be it further enacted, That it shall be lawful for the said Commissioners and their Successors, their Deputies, Agents, Servants, Workmen, and Assistants, and they are hereby authorized and empowered to design, direct, order, and build, or cause to be built, and to complete, maintain, and keep, with Stone, Iron, Wood, or other good and sufficient Materials, a Bridge across the said River *Wensum*, from the Bank or Shore thereof at or near the Hamlet of *Carrow*, in the County of the City of *Norwich*, to the opposite Shore there in the Hamlet of *Thorpe*, in the County of the same City; and to deepen and widen and dig and make proper Foundations in the said River, and on the Lands and Grounds lying on each Side thereof, for the Piers and Abutments of the said Bridge, and to cut and level the Banks of the said River in such Manner as shall be necessary and proper for building the said Bridge, and to cut, remove, take, and carry away, all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediments whatsoever which may in anywise tend to

to hinder the erecting and completing the said Bridge, and to execute all other Things requisite and necessary, useful, or convenient for erecting and building, maintaining, and supporting of the said Bridge, according to the Tenor and true Meaning of this Act; and further, that for the Purpose of erecting, building, maintaining, repairing, and supporting the said Bridge, the said Commissioners shall, from Time to Time, have full Power and Authority to land on either Side of the said River, all Materials and other Things to be used in and about the same, and there to work and use such Materials and Things according as they the said Commissioners, and the Persons to be by them appointed, shall think proper; and also to make in, upon, or over the said River and the Lands adjoining thereto, any Trenches and Landing Places; and also to make, set out, and maintain, any new Roads for facilitating the Access to the said Bridge; and also to make and enter into any Contract or Contracts, for and to do all other Acts necessary for building such Bridge, and for maintaining, supporting, and improving the same when built, and the said new Roads leading thereto, they the said Commissioners doing as little Damage as may be, and first making Satisfaction in the Manner herein-after directed to the Owners and Occupiers of any Houses, Lands, Tenements, or Hereditaments, which shall be pulled down, made use of, or prejudiced, in or by the Execution of any of the aforesaid Powers or otherwise, by means or for the Purposes of this present Act.

XI. Provided always, and be it further enacted, That the Two Arches of the said Bridge so to be built by the said Commissioners, shall have each a Waterway of at least Thirty-four Feet between the Piers thereof; and also that the Space between the Inside of the Two Parapets of the said Bridge shall not be less than Twenty Feet.

Space of the
Arches of the
said Bridge.

XII. And be it further enacted, That it shall be lawful for the said Commissioners, or for the Surveyor or Surveyors of the said Bridge appointed by them, and to and for all such Persons as they or he respectively shall appoint, to search for, dig, get, gather, and take away, any Stone, Furze, Heath, Beach, Stones, Gravel, Sand, or other Materials for making or repairing the said Bridge, or the Roads, Ways, or Approaches thereto, out of or from any Common or Waste Ground, Shore or Strand, River or Brook, in any Parish, Township, Hamlet, Division, District, or Place, in which any Part of the said Bridge, or the Roads, Ways, or Approaches thereto shall lie; or in any adjacent Parish, Township, Hamlet, Division, District, or Place, without paying any Thing for the same, the said Surveyor or Surveyors, or other Person or Persons acting by his or their Appointment filling up the Pits or Quarries, levelling the Grounds, or sloping down the Banks where such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same may not be dangerous to Passengers or Cattle; and also that such Surveyor or other Persons as aforesaid may, by Order of the said Commissioners, such Order to be made at some Meeting of the said Commissioners to be holden in pursuance of this Act, and a Copy thereof to be given to such Surveyor or Surveyors, attested and signed by the Clerk to the said Commissioners, search for, cut, dig, get, gather, and take away, any such Stone, Gravel, Sand, or other Materials, as and for the Purposes aforesaid, in, from, and out of the private Lands, Fields, or Grounds of any Person or Persons where the same may be had or found (such Lands, Fields, or Grounds,

Power to get
Materials, etc.

not being a Garden, Orchard, Yard, Paddock, Walk, or Avenue to a House, or any Piece of Ground planted and set apart as a Nursery for Trees), making or tendering such Satisfaction for the Damages done thereby to the Owners and Occupiers of such Grounds where and from whence the same shall be cut, dug, gotten, and carried away, or over which the same or any other Materials for making or repairing the said Bridge, Roads, Ways, or Avenues thereto shall be carried, according to their respective Rights and Interests in such Grounds; as the said Commissioners shall judge reasonable; and in case of any Difference between the Commissioners, or their Surveyor or Surveyors, or other Persons employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning such Damages, it shall and may be lawful to and for any Two or more Justices of the Peace of the County or Place where or over which such Materials shall be so cut, dug, gotten, gathered, and taken away, on Fourteen Days Notice thereof in Writing being given by either Party to the other, or left at their respective Places of Abode, to hear, settle, and determine the Matters of such Payment and Damages; and the Judgement or Order of the said Justices shall be final and conclusive to all Parties.

Materials not to be taken out of inclosed Lands without Notice to the Proprietors.

XIII. Provided always nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor or other Person or Persons acting under the Authority of this Act, to dig, gather, get, take, or carry away, any Materials for repairing such Bridge, or the Roads, Ways, or Approaches thereto, or any of them, out of or from any inclosed Lands or Grounds, until Notice in Writing signed by the Surveyor of the said Commissioners shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before the said Commissioners, or any Five or more of them, or before Two or more Justices of the Peace acting for the County or Place where such Premises shall lie, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier or his Agent shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, then and in such Case the said Commissioners, or any Five of them, or such Justices shall and may authorize such Surveyor or other Person or Persons to dig, get, gather, and carry away, such Materials at such Time or Times as to the said Commissioners or Justices shall seem proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent pursuant to such Notices, the said Commissioners, or any Five of them, or Justices, shall and may make such Order therein as they shall respectively think fit, as fully and effectually to all Intents and Purposes as if such Occupier or his Agent had attended.

Penalty on Persons taking away Materials got for the Use of the Bridge, etc.

XIV. And be it further enacted, That if any Persons whomsoever shall remove or take away any Stones or Gravel, or any Materials laid upon the said Bridge, or upon the Roads, Ways, or Approaches thereto, or upon any Part thereof, for making or repairing thereof, without the Order of the said Commissioners or of their Surveyor or Surveyors for that Purpose; or if any Person or Persons whomsoever shall take away any Stones or Gravel, or Materials which shall have been dug or gathered by or by Order of the said Commissioners or their Surveyor or Surveyors, in any Lands, Fields, Waste or Grounds, River, or Brook, for the Purpose of building or amending the said Bridge, Roads, Ways, and Approaches thereto,

thereto, or any Part or Parts thereof, or shall get or take away any Stones, Gravel, or Materials out of any Pit or Quarry, which shall have been made for the Purposes of getting such Materials for building or amending the said Bridge, Roads, and Approaches thereto, or any Part or Parts thereof, before the said Surveyor or Surveyors, or his or their Workmen, shall have discontinued working therein, for the Space of Three Calendar Months (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials therein for his or her own private Use only and not for Sale); every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

XV. And whereas, in order to have a proper Access to the said Bridge, it will be necessary to make new Roads from the said Bridge across a certain Meadow belonging to the Dean and Chapter of *Norwich*, and across Lands belonging to the Assignees of *Thomas Allday Kerrison* a Bankrupt, and to *Thomas Batley* and other Persons; be it therefore further enacted; That it shall be lawful for the said Commissioners to set out such Roads across the said Meadow and other Lands in such Way and Manner as they shall think proper, they the said Commissioners first making Satisfaction to the Owner or Owners of the said Meadow and other Lands in the Manner herein-after directed in respect to the Owners of Lands; and the said Roads when made shall be deemed Common Highways, and shall be repaired by the said Commissioners in such Manner as they shall from Time to Time direct.

Power to
make Roads
or Avenues.

XVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to give Power to the said Commissioners to take down any House or Building, or to take in any Land that is a Garden adjoining to any Dwelling House, or any Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any House or Nursery for Trees, or any Part thereof, without the Consent in Writing of the Owner or Owners thereof respectively first had and obtained, other than and except a certain small Out-house and Cottage belonging to *Thomas Batley*, and now in the Occupation of the said *Thomas Batley* or his Undertenants.

This Act not
to extend to
the taking of
any Houses
or Land, etc.
without Con-
sent (except,
etc.)

XVII. And be it further enacted, That the said Bridge shall not be rated or assessed for or towards the Payment of any Parochial Rate or Assessment whatsoever; nor shall the said Bridge be deemed a County Bridge, so as to subject the said City of *Norwich* or the County of the said City or the County of *Norfolk* to repair the same.

Bridge not to
be taxed, or
deemed a
County
Bridge.

XVIII. And for preserving the said Bridge from wilful or malicious Damage, and preventing all Interruptions to the Building thereof, be it further enacted, That if any Person or Persons shall wilfully or maliciously blow up, pull down, or destroy the said Bridge, or any Part thereof, or the Toll Houses or Toll Gates or Side Bars erected or set up, or to be erected or set up, on the said Bridge, or any of them, or any of the Works, Buildings, or Erections made or to be made in pursuance of this Act, or cause or procure the same, or any Part or Parts thereof respectively to be so blown up, pulled down, or destroyed, then and in every

Penalty on
Persons de-
stroying
Works, etc.

[Loc. & Per.]

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such

Such Case every such Offender being lawfully convicted thereof shall be adjudged guilty of Felony, and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Punishment and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried and convicted, shall have Power and Authority to cause such Person to be punished in like Manner as Felony is directed to be punished by the Laws and Statutes of this Realm, or in Mitigation of such Punishment, such Court may award such Punishment as the Law directs in Cases of Petty Larceny.

Bridge, Turnpikes, &c. vested in Commissioners.

XIX. And be it further enacted, That the Right and Property of the said Bridge, and all Turnpikes, Toll Houses, and other Buildings to be erected by virtue of this Act, with the Ground, Fences, and Appurtenances thereto respectively belonging, and of all Gates, Posts, Rails, Bars, Chains, Tables of Tolls, Lamps, Lamp Irons, and Posts to be erected, and also of all Materials, Tools, and Implements which are or shall be provided for making or repairing the said Bridge, Ways, Avenues, or Approaches thereto, or any of them, by virtue of this Act, shall be vested in the said Commissioners, and they, or any Five of them, are hereby empowered to cause an Action or Actions to be brought, and any Bill or Bills of Indictment to be preferred against any Person who shall steal, break down, take away, injure, or spoil the said Bridge, or any Turnpike, Toll House, or other Building, Side Bars, or Chains, Fence, Tables of Tolls, Lamps, Lamp Iron, or Post, or any of such Materials, Tools, or Implements as aforesaid, or any of them, or any Part or Parts thereof, and in all such Actions and Bills of Indictment respectively, it shall be sufficient to state generally that the Article or Articles, Thing or Things, for which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners for the Purposes of this Act, without particularly mentioning or specifying the Name or Names of all or any of the said Commissioners.

Masters and Owners of Vessels liable for Damage done to the Bridge.

XX. And be it further enacted, That the Master or Owner or Owners of every Boat, Barge, Lighter, or other Vessel which shall pass upon the said River under and through the said Bridge, shall be and is hereby made answerable and responsible to the said Commissioners for any Damage that shall or may be done to the said Bridge, or any Part thereof, by any such Boat, Barge, Lighter, or other Vessel, or by the Boatmen, Bargemen, or other Person or Persons navigating the same respectively, and may be sued accordingly for the same in any Court of Record whatsoever.

Bodies Politick and other incapacitated Persons empowered to sell and convey Lands, etc.

XXI. And be it further enacted, That after any Lands, Grounds, Erections, Buildings, Houses, Tenements, or Hereditaments, shall be set out and ascertained for building the said Bridge, and for making and constructing the Roads, Accesses, and Avenues thereto, or any Part or Parts thereof, or any of them, it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and to and for all Tenants for Life and Tenants in Fee Tail General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and to and for all Husbands, Guardians, Trustees, and Feoffees, in Trust for charitable

charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on Behalf of themselves, their Heirs, and Successors, but also for and on Behalf of their *Cestuique* Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever, who is, or are, or shall be seised, possessed of, or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments, which the said Commissioners shall deem necessary to be taken down or made use of in the Execution of the aforesaid Powers, to contract and agree with the said Commissioners for the Sale thereof, or of any Part thereof, or for their Interest therein, and to convey and assure the same unto or in Trust for the said Commissioners, their Successors and Assigns, or as they shall appoint; and such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be valid and effectual to all Intents and Purposes whatsoever, any Law, Statute, or Custom to the contrary thereof in anywise notwithstanding, and all such Persons are hereby indemnified for making the same.

XXII. And whereas in order to carry into Effect the Purposes of this Act, and to avoid Disputes with the Owners of Lands, Grounds, Erections, Buildings, Houses, Tenements, Wharfs, or Hereditaments, which may be affected by building the said Bridge, and by making and constructing the Roads, Avenues, and Accesses thereto, the said Commissioners may purchase Lands, Grounds, Erections, Buildings, Houses, Wharfs, Tenements, or Hereditaments, Part of which may not be found to be necessary to be made use of for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Commissioners to sell and dispose of, and by Indenture under the respective Hands and Seals of any Five or more of them, absolutely to grant and convey, such Part or Parts of the Lands, Grounds, Erections, Buildings, Houses, Tenements, or Hereditaments, which shall be so purchased by the said Commissioners as aforesaid, and which shall not be wanted for the Purposes of this Act, and also to lay out and appropriate any Part of the said Lands, Grounds, Erections, Buildings, Houses, Tenements, Wharfs, and Hereditaments, as and for a Road or Roads, Way or Ways, Avenue or Avenues, Passage or Passages; and that all such Conveyances from the said Commissioners, or any Five or more of them, shall be valid and effectual; and upon Payment of the Money which shall arise by the Sale or Sales of such Lands, Grounds, Erections, Buildings, Houses, Wharfs, Tenements, or Hereditaments, or any Parts or Parcels thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Commissioners to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Lands, Grounds, Tenements, or Hereditaments, as shall be so sold, or for so much thereof as in such Receipts respectively shall be expressed to be received, and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money or any Part thereof: Provided always, that in all Cases in which any Lands, Grounds, Tenements, or Hereditaments, so to be deemed not necessary to be made use of for the Purposes of this Act, shall have been purchased by the said

Commissioners empowered to re-sell Lands which may not be wanted.

Commissioners, the said Commissioners shall resell the same to the Person or Persons of whom the same respectively shall have been purchased, or to the real or personal Representatives (as the Case may be) of such Person or Persons, if such Person or Persons, their real or personal Representatives (as the Case may be) shall be willing to repurchase the same at the same Price *per* Yard, and upon the same Terms in every respect at which the same shall have been purchased by the said Commissioners of the said Person or Persons; and that every Sale or Conveyance of any such Lands, Grounds, Tenements, or Hereditaments, hereafter to be made by the said Commissioners to any other Person or Persons than to the Person or Persons or the real or personal Representatives of such Person or Persons (as the Case may be) of whom the same shall have been purchased by the said Commissioners, shall be null and void, unless the same shall first have been offered for Sale in Writing to and refused by such Person or Persons or the real or personal Representatives of such Person or Persons (as the Case may be) of whom the same shall have been purchased as aforesaid: Provided also, that in case the said Commissioners shall, before they shall sell or dispose of such Lands, Grounds, Tenements, or Hereditaments, to any other Person or Persons as aforesaid, offer the same in Writing at the Price and upon the Terms aforesaid, to the Person or Persons, or to the real or personal Representatives (as the Case may be) of the Person or Persons of whom the same shall have been purchased by the said Commissioners, and shall leave such Offer in Writing at the last or usual Place or Places of Abode of the Person or Persons to whom such Offer in Writing shall be made, and in case the Person or Persons to whom such Offer in Writing shall be so made shall not then and thereupon agree, or shall refuse or neglect to repurchase the same at such Price and upon such Terms as aforesaid, or shall not signify his, her, or their Intention of repurchasing the same within Twenty-one Days after such Offer of Resale, then and in every such Case an Affidavit being sworn before a Master or Masters Extraordinary of the High Court of Chancery, or before one of His Majesty's Justices of the Peace for the City of *Norwich*, by some competent Person or Persons, stating that such Offer was made by or on the Behalf of the said Commissioners, and was not then and thereupon agreed to, or was refused by the Person or Persons, to whom the same was so made, the same shall in all Courts be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be.

Application of
Purchase Money.

XXIII. And be it further enacted, That all and every Sum and Sums of Money which shall and may be had, received and taken by the said Commissioners as the Consideration of all and every such Grant, Conveyance or Sale as aforesaid, shall be paid, applied and disposed of in such and the like Manner as any other Sum or Sums of Money arising or to arise from the Tolls and Rates to be collected on the said Bridge, by virtue of this Act, is and are hereby directed to be paid, applied and disposed of.

Satisfaction to
be made.

XXIV. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy or otherwise, and all

all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons who is or are seised, possessed of or interested in any Lands, Grounds, Erections, Buildings, Houses, Tenements, Wharfs and Hereditaments, through, in or upon which the said Bridge, Roads, Accesses or Avenues thereto and other Works hereby authorized to be built, made and constructed, or are intended to be built, made, and constructed, may accept and receive Satisfaction for the Value of such Lands, Grounds, Erections, Buildings, Houses, Tenements, Wharfs, and Hereditaments, and for the Damages to be sustained by the making and completing the said Works herein directed and authorized to be made, either in gross Sums or by annual Rents, as shall be agreed upon by and between the said Parties interested respectively or any of them and the said Commissioners; and in case the said Parties so interested in the said Lands, Grounds, Buildings, Houses, Tenements, and Hereditaments; or any of them, and the said Commissioners, cannot agree as to the Amount or Value of such Satisfaction; the same shall be settled and ascertained as is hereinafter directed; and all such yearly Rents or Sums as shall be agreed on between the said Commissioners and the said Parties so interested in such Lands, Grounds, Buildings, Houses, Tenements, and Hereditaments, or any of them, or as shall be so ascertained and settled, shall be charged on the Tolls and Rates arising by virtue of this Act, and such Rents or Sums shall be paid by the said Commissioners, either Yearly or Half-yearly, as the same shall be agreed to become due and payable; and in case the same shall not be paid within Thirty Days next after the same shall so become due and payable, it shall be lawful for any of His Majesty's Justices of the Peace for the City of *Norwich*, upon Affidavit made before them that the same has been due and payable for upwards of Thirty Days and is not yet paid and discharged, by an Order under their Hands to appoint one or more Person or Persons to receive the Rates and Tolls hereby granted and made payable, to pay the same to such Person or Persons to whom such yearly Rents or Sums shall be due and unpaid as aforesaid, the said Justices taking such Security from every such Person for the due and faithful Execution of his Office as they shall judge proper and sufficient, and every such Person so appointed shall be deemed a Collector of the said Rates and Tolls, and shall have the same Power and Authority for collecting the same, and shall be subject to the same Penalties, Rules, and Regulations, and shall receive and retain thereout such reasonable Satisfaction for his Trouble therein, as the said Justice or Justices respectively shall determine, in like Manner as if he had been appointed a Collector of the said Rates and Tolls, by the said Commissioners, until such yearly Rents or Sums, together with all Costs and Damages by reason of the Non-payment thereof, shall be fully satisfied and paid; and it shall be lawful for such Bodies Politic, Corporate, Collegiate, Ecclesiastical or Civil, and Tenant and Tenants for Life, whether in Possession, Remainder, Reversion, or Expectancy, and Tenant or Tenants in Fee Tail, General or Special, and for Years determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons to whom such yearly Rents or Sums shall be due and owing as aforesaid, to sue for and recover the same with full Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, or otherwise to seize and distrain the Tolls and Rates arising by virtue of this Act,

Information of such Distress being immediately given to the said Commissioners by Notice in Writing delivered at the Office of the Clerk of the said Commissioners, or affixed on some conspicuous Part of the said Bridge, and to detain as much of the said Rates and Tolls as shall amount to such Sum or Sums of Money so due and unpaid as aforesaid, together with the reasonable Charges attending such Distress.

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

XXV. And be it further enacted, That if any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Trustees, Committees of or for any Idiot or Lunatic, or any Feme Covert, or any Person whether Tenant for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or any other Person or Persons so interested or entitled as aforesaid, cannot agree with the said Commissioners respecting the Purchase of or the annual Rent for any Lands, Tenements, or Hereditaments, or the Satisfaction to be made for any Damages (not hereby provided to be settled by any other Mode) that may be sustained from Time to Time by him, her, or them, by the making or maintaining of the said Bridge or Roads, or any Part or Parts thereof, or of 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 Commissioners, requiring a Jury to be summoned for the Purpose of determining such Purchase, Annual Rent or Satisfaction; or if any such Body Politic, Corporate, or Collegiate, or any Person or Persons so interested or entitled as aforesaid, shall upon Notice in Writing given by the Clerk of the said Commissioners to the principal Officers of any such Body Politic, Corporate, or Collegiate, or to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee of or for any Idiot, Lunatic, or any Feme Covert, or to such Tenant for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or other Person or Persons so interested or entitled as aforesaid respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or other Hereditaments to be made use of for the Purposes of this Act, for the Space of Twenty-one Days next after such Notice, Neglect or Refusal to treat, or shall not agree with the said Commissioners, or by reason of Absence or otherwise shall be prevented from treating, or through Disability by Nonage, Coverture, or other legal Impediment, cannot treat for themselves, or make such Agreement or Agreements, as shall be necessary for the Purposes aforesaid, or shall not within the before mentioned Space of Twenty-one Days produce and fully disclose the State of the Title to the Premises which he, she or they respectively is or are or shall be in Possession of, and the Interest which he, she, or they respectively may claim therein, then and in every such Case the said Commissioners shall and they are empowered and required, within Ten Days after the Receipt of such Notice by the Clerk to the said Commissioners, in case Security in Manner herein required shall be given, or after the Expiration of Seven Days after the Delivery of such Notice by the said Clerk (as the Case may be) to issue their Precept under their Hands and Seals, directed to the Sheriff of the said County of the City of *Norwich*, thereby requiring him to impanel, summon, and return a Jury, and such Sheriff is hereby required accordingly to impanel, summon, and return a Jury of Twenty-four honest, and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials
of

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 Precept shall be appointed, such Time not being less than Ten or more than Fourteen Days after such Precept shall be served upon the Sheriff, and Ten Days Notice at the least in Writing under the Hands of the said Commissioners, is hereby required to be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons as aforesaid interested in any such Lands or Hereditaments, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Corporation, or at the House of the Tenant in Possession of such Lands or other Hereditaments, of the Time and Place of the said Jury being so impanelled, summoned, and returned, and the said Sheriff is hereby required, out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons to swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid, and in default of a sufficient Number of Jurymen the said Sheriff shall return other honest, sufficient and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid) to make up the said Jury to the Number of Twelve, and it shall be lawful for all Persons concerned, by themselves, their Counsel and Solicitors, to attend and be heard, and to adduce Evidence before the Sheriff, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff is hereby empowered and required by a Summons or Notice to be signed by him, either previous to or at the Time of any such Meeting or Meetings, to call before him all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath touching and concerning the Premises, and the said Sheriff may order and authorize the said Jury or any Six or more of them, to view the Place or Places, or Premise or Premises 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 as 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 require of, assess, and ascertain the Sum of Money or Annual Rent to be paid for the Purchase of such Lands or other Hereditaments, or what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested for or on account of the taking of such Lands or other Hereditaments for the Purposes of this Act, or of turning any Part or Parts of the said Road or Roads, Avenues or Accesses to the said Bridge into, over or through the same Lands or other Hereditaments, and shall assess separate Damages for the same; and after the said Jury shall have received 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 Commissioners to the said Owner or Occupiers of, or other Person or Persons interested in the said Lands or other Hereditaments, according to such Verdict or Inquisition of the said Jury, and shall give Judgement for such Purchase Monies, Rent, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order and Judgement thereon pronounced as aforesaid, shall be signed by the said Sheriff,
and

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 other Persons whomsoever, and shall not be removed by *Certiorari* or other Process into any of His Majesty's Courts of Record at *Westminster* or any other Court; any Law or Statute to the contrary thereof notwithstanding.

Compelling
the Sheriff to
summon a
Jury.

XXVI. And be it further enacted, That if any Sheriff shall make Default in the Premises, he shall for every such Offence forfeit and pay the Sum of Ten Pounds, to be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster* by the said Commissioners, or by such other Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or other Person or Persons interested in the Matter in question; and if any Person so impanelled, summoned, and returned as aforesaid upon such Jury, shall not appear, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any other 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 Regulations and to the same Pains and Penalties for such Default as if he had been impanelled, summoned, and returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster*, to be recovered and levied as herein-after mentioned, in respect of Persons summoned to give Evidence before the said Jury; and if any Person so summoned and returned to give Evidence before the said Jury touching the Premises, shall neglect or refuse to appear, or shall not alledge 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 of His Majesty's Justices of the Peace for the said City of *Norwich*, upon the Oath of one or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of the said Justice or Justices; 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 or Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus after such Penalty, and the Charges of such Distress and Sale shall be deducted; and every such Penalty as shall be paid by or recovered from any Person who shall be impanelled, 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.

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

for 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.

XXVIII. And be it further enacted, That all and every Body and Bodies Politick, Corporate, or Collegiate, Ecclesiastical or Civil, and Person or Persons requesting a Jury to be summoned, shall (before such Warrant shall be issued for that Purpose) enter into a Bond, with Two sufficient Sureties, to the Clerk or Treasurer to the said Commissioners, in a Penalty of Fifty Pounds, with Condition to pay and bear the Costs and Expences of summoning such Jury and taking such Verdict, in case the same shall be given for no greater or for a less Sum or Rent than had been offered by or on Behalf of the said Commissioners, before the impannelling, summoning, and returning the said Jury or Juries, for the Purchase of or as a Recompence for any Lands or other Hereditaments, or as a Compensation for any Damages where the whole Dispute was, whether any Damages were or were not done as aforesaid.

Persons requesting Juries to enter into Bonds.

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

Commissioners not to take Notice of any Complaint, unless previous Application has been made to their Clerk.

XXX. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money, or for a greater annual Rent, for a Recompence or Satisfaction, for the absolute Sale of any Lands, Tenements, or other Hereditaments, of or belonging to any Body or Bodies Politick, Corporate, or Collegiate, Ecclesiastical or Civil, or to any Person or Persons unknown, or as a Compensation for any Damages done or to be done to any Lands, Tenements, Hereditaments, or other Property, than had been previously offered by or on Behalf of the said Commissioners, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, and where no Compensation of 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 Commissioners, 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 Compensations from the said Commissioners 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 Sheriff so impannelling, summoning, and returning such Jury, and taking such Verdict as aforesaid, and be defrayed by the said Commissioners; but if any Verdict shall be given for the same Sum or Rent as had been previously offered by or on behalf of the said Commissioners, or for a less Sum than had been so previously offered, or for Damages where the Dispute is for Damages only,

Expence of Juries by whom to be paid.

or in case of such Refusal or Neglect to enter into Treaty with or make Conveyances to, or receive Compensation from the said Commissioners by any Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act or otherwise legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases, (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Commissioners), the Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict, shall be settled in like Manner by the Sheriff so impannelling, summoning, and returning such Jury, and taking such Verdict, and be borne and paid by the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons with whom the said Commissioners shall have such Concerns, Disputes, or Controversies, which said Costs and Expences having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons as aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money, shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; and in case no Damages shall be given by such Verdict, where the Dispute is for Damages only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Commissioners, by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture to be incurred under this Act.

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

XXXI. And be it further enacted, That the said Sheriff and Juries respectively, in their Awards, Determinations, Adjudications, Judgements, and Verdicts concerning the Value of Lands, Tenements, or 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 or Bodies Politic, Corporate, Collegiate, Ecclesiastical or Civil, or any other Person or Persons whomsoever, by or in consequence of the Execution of any 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 Commissioners, on Payment or giving Security for the Value or Amount of Damages.

XXXII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money, or giving such Security as the said Commissioners shall approve for Payment of any such Annual Rent as shall have been contracted or agreed for between the Parties, or adjusted and determined by the said Commissioners, or assessed by such Juries in Manner respectively as aforesaid, for the Purchase or Rent of any such Lands or other Hereditaments, or as a Recompence for any yearly Produce or Profits thereof, or a Compensation for Damages as hereinbefore mentioned, to the Proprietor or Proprietors of such Lands or other Hereditaments, or to such other Person or Persons as shall be interested therein or entitled to receive such Purchase Money, Rent or Compensation respectively, or to his, her, or their Agent or Agents, at any Time after the same shall have been actually so agreed for, determined, or assessed,

or

or depositing the same in the Bank of *England*, in Manner by this Act directed, it shall be lawful for the said Commissioners and their Agents, Workmen and Servants, immediately to enter upon such Lands, Tenements, or other Hereditaments respectively (or before such Payment or Tender or Security given, by Leave of the Owners or Occupiers thereof), and then and thereupon such Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Commissioners, their Successors and Assigns, for the Purposes of this Act, for ever; and such Tender, Payment 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, to his, her, or their Issue, and of all and every other Person and Persons interested therein: Provided nevertheless, that before such Payment, Security, Tender, Investment or Deposit, made or given as aforesaid shall be made, it shall not be lawful to or for the said Commissioners, or any Person or Persons acting under or by virtue of their Authority, to dig or cut or otherwise affect any Lands or Grounds, or to take down, remove, or otherwise affect any Tenements, or other Hereditaments of the Person or Persons entitled to such Payment or Security, for the Purpose of building or erecting the said Bridge, or of making or constructing any of the Roads, Accesses, or Avenues to or from the same, or any of the Works thereunto belonging, without the Leave and Consent of such Person or Persons respectively.

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

Verdicts of Juries to be recorded.

XXXIV. And be it further enacted, That all Sum and Sums of Money which are to be paid to any Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees or other Trustees acting as Guardians, Committees, or other Trustees for or on behalf of any Lunatics, Idiots, Femes Covert, or other *Cestuique* Trusts, or to any Person or Persons whose Lands, Tenements, or other Hereditaments are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, for the Purchase of or the Damages to be done to any such Lands, Tenements, and other Hereditaments, by virtue of the Powers in this Act contained, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court

Purchase Monies and Compensations to Corporate Bodies, etc. to be laid out to the same Uses.

Court of Chancery, to be placed to his Account *ex parte* "The Commissioners of *Carrow Bridge*," to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or other Hereditaments, in the Redemption or Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Charge or Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or other Hereditaments, or affecting any Lands, Tenements, or other 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, Messuages, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments, which shall be so purchased, taken, and 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 mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Proceeds of the said Consolidated or Reduced Bank Annuities shall, from Time to Time, be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or other Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement were made: Provided always, that if any Money so agreed or awarded to be paid for any Lands, Tenements, or other Hereditaments purchased, taken, or used, for the Purposes aforesaid, and belonging to any Corporation or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used in respect whereof the same shall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, Trustee or Trustees, Receiver or Receivers, or other Person or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Commissioners (such Nomination and Approbation to be signified under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in the

Manner

Application
where Purchase Money
is less than
200l. and
above 20l.

Manner herein-before directed, so far as the Case may be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the said Court of Chancery: Provided also, that where such Money so agreed or awarded to be paid as last above mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments in respect whereof the same shall be paid, in such Manner as the said Commissioners shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Commissioners shall direct the same to be paid, shall be sufficient Discharges for the same.

Application when Money is less than 20l.

XXXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or other Hereditaments to be purchased, taken, or used by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners; or in case the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, and Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is 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 as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Directing how Monies to be paid in case of Failure in making out Titles, &c.

XXXVI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or other Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or other Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or other

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

[*Loc. & Per.*]

18. Q.

Hereditaments,

Hereditaments, in respect whereof such Money shall have been so paid at the Time of passing this Act, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or other Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, or that such Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Tenants at
Will to deliver
Possession at
Three Months
Notice.

XXXVII. 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 such Premises to the said Commissioners, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Three Calendar Months Notice to quit such Possession, from the Clerk to the said Commissioners, or from the Person or Persons so authorized by them to take such Possession, and such Person or Persons in Possession shall at the End of the said Three 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 be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to the Person or Persons authorized by them to take Possession thereof (such Authority being signified under the Hands of the said Commissioners, or any Five or more of them); 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 and tendered) it shall be lawful for the said Commissioners, or any Five or more of them, to issue their Precept or Precepts to the Sheriff of the said City of *Norwich*, 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, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Mortgagees
to convey.

XXXVIII. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, and Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money by the said Commissioners, or by such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then and in such Case at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Commissioners, or to such Person or Persons as shall be appointed
in

in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey or assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage or Mortgages shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained as directed by this Act, then the said Commissioners shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid; and also that in case any such Mortgagee or Mortgagees shall neglect or refuse to convey or assign as aforesaid, then upon Payment of the Principal Money and Interest due on any such Mortgage or Mortgages as aforesaid into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like Manner as is herein-before directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premises comprized in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

XXXIX. And, for defraying the Expence of building the said Bridge, and of executing the other Purposes of this Act, be it further enacted, That the said Commissioners shall cause to be erected a Toll House, and one or more Toll Gate or Toll Gates in, upon, and across the said intended Bridge; and that there shall be demanded and taken by such Person or Persons as the said Commissioners shall, from Time to Time, appoint to receive the same, for a Passage over the said Bridge, of and from all and every or any Person or Persons using the said Bridge as a Footway; and also for every or any Waggon, Wain, Cart, or other such Carriage, which shall pass laden or unladen; and for every or any Coach, Chaise, or other like Carriage, travelling for Hire or otherwise, which shall be paid before any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass through the said Toll Gate or Toll Gates, or over the said Bridge, such Tolls or Sums of Money as the said Commissioners, or any Five or more of them, shall from Time to Time order and direct, not exceeding the several and respective Sums or Tolls following; (that is to say),

Empowering the Commissioners to erect a Toll House and Toll Gate on the Bridge.

For each and every Time of passing over the said Bridge,

For every Coach, Berlin, Landau, Vis-a-Vis, Chariot, Chaise, Calash, and Pleasure Carriage, and for every Hearse, Litter, or other such Carriage drawn by Six Horses or other Beasts of Draught, the Sum of One Shilling:

Tolls to be taken on the Bridge.

For every of the like Carriages or Vehicles drawn by Four Horses or other Beasts of Draught, the Sum of Nine-pence:

For every of the like Carriages or Vehicles drawn by less than Four Horses or other Beasts of Draught, and more than One Horse or other Beast of Draught, the Sum of Sixpence:

For every Chaise, Chair, or other Vehicle drawn by One Horse or other Beast of Draught, the Sum of Three-pence:

For every Waggon, Wain, Dray, Car, Cart, or other Carriage drawn by

by more than Six Horses or other Beasts of Draught, the Sum of One Shilling :

For every Waggon, Wain, Dray, Car, Cart, or other Carriage drawn by Four and not more than Six Horses or other Beasts of Draught, the Sum of Sixpence :

For every such Waggon, Wain, Dray, Car, Cart, or other Carriage drawn by Two or Three Horses or other Beasts of Draught, the Sum of Four-pence :

For every such Waggon, Wain, Dray, Car, Cart, or other Carriage drawn by One Horse or other Beast of Draught, the Sum of Three-pence :

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen and not drawing, the Sum of One Penny :

For every Foot Passenger the Sum of One Halfpenny :

For every Drove of Oxen or Neat Cattle, the Sum of Ten-pence *per* Score, and so in Proportion for any greater or less Number :

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five Pence *per* Score ; and so in Proportion for any greater or less Number.

Tolls to be vested in the Commissioners for the Purposes of this Act.

Which said respective Tolls or Sums of Money are hereby vested in the said Commissioners and their Successors, for defraying the Expences of obtaining and passing this Act, and for defraying the Expence of building the said intended Bridge, and executing the several other Purposes of this Act, and every Matter and Thing relating thereto ; and the same shall be accordingly from Time to Time applied as the said Commissioners (subject to the special Provisions herein-after made or enacted) shall direct.

To enforce Payment of Tolls.

XL. And be it further enacted, That it shall be lawful for the Gatherer or Gatherers of the said Tolls, or any of them, to stop and prevent the Passage of any Person or Persons neglecting or refusing to pay the said Tolls or any of them, or of the Horse, Beast, Cattle, Carriage or other Thing for or in respect whereof the said Tolls ought to be paid, or it shall be lawful for the said Gatherer or Gatherers to seize and detain the Goods and Chattels of such Person or Persons, or such Horse, Beast, Cattle, Carriage or other Thing ; and in case the said Tolls shall not be fully paid and satisfied, together with all reasonable Costs and Charges of making, detaining, and keeping such Distress within the Space of Five Days, the said Gatherer or Gatherers shall and may sell the same, rendering the Overplus (if any) on Demand, after deducting such Costs and Charges of making, detaining, keeping, and selling such Distress to the Owner or Owners thereof.

Disputes respecting Tolls and Charges to be settled by a Justice.

XLI. And be it further enacted, That if any Dispute shall arise about the Quantity of Tolls due, or the Costs and Charges of distraining, keeping, or selling any Distress, it shall be lawful for the Collector or Person so distraining, to detain the Distress or the Money arising from the Sale thereof, until the Quantity of the Tolls or the Charges of distraining, keeping, and selling the Distress, as the Case may be, shall be ascertained by some Justice of the Peace for the City of *Norwich*, who upon Application made to him for that Purpose, shall examine the said Matters upon the Oath or Oaths of the Parties or other Witness or Witnesses, and shall determine the Quantity of Tolls due, and shall also assess the Charges of such Distress and Sale, and all other reasonable Costs, all which Sum or Sums so determined

mined or assessed shall be paid to the Collector before he shall be obliged to return the said Distress, or the Overplus, after the Sale thereof, or of any Part thereof.

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

The Collectors of Tolls may give Evidence.

XLIII. Provided always, and be it further enacted and declared, That no Toll whatsoever shall be demanded or taken for any Horse, Beast, Cattle, or Carriage of whatsoever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle or Carriages attending them with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Beast, Cattle or Carriages travelling with Vagrants sent by legal Passes; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise, or for any Horse, Mare, or Gelding furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions as aforesaid; or for any Coach, Berlin, Laudau, Chariot, Calash, Chair or other Carriage, or Passenger on Horseback going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Norfolk*, or of any Citizen or Citizens to serve in Parliament for the City of *Norwich*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, 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 Two Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

General Exemptions from Tolls of Bridge.

XLIV. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any

Owners or Drivers of Waggon employed in the Service of His Majesty's Forces not to

[Loc. & Per.]

18 P

Penalty.

be subject to
Penalties for
Over-weight.

Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding.

Fencing Roads
against Fields.

XLV. And be it further enacted, That the said Commissioners shall, within Six Calendar Months after any of the said intended Roads or Avenues or any Part thereof shall have been made and constructed, divide and separate and keep constantly divided and separated the said Roads or Avenues, or such Part or Parts thereof respectively as shall be deemed necessary by any Two or more Justices of the said City of *Norwich*, in case there shall be any Doubt or Dispute about the same, by making or causing to be made sufficient Posts and Rails, Hedges, Ditches, Trenches, Banks or other Fences by the Side or Sides of the said Road or Roads from the adjoining Lands or Grounds, the same to be set out and made on the Lands or Grounds which shall be purchased by, conveyed to or vested in the said Commissioners as aforesaid; and the said Commissioners shall from Time to Time maintain and support the said Posts and Rails, Hedges, Ditches, Trenches, Banks or other Fences so set up and made as aforesaid, and also shall make, erect, and set up such and so many convenient Gates and Stiles in, over, or through all the Hedges and Fences to be by them so made on the Sides of such Road or Roads as aforesaid, of such Dimensions and in such Manner as any Two or more Justices of the Peace for the said City shall deem necessary and direct, in case there shall be any Doubt or Dispute about the same, for the Use of the Owners and Occupiers of the Lands, Tenements, and Hereditaments adjoining to such Road or Roads or any of them respectively; and if any Person or Persons shall pull down or in any ways damage or displace any such Post, Rail, Hedge, Bank or other Fence or any Part thereof, or shall fill up or spoil any such Ditch or Trench, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, to be levied and recovered in such Manner as any other Penalties and Forfeitures can or may be levied or recovered by virtue of this Act.

Surveyors,
&c. to remove
Obstructions
&c.

XLVI. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors appointed or to be appointed by the said Commissioners, and such Persons as he or they shall respectively appoint, from Time to Time to remove all Obstructions, Annoyances, and Encroachments on the said Bridge, or on or by the Side or Sides of any Part of any of the said Roads or Avenues, by any Erections whatsoever within Thirty Feet of the Centre of any of such Roads or Avenues, other than Buildings erected and built at the passing of this Act, and also to abate and remove all Nuisances within Thirty Yards of the said Bridge, or of any of the said Roads or Avenues, and to turn any Watercourses, Sinks, or Drains running along, into, or out of any or either of the said Roads or Avenues to the Prejudice thereof, and to open, scour, cleanse, widen or make deeper any Watercourses or Ditches adjoining or near thereto, and make the same as deep and large as they shall think necessary, and to cut down, lop, or top any Trees, Branches, or Bushes (Timber Trees excepted) growing on any

or either of the said Roads or Avenues, or in the Hedges or Banks adjacent thereto, and to take and carry away the same respectively, and dispose thereof for the Purposes of this Act, and to cut and reduce all such Hedges to the Height of Six Feet.

XLVII. And be it further enacted, That if any Person or Persons shall, from and after the said Roads or Avenues shall be made, sink or dig, or cause to be made, sunk, or dug any new Sinks or Drains, or shall suffer or permit such Sinks or Drains to run into either of the said Roads or Avenues, or shall throw, cast, or lay any Dust, Dirt, Ashes, Rubbish, Dung or other Filth or Annoyance in or upon any of the said Roads or Avenues, or into the Drains and Watercourses belonging thereto, every such Person and Persons being convicted thereof shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, over and above the Charges of stopping up such new-made Sinks or Drains and removing such Filth or Annoyance, which the said Surveyor or Surveyors is and are hereby authorized to stop up and remove; and all the said Forfeitures as well as the Charges of stopping up and removing such Annoyances (which Charges the said Commissioners are hereby authorized to settle and ascertain) shall by Warrant under the Hand and Seal of One or more Justice or Justices of the Peace of the said City of *Norwich*, who is and are hereby authorized and required to grant the same, directed to the Constable or Peace Officer for the Parish where the Offence shall be committed, be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus upon Demand (if any) after all Charges paid, to the Person or Persons whose Goods and Chattels shall be distrained and sold; and in Default of such Distress or Non-payment of the said Penalty, the Offender or Offenders shall be committed to the Common Gaol of the said City of *Norwich* by any such Justice or Justices, by Warrant under His or their Hand and Seal or Hands and Seals, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months: Provided nevertheless, that all and every Person and Persons so committed shall, upon Payment of such Forfeitures and all Charges, be immediately released from his, her, or their Confinement.

Penalty on
throwing
Rubbish on
the Road.

XLVIII. And be it further enacted, That if any Person or Persons shall draw or cause to be drawn upon any Part of any of the said Roads or Avenues any Tree or Piece of Timber or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon any Wheel Carriage, to trail upon any Part of any or either of the said Roads or Avenues of the said Bridge, to the Prejudice thereof, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Against
drawing
Timber.

XLIX. And whereas Persons guilty of Offences against this Act may be transient Persons unknown to the Collectors, Surveyors, and other Persons under this Act, be it therefore further enacted, That it shall be lawful for 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 to convey him, her, or them before any One or more of the Justice or Justices of the Peace for the said City of *Norwich*, without any other Warrant or Authority than this Act for so doing, and such Justice or Justices of the Peace respectively is and are hereby respectively empowered

For securing
transient
Offenders.

empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next General or Quarter Sessions to be holden for the said City, and on such Conviction or for want of such sufficient Security, to commit the Person or Persons so offending to the House of Correction for the same City, until he, she, or they shall pay the respective Penalty by him, her, or them incurred for such respective Offence or Offences, or shall give such Security as aforesaid.

Fixing
Lamps, &c.

L. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to cause such and so many Lamp Irons or Lamp Posts to be put up or affixed in, upon, or along the Sides of the said Bridge, and in, upon, or along the Sides of the said Roads or Avenues, or upon or against any Wall or Palliade of any House, Messuage, or Tenement fronting any or either of the said Roads or Avenues, as they shall think proper; and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed or put upon such Lamp Irons and Lamp Posts, as they shall think necessary for lighting the said Bridge, Roads, or Avenues respectively, and every or any Part thereof.

Commissioners may make a Ferry if Accidents happen.

LI. And whereas it may happen the said Bridge may receive such Damage by Floods, Tempests, or otherwise, that the Passage thereof may for a Time become dangerous or impracticable; be it therefore further enacted, That in every such Case the said Commissioners may and shall at their Discretion provide and establish a Ferry across the said River *Wensum*, at any Place or Places being as near to the said Bridge as the repairing thereof will permit, and such Ferry shall continue till the Passage over the said Bridge shall be rendered safe, and the same Sums of Money shall be payable for a Passage by the said Ferry as are herein-before directed to be paid as Tolls for Passage over the said Bridge, and shall be levied, applied, and disposed of in such and the same Way and Manner as is hereby directed respecting the Tolls herein-before authorized to be taken.

Power to raise Money by Mortgage or Annuity for the Purposes of this Act.

LII. And, for enabling the said Commissioners and their Successors to raise sufficient Monies for building the aforesaid Bridge, and for effectuating the other Purposes of this Act, according to the true Intent and Meaning thereof, be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow and take up at Interest any Sum or Sums of Money (not exceeding together the Sum of Eight thousand Pounds), to be applied for the Purposes of this Act, either by way of Mortgage of the said Bridge, and the Tolls or Duties thereof, or by granting Annuities to be payable out of the said Tolls or Duties of the said Bridge, during the natural Life of the Purchaser or Purchasers thereof, or of such Person or Persons as shall be nominated by and on behalf of such Purchaser or Purchasers, which Annuity or Annuities shall be granted and made payable either with or without Benefit of Survivorship, and in such Manner as the said Commissioners shall think proper, and shall not be subject to Enrolment, or to the Rules and Regulations in an Act of Parliament passed with respect to Life Annuities, or for enrolling Memorials of Annuities in the High Court of Chancery or elsewhere; and the said Commissioners, or any Five or more of them, are hereby fully authorized and empowered by any Deed or Deeds, or Writing or Writings.

ings under their respective Hands and Seals, to grant or assign over the said Bridge, and the Tolls or Duties thereof, as a Security for any Sum or Sums of Money so to be borrowed, with Interest for the same, or for the due and regular Payment of the said Annuity or Annuities so to be granted, as to them shall seem meet.

LIII. And be it further enacted, That every such Grant or Assignment so to be given as a Security for any such Sum or Sums of Money so to be borrowed by way of Mortgage, shall and may be made in the Words following, or by any other Words to the like Effect; (that is to say),

‘ **BY** virtue of an Act made and passed in the Forty-ninth Year of the
 ‘ Reign of His Majesty King *George* the Third, intituled, [*here set*
 ‘ *forth the Title of this Act*], We of the Commis-
 ‘ sioners authorized by or by virtue of the said Act, in consideration of
 ‘ the Sum of Pounds to the said Commissioners
 ‘ lent and advanced by *A. B.* of
 ‘ do grant and convey unto the said *A. B.* his [*or, her*] Executors,
 ‘ Administrators, and Assigns, the said Bridge, and the Toll Houle
 ‘ or Toll Houses thereunto belonging, and all and singular the Tolls aris-
 ‘ ing by virtue of the said Act, and all the Right, Title, and Interest of the
 ‘ said Commissioners in and to the same; To hold unto the said *A. B.*
 ‘ Successors, or Executors, Administrators, and Assigns,
 ‘ until the said Sum of with Interest
 ‘ for the same after the Rate of *per Centum per Annum*
 ‘ shall be fully paid and satisfied. Given under our respective Hands
 ‘ and Seals, this Day of in the Year of
 ‘ our Lord

Form of
Mortgage.

And all and every Person and Persons, Bodies Politick, Corporate or Collegiate, Aggregate or Sole, to whom such Grant or Conveyance shall be made, shall be equally entitled to the respective Portions of the said Tolls and Revenues, according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment of such respective Sums with the Interest, without any Preference by reason of Priority of any Grant or Conveyance, or on any other Account whatsoever.

Mortgagees
entitled to
Security with-
out Prefer-
ence.

LIV. And be it further enacted, That every Grant of any such Annuity to be made as herein-before mentioned, shall and may be made in the Words or to the Effect following; that is to say,

‘ **BY** virtue of an Act made and passed in the Forty-ninth Year of the
 ‘ Reign of His Majesty King *George* the Third, intituled, [*here set*
 ‘ *forth the Title of this Act*], We of the Commissioners
 ‘ appointed by and acting under the said Act, in consideration of the Sum
 ‘ of paid to the said Commissioners by *A. B.* of
 ‘ do grant unto the said *A. B.* Successors or Ex-
 ‘ ecutors, Administrators and Assigns, out of the Tolls and Pontage Du-
 ‘ ties of the said Bridge and Undertaking, One Annuity or yearly Sum of
 ‘ to be paid and payable to the said *A. B.*
 ‘ Successors or Executors, Administrators or Assigns, for and during the
 ‘ natural Life of [*or, natural Lives of*
 ‘ if more than one] and the Life of the Survivor of them [*as the Case may*
 ‘ *be*] and a proportionable Part of the said Annuity, up to the Day of the
 ‘ [Loc. & Per.] 182 Decease

Form of
Grant of
Annuity.

‘ Decease of _____ or to the Day of the Decease of the
 ‘ Survivor of them [*as the Case may be.*] Given under our respective
 ‘ Hands and Seals this _____ Day of _____ in the Year of
 ‘ our Lord _____

And every such Grant shall entitle the Purchaser or Purchasers of every such Annuity to the Payment thereof, and to all Benefit and Advantage thereto accruing, according to the Purport, true Intent, and Meaning of this Act.

Entries of
Mortgages
and Annuities
to be made in
Commissioners
Books.

LV. And be it enacted, That a Transcript or Copy of every such Grant or Conveyance, or an Entry or Memorial thereof, containing the Dates, Names of the Parties, and Sums of Money paid, shall be made in a Book or Books to be kept for that Purpose by the Clerk or Clerks of the said Commissioners, which Book or Books shall be perused at all seasonable Times by any of the Persons claiming under or by virtue of any of such Grants or Conveyances, without Fee or Reward.

Mortgages
and Annuities
transferable
by Indorse-
ments.

LVI. And be it further enacted, That all and every Person and Persons, Bodies Politick, Corporate, or Collegiate, to whom any such Grant or Conveyance shall be made as aforesaid, may from Time to Time personally or by Attorney thereunto lawfully authorized, assign and transfer such Grant or Conveyance to any Person or Persons, Bodies Politick, Corporate, or Collegiate, and so *toties quoties*: And that the Assignment and Transfer shall be made by Indorsement on such Grant or Conveyance, and in the Words or to the Effect following, and be signed and sealed, or sealed only (as the Case may be) in the Presence of One credible Witness, who shall subscribe his Name and Place of Abode thereto; that is to say,

Form of
Transfer.

‘ I *A. B.* [*or, We C. and D.*] in consideration of the Sum of _____
 ‘ _____ paid by *E. F.* of _____ do hereby assign
 ‘ and transfer the within Security, and all my [*or, our*] Right, Title, and
 ‘ Interest in and to the same, and all Benefit and Advantages to arise there-
 ‘ from, unto the said *E. F.* _____ Executors, Administrators, and
 ‘ Assigns. Witness my Hand and Seal [*or, our Hands and Seals, or, our*
 ‘ Common Seal] this _____ Day of _____ in the Year of
 ‘ our Lord _____

Entries of
Transfers to
be made in the
Commissioners
Books.

And every such Transfer shall within Sixty Days after the Date thereof be produced and left with the said Clerk or Clerks, who shall within Ten Days then next cause an Entry or Memorial to be made thereof, in like Manner as of the original Grants or Conveyances, and after such Entry made, but not till then, every Person or Persons to whom such Assignment or Transfer shall be made, his, her, or their Successors, Executors, Administrators and Assigns, shall be entitled to the Benefit of such Grant or Conveyance, and the future Payments thereon, and to all Benefit and Advantage arising therefrom; and for the Entry of every such original Grant or Conveyance, and of every such Assignment and Transfer, the said Clerk or Clerks shall be paid by the Party to whom such Grant, Conveyance, or Transfer shall be made, the Sum of Five Shillings and no more.

Interest and
Annuities to
be paid Half-
yearly.

LVII. And be it further enacted, That the Interest of the Money which shall be borrowed on Mortgage as aforesaid, and the several Annuities
 so

so to be granted as aforesaid, shall from the Time the respective Principal Monies so to be lent or paid shall have been advanced, be paid Half-yearly to the several Parties entitled thereto.

LVIII. And, in order that no Preference may be given to any of the Persons who may advance or lend any Money upon the Credit or by way of Mortgage of the Tolls and Pontage Duties to arise under this Act, be it further enacted, That the said Commissioners shall cause the Numbers of all such Mortgages or Securities which for the Time being shall be in force, and of which one or more shall be intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Manner as nearly as may be, and put into a Box or Wheel, and the Number or Numbers of the said Securities shall be drawn separately out of such Box or Wheel by the said Clerk or Clerks for the Time being, in the Presence of the said Commissioners or any Five or more of them, at some or one of their Meetings, and such Securities shall be paid off and discharged according to the Rotation in which the Numbers shall be drawn at every such Ballot, beginning with the First, and proceeding progressively to the Second, Third, Fourth, Fifth, and every other Number drawn, as far as the Money then in the Hands of the said Commissioners will extend to pay; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk or Clerks to be given or sent to or left at the usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, signifying to such Person or Persons that at the end of Six Calendar Months, to be computed from the Date of such Notice, the said Commissioners intend to pay such Sum or Sums of Money as shall be expressed in such Notice and the Interest due thereon, at a Place therein also to be mentioned; and the Interest of the Principal Money so to be paid off shall from and after the end of the said Six Calendar Months cease and be no longer payable, unless such Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest due at the Expiration of such Notice, shall nevertheless be payable on Demand.

Manner of
paying off
Mortgage
Debts.

LIX. And be it further enacted, That the Tolls that shall be collected and received under or by virtue of this Act, shall be applied and disposed of in Manner herein-after mentioned, (that is to say), in the first Place, in paying the Expences of applying for and passing this Act, and then all the Costs, Charges, and Expences of carrying this Act into Execution, and of keeping the said Bridge, Roads, Avenues, and Accesses in Repair, and of lighting the same; and in the next Place, in paying to the Mortgagees and Annuitants under this Act the Interest and Annuities to which they shall be respectively entitled, in Manner herein-before provided, and the Rents to become due and payable for or in respect of any Lands or Hereditaments to be purchased or taken for any of the Purposes of this Act; and the Surplus thereof shall from Time to Time, when and so often as the same can be conveniently done, be applied and disposed of in or towards the Payment and Discharge of the subsisting Mortgages under this Act; and when all such Mortgages and the Principal and Interest Monies due thereon respectively, shall have been fully paid off, satisfied, and discharged, the said Tolls shall (subject to the Payment of such Expences, Annuities, and Rents as aforesaid) from thenceforth be laid out and

Directing the
Application of
the Tolls, and
when they
shall cease.

invested in the Purchase of Three Pounds, *per Centum* Consolidated Bank Annuities, in the joint Names of any Four of the said Commissioners, and the Income resulting therefrom shall be accumulated in the Nature of Compound Interest, until a Sum shall be raised by such Accumulation which shall be sufficient to yield by the Dividends or Interest thereof to pay the Annuities that may then be subsisting under this Act, and such yearly Rents, if any, as aforesaid (and which shall be applied accordingly), and also to produce the further annual Sum of One hundred Pounds, which said last-mentioned accumulated Fund and the Dividends or Interests thereof shall (subject to the Payment of the said Annuities and the said Rents, if any) be held and considered as a Fund for answering and paying the Expences of repairing, lighting, and keeping in good Order and Condition the said Bridge, and the Roads, Avenues, and Accesses thereto, as and when there shall be Occasion, and shall and may be accordingly sold, and the Produce and Dividends thereof applied and disposed of by or by the Order of the said Commissioners, for all or any of the said several last-mentioned Purposes, and when and so soon as the said last-mentioned accumulated Sum shall be raised, the Tolls and Duties hereby authorized and directed to be raised and taken on or in respect of the Passage over the said Bridge shall (subject to the Provisoes next hereinafter contained) wholly cease and determine: Provided nevertheless, That if at any Time or Times after the said last-mentioned accumulated Fund shall have been so raised as aforesaid, the same shall by reason of Repairs of the said Bridge or other Expenditures made by the said Commissioners in pursuance or for any of the Purposes of this Act, be reduced to the Sum of One thousand Pounds Three *per Centum* Consolidated Bank Annuities, then and in every such Case the said Commissioners, or any Five or more of them, shall and may and they are hereby authorized and directed to revive the aforesaid Tolls, in the same Way and Manner as if the same had not ceased in pursuance of this Act, until by the Receipt of such revived Tolls the said Commissioners shall have accumulated a Fund of Three thousand Pounds Three *per Centum* Consolidated Bank Annuities for the future Purposes of this Act.

How Collec-
tors are to
account.

LX. And be it further enacted, That the Person or Persons who shall for the Time being be Collector or Collectors of the said Tolls hereby authorized to be taken, shall monthly or oftener, according to the Direction of the said Commissioners, pay the Monies received for Tolls unto the Treasurer of the said Commissioners, or to such other Person or Persons as they the said Commissioners shall appoint; and such Treasurer shall pay and apply the Monies received from the said Collector or Collectors or any other Persons for the Purposes of this Act, in such Manner as the said Commissioners shall from Time to Time appoint, and shall also enter in a Book or Books to be provided for that Purpose, an Account of all Monies received by him under this Act, and of all Payments and Disbursements out of the same, expressing the Times of receiving and paying such Monies, the Names of the Persons from whom the same were received or to whom the same were disbursed, and for what Purposes, and Four Times at least in every Year, namely, at *Michaelmas, Christmas, Lady Day, and Midsummer*, or oftener if the said Commissioners shall require the same, the Accounts of the Collector or Collectors, and Treasurer and Treasurers, shall be fairly drawn out, stated, and signed by them respectively, and be delivered to the Clerk of the said Commissioners or such other Person or Persons as they or any Five or more of them shall appoint.

LXI. Provided

LXI. Provided always, and it is hereby further declared and enacted by the Authority aforesaid, That nothing in this Act contained shall extend or be construed to extend to prejudice or take away any Right of Property or of Jurisdiction of the Mayor, or of the Mayor, Commonalty and Citizens of the City and County of the said City of *Norwich*, to, in, and upon the River *Wensum* aforesaid, other than and except as to the Powers and Authorities hereby given to the said Commissioners of removing any Shelves, Gravel, and Mud or other Obstructions, and of embanking, deepening, or widening the said River as aforesaid, and of making Roads and Landing Places, and for facilitating the Accesses to the said Bridge, and of doing and effectuating every other Matter or Thing which shall be necessary to be done and effected for the erecting, maintaining, and supporting of the said Bridge, in pursuance and according to the true Intent and Meaning of this Act.

Saving of Rights of the Mayor, &c. of the City of *Norwich*.

LXII. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise directed), shall upon Proof of the Offences respectively before any one of His Majesty's Justices of the Peace for the City of *Norwich*, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witnesses or Witnessess (which Oath such Justice is hereby empowered to administer), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant for such Purpose, and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and the Penalties, Forfeitures, and Fines when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers of the said Commissioners, and applied to the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall and may be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the said City of *Norwich*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges shall be sooner paid or satisfied: Provided nevertheless, that it shall be lawful for the said Commissioners from Time to Time, if they shall see Cause, to pay and apply such Part of the said Penalties, Forfeitures, and Fines, or any of them, to and for the Use of the Informer or Informers, or any Person or Persons, not being a Witness or Witnessess, aiding or assisting in the Apprehension of any Offender or Offenders therein or any of them.

Penalties and Forfeitures how to be recovered and applied.

Power to give Informer Part of the Penalties.

LXIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order of the said Commissioners, or by any Order, Judgement, or Determination of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, then and in every such Case such Person or Persons may within Six Calendar Months next after such Order,

Allowing an Appeal.

[*Loc. & Per.*]

18 R—S

Judgement,

same be considered a Trepasser or Trepassers on account of any Defect or want of Form in the Information, Summons, Conviction, Warrant, of Distress on the Appointment of the Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, or in any other Proceeding relating thereto, nor shall the said Party or Parties distraining be deemed or considered a Trepasser or Trepassers, *ib initio*, on account of any Irregularity which shall afterwards happen to be done by the Party or Parties so distraining in making such Distress; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage which he, she, or they shall have sustained thereby, with usual Costs and no more, in an Action of Trespas, or on the Case, at the Election of the Person or Persons so aggrieved.

LXVII. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode Ten Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of good and sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants before such Action brought; nor if such Tender of Amends shall be made at any Time after the said Action brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender; but on Proof of such Tender, on any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgement as in Cases of Nonsuit, with Treble Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; or in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by leave of the Court where such Action shall depend, 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 Judgement shall be had, made, and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not
to recover
without
Notice after
Tender of
Amend.

LXVIII. Provided always, and be it further enacted, That no Action or Suit shall be brought against any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, for any Thing done in pursuance of this Act, after Six Calendar Months after the Fact committed, and every such Action or Suit shall be laid, brought, and tried in the City of *Norwich* and not elsewhere; and the Defendant or Defendants in every such Action or Suit may at his, her, or their Election plead specially or the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given; or after 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 Place than in the said City of *Norwich*, then and in every such Case the Jury shall find for the Defendant

Limitation of
Actions.

ant 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 Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law.

Publick Act.

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

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