



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. lxxvii.

An Act for building a Bridge over the River *Wensum*, in the Hamlet of *Heigham* and the Parish of *Saint Clement*, in the County of the City of *Norwich*. [29th May 1830.]

WHEREAS the building of a Bridge across the River *Wensum*, at or near a certain Place called *Fuller's Hole*, in the Parish or Hamlet of *Heigham* in the County of the City of *Norwich*, to the opposite Side of the said River, in the Parish of *Saint Martin at Oak* in the said City of *Norwich*, and the making a new Road in the said Parish or Hamlet of *Heigham*, the said Parish of *Saint Martin at Oak*, and the Parish of *Saint Clement*, in the County of the City of *Norwich* aforesaid, will afford a much more easy and convenient as well as shorter Communication between the City of *Norwich* and various Parts of the County of *Norfolk*, and will be of great public Utility; but such new Bridge cannot be erected or such new Road made and maintained without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Norfolk*, together with *Edmund Wodehouse, Hudson Gurney, Joseph Gurney, Joseph John Gurney, Henry Birkbeck, Simon Martin, Anthony Hudson, Thomas Hudson, Edward Temple Booth, Robert Hawkes, Samuel Bignold, Edward Oxley, William*
[Local.] 23 U Foster,

Commission-
ers.

Foster, Starling Day, Edward Lombe, Edward Lombe the younger, Jehosaphat Postle, Clement William Unthank, Charles Turner, John Sendall, William Durrant, Robert Pratt, William Smith, John Lowden, William Herring, William Burt the younger, John Harrison Yallop, Charles Weston, Francis Stone, George Grout, Samuel Culley, John Culley, Thomas Thurtell, Edmund Rolfe Finch, Peter Finch, P. Rose, John Whittaker Robberds, William Chase, Gent Burton, Nathaniel Palmer, Edward Steward, John Staniforth Patteson, William Rye, Richard Culley, William Moore, Arthur Beevor, John Humphrey Clerk, Fowell Buxton, John Stacey, Samuel Hoare junior, Thomas Starling Buckle Clerk, Thomas Starling Norgate, William Salter Millard Clerk, J. Cann Clerk, Joseph Stanward, Joseph Stanward the younger, and John Newman Whaite, and their Successors, being duly appointed, shall be and they are hereby appointed Commissioners for carrying this Act into execution.

Meetings of
Commiss-
sioners.

II. And be it further enacted, That it shall be lawful for the said Commissioners, or any Three or more of them, and they are hereby required, to meet together at or in the Guildhall of the said City, or in any other convenient Place within the said City or 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 Ten and Two of the Clock on the Day of such Meeting; and the said Commissioners or any Three 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 Three or more of them present at any such Meetings shall think convenient; and if Three 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 Hour on some Day in the Week next after the Day when their Meeting ought to have been held; and the Clerk to the said Commissioners shall cause Seven 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 Three or more of them, shall have Authority, as often as they shall think fit, to call an extraordinary Meeting of the said Commissioners 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.

Quorum of
Commiss-
sioners

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 or executed by any Three 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 such 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

Chairman.

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 Vote, which shall determine the Question.

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 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 Three 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 to be a Commissioner for the Purposes of this Act in the Place or Stead of the Commissioner so dying, resigning, refusing to act, or becoming incapable of acting; and the Person 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.

Appointment of new Commissioners.

V. Provided always, and be it enacted, 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 Estate of the Value of One 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 One hundred Pounds to any Person who shall sue for the same, such Penalty 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 Penalty, upon Proof given of his having acted as a Commissioner in the Execution of this Act; and 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,)

Qualification of Commissioners.

‘ I do swear, That I am seised and possessed of a Real Estate of the Value of One hundred Pounds, over and above all Debts and Reprisals. So help me GOD.’

Oath of Qualification.

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

VI. 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 of the Peace is hereby authorized to do any Act, Matter, or Thing, it shall be lawful to and for such

Commissioners being Justices may act as such.

such Commissioner, being such Justice, to execute the same in such Way and Manner as he might have done if he had not been a Commissioner under this Act.

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

VII. 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 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 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 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 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.

VIII. 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, Engineer, Surveyor, Clerk, Collector, or Receiver 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 to remove any such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, or other Officers, or any of them, and to nominate and appoint another Person in his 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 Commissioners 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.

Officers, &c.
to account.

IX. And be it further enacted, That every such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Commissioners, so to be appointed as aforesaid, shall, under his Hand, at such Time and in such Manner as the said Commissioners shall direct, deliver

deliver to the said Commissioners, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also all the Monies which shall have been by such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Commissioners, and Person, 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 Hand to the said Commissioners, or to such Person 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 as they shall appoint, within Twenty-one Days after being thereunto required by the said Commissioners, all Books, Papers, and Writings in his 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 as shall appear to be in his Hand, to the said Commissioners, or as they shall direct or 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 Person; or if Complaint shall be made by the said Commissioners, or by such Person 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 Person so neglecting or refusing shall be and reside, such Justices may and they are hereby authorized and required, by a Warrant under their Hands and Seals, to cause the Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer, or Person so neglecting or refusing to be brought before them, and upon his 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 by the Testimony of any credible Witness 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, or Person, such Justices may and are hereby authorized and required, upon Nonpayment thereof, by Warrant 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 Person; and if no Goods or Chattels of such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer, or Person 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 Person 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 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

[*Local.*]

23 X

Bail

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 Six Calendar Months.

Proceedings
to be entered
in a Book.

X. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relating to the Execution of this Act, and of the Names of all such Commissioners as shall be present at their several Meetings; and all Entries in such Book, being signed by the Chairman who shall have been then present, or by any other of the Commissioners present at such Meeting, in case the Chairman shall have died or ceased to be a Commissioner before the signing of such Entries, shall be deemed Originals, and shall be allowed to be read as Evidence in all Cases, Suits, Actions, Prosecutions, and Proceedings touching or concerning any thing done in pursuance of this Act; and such Book shall at all seasonable Times be open to the Inspection of all and every the said Commissioners and the Creditors on the Tolls hereby granted and made payable, and any of the said Commissioners and Creditors shall and may have and take Copies thereof, paying for every Copy not exceeding One hundred Words the Sum of Sixpence, and so in proportion for any greater Number of Words.

Accounts to
be kept of
Receipts and
Disburse-
ments, which
shall be open
to the Inspec-
tion of the
Commis-
sioners and
Creditors.

XI. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time to order and direct a Book to be provided and kept by their Clerk for the Time being; in which Book such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Bridge and Roads, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book shall at all seasonable Times be open to the Inspection of the said Commissioners, and for any Creditor on the Tolls hereby granted, without Fee or Reward; and the said Commissioners and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners or such Creditors, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Ten Pounds, to be levied and recovered in manner herein-after mentioned.

Clerk not to
act as Trea-
surer, and
vice versa.

XII. And be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who has been or may be appointed the Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or the Clerk or other Person in the Service

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

XIII. And be it further enacted, That when and so often as any Collector or Receiver of the Tolls shall die, or neglect or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for any Three or more of the said Commissioners, although not assembled at a Meeting of the said Commissioners to be appointed by virtue of this Act, to discharge such Collector or Receiver so neglecting or refusing to perform or becoming incapable of performing his Duty, or absconding or absenting himself, and to nominate and appoint some other Person to be Collector or Receiver of the said Tolls until the then next Meeting of the said Commissioners, in the Stead of such Collector or Receiver who shall so die or be discharged; and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the like Manner in all respects, as the Collector or Receiver who shall so die or be discharged would have had or been subject to; and that if any Collector or Receiver who shall be discharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person who may have the Possession of any Toll House or Building, or any Appurtenances thereto, to be erected, set up, or used by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Seven Days next after Demand thereof made by Notice in Writing signed by any Three or more of the said Commissioners, (although not assembled at a Meeting,) or by their Clerk or Treasurer, for that Purpose given to such Collector or Receiver or other Person, or left at any such Toll House, Building, or Premises, then and in any of the said Cases it shall be lawful for any One or more Justice or Justices of the Peace for the said City of *Norwich*, under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer for the said City, with such Assistance as may be necessary, to enter such Toll House or other

Trustees may remove Collectors, and appoint temporary ones.

Manner of Proceeding in case Collectors refuse to deliver up Toll Houses, &c.

other Buildings or Premises in the Day-time, and to remove the Person who shall be found therein, together with his Goods, out of the same, and put the said Commissioners, or any Three or more of them, or such new appointed Collector or Receiver as aforesaid, into the Possession thereof.

How Commissioners may be sued.

XIV. 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 Clerk for the Time being to be appointed under this Act, or in the Name of any one of the Commissioners for executing this Act; and 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 of any one of the said Commissioners, or of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of such Commissioner, Treasurer, or Clerk, or by the Act of him, without the Consent of the said Commissioners, but the Treasurer or Clerk for the Time being, or one of the Commissioners, shall always be deemed Plaintiff or Defendant in every such Action or Suit, as the Case may be: Provided always, that all and every such Commissioner, Treasurer, or Clerk 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 as aforesaid.

Power to build Bridge, &c.

XV. And be it further enacted, That it shall and may be lawful for the said Commissioners and their Successors, their Deputies, Agents, Engineer, Surveyor, 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 *Fuller's Hole*, in the Parish or Hamlet of *Heigham* in the County of the City of *Norwich*, to the opposite Shore in the Parish of *Saint Martin at Oak* in the said City of *Norwich*, 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 Buildings, Walls, Piers, Piles, Quays, Wharfs, Gravel, Sand, Mud, or any other Impediments whatsoever which may in anywise tend to hinder the erecting the said Bridge, and to execute all other Things requisite and necessary, useful or convenient, for erecting and building, maintaining and supporting the said Bridge, according to the Tenor and true Meaning of this Act; and 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 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, within Two hundred Feet of the Scite of the said Bridge, any Trenches and Landing Places, and to make and set out any new Roads or Avenues 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

other Acts necessary for building such Bridge, and for maintaining, supporting, and improving the same when built, and setting out and making the Roads or Avenues 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 may 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 Act.

XVI. And whereas a Map or Plan, describing the Line of the said intended Roads, Avenues and Approaches, and the Lands through or over which the same are to be made or carried, and the Situation of the said Bridge, together with a List of the Names of the Owners and Occupiers of such Lands, hath been deposited at the Office of the Clerk of the Peace for the said City of *Norwich*; be it therefore enacted, That the said Map or Plan and List shall remain in the Custody of the Clerk of the Peace for the said City, to the End that all Persons may, at any reasonable Time, have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Commissioners in building the said Bridge, and in making the said Roads, Avenues, or Approaches to communicate therewith, shall not deviate more than One hundred Yards from the Situation or Lines described in the said Map or Plan, without the Consent in Writing of the Owner or Owners for the Time being of the Lands and Grounds in which such Deviation shall take place.

Plan, &c. deposited with Clerk of the Peace to remain, and be open to Inspection.

XVII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to set out and make the said Roads, Avenues, and Approaches into, through, or over the several Lands, Tenements, and Hereditaments of any Person or Persons who is or are, or may be the Owner or Owners or Occupier or Occupiers of Lands, Tenements, and Hereditaments over which the same is or are set out and described in the said Map or Plan, although such Lands, Tenements, or Hereditaments, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or misstated in the said Map or Plan or List, in case it shall appear to any Two or more Justices of the Peace of the City of *Norwich*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Commissioners to make Roads conformably to Plan, &c. notwithstanding Errors.

XVIII. Provided also, and be it further enacted, That the Powers and Authorities hereby given, shall not extend or be construed to extend, to empower or authorize the said Commissioners, in making the said Roads, Avenues, or Approaches, to take or pull down, injure, or damage any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing, of the Owner or Proprietor thereof first had and obtained.

Houses, &c. not be injured.

XIX. And be it further enacted, That if the said Commissioners shall not, within the Space of Two Years, to be computed from the passing

Lands not to be taken after Two Years.

[*Local.*]

23 Y

of

of this Act, agree for and cause to be valued and paid for, the Lands, Tenements, and Hereditaments which they are by this Act empowered to purchase, then and from thenceforth the Powers hereby granted to them for such Purpose shall cease and determine, except as to so much thereof as shall have been purchased.

Commis-
sioners to
make Fences,
&c.

XX. And be it further enacted, That the said Commissioners shall make or cause to be made proper Fences, Rails, or Stone Walls on either Side of the said new Road, so as effectually to guard or fence off the Lands adjoining to such Road, and also proper Gates, Bridges, and Arches, where necessary, out of the said Road into the Lands adjoining, and shall keep up such Fences so to be made in good Order and Repair, the said Fences for ever thereafter to be the Property of the said Commissioners.

Width of
Waterway.

XXI. Provided always, and be it further enacted, That the Waterway or Span of the Bridge so to be built as aforesaid shall be at least Fifty Feet wide.

Power to get
Materials.

XXII. And be it further enacted, That it shall be lawful for the said Commissioners, or for the Surveyor 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, Embankments, or Approaches thereto, out of and from any Common or Waste Ground, in any Parish, Township, Hamlet, Division, District, or Place in which any Part of the said Bridge, or the Roads, Ways, Embankments, or Approaches thereto, shall lie, or in any adjoining 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 any Two Justices of the Peace for the said City of *Norwich* or County of *Norfolk*, within their respective Jurisdictions, 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 where the same may be had or found, (such Lands, Fields, or Grounds 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 Damage done thereby to the Owners and Occupiers of such Grounds where and from whence the same shall be cut, dug, gotten away, or over which the same or any other Materials for making or repairing the said Bridge, or the 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 other Person 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

which such Materials shall be so cut, dug, gotten, gathered, and taken away, on Ten 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 Judgment or Order of the said Justices shall be final and conclusive to all Parties.

XXIII. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor or other Person 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 Ground 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 before Two or more Justices of the Peace acting for the County or Place where such Premises shall lie, to show 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 show sufficient Cause to the contrary, then and in such Case the said Commissioners or such Justices shall and may authorize such Surveyor or other Person to dig, get, gather, and carry away such Materials at such Time 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 Notice, the said Commissioners 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.

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

XXIV. And be it further enacted, That if any Persons whatsoever shall remove or take away any Wood, Iron, Bricks, 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 for that Purpose, or if any Person or Persons whatsoever 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, in any Lands, Fields, Wastes, or Grounds, River or Brook, for the Purpose of building or amending the said Bridge, Roads, Ways, and Approaches thereto, or any Part 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 Purpose of getting such Materials for building or amending the said Bridges, Roads, and Approaches thereto, or any Part thereof, before the said Surveyor or his 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 own private Use only, and not for Sale,) every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

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

XXV. And be it further enacted, That if the Surveyor to the said Commissioners, or any Person employed by him or them, shall, by reason

If any Pits or Holes are made in

getting
Materials,
the same to
be filled up
or fenced off.

reason of the searching for, digging, or getting any Gravel, Sand, Stones, Chalk, Clay, or other Materials for making or repairing any of the said Roads, make or cause to be made any Pit or Hole in any Common or other Lands or Grounds, Rivers or Brooks as aforesaid, wherein such Materials shall be found, the said Surveyor shall forthwith cause the same to be sufficiently fenced off, and such Fence supported and repaired during such Time as the said Pit or Hole shall continue open, and shall within Fourteen Days next after such Pit or Hole shall be opened or made, where no Gravel, Stones, or Materials shall be found, cause the same to be forthwith filled up, levelled, and covered with the Turf or Clod which was dug out of the same, and, where any such Materials shall be found, within Twenty-one Days after having dug up sufficient Materials in such Pit or Hole, if the same is not likely to be further useful, cause the same to be filled up, sloped down, or fenced off, and so continued; and if the same is likely to be further useful, the Surveyor shall secure the same by Posts and Rails, or other Fences, to prevent Accidents to Persons or Cattle; and in case such Surveyor shall neglect to fill up, slope down, or fence off such Pit or Hole in manner and within the Time aforesaid, he or they shall forfeit the Sum of Twenty Pounds for every such Default; and in case such Surveyor shall neglect to fence off such Pit or Hole, or to slope down the same, as herein-before directed, for the Space of Fourteen Days after he shall have received Notice for either of those Purposes from any Justice of the Peace, or from the Owner or Occupier of such several Grounds, River, or Brook, or any Person having Right of Common within such Common or Waste Lands as aforesaid, and such Neglect and Notice shall be proved upon Oath before One or more of the said Justices of the Peace, such Surveyor shall forfeit and pay any Sum not exceeding Twenty Pounds, nor less than Five Pounds for every such Neglect, to be determined and adjudged by such Justice or Justices, and to be laid out and applied in the fencing off, filling up, or sloping down such Pit or Hole in such Manner as the said Justice or Justices shall direct and appoint; which Forfeiture, in case the same be not forthwith paid, shall be levied as other Forfeitures are herein-after directed to be levied.

Commissioners may remove Hills, &c. on other Roads.

XXVI. And be it further enacted, That it shall be lawful for the said Commissioners, or the Surveyor appointed by them, to cut, dig, carry away, and apply to the Purposes of the said Road hereby authorized to be made, any Hills, Acclivities, or Inclinations in the Roads communicating and adjoining the said Road, upon giving Seven Days Notice to the Surveyors of such Roads, and having previously obtained the Consent of the Trustees or Surveyors having the Care and Management of such Roads; provided always, that such cutting, lowering, or adjusting shall not exceed One hundred Yards in Length, or Three Feet in the greatest Depth, and also, that the Stones and Gravel of such Roads be replaced in the same State they were before the said cutting commenced.

Power to remove Projections or Encroachments.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to take down, remove, alter, or regulate, in such Manner as they shall from Time to Time judge proper, all Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow and other projecting Windows, Window Shutters, Stumps of Trees, Rails, Pales, Palisades, Porches, Bulks, Pools, Cesspools, Cisterns and Reservoirs for Water, and other Encroachments, Projections, and Annoyances belonging

or which shall be hereafter affixed or belong to any House or other Building, and which do or shall, in the Judgment of the said Commissioners, obstruct the free and commodious Passage along the Carriage or Foot Ways of any of the Roads or Avenues hereby authorized to be made, leading to and connected with the said Bridge, within Twenty Feet from the Centre of the Road; and the Costs, Charges, and Expences attending the taking down, removing, altering, or regulating such Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow and other projecting Windows, Window Shutters, Stumps of Trees, Rails, Pales, Palisades, Porches, Bulks, Pools, Cesspools, Cisterns and Reservoirs for Water, and other Encroachments, Projections, and Annoyances, or any of them, shall be borne and defrayed out of the Money to be raised by virtue of this Act.

XXVIII. And whereas, from the great Increase of Traffic to the said City and the Market thereof, it would be more convenient to the Persons frequenting the same, and extremely beneficial to the Public in general, that a direct Communication should be made from and by means of the said Bridge to the said City; be it therefore enacted, That it shall be lawful for the said Commissioners to contract and agree with any Person, or Body Politic, Corporate, or Collegiate, Spiritual or Lay, as shall or may be deemed to be Owner or Proprietor or otherwise interested in any Building or Erection now standing or being in the Way of such direct Communication from the said Bridge to the said City, or projecting into, over, or upon any Part of the said Avenues or Roads, or of any Door of any Cellar or of any Steps belonging thereto, or in any other Projection or Encroachment in, over, or upon any such Roads or Avenues, or in any Lands, Grounds, Tenements, or Hereditaments, which the said Commissioners shall judge necessary and proper to be purchased for the making, improving, and widening any Roads, Lanes, public Passages or Places connected with the said Bridge, for the absolute Purchase of all such Buildings, Erections, Cellars, Steps, Projections, Encroachments, Lands, Tenements, or Hereditaments, or any Part of them.

Empowering Commissioners to contract for the Purchase of Buildings, &c.

XXIX. And be it further enacted, That the said Bridge shall not be deemed a County Bridge, so as to subject the Inhabitants of the said City of *Norwich*, or of the County of the said City, or of the said County of *Norfolk*, to repair the same.

Bridge not a County Bridge.

XXX. 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 shall wilfully or maliciously blow up, pull down, or destroy or otherwise damage the said Bridge, or any Part thereof, or the Toll Houses or Toll Gates or Side Bars erected or set up on or near to 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 thereof respectively, to be so blown up, pulled down, or destroyed, or otherwise damaged, then and in every such Case every such Offender, being lawfully convicted thereof, shall be adjudged guilty of Felony, and being thereof lawfully convicted shall be subjected to the like Punishment and Penalties as in Cases of Felony; and the Court by or before whom such Person

Penalty on Persons destroying Works.

[*Local.*]

23 Z

shall

shall be tried and convicted shall have Power and Authority to cause such Person to be punished in like Manner as Persons guilty of Felony are by Law directed to be punished, or, in mitigation of such Punishment, such Court may award such Punishment as the Law directs in Cases of Simple Larceny.

Bridge, Turn-
pikes, &c.
vested in
Commission-
ers, &c.

XXXI. And be it further enacted, That the Right and Property of the said Bridge, and all Turnpikes, Toll Houses, and all Buildings to be erected by virtue of this Act, with the Ground, Fences, and Appurtenances thereto respectively belonging, and all Gates, Posts, Rails, Bars, Chains, Tables of Tolls, Lamps, Lamp Irons, and Posts now or hereafter to be erected, and also of all Materials, Tools, and Implements which are or shall be provided for making or repairing the said Bridge, Roads, Ways, Avenues, or Approaches thereunto, or any of them, by virtue of this Act, shall belong to and be the Property of and are hereby vested in the said Commissioners, and they are hereby empowered to cause an Action 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 Irons, or Posts or Pavements, or any of such Materials, Tools, or Implements as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Thing for which such Action shall be brought, or Bill of Indictment preferred, is the Property of the Commissioners for building *Heighan* Bridge, without particularly mentioning or specifying the Name of any of the said Commissioners.

Owners of
Vessels liable
for Damage
done to the
Bridge.

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

Masters to
recover from
their Boat-
men any Sums
paid for their
Defaults.

XXXIII. And be it further enacted, That in case the Master or Owner of any Boat, Barge, or other Vessel as aforesaid employed on the said River *Wensum*, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage or Trespass, by reason of any wilful Neglect or Default done or committed by his Boatmen, Bargemen, or other Persons navigating the same respectively, or any of them, such Boatmen, Bargemen, or other Persons, and each and every of them, shall be liable to repay such Penalty or Damage (with the Costs thereof) to such Master or Owner; and in case of Nonpayment thereof upon Demand, and Oath made by such Master or Owner of the Payment made by him of such Penalty or Satisfaction for Damages, and that the same and the Costs thereof

thereof have or hath not been repaid to him by such Boatmen, Bargemen, or other Persons, or any of them, although demanded, (such Oath to be made before any One Justice of the Peace for the County where such Penalty and Satisfaction shall have been incurred or paid,) the Amount thereof shall be recovered in like Manner as any Penalty is hereby directed to be recovered.

XXXIV. And be it further enacted, That it shall be lawful for all Bodies Politic, 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 and other Purposes, Committees, Executors, and Administrators, and all 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 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 whosoever, who is or are or shall be seised, possessed of, or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments 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.

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

XXXV. Provided always, and be it further enacted, That all and every Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Tenant for Life and Tenant in Fee Tail, General or Special, or for Years determinable on any Life, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person, who is seised, possessed of, or interested in any Lands, Tenements, Wharfs, and Hereditaments to be taken for the Purposes of this Act, may accept and receive Satisfaction for the Value of such Lands, 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, 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, Tenements, Wharfs, 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 herein-after directed.

Satisfaction to be made for Lands or Damages.

XXXVI. 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

If Parties are dissatisfied, they may cause a Jury any

to be impan-
nelled to
decide the
Matter.

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 any other Person, so interested or entitled as aforesaid, cannot agree with the said Commissioners respecting the Purchase of 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 by the making or maintaining of the said Bridge or Avenues or Roads, or any Part 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 Money or Satisfaction, or if any such Body Politic, Corporate, or Collegiate, or any Person 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 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 other Person, so interested or entitled as aforesaid respectively, or left at the last or usual Place of his Abode, or with the Tenant or Occupier of any Lands, Tenements, 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 refuse 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 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 is or shall be in Possession of, and the Interest which he may claim therein; then and in every such Case the said Commissioners shall and they are empowered and required, within Twenty-one 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 Fourteen 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 Sheriffs of the said City of *Norwich*, thereby requiring them to impanel, summon, and return a Jury; and such Sheriffs are hereby required accordingly to impanel, summon, and return a Jury of Twenty-four honest and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriffs at such Time and Place as in such Precept shall be appointed, such Time not being less than Seven Days or more than Fourteen Days after such Precept shall be served upon the Sheriffs; and Fourteen Days Notice at the least, in Writing under the Hands of the said Commissioners, is hereby required to be given to the Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person 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 of the Head Officer 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

the said Sheriffs are hereby required, out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve Persons 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 to adduce Evidence before the Sheriffs; 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 Sheriffs are hereby empowered and required, by a Summons or Notice to be signed by them, either previous to or at the Time of any such Meeting, to call before them all and every Person who shall be thought necessary and proper to be examined as a Witness upon Oath touching or concerning the Premises; and the said Sheriffs may order and authorize the said Jury, or any Seven or more of them, to view the Place or Places or Premises in question, if there be Occasion, and to use all other lawful Ways and Means as well for their own as for the Jury's better Information in the Premises, as the said Sheriffs shall think fit; which Jury, upon their Oaths, (which Oaths, as well as the Oaths to such Persons as shall be called upon to give Evidence, the said Sheriffs are hereby empowered and required to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands, Tenements, or other Hereditaments, or what Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Occupiers, or other Persons interested, for or on account of the taking such Lands, Tenements, or other Hereditaments for the Purposes of this Act, or of turning any Part of the said Roads, Avenues, or Accesses to the said Bridge into, over, or through the same Lands, Tenements, or other Hereditaments, and shall assess separate Damages for the same; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriffs shall thereupon order the Sum of Money so assessed by the said Jury to be paid by the said Commissioners to the said Owners or Occupiers of or other Persons interested in the said Lands or other Hereditaments, according to such Verdict or Inquisition of the said Jury, and give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order and Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriffs, 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 any 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.

Penalty on
Sheriff, Jury-
man, or
Witnesses
for Default.

XXXVII. 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 Fifty 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, interested in the Matter in question; and if any Person so impannelled, summoned, and returned as aforesaid upon such Jury, shall not appear, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act; and if any Person, summoned to give Evidence before the said Jury touching the Premises, shall neglect or refuse to appear, after having been paid or tendered a reasonable Sum for his Costs, Charges, and Expences, or shall not allege a sufficient Excuse to the said Sheriffs 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 Two or more 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 Fifty 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 impannelled, summoned, and returned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice or Justices to be injured by the Default of such Persons.

For punish-
ing Persons
giving false
Evidence.

XXXVIII. And be it further enacted, That every Person who, in any Examination to be taken upon Oath by virtue of this Act, shall wilfully give false Evidence or otherwise forswear himself before any such Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of Perjury are by the Laws in being subject and liable to.

Persons re-
questing
Juries to en-
ter into
Bonds.

XXXIX. And be it further enacted, That all and every Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Person, 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 than had been offered by or on the Behalf of the said Commissioners, before the impannelling, summoning, and returning the said Jury or Juries, for the Purchase of 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.

XL. And

XL. 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 whosoever for any Injury or Damage by him sustained or supposed to be sustained by virtue or in consequence of this Act, unless Notice shall have been given thereof by or on the Behalf of such Person to the Clerk of the said Commissioners within the Space of Three Calendar Months next after the Time that such Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Commissioners not to take notice of any Complaint, without previous Notice given to their Clerk.

XLI. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and be kept by the Clerk of the Peace or other Person or Persons having the Custody of the Records of the Quarter Sessions of the Peace of the said City of *Norwich*, and shall be deposited with and 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.

XLII. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money for a Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body Politic, 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, or a smaller Sum than shall be given by such Verdict, had been previously offered or tendered in respect thereof by or on behalf of the said Commissioners, or where, by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person 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 Sheriffs so impannelling, summoning, and returning such Jury and taking such Verdict as aforesaid, and be defrayed by the said Commissioners; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Commissioners, or of the Treasurer of the said Commissioners, (unless such Treasurer shall pay such Costs out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant, to be issued for that Purpose, by any Justice of the Peace for such County; which Warrant any such Justice is hereby authorized and required to issue, under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences;

Expences of Juries by whom to be paid.

Expences; but if any Verdict shall be given for the same Sum 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, then and in all such Cases (except where by reason of Absence or otherwise any Person 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 Sheriffs so impannelling, summoning, and returning such Jury and taking such Verdict, and be borne and paid by the Body 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 to the Use of such Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person as aforesaid, and the Payment or Tender of the Remainder of such Sum of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum 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.

XLIII. And be it further enacted, That the said Sheriffs and Juries respectively in their Awards, Determinations, Adjudications, Judgments, 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 by any Body Politic, Corporate, Collegiate, Ecclesiastical or Civil, or any other Person whosoever, 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.

XLIV. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or adjusted and determined by the said Commissioners, or assessed by such Juries, in manner respectively as aforesaid, for the Purchase of any such Lands or other Hereditaments, or a Compensation for Damages as herein-before mentioned, to the Proprietor of such Lands or other Hereditaments, or to such other Person as shall be interested therein or entitled to receive such Purchase Money or Compensation respectively, or to his Agent, or depositing the same in the Bank of *England* in manner by this Act directed, as the Case may be, within One Calendar Month after the same shall have been so contracted or agreed for, or awarded or assessed as aforesaid, 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; and then and thereupon such Lands, Tenements, and

and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person therein, shall from thenceforth be vested in and become the sole Property of the said Commissioners 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 always, that before such Payment, Investment, or Deposit made or given as aforesaid shall be made, it shall not be lawful to and for the said Commissioners, or any Person 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, 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.

XLV. 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 Roads, Avenues, and Accesses thereto, the said Commissioners may purchase Lands, Grounds, Erections, Buildings, Houses, Tenements, Wharfs, or Hereditaments, Part of which may not be found 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 Three or more of them, absolutely to grant and convey, such Part 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 that all such Conveyances from the said Commissioners shall be valid and effectual; and upon Payment of the Money which shall arise by the Sale of such Lands, Grounds, Erections, Buildings, Houses, Wharfs, Tenements, or Hereditaments, or any Parts or Parcels thereof, it shall be lawful for the Treasurer 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 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 shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof: Provided always, that the said Commissioners, before they shall sell and dispose of any Part of the Lands, Grounds, or other Premises as aforesaid, shall first offer the same for Sale to the Owner of the adjoining Land; and if such Owner shall not then and thereupon agree (except with respect to and on account of the Price thereof as herein-after mentioned) or shall refuse (except with respect to and on account of the Price thereof) to purchase

Commissioners empowered to resell Lands which may not be wanted.

First Offer to be made to Owner of adjoining Land.

chase the same, an Affidavit to be made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said City and County, (who are hereby respectively empowered to take the same,) by some Person no way interested in the said Land, Ground, or other Premises, stating that such Offer was made by and on the Behalf of the said Commissioners, and that such Offer was not then and thereupon agreed to or was refused by the Person to whom the same was so offered, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was not agreed to or was refused by the Person to whom such Offer was made (as the Case may be); and in case such Person shall be desirous of purchasing the same, and he and the said Commissioners shall differ and not agree with respect to the Price thereof, then the Price thereof shall be ascertained by a Jury in manner herein-before directed with respect to the disputed Value of the Premises to be purchased by the said Commissioners in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as herein-before directed with respect to such Purchases made by the said Commissioners, *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said Commissioners of such Piece or Parcel of Ground and Hereditaments as aforesaid shall be applied to the Purposes of this Act.

Application
of Purchase
Money.

XLVI. 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 Bridge by virtue of this Act is and are hereby directed to be paid, applied, and disposed of.

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

XLVII. And be it further enacted, That all 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 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 Court of Exchequer, to be placed to his Account *ex parte* the Commissioners under this Act, 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 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 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 meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Proceeds of the said 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.

XLVIII. Provided always, and be it further enacted, 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 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 Guardian or Committee in case of Infancy or Lunacy, Trustee or Trustees, Receiver or Receivers, or other Person or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said 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 herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application
if less than
200*l.* and
above 20*l.*

XLIX. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as last above-mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of such Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments in respect whereof

Application
if less than
20*l.*

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 Guardian, Committee, Trustee, or other Person acting as such, to and for the Use and Benefit of such Person 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.

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

L. And be it further enacted, That in case the Person to whom any Sum 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 entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in 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 Court of Exchequer, 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 Exchequer; which said Court, on the Application of any Person making claim to such Sum 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 order Distribution thereof, or Payment of the Dividends thereof, according to the Estate, Title, or Interest of the Person making claim thereunto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier of the Bank of *England* who shall receive such Sum of Money is hereby required to give a Receipt for such Sum of Money, mentioning and specifying for what and for whose Use the same is received, to such Person as shall pay any such Sum of Money into the Bank as aforesaid.

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

LI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of 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 who shall have been in Possession of such Lands, Tenements, or other Hereditaments in respect whereof such Money shall have been so paid at the Time of passing of this Act, and all Persons claiming under such Person, 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 shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such

Possession

Possession was a wrongful Possession, or that some other Person was lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

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

LIII. 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 as they shall appoint to take Possession of the same, upon having Six Calendar Months Notice to quit such Possession from the Clerk to the said Commissioners, or from the Person so authorized by them to take such Possession, and such Person in Possession shall at the End of the said Six Calendar Months, whether such Notice be given with reference to the Time of such Tenant's holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to the Person authorized by them to take possession thereof (such Authority being signified under the Hands of the said Commissioners): Provided always, that the said Commissioners shall make such Recompence and Satisfaction to the said Tenants or Occupiers as the said Commissioners shall think just and reasonable; and in case of any Dispute concerning the same, such Recompence and Satisfaction shall be settled and ascertained in such and the like Manner as the Recompence and Satisfaction to be made by the said Commissioners for the Purchase of any Lands, Tenements, or Hereditaments for the Purposes of this Act are herein directed to be ascertained and settled; and in case any such Person so in Possession as aforesaid shall refuse to give such Possession as aforesaid (all such reasonable Satisfaction being first made and tendered), it shall be lawful for the said Commissioners to issue their Precept to the Sheriffs of the said City of *Norwich*, to deliver Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same, and the said Sheriffs are hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept on the Person so refusing to give Possession as aforesaid, by Distress and Sale of his Goods.

Tenants at Will to deliver Possession at Six Months Notice.

LIV. And be it further enacted, That all and every Person who shall have any Mortgage on such Lands, Tenements, and Hereditaments, not being in Possession thereof by virtue of such Mortgage, shall, on the Tender of the Principal Money and Interest due thereon, together with

Mortgagees to convey upon Receipt of Principal and Interest.

[Local.]

24 C

the

the Amount of Three Calendar Months Interest on the said Principal Money, by the said Commissioners, or by such Person as they shall appoint; or in case such Mortgagee shall have Notice in Writing from the said Commissioners, or from such Person as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage at the Expiration of Three Calendar Months, to be computed from the Day of giving such Notice, then and in such Case, at the End of the said Three Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee shall convey, assign, and transfer his Interest in the Premises to the said Commissioners, or to such Person as shall be appointed in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall thenceforth cease and determine, so far as such Mortgage shall regard or concern such Premises: Provided always, that in case the Sum due upon any such Mortgage, with all Interest due thereon, shall amount to more than the real Value of such Premises, so ascertained as aforesaid, and in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then upon Payment of the Principal Money and Interest due on such Mortgage as aforesaid into the Bank of *England*, at the End of Three Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee, the Cashier of the Bank shall give a Receipt for the said Money in like Manner as is herein-before directed in case of other Payments in the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee, 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 in the actual Possession of the Premises comprised in such Mortgage, to all Intents and Purposes whatsoever.

Empowering Commissioners to erect a Toll House and Toll Gate.

LV. 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 Toll Gate in, upon, and across or near to the said intended Bridge, and that there shall be demanded and taken by such Person as the said Commissioners shall from Time to Time appoint to receive the same, for a Passage over the said Bridge, of and from every Person using the said Bridge as a Footway, and also for every Horse or other Beast, or any Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage which shall pass, laden or unladen, and for every Horse or other Beast drawing any Coach, Chaise, or other like Carriage, 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 over the said Bridge, such Tolls or Sums of Money as the said Commissioners shall from Time to Time order, not exceeding the several and respective Sums or Tolls following for each and every Time of passing over the said Bridge; (that is to say,)

Tolls to be taken on the Bridge.

For every Horse or other Beast drawing any Carriage with Four Wheels, the Sum of Three-pence:

For every Horse or other Beast drawing any Carriage with Two Wheels, the Sum of Three-pence:

For every Horse or other Beast, laden or unladen, and not drawing, the Sum of One Penny:

For every Foot Passenger, the Sum of One Halfpenny:

For

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number than a Score : And for every Drove of Calves, Hogs, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number than a Score :

Which said respective Tolls or Sums of Money shall be due and payable and shall be paid every Time of passing over the said Bridge ; and the same are hereby vested in the said Commissioners and their Successors, and shall be accordingly from Time to Time applied as the said Commissioners (subject to the special Provisions herein-after made) shall direct.

Tolls vested in the Commissioners.

LVI. And be it further enacted, That it shall be lawful for the Collector of the said Tolls, to stop and prevent the Passage of any Person 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 Collector to seize and detain the Goods and Chattels of such Person, 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 Fourteen Days, the said Collector 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.

Payment of Tolls may be enforced.

LVII. And be it further enacted, That within Fourteen Days after any Toll Gate shall be erected by virtue of this Act, the said Commissioners shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at every such Toll Gate a Table painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at every such Gate, distinguishing the several Tolls to be paid by virtue of this Act, and to renew such Boards whenever any of the Letters or Figures thereof shall be worn out, defaced, or obliterated, and also a List of the several Gates, if any, which shall be cleared by the Payment of the Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed ; and in case there shall at any Time or Times be more than One Gate, the said Commissioners shall also provide Tickets denoting the Payment of the Toll, and on such several Tickets shall be named and specified the Name of the Gate at which the same shall respectively be delivered, and also the Names of the several Gates freed by such Ticket, One of which Tickets shall be delivered *gratis* to the Person paying the Toll, and on the Production of such Ticket at any Gate or Gates therein mentioned to be cleared as aforesaid by the Payment of the Toll at the Gate where such Ticket was delivered, the Person producing the same shall pass through the Gate or Gates therein mentioned without paying any further additional Toll.

Commissioners to put up a Table of Tolls.

LVIII. And be it further enacted, That if any Person shall wilfully pull down, break, injure, or damage the Table of Tolls herein-before authorized and directed to be set up, or shall wilfully or designedly deface or obliterate any of the Inscriptions, Letters, Figures, or Marks thereon,

Penalty for defacing Table of Tolls.

every

every Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings; and one Moiety of such Penalty shall be paid to the Informer, and the other Moiety to the Treasurer of the said Commissioners, and be applied towards the Repair of the said Bridge and Roads.

No Tolls to be taken but whilst Boards are fixed.

LIX. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to demand or take, or cause to be demanded or taken, any Tolls for or in respect of any Horse, Mule, Ass, or other Beast at any Toll Gate, but for and during such Time as the Board so painted as aforesaid shall remain fixed at such Toll Gate.

For preventing Toll Collectors from taking any undue Tolls, or misbehaving themselves.

LX. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, or appointed either by the said Commissioners or by any such Lessee to collect the Tolls by this Act granted, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate, immediately on his coming on Duty, each of the Letters of such Name to be at least Two Inches in Length and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the Trustees made in pursuance thereof, or shall demand or take a Toll from any Person or Persons who may be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder, any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall, in answer to such Demand, give a false Name, or upon the legal Toll being paid or tendered, shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Trustee, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum, not exceeding Five Pounds for every such Offence.

For settling Disputes concerning Tolls.

LXI. And be it further enacted, That if any Dispute shall happen respecting the Amount of the Tolls, or the Charges of making, keeping, or selling any Distress for Recovery of the said Tolls, it shall and may be lawful for the Collector or the Person so distraining to retain such Distress, or the Money arising from the Sale thereof, (as the Case may happen,) until the Amount of the Tolls due, and the Charges of the Distress and Sale, and of keeping the Distress, 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 Matter on the Oath of the Parties or other Witnesses, (which Oath such Justice is hereby authorized to administer,) and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and

recovered,

recovered, in case of Nonpayment thereof forthwith, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained as aforesaid.

LXII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls, the Person appointed to collect the same, or any other Person acting by or under the Authority of the said Commissioners, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his being so appointed or interested under such Appointment, or being paid to collect the Tolls, or acting or being paid to act under the Authority of the said Commissioners.

Toll Collectors, &c. not to be deemed incompetent Witnesses.

LXIII. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages belonging to His Majesty, or attending His Majesty or any of the Royal Family, or returning after having so attended; or for any Horse, Beast, Cattle, or Carriage of whatever 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 Public 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 the 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; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted from the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds.

Exemptions from Tolls.

LXIV. 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 Public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such

Owners or Drivers of Waggons employed in the Service of His Majesty's Forces not to be subject

[*Local.*]

24 D

Waggon,

to Penalties
for Over-
weight.

Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in 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 relating to Highways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

Penalty on
making
Drains or
throwing
Rubbish on
the Roads.

LXV. And be it enacted, That if any Person 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, being convicted thereof, shall forfeit and pay any Sum not exceeding Five Pounds 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 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 so offending, rendering the Overplus (if any), upon Demand, after all Charges paid, to the Person whose Goods and Chattels shall be distrained and sold; and in default of such Distress, or Nonpayment of the said Penalty, the Offender 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 so committed shall, upon Payment of such Forfeitures and all Charges, be immediately released from his, her, or their Confinement.

Penalty for
drawing
Timber on
the Road.

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

For prevent-
ing Nuisances
on Bridge
and Roads.

LXVII. And be it further enacted, That if any Person or Persons shall wilfully or negligently injure, destroy, or otherwise damage, or shall ride, drive, or lead any Horse, Beast, Cattle, or Carriage over or upon any Footpath or Causeway made or to be made on the Side or Sides of any Part of the said Bridge or Roads, or the Avenues or Approaches thereto,

thereto, or shall wilfully obstruct the Passage thereof; or if any Driver of any Waggon or other Carriage shall wilfully or carelessly break or damage any of the Posts or Stones which may be erected for the Security of the said Footpaths or Causeways; or if any Person or Persons shall scrape off any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, with any Instrument, so as to damage the said Bridge, Roads, Avenues, or Approaches thereto, or any Part thereof; or if any Person or Persons shall leave any Waggon, Wain, Cart, or Carriage, or any Plough, Harrow, or other Implement of Husbandry, without some reasonable Cause, to be allowed by the Justice before whom the Person so offending shall be summoned or conveyed in order to his Conviction, or except, with regard to such Waggon, Wain, Cart, or other Carriage, during such reasonable Time as the same shall be loading or unloading, and standing as near the Side of the said Roads, Avenues, or Approaches as conveniently may be, in, upon, or on the Sides of the said Bridge, Roads, Avenues, or Approaches thereto, either with or without any Horse or Beast harnessed or yoked thereto; or shall lay any Timber, Wood, or Bushes, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbish, or other Annoyance whatsoever, upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance of any Person travelling thereon; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

LXVIII. 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 enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers respectively to seize and detain such unknown Persons guilty of any Offence against this Act, and to convey them before any One or more 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 and Justices of the Peace is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offenders, or to oblige such Persons so offending to give Security for their Appearance at the next General or Quarter Sessions to be holden for the said City, and for Want of such sufficient Security to commit the Persons so offending to the House of Correction for the same City, until they shall repay the respective Penalties by them incurred for such respective Offence or Offences, or shall give such Security as aforesaid.

For securing
transient
Offenders.

LXIX. 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 Pallisade 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 fixed or put upon such Lamp Irons and Lamp Posts, as they shall think necessary for lighting the said Bridge, Roads, or Avenues respectively, or every or any Part thereof.

Fixing
Lamps, &c.

LXX. And

Power to raise
Money for
the Purposes
of this Act.

LXX. 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 Three thousand Pounds, to be applied for the Purposes of this Act, either by 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 thereof, or of such Person as shall be nominated by and on behalf of such Purchaser, which 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 the said Commissioners are hereby fully authorized and empowered, by any Deed or Deeds, Writing or Writings, 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 of Money so to be borrowed, with Interest for the same, or for the due and regular Payment of the said Annuity so to be granted, as to them shall seem meet.

Form of
Mortgage.

LXXI. And be it further enacted, That every such Grant or Assignment so to be given as a Security for any such Sum or Sums 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 Eleventh Year of the
 ‘ Reign of His Majesty King *George* the Fourth, intituled [*here*
 ‘ *set forth the Title of this Act*], we, _____ of the Commissioners
 ‘ authorized by or by virtue of the said Act, in consideration of the
 ‘ Sum of _____ to the said Commissioners lent and
 ‘ advanced by _____ of _____, do grant and convey
 ‘ unto the said _____ his [*or her*] Executors, Administrators, and
 ‘ Assigns, the said Bridge, and the Toll House or Toll Houses thereunto
 ‘ belonging, and all and singular the Tolls arising 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 _____ 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 _____ .’

Mortgagees
entitled to
Security
without Pre-
ference.

And all and every Person and Persons, Bodies Politic, 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 Interest, without any Preference by reason of Priority of any Grant or Conveyance, or on any other Account whatsoever.

Form of
Grant of An-
nuity.

LXXII. And be it further enacted, That every Grant of 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**

‘ **BY** virtue of an Act passed in the Eleventh Year of the Reign of His
 ‘ Majesty King *George* the Fourth, intituled [*here set forth the*
 ‘ *Title of this Act,*] we of the Commissioners appointed by and
 ‘ acting under the said Act, in consideration of the Sum of
 ‘ paid to the said Commissioners by of do grant
 ‘ unto the said Successors or Executors, Administrators and
 ‘ Assigns, out of the Tolls and Pontage Duties of the said Bridge and
 ‘ Undertaking, One Annuity or yearly Sum of to be
 ‘ paid and payable to the said Successors or
 ‘ Executors, Administrators and 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 Decease
 ‘ of the Survivor [*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 belonging, according to the Purport, true Intent, and Meaning of this Act.

LXXIII. And for preventing any improvident Grants of Annuities under this Act, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by an Act passed in the Tenth Year of the Reign of His present Majesty, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities, and Annuities for Term of Years.*

Restrictions as to granting Annuities.

10 G. 4. c. 24.

LXXIV. And be it further 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.

Entries of Mortgages to be made in Commissioners Books.

LXXV. And be it further enacted, That all and every Person, Body Politic, Corporate, or Collegiate, to whom 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, Body Politic, 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 to 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,

Mortgages and Annuities transferrable by Indorsement.

‘ **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
 ‘ [*Local.*] 24 *E* same,

Form of Transfer.

‘ same, and all Benefit and Advantage to arise therefrom, 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
 Commission-
 ers Books.

And every such Transfer shall, within Fourteen Days after the Date thereof, be produced and left with the said Clerk, who shall, within Seven Days then next ensuing, 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 to whom such Assignment or Transfer shall be made, his 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 Two Shillings and Sixpence, and no more.

Interest and
 Annuities to
 be paid
 quarterly.

LXXVI. And be it further enacted, That the Interest of the Money which shall be borrowed on Mortgage as aforesaid, and the several Annuities so to be granted as aforesaid, shall, from the Time the respective Monies so to be lent or paid shall have been advanced, be paid Quarterly to the several Parties entitled thereto.

Manner of
 Proceeding as
 to paying off
 Mortgages.

LXXVII. 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 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 of the said Mortgages shall be drawn separately out of such Box or Wheel by the Clerk for the Time being, in the Presence of the said Commissioners, at some or one of their Meetings, and such Securities shall be paid off and discharged according to the Rotation in which the Number 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, to be given or sent to or left at the usual Place of Abode of the Person who shall be entitled to the Money to be paid off pursuant to such Ballot, signifying to such Person that at the End of Three 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 Three 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

shall be given, and also the Interest due at the Expiration of such Notice, shall nevertheless be payable on Demand.

LXXVIII. And be it further enacted, That the respective Persons who have agreed or who shall hereafter agree to advance any Money for and towards the Execution of the Purposes of this Act shall, and he, she, and they is and are hereby required to pay the Sum or Sums by them respectively agreed to be advanced, (or such Parts and Proportions thereof as shall from Time to Time be called for by the said Commissioners,) at such Times and Places and in such Manner as shall be directed by the said Commissioners; and in case any such Persons shall neglect or refuse to pay the same at the Time and Place and in manner so required for that Purpose, the said Commissioners are hereby empowered to sue for and recover the same in any of His Majesty's Courts of Law or Equity whatever.

Persons agreeing to advance Money to pay the same on being called upon.

LXXIX. And be it further enacted, That in all Actions brought by the said Commissioners against any Person who hath agreed or who shall hereafter agree to advance any Money for and towards the Execution of the Purposes of this Act, to recover any Sum or Sums of Money due and payable to the same Commissioners for or by reason of any Call made by such Commissioners, it shall be sufficient for the said Commissioners, to declare and allege that the Defendant is indebted to the said Commissioners in such Sum of Money as the Call in arrear shall amount to, or for such and so many Calls of such and so many Sums of Money as the said Defendant shall have agreed to advance (as the Case may happen to be), whereby an Action hath accrued to the said Commissioners by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant, at the Time of such Call, had agreed to advance such Sum of Money, and that such Call was in fact made, and the said Commissioners shall thereupon be entitled to recover what shall appear to be due.

Recovery of such Subscriptions.

LXXX. And be it further enacted, That the Tolls and other Monies that shall be collected and received, or shall arise or be produced 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 in building the said Bridge, and in making the several Roads and Approaches thereto, and in defraying 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 off and securing the Interest and Principal of any Sum or Sums of Money that may be borrowed or taken up at Interest for carrying into execution the several Powers and Provisions herein contained.

Directing the Application of the Tolls.

LXXXI. And be it further enacted, That if the said Commissioners shall not within Five Years from and after the passing of this Act complete the said Bridge, Roads, or Avenues, so as to make the same passable for Horses and Carriages, that then and from thenceforth all and singular the Powers and Authorities vested in them by this Act shall cease and determine, to all Intents and Purposes whatsoever.

The Bridge to be completed in Five Years.

LXXXII. Pro-

Saving Rights
of the Mayor
and of the
City of
Norwich.

LXXXII. Provided always, and it is hereby further declared and enacted, 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 Mavor, Sheriffs, Citizens, and Commonalty of the City of *Norwich* and County of the same, 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.

Remedy in
case of Non-
payment of
Damages,
&c. by the
Commis-
sioners.

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

Penalties and
Forfeitures,
how to be
recovered and
applied.

LXXXIV. And be it further enacted, That all Penalties and Forfeitures for the Offences in this Act mentioned, or imposed by any Rule, Order, or Bye Law made in pursuance hereof, in relation to which the Manner of convicting the Offenders is not particularly directed, shall be adjudged by and recovered before any Justice of the Peace for the County or Place in
which

which such Offence may occur, in a summary Way, and such Justice is hereby authorized and empowered to convict the Offender, upon Information on the Oath or Affirmation of any credible Person, or on the Confession of the Party offending (which Oath or Affirmation such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) on Demand to the Party whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted); and all such Penalties and Forfeitures, when recovered, where the Application is not otherwise directed by this Act, shall be paid to the Treasurer of the said Commissioners for the Use and Benefit of the said Commissioners, unless such Penalties or Forfeitures shall be incurred by the said Commissioners, in which Case the same shall be paid, One Half to the Informer and One Half to the Overseers of the Poor of the Parish or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish or Place; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, to order the Offender so convicted to be detained and kept in safe Custody until a Return can conveniently be made to such Warrant of Distress, unless the Offender shall give sufficient Security, to the Satisfaction of such Justice, for his Appearance before such Justice, or before some other Justice of the Peace for such County or Place, on such Day as shall be appointed for the Return of such Warrant of Distress, (such Day not being more than Seven Days from the taking of any such Security,) and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, (in either of which last-mentioned Cases such Justice shall not be required to issue such Warrant of Distress,) it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by any such Justice as aforesaid, shall be sooner paid and satisfied, or unless such Offender shall be otherwise discharged by due Course of Law: Provided always, that it shall be lawful for the said Commissioners from Time to Time, if they shall see Cause, to pay and apply any Part of the said Penalties, Forfeitures, and Fines, or any of them, not exceeding One Half of the same, to and for the Use of the Informer or any other Person, not being a Witness, aiding or assisting in the Apprehension of any such Offender.

LXXXV. And be it further enacted, That if any Person shall think himself aggrieved by any Order of the said Commissioners, or by any
 [Local.] 24 F Order, Allowing an Appeal.

Order, Judgment, 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 may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at the General or Quarter Sessions of the Peace to be holden in and for the County, City, or Place where the Cause of Appeal shall have arisen, first giving Ten Days Notice of such Appeal to the Person or Persons appealed against, and of the Nature and Matter thereof, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said City of *Norwich*, with Two sufficient Sureties, conditioned to try such Appeal and to abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Appeal at such General or Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be holden for such County, City, or Place; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order, Judgment, or Determination, and may also order and award such further Satisfaction to be made to the Party injured, as they shall judge reasonable.

Compelling Witnesses to attend and give Evidence.

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

Conviction of Offenders.

LXXXVII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; that is to say,

Form of Conviction.

‘ **BE** it remembered, That on the _____ Day of _____ in _____ the Year of our Lord _____ *A. B.* is convicted before me _____ *C. D.* [*or before us C. D. and E. F.*] One [*or Two*] of His Majesty’s Justices of the Peace for the City of *Norwich* or the County of *Norfolk* [*specifying the Offence, and Time and Place when and where the same was committed, as the Case shall be*]. Given under my Hand and Seal [*or our Hands and Seals*] the Day and Year first above mentioned.’

Justices may proceed by

LXXXVIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before

before a Justice of the Peace, it shall and may be lawful for any Justice of the Peace, to whom Complaint shall be made of any Offence against this Act, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all Proceedings by Summons, without Information, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Summons in the Recovery of Penalties.

LXXXIX. And be it further enacted, That in all Cases where by this Act any Damages, Costs, or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties, for any Offence or Offences, the Amount of such Damages, Costs, or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties and Forfeitures.

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

XC. And be it further enacted, That when any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be considered a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or the Appointment of the Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, or in any other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed or considered a Trespasser or Trespassers *ab 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 Trespass or on the Case, at the Election of the Person or Persons so aggrieved.

Distress not unlawful for Want of Form.

XCI. Provided always, and be it further enacted, That no Plaintiff 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 left at his last or usual Place of Abode, Fourteen Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover in such Action if Tender of good and sufficient Amends shall have been made to him or to his Attorney by or on behalf of the Defendant 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 shall suffer Judgment as in Cases of Nonsuit, with Costs, to be recovered in the same Manner as any Defendant

Plaintiff not to recover without Notice or after Tender of Amends.

Defendant or Defendants may recover Costs in any other Case by Law; or in case no Tender shall have been made, it shall and may lawful to and for the Defendant 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 Judgment 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.

Limitation of
Actions.

XCII. Provided always, and be it further enacted, That no Action or Suit shall be brought against any Person, or Body 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 County or City where the Cause of Action shall have arisen, and not elsewhere; and the Defendant in every such Action or Suit may at his 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 Fourteen 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 County or City as aforesaid, then and in every such Case the Jury shall find for the Defendant; and upon such Verdict, or if the Plaintiff shall be nonsuited, or discontinue his Action or Suit after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff, then the Defendant shall recover his, her, or their Costs, and have such Remedy for recovering the same as any Defendant hath or have for his Costs in any other Cases by Law.

Rule for the
Interpreta-
tion of the
Act.

XCIII. And be it further enacted, That whenever in this Act in describing or speaking of any Person, Act, Penalty, Offence, Matter, or Thing, Words importing the singular Number or masculine Gender only shall have been used, such Words shall be taken and deemed to include several Acts, Penalties, Offences, Matters, or Things, as well as one Act, Penalty, Offence, Matter, or Thing, and several Persons as well as one Person, and Females as well as Males, and Bodies Corporate as well as Individuals, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction; and where any Penalty shall be payable to a Party aggrieved, it shall be payable to a Body Corporate in every Case where such Body shall be the Party aggrieved.

Public Act.

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

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