



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. cxix.*

An Act for erecting and maintaining Bridges over the River *Severn* near *Shrewsbury*, and for making convenient Approaches thereto.

[23d *June* 1864.]

**W**HEREAS the building and maintaining of the Bridges herein-after described over the River *Severn* near *Shrewsbury*, with convenient Approaches thereto, would be of great public Advantage : And whereas the Persons herein-after named, with others, are willing to carry the said Undertaking into execution : And whereas it is expedient that the *West Shropshire Mineral* Railway Company should be authorized to subscribe towards the said Undertaking : And whereas the Objects and Purposes aforesaid cannot be effected without the Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows ; (that is to say,)

1. "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts  
[*Local.*] 17. C Amendment

8 & 9 Vict.  
cc. 16. & 18.,  
23 & 24 Vict.  
c. 106., and  
26 & 27 Vict.

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c. 118., incorporated.

Amendment Act, 1860," shall be incorporated with and form Part of this Act.

Short Title.

2. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Shrewsbury Bridges Act, 1864.*"

Subscribers incorporated.

3. *Richard Samuel France, Richard Palin, William Burr, John Broughall*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Bridges and Roads herein-after described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act and the Acts incorporated therewith; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Shrewsbury Bridges Company,*" and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

4. Subject to the Powers of converting Loans into Capital in "The Companies Clauses Consolidation Act, 1845," contained, the Capital of the Company in Shares shall be Twenty-five thousand Pounds; and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

Shares.

5. The Number of Shares into which the said Capital shall be divided shall be Two thousand five hundred, and the Amount of each Share shall be Ten Pounds.

Shares not to be issued until One Fifth Part thereof shall have been paid up.

6. It shall not be lawful for the Company to issue any Share, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part on the Amount of such Share shall have been paid up in respect thereof.

Calls.

7. Five Pounds *per* Share shall be the greatest Amount of any Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and not more than Three Fourths of the Amount of the Share shall be called up in any One Year.

Power to borrow on Mortgage.

8. It shall be lawful for the Company from Time to Time to borrow on Mortgage of their Undertaking any Sums of Money not exceeding

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exceeding in the whole the Sum of Eight thousand three hundred Pounds, but no Part of that Sum shall be borrowed until the whole of the said Capital of Twenty-five thousand Pounds is *bonâ fide* subscribed for, and Shares to that Amount issued and One Half thereof is paid up, and the Company has proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the Capital is subscribed for *bonâ fide* and issued, and that One Fifth of every Share has been paid on Issue of the same, and that such Shares are held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable; and all and every Part of the Money so to be borrowed shall be applied in carrying the Purposes of this Act into execution.

9. The Mortgagees under this Act may enforce Payment of the Arrears of Interest due on any such Mortgages by the Appointment of a Receiver, and the Amount necessary to authorize the Appointment of a Receiver, shall not be less than One thousand Pounds in the whole. Arrears may be enforced by Appointment of a Receiver.

10. The Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking. Number and Qualification of Directors.

11. *Richard Samuel France, Richard Palin, William Burr, and John Broughall* shall be the First Directors of the Company. First Directors.

12. The Quorum of a Meeting of Directors shall be Three. Quorum.

13. The Directors appointed by this Act, or such of them as shall not die or resign or become disqualified, or be removed, shall continue in Office until the First Ordinary General Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by proxy, may continue in Office the Directors appointed by this Act or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body. Election of Directors at First General Meeting.

14. At the First Ordinary General Meeting, to be held in every Year after the First General Meeting, the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions of "The Companies Clauses Consolidation Act, 1845," contained, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Subsequent Election of Directors.  
Directors

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Directors until others are elected in their Stead in manner provided by "The Companies Clauses Consolidation Act, 1845."

Power to the West Shropshire Mineral Railway Company to subscribe.

15. It shall be lawful for the *West Shropshire Mineral Railway Company* to subscribe towards and become Shareholders in the Undertaking of the Company to any Extent not exceeding Eight thousand Pounds, and the said Railway Company may apply to the Purpose of such Subscription any Monies which they are or may be authorized to raise, and which are not required by the said Company for the Purposes to which such Monies are by any Act made specially applicable.

If the West Shropshire Mineral Railway Company subscribe to the Undertaking, that Company may appoint Persons to vote in their Behalf.

16. If the *West Shropshire Mineral Railway Company* subscribe to the Undertaking of the Company, then the *West Shropshire Mineral Railway Company* or their Directors may appoint some Person (whether a Proprietor of Shares in that Undertaking or not) to vote on their Behalf at any Meeting of the Company, and may from Time to Time revoke any such Appointment and appoint another Person in that Behalf, and the Person so for the Time being appointed shall during his Appointment have the same Right of voting at any such Meeting as he would have had if the Shares in the Undertaking for the Time being held by the *West Shropshire Mineral Railway Company* were held by such Person in his own Right: Provided always, that every such Appointment or Revocation shall be in Writing and under the Seal of the *West Shropshire Mineral Railway Company*, or under the Hand of the Chairman or Deputy Chairman for the Time being of the Directors of that Company.

Power to build Bridges over the River Severn, and to make Approach Roads to such Bridges.

17. It shall be lawful for the Company to build, make, maintain, and keep in repair the following Bridges and Roads of Approach; (that is to say,)

A Bridge (herein called "Bridge No. 1"), with all proper Piers, Abutments, and other Works connected therewith, across the River *Severn*, near the General Railway Station at *Shrewsbury*, and being situate within the Parish of *St. Mary* and the Precincts of the Parish of *St. Michael within the Castle of Shrewsbury*:

A Bridge (herein called "Bridge No. 2"), with all proper Piers, Abutments, and other Works connected therewith, across the River *Severn* in the Parish of *St. Chad* near *Shrewsbury*:

A Road of Approach commencing in the Town of *Shrewsbury*, in the Street called *Abbey Foregate*, at or near the Bridge which carries the *Shrewsbury and Hereford Railway* across that Street, and terminating on the Right Bank of the River *Severn* by a Junction with Bridge No. 1:

A Road of Approach commencing in *Quarry Place* in the Parish of *St. Chad* in the Town of *Shrewsbury*, and terminating on the

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the Left Bank of the River *Severn* by a Junction with Bridge No. 2:

And a Road of Approach commencing in the Parish of *St. Julian Shrewsbury*, by a Junction with the Turnpike Road leading from *Shrewsbury* to *Bishop's Castle*, opposite to that Entrance to the *Shrewsbury* General Parochial Cemetery which is nearest to *Coleham* in the Town of *Shrewsbury*, and terminating on the Right Bank of the River *Severn* by a Junction with Bridge No. 2.

18. Whereas a Plan and Section of the said Bridges and Roads of Approach showing the Situation and Levels thereof, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited for public Inspection with the Clerk of the Peace for the County of *Salop*: Therefore, subject to the Provisions and Powers of Deviation in this Act contained, the said Bridges and Roads of Approach shall be made in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and subject to the aforesaid Provisions it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Bridges and Roads of Approach to be made according to deposited Plans.

19. If any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands described on the Plan or Book of Reference deposited as aforesaid, it shall be lawful for the Company, after giving Ten Days Notice to the Owners of the Lands affected by such proposed Correction, to apply to Two Justices acting for the Borough of *Shrewsbury* for the Correction thereof, and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake they shall certify the same accordingly; and they shall in such Certificate state the Particulars of such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the said Clerk of the Peace for the County of *Salop*, and also with the Parish Clerk of the Parish in which the Lands affected thereby shall be situate, and such Certificate shall be kept by the said Clerk of the Peace and Parish Clerk respectively along with the other Documents to which the same relates, and thereupon the said Plan and Book of Reference shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Company to execute the Works in accordance with such Certificate.

Errors and Omissions may be corrected by Two Justices, who shall certify the same.

Certificate to be deposited.

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Provision  
with respect  
to certain  
Lands of  
T. Salt,  
Esq.

**20.** The Company shall, in the event of any Portion of the Properties numbered on the deposited Plans 2 and 3 in the Parish of *St. Chad*, now the Property of *Thomas Salt* Esquire, taken by them for the Purposes of this Act, becoming superfluous Lands within the Meaning of the 127th Section of "The Lands Clauses Consolidation Act, 1845," first offer them for Resale to the said *Thomas Salt* or his Heirs, and if he shall decline or neglect to repurchase the same, then it shall not be lawful for the Company to use or sell the same for Building Purposes, but the same shall for all Time hereafter remain and be free from Buildings or Erections of any kind: Provided always, that it shall be lawful for the Company to dispose of and transfer the same (subject to the Right of Pre-emption of the said *Thomas Salt* or his Heirs, and to such Restriction as to building as aforesaid), to the Corporation of the Borough of *Shrewsbury*.

Power to  
make Foun-  
dation Dams,  
&c. in River  
Severn.

**21.** It shall be lawful for the Company for the Purposes of the said Bridges from Time to Time to dig and make proper Foundations in the said River *Severn*, and on the Lands on each Side thereof, and to make Dams in the said River, during the Construction or Repair of the said Bridges, and to cut and level and embank and secure the Banks thereof, and to cut, remove, scour, take, and carry away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatsoever, and to do and execute all and every other Things or Thing necessary or convenient for building, maintaining, and repairing the said Bridges.

Materials  
may be  
brought and  
worked on  
any Lands  
within 100  
Yards of  
Bridges or  
Roads of  
Approach,  
on making  
Satisfaction  
for Injury  
done.

**22.** It shall be lawful for the Company and their Agents, Servants, and Workmen from Time to Time and at all Times from and after the passing of this Act to bring, place, lay, work, and use, any Timber, Stone, Bricks, Lime, or other Materials for making or building the said Bridges, Roads, or Works, or any of them, or for executing any other of the Purposes of this Act in, upon, through, and over any Lands, not built upon or being Garden or Pleasure Ground, within One hundred Yards of the said Bridges, Roads, or Works respectively, doing as little Damage as may be, and making Satisfaction for such Damage to the Owners and Occupiers of such Lands; and in case of Dispute about the Amount of such Damage and Satisfaction the same shall be settled by any Two or more Justices of the Peace for the Borough of *Shrewsbury*, and such Justices are hereby authorized and empowered to hear, settle, and determine the same accordingly.

Power to  
set out the  
Bridges,  
Roads, &c.

**23.** It shall be lawful for the Company and their Agents, Servants, and Workmen to enter upon any Lands upon or through which the said Bridges, Roads, or Works are intended to be made or to pass, and also upon any adjoining Lands or Grounds, to examine and survey the same, and to ascertain and set out such Parts thereof as  
may

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may be thought necessary or convenient for carrying into execution the Purposes of this Act, and also from Time to Time to construct and make all necessary Walls, Arches, Culverts, Ditches, Drains, and Fences, and to do and perform all other Matters and Things which shall be necessary or proper for making, completing, amending, and maintaining the said Bridges, Roads, and Works, doing as little Damage as may be, and making full Satisfaction, in manner hereinafter directed, to the respective Owners and Occupiers of all Lands which shall be taken, used, prejudiced, or damaged in the Execution of the Powers hereby granted.

24. In making the said Bridges, Roads, and other Works by this Act authorized, the Company shall have Power to deviate from the Centre Line delineated on the Plan deposited as aforesaid, provided that no such Deviation shall extend to a greater Distance than the Limits of Deviation delineated on the said Plan, nor to a greater Extent than Thirty Yards from the Centre Line delineated upon the said Plan, nor shall such Deviation extend into the Lands of any Person whose Name is not mentioned in the said Book of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided for in Cases of unintentional Errors in the said Book of Reference.

Company empowered to deviate from Plans to a certain Extent.

25. In constructing the said Bridges, Roads, and other Works the Company may deviate from the Levels of the same as referred to the Datum Line described on the Section deposited as aforesaid; provided that the Extent of any such Deviation shall not exceed Five Feet.

Power to deviate from Levels described on Section.

26. Provided always, That in making the Bridge No. 1 and the said Road of Approach, or any Extension thereof, on the Right Bank of the River *Severn* leading to Bridge No. 1, it shall not be lawful for the Company to construct any Work which shall be nearer to the existing Western Boundary Fence of the Railway or Property of the *London and North-western*, the *Great Western*, and the *Shrewsbury and Hereford* Railway Companies, and the *Shropshire Union* Railway and Canal Company, than Fifty Feet measured in a direct Line from such existing Western Boundary Fence.

Road of Approach on the Right Bank of the River *Severn* not to be constructed within 50 Feet of the Railway or Property of certain Companies.

27. The Inclination of any Road which shall be diverted or altered by the Company under the Provisions of this Act shall not be steeper than One Foot in Thirty Feet, and the Company shall make and permanently maintain a good and sufficient Fence on each Side of the said Bridges of not less Height than Four Feet.

Inclination of Roads and Fence to Bridges.

28. The

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Powers for compulsory Purchases limited.

**28.** The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Construction of Works limited.

**29.** The Bridges and Roads by this Act authorized shall be completed within Three Years after the passing of this Act, and on the Expiration of that Period the Powers of the Company for making the same shall cease: Provided always, that notwithstanding the Expiration of such Period, it shall be lawful for the Company from Time to Time to improve, maintain, repair, or rebuild such of the Works by this Act authorized as they shall have executed within the said Period of Three Years.

Plans, &c. to be deposited at the Board of Trade.

**30.** Previously to commencing the said Bridges, or the Works connected therewith, the Company shall deposit at the Board of Trade Plans, Sections, and Working Drawings of the said Bridges and Works connected therewith for the Approval of the said Board, such Approval to be signified in Writing under the Hand of One of the Secretaries of the said Board, and such Bridges and Works shall be constructed only in accordance with such Approval, and when such Bridges and Works shall have been commenced or constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if such Bridges or Works shall be commenced or completed, or be altered or extended, contrary to the Provisions of this Act, it shall be lawful for the Board of Trade to abate, alter, and remove the same, and to restore the Site thereof to its former Condition at the Cost and Charge of the Company; and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

Power to Board of Trade to order a local Survey at Expense of Company.

**31.** If at any Time or Times it shall be deemed expedient by the Board of Trade to order a local Survey and Examination of the said Bridges and Works, or either or any of them, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

If Bridges, &c. fall into Decay, Board of Trade may remove

**32.** If any Bridge or Work to be constructed by the Company under the Authority of this Act across the River *Severn*, or if any Portion of such Bridge or Works affecting such River, or any Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it



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it shall be lawful for the Board of Trade to abate and remove the same, or such Part or Parts thereof as they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company; and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

same at  
Expense of  
Company.

**33.** The Company may cause to be erected and set up a Turnpike Gate or Toll Gate at or upon each of the said Bridges, or at or upon some or One of the said Roads belonging to the Company and leading to or branching from such Bridges respectively, and from Time to Time may remove any such Turnpike or Toll Gate, and erect or set up another Turnpike or Toll Gate in lieu thereof at any Place upon any Part of the said Bridges or Roads respectively, and may from Time to Time erect, provide, and maintain such Toll Houses and other Conveniences near or adjoining to any such Turnpike or Toll Gate as the Company shall think proper; and the Tolls not exceeding the following may be demanded and taken at the Turnpikes or Toll Gates to be erected as aforesaid by such Person or Persons as the Company or any Lessee of the Tolls shall from Time to Time appoint, of which Appointment a Certificate in Writing, signed by the Secretary or Clerk of the Company, or such Lessee as the Case may require, shall for all Purposes be sufficient Evidence; (that is to say,)

Power to  
erect Toll  
Gates and to  
take Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Tolls,

Omnibus, Van, Caravan, Landau, Chariot, Barouche, Phaeton, Chaise, Gig, Hearse, Waggon, Wain, Cart, or other Carriage, the Sum of Threepence :

For every Horse or Mule, laden or unladen, and not drawing, the Sum of One Penny; and if carrying more than One Person, for each such Person an additional Sum of One Halfpenny :

For every Ass, laden or unladen, the Sum of One Halfpenny; and and if carrying more than One Person an additional Sum of One Halfpenny.

For every Ox, Cow, Bull, or Neat Cattle, the Sum of One Halfpenny :

For every Calf, Pig, Sheep, or Lamb, the Sum of One Farthing :

For every Foot Passenger or Person on Foot (except the Person or Persons, not exceeding Two in Number, actually driving and accompanying any Waggon, Wain, Cart, or other such Carriage) who shall pass over the said Bridge, the Sum of One Halfpenny :

And for every Person who shall ride in or upon any Waggon or Wain, Cart, or other such like Carriage, or who shall ride upon any Horse or Beast drawing any Waggon, Wain, Cart, or other such like Carriage (except the Persons, not exceeding Two in

[*Local.*]

17 *E*

Number,

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Number, actually driving or accompanying such Waggon, Wain, Cart, or other such like Carriage), the Sum of One Halfpenny:

Such Tolls to be paid before any such Person, or any such Horse, Mule, Ass, Cattle, or Beast, or any such Carriage as aforesaid, shall be entitled to pass through such Turnpike or Toll Gate, and which said Tolls shall be and the same are hereby vested in the said Company and their Successors for the Purposes of this Act.

Table of  
Tolls to be  
put up.

**34.** After any Toll Gate shall be erected by virtue of this Act, the Company 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 a List distinguishing the several Tolls to be paid by virtue of this Act, and to renew such Board whenever any of the Letters or Figures thereof shall be worn out, defaced, or obliterated; and it shall not be lawful for the said Company to demand or take, or cause to be demanded or taken, any Tolls, except for and during such Time as the Board so painted as aforesaid shall remain affixed to such Toll Gate.

24 & 25 Vict.  
c. 70. to  
apply.

**35.** The Clauses and Provisions of the "Locomotive Act, 1861," with respect to Tolls and all other Matters, shall apply to the Roads and Bridges by this Act authorized to be made.

Exemptions  
from Toll.

**36.** Provided always, That no Toll shall be demanded or taken for any Horses or Carriages attending Her Majesty or any of the Royal Family, or returning after having so attended, or for a Horse, Beast, Cattle, or Carriage, of whatever Description, to be employed in conveying or guarding Mails of Letters and Expresses under the Authority of Her Majesty's Postmaster-General, either when employed in conveying or guarding such Mails or Expresses, or returning back from conveying or guarding the same, or for any Soldiers upon their March or upon Duty, or for any Horse, Cattle, or Carriages attending them with their Arms and Baggage, and returning after having been so employed, nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horses or other Cattle drawing the same which shall be employed in conveying any Ordnance or Commissariat or other Public Stores of or belonging to Her Majesty, or to and for the Use of Her Majesty's Forces, or for any Militia or 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 furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and ridden by them in going to or returning from the Place appointed for and on the Days of Exercise: Provided always, that no Soldier, Militiaman, Volunteer, or Member of a Corps of Yeomanry Cavalry

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Cavalry shall be entitled to any such Exemption as aforesaid unless he is dressed in the Uniform of his Corps at the Time of claiming such Exemption.

**37.** The said Tolls or any Rents payable in respect of the same which shall be collected and received under or by virtue of this Act shall be applied and disposed of in the Manner herein-after mentioned; (that is to say,) in the first place in paying the Expenses for the Time being of carrying this Act into execution, and of keeping the said Bridges, Toll Houses, and Roads in proper Repair and Condition; secondly, in paying to the Mortgagees under this Act the Interest to which they shall be respectively entitled; and thirdly, in paying Interest at a Rate not exceeding Five Pounds *per Centum per Annum* to the Shareholders on the Sums from Time to Time paid up by them upon their respective Shares, and the Surplus thereof, if any, shall be carried to the Credit of a Sinking Fund.

Directing the Application of the Tolls.

**38.** All Monies carried to the Credit of the Sinking Fund shall from Time to Time be invested by the Company in the Purchase of Exchequer Bills or other Government Securities, until the same shall be of sufficient Amount to pay off the Sums to which the Sinking Fund is applicable, or some Part thereof which the Directors shall think ought then to be paid off.

Monies carried to the Credit of the Sinking Fund to be invested.

**39.** The Sinking Fund shall be applied, first, in paying off Mortgages created or issued under this Act, and secondly, in repaying to the Shareholders the Monies which shall have been paid up on their respective Shares, together with such an Amount as may be required to make up, together with the Sums which may from Time to Time have been received as Dividend on such Shares, a Sum equal to Interest at the Rate of Five Pounds *per Centum per Annum* on the Amounts paid on such Shares respectively from the Time at which such Amounts shall have been paid.

Application of Sinking Fund.

**40.** Whenever the Directors shall think fit to pay off One or more of the said Mortgages, or to repay to the Shareholders any such Monies as aforesaid, they shall decide the Order in which such Mortgages shall be paid off by Lot among the Mortgagees, and may apply any Monies at their Disposal for such Purpose in repaying the Shareholders rateably, or may decide by Lot the Order in which they shall be repaid; and shall cause a Notice, signed by the Secretary or Clerk, to be given to the Persons entitled to the Money to be paid off or to the Shares in respect of which Payments are to be made; and such Notice shall express the Sum to be applied in Payment of Debt or repaying Shareholders, as the Case may be, and the Time and Place at which Payment will be made: Provided always, that if the Holder

Mode of paying off Mortgages or cancelling Shares.

of

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of any Mortgage entitled by Lot to be paid off does not desire to have the Amount secured by such Mortgage paid off, and any other Holder of a Mortgage not entitled by Lot to be paid off shall desire to have the Amount secured by his Mortgage paid off, then on the joint Application of both of such Persons the Directors may and shall pay off the Mortgage held by the Person desiring to be paid off; instead of the Mortgage held by the Person entitled by Lot to be paid off but not desiring to be paid off.

When Shareholders have been repaid, Shares to be cancelled.

41. Whenever the full Amount which shall have been paid on any Share, together with such an Amount (if any) as may be required to make up the aforesaid Amount of Interest upon the same, shall have been repaid or paid to the Person entitled thereto, then such Share shall be forthwith cancelled, and shall not be re-issued.

Power to stop any Person refusing to pay Toll.

42. If any Person subject to the Payment of the Tolls hereby made payable, or any of them, shall after Demand made thereof by any Collector appointed to receive the same neglect or refuse to pay the same, it shall be lawful for such Collector, by himself or taking such Assistance as he shall think necessary, to stop and prevent the Passage of the Person so neglecting or refusing, or of the Horse, Beast, or Cattle for or in respect of which such Tolls ought to be paid, until full Payment thereof, or to seize and distrain any Horse or other Beast or Cattle, together with their Bridles, Saddles, Gears, Harness, or Accoutrements (except the Bridle or Reins of any Horse or other Beast separate from the Horse or Beast), and any Carriage drawn by such Horse, Cattle, or Beast; and if such Tolls and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Three Days next after such Seizure and Distress shall have been made, the Person so seizing and distraining shall and may sell the Horses, Cattle, Carriages, Goods, Chattels, or Things so seized and distrained, or any Part thereof, returning the Overplus (if any) and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls and the reasonable Charges occasioned by such Seizure, Distress, and Sale shall be deducted; and if any Person shall fraudulently or forcibly, pass over the said Bridge, or through any or either of the said Toll Gates, without having paid the said Tolls, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person offending in any of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to vary the Tolls.

43. It shall be lawful for the Company from Time to Time, at any General or Special Meeting to be held in pursuance of this Act, to lessen or reduce all or any of the Tolls hereby granted for such Time

as

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as they shall think proper, and to raise again the Tolls so lessened or reduced, or any Part thereof, so that the same do never exceed the Tolls herein-before granted; and the Tolls so lessened or reduced, or raised again, shall be collected, recovered, and applied in the same Manner as the Tolls hereby granted are authorized or directed to be collected, recovered, and applied.

44. The Tolls to be taken by virtue of this Act shall at all Times be charged equally and after the same respective Rate upon all Persons passing over or using the said Bridges or Roads, and in respect of all Horses, Beasts, Cattle, and Carriages of whatsoever Description; and no Reduction or Advance of the said Tolls shall either directly or indirectly be made partially or in favour of any particular Person or Party; but every such Reduction or Advance of Tolls shall extend and take place in respect of the same Description of Beasts, Cattle, and Carriages, and to all Persons or Parties whomsoever, passing over or using the said Bridge, anything herein contained to the contrary thereof in anywise notwithstanding.

Tolls to be charged equally.

45. Every Toll Collector 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 or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted in Black Letters on a Board with a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Toll Collector shall not place such Board and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the Company made in pursuance thereof, or shall demand and take a Toll from any Person who shall be exempted from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person from reading the Inscriptions on the said Board or upon the Table of Tolls by this Act required to be put up at every Toll Gate of the Company, or shall refuse to tell his Christian or Surname to any Person 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, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence as the Justice or Justices before whom the Complaint shall be heard shall adjudge.

For preventing Toll Collectors from taking undue Toll, or misbehaving.

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Penalty on  
evading  
Tolls.

46. If any Person shall take off or cause to be taken off, any Horse or other Beast from any Carriage at or near to any Toll House or Gate to be erected or set up by virtue of this Act, and afterwards put or add the same after having passed such Toll House or Gate as aforesaid, with Intent to evade, and thereby shall evade or endeavour to evade the Payment of any Part of the said Tolls, or shall forge, counterfeit, or alter, or receive from or deliver to any other Person or Persons any Note or Ticket with Intent to evade or to enable or assist any other Person or Persons to evade the Payment of any Part of the said Tolls, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings.

For settling  
Disputes  
concerning  
Tolls.

47. In case any Dispute shall happen about the Amount of Toll due, or the Charges of keeping or selling any Distress made for Non-payment of such Toll, it shall be lawful for the Collector or the Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may be), until the Amount of the Toll due and the Charges of the keeping and selling the Distress be ascertained by some Justice or Justices of the Peace for the Borough of *Shrewsbury*, who upon Application made to him or them for that Purpose, shall have Power to determine the Amount of the Toll due, and other Matters in dispute between the Parties and may also award such Costs to be paid by either Party to the other as to such Justice or Justices shall seem just and reasonable.

Power to  
lease the  
Tolls.

48. It shall be lawful for the Directors to lease or demise all or any of the said Tolls for any Term of Years not exceeding Three Years at any one Time, for such Rent payable at such Times and under such Covenants and upon such Conditions as they shall think fit, which Rent shall be applied for the Purposes of this Act.

Directors  
may remove  
Collectors  
and appoint  
temporary  
Collectors.

49. 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 the Directors or Lessee of the Tolls, as the Case may be, to discharge such Collector or Receiver so neglecting or refusing to perform, or becoming incapable of performing his Duty, or absconding or absenting himself, and to nominate and appoint some other fit and proper Person to be a Collector or Receiver of the said Tolls in the Stead of such Collector or Receiver who shall so die or be discharged; and such Person so nominated and appointed shall be vested with the like Power and Authority, and be answerable and accountable in like Manner in all respects as the Collector or Receiver who shall so die or be discharged would have been; and if any Collector or Receiver of the said Tolls 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

If dis-  
charged  
Collectors  
refuse to

*The Shrewsbury Bridges Act, 1864.*

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 Three Days next after Demand thereof made by Notice in Writing signed by the Secretary of the said Company, or by such Lessee for that Purpose, given to such Collector or Receiver, or any Person or Persons, or left at such Toll House, Building, or Premises, then and in every of the said Cases it shall be lawful for any One or more Justice or Justices of the Peace for the Borough of *Shrewsbury*, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer for the said County, with such Assistance as may be necessary, to enter into such Toll House or other Buildings or Premises in the Daytime, and to remove the Persons who shall be found therein, together with their Goods, out of the same, and put the said Company, or Lessee, or such new appointed Collector or Receiver, or such other Person as they or he shall appoint as aforesaid, into the Possession thereof.

deliver up  
Toll Houses,  
any Justice  
may grant  
Warrants to  
Constables  
to remove  
them.

**50.** If any Person shall wilfully or negligently injure, destroy, or otherwise damage, or shall ride, or drive, or lead any Horse, Beast, Cattle, or Carriage over or upon any Footpath or Causeway on the Side or Sides of any Part of the said Bridges or Roads, 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 shall scrape off any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Bridges or Roads, so as to damage the said Bridges or Roads or any Part thereof, or if any Person shall leave any Waggon, Wain, Cart, or other Carriage, or any Plough, Harrow, or other Implement of Husbandry without some reasonable Cause to be allowed by the Justice who shall hear any such Complaint, 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 as conveniently may be in, upon, or on the Sides of the said Bridges or Roads, 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, or Rubbish whatsoever upon any Part of the said Bridges or Roads, 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.

For prevent-  
ing Nui-  
sances on  
the Bridges  
and Roads.

**51.** The

*The Shrewsbury Bridges Act, 1864.*

Same Penalties for destroying Bridges as under Act of 7 & 8 Geo. 4. c. 30.

**51.** The said Bridges and the Toll Houses and Toll Gates, Works, and other Property belonging to the Company shall be deemed and taken to be public Bridges within the Meaning of an Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relative to malicious Injuries to Property.*

Barge Owners to be answerable for Damage done by their Servants.

**52.** If any Person having the Care of any Boat, Barge, or other Vessel which shall be navigated upon the said River shall wilfully, carelessly, or negligently cause, permit, or suffer any Damage or Injury to be done to the said Bridges by any such Boat, Barge, or other Vessel, then and in every such Case the Owner or Owners of every such Boat, Barge, or other Vessel shall be answerable and liable to make Satisfaction to the Company for all such Damage or Injury.

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

**53.** In all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining thereof is not specified or provided for such Amount in case of Non-payment thereof, or any Dispute respecting the same, shall be ascertained and determined by One or more Justice or Justices of the Peace for the Borough of *Shrewsbury.*

Recovery and Application of Penalties, &c.

**54.** All Offences under this Act, and all Penalties and Forfeitures, Damages, Charges, Tolls, and Costs, inflicted, imposed, or ordered to be paid or payable under or by virtue of this Act, may be taken cognizance of or recovered under the Provisions of the Act 11 & 12 of *Victoria*, Chapter Forty-three; and all such Penalties shall be paid to the Company, unless the convicting Justice or Justices shall think fit to award a Portion not exceeding One Moiety thereof to the Informer.

For securing Offenders whose Names and Places of Abode are unknown.

**55.** It shall be lawful for any Constable or Toll Collector, or any Officer or Agent of the Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Place of Abode shall be unknown to such Constable, Toll Collector, Officer, or Agent, who shall commit any Offence against this Act, and to convey him before some Justice of the Peace for the Borough of *Shrewsbury* without any other Warrant or Authority than this Act; and such Justice may deal with such Offender in the same Manner as if he had been duly summoned or brought by Warrant before him.

**56.** In



*The Shrewsbury Bridges Act, 1864.*

**56.** In all Cases in which it may be necessary for the Company to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon any Corporation or Person whomsoever under the Provisions or Directions contained in this Act the same shall be in Writing or in Print, or partly in Writing and partly in Print, and be signed by the Secretary or Clerk for the Time being of the said Company, without being required to be under the Common Seal of the said Company, and may be personally delivered to such Person or left at his last or most usual Place of Abode in *England* or *Wales*, or be delivered to some Clerk or other Officer of such Corporation, or be left at the Office of such Clerk or principal Officer, or at his last or usual Place of Abode, which shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be), except in Cases where any other Mode of Service is by this Act particularly directed.

Declaring what shall be good Service of Notice by the Company.

**57.** The Company shall in every Year cause an annual Account in Abstract to be prepared, showing the whole Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the Thirty-first Day of *December* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Directors, or some of them, and by the Auditors; and shall send a Copy of the said Account free of Charge to the Clerk of the Peace for the County of *Salop*, on or before the Expiration of One Month from the Day on which such Account shall end, which Account shall be open to the Inspection of the Public at all seasonable Hours on Payment of One Shilling for every such Inspection; and if the Company omit to prepare or send such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Annual Account to be made up and transmitted to the Clerk of the Peace, and to be open to Inspection.

**58.** When and so soon as the whole of the Mortgage Debt of the Company, with all Interest due thereon, shall have been paid off, and the whole of the Shares of the Company shall have been cancelled in Manner aforesaid, the Powers of this Act shall, in the event of the Borough of *Shrewsbury* being then by Law liable to maintain the said Bridges, cease and for ever determine; or in the event of the said Borough not being so liable, then the said Bridges shall be vested in the Mayor, Aldermen, and Burgesses for the Time being of the said Borough as Trustees for executing this Act, and such Trustees shall have all the Powers of the Company for executing this Act: Provided always, that they shall levy only so much Toll as may be necessary for maintaining the said Bridges and keeping the same in repair.

When Debt paid off and Shares cancelled Powers of Act to cease if the Bridge becomes a Borough Bridge, or if not, Bridge to be vested in Corporation as Trustees.

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*The Shrewsbury Bridges Act, 1864.*

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Expenses of  
Act.

**59.** All the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the Company.

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