



CHAPTER xxiii.

An Act to provide for the Transfer of Stourport Bridge at Stourport in the County of Worcester to the County Council of that County and for other purposes. A.D. 1892.

[20th May 1892.]

WHEREAS by the local and personal Act 13 George III. chapter cxiii. certain persons were constituted Trustees (in this Act referred to as "the Trustees") and empowered to acquire the ferry across the River Severn at Redstone in the county of Worcester and to close the same and to construct across the said river near thereto a bridge and at such times as the said bridge might become dangerous or impassable to provide a convenient ferry as near thereto as possible and to levy tolls for the use of the said bridge and ferry and for the purposes of the said Act to borrow on the security of the said tolls any sum not exceeding in the whole seven thousand pounds : 13 G. 3.
c. cxiii.

And whereas the Trustees borrowed the sum of six thousand and ten pounds and built the said bridge and acquired the said ferry at Redstone :

And whereas by the local and personal Act 35 George III. chapter cviii.— 35 G. 3.
c. cviii.

The tolls authorised by the said previous Act were repealed and new tolls were substituted therefor ;

The Trustees were authorised to rebuild the said bridge ; and

Any five of the Trustees were declared to be a quorum for executing all or any of the powers of that or the said previous Act :

And whereas the Trustees borrowed the further sum of three thousand pounds and rebuilt the said bridge :

And whereas under the powers of the Stourport Bridge Act 1868 the Trustees borrowed further moneys and rebuilt the said bridge : 31 & 32 Vict.
c. xvii.

A.D. 1892. — And whereas the Trustees have from time to time paid off out of the said tolls various sums and they now owe on loan the sum of three thousand nine hundred pounds :

And whereas the Trustees pay to the Company of Proprietors of the Staffordshire and Worcestershire Canal (in this Act called "the Canal Company") annually an acknowledgment of five shillings in respect of a piece of land upon which is a part of a spiral staircase forming a communication between the bridge and a footpath by the side of the River Severn and also an annual sum of ten shillings to the rector of the parish of Areley Kings in respect of a small portion of glebe taken for the purposes of the bridge :

And whereas the said bridge forms an important means of communication across the said river and it is expedient that it should be transferred to the county council of the county of Worcester (in this Act referred to as "the county council") upon the terms and conditions in this Act contained to be maintained as a county bridge free of toll :

And whereas there is no longer any need for a ferry at or near the said bridge and no such ferry is in fact maintained and it is expedient that the recited Acts should be repealed :

And whereas the purposes of this Act 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 Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title. 1. This Act may be cited as the *Stourport Bridge Transfer Act 1892.*

Interpretation. 2. In this Act unless the context otherwise requires—
 "The recited Acts" means the Acts recited in the preamble to this Act ;
 "The bridge" means and includes the bridge across the River Severn at Stourport built under the provisions of the recited Acts and the site thereof and the approaches roads and passages thereto and all the lands easements and other property real and personal of the Trustees and the rights powers authorities and duties of the Trustees in relation thereto ;
 "The transfer" means the transfer of the bridge by the Trustees to the county council under the powers of this Act ;
 "The purchase money" means the consideration paid to the Trustees by the county council.

3. At any time after the passing of this Act the Trustees may transfer to the county council and the county council may accept the transfer of the bridge upon such terms and conditions as may be agreed on between the Trustees and the county council and any such transfer shall be sufficiently and conclusively evidenced by a deed of conveyance in which the consideration for the transfer shall be truly stated and which shall be produced to the Commissioners of Inland Revenue duly stamped with the proper ad valorem stamp within three months after the date of the transfer.

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Power to transfer bridge.

4. The receipt of a quorum of the Trustees for any sum paid the Trustees by the county council shall be a full discharge to the county council for the sum therein expressed to have been paid and shall relieve the county council from all responsibility as to the application non-application or misapplication thereof.

Receipt of Trustees to discharge the county council.

5. From and after the transfer the recited Acts shall be by virtue of this Act repealed.

Recited Acts to be repealed.

6. On the execution of the said deed the bridge shall vest in the county council subject to the payment annually on the first day of July to the Canal Company of the said acknowledgment of five shillings and to the rector of the parish of Areley Kings of the said sum of ten shillings and the bridge shall become a county bridge and be repairable and maintainable by the county council accordingly with the approaches roads and passages thereto and be for ever open to the public free of toll or other charge.

On transfer bridge to be a county bridge and free of toll.

7. Such of the persons holding office at the date of the transfer whether as clerk surveyor or collector as shall suffer any direct pecuniary loss by reason of the transfer shall be deemed to be existing officers within the meaning of section 120 of the Local Government Act 1888 and subject to the provisions in that Act contained shall be entitled to compensation from the Trustees therefor accordingly.

Compensation to clerk collector and surveyor of Trustees.

8. The Trustees shall forthwith after the transfer publish notice of their intention to distribute their assets and such notice shall state that all persons having any charge lien or incumbrance affecting the bridge or any claim against the Trustees shall send the particulars thereof to the clerk to the Trustees at his office at 35 and 36 Church Street Kidderminster in order that the same may be satisfied or discharged and such notice shall be advertised once in the London Gazette and once in each of two successive weeks in a newspaper published in London and in a newspaper published in Worcestershire The Trustees shall forthwith apply the purchase money and any other their assets in the discharge or

Advertisement of winding-up of affairs of Trustees.

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satisfaction of all debts and liabilities particulars of which shall have been sent in to them as herein-before provided or which are otherwise known to them except the said annual acknowledgment of five shillings payable to the Canal Company in respect of the said staircase leading down from the bridge to the River Severn footpath and the sum of ten shillings per annum payable to the rector of Areley Kings Any balance which may remain in the hands of the Trustees after payment or satisfaction of their debts and liabilities shall be paid over by the Trustees to the county council.

Payment into court.

9. When the Trustees are for six months after the insertion of the last of the said advertisements unable to ascertain the person to whom any part of the said moneys ought to be paid and who can give an effectual receipt for the same the Trustees may at any time thereafter pay the same into the High Court under the Acts for the relief of trustees.

As to discharge of Trustees.

10. From and after the transfer the Trustees shall continue only for the purpose of applying and appropriating their assets and winding up their affairs and when their assets shall have been applied in manner provided by this Act and their affairs wound up they shall be discharged.

Light to be kept burning at night at or near centre of the bridge.

11. The county council shall cause to be hung out or exhibited upon or near to the centre of the said bridge every night from half an hour after sunset to half an hour before sunrise a good and sufficient light to be kept burning by and at the expense of the county council for the navigation and safe guidance of vessels and such lights shall be from time to time altered by the county council in such manner and be of such description and be so used and placed as the Commissioners for the Navigation of the River Severn shall by writing under the hand of their clerk approve of or in case of disagreement between the county council and such commissioners as may be settled by the Board of Trade And in case the county council shall neglect to exhibit and keep such light burning as aforesaid they shall forfeit and pay for every such neglect the sum of five pounds to be recoverable summarily or by action or other proceeding in any court of competent jurisdiction by the said commissioners.

As to the lighting of the bridge.

12. With respect to the lighting of the bridge the following provisions shall have effect from and after the same shall have become free of toll or other charge (that is to say):—

(1) The local board for the district of Stourport shall light so much of the bridge as extends in an easterly direction from the centre of the centre arch of the bridge to the eastern end of the parapet thereof;

- (2) The county council shall light so much of the bridge as extends in a westerly direction from the centre of the centre arch of the bridge to the western end of the parapet thereof ; A.D. 1892.
- (3) The said local board and county council respectively shall be entitled to and shall maintain such of the lamp-posts lamp-irons lamps and other conveniences as belong to the Trustees and shall in future provide set up and maintain all such and all further lamp-posts lamp-irons lamps and other conveniences as shall be necessary for the lighting to be maintained by them as aforesaid ;
- (4) The said lighting may be effected by means of gas oil electricity or any other illuminant ;
- (5) The said local board may enter upon the bridge and do all such acts and lay and place all such things as may be necessary for lighting the same accordingly ;
- (6) The costs charges and expenses of and incident to the execution of the powers of this section by the said local board and county council respectively shall be paid out of the general district rate of the said district and the general county fund of the county of Worcester respectively.

13. Notwithstanding the transfer any purchase sale conveyance deed covenant or contract not inconsistent with the purposes of this Act made entered into or executed by the Trustees before the transfer shall continue in full force and any action suit or legal proceeding commenced before the transfer may be carried on and completed and subject to the provisions of this Act any debts or liabilities incurred before the transfer shall be paid or satisfied as if this Act had not passed the county council being substituted for the Trustees. Conveyances &c. to remain in force.

14. The costs charges and expenses of and incidental to the preparing of and applying for and the obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Trustees. Expenses of Act.

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