ANNO PRIMO

GEORGII IV. REGIS.

Cap. li.

An Act for building a Bridge over the River *Wensum*, in the City of *Norwich*, at or near the *Duke's Palace* in the said City. [8th *July* 1820.]

WHEREAS the building of a Bridge across the River *Wensum*, at or near the *Duke's Palace*, in the Parish of *Saint John of Maddermarket*, in the City of *Norwich*, and the opposite Shore, in the Parish of *Saint Michael of Coslany*, in the same City, would be of great public Utility: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Representatives in Parliament for the said City, the Mayor, Recorder, and Steward of the City and County of the said City of *Norwich*, the Reverend the Dean and Prebend Residentiary of the Cathedral Church of *Norwich*, all for the Time being, *Thomas Aggs*, *John Ansell*, *John Browne* the elder, *Edward Browne*, *Henry Browne*, *Alfred Barnard*, *James Boardman*, *John Bolton*, *Samuel Blunderfield*, *Peter Browne*, *Edward Temple Booth*, *James Bennett*, *Richard Culley*, *Samuel Culley*, *John Culley*, *Samuel Coleman*, *John Hammond Cole*, *Thomas Cobbold*, *Thomas Starling Day*, *Thomas Davey*, *Joseph Davey*, *William Dale*, *William Everett*, *Martin Fountain*, *Francis Gostling*, *Thomas Grimmer*, *William Hankes*, *Robert Hawkes*, *James Hales*, *John Herring*, *William Herring*, *Jeremiah Ives* Clerk, *Thomas Kett*, *John Morse*, *George Morse*, *James Marsh*, *Charles Middleton*, *George Norris* Clerk, *Henry Oxley*, *Edward Oxley*, *Robert Pratt* the elder, *Robert Pratt* the younger, *William*

Commissioners.

William Primrose, *Richard Reeve*, *John Whitaker Robberds*, *Joseph Stannard*, *William Stark*, *Michael Stark*, *Robert John Turner*, and *Thomas Wiley*, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are hereby constituted Commissioners for carrying this Act into Execution.

Meetings of the Commissioners.

II. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby required, to meet together at or in the Guildhall of the 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 Eleven and One of the Clock on the Day of such Meeting; and the said Commissioners, or any Five or more of them, so assembled, shall and may proceed to put this Act in Execution; and then, and from Time to Time afterwards, may adjourn themselves to meet, and may meet, at such Time and Place as the said Commissioners, or any Five or more of them present at any such Meetings shall think convenient; and if Five Commissioners shall not attend at the Time and Place appointed for any such Meeting, then the Clerk to the said Commissioners, or any One Commissioner, shall and may adjourn the Meeting of the said Commissioners to the same Place, and to the same Day Fortnight next after the Day when their Meeting ought to have been held; and the Clerk to the said Commissioners shall cause Eight Days Notice of every intended Meeting under or for the Purposes of this Act to be given in such Manner as the said Commissioners shall direct; and the said Commissioners, or any Five 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 Eight 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 Commissioners.

Chairman.

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

Appointment of new Commissioners.

IV. And in order to keep up a constant Succession of Commissioners for executing the Purposes of this Act, be it further enacted, That when and so often as any of the Commissioners named in or appointed by virtue of this Act, or hereafter to be appointed under or by virtue hereof, shall die, resign, or refuse to act, or become on any Account incapable of acting under the same, then and in every such Case it shall be lawful for the surviving or other Commissioners, or any Five or more of them, at any Meeting whereof a previous Notice of Eight Days, with the Cause of such Meeting, shall be given in such Manner as the said Commissioners shall direct, to elect and appoint by Ballot One or more fit Person or Persons to be a Commissioner or Commissioners for the Purposes of this Act, in the Place or Stead or Places and Steads of the Commissioner or Commissioners so dying, resigning, refusing to act, or becoming incapable of acting; and the Person or Persons so to be elected and appointed shall be, and is and are hereby vested with the several Powers given or granted by this Act to the Commissioners hereinbefore named.

Qualification of 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 or Personal Estate, or a Real and Personal Estate together of the Value of Four thousand Pounds over and above all Debts and Reprisals; and in case any Person, not being so possessed as aforesaid, shall act as a Commisioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds to any Person or Persons who shall sue for the same, such 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 that no Person to be hereafter appointed shall act as a Commissioner in the Execution of this Act, until he shall have taken and subscribed an Oath to the Effect following; (that is to say),

'I DO swear, That I am seised and possessed of a Real 'Estate [*or* Personal Estate, *or* a Real and Personal Estate 'together, *as the Case may be*] of the Value of Four thousand Pounds 'over and above all Debts and Reprisals. So help me GOD.'

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

Commissioners being Justices may act as such.

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

where any Justice or Justices of the Peace is or are hereby authorized to do any Act, Matter, or Thing, it shall be lawful to and for such Commissioner or Commissioners, being such Justice or Justices, to execute the same, in such Way and Manner as he or they might have done if he or they had not been a Commissioner or Commissioners under this Act.

No Commissioner concerned 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 Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and one Moiety of such Penalty when recovered shall be paid to the Person or Persons who shall sue for the same, and the other Moiety shall be paid to the said Commissioners, to be applied to the Purposes of this Act; and the Person or Persons so convicted shall be absolutely disqualified from acting any longer as a Commissioner under or for the Purposes of this Act.

Officers to be appointed.

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 or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers of the Rates and Tolls herein-after allowed to be demanded and taken, and such other Officers as to the said Commissioners shall seem proper; and from Time to Time to remove any such Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, or other Officers, or any of them, and to nominate and appoint another Person or Persons in his or their Room or Stead in Manner aforesaid; taking such Security from every such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, or other Officer, for the due Execution of their respective Offices, and granting to them respectively such Salary and Compensation as the said 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

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, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Commissioners, so to be appointed as aforesaid, shall, under his or their Hand or Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his or their Charge by virtue of this Act, and also 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 or Persons received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in his or their respective Hand or Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer, or Person, shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Eight Days after being thereunto required by the said Commissioners, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act; or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts as shall appear to be in his or their respective Hands to the said Commissioners, or as they shall direct and appoint; then and in either of the Cases aforesaid the said Commissioners may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the said Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Money that shall be in the Hands of such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more of the Justices of the Peace for the County, City, or Place wherein the said Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, so neglecting or refusing shall be and reside, such Justices may and they are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, so neglecting or refusing to be brought before them, and upon his, her, or their appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justices that any of the

Monies that shall have been collected, raised, or received by virtue of this Act shall be in the Hands of such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, such Justices may and are hereby authorized and required, upon Non-payment thereof, by Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same; or if such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Person or Persons, shall still persist in refusing or neglecting to deliver up all such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid to the said Commissioners, or other Person or Persons as they shall appoint, then and in any or either of the Cases aforesaid, such Justices shall commit every such Offender to the Common Gaol for such County, City, or Place, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid such Composition in such Manner as they shall appoint, and until he shall deliver up such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners; but no Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, Officer, or Person so committed for Want of sufficient Distress, shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Three Calendar Months.

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 or Books, and fair and regular Entries to be made therein, of all their Acts, Orders, and Proceedings relative 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 or Books, 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 that such Book or Books 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 that any of the said Commissioners and Creditors shall and may have and take Copies thereof, paying for every Copy not exceeding Seventy-two Words the Sum of Sixpence, and so in proportion for any greater Number of Words.

Accounts to be kept of Receipts and

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 or Books to be provided and kept by their Clerk for the Time being, in which Book or Books 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 or Books shall at all seasonable Times be open to the Inspection of the said Commissioners or any Creditor or Creditors 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 Five Pounds, to be levied and recovered in Manner herein-after mentioned.

Disbursements, which shall be open to the Inspection of the Commissioners and Creditors.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered with Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Clerk not to act as Treasurer, and vice versâ.

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 Five 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 or Persons 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 or Persons 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 of the said Tolls, who shall be discharged from his Office

Trustees may remove Collectors, and appoint temporary ones.

Collectors refusing to deliver up Toll Houses, &c.

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 or Persons 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 Eight Days next after Demand thereof made, by Notice in Writing signed by any Five or more of the said Commissioners (although not assembled at a Meeting), or by their Clerk or Clerks, Treasurer or Treasurers, for that Purpose given to such Collector or Receiver or other Person or Persons, 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*, by Warrant 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 Buildings or Premises in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and put the said Commissioners, or any Five or more of them, or such new appointed Collector or Receiver as aforesaid, into the Possession thereof.

Justices empowered to grant Warrants, and Constable to enter and remove such Collectors, &c.

How Commissioners may be sued.

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

Authority to build Bridge, &c.

XV. And be it further enacted, That it shall and may be lawful for the said Commissioners, and their Successors, their Deputies, Agents, Servants, Workmen, and Assistants, and they are hereby authorized and empowered, to design, direct, order, and build, or cause to be built, and to complete, maintain, and keep, with Stone, Iron, Wood, or other good and sufficient Materials, a Bridge across the said River *Wensum*, from the Bank or Shore thereof at or near the *Duke's Palace* in the Parish of *Saint John of Maddermarket*, in the City of *Norwich*, to the opposite Shore there in the Parish of *Saint Michael of Coslany* in the same City, and to deepen and widen, and dig and make proper Foundations in the said River, and on the Lands and Grounds

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 and completing the said Bridge, and to execute all other Things requisite and necessary, useful or convenient, for erecting and building, maintaining and supporting of the said Bridge, according to the Tenor and true Meaning of this Act; and further, that for the Purpose of erecting, building, maintaining, repairing, and supporting the said Bridge, the said Commissioners shall from Time to Time have full Power and Authority to land on either Side of the said River, all Materials and other Things to be used in and about the same, and there to work and use such Materials and Things, according as they the said Commissioners, and the Persons to be by them appointed, shall think proper, and also to make in, upon, or over the said River, and the Lands adjoining thereto, within One hundred Feet of the Scite of the said Bridge, any Trenches and Landing Places, and also to make and set out any new Streets 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 Acts necessary for building such Bridge, and for maintaining, supporting, and improving the same when built, and setting out and making the Streets 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 shall be pulled down, made use of, or prejudiced in or by the Execution of any of the aforesaid Powers, or otherwise by Means or for the Purposes of this present Act.

Width of Waterway.

XVI. 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 Sixty Feet wide.

Power to get Materials.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners, or for the Surveyor or Surveyors of the said Bridge appointed by them, and to and for all such Persons as they or he respectively shall appoint, to search for, dig, get, gather, and take away any Stone, Furze, Heath, Beach, Stones, Gravel, Sand or other Materials for making or repairing the said Bridge, or the Streets, Ways, or Approaches thereto, out of or from any Common or Waste Ground, Shore or Strand, River or Brook, in any Parish, Township, Hamlet, Division, District, or Place in which any Part of the said Bridge or the Streets, Ways, 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 or Persons 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 Damages done thereby to the Owners and Occupiers of such Grounds where and from whence the same shall be cut, dug, gotten, and carried away, or over which the same, or any other Materials for making or repairing the said Bridge, or the Streets, Ways, or Avenues thereto, shall be carried, according to their respective Rights and Interests in such Grounds, as the said Commissioners shall judge reasonable; and in case of any Difference between the Commissioners or their Surveyor or Surveyors, or other Persons employed as aforesaid, and the said Owners or Occupiers or any of them, concerning such Damages, it shall and may be lawful to and for any Two or more Justices of the Peace of the County or Place, where or over which such Materials shall be so cut, dug, gotten, gathered, and taken away, on Eight 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.

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

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

Penalty on Persons taking away

XIX. And be it further enacted, That if any Persons whomsoever shall remove or take away any Wood, Iron, Bricks, Stones, or Gravel,

Gravel, or any Materials laid upon the said Bridge, or upon the Streets, Ways, or Approaches thereto, or upon any Part thereof, for making or repairing thereof, without the Order of the said Commissioners, or of their Surveyor or Surveyors, for that Purpose; or if any Person or Persons whomsoever shall take away any Stones or Gravel, or Materials which shall have been dug or gathered by or by Order of the said Commissioners, or their Surveyor or Surveyors, in any Lands, Fields, Wastes, or Grounds, River or Brook, for the Purpose of building or amending the said Bridge, Streets, Ways, and Approaches thereto, or any Part or Parts thereof; or shall get or take away any Stones, Gravel, or Materials out of any Pit or Quarry which shall have been made for the Purposes of getting such Materials for building or amending the said Bridge, Streets, and Approaches thereto, or any Part or Parts thereof, before the said Surveyor or Surveyors, or his or their Workmen, shall have discontinued working therein for the Space of Three Calendar Months (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials therein for his or her own private Use only, and not for Sale), every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Materials got for the Use of the Bridge, &c.

XX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to take down, take away, 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 Houses or other Buildings, and which do or shall, in the Judgement of the said Commissioners, obstruct the free and commodious Passage along the Carriage or Footways of any of the Streets or Avenues leading to and connected with the said Bridge, within Six hundred Yards of either Side thereof; and that the Costs, Charges, and Expences attending the taking down, taking away, 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.

Power to remove Projections or Encroachments.

XXI. And whereas from the great Increase in the Market of the said City, 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 Market; be it therefore enacted, That it shall be lawful to and for the said Commissioners to contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate or Collegiate, Spiritual or Lay, as shall or may be or be deemed to be Owner or Owners, Proprietor or Proprietors, or otherwise interested in

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

in any Building or Buildings, Erection or Erections, now standing or being in the Way of such direct Communication from the said Bridge to the said Market, or projecting into, over, or upon any Part of the said Avenues or Streets, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or in any other Projection or Encroachment in, over, or upon any such Streets 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 Streets, Lanes, Public Passages, or Places connected with the said Bridge, and which are mentioned and described in the Schedule hereunto annexed, for the absolute Purchase of all such Buildings, Erections, Cellars, Steps, Projections, Encroachments, Lands, Tenements, or Hereditaments or any of them.

Commissioners only to have Authority to build the Bridge, &c.

XXII. Provided always, and it is hereby enacted, That nothing herein contained shall extend or be construed to extend to give any further Power or Authority to the said Commissioners hereby appointed, than shall be necessary to build, maintain, and support the said Bridge, and to make, pave, and repair the said Avenues and Streets necessary for communicating with *Soutergate Street* in the Parish of *Saint Mary of Coslany*, and *Wymer Street* in the Parish of *Saint John of Maddermarket* in the said City, according to the Schedule hereunto annexed, for One hundred Yards from the Spring of the Arch, on each Side of the said Bridge; and that the said Commissioners shall not in any respect or manner interfere with the Powers granted to the Commissioners appointed under and by virtue of an Act of the Forty-sixth Year of His late Majesty's Reign, intituled *An Act for better paving, lighting, cleansing, watching, and otherwise improving the City of* Norwich.

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

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

Penalty on Persons destroying Works.

XXIV. And for preserving the said Bridge from wilful or malicious Damage, and preventing all Interruptions to the building thereof, be it further enacted, That if any Person or Persons shall wilfully or maliciously blow up, pull down, or destroy 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 or Parts 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 every such Person so offending and being thereof lawfully convicted, shall be subject to the like Punishment and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried and convicted, shall have Power and Authority to cause such Person to be punished in

in like Manner as Felony is directed to be punished by the Laws and Statutes of this Realm, or in Mitigation of such Punishment, such Court may award such Punishment as the Law directs in Cases of Petit Larceny.

Bridge, Turnpikes, &c. vested in Commissioners, &c.

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

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

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

Masters to recover from their Boatmen any Sums for their Defaults.

XXVII. And be it further enacted, That in case the Master or Masters, Owner or Owners 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, her, or their 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 Masters, Owner or Owners; and in case of Non-payment thereof upon Demand and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him, her, or them, of such Penalty or Satisfaction for Damages, and that the same and the Costs thereof have

have or hath not been repaid to him, her, or them 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.

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

XXVIII. 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 other Trustees and Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seized, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever who is or are or shall be seised, possessed of, or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments mentioned in the Schedule hereunto annexed, 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.

Satisfaction to be made.

XXIX. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons who is or are seised, possessed of, or interested in any Lands, Grounds, Erections, Buildings, Houses, Tenements, Wharfs, and Hereditaments, particularly mentioned and described in the Schedule hereunto annexed, may accept and receive Satisfaction for the Value of such Lands, Grounds, Erections, Buildings, Houses, Tenements, Wharfs, and Hereditaments, and for the Damages to be sustained by the making and completing the said Works herein directed and authorized to be made, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Commissioners; and in case the said Parties so interested in the said Lands, Grounds, Buildings, Houses, Tenements, Wharfs, and Hereditaments,

ditaments, 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.

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

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

ferent 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 Ten or more than Fourteen Days after such Precept shall be served upon the Sheriffs; and Ten 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 or Persons as aforesaid, interested in any such Lands or Hereditaments, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Corporation, or at the House of the Tenant in Possession of such Lands or other Hereditaments, of the Time and Place of the said Jury being so impannelled, summoned, and returned; and 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 who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriffs shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, (being qualified as last aforesaid) to make up the said Jury to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel and Solicitors, to attend and be heard, and to adduce Evidence before the 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 or Meetings, to call before them all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath, touching or concerning the Premises, and the said Sheriffs may order and authorize the said Jury, or any Six 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 Sheriffs shall think fit; which Jury, upon their Oaths, (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said 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 Person or 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 or Parts of the said Streets, 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 there-

upon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners to the said Owners or Occupiers of, or other Person or Persons interested in the said Lands or other Hereditaments, according to such Verdict or Inquisition of the said Jury, and 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, Femes Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Court; any Law or Statute to the contrary thereof notwithstanding.

Compelling Sheriffs to summon a Jury.

XXXI. And be it further enacted, That if any Sheriff or Sheriffs shall make Default in the Premises, they shall for every such Offence forfeit and pay the Sum of Ten Pounds, to be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, by the said Commissioners, or by such other Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons interested in the Matter in question; and if any Person so 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 Persons 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, her, or their 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 One of His Majesty's Justices of the Peace for the said City of *Norwich*, upon the Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Ten 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 punishing Persons giving false Evidence.

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

Persons requesting Juries to enter into Bonds.

XXXIII. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Person or Persons requesting a Jury to be summoned, shall (before such Warrant shall be issued for that Purpose) enter into a Bond with Two sufficient Sureties to the Clerk or Treasurer to the said Commissioners, in a Penalty of One hundred 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.

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

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

Expences of Juries by whom to be paid.

XXXV. 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 or Bodies 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

of the said Commissioners, or where by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensations from the said Commissioners as hereinbefore 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; 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 or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Commissioners), the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the Sheriffs so impannelling, summoning, and returning such Jury, and taking such Verdict, and be borne and paid by the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons with whom the said Commissioners shall have such Concerns, Disputes, or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons as aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; and in case no Damages shall be given by such Verdict where the Dispute is for Damages only, such Costs and Expences after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Commissioners by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture to be incurred under this Act.

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

XXXVI. 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 or Bodies Politic, Corporate, Collegiate, Ecclesiastical, or Civil, or any other Person or Persons whomsoever, by or in consequence of the Execution of any Powers of this Act, and shall assess and adjudge the Value set upon such Estate, Term, and Interest, and the Money assessed and adjudged for such Damages as aforesaid, distinct and apart from each other.

Lands to vest in the Commissioners on

XXXVII. 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

Payment or giving Security for the Value or Amount of Damages.

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 or Proprietors of such Lands or other Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Purchase Money or Compensation respectively, or to his, her, or their Agent or Agents, or depositing the same in the Bank of *England* in Manner by this Act directed, as the Case may be, 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 other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Commissioners for the Purposes of this Act for ever; and such Tender, Payment, or Deposit shall not only bar all Right, Title, Claim, Interest, or Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion, Remainder, Expectancy, or otherwise to his, her, or their Issue, and of all and every other Person and Persons interested therein: Provided nevertheless, that before such Payment, Investment, or Deposit made or given as aforesaid shall be made, it shall not be lawful to or for the said Commissioners, or any Person or Persons acting under or by virtue of their Authority, to dig, or cut, or otherwise affect any Lands or Grounds, or to take down, remove, or otherwise affect any Tenements or other Hereditaments of the Person or Persons entitled to such Payment, for the Purpose of building or erecting the said Bridge, or of making or constructing any of the Streets, 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.

Verdicts of Juries to be recorded.

XXXVIII. 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 Seventy-two Words, and so in proportion for any greater or less Number of Words.

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

XXXIX. 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

and by making and constructing Streets, Avenues, and Accesses thereto, the said Commissioners may purchase Lands, Grounds, Erections, Buildings, Houses, Wharfs, Tenements, or Hereditaments, Part of which may not be found necessary to be made use of for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Commissioners to sell and dispose of, and by Indenture under the respective Hands and Seals of any Five or more of them, absolutely to grant and convey such Part or Parts of the Lands, Grounds, Erections, Buildings, Houses, Tenements, or Hereditaments which shall be so purchased by the said Commissioners as aforesaid, and which shall not be wanted for the Purposes of this Act; and 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 or Sales of such Lands, Grounds, Erections, Buildings, Houses, Wharfs, Tenements, or Hereditaments, or any Parts or Parcels thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Commissioners, to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Lands, Grounds, Tenements, or Hereditaments as shall be so sold, or for so much thereof as in such Receipts respectively shall be expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money, or any Part thereof: Provided always, that the said Commissioners, before they shall sell and dispose of any such Part or Parts of Ground as aforesaid, shall first offer the same for Sale to the Person or Persons of whom the same shall have been purchased; and if such Person or Persons 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 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 or Persons no way interested in the said Part or Parts of Ground, 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 or Persons 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 or Persons to whom such Offer was made, (as the Case may be); and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they and the said Commissioners shall differ and not agree with respect to the Price thereof, then the Price or Prices 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 as aforesaid shall be applied to the Purposes of this Act.

Application of Purchase Money.

XL. 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.

Purchase Monies and Compensation to Corporate Bodies to be laid out to the same Uses.

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

until

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.

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

XLII. 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 or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, in respect whereof the same shall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, Trustee or Trustees, Receiver or Receivers, or other Person or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by 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 Chancery.

Application when Money is less than 20*l.*

XLIII. Provided also, 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 the same shall be paid, in such Manner as the said Commissioners shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Commissioners shall direct the same to be paid, shall be sufficient Discharges for the same.

Directing how Monies to be paid in case of

XLIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or other Hereditaments, to be

Failure of Titles, &c.

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

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

XLV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or other Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or other Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or other Hereditaments, in respect whereof such Money shall have been so paid, at the Time of passing this Act, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or other Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, or that such Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XLVI. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of the Person or Persons 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 Chancery, 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 Chancery 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 Chancery may order reasonable Expences of Purchases to be paid by the Trustees.

XLVII. And be it further enacted, That every Tenant at Will or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Commissioners, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Three Calendar Months Notice to quit such Possession from the Clerk to the said Commissioners, or from the Person or Persons so authorized by them to take such Possession; and such Person or Persons in Possession shall, at the End of the said Three Calendar Months, whether such Notice be given with Reference to the Time or Times of such 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 or Persons 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 or Persons 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 or Precepts to the Sheriffs of the said City of *Norwich*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said 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 or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods. Tenants at Will to deliver Possession at 3 Months Notice.

XLVIII. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, and Hereditaments, not being in Possession thereof by Mortgagees to convey.

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

Empowering Commissioners to erect a Toll House and Toll Gate.

XLIX. 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 or Persons as the said Commissioners shall from Time to Time appoint to receive the same, for a Passage over the said Bridge, of and from all and every Person or Persons using the said Bridge as a Footway; and also for all and every Horse, Mule, Ass, or other Beast, or any Waggon, Wain, Cart, or other such Carriage, which shall pass laden or unladen; and for every 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 and direct, 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, Mule, Ass, or other Beast, drawing any Carriage with Four Wheels, the Sum of Three-pence:

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

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

For every Foot Passenger, the Sum of One Halfpenny:

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

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.

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

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

To enforce Payment of Tolls.

L. And be it further enacted, That it shall be lawful for the Collector or Collectors of the said Tolls, or any of them, to stop and prevent the Passage of any Person or Persons neglecting or refusing to pay the said Tolls, or any of them, or of the Horse, Beast, Cattle, Carriage, or other Thing for or in respect whereof the said Tolls ought to be paid; or it shall be lawful for the said Collector or Collectors to seize and detain the Goods and Chattels of such Person or Persons, or such Horse, Beast, Cattle, Carriage, or other Thing; and in case the said Tolls shall not be fully paid and satisfied, together with all reasonable Costs and Charges of making, detaining, and keeping such Distress, within the Space of Five Days, the said Collector or Collectors 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.

For preventing Toll Collectors from taking any undue Tolls.

LI. 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 or Lessees, 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 or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black

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 and take a Toll from any Person or Persons who shall 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 Names, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers 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 or Passengers, 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 Information shall be laid shall adjudge, to be recovered and applied as herein-after mentioned.

For settling Disputes concerning Tolls.

LII. And be it further enacted, That if any Dispute shall happen about 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 Witness or 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, in case of Non-payment 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 and sold.

Toll Bar Keepers not to be deemed incompetent Witnesses.

LIII. 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 or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Commissioners, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being so appointed or interested under such Appointment, or being paid to collect

collect the Tolls, or acting, or being paid to act, under the Authority of the said Commissioners.

Exempting the Royal Family from Toll.

LIV. 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 attending His Majesty or any of the Royal Family.

General Exemptions from Tolls.

LV. Provided always, and be it further enacted and declared, That no Toll whatsoever shall be demanded or taken for any Horse, Beast, Cattle, or Carriage, of whatsoever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriages attending them with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Beast, Cattle, or Carriage travelling with Vagrants sent by legal Passes; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse, Mare, or Gelding, furnished by or for, or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions as aforesaid; or for any Coach, Berlin, Landau, Chariot, Calash, Chair, or other Carriage, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Norfolk*, or of any Citizen or Citizens to serve in Parliament for the City of *Norwich*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, from the whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons, for every such Offence, shall forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

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

LVI. 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 Waggon, Wain, Cart, or other Carriage be stopped or

for Overweight.

detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained to the contrary notwithstanding.

Penalty on throwing Rubbish on the Roads.

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

Against drawing Timber.

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

For securing transient Offenders.

LIX. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collectors, Surveyors, and

other Persons under this Act; be it therefore further enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers respectively, to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him, her, or them before any One or more 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 Offender or Offenders, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next General or Quarter Sessions to be holden for the said City, and for Want of such sufficient Security to commit the Person or Persons so offending to the House of Correction for the same City, until he, she, or they shall repay the respective Penalty by him, her, or them incurred for such respective Offence or Offences, or shall give such Security as aforesaid.

Fixing Lamps, &c.

LX. 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 Streets or Avenues, or upon or against any Wall or Pallisade of any House, Messuage, or Tenement fronting any or either of the said Streets or Avenues, as they shall think proper; and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided and affixed or put upon such Lamp Irons and Lamp Posts, as they shall think necessary for lighting the said Bridge, Streets, or Avenues respectively, or every or any Part thereof.

Power to raise Money.

LXI. 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 Nine 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 or Purchasers thereof, or of such Person or Persons as shall be nominated by and on behalf of such Purchaser or Purchasers; which Annuity or Annuities shall be granted and made payable either with or without Benefit of Survivorship, and in such Manner as the said Commissioners shall think proper; and 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 or Sums of Money so to be borrowed, with Interest for the same, or for the due and regular Payment of the said Annuity or Annuities so to be granted, as to them shall seem meet.

LXII. And

Form of Mortgage.

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

'BY virtue of an Act made and passed in the First Year of the 'Reign of His Majesty King *George* the Fourth, intituled [*here 'set forth the Title of this Act,*] We, Five 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 Preference.

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 Annuity.

LXIII. 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 virtue of an Act made and passed in the First Year of the 'Reign of His Majesty King *George* the Fourth, intituled [*here 'set forth the Title of this Act,*] We, Five 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 or Assigns, for and during the natural 'Life of [*or* natural Lives of *if more 'than one,*] and the Life of the Survivor of them [*as the Case may 'be*], and a proportionable Part of the said Annuity up to the Day 'of the 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

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.

For granting Annuities under certain Restrictions.

LXIV. And, for preventing any improvident Grants of Annuities under this Act, be it further enacted, That no Annuities shall be granted by virtue of this Act, for any single Life, at any higher Rate than the following; that is to say, where the Age of the Annuitant or Person for whose Life the Annuity shall be granted, shall not exceed Thirty-five Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Three Shillings for each One hundred Pounds of the Consideration Money paid for the Purchase thereof; where the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty-five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Consideration Money; and where the Age of such Person shall not exceed Seventy-five Years, the Annuity shall not exceed the Rate of Eighteen Pounds Ten Shillings for each One hundred Pounds of the Consideration Money.

Entries of Mortgages to be made in Commissioners Books.

LXV. 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.

Persons agreeing to advance Money to pay the same on being called on by

LXVI. Provided always, and be it 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

the Commissioners, and on failure may be sued.

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 Person or Persons shall neglect or refuse to pay the same at the Time and Place and 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.

Recovery of such Subscriptions.

LXVII. And be it further enacted, That in all Actions brought by the said Commissioners against any Person or Persons who hath or have 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 or Calls made by such Commissioners, it shall be sufficient for the said Commissioners to declare and allege that the Defendant or Defendants is or are indebted to the said Commissioners in such Sum or Sums of Money as the Call or Calls in Arrear shall amount to, or for such and so many Call or Calls of such and so many Sum and Sums of Money as the said Defendant or Defendants 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 be only necessary to prove that the Defendant or Defendants at the Time of such Call or Calls had agreed to advance such Sum or Sums of Money, and that such Call or Calls was or were in fact made, and the said Commissioners shall thereupon be entitled to recover what shall appear to be due.

Mortgages and Annuities transferable by Indorsement.

LXVIII. And be it further enacted, That all and every Person and Persons, Bodies 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 or Persons, Bodies 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,

Form of Transfer.

'I *A. B.* [*or*, we *C.* and *D.*] in Consideration of the Sum of paid by *E. F.* of do hereby assign and transfer the within Security, and all my [*or* our] Right, Title, and Interest in and to the same, and all Benefit and Advantages to arise 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 Commissioners Books.

And every such Transfer shall within Sixty Days after the Date thereof be produced and left with the said Clerk or Clerks, who shall within Ten Days then next ensuing cause an Entry or Memorial to be made thereof in like Manner as of the original Grants or Conveyances, and after

after such Entry made, but not till then, every Person or Persons to whom such Assignment or Transfer shall be made, his, her, or their Successors, Executors, Administrators, and Assigns, shall be entitled to the Benefit of such Grant or Conveyance, and the future Payments thereon, and to all Benefit and Advantage arising therefrom; and for the Entry of every such original Grant or Conveyance, and of every such Assignment and Transfer, the said Clerk or Clerks shall be paid by the Party to whom such Grant, Conveyance, or Transfer shall be made, the Sum of Five Shillings and no more.

Interest and Annuities to be paid Half-yearly.

LXIX. 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 Principal Monies so to be lent or paid shall have been advanced, be paid Half-yearly to the several Parties entitled thereto.

Manner of paying off Mortgage Debts.

LXX. 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 or Numbers of the said Mortgages shall be drawn separately out of such Box or Wheel by the said Clerk or Clerks for the Time being, in the Presence of the said Commissioners, at some or one of their Meetings; and such Securities shall be paid off and discharged according to the Rotation in which the Numbers shall be drawn at every such Ballot, beginning with the First, and proceeding progressively to the Second, Third, Fourth, Fifth, and every other Number drawn; as far as the Money then in the Hands of the said Commissioners will extend to pay; and after every such Ballot, the said Commissioners shall cause Notice signed by their Clerk or Clerks to be given or sent to, or left at the usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, signifying to such Person or Persons that at the End of Six Calendar Months, to be computed from the Date of such Notice, the said Commissioners intend to pay such Sum or Sums of Money as shall be expressed in such Notice, and the Interest due thereon, at a Place therein also to be mentioned; and the Interest of the Principal Money so to be paid off shall from and after the End of the said Six Calendar Months cease and be no longer payable, unless such Money shall be demanded pursuant to such Notice, and not paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest due at the Expiration of such Notice, shall nevertheless be payable on Demand.

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

LXXI. And be it further enacted, That the Tolls that shall be collected and received under or by virtue of this Act, shall be applied and disposed of in Manner herein-after mentioned, (that is to say) in the first Place, in paying the Expences of applying for and passing this

this Act, and then all the Costs, Charges, and Expences of carrying this Act into Execution, and of keeping the said Bridge, Roads, Streets, Avenues, and Accesses in Repair, and of lighting the same; and in the next Place in paying to the Mortgagees and Annuitants under this Act, the Interest and Annuities to which they shall be respectively entitled in Manner herein-before provided; and the Surplus thereof shall from Time to Time, when and so often as the same can be conveniently done, be applied and disposed of in or towards the Payment and Discharge of the subsisting Mortgages under this Act; and when all such Mortgages, and the Principal and Interest Monies due thereon respectively, shall have been fully paid off, satisfied, and discharged, the said Tolls shall (subject to the Payment of such Expences and Annuities as aforesaid) from thenceforth be laid out and invested in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, in the joint Names of any Five of the said Commissioners, and the Income resulting therefrom shall be accumulated in the Nature of Compound Interest, until a Sum shall be raised by such Accumulation which shall be sufficient to yield by the Dividends or Interest thereof, to pay the Annuities that may be then subsisting under this Act as aforesaid (and which shall be applied accordingly), and also to produce the further annual Sum of One hundred and fifty Pounds; which said last-mentioned accumulated Fund, and the Dividends or Interests thereof, shall (subject to the Payment of the said Annuities) be held and considered as a Fund for answering and paying the Expences of repairing, lighting, and keeping in good Order and Condition the said Bridge, and the Roads, Streets, Avenues, and Accesses thereto, as and when there shall be Occasion, and shall and may be accordingly sold, and the Produce and Dividends thereof applied and disposed of, by or by the Order of the said Commissioners, for all or any of the said several last-mentioned Purposes; and when and so soon as the said last-mentioned accumulated Sum shall be raised, the Tolls and Duties hereby authorized and directed to be raised and taken on or in respect of the Passage over the said Bridge, shall (subject to the Provisoes next hereinafter contained) wholly cease and determine: Provided nevertheless, that if at any Time or Times after the said last-mentioned accumulated Fund shall have been so raised as aforesaid, the same shall, by reason of Repairs of the said Bridge, or other Expenditures made by the said Commissioners in pursuance or for any of the Purposes of this Act, be reduced to the Sum of One thousand five hundred Pounds, Three Pounds *per Centum* Consolidated Bank Annuities, then and in every such Case the said Commissioners, or any Five or more of them, shall and may and they are hereby authorized and directed to revive the aforesaid Tolls, in the same Way and Manner as if the same had not ceased, in pursuance of this Act, until by the Receipt of such revived Tolls, the said Commissioners shall have accumulated a Fund of Five thousand Pounds, Three Pounds *per Centum* Consolidated Bank Annuities, for the future Purposes of this Act.

The whole of the Estimate to be subscribed before proceeding with the Act.

LXXII. And whereas the probable Expences of building the said Bridge, and making the said Streets or Avenues thereto, will, according to an Estimate thereof, amount to the Sum of Nine thousand Pounds, and the Sum of Seven thousand three hundred and eighty Pounds, being

being more than Four-fifth Parts of such Expences, has already been subscribed for defraying such Expences, by several Persons, under a Contract binding them, their Heirs, Executors, and Administrators, for Payment of the several Sums so subscribed by them respectively; be it therefore further enacted, That the whole of the said Sum of Nine thousand Pounds shall be subscribed in like Manner before any of the Powers and Provisions given by this Act shall be put in force.

The Bridge to be completed in Three Years.

LXXIII. And be it further enacted, That if the said Commissioners shall not, within Three Years from and after the passing of this Act, complete the said Bridge, Streets, 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.

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

LXXIV. 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 Mayor, 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.

Penalties and Forfeitures how to be recovered and applied.

LXXV. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise directed), shall, upon Proof of the Offences respectively before any One of His Majesty's Justices of the Peace for the City of *Norwich*, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses (which Oath such Justice is hereby empowered to administer), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant for such Purpose; and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and the Penalties, Forfeitures, and Fines, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers of the Commissioners, and applied to the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall and may be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and

Seal, to cause such Offender or Offenders to be committed to the Gaol of the said City of *Norwich*, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied: Provided nevertheless, that it shall be lawful for the said Commissioners from Time to Time, if they shall see Cause, to pay and apply such Part of the said Penalties, Forfeitures, and Fines, or any of them, to and for the Use of the Informer or Informers, or any Person or Persons, not being a Witness or Witnesses, aiding or assisting in the Apprehension of any Offender or Offenders therein, or any of them.

Power to give Informer Part of the Penalties.

Allowing an Appeal.

LXXVI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order of the said Commissioners, or by any Order, 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 or Persons may, within Six 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.

LXXVII. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses 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 or Persons accused (a reasonable Sum for his Costs and Charges having been paid or tendered to him or her), shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their 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 One hundred Pounds.

Offenders convicted in case of Non-payment.

LXXVIII. And be it further enacted, That in all Cases wherein Power and Authority is by this Act given to any Justice or Justices of the

the Peace, to issue a Warrant to levy for the Amount of any pecuniary Penalty incurred by reason of any Offence committed against this Act, it shall and may be lawful for such Justice or Justices, and he or they is and are hereby authorized and empowered in case of Non-payment of such Penalty forthwith upon Conviction, to order the Offender or Offenders convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant of Distress, unless such Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before him or them, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise.

Conviction of Offenders.

LXXIX. 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 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.'

Distress not unlawful for Want of Form.

LXXX. 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.

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

LXXXI. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of

of Abode, Ten Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of good and sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; nor if such Tender of Amends shall be made at any Time after the said Action brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender; but on Proof of such Tender on any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgment as in Cases of Nonsuit, with Treble Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; or in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and 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.

LXXXII. Provided always, and be it further enacted, That no Action or Suit shall be brought against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any Thing done in pursuance of this Act, after Six Calendar Months after the Fact committed; and every such Action or Suit shall be laid, brought, and tried in the County or City where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his, her, or their Election plead Specially or the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other Place than in the County or City as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs by any other Cases by Law.

Public Act.

LXXXIII. 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.

THE

THE SCHEDULE to which this ACT refers.

A Public House and Yard in the Parish of Saint Mary of Coslany, known by the Name of the Cock and House, belonging to the Trustees of James Green, a Minor, and in the Occupation of Margaret Green, abutting upon the South Side of Soutergate Street.

A Cottage and Yard in the Parish of Saint Mary of Coslany aforesaid, belonging to Robert Plumtree, abutting upon the South Side of the aforesaid Premises, in the Occupation of John Woods.

Three Cottages and Yards in the Parish of Saint Mary of Coslany aforesaid, belonging to Thomas Gotts, abutting upon the South End of the last-mentioned Premises, in the Occupation of Thomas Fountain and others.

A Cottage and Yard in the Parish of Saint Mary of Coslany, belonging to the Widow Graver, in the Occupation of James Wasp, abutting on the South End of the last-described Hereditaments.

Two Cottages and Yard, in the Parish of Saint Mary of Coslany, belonging to Thomas Cooper, in the Occupation of Philip Blyth and Jessee Cordran, and abutting on the South End of the last-described Hereditaments.

A Shed and Yard, in the Parish of Saint Mary of Coslany, now or late belonging to the Assignees of William Walker, a Bankrupt, abutting on the South End of the last-described Premises, and late in the Occupation of the said Bankrupt.

Part of a Piece of Ground, in the Parish of Saint Mary of Coslany, belonging to John Flood, in the Occupation of Robert Smith and others, abutting on the West Side of the last-mentioned Premises.

Part of a Garden, in the Parish of Saint Michael of Coslany, belonging to and in the Occupation of David Collins, abutting on the South Side of the last-described Piece of Ground, and on Part of the South End of the Premises now or late belonging to the Assignees of William Walker, a Bankrupt.

Part of a Garden, Warehouse, Yard, and Tenement, in the Parish of Saint Michael of Coslany, belonging to William Stannard, in the Occupation of himself and others, abutting on the South and East Sides of the last described Garden, and on the South Side of the Yard herein-before mentioned, now or late belonging to the Assignees of William Walker.

Six Cottages and Part of a Garden, in the Parish of Saint Michael of Coslany, belonging to William Hankes, in the Occupation of Samuel Browne and others, abutting on the South Side of the last-described Premises, and also abutting on the North Side of Colegate Street.

A Public House, called The Moon and Stars, with Stables, Part of a Yard and Cottages, in the Parish of Saint Michael of Coslany, belonging to Arthur Weston Esquire, in the Occupation of William Hood and others, abutting on the South Side of the said Street called Colegate Street.

A Shed and a Part of a Dying Office and Yard, in the Parish of Saint Michael of Coslany, belonging to and in the Occupation of Michael Stark, abutting on the South Side of the last-described Premises.

Part of a Granary and Yard, in the Parish of Saint Michael of Coslany, belonging to and in the Occupation of William Hankes Esquire, abutting on the South and West Sides of the last-described Premises, on the West Side of the Premises of Arthur Weston, and also on the North Side of the River Wensum.

Part of a Wharf and Shed, in the Parish of Saint John of Maddermarket, belonging to and in the Occupation of James Boardman, abutting on the South Side of the River Wensum.

Part of a Staithe and Road Way leading to the said Staithe, belonging to the Proprietors of the Duke's Palace Estate, late the Property of the late Duke of Norfolk, abutting on the West Side of the last-described Premises, on the South Side of the River Wensum, and on the North Side of Wymer Street.

Part of a Shed and Ground, in the Parish of Saint John of Maddermarket, belonging to and in the Occupation of William Wicks, abutting on the East Side of the last-described Premises.

Part of a Yard in the Parish of Saint John of Maddermarket, belonging to and in the Occupation of Robert De Carle, abutting on the North Side of Wymer Street, and on the East Side of the Property late belonging to the late Duke of Norfolk.

Part of a Shop in the Parish of Saint John of Maddermarket, belonging to and in the Occupation of Samuel Thurston, abutting on the North Side of Wymer Street, and on the West Side of the Premises late belonging to the late Duke of Norfolk.

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