ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. LXXVIII.

An Act for building a Bridge over the River *Severn*, at *Bewdley*, in the County of *Worceſter*, and for opening convenient Avenues thereto.

[19th *May* 1795.]

WHEREAS the Bridge over the River *Severn*, at the Borough of *Bewdley*, in the County of *Worceſter*, hath been, by the Violence of Floods which lately happened in the ſaid River, ſo much damaged as to be rendered impaſſable for Carriages, and unſafe for Horſes and other Cattle: And whereas the ſaid Bridge, and the Avenues leading thereto, are narrow and incommodious; and it would be of great Benefit to all Perſons reſiding in or reſorting to the ſaid Borough, and of Publick Utility, if a new Bridge was built over the ſaid River, at or near the Scite of the preſent Bridge, ſufficiently wide and commodious for the ſafe and convenient Paſſage of Travellers and Carriages, and the Avenues thereto widened; but the ſame cannot be done without the Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable *George Anneſley* commonly called *Lord Viſcount Valentia*, the Honourable *George Anneſley*, *John Amphlett*, *Richard Alport*, Sir *Walter Blount* Baronet, *Edward Blount*, *George Blount*, *Iſaac Hawkins Browne*, *Charles Baldwyn*, *Charles Baldwyn* junior, *Samuel Baldwyn*, *Robert Bromley*, *John Baker*, *John Baker* junior, *Thomas Baker*, *Samuel Baker*, *John Brookholding*, *John Brookholding* junior, *William Brookholding*, *Edward Baugh* Clerk, *Edward Baugh* junior Clerk, *Thomas Baugh*, *Henry Bray*, *James Braſier*, *Henry Edward Braſier*, *Thomas Beale*, *William Bancks*, *Thomas Bancks*, *Chriſtopher Bancks*, *Richard Bennett*, *Richard Bowes*, *William Bayliſs*

Preamble.

Commiſſioners.

Bayliſs, *Thomas Brettell*, *Richard Brettell*, *Joſeph Brettell*, *George Butt* D. D., *Thomas Butt* Clerk, *Henry Rowland Berkley* LL.D., *Joſeph Berwick*, *Nicholas Lechmere Charlton*, *William Childe*, *William Lacon Childe*, *Joſeph Crane*, *Thomas Crane*, *Edward Wheeler Crane*, *Daniel Clarke*, *George Clarke*, *Bonham Caldwall*, *Bonham Caldwall* junior, *John Cartwright*, *Thomas Cartwright*, *Joſeph Child*, *Henry Barrar Child*, *Joſeph Sheward Cotterell*, *Thomas Compſon*, *James Compſon*, *Thomas Carden*, *John Carver* Clerk, *Thomas Cookes* Clerk, *Henry Chellingworth*, *William Colborne*, *Richard Clarke*, *John Durant* Clerk, *Oliver Dixon*, *Benjamin Dugard*, *Thomas Dudley*, *John Dudley* Clerk, *Thomas Evans* D. D, *William Evans*, the Honourable *Edward Foley*, the Honourable *Andrew Foley*, *Edward Thomas Foley*, *Thomas Foley*, *Harry Thomas Foley*, Clerk, *John Freeth*, *John Fidkin*, *Thomas Farley*, *John Flavel*, *John Folliott*, *Joſeph Field*, *Joſeph Glover*, *John Glover*, *Benjamin Glover*, *George Goodwin*, *Robert Gomery*, *James Green*, *Thomas Hayley*, *Chriſtopher Hunt*, *Curteis Hale*, *Samuel Holland*, *William Herbert*, *Joſeph Harris*, *George Hallen*, *Thomas Hooper* M. D., *Richard Hurd*, *Thomas Haſlewood*, *Jervoiſe Clarke Jervoiſe*, *Thomas Clarke Jervoiſe*, *Francis Ingram*, *John Ingram*, *Thomas Ingram*, *Joſeph Ingram* D. D., *James Ingram* Clerk, *William Jeſſe* Clerk, *Richard Jones*, *John Jefferys*, *James Johnſtone* M. D. *Richard Payne Knight*, *Edward Knight*, *John Knight*, *John Knight* junior, *Samuel Kenrick*, *James Kinnerſley* junior, the Honourable *George Fulke Lyttelton*, the Honourable *William Henry Lyttelton*, Sir *Edward Littleton* Baronet, *Humphry Lyttelton*, *William Lygon*, *Edmund Lechmere* junior, *Arthur* Earl *Mountnorris* in the Kingdom of *Ireland*, *William Morgan* Clerk, *Samuel Milner*, *Richard Mugg Mence*, *James Marſhall*, *Slade Naſh*, *Slade Naſh* Clerk, *George Naſh*, *Treadway Naſh* D. D., *Edward Northey* Clerk, *John Nott*, *Richard Nott*, *Richard Norbury*, *Coningſby Norbury*, *Joſeph Oldham*, *Jonathan Pytts*, *Adam Prattinton*, *Peter Prattinton*, *William Prattinton*, *Adam Lyttelton Prattinton*, *James Prattinton* Clerk, *Robert Pardoe*, *William Payton*, *William Parſons*, *Richard Parſons*, Sir *John Peſhall*, Sir *Herbert Perrott Pakington*, Baronets, *John Pakington*, *Reginald Pyndar* Clerk, *Edward Penrice*, *Robert Penrice*, *James Pinches*, *Adam Plowman*, Sir *John Ruſhout* Baronet, *Wilſon Ayleſbury Roberts*, *Wilſon Ayleſbury Roberts* junior, *Thomas Ayleſbury Roberts*, *Francis Radnall*, *Joſeph Robins*, *Thomas Racke* Clerk, *Samuel Steward*, *Thomas Smith*, *Samuel Skey*, *Samuel Skey* junior, *Jonathan Skey*, *John Freeman Skey*, *Henry Skey*, *Joſeph Seager*, *Edmund Seager*, *William Slaney*, *John Soley*, *John Soley* junior, *Samuel Southam*, *Thomas Sheward*, Sir *John Throckmorton* Baronet, *Thomas Thompſon*, *John Tilbury*, *Jacob Turner*, *James Vobe*, the Honourable *John William Ward*, Sir *Edward Winnington* Baronet, *Thomas Winnington*, *Edward Winnington*, *Edmund Wigley*, *Thomas Wigan* Clerk, *Thomas Waldron*, *William Waldron*, *William Wheeler*, *Thomas Jacob White*, *John Watkins*, *John Watkins* junior, *John Zachary*, and their Succeſſors, to be appointed as herein-after mentioned, and alſo the Bailiff, Steward, Recorder, Deputy Recorder, and Capital Burgeſſes of the ſaid Borough for the Time being, ſhall be and are hereby appointed Commiſſioners for the ſeveral Purpoſes of this Act; and that when any Commiſſioner herein-before particularly named, or who ſhall be appointed as herein-after mentioned, ſhall die, or refuſe to act, it ſhall be lawful for the ſurviving or remaining Commiſſioners to appoint another Perſon to be a Commiſſioner in his Place, and every Commiſſioner ſo appointed ſhall have the ſame Power and Authority as if he

Appointment of new Commiſſioners.

he had been named and appointed a Commiſſioner in and by this Act: Provided always, that Ten Days Notice at the leaſt ſhall be given in *The Worceſter Journal*, or in ſome other Newſpaper which ſhall be then circulated in the County of *Worceſter*, and affixed upon the Turnpike or Turnpikes to be erected as herein-after mentioned, of the Time and Place of every ſuch Appointment; but no Commiſſioner ſhall be appointed, except at ſome Meeting to be holden between *Midſummer* and *Michaelmas* in any Year.

Qualification of Commiſſioners.

II. Provided alſo, That no Perſon herein-before particularly named or hereafter to be appointed as herein-before mentioned, ſhall be capable to act as a Commiſſioner in the Execution of this Act, unleſs he ſhall be, in his own Right or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or other Hereditaments, of the clear Yearly Value of Fifty Pounds above Reprizes, or poſſeſſed of or entitled unto a Perſonal Eſtate alone, or Real and Perſonal Eſtate together, of the clear Amount or Value of One thouſand two hundred Pounds, or ſhall be Heir Apparent of ſome Perſon ſeiſed of a Real Eſtate of the clear Yearly Value of Three hundred Pounds above Reprizes; nor ſhall any Perſon, during the Time he ſhall have any Share or Intereſt in any Contract to be made or Work to be done under this Act, be capable of acting as a Commiſſioner in the Execution thereof; and if any Perſon herein-before made incapable of acting as a Commiſſioner as aforeſaid ſhall nevertheleſs act as a Commiſſioner in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform and ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint, or Information, and the Perſon ſo proſecuted ſhall prove that he is qualified or capable of acting as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecutor or Proſecutors than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act.

Meetings.

III. And be it further enacted, That the ſaid Commiſſioners ſhall meet at the Guildhall of the ſaid Borough, upon the Firſt *Friday* in *July* One thouſand ſeven hundred and ninety-five, and proceed to the Execution of this Act, and ſhall adjourn themſelves from Time to Time to, and meet at the ſame or any other Place or Places within the ſaid Borough, as the ſaid Commiſſioners ſhall think moſt convenient, as often as it ſhall be neceſſary for putting this Act in Execution; and that Two Commiſſioners ſhall be ſufficient for the Purpoſe of Adjournment only, and if it ſhall happen that there ſhall not appear at the Time and Place appointed for any Meeting a ſufficient Number of Commiſſioners to adjourn to another Day, then and in every ſuch Caſe the Clerk to the ſaid Commiſſioners, or any Three of the Commiſſioners, though not aſſembled at a Meeting to be held in purſuance of this Act, ſhall by Notice to be given in Manner aforeſaid, appoint the Commiſſioners to meet on the Fourteenth Day next after the Day ſuch Meeting was to have been held; and the ſaid Commiſſioners ſhall at all their Meetings defray their own Expences; and that all Acts, Matters, and Things, by this Act authorized, directed, mentioned, or expreſſed to be done or performed by or in the Preſence of the ſaid Commiſſioners, (other than the appointing of

Meetings as aforeſaid), ſhall and may be done or performed by the Majority of the ſaid Commiſſioners preſent at their reſpective Meetings, the whole Number preſent at any ſuch Meeting not being leſs than Five, and the ſame ſhall be as valid as if done or performed by or in the Preſence of all the ſaid Commiſſioners.

Truſtees may appoint Officers.

IV. And be it further enacted, That the ſaid Commiſſioners may, and are hereby authorized and empowered from Time to Time by Writing under their Hands, to appoint a Clerk, Treaſurer, and Surveyor, and alſo a Collector or Collectors of the Tolls hereby granted, and any ſuch Clerk, Treaſurer, Surveyor, and Collector, from Time to Time to remove or diſplace as they ſhall think fit; and the ſaid Commiſſioners ſhall and are hereby required to take ſuch Security from every ſuch Treaſurer and Collector, for the due and faithful Execution of his Office, as they ſhall think proper, and may and are hereby authorized and empowered, out of the Money ariſing by virtue of this Act, to allow and pay to every ſuch Clerk, Surveyor, and Collector, and to ſuch other Perſons as ſhall be employed in or about the Execution of this Act, ſuch Salaries or other Allowances for their Attendance, Care, and Services therein, as to the ſaid Commiſſioners ſhall ſeem reaſonable; but no Perſon ſhall be capable of holding any Place of Profit under the ſaid Commiſſioners, who ſhall ſell any Ale, Wine, or Spirituous Liquors by Retail; and every Treaſurer, Collector, and other Perſon who ſhall be employed in the Receipt or Expenditure of any of the Money which ſhall be collected or received by virtue of this Act, ſhall from Time to Time, as often as thereunto required by the ſaid Commiſſioners, produce and give to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint, a true and perfect Account in Writing under his Hand of all the Money which he ſhall have collected or received, and how and to what Uſes the ſame hath been paid and applied, together with proper Receipts and Vouchers for ſuch Payments, and ſhall pay all ſuch Money as ſhall remain in his Hands to ſuch Perſon as the ſaid Commiſſioners ſhall direct and appoint, and every ſuch Officer and other Perſon ſhall verify every ſuch Account upon Oath, if required by the ſaid Commiſſioners, (which Oath the ſaid Commiſſioners are hereby empowered to adminiſter); and in caſe any ſuch Officer or Perſon ſhall refuſe or neglect to pay the Money which ſhall appear to remain in his Hands according to the Direction of this Act, it ſhall be lawful for any Two Juſtices of the Peace for the County or Place wherein ſuch Perſon ſhall be or reſide, to make Enquiry touching ſuch Neglect or Refuſal in a ſummary Way, as well by the Confeſſion of the Party as by the Oath of any credible Witneſs, (which Oath ſuch Juſtices are hereby empowered and required to adminiſter without Fee or Reward), and by Warrant under their Hands and Seals to cauſe ſuch Money as ſhall appear to them to be due and unpaid to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon, rendering the Overplus, (if any), after the Money remaining due and the Charges of making ſuch Diſtreſs and Sale ſhall be deducted; and if ſufficient Diſtreſs cannot be found, or if it ſhall appear to any ſuch Juſtices in Manner aforeſaid that any ſuch Officer or other Perſon ſhall refuſe or wilfully neglect to give ſuch Account, or to verify the ſame in Manner as aforeſaid, or to deliver up to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint, within Fourteen Days next after being thereunto required by the ſaid Commiſſioners, all Books, Papers, and

Security to be taken from Treaſurer and Collectors.

No Victualler to hold a Place of Profit under the Act.

Officers to account.

and Writings in his Cuſtody or Power relating to the Execution of his Office, or of this Act, ſuch Juſtices ſhall commit him to the Common Gaol, there to remain, without Bail or Mainprize, until he ſhall make and give a true and perfect Account, and verify the ſame in Manner aforeſaid, and ſhall have paid the Money (if any) remaining in his Hands as aforeſaid, according to the Direction of the ſaid Commiſſioners, or compounded with the ſaid Commiſſioners for ſuch Money, and paid ſuch Compoſition according to their Direction, or until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, (which ſaid Compoſition the ſaid Commiſſioners are hereby empowered to make and receive); but no ſuch Officer, who ſhall be committed on Account of his not having ſufficient Goods and Chattels as aforeſaid, ſhall be detained in Priſon for any longer Time than Six Calendar Months: Provided always, that when any ſuch Collector of the ſaid Tolls ſhall die, or become incapable of performing his Duty, it ſhall be lawful for any Three or more of the ſaid Commiſſioners, although not aſſembled at a Meeting in purſuance of this Act, by Writing under their Hands to appoint a Perſon to be Collector of ſuch Tolls, and the Perſon ſo appointed ſhall have the like Power and Authority for the collecting, receiving, and recovering thereof, as the Perſon he ſhall ſucceed was inveſted with, until the ſaid Commiſſioners ſhall, at a Meeting to be holden by virtue of this Act, appoint a Collector of the ſaid Tolls; any Thing herein-before contained to the contrary notwithſtanding.

Commiſſioners, to build a new Bridge, &c.

V. And be it further enacted, That the ſaid Commiſſioners ſhall, and are hereby authorized and empowered to build or cauſe to be built a new Bridge over the River *Severn*, at or near the Place where the preſent Bridge at the ſaid Borough ſtands, and to ſupport, repair, and maintain the ſame, and alſo to make, ſupport, maintain, and alter, any Banks and other Works which they ſhall judge neceſſary or proper for that Purpoſe, and to pull down, or cauſe to be pulled down, the old Bridge, and the Buildings thereon, and build, or cauſe to be built, a temporary Bridge, or repair and continue the ſaid old Bridge as a temporary Bridge, over the ſaid River until the new Bridge ſhall be erected; and to open, widen, form, and render more commodious, the Street, Paſſage, or Avenue, leading thereto on each Side of the ſaid River, or make any new Paſſage or Avenue to each or either End of the ſaid new Bridge, and for thoſe Purpoſes to contract and agree for the purchaſing of any Houſes, Buildings, Lands, and other Hereditaments, which ſhall be neceſſary for widening and rendering commodious the ſaid Streets, Paſſages, and Avenues leading to the ſaid Bridge, or making new Paſſages or Avenues thereto, and for the taking down of any ſuch Houſes and Buildings.

Materials of the old Bridge veſted in the Commiſſioners.

VI. And be it further enacted, That all Timber, Stone, and other Materials, of or belonging or appertaining to the preſent Bridge, ſhall be and are hereby veſted in the ſaid Commiſſioners, and ſhall be uſed, or ſold and diſpoſed of, for the Purpoſes of this Act, as to the ſaid Commiſſioners ſhall ſeem proper.

Bodies Politick, &c. may ſell Lands, &c.

VII. And be it further enacted, That it ſhall be lawful for all Bodies Politick, Corporate, or Eccleſiaſtical, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees, and other Truſtees, and for all Femes Covert and other Perſons

Perſons who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Houſes, Buildings, Lands, or other Hereditaments, which may be neceſſary to be purchaſed for the Purpoſes of this Act, to ſell and convey the ſame, and all their Eſtate and Intereſt therein, to the ſaid Commiſſioners, or to ſuch Perſons and their Heirs as the ſaid Commiſſioners ſhall direct, in Truſt for the ſaid Commiſſioners for the Purpoſes of this Act; and that all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall, without any Fine, Recovery, or other extraordinary Conveyance or Aſſurance, be good, valid, and effectual; any Law, Uſage, or other Matter or Thing, to the contrary notwithſtanding; and that all ſuch Perſons are and ſhall be hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

Value to be aſcertained by a Jury at the Quarter Seſſion, if the Parties do not agree.

VIII. And be it further enacted, That if any ſuch Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, or other Perſon or Perſons, ſo ſeiſed, poſſeſſed of, or intereſted as aforeſaid, ſhall refuſe or neglect to treat, or ſhall not agree for the Sale of any ſuch Houſes, Buildings, Lands, or other Hereditaments, or for their Intereſt therein, or by reaſon of Abſence, or otherwiſe, ſhall be prevented from treating, and the ſaid Commiſſioners ſhall, Ten Days at the leaſt before any General or Quarter Seſſion of the Peace to be holden for the County of *Worceſter*, cauſe Notice in Writing to be given to ſuch Owners or Perſons intereſted, Guardians, Committees, or Truſtees, Executors or Adminiſtrators reſpectively, or to the principal Officer of ſuch Body Politick, Corporate, or Collegiate, or to be left at the Houſe of the Tenant in Poſſeſſion of any ſuch Houſes, Buildings, Lands, or other Hereditaments, ſo intended to be purchaſed, purporting that the Value thereof will be adjuſted and ſettled by a Jury at the ſaid Seſſion, then and in every ſuch Caſe the Juſtices at ſuch Seſſion upon Proof of ſuch Notice having been given or left as aforeſaid, are hereby authorized and required to charge the Jury which ſhall attend at ſuch Seſſion, or ſome other Jury of Twelve honeſt and indifferent Men, to be then and there impannelled and returned by the Sheriff of the ſaid County, without Fee or Reward, and cauſe them to be ſworn well and truly on their Oaths to aſſeſs the Value of the Houſes, Buildings, Lands, or other Hereditaments, mentioned or deſcribed in the ſaid Notice, and the Damages and Recompence to be given for the ſame, or ſuch Part or Parts thereof as ſhall be intended to be taken or uſed for the Purpoſes of this Act, to the reſpective Owners, Occupiers, and Perſons intereſted, according to their reſpective Intereſts therein; and the ſaid Commiſſioners, and all Perſons intereſted, ſhall have their lawful Challenges againſt any of the ſaid Jury when they come to be ſworn; and the ſaid Jury, being ſo ſworn and charged as aforeſaid, and after proper Evidence on Oath to them given, (which Oath, and alſo the Oath to the ſaid Jury, the ſaid Juſtices are hereby authorized to adminiſter), concerning the Nature, Quantity, and Value, of ſuch Houſes, Buildings, Lands, or other Hereditaments as aforeſaid; and alſo after having viewed the Place in Queſtion, (if judged neceſſary by the ſaid Juſtices in Seſſion aſſembled, on the Application of the ſaid Commiſſioners, or any of them, or any of the Parties intereſted), ſhall by their Verdict aſſeſs, declare, and aſcertain, the Price or Recompence and Damages to be given or paid for the ſame to ſuch reſpective Owners, Occupiers, and Perſons intereſted, according to their reſpective Intereſts therein; and ſuch Verdict of the ſaid

Jury

Jury ſhall be binding, final, and concluſive to the ſaid Commiſſioners, and to all Perſons and Parties intereſted in the ſaid Houſes, Buildings, Lands, or other Hereditaments; and the ſaid Juſtices ſhall and may award Coſts to either Party as in their Diſcretion ſhall ſeem meet; and every ſuch Verdict of the Jury, and all Proceedings of the Juſtices as aforeſaid, ſhall be fairly written or ingroſſed, and kept and entered amongſt and be deemed Part of the Records of the Quarter Seſſion of the ſaid County.

On Payment of Purchaſe Money, Premiſes to be conveyed.

IX. And be it further enacted, That upon Payment of ſuch Sum or Sums of Money ſo to be aſſeſſed as aforeſaid, the Perſon or Perſons to or for whom the ſame ſhall be ſo aſſeſſed ſhall make and execute, or procure to be made and executed, good, valid, and legal, Conveyances and Aſſurances in the Law of their ſeveral Eſtates, ſo to be purchaſed as aforeſaid, to the ſaid Commiſſioners, or ſuch Perſon or Perſons as they ſhall nominate or appoint, and their Heirs, in Truſt for the ſaid Commiſſioners for the Purpoſes of this Act, and ſhall procure all neceſſary Parties to execute ſuch Conveyances and Aſſurances, and ſhall do all Acts, Matters, and Things, requiſite and neceſſary to make and perfect the ſame, and ſuch Conveyances and Aſſurances ſhall contain all ſuch reaſonable and uſual Covenants as ſhall, on the Part of the ſaid Commiſſioners, be required; and in caſe the Perſon or Perſons to or for whom any ſuch Sum or Sums ſhall be aſſeſſed as aforeſaid ſhall not be able to prove his or their Title to the Premiſes to the ſaid Commiſſioners, and to make, or procure to be made, good, valid, and legal, Conveyances thereof, or ſhall refuſe ſo to do, being thereunto required by Writing under the Hands of any Five or more of the ſaid Commiſſioners, and ſuch Sum or Sums ſo aſſeſſed, being produced and tendered to be paid to the ſeveral Perſons entitled thereto as aforeſaid, on their making ſuch Title, and executing, and procuring to be executed, ſuch Conveyances or Aſſurances as aforeſaid, or in caſe any ſuch Perſons cannot be found, or if by reaſon of any Diſpute depending in any Court of Law or Equity, or for Defect of Evidence, or otherwiſe, it ſhall not appear to the ſaid Commiſſioners what Perſon or Perſons is or are entitled, or if any Mortgagee or Mortgagees ſhall refuſe to take his, her, or their Mortgage Money due on the Premiſes, after Notice given to him, her, or them for that Purpoſe, as herein-after mentioned, then and in every ſuch Caſe it ſhall be lawful for the ſaid Juſtices, at their Seſſion as aforeſaid, to order the Sum or Sums ſo aſſeſſed as aforeſaid, as the Value or Purchaſe Money for ſuch Houſes, Buildings, Lands, or other Hereditaments, or which ſhall be due on ſuch Mortgage, to be paid into the Hands of the Treaſurer to the ſaid Commiſſioners for the Uſe of the Parties intereſted in the ſaid Premiſes, to be apportioned and paid to them, and every of them, according to their reſpective Eſtates and Intereſts in the ſaid Premiſes, whether as Tenants or otherwiſe, as the ſaid Juſtices in their ſaid Seſſion ſhall order and direct, and ſuch Treaſurer is hereby required to give a Receipt for every ſuch Sum of Money, mentioning and ſpecifying for what Premiſes, and for whoſe Uſe the ſame is received, to ſuch Perſon as ſhall pay ſuch Sum into his Hands, which Receipts ſhall be entered and kept, and be deemed as Part of the Records of the Quarter Seſſions of the ſaid County; and immediately, on ſuch Payment and Entry, all the Eſtate, Right, Title, Intereſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons reſpectively to whoſe Uſe the

Mortgagees refuſing to take their Money, Truſtees to order the ſame to be paid to Treaſurer, &c.

ſame was paid, in, to, or out of, ſuch Houſes, Buildings, Lands, and Hereditaments, ſhall be diveſted out of ſuch Perſons reſpectively, and the ſame ſhall from thenceforth veſt in the Commiſſioners for the Time being, for putting this Act into Execution, for the Purpoſes of this Act, and they ſhall be deemed in Law to be in the actual Poſſeſſion thereof, to all Intents and Purpoſes, as fully and effectually as if every Perſon having any Eſtate in the ſaid Premiſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery and Seizin, Fine and Recovery, or any other legal Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whoſe Uſe ſuch Payment was 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, in Reverſion or Remainder, againſt the Iſſue of every ſuch Perſon, and all Perſons claiming under him, to all Intents and Purpoſes.

Mortgagees on Payment or Tender of their Money, to convey.

X. And be it further enacted, That the Mortgagee or Mortgagees of any Houſes, Buildings, Lands, or other Hereditaments, which ſhall be purchaſed in purſuance of this Act, his, her, or their Heirs, Executors, Adminiſtrators, and Aſſigns reſpectively, on having Six Months Notice in Writing under the Hands of the ſaid Commiſſioners, that they will pay off and diſcharge the Principal and Intereſt Money which, at the Expiration of the ſaid Six Months, ſhall be due on ſuch Mortgage, ſhall, at the End of the ſaid Six Months, on Payment or Tender of the Principal and Intereſt Money which ſhall be then due, convey and aſſign his, her, and their, Eſtate and Intereſt in and to the ſaid mortgaged Premiſes to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall nominate or appoint, in Truſt for the ſaid Commiſſioners, for the Uſes and Purpoſes of this Act; and if any ſuch Mortgagee or Mortgagees, his, her, or their, Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall refuſe ſo to do, then all Intereſt on every ſuch Mortgage, from the Expiration of the ſaid Six Months after any ſuch Notice given as aforeſaid, ſhall ceaſe and determine.

Money belonging to Corporations, *etc.* to be laid out in Purchaſe of other Eſtates.

XI. And be it further enacted, That the Money or Satisfaction to be paid for any Houſes, Buildings, Lands, or other Hereditaments, which ſhall be taken or uſed for the Purpoſes of this Act, belonging to any Corporation or other incapacitated Perſons, ſhall be paid to ſuch Perſon or Perſons as ſuch Corporation, or the Guardians, Truſtees, or Committees of ſuch incapacitated Perſons, ſhall reſpectively nominate and appoint to receive the ſame, in Truſt, with all convenient Speed to be re-inveſted in the Purchaſe of other Lands or Hereditaments, which ſhall be conveyed and ſettled upon, and ſubject to the like Uſes, Truſts, and Limitations, as the Houſes, Buildings, Lands, or other Hereditaments, belonging to ſuch Corporation, or other incapacitated Perſons, ſhall then be ſettled, limited, or aſſured, and in the mean Time, and until ſuch Money ſhall be laid out, the ſame ſhall be placed by ſuch Corporation, Guardians, Truſtees, or Committees, in ſome of the Publick Funds, in the Names of ſuch Two or more Perſons as they ſhall appoint, and the Intereſt ariſing or to be produced therefrom ſhall be paid to ſuch Perſon or Perſons as would for the Time being be entitled to the Rents and Profits of the Hereditaments ſo to be purchaſed, in caſe the ſame were

actually purchaſed and ſettled purſuant to the Tenor and true Meaning of this Act.

On Refuſal Sheriff to deliver Poſſeſſion.

XII. And be it further enacted, That in caſe the ſaid Commiſſioners, or any Perſon authorized by them, ſhall give Six Months Notice in Writing to the Tenant or Occupier of any Houſes, Buildings, Lands, or other Hereditaments, which ſhall be ſo purchaſed to quit and deliver up the Poſſeſſion thereof at the Expiration of Six Months, then all and every ſuch Tenants and Occupiers ſhall, at the End of Six Months after every ſuch Notice, peaceably and quietly deliver up the Poſſeſſion of the Premiſes ſo by him, her, or them, occupied, whether upon Leaſe or otherwiſe, to the Perſon or Perſons who ſhall be appointed by the ſaid Commiſſioners to take Poſſeſſion thereof; and if any Perſon or Perſons ſo in Poſſeſſion ſhall refuſe to give up ſuch Poſſeſſion at the Expiration of ſuch Six Months as aforeſaid, it ſhall be lawful for the ſaid Juſtices, in Seſſion as aforeſaid, from Time to Time, to iſſue a Precept to the Sheriff of the County of *Worceſter*, to cauſe Poſſeſſion thereof to be delivered to ſuch Perſon or Perſons who ſhall be in ſuch Precept nominated to receive the ſame, to the Uſe of the ſaid Commiſſioners, and the ſaid Sheriff is hereby required to deliver Poſſeſſion of the Premiſes accordingly, and to levy ſuch Coſts as ſhall accrue by Means of the iſſuing and Execution of every ſuch Precept, by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons who ſhall have refuſed to give up ſuch Poſſeſſion as aforeſaid, and ſhall refuſe or neglect to pay ſuch Coſts; and the Coſts, when recovered, ſhall be paid over to ſuch Perſon as the ſaid Commiſſioners ſhall direct.

Truſtees empowered to ſell Overplus Ground, *&c.*

XIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to ſell and diſpoſe of any Ground which ſhall be ſo purchaſed more than they ſhall find ſufficient or neceſſary for the Purpoſes of this Act to any Perſon or Perſons, giving Preference to the Perſon or Perſons of whom the ſame ſhall have been purchaſed; and it ſhall be lawful for the ſaid Commiſſioners to direct in what Manner any new Houſes or Edifices to be erected upon any ſuch Ground ſo to be purchaſed ſhall be built, and all Perſons concerned ſhall conform to ſuch Direction.

Turnpikes to be erected.

XIV. And, in order to enable the ſaid Commiſſioners to carry the Purpoſes of this Act into Execution, be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to cauſe a Turnpike and Toll Houſe to be erected at ſuch Place or Places, upon or at either End of the preſent Bridge, or of any Temporary Bridge which ſhall be built as aforeſaid, and alſo at ſuch Place or Places, upon or at either End of the ſaid new Bridge when built, as they ſhall think proper, at which reſpective Turnpikes there ſhall be demanded and taken on every Day in the Week (except *Sundays*) by any Collector to be appointed as aforeſaid, before any Perſons, or any Horſes, Cattle, or Carriages, ſhall be permitted to paſs through the ſame, the Tolls following; (that is to ſay),

For every Foot Paſſenger, the Sum of One Halfpenny:

For every Coach, Berlin, Chariot, Chaiſe, Calaſh, Hearſe, Litter, or Caravan, drawn by Six or more Horſes, the Sum of Two Shillings; and drawn by Four Horſes, the Sum of One Shilling and Sixpence; and drawn by Two Horſes, the Sum of One Shilling:

For

For every Chaiſe, Chair, or other ſuch like Carriage, drawn by One Horſe, the Sum of Sixpence:

For every Waggon, Cart, Wain, or other Wheel Carriage, drawn by Six or more Horſes or other Cattle, the Sum of One Shilling; and drawn by Four or Five Horſes or other Cattle, the Sum of Eight-pence; and drawn by Two or Three Horſes or other Cattle, the Sum of Four-pence; and drawn by One Horſe or other Beaſt, the Sum of Two-pence:

For every Sledge or Dray without Wheels, drawn by Three or more Horſes or other Beaſts, the Sum of Three-pence; and drawn by Two Horſes or other Beaſts, the Sum of Two-pence; and drawn by One Horſe or other Beaſt, the Sum of Three Halfpence:

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

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

And for every Score of Calves, Sheep, Swine, or Lambs, the Sum of Five-pence, and ſo in Proportion for any leſs Number.

And on every *Sunday* (to be computed from Twelve of the Clock in the *Saturday* Night to Twelve of the Clock in the *Sunday* Night) there ſhall be demanded and taken at the ſaid reſpective Turnpikes, by any ſuch Collector as aforeſaid, double the reſpective Tolls herein-before granted (except from Foot Paſſengers, who ſhall not be liable to pay more than the ſaid Toll of One Halfpenny) and the ſaid reſpective Tolls herein-before granted ſhall be and are hereby veſted in the ſaid Commiſſioners; and if any Perſon or Perſons liable to pay the ſaid Tolls, or any Part thereof, ſhall, after Demand made by the Collector thereof, neglect or refuſe immediately to pay the ſame, it ſhall be lawful for any ſuch Collector to ſtop and prevent the Paſſage through the ſaid Turnpike of any Perſon, or any Carriage, Horſe, Beaſt, or other Cattle, upon or in reſpect of which ſuch Tolls ſhall be due, until ſuch Tolls ſhall be paid.

Turnpikes and Toll Houſes veſted in Commiſſioners.

XV. And be it further enacted, That the ſaid Turnpikes and Toll Houſes, and the Materials of which the ſame ſhall conſiſt, and all Materials and other Things which ſhall be provided or purchaſed by or under the Authority of the ſaid Commiſſioners, for the Purpoſes of this Act, ſhall be and are hereby veſted in the ſaid Commiſſioners, and they are hereby authorized and empowered to cauſe an Action to be brought in the Name of their Treaſurer or Clerk, or to direct the preferring of Indictments againſt any Perſon or Perſons who ſhall break or pull down, ſteal, take, or carry away, ſpoil, or injure, any ſuch Turnpike or Toll Houſe, or any Part thereof, or any of the Materials or other Things which ſhall be provided or purchaſed as aforeſaid.

Tolls paid but Once a Day.

XVI. Provided always, That the Tolls aforeſaid ſhall not be payable, or demanded or taken, at the Turnpike or Turnpikes to be erected as aforeſaid, more than Once in any One Day (to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the ſucceeding Night), for or in reſpect of the ſame Perſon, or the ſame Carriage, or Horſes, or other Beaſts or Cattle, the reſpective Perſons having paid the Tolls producing Tickets denoting ſuch Payment, which

Tickets the Collectors of the Tolls are hereby required to give *gratis*, if demanded, on Receipt of the Tolls.

XVII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered from Time to Time, with the Conſent of ſuch Perſon or Perſons as ſhall be entitled to Two Third Parts or more of the Money which ſhall be then due and owing upon the Credit of the ſaid Tolls, to leſſen or reduce all or any of the ſaid Tolls for ſuch Time or Times as the ſaid Commiſſioners ſhall think proper, and may afterwards from Time to Time advance all or any of the Tolls ſo leſſened or reduced to any Sum or Sums of Money, not exceeding the reſpective Sums herein-before mentioned, and ſuch reduced or advanced Tolls ſhall and may be collected, levied, and recovered in ſuch and the ſame Manner as the Tolls hereby granted are directed to be collected, levied, and recovered: Provided nevertheleſs, that no ſuch Alteration ſhall be made in any of the ſaid Tolls, unleſs Ten Days previous Notice at the leaſt of the Meeting to be holden for that Purpoſe ſhall be given in Manner aforeſaid. Tolls may be leſſened.

XVIII. Provided always, and be it further enacted, That no Toll ſhall be demanded or taken by virtue of this Act for any Foot Paſſenger between Eleven of the Clock at Night and Five of the Clock in the Morning; or for any Foot Paſſenger being a Labourer in any Manufacture, Trade, Work, or Day Labour, within the ſaid Borough, or the Limits thereof, or the Hamlet of *Wribbenhall* in the ſaid County, going to or returning from his or her Work, or in carrying his or her Work to the Perſon or Perſons by or from whom he or ſhe ſhall have been employed, or returning after having carried the ſame; or in conducting any Boat, Barge, or other Veſſel, acroſs the ſaid River between the ſaid Borough and Hamlet; or for the Children of any of the Perſons ſo exempted from the Payment of Toll as aforeſaid going to or from School; and that it ſhall be lawful for the ſaid Commiſſioners, by Order or Orders to be made at any of their Meetings, to allow the Children of ſuch other Perſons going to or from School within the ſaid Borough, or the Limits thereof, or the ſaid Hamlet, as they ſhall think proper, to paſs over the ſaid Bridge on Foot without paying the ſaid Toll: Provided alſo, that no Perſon ſhall be charged with, or ſubject to, the Payment of any of the ſaid Tolls for or in reſpect of any Carriage employed in carrying or conveying any Hay, Straw, or Corn in the Straw, not ſold or diſpoſed of, but to be laid up in the Houſes, Outhouſes, Barns, or Yards, of the Owners thereof, or any Plough, Harrow, or other Implement of Huſbandry, or any other Thing whatſoever employed in Huſbandry; or for any Horſes or other Cattle, or Sheep, going to or returning from Paſture or Watering Places; or any Carriages or Horſes employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſt Maſter General; or any Perſon on Foot, or any Carriage, Horſe, or other Beaſt, carrying any Perſons on a *Sunday* to or from any Church, Chapel, or other Place of Religious Worſhip, licenſed by Law, to which they uſually reſort, or attending the Funeral of any Perſon who ſhall die and be buried within the ſaid Borough or Hamlet, or carrying any Clergyman or licenſed Miniſter going to or returning from viſiting any ſick Perſon, or upon other his Parochial or Miniſterial Duty; or for any Officers or Soldiers, Exemptions;

or Carriages or Horſes belonging to Officers or Soldiers upon their March or upon Duty, or for any Carriages, Horſes, or other Beaſts or Cattle, employed in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in carrying any ſick, wounded, or diſabled Officers or Soldiers; or for any Carriage or Horſe carrying Vagrants ſent by legal Paſſes: Provided always, that if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Forty Shillings.

Penalty on evading the Tolls.

XIX. And be it further enacted, That if any Perſon ſhall give to or receive from any Perſon, other than the Collector of the ſaid Tolls, any ſuch Ticket as aforeſaid, or ſhall forge or counterfeit any ſuch Ticket, or make uſe of any ſuch forged or counterfeited Ticket, knowing the ſame to be forged or counterfeited, whereby the Payment of any of the ſaid Tolls ſhall be avoided; or if any Perſon ſhall forcibly paſs through either of the ſaid Turnpikes, either with or without any Carriage or Horſe, or other Beaſt or Cattle, without Payment of the Toll payable by ſuch Perſon, with Intent to avoid, and ſhall thereby avoid, the Payment of any of the ſaid Tolls; or if any Perſon ſhall paſs or ſhall carry or convey any Perſon in any Boat or other Veſſel acroſs the ſaid River, between the ſaid Borough and Hamlet, with Intent to avoid, and ſhall thereby avoid, the Payment of any of the ſaid Tolls; or if any Perſon ſhall aſſault any Collector of the ſaid Tolls, every Perſon offending in any of the Caſes aforeſaid ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings, whereof One Half ſhall be paid to the Informer.

Tolls may be let.

XX. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby empowered, by Writing under their Hands and Seals, at any Time or Times, to let to Farm the Tolls by this Act granted, or any Part thereof, unto any Perſon or Perſons, for any Term not exceeding Three Years at any One Time, (Ten Days Notice at the leaſt of the Intention of ſuch letting being given in Manner aforeſaid), for the beſt Rent they can reaſonably get for ſuch Tolls, to be payable Quarterly in Advance to the Treaſurer to the ſaid Commiſſioners.

Commiſſioners may borrow Money.

XXI. And, for the more ſpeedy raiſing Money for the Purpoſes of this Act, be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered, from Time to Time to borrow and take up at Intereſt any Sum or Sums of Money upon the Credit of the Tolls hereby granted, and by Writing under their Hands and Seals to mortgage or aſſign over the ſaid Tolls to the Perſon or Perſons who ſhall advance or lend ſuch Money, or his or their Truſtee or Truſtees, as a Security for the Money ſo to be borrowed, together with Intereſt for the ſame; which Aſſignments ſhall be according to the Form following; *videlicet*,

'BY virtue of an Act of Parliament, made in the Thirty-fifth Year of the Reign of King *George* the Third, intituled, [*ſet forth the Title of the Act*], we of the Commiſſioners appointed by virtue of the ſaid Act, in Conſideration of the Sum of advanced and lent by *A. B.* to *C. D.* the Treaſurer

'surer appointed in pursuance of the said Act, upon the Credit and for
'the Purposes of the said Act, do grant and assign unto the said *A. B.*
'his Executors, Administrators, and Assigns, such Proportion of the
'Tolls arising by virtue of the said Act as the said Sum of
'doth or shall bear to the whole Sum which is or shall
'be borrowed upon the Credit of the said Act, to be had and holden
'from this Day of until the said
'Sum of with Interest at *per Centum*
'*per Annum* for the same, to be paid Half-yearly, shall be repaid and
'satisfied. In Witness whereof we have hereunto set our Hands and
'Seals, this Day of

And every such Assignment shall be valid and effectual: Provided nevertheless, that before any Money shall be borrowed as aforesaid, Fourteen Days Notice at the least shall be given in Manner aforesaid, signifying the Intention of borrowing such Money.

Mode of transferring Securities.

XXII. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money borrowed as aforesaid, by Writing under their Hands and Seals indorsed thereon, to transfer the same to any Person or Persons, in Words to the Effect following:

'I *A. B.* do hereby assign the within Mortgage, and all my Right and
'Title in and to the Principal Money and Interest thereby secured
'unto *C. D.* his Executors, Administrators, and Assigns, dated the
'Day of

And Entries of all such Mortgages or Assignments, and of all Transfers thereof, expressing in Words at Length the Names, Additions, Places of Abode, and other proper Descriptions, of all such Persons as shall from Time to Time be entitled to the principal Money and Interest thereby secured, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid One Shilling, and no more; and every such Transfer shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred; and all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in Proportion to the Sums therein respectively mentioned, Creditors on the said Tolls equally One with another, without any Preference in respect to the Priority of advancing such Money, or the Dates of any such Mortgages or Assignments.

Application of Money.

XXIII. And be it further enacted, That out of the First Money arising by the Tolls which shall be collected by virtue of this Act, or out of the First Money which shall be borrowed upon the Credit thereof, the said Commissioners shall, in the First Place, pay and defray the Charges and Expences incident to and attending the obtaining and passing of this Act, and after Payment thereof, all the Money which shall arise or come to the Hands, Custody, or Power, of the said Commissioners, or their Treasurer, by virtue or for the Purposes of this Act, shall from

Time

Time to Time be applied in erecting the ſaid Turnpikes and Toll Houſes, and erecting the ſaid temporary Bridge (if neceſſary) or in repairing the preſent Bridge for the Purpoſe of a temporary Bridge, and in erecting the ſaid new Bridge, and keeping the ſame in Repair, and opening or making proper and commodious Avenues thereto, and in defraying all other neceſſary Charges and Expences attending the Execution of this Act, and in paying the Intereſt of the Principal Money to be borrowed as aforeſaid, and in paying off One Fortieth Part *per Annum* at the leaſt of the ſaid Principal Money, from the Time of the borrowing thereof until the Whole of the Money ſo to be borrowed ſhall be paid off and diſcharged; and that from and immediately after the ſaid Principal Money ſhall have been fully paid off as aforeſaid, and the Intereſt thereof diſcharged, the Tolls herein-before granted ſhall ceaſe and be no longer payable, and all the Powers and Authorities by this Act given to or veſted in the ſaid Commiſſioners ſhall ceaſe and determine; any Thing herein-before contained to the contrary hereof notwithſtanding.

Tolls on Foot Paſſengers to ceaſe, when the Debt is reduced to 2,000*l.*

XXIV. Provided always, and be it further enacted, That when the Principal Money to be borrowed as aforeſaid ſhall be reduced ſo as not to exceed the Sum of Two thouſand Pounds, the Toll of One Halfpenny, herein-before granted for or chargeable upon Foot Paſſengers, ſhall ceaſe, and be no longer paid or payable.

Tolls payable to the Corporation ſuſpended till the Money to be borrowed be paid off.

XXV. And whereas the Bailiff and Burgeſſes of the ſaid Borough are entitled to certain Tolls for Carriages and Cattle paſſing over the preſent Bridge, to be applied towards repairing the ſaid Bridge, which Tolls they are willing to give up during the Continuance of the Tolls herein-before granted; be it therefore further enacted, That from and after the paſſing of this Act no Perſon ſhall, during the Continuance or until the Expiration of the Tolls granted by this Act, be ſubject or liable to the Payment of any Toll to the ſaid Bailiff and Burgeſſes for the paſſing of any Carriages or Cattle over the preſent or any other Bridge acroſs the ſaid River at the ſaid Borough; and that from and after the Expiration or Determination of the Tolls by this Act granted, the ſaid new Bridge ſhall be ſupported, repaired, and maintained, by ſuch Perſon or Perſons, Body Politick or Corporate, and out of the ſame Money, Fund, or Revenue, as would have been ſubject or liable to the ſupporting, repairing, and maintaining, the preſent Bridge, and ſuch Perſon or Perſons, Body Politick or Corporate, ſhall be entitled, and ſhall be and is and are hereby authorized and empowered to collect and receive ſuch and the like Tolls for Carriages and Cattle paſſing over the ſaid new Bridge, as they would have been entitled to, and could or might have done with reſpect to the preſent Bridge, in caſe the ſame had not been damaged as aforeſaid, and this Act had not been made.

Bridge to be publick.

XXVI. And be it further enacted, That after the ſaid Bridge ſhall be built as aforeſaid, the ſame ſhall for ever be and remain a publick Bridge, and all Perſons, Horſes, Cattle, and Carriages, ſhall have free Liberty, (upon Payment of the reſpective Tolls herein-before granted), to paſs over the ſame without Hindrance or Interruption.

XXVII. And be it further enacted, That if any Perſon or Perſons ſhall negligently deface, break, or damage, any Part of the ſaid new Bridge, or ſhall by any Line upon the ſaid new Bridge tow any Barge, Boat, or other Veſſel, through any of the Arches of the ſaid Bridge, or ſhall laſh, tie, or make faſt, any Cord, Rope, or Cable, to the Balluſtrades, Cornice, or any other Part, of the ſaid new Bridge, for the Purpoſe of mooring or ſtaying any Barge, Boat, or other Veſſel, (except to ſuch Rings as ſhall be fixed to the ſaid new Bridge by the Direction of the ſaid Commiſſioners, who are hereby required to cauſe proper Rings to be fixed thereto for that Purpoſe), or ſhall drive any Wheel, Wheel Barrow, or Carriage, or drive or ride any Horſe, upon the Foot Pavement of the ſaid new Bridge, or on the Foot Pavement of either of the ſaid Avenues leading thereto, every Perſon offending in any of the Caſes aforeſaid ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty on damaging the Bridge by towing Veſſels, &c.

XXVIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully and maliciouſly ſet fire to, burn, blow up, pull down, or deſtroy, either the preſent Bridge, or the ſaid temporary Bridge, or the ſaid new Bridge, or any Turnpike or Toll Houſe to be erected or ſet up by virtue of this Act, or any Works, Buildings, or Erections, which ſhall belong thereto, or any Part or Parts thereof, or cauſe or procure the ſame to be done, and be thereof convicted, every ſuch Perſon ſhall be tranſported in like Manner as Felons are directed to be tranſported by the Laws and Statutes of this Realm, or otherwiſe the Court before whom ſuch Perſon ſhall be convicted may, in Mitigation of ſuch Puniſhment (if they think fit), award any ſuch other Puniſhment as the Law directs in Caſes of Petit Larceny.

Penalty on wilfully damaging the Bridge.

XXIX. And be it further enacted, That if any Collector of the ſaid Tolls who ſhall be diſcharged from his Office by the ſaid Commiſſioners, or any of them, ſhall neglect or refuſe to deliver up the Poſſeſſion of the Toll Houſe, and the Appurtenances thereto belonging, which he enjoyed in conſequence of his Appointment, within Three Days after Notice of his Diſcharge under the Hand of the Clerk to the ſaid Commiſſioners ſhall have been given to him, or left at ſuch Toll Houſe, then and in every ſuch Caſe it ſhall be lawful for any Juſtice of the Peace for the ſaid Borough, or the County of *Worceſter*, by Warrant under his Hand and Seal, to order any Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Houſe and Premiſes in the Day Time, and to remove the Perſon or Perſons who ſhall be found therein, together with the Goods, out of ſuch Houſe, and to put the new appointed Collector in the Poſſeſſion thereof.

Power to get Poſſeſſion of Toll Houſe where Collector refuſes to quit.

XXX. And be it further enacted, That all Orders and Proceedings of the ſaid Commiſſioners in the Execution of this Act ſhall be entered in a Book to be kept for that Purpoſe by the Clerk to the ſaid Commiſſioners, and ſhall be ſigned by the Chairman at the Meeting where the ſame ſhall be made and had; which Book, and alſo the Books directed to be kept for the Entries of the Securities for the Money borrowed and raiſed as aforeſaid, and of the Transfers thereof, ſhall be admitted as Evidence in all Courts whatſoever.

Proceedings of the Commiſſioners to be entered.

Recovery of Penalties.

XXXI. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed (the Manner of levying and recovering whereof is not herein otherwiſe directed), ſhall, upon Proof of the Offences reſpectively before any Juſtice of the Peace for the County or Place wherein the Offender ſhall be or reſide, either by the Confeſſion of the Party offending, or by the Oath of any credible Witneſs, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hand and Seal of ſuch Juſtice, which Warrant ſuch Juſtice is hereby impowered and required to grant, and the Overplus (if any be), after ſuch Penalties and Forfeitures, and the Charges of ſuch Diſtreſs and Sale, are deducted and recovered, ſhall be rendered, upon Demand, to the Party whoſe Goods and Chattels ſhall be ſo diſtrained and ſold; and ſuch Penalties and Forfeitures, when recovered (the Application whereof is not herein-before otherwiſe directed), ſhall be from Time to Time paid to the Treaſurer to the ſaid Commiſſioners, and applied to the ſame Uſes as the Tolls by this Act granted are directed to be applied; and in caſe ſufficient Diſtreſs cannot be found, it ſhall be lawful for ſuch Juſtice, and he is hereby required, by Warrant under his Hand and Seal, to commit ſuch Offender to the Common Gaol for any Time not exceeding Two Calendar Months, unleſs ſuch Penalties or Forfeitures, and Expences, ſhall be ſooner paid and ſatisfied.

Commiſſioners may ſue and be ſued in the Name of their Treaſurer or Clerk.

XXXII. And be it further enacted, That the ſaid Commiſſioners may ſue or be ſued in the Name of their Treaſurer or Clerk, and that no Action to be brought by or againſt the ſaid Commiſſioners, or any of them, by virtue of this Act, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer or Clerk, but the Treaſurer or Clerk for the Time being to the ſaid Commiſſioners ſhall always be deemed the Plaintiff or Defendant in ſuch Action, as the Caſe ſhall be.

XXXIII. And be it further enacted, That it ſhall be lawful for the Juſtices before whom any Perſons ſhall be convicted of any Offences againſt this Act, to draw up and record ſuch Conviction according to the Form or to the Effect following; (that is to ſay),

Form of Conviction.

'County of } 'BE it remembered, That on this Day of
in the Year of the Reign of
'His preſent Majeſty, *A. B.* is convicted before me
'One of His Majeſty's Juſtices of the Peace for
'the ſaid County of [*ſpecifying the Offence,*
'*and Time and Place when and where the ſame was committed, as the Caſe ſhall be*]; and I the ſaid Juſtice do adjudge
'him to forfeit and pay for the ſame the Sum of
'Given under my Hand and Seal, the Day and Year above
'written.'

Appeal.

XXXIV. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Thing done in purſuance of this Act (and for which no particular Method of Relief hath been already appointed), ſuch Perſon or Perſons may appeal to the Juſtices of the Peace for the County of *Worceſter*, at their General or Quarter Seſſion to be held for the ſaid County, within the Space of Four Calendar Months next after the Cauſe of Appeal ſhall have ariſen, ſuch Appellant or Appellants firſt giving, or cauſing to be given, Ten Days

Notice at the leaſt, in Writing, of his, her, or their Intention to bring ſuch Appeal, and of the Cauſe thereof, to the Treaſurer or Clerk to the ſaid Commiſſioners, and within Two Days next after ſuch Notice given, entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Sureties, conditioned to try ſuch Appeal at ſuch General or Quarter Seſſion, and to abide the Order of, and to pay ſuch Coſts as ſhall be awarded by, the Juſtices at ſuch Seſſion; and the ſaid Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſe and Matter of ſuch Appeal in a ſummary Way, and ſhall award ſuch Coſts to either Party as they ſhall think proper, and the Determination of ſuch Seſſion ſhall be final and binding to all Parties intereſted.

Proceedings not to be removeable or quaſhed for Want of Form.

XXXV. And be it further enacted, That no Order made touching or concerning any of the Matters aforeſaid, or any of the Proceedings to be had touching the Conviction of any Offender againſt this Act, ſhall be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; and that where 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 to be unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereunto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any ſubſequent Irregularity in the Proceedings of the Perſon or Perſons making ſuch Diſtreſs, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

Limitation of Actions.

XXXVI. And be it further enacted, That no Action or Suit ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, after the Expiration of Three Calendar Months next after the Cauſe of Action or Suit accrued, and unleſs the Perſon or Perſons intending to bring ſuch Action or Suit do cauſe Notice thereof in Writing, under his or their Hand or Hands, to be given to the Treaſurer or Clerk to the ſaid Commiſſioners, or the Perſon or Perſons againſt whom ſuch Action or Suit is intended to be brought, at leaſt Twenty-one Days before the commencing thereof, and unleſs ſuch Action or Suit be brought, laid, and tried, in the County of *Worceſter*; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial which ſhall be had thereupon, and that the Matter or Thing for which ſuch Action or Suit ſhall be brought was done in purſuance and by the Authority of this Act; and if ſuch Matter or Thing ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be commenced before ſuch Notice thereof given as aforeſaid, or ſhall be laid in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and if a Verdict ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall become Nonſuit, or ſuffer a Diſcontinuance of ſuch Action or Suit, or if upon any Demurrer Judgement ſhall

General Iſſue.

shall be given for the Defendant or Defendants, then the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the Recovery thereof, as any Defendant hath for Costs of Suit in any other Case by Law.

Treble Costs.

Publick Act.

XXXVII. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Publick Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons, without specially pleading the same.

FINIS.