



ANNO SEXTO

# GEORGII IV. REGIS.

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## Cap. cxxiv.

An Act for erecting an Additional Bridge over the River *Dee*, in the City of *Chester*; for opening and making convenient Roads and Approaches thereto; and for taking down and rebuilding the Parish Church of *Saint Bridget* within the said City; and for repairing the present Bridge over the River *Dee*. [10th June 1825.]

**W**HEREAS the present Bridge over the River *Dee*, in the City of *Chester*, is very ancient, narrow, inconvenient, and dangerous for the passing and repassing of Carriages, Horses, Cattle, and Foot Passengers over the same, and the Avenues and Approaches thereto are also steep, narrow, and inconvenient, and there is no Person or Party liable by Law to widen or enlarge the same; but the Mayor and Citizens of the said City are liable to the Repair of the said Bridge as it now stands, and of the Road over the same: And whereas the Communication between the County Palatine of *Lancaster* and the great manufacturing Districts situate in the North of *England*, with the Principality of *Wales*, and also with *Ireland*, is very great and yearly increasing, and must necessarily take place through the City of *Chester*, and therefore it is requisite and expedient that the Passage over the River *Dee* should be safe and commodious: And whereas it would greatly contribute to the Safety, Convenience, and Accommodation of the Inhabitants of the said City of *Chester* and of the Neighbourhood, and of the

[Local.]

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Public



Public in general, if a new Bridge were erected over the said River *Dee*, within the Liberties of the said City of *Chester*, at or near to a certain Place there called *The Little Roodée*, and if proper and convenient Avenues and Approaches thereto were made, to lead from *Bridge Street*, at or near to or across the present Site of the Parish Church of *Saint Bridget* within the said City, and the Cemetery belonging thereto, across *Cuppin Street* and *Bunce Street* by the great Gateway of the Castle of *Chester* to the said intended Bridge, and from thence to the Turnpike Road leading from the said City of *Chester* to *Northop* in the County of *Flint*: And whereas it will be necessary to take down the Parish Church of *Saint Bridget* aforesaid, which is a very ancient and dilapidated Structure, for the Purpose of making and opening an Approach or Avenue to the said intended new Bridge across the Site of the said Church and the Cemetery belonging thereto, and it is intended that such new Church shall be built under the Directions of His Majesty's Commissioners for building new Churches, as after mentioned, and that a Site for the same and a Burial Ground shall be provided as after mentioned, and that the Expence of building such new Church, and all other incidental Expences, shall be provided for as after mentioned: And whereas by an Act passed in the Seventh Year of the Reign of His Majesty King *George* the First, intituled *An Act for making the River Weaver navigable from Frodsham Bridge to Winsford Bridge in the County of Chester*; it was declared, that after the Payment of the Charges and Expences of making the said River navigable, and the other Charges and Expences therein respectively mentioned, the clear Produce of the Rates and Duties by the said several Acts granted should from Time to Time be employed for and towards amending and repairing the public Bridges within the said County of *Chester*, and such other public Charges upon the said County, and in such Manner as the Justices of the Peace at the Quarter Sessions to be held next Week after the Feast of *Saint Michael*, in and for the said County of *Chester*, should yearly order, direct, or appoint; and the Powers of the said Act were altered and enlarged by an Act passed in the Thirty-third Year of the Reign of His Majesty King *George* the Second, intituled *An Act to amend an Act passed in the Seventh Year of the Reign of His late Majesty King George the First, for making the River Weaver navigable from Frodsham Bridge to Winsford Bridge in the County of Chester; and for the more effectual preserving and improving the Navigation of the said River*; and by an Act passed in the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Trustees of the River Weaver Navigation to open a more convenient Communication between the said River near Frodsham Bridge, and the River Mersey near Weston Point, in the Township of Weston, in the County of Chester; and to amend Two Acts relative to the said River*; and by an Act passed in the present Session of Parliament, intituled

7 G. 1. *An Act to repeal certain Parts of, and to alter and amend an Act passed in the Forty-seventh Year of the Reign of His late Majesty King George the Third, to authorize the Trustees of the River Weaver Navigation to open a more convenient Communication between the said River near Frodsham Bridge, and the River Mersey, near Weston Point, in the Township of Weston, in the County of Chester; and to*

33 G. 2. *amend*

47 G. 3.

6 G. 4.



*amend. Two Acts relative to the said River:* And whereas for the Purpose of making such Avenue, and thereby obtaining an improved Approach, now much wanting, to the Castle of *Chester*, and to the Courts of Justice, which are situate and held within the said Castle, and also for facilitating the Communication between the different Parts of the County of *Chester*, the Magistrates of the County of *Chester* are consenting to contribute the Sum of One thousand two hundred Pounds out of the Money received or to be received by the Treasurer of the said County from the said Trustees, and also to convey a Part of certain Lands adjoining to the said Castle of *Chester*, for the Purpose of making such Avenue to the said Bridge, and for the Site of a new Church and Cemetery for the Use of the Inhabitants of the said Parish of *Saint Bridget*: And whereas there are at present certain ancient Tolls or Customary Dues on Goods, Wares, Merchandize, and other Commodities brought into the said City for Sale, or taken thereout when purchased, payable to the Mayor and Citizens of the same City, and which are collected at the several Gateways of the said City: And whereas the Tolls due and demandable at the Gate near to the said Bridge, called *The Bridge Gate*, amount to the Annual Sum of Four hundred Pounds, or thereabouts: And whereas towards defraying the Expences of building the said Bridge, the Mayor, Aldermen, and Common Councilmen of the said City of *Chester* are consenting absolutely to relinquish and give up to the Commissioners to be appointed under and by virtue of this Act, all the Tolls or Customary Dues payable to them at the said present Bridge Gate, upon Condition that the said Commissioners do, in lieu thereof, render and pay over to the said Mayor and Citizens of the said City and their Successors, out of the Tolls to be granted by this Act, the Annual Rent or Sum of Two hundred Pounds, and also exonerate the said Mayor and Citizens from all Liability to repair the present Bridge over the said River *Dee*, and the Road over the same: And whereas it is intended immediately to repair and improve the said present Bridge over the River *Dee*, in order that it may be rendered more safe and commodious: And whereas for the Purposes aforesaid, and of carrying this Act into Execution, it is intended to apply to His Majesty's Commissioners for granting Loans in aid of Public Works by the Issue of Exchequer Bills, for the Loan at Interest of a Sum not exceeding Sixty thousand Pounds, the Repayment thereof with Interest to be secured by Mortgage of the Tolls arising and payable under and by virtue of this Act, and which Tolls are hereby made payable by Persons passing as well over the present Bridge as the said intended new Bridge: But inasmuch as the several Purposes aforesaid cannot be effectually accomplished without the Aid and Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Honourable *Henry Cholmondeley* commonly called Lord *Cholmondeley*, the Honourable *George Harry Grey* commonly called Lord *Grey*, the Honourable *Richard Grosvenor* commonly called Lord *Belgrave*, the Honourable *Robert Grosvenor*, the Honourable *Frederick West*, the Honourable and Reverend *George Neville*, the Honourable *Edward Massey*,

Commissioners.



*Massey*, Sir *John Grey Egerton* Baronet, Sir *John Delves Broughton* Baronet, Sir *Edward Mostyn* Baronet, Sir *John Thomas Stanley* Baronet, Sir *Stephen Richard Glynne* Baronet, Sir *Thomas Mostyn* Baronet, Sir *Robert Williams* Baronet, Sir *Thomas Stanley Massey Stanley* Baronet, Sir *Richard Brooke* Baronet, Sir *Watkin Williams Wynn* Baronet, Sir *Henry Edward Bunbury* Baronet, Sir *Foster Cunliffe* Baronet, Sir *Thomas Hanmer* Baronet, Sir *Edward Price Lloyd* Baronet, Sir *Robert Williams Vaughan* Baronet, Sir *George Prescott* Baronet, Sir *John Williams* Baronet, Sir *Henry Mainwaring Mainwaring* Baronet, Sir *Richard Puleston* Baronet, Sir *John Cotgreave* Knight, the *Custodes Rotulorum* and all His Majesty's Justices of the Peace for the Time being of the County Palatine of *Chester* and of the respective Counties of *Denbigh* and *Flint*, the Commissioners for the Improvement of the Road from *London* to *Holyhead* for the Time being, *Robert Aldersey*, *Joseph Ablett*, Reverend *George Alanson*, *Robert Bowers*, *Samuel Bennett*, *Henry Bowers*, *John Broster*, *George Boscawen*, *Roger Barnston*, *Robert Baxter*, *George Brooke*, *Francis Edge Barker*, *John Boydell*, *Thomas Bagnall*, *Robert Brittain*, *Robert Brittain* the younger, *Richard Fosbrooke Buckley*, *Henry Boates*, *Abraham Ball*, *Roger Harry Barnston*, *Samuel Nevitt Bennett*, *Richard Buckley*, *Theophilus William Buchanan*, *John Burton*, *Biddulph*, *Samuel Brittain*, *William Bevin*, *James Bennett*, *Unwin Clarke* Clerk, *Philip Davies Cooke*, *George Cumming* Doctor of Medicine, *Charles Cholmondeley*, *Foster Cunliffe*, Reverend *William Currie*, *Robert Bryan Cook*, *Lynch Sydney Cotton*, Reverend *Roger Butler Clough*, *Richard Butler Clough*, *Titus Chaloner*, *Jonathan Colley*, *Hugh Colley*, Reverend *Charles Butler Clough*, *Charles Chilton*, *Charles Colton*, *Davies Davenport*, *Charles Dundas*, Reverend *Thomas Millinchamp Davies*, *James Dixon*, *William Davenport*, *John Douglas*, *Thomas Dixon*, *Wilbraham Egerton*, *Thomas Evans*, *William Egerton*, *John Edwards*, *Joseph Evans*, *John Wynne Eyton*, *Richard Egerton*, Reverend *Thomas Edwards*, *Thomas Francis*, *Samuel Freeman*, *George French*, *Phillips Lloyd Fletcher*, *Thomas Fletcher*, *John Fletcher*, *Thomas Fitzhugh*, *Thomas Grosvenor*, *Joseph Grace*, *Birkenhead Glegg*, *Hugh Maxwell Goodwin*, *John Baskerville Glegg*, *George Brydges Granville*, *John Wynne Griffith*, *Booth Grey*, *John Gardner*, *Richard Garnons*, *Wilkinson Grace*, *John Stewart Hughes*, *George Harrison Ironfounder*, *John Harrison Surgeon*, *Henry Hesketh*, *Henry Hesketh* the younger, *William Lewis Hughes*, *William Hancock*, *Hugh Robert Hughes*, *William Walden Hanmer*, *Philip Humberston*, Reverend *Peplow William Hamilton*, *Thomas Harrison*, *John Hassall*, *James Hilton*, *Lloyd Bamford Hesketh*, *Peter Heron*, *George Hastings*, *Hughes of Little Acton*, *George Harrison Surgeon*, *Llewellyn Jones* Doctor of Medicine, *George Johnson*, *John Johnson Leadworks*, *David Francis Jones*, *David Francis Jones* the younger, *Bell Ince*, *Trevor Owen Jones*, *Wilson Jones*, *John Johnson of Duddon*, *Henry Kelsall*, *Richard Kyrke*, *James Kyrke*, *John Larden*, *James Thomas Law Clerk*, *Thomas Lunt*, *Samuel Leach*, Reverend *Griffith Lloyd Clerk*, *Richard Myddleton Lloyd*, *Edward Mostyn Lloyd*, *Joseph Hayes Lyon*, Reverend *James Ratcliffe Lyon*, *Simeon Leet*, *Hurleston Leche*, *Edward Lloyd Lloyd*, *William Massey*, *Robert Morris*, *William Moss*, Reverend *Charles Mytton*, Reverend *Richard Massie*, Reverend *Thomas Mawdesley*, *James Mainwaring*, *Thomas Moulson*, *Francis Massey*, *John Madocks*,  
*Richard*



*Richard Massey, Reverend James Mainwaring the younger, Edward Morgan, William Newell, Thomas Norris Doctor of Medicine, Francis Richard Price, J. M. B. Pigot Doctor of Medicine, Henry Potts, Charles Potts, William Pownal, David Pennant, David Pennant the younger, Edward Pemberton, Richard Parry the younger, Richard Gerrard Perryn, Domville Halstead Cudworth Poole, Richard Puleston, John Swarbeck Rogers, William Richards, Griffith Rowlands, William Rigby, John Rigby, Ralph Richardson, Charles Blayney Trevor Roper, John Rogers the younger, Gabriel Roberts, Edward Roberts, Edward Stracey, Daniel Smith the elder, Joseph Swanwick, Thomas Sudworth, James Sedgwick, Robert Shearing, Richard Sankey, James Slade Clerk, Richard Tyrwhitt, William Makepeace Thackeray Doctor of Medicine, John Stanislaus Townshend, Reverend Massie Domville Taylor, Reverend James Tomkinson, Henry Brereton Trelawney, John Townshend, Josiah Thomas, Thomas Tarleton, Robert Topham, Robert Topham the younger, Thomas Trevor Trevor Clerk, the very Reverend Peter Vaughan Doctor in Divinity, Griffith-ap-Howell Vaughan, Thomas Ward Clerk, John Williamson Builder, Owen Williams, William Ward, Charles Whittell Doctor of Medicine, Thomas Wedge, John Williamson Wine Merchant, Edward Ommaney Wrench, Joseph White, Reverend George Warrington, John Williams, Gwersyllt Gwillim Lloyd Wardle, Gwillim Saint John Wardle, Reverend Maurice Wynne Doctor of Laws, John Lloyd Wynne, Thomas Whittel, George Wildig, John Walker, Owen Edward Williams, George Walker, William Handfield Wrench, and Simon Yorke, and the several other Persons from Time to Time to be elected and appointed in Manner herein-after mentioned, shall be and they are hereby appointed Commissioners for putting this Act into Execution.*

II. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, at their First or Second Meeting to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Five in the whole, to be Commissioners for the Purposes of this Act, in addition to the Commissioners hereby appointed; and such Commissioners so elected, and being duly qualified according to the Directions herein contained, shall be and they are hereby invested with the same Powers and Authorities for executing this Act, as if they had been herein named and appointed.

Power to appoint additional Commissioners.

III. And be it further enacted, That in case any of the Commissioners appointed or hereafter to be appointed under or by virtue of this Act, shall refuse to act, die, or become disqualified or disabled from acting as a Commissioner by virtue of this Act, then and so often it shall be lawful for the surviving or remaining Commissioners under this Act, or any Five or more of them, assembled at the then next or some subsequent Meeting which shall be held by virtue of this Act, and they are hereby required to elect and appoint a Commissioner qualified as herein-after mentioned, in the Room and Stead of every such Commissioner so refusing to act, or so dying, or becoming disqualified or disabled to act as before mentioned; and every such Commissioner so from Time to Time elected and appointed as

Appointment of new Commissioners.

[Local.]

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herein-before is directed, shall be joined with the other Commissioners, and have the like Power and Authority vested in him in all respects whatsoever for putting this Act in execution, as if he had been named a Commissioner in and by this Act.

Qualification  
of Commis-  
sioners.

IV. Provided always, and be it further enacted, That no Person (save and except such Persons who by virtue of their respective Offices are by this Act appointed Commissioners) shall be capable of acting as a Commissioner in the Execution of this Act (otherwise than in administering the Oath herein-after mentioned), unless at the Time of his acting 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 a Real Estate, lying and being within the City of *Chester*, or County Palatine of *Chester*, or the Counties of *Denbigh* and *Flint*, or any or either of them, of the clear yearly Value of One hundred and fifty Pounds above Reprizes, or shall be possessed of a Personal Estate, in his own Right or in Right of his Wife, of the Value of Four thousand Pounds above Reprizes, and shall have taken and subscribed an Oath to the following Effect, (which Oath any One of the said Commissioners is hereby empowered to administer); (that is to say),

Oath of Qua-  
lification.

I do swear, That I am truly, in my own Right or in the Right of my Wife, in the actual Possession or Enjoyment, or in the Receipt of the Rents and Profits of a Real Estate, situate and being within the City and County of the City of *Chester*, or in the County Palatine of *Chester*, or in the Counties of *Denbigh* and *Flint*, or One of them, of the clear yearly Value of One hundred and fifty Pounds above Reprizes [*as the Case may be*]; or, that I am possessed, in my own Right or in Right of my Wife, of the Sum of Four thousand Pounds above Reprizes; and that I will well and truly execute and perform all and every the Powers and Authorities vested in me in pursuance of an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here set forth the Title of this Act*], according to the best of my Skill and Judgment, and without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever. So help me GOD.

Penalty on  
acting if not  
qualified.

And if any Person shall act as a Commissioner in the Execution of this Act, not being duly qualified as aforesaid, or if any Person duly qualified as aforesaid shall act as a Commissioner during such Time as he shall hold any Place or Office of Profit, or shall be in any way interested or concerned in any Contract to be established or made by virtue of this Act, or in any Work or Business to be done under the same, or shall not have taken the said Oath (save and except such Persons who by virtue of their respective Offices are appointed Commissioners), every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds, together with full Costs of Suit, to any Person who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case or otherwise, wherein no Essoign, Protection, or Wager at Law, or more than One Imparance, shall be allowed; and every Person so to be sued for acting as a Commissioner, not being duly qualified, shall



shall prove that he is duly qualified as aforesaid, or shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of this Act: Provided always, that it shall be lawful for any Justice of the Peace for the said City of *Chester*, or the said County Palatine of *Chester*, or the said Counties of *Denbigh* and *Flint*, to act as such in the Execution of this Act, notwithstanding their being Commissioners under the same.

V. And be it further enacted, That the said Commissioners shall meet in the Town Hall of the said City of *Chester*, on the Third *Monday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon of the same Day, in order to put this Act in execution, and shall and may then and from Time to Time afterwards adjourn themselves to and meet at the Place aforesaid, or any other convenient Place within the said City, or in the County Hall or Sessions House in the Castle of *Chester*; and if at any Time there shall not appear at any such Meeting a sufficient Number to act of the Commissioners appointed or to be appointed by or by virtue of this Act, the Commissioners present, or the major Part of them, or if only One be present, then such One Commissioner present may adjourn the Meeting to another Day; and in case of any Neglect or Omission to adjourn, any Five of the said Commissioners, or their Clerk, shall and may appoint a Meeting to be held at the Place where the last Meeting of the Commissioners was appointed to be held, or was held, so as Notice in Writing thereof shall be left at such Place of Meeting, and advertised Once in each of the *Chester* Newspapers at least Three Days before the Time to be appointed for the same; and at all Meetings to be held in pursuance of this Act, the said Commissioners shall defray their own Expences, except for the Use of the Room or Apartment where such Meetings shall be held, which shall be paid for out of any Monies to be received by virtue of this Act; and no Act of the said Commissioners shall be valid, unless made or done at some Meeting to be held by virtue of this Act (except as herein-after mentioned); and all the Powers and Authorities by this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by the major Part of them present at their respective Meetings to be holden as aforesaid, the Number of Commissioners present at such Meetings not being less than Nine for the Purpose of borrowing Money, and not being less than Five for the Purpose of making Contracts by virtue of this Act, or in any other Case, unless where herein otherwise particularly provided for; and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote), the Chairman shall have the casting Vote; and at any Meeting to be held under or in pursuance of this Act, the first Business thereof shall be the Election of a Chairman to preside at the same.

VI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, to hold any Special Meeting between their then last Meeting and the Day to which any subsequent Meeting shall have been adjourned, at any

Meetings of  
Commis-  
sioners.

Commission-  
ers to defray  
their own  
Expences.

No Act valid  
except at a  
Meeting.

Regulations  
of Meetings.

Special  
Meetings.



any of the Places of Meeting herein-before mentioned, and so as that such Meeting shall be required by Five or more of the said Commissioners, and Notice of such Special Meeting shall be left at the last Place of Meeting, and also advertised Once in each of the *Chester* Newspapers at least Three Days before the Time to be appointed for the same, and so as that such Notices shall specify the Cause or Causes of such Special Meeting, and also the Place of Meeting.

Restrictions  
on revoking  
Orders.

VII. And be it further enacted, That no Order made by the said Commissioners shall be revoked or altered, unless at some Meeting of the said Commissioners to be held for that Purpose, and at which Fifteen at least shall be present.

Proceedings  
of the Com-  
missioners to  
be entered  
in Books.

VIII. And be it further enacted, That regular Entries shall be made in a Book or Books, to be provided for that Purpose, of all Acts, Orders, and Proceedings of the said Commissioners, and of the Names of the Commissioners who shall be present at the respective Meetings; and the Chairman of the said Commissioners shall subscribe his Name at the End of the Proceedings of the respective Meetings; and all such Entries so signed shall be deemed Originals, and the same, or true Copies thereof, shall be allowed to be read in Evidence in all Causes, Suits, Actions, Informations, Appeals, and other Proceedings touching any thing done in pursuance of this Act, or touching any Penalty or Forfeiture hereby made recoverable, or any other Matter relating to the Execution thereof; and such Books shall at all seasonable Times be open to the Inspection of the said Commissioners.

Officers to be  
appointed,  
who shall  
give Security.

IX. And be it further enacted, That the said Commissioners shall from Time to Time, by Writing under their Hands, appoint a Treasurer, Clerk, Collector or Collectors, Surveyor or Surveyors, and such other Officers and Persons as they shall think necessary, and may remove any such Officers and Persons as they shall think proper, and appoint others in their stead, and shall pay such Salaries and make such Allowances to all such Officers and Persons as they the said Commissioners shall think reasonable; and the said Commissioners are hereby required to take such Security from every such Treasurer, Clerk, Collector or Collectors, Surveyor or Surveyors, for the due Execution of their respective Offices, as they the said Commissioners shall think proper.

Clerk re-  
strained from  
acting as  
Treasurer,  
and vice  
versâ.

X. 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, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, the Treasurer for the Purposes of this Act, nor to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, 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, or the Clerk or other Person in the Service or Employ of any such



such Clerk or of his Partner, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Commissioners (other than that of Treasurer), every Person so offending shall, for every Act, Matter, or Thing done or executed by him or them respectively as such Clerk or Treasurer, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full 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, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

XI. And be it further enacted, That it shall be lawful for the said Commissioners, and their Successors, and their Deputies, Agents, Servants, Workmen, and Assistants, and they are hereby authorized and required, with all convenient Speed after the passing of this Act, to repair, amend, widen, enlarge, alter, and improve the present Bridge over the River *Dee* in the said City of *Chester*, and the Road over the same, and the Roads, Ways, Avenues, and Approaches thereto, so as to put the same into a good and substantial State of Repair and Condition, fit and convenient for the passing and repassing of Carriages, Horses, Cattle, and Foot Passengers over and along the same, in such Way and Manner, and by or according to such Plans, Directions, or Means; as to the said Commissioners shall seem fit, proper, and expedient in that Behalf, but so nevertheless as that the said Commissioners do not lay out or expend in or about such immediate Repairs or Improvements a greater Sum in the whole than One thousand five hundred Pounds; and the said Commissioners and their Successors shall for ever afterwards maintain and keep the said Bridge, and the Road over the same, in Repair.

Commissioners empowered to repair and improve the old Bridge, but not to expend thereon more than 1,500*l*.

XII. Provided always, and be it further enacted, That the several Persons, Bodies Politic, Corporate, and Collegiate, who are now liable by Law to the Repair of the Roads, Ways, and Avenues from each End of the said present Bridge, shall, after such Improvements and Amendments shall have been made therein as hereby authorized, continue liable to the future Repairs thereof, as if this Act had not been passed.

Persons liable to the Repair of the Road from each End of the Bridge, to continue so.

XIII. And be it further enacted, That it shall be lawful for the said Commissioners and their Successors, their Deputies, Agents, Servants, Workmen, and Assistants, and they are hereby accordingly authorized, empowered, and directed, with all convenient Speed, to design, order, direct, and build, or cause to be built, and to complete, maintain, and for ever keep in Repair, a good and substantial Bridge from or near to a certain Place called *The Little Roodee* in the Parish of *Saint Mary-on-the-Hill*, within the Liberties of the said City of *Chester*, over and across the said River *Dee* to the opposite Bank or Shore of the said River in the Parish of *Saint Mary-on-the-Hill* in the

Power for the Commissioners to build a new Bridge over the River *Dee*.

[Local.]

36 N

said



said City of *Chester*, with proper and convenient Roads, Ways, Avenues, and Approaches to and from the said Bridge at each End thereof as herein-after mentioned, for the Passage of Travellers, Cattle, and Carriages, of such Form, Construction, and Dimensions, and of such Materials as the said Commissioners shall think proper; and for the Purposes aforesaid to dig and make proper Foundations in the said River, and on the Lands and Grounds lying on each Side thereof, for the Piers and Abutments of the said Bridge, and to make Dams and Embankments in the said River, and cut and level the Banks thereof in such Manner as shall be necessary and proper for building the said Bridge, and to cut, remove, take, and carry away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatsoever which may in anywise tend to hinder the erecting and completing the said Bridge, and generally to do and execute all and every other Acts, Matters, and Things requisite and necessary, useful or convenient, for erecting, building, supporting, maintaining, and repairing the said intended new Bridge, and making, supporting, maintaining, and repairing proper Roads, Ways, Avenues, and Approaches thereto as aforesaid, and also for repairing, amending, widening, enlarging, altering, and improving the said present Bridge, and the Roads, Ways, Avenues, and Approaches thereto, according to the Tenor and true Intent and Meaning of this Act: And for the Purpose of erecting, building, maintaining, repairing, and supporting the said intended new Bridge, and the Embankments, Roads, Ways, Avenues, and Approaches thereto and therefrom, and repairing, amending, widening, enlarging, altering, improving, and maintaining the said present Bridge, and the Roads, Ways, Avenues, and Approaches thereto, the said Commissioners shall from Time to Time have full Power and Authority to land on either Side of the said River, within Five hundred Yards of the Site of the said intended Bridge, or present Bridge, all Materials and other Things to be used in and about the same, and there to work and use such Materials and Things as they the said Commissioners and the Persons to be by them appointed shall think proper, without any previous Agreement with the Owner or Owners of the Lands or Property on which such Materials and other Things shall be landed, worked, or used, or the Tenant or Tenants thereof, doing as little Damage as may be, and making such Satisfaction as herein-after mentioned to the respective Owners and Occupiers of all Lands and Grounds, Tenements and Hereditaments, which shall be altered, damaged, spoiled, taken, or used by means or for the Purposes of this Act.

Roads, Ways,  
Avenues, and  
Approaches,  
to be made.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, empowered, and directed, to make, form, and set out, or cause to be made, formed, and set out, a proper, commodious, and convenient Road, Way, Street, or Approach to the said intended new Bridge, to lead from *Bridge Street*, at or near to or across the present Site of the Parish Church of *Saint Bridget* within the said City of *Chester*, and the Cemetery belonging thereto, across *Cuppin Street* and *Bunce Street* in the said City, by the great Gateway of the Castle of *Chester*, to the said intended Bridge; and also another proper, commodious, and convenient Road, Way, or Passage, to lead from the same Bridge, and to communicate with the



Turnpike Road leading from the said City of *Chester* to *Northop*, in the County of *Flint*: And for the Purpose of making such Roads, Ways, Streets, Avenues, or Approaches, or any of them, it shall be lawful for the said Commissioners, and their Agents and Workmen, to enter into and upon any Houses, Buildings, Lands, Grounds, and Hereditaments of or belonging to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate whatsoever, through which the said Roads, Ways, Streets, Avenues, or Approaches, or any of them, are to pass, or be made and formed, and to set out and make use of such Parts thereof, and to take down and remove such Houses, Erections, or Buildings thereon, as they the said Commissioners shall think proper or necessary for the making and forming of such Roads, Ways, Streets, Avenues or Approaches, or any of them: Provided always, that the whole of the Embankments to the said intended new Bridge, and the Road over the same to the Extent of One hundred Yards from the Foot of the said Bridge on the South Side thereof, and on the North Side thereof from the Foot of the same Bridge to *Bunce Street* aforesaid, shall be from Time to Time maintained and repaired, lighted and watched, by and at the Costs and Charges of the said Commissioners for executing this Act, out of the Tolls hereby granted; and the Remainder of the Surface of the said Avenues shall be deemed and taken to be a common Highway, and repaired as such according to Law.

XV. And be it further enacted, That it shall be lawful for the Architect, Engineer, or Surveyor to the said Commissioners, and for all such Person and Persons as he or they shall respectively appoint, to search for, dig, gather, take, and carry away any Materials for making or repairing the said Bridges, or the Embankments, Roads, Avenues, or Approaches thereto, out of any common River or Brook, (not being within Fifty Yards of any Bridge, Dam, Weir, or Jetty,) or out of or from any Waste or Common in any Parish, Hamlet, or Place in which any Part of such Bridges, Roads, Avenues, or Approaches shall be situate, or in any adjoining Parish, Hamlet, or Place, and to haul and carry away any such Materials when got over any Common or Waste Lands, without paying any thing for such Materials, and without being deemed a Trespasser or Trespassers, the said Architect, Engineer, or Surveyor, or other Person or Persons, filling up the Pits or Quarries, levelling the Grounds, or sloping down the Banks wherefrom such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same shall not be dangerous to any Persons or Cattle, and paying or tendering for the Damage done by going through and over any inclosed Lands or Grounds for or with such Materials, such Damages to be ascertained as herein-after mentioned: And it shall be lawful for the said Architect, Engineer, and Surveyor, or such Person or Persons as he or they shall respectively appoint, to search for, dig, get, gather, take, and carry away any such Materials in or out of the Land of any Person or Persons where the same may be had or found, in any Parish, Hamlet, or Place in which any Part of such Bridges, Roads, Avenues, or Approaches shall be situate, or in any adjoining Parish, Hamlet, or Place, (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to any House, or any Piece of Ground planted and set apart

Power to get Materials for making and repairing the Bridge, &c.

as



as a Nursery for Trees), making or tendering such Satisfaction for such Materials, and for the Damage done to the Owners or Occupiers of the Lands where and from whence the same shall be dug, gathered, and carried away, or over which the same shall be carried, as the said Commissioners shall judge reasonable; and to land on and carry through or over any inclosed Lands or Grounds, (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, or any Piece of Ground planted and set apart as a Nursery for Trees), or on, through, or over any open Land or Common, any Stone or other Materials for making or repairing the said Bridges, Roads, Avenues, or Approaches, or for building or repairing any present or future Toll House or Toll Houses on or by the Sides thereof, from any River, Stream, or Canal, in any Parish, Hamlet, or Place, in which the said Bridges, Roads, Avenues, or Approaches shall be respectively situate, or in any adjoining Parish, Hamlet, or Place, paying or tendering for the Damage done in landing on, or going through or over any inclosed Lands or Grounds for or with such Materials, such Sum or Sums of Money as the said Commissioners shall judge reasonable; and in case of any Difference between such Commissioners, Architect, Engineer, or Surveyor, or other Person or Persons appointed or employed as aforesaid, and the Owners and Occupiers of such Lands, or any of them, concerning such Payments and Damages as aforesaid, any Two or more Justices of the Peace for the County, City, or Place from whence such Materials shall have been taken shall be situate, on Ten Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payments and Damages, and the Costs attending the hearing and determining the same.

Notice to be given before Materials are taken from private Lands.

XVI. Provided always, and be it further enacted, That it shall not be lawful for any Architect, Engineer, Surveyor, or any other Person or Persons acting under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for making or repairing the said Bridges, Roads, Avenues, or Approaches, any or either of them, or for other such Purpose or Purposes as aforesaid, out of or from any inclosed Land or Ground, until Notice in Writing, signed by One of the said Commissioners, shall have been given to the Owner or Owners of the Premises from which such Materials are intended to be taken, or his or her known Agent, or to the Occupier or Occupiers of the Premises from which such Materials are intended to be taken, or left at the House or last usual Place of Abode of such Owner or Occupier, to appear before any Two or more Justices of the Peace acting for the County, City, or Place from whence such Materials intended to be taken shall lie, to show Cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, such Justices shall, if they think proper, authorize such Architect, Engineer, Surveyor, or other Person or Persons so employed as aforesaid, to dig, get, gather, take, and carry away such Materials at such Time or Times as to such Justices shall seem proper; and if such Owner, Agent, or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, the said Justices shall and may (upon Proof on Oath of the Service of such Notice, and which

Oath



Oath they are hereby empowered to administer), make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier, or his or her Agent, had attended.

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

Pits or Holes to be filled up or fenced off.

XVIII. And be it further enacted, That the Map or Plan describing the Line of the said intended Roads, Ways, Streets, Avenues, and Approaches, and the Buildings, Lands, and Hereditaments through which the same are to be made, together with a List of the Names of the Owners and Occupiers of such Buildings, Lands, and Hereditaments, which hath been deposited at the Office of the respec-

The Plan and Lists deposited with the Clerk of the Peace to remain in his Custody.

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tive



tive Clerks of the Peace for the said County and for the City of *Chester*, shall remain in the Custody of the said Clerks of the Peace respectively, to the End that all Persons may at any reasonable Time have Liberty to inspect and peruse the same, and take Copies or Extracts thereof at their Will and Pleasure, paying the said Clerks of the Peace respectively for the Time being a reasonable Compensation for making such Copies or Extracts.

Restraining  
the Commis-  
sioners from  
deviating be-  
yond certain  
Distances.

XIX. And be it further enacted, That the said Commissioners shall not deviate more than One hundred Yards from the Site laid down in the said Map or Plan in building the said intended new Bridge; and in making and forming the said proposed Roads, Avenues, and Approaches thereto, shall not deviate from the Line or Direction in the said Map or Plan coloured with Red Ink, and therein and also in the said Book of Reference set forth, more than Four Yards between *Bridge Street* and the Road opposite to the Esplanade of the Castle of *Chester*, at the South-west End of the Site of the proposed new Cemetery herein-after mentioned; nor more than Fifty Yards between the said last-mentioned Point and the said City Walls; nor more than One hundred Yards between the said intended new Bridge and the said Turnpike Road leading from *Chester* to *Northop* in the County of *Flint*; all such Deviations, if made, being made only on the North-west and Western Sides of the said Bridge, and the said Line so laid down as aforesaid; nor carry or make the same into, through, across, or over any other Part or Parts of the several Estates, Lands, and Grounds now or late belonging or reputed to belong to the several Person or Persons mentioned in the said Book of Reference respectively, than are mentioned in the said List, without the Consent in Writing of such Person or Persons respectively, nor into, through, across, or over any other Estates, Lands, or Grounds, without the Consent in Writing of the Owner or Owners thereof.

Houses, &c.  
not to be  
injured.

XX. Provided always, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend to empower or authorize the said Commissioners, in making the said Roads, Ways, Streets, Avenues, or Approaches, to pull or take down, injure or damage any Dwelling House or other Buildings, or to take in or make use of any Orchard, Garden, Yard, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained (except such as are comprised and described in the Schedule to this Act annexed): Provided also, that if the said Commissioners shall not, within the Space of Five Years, to be computed from the passing of this Act, agree for, or cause to be valued and paid for, as herein-after mentioned, the several Messuages, Buildings, Lands, Tenements, and Hereditaments, which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities hereby granted to them for such Purpose shall cease, determine, and be utterly void, (save and except with the Consent in Writing of the Owners and Occupiers thereof respectively).



XXI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to set out and make the said Roads, Ways, Streets, Avenues, and Approaches, or any of them, into, across, or over the several Buildings, Lands, and Hereditaments of any Person or Persons, Body or Bodies Corporate or Collegiate, who is or are or may be Owner or Owners, Occupier or Occupiers of Buildings, Lands, and Hereditaments over which the same are set out and described in the said Map or Plan with Red Ink as aforesaid, or in the Schedule to this Act annexed, although such Buildings, Lands, or Hereditaments, or the Name or Names of such Person or Persons, Body or Bodies, may happen to be erroneously described, omitted, or mistated in the Map, Plan, or Lists, or Schedule respectively, in case it shall appear to any Two or more Justices of the Peace for the said City of *Chester*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Roads may be made according to the Plan, notwithstanding Error.

XXII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, during the building of the said new Bridge, and making and improving the said Roads, Ways, Avenues, and Approaches thereto, to stop or discontinue the Navigation of the said River *Dee*, between the *Roodee* and the present Bridge, and also to stop up, or cause to be stopped up, all or any Part of the Carriageways or Streets and other Places within the Distance of One hundred Yards from the said intended Bridge, which they shall think necessary or expedient; and for those Purposes to put up, or cause to be put up, sufficient Chains, Bars, Posts, and other Erections, and to make such Orders for regulating the said Navigation, and the Passage of all Carts, Horses, and Carriages, as to them the said Commissioners shall seem proper or expedient.

Power to stop up the Navigation of the River, and any Streets or Ways, during the building of the new Bridge.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, to treat and agree for the Purchase of any Houses, Buildings, Lands, Tenements, and Hereditaments authorized to be taken and used by them as aforesaid, and of any subsisting Leases, Terms, Estates, and Interests therein, and Charges thereon, or such of them, or such Part or Parts thereof respectively, as the said Commissioners shall think proper.

Commissioners empowered to treat for the Purchase of Houses, &c.

XXIV. 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 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 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, Femmes Covert, or other Person or Persons, and for all Femmes Covert who are or shall be seised, possessed of, or interested in their own

Corporations and incapacitated Persons empowered to sell and convey Lands, &c.

Right,



Right, or entitled to Dower or other Interest therein, and for all and every other Person or Persons whomsoever, who is or are or shall be seised, possessed of, or interested in any Messuages, Houses, Buildings, Lands, Tenements, or Hereditaments mentioned in the Schedule hereunto annexed, or authorized or empowered to be taken for the Purposes of this Act, to contract for, lease, sell, and convey the same and every Part thereof to the said Commissioners and their Successors for the Purposes of this Act; and all such Contracts, Agreements, Leases, Sales, Conveyances, and Assurances shall be kept by the Clerk or Clerks to the said Commissioners, who shall from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons interested therein requiring the same, and shall have and receive the Sum of Sixpence for every Seventy-two Words of each such attested Copies, and so in proportion for any less Number of Words; and every such Conveyance to be made by virtue of this Act shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Satisfaction  
to be made.

XXV. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, 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 Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments, through, in, or upon which the said Bridge and the Roads and Avenues thereto are intended to be built, made, and constructed, may accept and receive Satisfaction for the Value of such Messuages, Houses, Buildings, Lands, Tenements, 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 Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments, or any of them, and the said Commissioners, cannot agree as to the Amount or Value of such Satisfaction, the same shall be settled and ascertained as is herein-after directed.

If Parties are  
dissatisfied,  
they may  
cause a Jury  
to be im-  
pannelled.

XXVI. Provided also, and be it further enacted, That if any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executor, Administrator, Husband, Guardian, Trustee, Committee 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 Messuages, Houses, Lands, Buildings, Tenements, or Hereditaments, or the Satisfaction to be made for any Damages that may be sustained from Time to Time by him, her, or them by the making of the said  
Bridge



Bridge and Roads or Avenues, or 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 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 Officer 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 Buildings, 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 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, or any Three or more of them, shall and they are hereby empowered and required, within Ten Days after the Receipt of such Notice by the Clerk to the said Commissioners, or after the Expiration of Ten Days after the Delivery of such Notice by the said Clerk (as the Case may be), to issue a Warrant under their Hands and Seals, directed to the Sheriffs of the City of *Chester*, commanding such Sheriffs to impanel, summon, and return a Jury, and the said Sheriffs are hereby required to impanel, summon, and return a Jury of Twenty-four honest, sufficient, and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriffs at such Time and Place as in such Warrant shall be appointed; and the said Sheriffs are hereby required, out of the Persons so impanelled, 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 Jury 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 to have their lawful Challenges against any of the said Jurymen, when they shall 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 such Sheriffs, 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 and 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 Matter or Matters in question, if there be Occasion, and to use all other lawful Ways and Means as well for their own as for the Jury's better Information in the Premises, as the said Sheriffs shall think fit; which Jury upon their Oaths (which Oaths, as well as the Oaths to such 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 Buildings, Lands, 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 of such Lands or other Hereditaments for the Purposes of this Act, and shall assess separate Damages for the same; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence and Satisfaction, the said Sheriffs shall thereupon order the Sum 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 to such other Person or Persons interested in the said Lands or Hereditaments, according to such Verdict or Inquisition of the said Jury, and shall give Judgment for such Purchase Monies, Recompence, and Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order and Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriffs, and shall be final, binding, and conclusive to all Intents and Purposes against all Parties and Persons whomsoever claiming any Estate in Fee Simple or Fee Tail, for Life or Lives, in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all 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 Courts; any Law or Statute to the contrary thereof notwithstanding.

Penalties on  
Jurymen and  
Witnesses not  
attending.

XXVII. And be it further enacted, That if any Person so impannelled, summoned, and returned as aforesaid upon such Jury shall not appear, without some reasonable Excuse, 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, he shall be liable and subject to the same Regulations, and to the same Pains and Penalties for such Default, as if he had been impannelled, summoned, and returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster*; and if any Person so summoned and required 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 or her 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 *Chester*, upon the Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of the said Justice; 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, 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 which 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 to be injured by the Default of such Persons.

XXVIII. 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 and corruptly give false Evidence, or otherwise forswear himself, herself, or themselves before any such Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

For punishing Persons guilty of wilful and corrupt Perjury.

XXIX. And be it further enacted, That in each and every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Commissioners as a Recompence or Satisfaction for any such Lands, Buildings, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and all other reasonable Expences, shall be borne by the said Commissioners out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Twenty-one Days after Demand made thereof from the said Commissioners, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Commissioners, or of any Goods or Chattels of the Treasurer or Treasurers of the said Commissioners, (unless such Treasurer or Treasurers shall pay such Costs and Charges out of the Monies received by him by virtue of this Act, which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace for the said City of *Chester*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party

By whom Expences of Juries shall be paid.



Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Commissioners as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Commissioners; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Commissioners, the Costs and Charges so incurred shall be borne by the said Commissioners in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said City of *Chester*, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Commissioners from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

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

XXX. And be it further enacted, That the said Juries in their Awards, Determinations, Adjudications, Judgments, and Verdicts, concerning the Value of any Buildings, Lands, Tenements, and other Hereditaments, shall proportion off separately and distinctly any particular Estates, Terms, or Interests, and also any Damages sustained or to be 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 of the Powers of this Act, and shall assess and adjudge the Value set upon such Estates, Terms, and Interests, and the Money assessed and adjudged for such Damages as aforesaid, distinct and apart from each other.

Prescribing a Form of Conveyance.

XXXI. And be it further enacted, That all Sales, Conveyances, and Assurances of any Houses, Buildings, Lands, Tenements, or Hereditaments, to be made to the said Commissioners in pursuance and for the Purposes of this Act, shall be made in the Form or to the Effect following, or as nearly applicable and conformable thereto as the Circumstances of the Case will admit; (that is to say),

I [or



I [or we,] of in Form of  
 consideration of the Sum of paid to Conveyance.  
 me [or us] by the Commissioners acting under and by virtue of an  
 Act passed in the Sixth Year of the Reign of King *George* the  
 Fourth, intituled *An Act, &c. [here set forth the Title of this Act,]*  
 do hereby grant and convey to the said Commissioners and their  
 Successors [*describe the Parcels to be conveyed,*] and all my [or our]  
 Right, Title, and Interest to and in the same and every Part  
 thereof; to hold to the said Commissioners and their Successors  
 for the Purposes of this Act. In witness whereof I [or we] have  
 hereunto set my Hand and Seal [or our Hands and Seals] this  
 Day of in the Year of our  
 Lord

XXXII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Jury in Manner aforesaid for the Purchase of any Buildings, Lands, or other Hereditaments, to the Person or Persons entitled to receive such Purchase Money respectively, or his, her, or their Agent or Agents, or within the Space of One Calendar Month after the same shall have been actually so agreed for, determined, or assessed, on the same being deposited 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 Buildings, Lands, Tenements, or other Hereditaments respectively, and then and thereupon such Buildings, 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 the said Commissioners for the Purposes of this Act; and such Payment, Tender, 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, of his, her, or their Issue, and of all and every other Person and Persons interested therein, and to vest an absolute Estate of Inheritance in Fee Simple, free from all Incumbrances, in the said Commissioners and their Successors: Provided always, that nothing in this Act contained shall authorize or empower, or be construed to authorize or empower the said Commissioners, or their Agents, Workmen, or Servants, or any of them, for the Purposes herein mentioned, to enter into and upon the Buildings, Lands, Tenements, and Hereditaments so to be purchased by virtue of this Act as aforesaid, without having first paid, or otherwise legally tendered for the same, such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by a Jury in Manner herein-before directed.

XXXIII. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and kept by the Clerk of the Peace, or other Person or Persons having the Custody of the Records,

[Local.]

36 Q

of

Verdicts of Juries to be recorded.



of the Quarter Sessions of the said City of *Chester*, and shall be deposited with and be deemed to be Records of such Quarter Sessions respectively 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 Four-pence for every Seventy-two Words, and so in proportion for any greater or less Number of Words.

Commis-  
sioners em-  
powered to  
resell Houses,  
Buildings,  
and Lands,  
not wanted.

XXXIV. And be it further enacted, That it shall be lawful for the said Commissioners to sell and dispose of, and absolutely to grant and convey, such Part or Parts of the Houses, Buildings, Lands, Tenements, or Hereditaments which shall be so purchased by and conveyed to the said Commissioners as aforesaid, and which shall not be wanted for the Purposes of this Act, and also to lay out and appropriate any Part of the said Buildings, Lands, Tenements, and Hereditaments as and for an Avenue or Passage; and all such Conveyances from the said Commissioners shall be valid and effectual, any Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by the Sale or Sales of such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part 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 so sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Houses, Buildings, Lands, Tenements, or Hereditaments, or any such Parts or Parcels thereof as shall be sold, or for so much thereof as in or by 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 Nonapplication of such Purchase Money, or any Part thereof: Provided always, that the said Commissioners, before they shall sell and dispose of such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, shall first offer to resell the same to any Person or Persons from whom they shall have purchased the same, for such Estate or Interest as such Person or Persons had therein and sold to the said Commissioners, and then to the Person having the adjoining Land, for and at the Price to be paid by the said Commissioners; and in case the said Commissioners and such Person or Persons shall differ and not agree as to the Price or Prices thereof, and such Person or Persons shall nevertheless signify his, her, or their Desire to purchase the same, by a Notice in Writing to be given or left with the Clerk of the said Commissioners within Twenty Days after such Offer, at a Price to be adjusted and settled by a Jury to be summoned as in case of Purchases made by the said Commissioners as herein mentioned, *mutatis mutandis*, and with the like Provision for defraying the Costs and Expences of so ascertaining such Price or Value, such Notice shall be deemed an actual Contract for Purchase of the said Premises as against the Party or Parties giving the same, at the Price which shall be adjusted and settled by such Jury; and in case such Person or Persons shall not agree to repurchase such aforesaid Inter-



rest therein, or shall not give such Notice of his, her, or their Intention of purchasing the same within Twenty Days after such Offer of Sale, then and in every such Case, on an Affidavit being made and sworn before a Master or a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said City of *Chester*, by some competent Person or Persons, stating that such Offer was made by or on behalf of the said Commissioners, and was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so made, and that such Notice as aforesaid was given, shall in all Courts be sufficient Evidence and Proof that such Offer was made and was not agreed to by the Person or Persons to whom it was made (as the Case may be,) and that such Notice as aforesaid was not given; and all Money which shall arise by any Sale or Sales which may be made by the said Commissioners of such Premises, Estates, and Interests as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

XXXV. 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, Husbonds, 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 other Person or Persons whose Houses, Buildings, Lands, Tenements, or other Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, for the Purchase of or the Damages to be done to any such Houses, Buildings, Lands, Tenements, or 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, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer, to be placed to his Account there, *ex parte* the Commissioners of the *Chester Dee* Bridges, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; 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 Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Lands, Tenements,

Application of Compensation when amounting to 200*l.*

1 G. 4. c. 35.



Tenements, or 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, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments, or Part or Parts thereof, Shares, Estates, Interests, or Charges, which shall be so taken or purchased as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement were made.

Application  
of Compensation when less  
than 200*l.*  
and not less  
than 20*l.*

XXXVI. Provided always, and be it further enacted, That if there shall be any Money to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, Charge or Charges thereon, taken or purchased as aforesaid, belonging to any Corporation or any Person or Persons under any Disability or Incapacity as aforesaid, or limited in strict or other Settlement, which shall be less than the Sum of Two hundred Pounds, and which shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons for the Time being entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments, or Parts, Shares, Estates, Interests, or Charges so taken or purchased, or of the Guardian or Guardians, Committee or Committees of such Person or Persons, in case of Infancy or Lunacy, 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 Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, making such Option, and approved of by the said Commissioners or any Three of them, such Nomination and Approbation to be signified in Writing under the Seal, or Hands and Seals, of the nominating and approving Persons, in order that the said Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable,



applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Exchequer.

XXXVII. Provided also, and be it further enacted, That when such Money to be paid as aforesaid shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, Parts, Shares, Estates, Interests, and Charges, taken or purchased as aforesaid, in such Manner as the said Commissioners, or any Three of them, shall think fit; or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of Compensation when less than 20*l.*

XXXVIII. And be it further enacted, That in case the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Parts, Shares, Estates, or Interests therein, or Charges thereon, to be taken or purchased by virtue of this Act, shall refuse to accept the same, or to execute a proper Conveyance or proper Conveyances of the same Premises, or shall not be able to make a good Title to the same to the Satisfaction of the said Commissioners, or in case such Person or Persons to whom such Sum or Sums shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, and Hereditaments, Parts, Shares, Estates, Interests, or Charges, be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners, or any Three or more of them, 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 said Court of Exchequer, to be placed to his Account to the Credit of the Party or Parties interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges (describing such Houses, Buildings, Tenements, or Hereditaments), or if such Party or Parties shall not be known, then to the Credit of the then unknown Person or Persons interested in the said Hereditaments, Parts, Shares, Estates, Interests, or Charges (describing the Tenements or Hereditaments), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court of Exchequer, on the Application of any Body or Bodies Politic, Corporate, or Collegiate, 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, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, making claim thereunto, and to

In case Parties refuses to accept the Compensation Money, or cannot be found, or the Title be defective, the Money to be paid into the Bank.



make such other 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 and 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.

In cases of doubtful Title, the Interest of the Monies paid into the Bank to be paid to the Party in possession of the Hereditaments.

XXXIX. Provided always, and be it further enacted, That where any Question shall arise touching or concerning the Title of any Body or Bodies Politic, Corporate, or Collegiate, 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 said Court of Exchequer, in pursuance of this Act, for the Purchase of or in Satisfaction for any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, or upon any Lands, Tenements, and Hereditaments to be taken or purchased in pursuance of this Act, or of any Bank Annuities to be purchased with any such Money, or the Dividends and Interest of any such Bank Annuities, the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, who shall have been in the Possession of any such Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, claiming under such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or some Estate or Interest therein, or Charge thereon.

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

XL. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, entitled to any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be taken or purchased under the Authority of this Act, the Purchase or Compensation Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Exchequer to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid by the said Commissioners out of the



Mónies to be received for the Purposes of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XLI. And be it further enacted, That every Tenant at Will, or Lessee for Years, or from Year to Year, shall deliver up the Possession of the Buildings, Lands, or Premises they shall respectively hold to the said Commissioners, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Six Calendar Months Notice to quit such Possession from the Clerk to the said Commissioners, or from the Person or Persons authorized by them to take such Possession; and such Person or Persons in Possession shall, at the End of the said Six Calendar Months, whether such Notice be given with reference to the Time or Times of such Tenants 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 Buildings, Lands, and Premises to the said Commissioners, or to such Person or Persons authorized by them to take Possession thereof, such Authority being signified under the Hands of the said Commissioners, or any Three or more of them; they the said Commissioners making such Satisfaction and Compensation to every such Tenant or Lessee, or other Person or Persons in Possession as aforesaid, in case he, she, or they shall be required to quit before the Expiration of his, her, or their current Year in the Premises, as the said Commissioners shall deem just and reasonable; and if any Dispute shall arise touching the Amount of such Satisfaction or Compensation, then and in such Case the same shall be settled and ascertained by a Jury, in such and the like Manner as the Satisfaction and Compensation to be made for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, is herein-before directed to be settled and ascertained, in case of any Difference or Dispute about the same; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, all reasonable Satisfaction being first made or tendered, it shall be lawful for the said Commissioners, or any Three or more of them, to issue their Precept or Precepts to the Sheriffs of the said City of *Chester* 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 Six Months Notice.

XLII. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on any Buildings, Lands, Tenements, and Hereditaments to be taken, used, or sold for the Purposes of this Act, not being in Possession thereof by 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 by the said Commissioners, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the

Mortgages to be transferred to the Commissioners after Tender.



the said Commissioners, or to 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 End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then 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 shall from thenceforth cease and determine: Provided always, that in case the Principal Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises to be taken and made use of for the Purposes of this Act, and which shall be ascertained in Manner herein-before directed, then the said Commissioners shall not be liable to pay to the Mortgagee more than such real Value of such Premises so ascertained as aforesaid; provided 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 any Mortgage 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 into 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.

Present  
Bridge, &c.  
vested in the  
Commissioners.

XLIII. And be it further enacted, That from and immediately after the passing of this Act, the present Bridge over the said River *Dee*, in the said City of *Chester*, and the Toll House at the South End thereof, and all the Works, Pavements, and Materials of the said Bridge, and thereto belonging, and also the said intended new Bridge, and Embankment and other Works belonging thereto or communicating therewith, and the Carriage Roads, Footways, and Passages over the same, and to the Extent of One hundred Yards from the Foot of the said Bridge on the South Side thereof, and on the North Side thereof from the Foot of the said Bridge to *Bunce Street* in the said City, and the Lamps, Lamp Posts, Lamp Irons, Pipes, Posts, Rails, Fences, Stones, Gravel, and other Materials of, in, and about or belonging to the same respectively, and also all Buildings and Conveniences which shall be erected and made by the said Commissioners for the Purposes of this Act, and all Materials, Articles, Matters, and Things whatsoever, provided or purchased or to be provided or purchased for the Purposes of this Act, shall belong to and be the Property of, and the same are hereby



hereby vested in the Commissioners for executing this Act; and the said Commissioners shall and may, and are hereby empowered to cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Case may require), against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy any of the several Articles, Matters, and Things, or Property hereby vested in them the said Commissioners 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 or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners of the *Chester Dee* Bridges, without particularly mentioning or specifying the Name or Names of all or any of such Commissioners.

XLIV. And in order to enable the said Commissioners to execute the several Works aforesaid, and to carry the Purposes of this Act into Execution, and particularly to pay off and discharge the Sum or Sums of Money to be raised and borrowed as herein-after mentioned, and the Interest thereof; be it further enacted, That it shall be lawful for the said Commissioners, with all convenient Speed after the passing of this Act, and they are hereby authorized and directed, to erect and set up and maintain, or cause to be erected and set up and maintained, a Toll Gate or Gates at or upon the said present Bridge over the said River *Dee*, or at or upon some convenient Place or Places near or adjoining thereto; and when and so soon as the said intended new Bridge shall be erected, and a Passage made over the same, it shall be lawful for the said Commissioners, and they are hereby accordingly authorized and directed, to erect and set up and maintain, or cause to be erected and set up and maintained, One or more Toll Gate or Gates at or upon the said last-mentioned Bridge, or at or upon some or one of the Roads, Ways, Streets, Avenues, or Approaches leading thereto (over and besides and in addition to the Gate or Gates on the said present Bridge); and the said Commissioners shall and may from Time to Time, as Occasion may require, remove all or any of the said Toll Gates, and erect or set up One or more other Toll Gate or Toll Gates in lieu thereof at any Place or Places upon any Part of the said Bridges, or either of them, or within One hundred Yards of either End of the said Bridges respectively, and shall and may from Time to Time erect, provide, and maintain such Toll House and other Conveniences near or adjoining to each such Toll Gate, both on the said present and the said intended new Bridge, as the said Commissioners shall think proper or expedient.

Power to erect Turn-pikes and to take Tolls both at the old and new Bridges.

XLV. And be it further enacted, That the respective Tolls following shall be demanded and taken by such Person or Persons as the said Commissioners shall appoint to receive the same, at the Toll Gate or Toll Gates to be erected as aforesaid, both at the said present Bridge and the said new or intended Bridge, before any Horse, Mule, Ass, or other Beast, or any Coach, Waggon, Cart, or other Carriage, shall be permitted to pass or return over the said Bridges respectively, or either of them; (that is to say,)

Power to take Tolls, &c.



Tolls.

For every Horse or Mule, drawing any Coach, Stage Coach, Sociable, Berlin, Landau, Chariot, Barouche, Phaeton, Calash, Curricie, Chair, Chaise, Caravan, Gig, Hearse, or Litter; or any Carriage now known by the Name of a Taxed Cart, or other Four or Two-wheeled Carriage of the like Kind, the Sum of Nine-pence :

For every Horse or other Beast, drawing any Waggon, Wain, Drag, Cart, or other Carriage of the like Kind, the Sum of Sixpence :

For every Ass drawing any Chaise, Gig, Taxed Cart, or other such like Two or Four-wheeled Carriage; the Sum of Three-pence :

For every Horse or Mule, laden or unladen, and not drawing, the Sum of Two-pence :

For every Ass, laden or unladen, and not drawing, the Sum of One Halfpenny :

For every Drove of Oxen, Cows; or Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score of Twenty, and so in proportion for any greater or less Number : And

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of One Shilling *per* Score of Twenty, and so in proportion for any greater or less Number.

Tolls vested in the Commissioners.

Which said several Tolls shall be and are hereby vested in the said Commissioners and their Successors for the Purposes of this Act, and shall be applied and disposed of in the Manner herein-after directed.

No Tolls to be demanded from Foot Passengers.

XLVI. Provided always, and be it further enacted, That no Toll whatsoever shall be demanded or taken of or from any Person or Persons passing or repassing on Foot over the said Bridges or either of them.

Tolls payable only Once a Day.

XLVII. Provided also, and be it further enacted, That no Toll shall be demanded or payable more than Once in the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), for the passing or repassing of the same Horse, Cattle, or Beast, through any of the Toll Gates to be erected and set up either on the said present Bridge or on the said intended new Bridge, under the Authority of this Act; but after Toll shall have been paid Once as aforesaid at any of the said Toll Gates on either of the said Bridges, on a Note or Ticket being produced denoting the Payment of such Toll, no Toll shall be demanded or taken for or in respect of such Horse, Cattle, or Beast passing and repassing during such Day, to be computed as aforesaid, through all and every or any of the Toll Gates to be erected and set up on the said Bridges, or either of them, (except as herein-after mentioned); and all the respective Collectors of the said Tolls are hereby required to deliver such Notes or Tickets *gratis* on Receipt of the Toll in Manner aforesaid.

General Exemptions from Toll.

XLVIII. Provided always, and be it further enacted, That no Toll shall be demanded or taken at either of the said Bridges for any Horses or Carriages attending His Majesty or any of the Royal Family, or returning after having so attended; or for any Horse, Beast, Cattle, or Carriage of whatever Description, to be employed in conveying or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed



ployed in conveying or guarding such Mails or Expresses, or returning back from carrying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Cattle, or Carriages attending them with their Arms and Baggage, and returning after having been so employed; nor for any Horse or Horses or other Cattle drawing any Waggon, Wain, Cart, or other Carriage whatsoever, which shall be employed in conveying any Ordnance, Barrack or Commissariat, or other Public Stores of or belonging to His Majesty, or to and for the Use of His Majesty's Forces; 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 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 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 Horse or other Beast drawing 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 Palatine of *Chester*, or a Citizen or Citizens to serve in Parliament for the said City of *Chester*, on the Day or Days of such Election, or on the Day before or the Day after such Election shall begin or be concluded; or for any Horse, Beast, Cattle, or Carriage travelling with Vagrants sent by legal Passes, or with any Prisoner sent by any legal Warrant, or returning empty after having been so employed; nor of or from any Person or Persons going to or returning from his, her, or their usual Place of religious Worship tolerated by Law upon *Sundays*, or any other Day on which Divine Service is ordered by Authority to be celebrated; nor shall any Toll be demanded or taken at the present Bridge for any Horse, Beast, or other Cattle drawing any Cart, Waggon, or other Carriage employed in carrying or conveying, or returning empty, having been employed only in carrying and conveying any Wheat, Oats, or other Grain not sold or disposed of, or going to be sold or disposed of, over the same Bridge to any Corn Mill for the Purpose of being ground into Flour, Meal, or Bran, or in carrying and conveying any Flour, Meal, or Bran, when so ground, from any such Mill; nor shall any Toll be demanded or taken at either of the said Bridges for any Horse, Beast, or other Cattle employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, on the same Day, any Stones, Brick, Timber, Wood, Gravel, or other Materials for making or repairing any Turnpike Road or public Highway, or for building, repairing, or amending the said Bridges, or either of them; nor for any Horse, Beast, or other Cattle employed in carrying or conveying, or returning after having been employed in carrying or conveying any Dung, Soil, Compost, or Manure for improving Lands, or any Thorns, Stakes, Bushes, Posts, or Rails for fencing the same, or any Ploughs, Harrows, or Implements of Husbandry, unless laden also with some other Thing not hereby exempted from Toll; nor for any Hay, Straw, Fodder for Cattle, or Corn in the Straw, Potatoes, or other agricultural



agricultural Produce, which has grown or arisen on any Land or Ground in the Occupation of the Owner of any such Hay, Straw, Fodder, or Corn in the Straw, Potatoes, or other agricultural Produce, and which has not been bought, sold, or disposed of, nor is going to be sold or disposed of, but to be deposited or consumed in the Outbuildings, Yards, or Premises of such Owner or Owners; nor for any Horse, Cattle, or other Beast employed in Husbandry, going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, or going to be or returning from being shod or farried; nor for any Horse or other Beast drawing any Waggon, Cart, or other such like Carriage, belonging to any Person or Persons residing in the said City of *Chester*, or the Liberties thereof, or such Part of the County of *Chester* as lies within the Walls of the said City, such Waggon, Cart, or Carriage being used or employed for the Purposes of Trade or Business within the Liberties of the said City or such Part of the said County as aforesaid, provided that all such Waggons, Carts, or other Carriages at the Time of passing or repassing over such Bridges, or either of them, be empty and unladen; and if any Person shall claim and take the Benefit of any of the Exemptions or Reductions from Toll by this Act granted, not being entitled to the same, every such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Forty Shillings.

Post Horses having passed through any Gate may return Toll-free before Nine in the Morning of the following Day.

XLIX. And be it further enacted, That all Horses travelling for Hire under the Post Horse Duties Acts, having passed through any Turnpike or Toll Gate erected or to be erected on the said Bridges, or either of them, drawing any Carriage, for or in respect of which Horses any Toll shall have been paid, on returning through the Turnpike or Toll Gate at which the Toll shall have been paid, and the other Gates cleared by such Payment, either without such Carriage, or drawing such Carriage, the same being empty, and without a Ticket denoting a fresh Hiring, shall be permitted to repass Toll-free, although such Horses or Carriage shall not have passed through such Turnpike or Toll Gate on the same Day, provided that such Horses so travelling shall return before Nine of the Clock of the Morning succeeding the Day on which they first passed the Turnpike Gate at which the Toll shall have been paid.

Tolls may be reduced and altered with Consent, &c.

L. And be it further enacted, That the said Commissioners, or any Nine or more of them, shall have full Power and Authority from Time to Time, at any Meeting to be held in pursuance of this Act, with the Consent of the Persons to whom any Money may at any Time be owing on the Credit of the Tolls hereby granted, to lower or reduce all or any of the Tolls hereby granted, and from Time to Time in like Manner again to raise the said Tolls, or any of them, to such Sum or Sums as they shall think proper, not exceeding the Sums before mentioned, so often as it shall be deemed necessary for the Interest of the said Undertaking.

Tolls may be compounded for.

LI. And be it further enacted, That it shall be lawful for the said Commissioners at any Meeting to be held in pursuance of this Act from Time to Time, as they shall see fit, to compound and agree, by the Year or otherwise, with any Person or Persons, (except Common Carriers,



Carriers, Innkeepers, and Hackney Coachmen, or Postmen), travelling through the several Gates or Toll Gates to be erected by virtue of this Act, with any Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Waggon, Wain, Cart, or other Carriage, Horse, Mule, Ass, or other Cattle, for any Sum or Sums of Money in lieu and Payment of any of the Tolls or Duties to be collected at the said Gates or Toll Gates, such respective Compositions to be paid yearly from Time to Time after such Agreement shall be made, and the first Half-year's Composition to be advanced and paid immediately, and to be continued on in like Manner during such Time as the same shall not be thought injurious to the Interest of the said Undertaking.

LII. And be it further enacted, That it shall be lawful for the said Commissioners at any Meeting to be held under or by virtue of this Act, to lease or demise all or any of the said Tolls for any Term of Years not exceeding Three Years at any one Time, for such Rent, payable at such Times and under such Covenants as they shall think fit, the said Commissioners taking such Security from the Person or Persons to whom such Tolls shall be leased or demised, for Payment of such Rent and Performance of such Covenants, as they shall think fit, which Rent shall be applied for the Purposes of this Act. Power to let or farm Tolls.

LIII. And be it further enacted, That within One Calendar Month after any Toll Gate shall be erected by virtue of this Act, the said Commissioners shall and they are hereby required to put up or cause to be put up, and afterwards to be continued at every such Toll Gate, a Table painted in distinct and legible Black Letters on a Board with a White Ground, containing a List of all the Tolls payable at such Gate, distinguishing the several Tolls to be paid by virtue of this Act, and to renew such Boards whenever any of the Letters or Figures thereof shall be worn out, defaced, or obliterated. Commissioners to put up a Table of Tolls.

LIV. And be it further enacted, That if any Person or Persons subject to the Payment of any of the said Tolls hereby authorized to be taken, or any Portion thereof, shall after Demand thereof made by any Collector or Collectors, or other Person or Persons to be appointed to receive the same, neglect or refuse to pay the same, it shall be lawful for such Collector or Collectors, Person or Persons, by himself or themselves, or taking such Assistance as he or they shall think necessary, to stop and prevent the Passage of the Person or Persons refusing, or of the Horse, Beast, or Cattle for or in respect of which such Tolls ought to be paid, until full Payment thereof, or to seize and distrain any Horse or Horses, or other Cattle, together with their Bridles, Saddles, Gears, Harness, or Accoutrements (except the Bridle or Reins of any Horse or other Beast separate from the Horse or Beast), or any Carriage in respect of the Horses or Cattle drawing the same upon which any Toll is by this Act imposed; and if such Tolls, or Proportion of Tolls, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Seven Days after such Seizure and Distress made, the Collector or Collectors, Person or Persons seizing and distraining shall or may sell the Horse or Horses, Cattle, Carriages, or Things so seized and distrained, or any Part or Parts thereof, returning the Overplus (if any) Persons may be stopped on refusing to pay Tolls.

[Local.]

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any)



any) and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls and all reasonable Charges occasioned by such Seizure, Distress, and Sale shall be deducted; and all Monies so to be collected or levied shall be and are hereby vested in the said Commissioners and their Successors, and shall be applied for the Purposes of this Act.

Penalty on  
evading  
Tolls.

LV. And be it further enacted, That if any Person shall take off or cause to be taken off any Horse or other Beast from any Carriage at or near to any Toll Gate to be erected on the said Bridges, or either of them, by virtue of this Act, and afterwards put on or add the same after having passed the said Toll Gate, and shall thereby evade or endeavour to evade the Payment of any Part of the said Tolls, or shall forge, counterfeit, or alter, or deliver to or receive from any other Person or Persons any Note or Ticket, with Intent to evade the Payment of any Part of the said Tolls, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, to be recovered in Manner herein-after directed.

For settling  
Disputes  
concerning  
Tolls.

LVI. And be it further enacted, That in case any Dispute shall happen respecting the demanding or taking or the Payment of Toll, or the Amount of Toll due, or the Charges of keeping or selling any Distress, then and in every such Case such Dispute shall be heard and determined by any Justice or Justices of the Peace for the said City of *Chester*, who, upon Application made to him or them for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses (which Oath every such Justice or Justices is or are hereby empowered to administer), and shall determine the Amount of Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice or Justices shall seem reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons directed to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices (which Warrant every such Justice or Justices is or are hereby empowered to issue), and the Overplus (if any), after Payment of the Costs of such Distress and Sale, shall be returned upon Demand to the Person or Persons whose Goods and Chattels shall have been distrained and sold: Provided always, that in all such Cases of Dispute relating to the said Tolls as aforesaid, the Collector or Collectors thereof, or other the Person or Persons appointed by the said Commissioners to receive the same, or any other Person or Persons acting by or under the Authority of the said Commissioners, shall not in consequence thereof be disqualified from giving Evidence in or concerning any such Dispute, or any Matter or Thing in anywise relating thereto.

Preventing  
Toll Collec-  
tors from tak-  
ing undue  
Tolls.

LVII. And be it further enacted, That every Toll Collector shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of such Name or Names to be at least



Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall continue on Duty; and if any Collector of the same Tolls shall neglect to place such Board as aforesaid, and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Commissioners 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 the Inscriptions on the Boards to be affixed as aforesaid, 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 shall refuse or neglect to give a Ticket to denote the Payment of the Toll when demanded, 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 Toll Gate erected in pursuance of this Act, or shall make use of any scurrilous or abusive Language to any 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 for every such Offence any Sum not exceeding Forty Shillings, as the Justice or Justices before whom the Information shall be laid shall adjudge.

LVIII. And be it further enacted, That when and so often as any Lessee, Collector, or Receiver of the Tolls shall die, or neglect or refuse to perform, or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for the said Commissioners, or any Three or more of them, although not assembled at a Meeting 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 appoint some other fit and proper Person or Persons to be a 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 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 if any Collector or Receiver of the said Tolls who shall be discharged from his said 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 raised by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Twenty-four Hours next after Demand thereof made by Notice in Writing, signed by the Clerk to the said Commissioners for that Purpose, given to such Collector

Commissioners may appoint and remove Collectors, and appoint others.

or



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 Justice or Justices of the Peace for the said City of *Chester*, by Warrant under his and their Hand and Seal, or Hands and Seals, to order a Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House and Premises in the Daytime, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of such House, and to put the said Commissioners or their new-appointed Collector into the Possession thereof.

Directions  
respecting  
the Applica-  
tion of the  
Tolls, and  
when they  
are to cease.

LIX. And be it further enacted, That all the Tolls to be from Time to Time collected at the said Bridges, or either of them, by virtue of this Act, shall be applied and disposed of in manner following; (that is to say), in the first Place in paying and defraying the Costs, Charges, and Expences incident to and attending the obtaining, and passing of this Act, and the Expence of carrying this Act into Execution, and of keeping the said Bridges, Embankments, and Roads, (to the Extent herein-before and herein-after mentioned), in good and proper Repair, and lighting and watching the same as herein-before mentioned, and in making such Compensation as herein-after mentioned for any Damage or Injury to be occasioned to the Owners and Occupiers of the said Corn and other Mills near the said present Bridge; and the *Chester* Waterworks, and of the Wharfs and Warehouses in *Skinner's Street*, by the erecting of the said intended new Bridge; and in the next Place in paying to the Mortgagees and Annuitants under this Act the Interest to which they shall be respectively entitled, in the Manner herein-before provided, and also in paying to the Mayor and Citizens of the said City of *Chester* the yearly Rent Charge of Two hundred Pounds herein-after limited and made payable to them; and then the Residue or Surplus thereof (when amounting to a sufficient Sum for that Purpose) shall be from Time to Time paid to the said respective Mortgagees, in or towards the Payment, Satisfaction, and Discharge of the Principal Sums then due to them respectively, until the whole of the Principal Monies which shall have been borrowed upon the Credit of this Act shall by means thereof have been fully paid off, satisfied, and discharged; and after all such Principal Monies and Interest shall have been so paid off and discharged as aforesaid, and the said yearly Rent Charge of Two hundred Pounds purchased from the said Mayor and Citizens in manner herein-after directed, then the said Commissioners shall and may and they are hereby empowered to collect and receive the Tolls hereby granted for the further Term of Two Years only, and the Amount of such last Two Years Tolls (after deducting the Expences attending the collecting and receiving the same) shall be laid out and invested by the said Commissioners in some of the Public Stocks or Funds at Interest, in the Names of the Bishop of *Chester*, the Custos Rotulorum of the said County Palatine of *Chester*, the Dean of the Cathedral Church of *Christ* and the Blessed Virgin *Mary* in *Chester*, and the Mayor of the said City of *Chester* for the Time being respectively, in order that the same may constitute and form a Fund for defraying the Expences attending the future Repairs of both the said Bridges, and the repairing, lighting,  
and



and watching the said new Bridge and Embankments, and such Parts of the Roads and Avenues leading thereto as aforesaid, as are directed by this Act to be kept in repair, lighted, and watched by the said Commissioners; and the same and the Interest and Dividends thereof shall from Time to Time be applied for those several Purposes by the said Commissioners and their Successors, in such and the same Manner as the Tolls hereby granted and made payable are by this Act directed to be applied; and the said Stock so to be purchased, or any Part thereof, shall from Time to Time be transferred, sold, and disposed of, and the Proceeds thereof, and also the Dividends and Interest of the same, in the meantime, shall from Time to Time be paid to the Treasurer for the Time being of the said Commissioners, whose Receipt shall be a good and sufficient Discharge for the same; and they the said Bishop, Custos Rotulorum, Dean, and Mayor, are hereby authorized and required to transfer, sell, and dispose of the said Stock, and to apply the Produce thereof, and also the said Dividends and Interest accordingly, when thereunto called upon by the said Commissioners, or any Five or more of them, for that Purpose: Provided always, that at the End or Expiration of Two full Years from and after the Payment and Discharge of all Monies borrowed on the Credit of this Act for the Erection of the said Bridge, and the making of the said Roads, Ways, and Avenues thereto, and the making Compensation for such Damage or Injury as aforesaid, and as herein-after mentioned, and the purchasing of the said Rent Charge of Two hundred Pounds *per Annum* from the said Mayor and Citizens, all the Tolls hereby authorized to be collected and taken on the said Bridges respectively shall cease and determine.

LX. Provided also, and be it further enacted, That it shall be lawful for the said Commissioners, at any Meeting or Meetings at which not less than Thirteen Commissioners shall be present, and they are hereby fully authorized and empowered from Time to Time, and at any Time or Times after the said Tolls shall have so ceased as aforesaid, again to impose and collect such further Tolls (not exceeding the Amount of the Tolls by this Act granted) as they shall find necessary or expedient to be raised for defraying the Expences of repairing and keeping in repair the said Two several Bridges, or either of them, and the Embankments thereof, and so much of the Roads, Ways, or Avenues leading thereto as are by this Act directed to be kept in repair by the said Commissioners; and the said Commissioners shall have Power and Authority from Time to Time to suspend and discontinue the said Tolls, or any Part of them, and again to impose and collect others (with such Exceptions and Exemptions as aforesaid, not exceeding the Amount aforesaid), as they shall find necessary for the Repairs of the said Bridges, Ways, Roads, and Avenues, or as Exigencies may require: Provided always, that whenever such further or occasional Tolls shall for the Purposes aforesaid be raised and levied, Notice thereof shall be given by Advertisement, to be inserted Twice in One or more of the public Newspapers published within the said City of *Chester*, at least Fourteen Days before the Commencement thereof; and then and from thenceforth, and whilst such further or occasional Tolls shall continue to be raised and levied, all and every the Clauses, Provisions, Powers, and Authorities herein

Power for Commissioners to impose an occasional Toll as Exigencies may require.



contained with reference to the Tolls hereby granted, and to the raising Money on the Credit thereof, and the accounting for the same, shall be applicable in all respects to such further or occasional Tolls.

Books of Accounts to be produced annually to the Justices at the Michaelmas Quarter Sessions in the City of Chester.

LXI. And be it further enacted, That there shall from Time to Time be provided and kept by the said Commissioners One or more Book or Books, in which all Monies to be received by virtue of this Act shall from Time to Time be fairly set down and entered, expressing the Time when, and the Name of the Person or Persons from whom the same were so received; and also One other Book or Books, in which all Sum and Sums of Money disbursed and laid out by them or by their Order for the Purposes aforesaid, and the several Articles, Matters, and Things for which the same have been disbursed, laid out, and expended, shall be duly set down and entered; and in each and every Year, at the General Quarter Sessions of the Peace held after the Feast of *Saint Michael* the Archangel, for the City of *Chester*, the said Books to be kept by the said Commissioners shall be produced and laid before the Mayor, Recorder, and Justices at such Sessions, together with the proper Vouchers for such Expences and Disbursements, if required; and in case and whenever it shall appear to the said Mayor, Recorder, and Justices at such Quarter Sessions, that all Principal Money and Interest due on Mortgage of the said Tolls, or any Annuities which may have been granted, have been fully satisfied and paid, and that all Expences of soliciting and obtaining this Act, and of carrying the same into Execution, have been fully discharged, then the said Mayor, Recorder, and Justices shall and they are hereby required, by public Advertisement, to call a Special General Meeting of the said Commissioners, to be held at the Town Hall in the said City within not less than Fourteen Days after the Date thereof, at which such Mayor, Recorder, and Three at least of the said Justices shall be present, and at such Special General Meeting, unless sufficient Cause to the contrary shall then be shewn, the said Commissioners shall order and direct that the said Tolls shall cease at the End of Two Years from that Day.

Bridge to be Public upon Payment of Tolls.

LXII. And be it further enacted, That the present Bridge over the River *Dee*, and also the said intended new Bridge shall, when the same shall have been completed, be Public Bridges; and all Persons, with or without Horses, Cattle, and Carriages, shall have free Liberty, upon Payment of the Tolls by this Act granted, or without any Payment after the said Tolls shall have ceased, to pass over the same without any Interruption whatsoever.

Enabling the Commissioners to borrow Money from the Commissioners for the Issue of Exchequer Bills.

LXIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Nine or more of them, present at any Meeting or Meetings to be held by them under the Provisions of this Act, to borrow of and from the Commissioners for carrying into Execution an Act passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend Two Acts, of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries,* and



*and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts, such Sum or Sums of Money, not exceeding in the whole the Sum of Sixty thousand Pounds, as the said Commissioners acting under this Act, or the Majority of them present at such Meeting or Meetings, may deem expedient for the Purposes of this Act, upon Mortgage or Assignment of the Tolls hereby granted or any of them, and the Toll Gates and Toll Houses to be erected for collecting the same, with their Appurtenances, subject nevertheless to such of the Provisoes and Conditions particularly mentioned and expressed in the said last herein-before mentioned Act, and the Acts therein recited and referred to, and in such Form as the said Commissioners shall direct and appoint.*

LXIV. And be it further enacted, That any and every Mortgage or Assignment which shall be given or made by the said Commissioners acting under this Act to the said Commissioners for the Issue of Exchequer Bills, shall have Priority over and shall precede all other Mortgages and Securities which shall be granted by the said Commissioners under or by virtue of this Act; any thing contained in this Act, or in any Mortgage or Security which shall be granted under the Powers thereof, to the contrary in anywise notwithstanding.

Mortgages granted to the Commissioners for the Issue of Exchequer Bills to have Priority over other Mortgages.

LXV. Provided always, and be it further enacted, That in case the said Commissioners acting under and by virtue of this Act shall be desirous of raising all or any Part of the said Sum of Sixty thousand Pounds of or from any other Person or Persons than the said Commissioners for the Issue of Exchequer Bills, it shall be lawful for the said Commissioners acting under this Act, or any Nine or more of them, to borrow and take up at Interest all or any Part of the said Sum of Sixty thousand Pounds by way of Mortgage of the said Bridges and the Tolls thereof, or by the Grant of Annuities out of the said Tolls for any Term or Number of Years, or for and during the natural Life or Lives of the Purchaser or Purchasers of such Annuity or Annuities, or of such Person or Persons as shall be nominated by or on the Behalf of such Purchaser or Purchasers; which Annuity or Annuities shall and may be granted and made payable either with or without Benefit of Survivorship, and subject to Repurchase or Redemption upon such Terms and Conditions and in such Manner as the said Commissioners shall think proper; and the said Commissioners, or any Nine or more of them, are hereby fully authorized and empowered, by Writing under their Hands and Seals, to grant and assign over the said Bridges and the Tolls thereof as a Security for any Sum or Sums of Money so to be borrowed with lawful Interest for the same, or for the due and regular Payments of the said Annuity or Annuities so to be granted, as to them shall seem meet.

Power to borrow Money from other Persons.

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

Prescribing the Form of Mortgage.

BY



Form of  
Mortgage.

BY virtue of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act, &c.* [*here set forth the Title of this Act,*] we, Nine of the Commissioners of the *Chester Dee* Bridges, by virtue of the Powers contained in the said Act, and in consideration of the Sum of \_\_\_\_\_ to us lent and advanced by *A. B.* of \_\_\_\_\_ upon the Credit and for the Purposes of the said Act, do grant and assign unto the said *A. B.* his [*or her*] Executors, Administrators, and Assigns, the said Bridges, and the Toll House or Toll Houses thereunto belonging, and all and singular the Tolls arising by virtue of the said Act, and all our Right, Title, and Interest of, in, and to the same; to hold unto the said *A. B.* his [*or her*] Successors, 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. In witness whereof we have hereunto set our Hands and Seals this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

Form of  
Grant of  
Annuity.

LXVII. And be it further enacted, That every Security to be given for any Annuity to be granted as herein-before is mentioned, shall or may be made in the Words or to the Effect following; (that is to say),

BY virtue of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act* [*here set forth the Title of this Act,*] we, Nine of the Commissioners of the *Chester Dee* Bridges, by virtue of the Powers contained in the said Act, and in consideration of the Sum of \_\_\_\_\_ to us paid by *A. B.* of \_\_\_\_\_ do grant unto the said *A. B.* his [*or her*] Executors, Administrators, or Assigns, out of the Tolls and Duties arising by virtue of the said Act, One Annuity or yearly Sum of \_\_\_\_\_ Pounds, to be paid and payable to the said *A. B.* his [*or her*] Executors, Administrators, or Assigns, for the Term of \_\_\_\_\_ Years thence next ensuing [*or during the Life of \_\_\_\_\_, if more than One*] and the Life of the Survivor of them, [*as the Case may be; and if the Annuity shall be for Life or Lives*], and a proportionable Part of the said Annuity up to the Day of the Decease of the said \_\_\_\_\_, or to the Day of the Decease of the Survivor of them the said [*as the Case may be*], but nevertheless with full Power for the Commissioners for the Time being acting, under the said Act to repurchase the said Annuity, on giving to the said *A. B.* his [*or her*] Executors, Administrators, or Assigns, Six Calendar Months previous Notice, and paying to him [*or her, or them*] the Sum of \_\_\_\_\_ Pounds, and all Arrears of the said Annuity of \_\_\_\_\_ up to the Day of such Repurchase. In witness whereof we have hereunto set our Hands and Seals, this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

And all and every Person and Persons, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, to whom any such Mortgages or Grants of Annuities shall be made, shall be equally entitled, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, and the annual Amount of the said Annuities, to the Tolls



by this Act granted, without any Preference by reason of Priority, except as to the Security to be made to the Commissioners for the Issue of Exchequer Bills as aforesaid<sup>o</sup>, which shall have Priority over all other Securities and Assignments.

LXVIII. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Two several Acts, one passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and the other passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for amending Two Acts passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

For preventing improvident Grants of Annuities.

48 G.3.c.142.

52 G.3.c.129.

LXIX. And be it further enacted, That in case the said Commissioners for executing this Act shall at any Time or Times be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall happen to be payable upon any of the existing original or other Securities which may have been made by them, or by the Grant of redeemable Annuities for any Term of Years as aforesaid, it shall be lawful for the said Commissioners from Time to Time to borrow and take up, and secure to be paid with such lower Rate of Interest in Manner aforesaid, or by such Annuities, any Sum or Sums of Money, which shall be applied in paying off and discharging any of the said original or other Mortgages bearing a larger Rate of Interest, or Annuities of a larger Amount.

Money may be borrowed at a lower Rate of Interest to pay off existing Mortgages.

LXX. Provided always, and be it further enacted, That no Sum of Money advanced on Mortgage as aforesaid shall be paid off without the Consent of the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons entitled to receive the same, unless Six Calendar Months previous Notice of the Intention to pay off the same shall have been given by the Clerk to the said Commissioners to such Body or Bodies, Person or Persons, or left at his, her, or their last or usual Place or Places of Abode, or advertised in some Newspaper usually published and circulated in the said City of *Chester*.

No Mortgagee to be paid off against his Consent, without Six Calendar Months Notice.

LXXI. And be it further enacted, That a Transcript or Copy of every such Grant or Assignment, 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 to the said Commissioners for executing this Act, which Book or Books shall be perused at all seasonable Times by any of the said Commissioners or other Persons interested, without Fee or Reward.

Entries of Mortgages and Annuities to be made.

[Local.]

36 X

LXXII. And







the Purposes of this Act, and carrying the same into full and complete Execution.

LXXVI. And be it further enacted, That from and immediately after the passing of this Act all and every the Tolls and customary Dues of every Nature and Kind soever payable to the said Mayor and Citizens of the said City of *Chester*, upon or in respect of Goods, Wares, Merchandize, and other Commodities brought into the said City for Sale, or taken or carried therefrom when purchased, and which are now demandable at the said Gate called *The Bridge Gate* as herein-before mentioned, shall absolutely and entirely cease, determine, and be null and void to all Intents and Purposes whatsoever, and the said Mayor and Citizens shall have no further Right or Title thereto, or any Powers or Remedies for compelling or enforcing the Payment thereof; but in lieu and stead of such Tolls and Duties so hereby directed to cease as aforesaid, there shall be payable and paid to the said Mayor and Citizens, and their Successors, out of the Tolls granted by this Act, one clear annual Sum of Two hundred Pounds of lawful Money of that Part of the United Kingdom of *Great Britain and Ireland* called *Great Britain*, being One-half of the present annual Amount of such Tolls and customary Dues, by even and equal Half-yearly Payments, on the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in every Year, until the same shall be re-purchased by the Commissioners for executing this Act in the Manner herein-after directed; the first Half-yearly Payment of such annual Sum to begin and be made on the Twenty-fifth Day of *December* next after the passing of this Act; and the said Mayor and Citizens, and their Successors, shall thenceforth and for ever thereafter be wholly and entirely freed and discharged from the Repairs of the said present Bridge, and shall not be in anywise charged or chargeable with the Repairs of the said intended new Bridge.

All Tolls and customary Dues payable to the Corporation of *Chester* on Commodities carried over the present Bridge to cease, and an annual Sum to be paid to the Corporation in lieu thereof.

LXXVII. Provided always, and be it further enacted, That all Goods, Wares, and Merchandizes which shall have passed over the said Bridges, or either of them, shall be exempt from the Payment of any Customary Toll or Duty on passing through any of the other Gates of the said City upon the same Day, to be computed between the Hours of Twelve of the Clock at Night and Twelve of the Clock the next succeeding Night.

Payment of Toll over the Bridges to exempt from the Payment through any other Gate of the City.

LXXVIII. Provided always, and be it further enacted, That in case the said annual Sum or yearly Rent Charge of Two hundred Pounds, so herein-before reserved and made payable to the said Mayor and Citizens as aforesaid, or any Part thereof, shall be in arrear or unpaid by the Space of Twenty Days next over or after either of the said Days or Times herein-before appointed for Payment thereof, then and in such Case, and when and so often as it shall so happen, it shall be lawful for the said Mayor and Citizens, and their Successors, and they are hereby fully authorized and empowered to enter into and take Possession of all or any of the Toll Gates to be erected by virtue or under the Authority of this Act, and from Time to Time to receive and take all the Tolls payable thereat, until they shall

Remedy for the Mayor and Citizens to recover the Rent Charge of 200l. when in arrear.



shall therewith and thereby, or otherwise, have been fully paid and satisfied all Arrears of the said annual Sum or yearly Rent Charge of Two hundred Pounds, and all Costs, Charges, and Expences attending the entering into and taking Possession of the said Toll Gates, and collecting or receiving the said Tolls; rendering and paying over all the Residue or Surplus of the Tolls to be by them collected or received, after retaining the said Arrears, Costs, Charges, and Expences, unto the said Commissioners for executing this Act.

Power to purchase the annual Rent of 200*l.* from the Corporation.

LXXIX. Provided also, and be it further enacted, That it shall be lawful for the Commissioners for executing this Act, whenever they shall find it necessary or expedient in that Behalf, and they are hereby required, to purchase from the said Mayor and Citizens, or their Successors, the said yearly Rent Charge or Sum of Two hundred Pounds so herein-before reserved and made payable to them as aforesaid, and which the said Mayor and Citizens and their Successors are hereby accordingly required and empowered to sell to the said Commissioners at or for such Price or Sum of Money as shall be fixed and agreed upon between the said Parties, or assessed by a Jury or Juries, by the same Method and in the same Manner as herein-before directed in the Case of assessing the Amount of the Monies to be paid for the Purchase of any Lands, Tenements, or Hereditaments so directed to be purchased by this Act; and the Verdict of such Jury thereupon shall be binding on all Parties; and upon Payment of such Price or Sum of Money as and for the Purchase of the said yearly Rent Charge to the said Mayor and Citizens, or their Treasurer for the Time being, or lawful Tender thereof, the same yearly Rent Charge or Sum of Two hundred Pounds shall cease, determine, and be for ever extinguished, to all Intents and Purposes whatsoever; any thing herein contained to the contrary thereof notwithstanding.

Present Renter of the Tolls to give up Possession.

LXXX. And whereas the before-mentioned Tolls or customary Dues payable at the present Bridge Gate to the Mayor and Citizens of *Chester*, on all Commodities brought into the said City for Sale, or when purchased taken out, are now let to *Robert Glynn Griffith* for the Term of Three Years from the Fifth Day of *July* One thousand eight hundred and twenty-four, at the annual Rent of Four hundred Pounds: And whereas it is herein-before provided, that the said Tolls or customary Dues shall cease from and after the passing of this Act; be it therefore enacted, That the said *Robert Glynn Griffith*, his Executors or Administrators, shall, within One Calendar Month after Notice to that Effect to him given, or left at his Dwelling House, quit and deliver up to the Commissioners acting under this Act the Possession of the Toll House at the present Bridge, with the Appurtenances; and the said Commissioners shall be and are hereby empowered and required, within Six Calendar Months after the passing of this Act, to agree for and to settle the Recompence fit and proper to be made to the said *Robert Glynn Griffith*, his Executors or Administrators, for and in respect of such Tolls or customary Dues so rented by him ceasing as aforesaid; and in case such Recompence cannot be settled by Agreement between the said Commissioners and the said *Robert Glynn Griffith*, his Executors or Administrators, then  
the



the said Commissioners shall be and are hereby empowered and required, within Two Calendar Months from and after the End of such Six Calendar Months, to proceed to assess the same by a Jury or Juries, in the same Manner and with the like Provisions as to the Payment of the Expence of such Jury and Witnesses, and taking the Verdict of such Jury, as herein-before directed in the Case of assessing the Amount of the Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments so directed to be purchased by this Act, and the Verdict of such Jury thereupon shall be binding on all Parties; and the said Commissioners acting under this Act are hereby authorized and required to cause the Sum of Money so settled, assessed, and determined by the Verdict of the said Jury, to be paid out of the Monies intended to be raised for the Purposes of this Act, to the said *Robert Glynn Griffith*, his Executors or Administrators, within One Calendar Month after such Verdict shall be obtained.

LXXXI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby fully authorized and required, to make Compensation to the Owners and Occupiers of the several Corn and other Mills adjoining or near to the present Bridge, and of the *Chester Waterworks*, and also of the Wharfs and Warehouses in *Skinner's Street*, for any Damage or Injury to be sustained by them respectively by obstructing the Current of the said River; or the Navigation thereof, by Payment of an annual Sum or Sums of Money for that Purpose during the first Seven Years next after the passing of this Act, and after the End or Expiration of the said Seven Years, then by Payment of a Sum or Sums in gross; and in case such Compensation by annual Payment or in gross cannot be settled by Agreement between the said Commissioners and such Owners and Occupiers respectively, then the said Commissioners shall be and are hereby empowered and required, within Three Calendar Months from the End of any one of the first Seven Years after the passing of this Act, as to such annual Compensation, and as to such Compensation in gross within Three Calendar Months from the End of the Eighth Year after the passing of this Act, to proceed to assess the same by a Jury or Juries, and with the like Provisions as to the summoning and to the Payment of the Expences of such Jury and Witnesses, and taking the Verdict of such Jury, and for punishing Persons guilty of wilful and corrupt Perjury, and with the like Directions as to the Payment of the Money to be awarded by such Jury or Juries, and the Application thereof, as herein-before directed and contained in the Case of assessing the Amount of the Monies to be paid for the Purchase of any Lands, Tenements, or Hereditaments directed to be purchased by this Act.

Commissioners to make Compensation to the Owners of the Dee Mills, and of Warehouses in Skinner's Street.

LXXXII. And be it further enacted, That it shall be lawful for the Commissioners for executing this Act, and they are hereby authorized and directed, with all convenient Speed after the passing of this Act, by and out of any Monies to be raised or borrowed on the Credit of this Act, to pay His Majesty's Commissioners acting under or by virtue of Four several Acts of Parliament, One passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled

Commissioners to pay 4,000*l.* for the Purchase of the Site of the present Church of St. Bridget.



- 58 G. 3. c. 45. *An Act for building and promoting the building of additional Churches in populous Parishes*; another passed in the Fifty-ninth Year of the Reign of
- 59 G. 3. c. 134. His said late Majesty King George the Third, intituled *An Act to amend and render more effectual an Act passed in the last Session of Parliament, for building and promoting the building of additional Churches in populous Parishes*; another passed in the Third Year of the Reign of His
- 3 G. 4. c. 72. present Majesty King George the Fourth, intituled *An Act to amend and render more effectual Two Acts, passed in the Fifty-eighth and Fifty-ninth Years of His late Majesty, for building and promoting the building of additional Churches in populous Parishes*; and another passed in the Fifth Year of the Reign of His said present Majesty
- 5 G. 4. c. 103. King George the Fourth, intituled *An Act to make further Provision, and to amend and render more effectual Three Acts, passed in the Fifty-eighth and Fifty-ninth Years of His late Majesty, and in the Third Year of His present Majesty, for building and promoting the building of additional Churches in populous Parishes*; the full Sum of Four thousand Pounds Sterling; such Sum to be paid either in One Sum or by Two yearly Instalments of Two thousand Pounds each, as to them the said Commissioners acting under this Act shall seem proper; such Sum of Four thousand Pounds to be considered as and for the Purchase of the Site of the present Parish Church of *Saint Bridget* within the said City of *Chester*, and of the Cemetery or Burial Ground belonging thereto, and to be applied by His Majesty's said Commissioners for building new Churches as after mentioned; and upon such Payment in full, or the first Instalment thereof being made, it shall be lawful for the Commissioners acting under this Act, immediately after the new Burial Ground herein-after provided for shall have been consecrated, but not until after the Consecration thereof, and they are hereby authorized and required, under the Direction of the Commissioners for building new Churches, to pull down and remove or cause to be pulled down and removed the said Parish Church of *Saint Bridget*, and all the Erections and Buildings belonging or attached thereto, (and for which Purpose it is hereby enacted, that the same Church and Buildings, and the said Materials, shall from thenceforth be vested in the said Commissioners acting under this Act), and to sell and dispose of the Materials thereof, or to convert and apply the same or any Part thereof in or towards building such new Church as herein-after is mentioned, in case His Majesty's said Commissioners for building new Churches shall so direct; and the said Commissioners acting under this Act shall also lay out and appropriate the Site of the said Parish Church so to be pulled down, and the Cemetery or Burial Ground belonging to the same, into and as and for Part of the said Public Street, Road, Way, or Avenue leading to the said intended new Bridge; and the same shall, from and after the Payment of the said Sum of Four thousand Pounds, and the inclosing and consecrating the new Burial Ground herein-after provided for, and the Removal of the Coffins and the Remains of the Bodies therein, be and is hereby vested in the Commissioners for executing this Act, and their Successors, for the Purposes hereof, and shall thenceforth and for ever be desecrated.

Monies  
arising from  
the Sale of

LXXXIII. And be it further enacted, That all the Monies to arise from the Sale of such Materials as aforesaid, after deducting all the Expences



Expences incidental to the pulling down and selling the same, shall be paid to His Majesty's Commissioners for building new Churches, to be applied in the same Manner as is hereby directed as to the said Sum of Four thousand Pounds hereby directed to be paid to them; and in case they the said Commissioners for building new Churches shall determine to use all or any Part of the aforesaid Materials in the building the new Church, then the Expence of pulling down and removing the same shall be paid for out of the said Sum of Four thousand Pounds hereby directed to be paid to them.

Materials to be paid to the Commissioners for building new Churches.

LXXXIV. And be it further enacted, That within Six Calenda<sup>r</sup> Months from the passing of this Act, the Custos Rotulorum of the County Palatine of *Chester* for the Time being shall convey in Fee Simple, and without any Consideration being paid for the same, to the said Commissioners for building new Churches, for the Purposes herein-after mentioned, all that Plot, Piece, or Parcel of Land or Ground situate and being in the Parish of *Saint Martin* and *Saint Mary-on-the-Hill*, or one of them, within the said County Palatine of *Chester*, and now belonging to the Inhabitants at large of the same County, and now untenanted, containing Two thousand one hundred and sixty-seven square Yards, or thereabouts, and bounded northwardly in Part by other Land belonging to the Inhabitants of the said County Palatine of *Chester*, and in other Part by the Gas Work Company's Garden, belonging to *John Hinks* Esquire, south-eastwardly by the intended new Street or Avenue from the said proposed new Bridge to *Bridge Street*, and westwardly by *Nuns Street*, together with all the Rights, Privileges, Members, and Appurtenances to the same belonging or appertaining, to the Intent that the same may thenceforth be appropriated and used as and for the Site of the said intended new Church of the said Parish of *Saint Bridget*, and for the Cemetery or Burial Ground to be attached or annexed thereto; such Conveyance to be made to the said Church Commissioners in the same Manner and Form as if the same had been purchased or acquired by them under the Powers and Authorities now or hereafter vested in them by any Act of Parliament which is now or may hereafter be in force.

Custos Rotulorum of the County of Chester may convey vacant Ground for the Site of a new Church and Cemetery.

LXXXV. And be it further enacted, That it shall be lawful for the said Church Commissioners, and they are hereby accordingly authorized and required to employ the said Sum of Four thousand Pounds to be paid to them as aforesaid, and the Produce of the Sale of the aforesaid Materials, and also any such Materials as aforesaid as they may select, in erecting and building on the said Piece or Parcel of Land or Ground herein-before described, and hereby directed to be conveyed and appropriated for that Purpose, or in a proper and convenient Part thereof, a new Church, with a Chancel and Vestry Room, fit and convenient for the Celebration of Divine Service, according to such Plan or Model, Elevation and Section, and of such Dimensions and Materials, and in such Manner as they shall in their Judgment think expedient, and in such and the same Manner and as if the same Church were built by the said Commissioners for building new Churches out of the Monies which have been placed at their Disposal for the building new Churches, so as that the Elevation of such

Commissioners for building new Churches to erect the new Church, &c.

Church



Church and Buildings be first approved of by the Lord Bishop of *Chester* for the Time being; and also by a Majority of His Majesty's Justices of the Peace of the said County Palatine of *Chester*, assembled at any Quarter Sessions of the Peace for the said County, or any Adjournment thereof, such Assent of the said Justices to be signified under the Hand of the Chairman of the said Quarter Sessions for the Time being; and also to make, erect, and set up in the same Church so to be built as aforesaid such Pews, Seats, and Galleries, and such Bells, Ornaments, and Conveniences as they the said Commissioners for building new Churches shall deem proper or necessary, in order that the said Church may be consecrated and set apart, and completely fitted up and furnished for the Celebration of Divine Worship therein, according to the Usage and Custom of the United Church of *England* and *Ireland*; and such Church, and the Cemetery thereof, when so built, completed, and consecrated (which it is hereby directed shall be done in the same Manner and as if the said Church were built under the Powers now vested in the said Church Commissioners), shall be and become, and for ever afterwards be deemed and taken to be the Parish Church and Churchyard or Cemetery of *Saint Bridget* aforesaid, in lieu of the said present Parish Church and Churchyard, and shall from and after such Consecration, for all Purposes and to all Intents whatsoever, be deemed Part of and situate within the said Parish of *Saint Bridget*, and within the said City of *Chester*, as if the present Parish Church had not been, pulled down, and the said new Church, Burial Ground, or Cemetery were the present Parish Church and Burial Ground or Cemetery of *Saint Bridget*: Provided always, that the Expences of erecting and fully completing the said new Church and Burial Ground, and all Avenues thereto, and all other Monies to be expended by the said Commissioners for building new Churches in pursuance of the Powers and Directions herein contained, shall not exceed the said Sum of Four thousand Pounds, together with the Value of such Materials as aforesaid, if so sold as aforesaid, and so directed to be paid to the said Commissioners for building new Churches, unless the Inhabitants of the said Parish of *Saint Bridget* shall agree in Vestry assembled to raise a further Sum for that Purpose, and which they are hereby authorized to do, and which shall be raised by a Rate or Rates in all respects as Church Rates are determined on and raised in the said Parish, and for which Purpose all such Rate or Rates which may be determined on at any Vestry or Meeting shall be raised and raisable in all respects as if the same were a Church Rate or Rates; all such Rate or Rates to be paid to the said Commissioners for building new Churches, to be applied by them in the same Manner as is before directed with respect to the said Sum of Four thousand Pounds.

Commissioners for building new Churches not liable for any Expences incurred in building the new Church, &c.

LXXXVI. Provided nevertheless, and be it further enacted, That nothing herein contained shall make the said Commissioners for building new Churches, or any of them, either in their individual or corporate Capacity, or the Funds placed at their Disposal for the Purposes of building new Churches, liable for any Losses, Costs, Damages, or Expences which may be incurred or sustained in the building the said new Church and Burial Ground, or otherwise in the Execution of the Powers contained in this Act, but that the Funds hereby provided



vided for the building the aforesaid new Church and Burial Ground shall be the only Funds applicable for such Purposes; and when and and so soon as the said new Church and the Cemetery thereto shall have been consecrated as aforesaid, as well Divine Service according to the Use and Liturgy of the United Church of *England and Ireland*, as also Banns of Marriage, Solemnization of Marriage, and the Administration of the Sacrament of the Lord's Supper, and Baptisms, Burials, and all other the Rites and Ceremonies of the United Church of *England and Ireland*, shall and may be performed, published, celebrated, solemnized, and administered from Time to Time, and at all Times thereafter, in the said new Church and Churchyard respectively, in as full and effectual a Manner as the same now is or are, or have heretofore been published, celebrated, solemnized, administered, and performed in the present Church and Churchyard respectively; and the Churchwardens for the Time being of the said Parish of *Saint Bridget* shall be invested with the Bells, Ornaments, Furniture, Books, Plate, Goods, and Chattels of the said new Church, and shall have the same Power and Authority in the said new Church, and the Churchyard thereof as aforesaid, as they now have in the present Church and Churchyard; and the said new Church and Chancel, and Churchyard or Cemetery thereof, and all Goods, Ornaments, and Requisites for Divine Service and Ceremonies therein, shall from Time to Time, and at all Times from and after the Consecration thereof, be supplied, supported, sustained, and kept in good and sufficient Repair and Condition by the same Ways and Means, and by the same Person and Persons, Bodies Politic or Corporate, and in like Manner as the present Church, Chancel, and Churchyard have heretofore been or ought to have been respectively supplied, supported, and kept in Repair.

LXXXVII. And be it further enacted, That His Majesty's Commissioners for building new Churches shall in all respects whatsoever, as regards the acquiring the said Site, the building the said new Church, and the Burial Ground there, and the consecrating the same, and the making all Provisions, Rules, Orders, and Regulations in anywise relating to the said new Church or Burial Ground, or otherwise incidental thereto, have all and every the Powers and Authorities which they have under and by virtue of any Act of Parliament in force, and the said new Church shall be considered in all respects as built under the Powers and Authority of the said Commissioners for building new Churches; and all the Provisions of the said several Acts as to the Removal of Tombstones and Monuments, and to Seats, Pews, or sitting Places, shall apply as if the same was a Church which the said Commissioners for building new Churches were, under the Authorities vested or to be vested in them as aforesaid, authorized to build, except so far as any such Powers or Authorities are inconsistent with or at variance with the Powers and Authorities herein contained: Provided always, that no Part of the present Church of *Saint Bridget* shall be pulled down, nor any Coffins or Bodies, or Relics thereof, be removed from the present Church or Churchyard, until the Consecration of the said intended new Burial Ground; and the Removal and Disposition thereof shall be subject to the Direction and Control of the Lord Bishop of *Chester* for the Time being; and

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New Church to be built under the Authority of the Commissioners for building new Churches.



until such Bodies or Remains shall be so removed, the present Church, Burial Ground or Cemetery, shall remain untouched and inclosed, and shall to all Intents and Purposes be considered as the Church and Churchyard of the said Parish, and shall not be vested in the said Commissioners hereby appointed for the Purposes aforesaid, until the Consecration of the said new Burial Ground.

Bodies may be removed from the old to the new Burial Ground by the Relatives &c. of deceased.

LXXXVIII. And be it further enacted, That it shall be lawful for the Heirs, Executors, and Administrators, Relations or Friends of any Person or Persons whose Bodies shall have been interred or deposited within the Walls of the present Parish Church of *Saint Bridget*, to remove and carry away the Remains of such Body or Bodies; and deposit the same in the said intended new Burial Ground, and again to remove and re-inter the same within the Walls of the said intended new Church, and in the same relative Situations, as far as Circumstances will admit of, as they were before placed in; provided that Vaults of Brick or Stone, properly arched over, be erected for the Reception of such Body or Bodies by the Party or Parties removing the same, and that such Body or Bodies be inclosed in Leaden Coffins; and that all the Expences attending the Removal of such Body or Bodies shall be paid and defrayed by the Commissioners acting in the Execution of this Act, by and out of the Monies to be by them received by virtue hereof.

Custos Rotulorum empowered to convey Lands for the new Street.

LXXXIX. And be it further enacted, That in order to enable the said Commissioners acting under this Act to form and make the said Avenue to the said intended new Bridge, and to the Gateway of the Castle of *Chester* from *Bridge Street* aforesaid, as hereby authorized to be made, it shall be lawful for His Majesty's Justices of the Peace of the said County Palatine of *Chester*, or any Five or more of them, to be assembled at any General Quarter Sessions of the Peace for the said County, or at any Adjournment thereof, and they are hereby required, to direct the Custos Rotulorum of the said County to convey in Fee Simple to the Commissioners acting under this Act, and their Successors, without Consideration, so much and such Parts of the Land or Ground situated and being within the said County of *Chester*, and between *Bunce Street* aforesaid and the City Walls of the said City of *Chester*, and now belonging to the Inhabitants at large of the same County, as shall be necessary for that Purpose; and the whole of such new Street, Avenue, or Approach from *Bunce Street* to the said City Walls shall be and remain within the said County Palatine of *Chester*.

Commissioners of His Majesty's Woods, Forests, &c. empowered to convey Land of His Majesty for the Approach to the Bridge.

XC. Provided always, and be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Woods, Forests, and Land Revenues, by and with the Consent of the Lords Commissioners of His Majesty's Treasury, signified by Warrant under the Hands of any Three or more of them, to convey, without Consideration for the same, to the Commissioners acting in the Execution of this Act, so much of the Estate belonging to His Majesty in the said City of *Chester* as may, in the Opinion of the said Lords Commissioners of His Majesty's Treasury, be necessary for forming the Approach to the said Bridge, and the Abutments and Embankments thereof.

XCI. Pro-



XCI. Provided also, and be it further enacted, That it shall be lawful for the Mayor, Aldermen, and Common Council of the said City of *Chester*, and they are hereby required, to convey to the said Commissioners acting under this Act, and their Successors, without any Consideration for the same, so much and such Parts of any waste or uninclosed Ground lying near to the said proposed new Bridge, now vested in them in Fee, as shall be necessary for the Purposes of this Act; and also permit and suffer the said Commissioners acting under this Act, their Servants and Workmen, to dig for and carry away any Stone, Earth, or Gravel from the said waste or uninclosed Grounds aforesaid, which may be necessary or required for the Erection of the said intended Bridge, and the Embankments thereof, or forming or making the necessary Roads, Avenues, and Approaches, without making any Charge for the same.

Mayor, &c.  
empowered  
to convey  
Lands to  
the Commis-  
sioners.

XCII. And be it further enacted, That it shall be lawful for His Majesty's Justices of the Peace of the said County of *Chester*, and they are hereby authorized and required, to direct the Treasurer of the Public Stock of the said County, out of the Money by him received or hereafter to be received from the Trustees of the said River *Weaver* Navigation, to advance and pay to the Commissioners for executing this Act the Sum of One thousand two hundred Pounds of lawful Money of *Great Britain*, either in One Sum or by Three annual Instalments of Four hundred Pounds each, to be laid out and applied by them in, for, and towards the making and forming the Roads, Ways, Streets, or Avenues to the said intended Bridge, and for other the Works and Purposes of this Act.

Magistrates  
of the County  
may advance  
1,200*l.* out of  
the Rates to-  
wards carry-  
ing the Act  
into Execu-  
tion.

XCIII. And whereas Damage may frequently be done to the Piers and other Works belonging to the present Bridge and intended new Bridge, by Ships and other Vessels, Rafts and Floats of Timber navigating under the same, owing to the Wilfulness or Negligence of the Masters or other Persons having or taking the Command, or the Care or Charge of such Ships and Vessels, Rafts and Floats of Timber; and it is reasonable that such Damage should be compensated; be it therefore enacted, That every Master, Mate, Pilot, or other Person having the Command, Care, or Charge of any Ship, Lighter, Barge, Boat, or Vessel, Raft or Float of Timber, by whose wilful Neglect or Mismanagement thereof any Damage shall be done or happen to any of the Piers or other Works belonging to the said Bridges, or either of them, shall pay for or make good all such Damage; and in case the Amount claimed shall not exceed the Sum of Twenty Pounds, all such Damage shall be recoverable before any Two Justices of the Peace for the City of *Chester*, who are hereby authorized and empowered to summon such Master or other Person having the Command or Charge of such Ships or other Vessels, Raft or Float, doing such wilful or negligent Damage as aforesaid, and to hear and determine the same, and ascertain such Damage; and if Judgment shall be given by them against such Master or other Person, then it shall be lawful for such Justices, or any other Justices of the Peace for the said City, and they are hereby authorized, by Warrant, under their Hands and Seals, to levy or cause to be levied the Sum or Sums awarded by them as the Amount of such Damage, and for that Purpose to seize and

Penalty on  
damaging  
the Bridge.

distrain



distrain the Ship, Lighter, Barge, Boat, or other Vessel, Raft or Float, doing such Damage as aforesaid, and any Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and the same to detain until the Sum of Money so awarded as aforesaid shall be paid; and in case the same shall not be paid for the Space of Seven Days after any Distress or Distresses so made or taken, then it shall be lawful to sell the same, or any Stores, Articles, or Things belonging to the same which may be sufficient in Value, and therewith to pay and satisfy the Money so awarded, together with the reasonable Costs and Charges in taking, keeping, and selling the same, rendering the Overplus (if any) to the Master or other Person entitled to the same on Demand; and in case the Money cannot be levied as aforesaid, then by Warrant to cause or commit such Master or other Person as aforesaid to be imprisoned in the Common Gaol or House of Correction of the said City of *Chester*, there to remain for any Time not exceeding Six Calendar Months, unless the Sum of Money so awarded shall be sooner paid; and the same, when levied in Manner aforesaid, shall go and be paid to the Treasurer for the Time being of the Commissioners acting in the Execution of this Act, to be applied to the Purposes of this Act.

In case of  
Nonpayment  
of Compens-  
ation for  
Damages, &c.

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



have sustained or be put unto by virtue of any such Warrant as aforesaid.

XCV. 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 said City of *Chester* or County Palatine of *Chester*, in case such Offence shall have been committed within the said County, either by the Confession of the Party or Parties offending, or by the Oath of One or more credible 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 said 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 upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice 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 is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, or Fines can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall 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 Common Gaol or House of Correction of such City or County, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid or satisfied.

Penalties and Forfeitures, how to be recovered.

XCVI. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Commissioners for executing this Act from Time to Time, if they shall see Cause, to pay and apply any Part of the Penalties, the

Informers to have Part of the Penalties.

[Local.]

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the



the said Penalties, Forfeitures, and Fines, or any One 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; any thing herein contained to the contrary thereof in anywise notwithstanding.

Compelling Witnesses to attend.

XCVII. 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, shall, on being paid or tendered a reasonable Sum of Money for his, her, or their Loss of Time, Costs, Charges, and Expences, 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 every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For securing transient Offenders.

XCVIII. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collectors and other Persons under this Act; be it further enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as they shall call to their Assistance, 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 of the Justice or Justices of the Peace for the County or Place where any such Offence shall be committed, without any other Warrant or Authority than this Act for so doing.

Conviction of Offenders.

XCIX. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice and 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.

to wit. } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord One thousand eight hundred and \_\_\_\_\_ *A. B.* is convicted before me, *C. D.* [or before us, *C. D. E. F.*] One [or Two] of His Majesty's Justices of the Peace for the County or City of *Chester* [specifying the Offence, and Time and Place when and where the same was committed, as the Case may 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.

C. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress



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; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage which he 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.

CI. 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 Abode, Ten Days before such Action shall have 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 the 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 full 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 be lawful 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.

Plaintiff not to recover without giving Notice, nor after Tender of Amends.

CII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of 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 Three 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 in which the Cause of Appeal shall arise (first giving Ten Days Notice of such Appeal to the Person or

Persons  
Allowing an Appeal.



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 such County, City, or Place, 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 the 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 Judgment or Determination, and may also order and award such further Satisfaction to be made to the Party injured as they shall judge reasonable.

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

CIII: And be it further enacted, That the said Commissioners may sue and be sued in the Name or Names, of any one or more of them, or in the Name of their Clerk for the Time being; and all Actions and Suits which may be necessary or expedient to be brought for the Recovery of any Penalty or Sum or Sums of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name or Names of any One or more of the said Commissioners, or in the Name of the Clerk to the said Commissioners for the Time being; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners by virtue or on account of this Act, in the Name or Names of any One or more of them, or in the Name of their Clerk, shall abate or be discontinued by the Death of any such Commissioner or Commissioners, or by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of any such Commissioner or Commissioners, or Clerk, done or suffered without the Consent or Direction of the Commissioners; but the said Commissioner or Commissioners, or the Clerk to the said Commissioners for the Time being, in whose Name, or Names any Action or Suit shall be commenced, prosecuted, or defended, shall be always deemed Plaintiff or Defendant in every such Action or Suit (as the Case may be), except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being; in which Action or Suit any One of the said Commissioners shall or may be Plaintiff or Defendant (as the Case may be): Provided always, that every such Commissioner or Commissioners, or Clerk, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Damages, Costs, Charges, and Expences as such Commissioner or Commissioners, or Clerk, shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein; and no such Commissioner or Commissioners, or Clerk, shall be personally answerable or liable for the Payment of the same, or any Part of the same, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought, or commenced without the Order or Direction of the said Commissioners, or any Five or more of them.



CIV. 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 Three Calendar Months next after the Fact committed; and every such Action or Suit shall be laid, brought, and tried in the Place where the Cause of Action shall arise, 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 such Action or Suit shall have been brought before Ten Days Notice shall have been given, or after a sufficient Satisfaction made and tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other Place than 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 full Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Case by Law.

Limitation  
of Actions.General  
Issue.

CV. And be it further enacted, That if the said Commissioners for executing this Act shall not within Seven Years from and after the passing of this Act complete the said Bridge, so as to make the same passable for Horses and Carriages, then and from thenceforth all and singular the Powers and Authorities vested in them by this Act, relating to the said Bridge, shall cease and determine to all Intents and Purposes whatsoever (save and except as to so much thereof as shall then have been completed).

The Bridge  
to be com-  
pleted in  
Seven Years.

CVI. And be it further enacted, That nothing herein contained shall extend or be construed to extend to alter, prejudice, lessen, defeat, or affect the Rights and Privileges of the Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River *Dee*, in any respect whatsoever, save and except as to the Power of getting Sand or Gravel from the Bed of the said River.

Saving the  
Rights of the  
Company of  
Proprietors  
of the *Dee*  
Navigation.

CVII. 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.

Public Act.



The SCHEDULE referred to by the foregoing Act,  
Of Houses and other Premises proposed to be purchased and used for the Purposes of this Act.

Where situate.	Description of Premises.	Names of Owners or reputed Owners.	Occupiers Names.
In the Parish of Saint Bridget, in the City of Chester	Saint Bridget's Church	Reverend Richard Massie	Minister.
Ditto	Shop, and Rooms over Counting House	{ John M. Kinlay } Thomas Clayton	Churchwardens.
Ditto	Dwelling House, Shop, and Offices	Mr. John Brown	Edward Hughes.
Ditto	Parts of Dwelling House, Outbuildings, and Yard	Ditto	Self.
Ditto	Carrier's Workshop, Closet, and Room over Two Dwelling Houses, Offices, and Yard	David Francis Jones, Esq.	John Ward.
Ditto	Dwelling House, Outbuildings, Offices, and Yard	Mr. Charles Worrall Leadbeater	Simeon Williams.
Ditto	Privies, Yard, &c.	Mr. Edward Roberts	Elizabeth Parry.
Ditto	Dwelling House, &c.	Ditto	Isabella Berry.
Ditto	Dwelling House, Yard, and Offices	Ditto	William Jones.
Ditto	Dwelling House, Yard, and Offices	Mrs. Wrench	Ditto, and others.
Ditto	Dwelling House, Yard, and Offices	Ditto	Untenanted.
Ditto	Dwelling House, Yard, and Offices	Ditto	Daniel Roberts.
Ditto	Dwelling House, Yard, and Offices	Ditto	Matthew Davies.
Ditto	Dwelling House, Yard, and Offices	Ditto	Anne Barnes.
Ditto	Dwelling House, Yard, and Offices	Ditto	Samuel Dod.
Ditto	Dwelling House, Yard, and Offices	Earl Grosvenor	Jane Davies.
Ditto	Coachmaker's Shop	Ditto	Robert Jones.
Ditto	Parts of Yard and Shed	Ditto	John Davies.
In the Parish of Saint Mary-on-the-Hill, in the City of Chester	Dwelling House, Offices, and Garden	Miss Ratcliffe	Richard Snelson.
In the said Parish of Saint Bridget, in the City of Chester	Public House, Yard, and Offices	Mrs. Mary Blower	Self.
Ditto	Dwelling House, Yard, &c.	Earl Grosvenor	Edward Davies.
In the said Parishes of Saint Bridget and Saint Mary-on-the-Hill, or one of them, in the City of Chester	Dwelling House, Yard, &c.	Ditto	Morris Williams.
Ditto	Dwelling House, Yard, and Offices	Ditto	John Price.
In the said Parish of Saint Bridget, in the City of Chester	Dwelling House, &c.	Mr. Samuel Oaks	John Williams.
Ditto	Dwelling House, Yard, &c.	Mrs. Humphreys	Robert Williams.
Ditto	Dwelling House, Yard, &c.	Ditto	Robert Hughes.



Where situate.	Description of Premises.	Names of Owners or reputed Owners.	Occupiers Names.
In the Parish of Saint Michael, in the City of Chester	Dwelling House, Yard, and Offices	Mr. John Baron	Self.
Ditto	Garden House and Part of Garden	Sir John Williams, Bart.	Dr. Cummins.
In the said Parish of Saint Mary-on-the-Hill, in the City of Chester	Dwelling House, Yard, and Offices	Hugh Roberts	Self.
Ditto	Dwelling House, Yard, and Offices	Samuel Davies	David Pugh.
Ditto	Dwelling House, Yard, and Offices	Mary Morris	Robert Leake.
Ditto	Dwelling House, Yard, and Offices	Mr. John Moss	William Parry.
Ditto	Dwelling House, Yard, and Offices	Paul Price	John Grindley.
Ditto	Dwelling House, Yard, and Offices	Richard Denson	Self.
Ditto	Dwelling House, Buildings, and Yard	Samuel Oaks	Self.
In the said Parish of Saint Mary-on-the-Hill, in the County Palatine of Chester	Yard and Buildings	The Custos Rotulorum of the County Palatine of Chester, in Trust for the Inhabitants of the said County	Samuel Oaks.
Ditto	Dwelling House, &c.	Ditto	Eleanor Salisbury.
Ditto	Land	Ditto	Untenanted.
In the said Parish of Saint Mary-on-the-Hill, in the City of Chester	Land	Reverend Thomas Davies	Untenanted.
Ditto	Kelp Mill, Buildings, and Land	The Dean & Chapter of Chester	Messrs. Hodson & Witter.
Ditto	Land	Reverend Thomas Davies	Untenanted.
In the Parish of Saint Martin, in the City of Chester	Part of Garden	John Hinckes, Esq.	Gas Light Company.
In the said Parishes of Saint Martin and Saint Mary-on-the Hill, in the County Palatine of Chester	Land	The Custos Rotulorum of the County Palatine of Chester, in Trust for the Inhabitants of the said County	Untenanted.
In the said Parish of Saint Mary-on-the Hill, in the County Palatine of Chester	Land	Ditto	Mr. Dunstan.
In the said Parish of Saint Mary-on-the-Hill, in the County of the City of Chester	The City Wall	The Corporation of Chester	Untenanted.
Ditto	Land	The King	William Jones.
Ditto	Land	The Corporation of Chester	Ditto.
Ditto	The River Dee	—	—



Where situate.	Description of Premises.	Names of Owners or reputed Owners.	Occupiers Names.
In the said Parish of Saint Mary-on-the-Hill, in the County of the City of Chester	Land	The Corporation of Chester	Untenanted.
Ditto	Part of a Garden	James Bingley.	Self
Ditto	Part of a Garden	James Mainwaring, Esq.	Thomas Weaver.
Ditto	Dwelling House, Offices, and Garden	John Edwards, Esq.	Thomas Speed.
Ditto	Dwelling House, Offices, Garden, and Land	Ditto	William Davies.
Ditto	Dwelling House, Offices, &c.	Ditto	Edward Jones.
Ditto	Dwelling House, &c.	Ditto	{ Late Thomas Forster, now untenanted.
Ditto	Dwelling House, &c.	Ditto	Untenanted.
Ditto	Dwelling House, &c.	Ditto	Thomas Price.
Ditto	Dwelling House, Outbuildings, Offices and Garden Ground	Ditto	John Phillips.
Ditto	Dwelling House and Buildings	Rebekah Shone	Self.
Ditto	Dwelling House and Buildings	Edward Phillips	Joseph Wainwright.
Ditto	Dwelling House, Offices, and Garden Ground	John Edwards, Esq.	Thomas Whittakers.
Ditto	Garden Ground	Ditto	Samuel Saunders.
Ditto	Garden Ground	Ditto	John Rogers.
Ditto	Dwelling House, Offices, and Garden	Ditto	Richard Bellis.
Ditto	Dwelling House, Buildings, Offices, and Garden	Ditto	Randle Bellis.
Ditto	Land	The Corporation of Chester	Untenanted.
Ditto	Dwelling House, Garden, &c.	John Edwards, Esq.	John Bellis.
Ditto	Garden Ground	Ditto	Thomas Davies.
Ditto	Dwelling House, Offices, Garden, &c.	Earl Grosvenor	Joseph Vaughan.
Ditto	Dwelling House, Offices, Garden, &c.	Ditto	Edward Price.
Ditto	Dwelling House, Offices, Garden, &c.	Ditto	Griffith Jones.
Ditto	Dwelling House, Offices, Garden, &c.	Ditto	Samuel Fairbrother.
Ditto	Dwelling House, Offices, &c.	Mr. Joseph Jones	Anna Acton.
Ditto	Dwelling House, Buildings, &c.	Ditto	John Cotgreave.
Ditto	Dwelling House, Buildings, &c.	Ditto	William Davies.
Ditto	Dwelling House, Buildings, &c.	Ditto	Michael Gerrard.
Ditto	Dwelling House, Buildings, &c.	Ditto	Samuel Saunders.
Ditto	Dwelling House, Buildings, &c.	Ditto	Thomas Price.
Ditto	Dwelling House, Buildings, &c.	Ditto	Thomas Davies.
Ditto	Dwelling House, Buildings, &c.	Ditto	Edward Thomas.
Ditto	Dwelling House, Buildings, &c.	Ditto	Thomas Ridgway.
Ditto	Dwelling House, Buildings, &c.	Ditto	George Worrall.