



ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. xvii.

An Act for the altering, widening, and rebuilding a Bridge across the River *Severn* at *Stourport* in the County of *Worcester*, and for making further Provisions with respect to the said Bridge.

[29th *May* 1868.]

WHEREAS by an Act passed in the Thirteenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for building a Bridge across the River Severn near Redstone in the County of Worcester, and for making proper Avenues and Roads to and from the same, and for making Satisfaction to the Proprietors of a Ferry across the said River at Redstone aforesaid*, certain Persons were constituted Trustees, and empowered to construct the said Bridge, and levy Tolls for the Use of the same, and to acquire the said Ferry and close the same, and at such Times as the said Bridge might become dangerous or impassable to provide a proper and convenient Ferry across the said River as near to the said Bridge as conveniently might be, and to levy Tolls for the Use thereof, and for the Purposes of the said Act now in recital to borrow any Sum or Sums of Money on the Security of the said Tolls not exceeding in the whole the Sum of Seven thousand Pounds: And whereas the said Trustees have under the Authority of the recited Act from Time to Time borrowed various Sums of Money amounting in the whole to Six thousand and ten Pounds: And whereas by an

[*Local.*] *R r* Act

13 G 3.
c. 113.

*Stourport Bridge Act, 1868.*35 G. 3.
c. cviii.

Act passed in the Thirty-fifth Year of the Reign of His said Majesty King George the Third, intituled *An Act for amending an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled 'An Act for building a Bridge across the River Severn near Redstone in the County of Worcester, and for making proper Avenues and Roads to and from the same, and for making Satisfaction to the Proprietors of a Ferry across the said River at Redstone aforesaid,' and for enabling the Trustees for executing the said Act to rebuild the said Bridge,* the Tolls granted by the first-recited Act were repealed, and the said Trustees were authorized to rebuild the said Bridge and to levy other Tolls in lieu of those so repealed, and to borrow on Security of such last-mentioned Tolls any further Sum or Sums of Money for the Purposes of the said recited Act and the Act now in recital, not exceeding in the whole the Sum of Ten thousand Pounds, including the Money then already borrowed as aforesaid: And whereas the said Trustees, under the Authority and for the Purposes of the last-recited Act, borrowed various Sums of Money amounting in the whole to Three thousand Pounds, and rebuilt the said Bridge: And whereas the said Trustees have from Time to Time paid off Portions of the Money so borrowed as aforesaid, and there now remains due and owing on the Security of the said Tolls the Sum of Five hundred and ten Pounds, and no more: And whereas the existing Bridge, by reason of the Decay of Parts thereof, is insecure and unfit for Traffic, and it is expedient that the said Trustees should be empowered to take down and remove and to rebuild the same Bridge or some Part thereof: And whereas the existing Bridge, by reason of the Narrowness of the Roadway and the Steepness of the Gradients thereof, is inconvenient for public Traffic, and it is expedient that the said Trustees should be empowered to alter the Levels of, widen, and otherwise improve the said Bridge, and such Part thereof as shall be rebuilt, and the Approaches thereto: And whereas it is expedient that further Provisions should be made with respect to the providing, maintaining, and working a Ferry during the Alteration and rebuilding of the said Bridge, and at such other Times as the Passage over the existing or any new Bridge in lieu thereof may be interrupted: And whereas for the Purposes aforesaid it is expedient that the said Trustees be empowered to raise the further Sum of Ten thousand Pounds: And whereas it is expedient that the said Trustees should be empowered to create a Reserve Fund, and that further Provision should be made with respect to the Management of the said Bridge: And whereas Plans and Sections of the intended Bridge and Works showing the Lines and Levels thereof, the Plans also showing the Lands to be taken for the Purposes of this Act, and Books of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the

Lands,

Stourport Bridge Act, 1868.

Lands, have been deposited with the Clerk of the Peace for the County of *Worcester*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: (that is to say,)

1. This Act may be cited for all Purposes as the "*Stourport Bridge Act, 1868.*" Short Title.

2. In this Act—

The Expression "the recited Acts" means the Two Acts herein-before recited:

The Expression "the First Act" means the Act firstly herein-before recited:

The Expression "the Second Act" means the Act secondly herein-before recited:

The Expression "the River" means the River *Severn*:

The Word "Carriage" means any Vehicle of what Nature soever made or used for the Conveyance of Persons along any Road, and also Hearses and Breaks:

The Word "Cart" means any Vehicle of what Nature soever made or used for the Conveyance of any Goods, Articles, Chattels, or Things along any Road, and also any agricultural Machine or Implement:

The Word "Driver" means the Driver, Conductor, Waggoner or Carter of any Carriage, Cart, Engine, or Locomotive:

The Expression "Superior Courts" or "Courts of competent Jurisdiction," or other like Expression, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute:

And in this Act and also in the recited Acts, unless there be something in the Subject or Context repugnant to such Construction,

The Expressions "the Bridge" and "the said Bridge" mean respectively the existing Bridge across the River *Severn* at *Stourport*, or any Bridge to be erected in lieu thereof, together with the Land, Arches, or Openings thereof:

The Word "Ferry" means any Ferry from Time to Time provided by the Trustees during the closing of the Passage of the Bridge:

The Word "Tolls" means the Tolls authorized to be levied by the Second Act, together with any Tolls by this Act authorized to be levied:

Interpreta-
tion of
Terms.

The

Stourport Bridge Act, 1868.

The Words "Toll Gate" and "Turnpike" respectively mean all Toll Gates, Turnpikes, Bars, Posts, and Chains from Time to Time continued or set up by the Trustees upon, across, or by the Side of the Bridge and Ferry, or either of them, or any Approach thereto respectively :

The Expression "the Trustees" means the Trustees for the Time being acting in the Execution of the recited Acts or this Act, or either of them.

Repeal of
Part of
35 G. 3.
c. cviii.

3. So much of the Second Act as enacts that when the several Works directed to be done by the recited Acts should be finished and completed, and the Principal Money which shall have been borrowed on the Credit of the said recited Act and this Act should be reduced to the Sum of Three thousand Pounds, that then the said Toll of One Penny thereby charged on Foot Passengers should cease and be no longer paid, is hereby repealed.

Trustees to
carry Act
into execu-
tion.

4. This Act shall be carried into execution by the Trustees.

Provisions of
recited Acts
extended to
this Act
except as
hereby
altered.

5. All the Powers and Provisions contained in the recited Acts or either of them (so far as the same are now unrepealed, and except such of them or such Parts thereof respectively as are by this Act repealed, altered, or otherwise provided for, or as are inconsistent with the Provisions of this Act,) shall, in such Manner as the same may be altered, extend to this Act and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually to all Intents and Purposes as if the same Powers and Provisions were re-enacted (so altered as aforesaid) in this Act with reference to such Purposes, Matters, and Things, and the recited Acts and this Act shall as to all Matters and Things whatsoever, except as aforesaid, be read and construed together as One Act.

Power to
make Works
according to
deposited
Plans.

6. Subject to the Provisions of this Act, the Trustees may make and maintain in the Line and according to the Levels shown on the deposited Plans and Sections all or any of the Works hereinafter described, and may enter upon, take, and use such of the Lands delineated on the said Plans and described in the deposited Books of Reference as may be required for that Purpose.

Works
which may
be made.

7. The Works herein-before referred to and authorized by this Act are the following :

The altering, widening, strengthening, and improving the Bridge, and the altering the Levels thereof :

The taking down and removing the Bridge or any Part thereof :

The rebuilding the Bridge or any Part thereof, either in the Site of the present Bridge, or in any other Situation within the Limits of lateral Deviation :

The

Stourport Bridge Act, 1868.

The improving and widening the Approaches to the Bridge, and the altering the Lines and Levels of such Approaches :

The providing and maintaining a Ferry at or near the Bridge, with all Landing Places, Stages, Piers, Boats, Approaches, and Works necessary or convenient for the User of such Ferry :

All such Piers, Abutments, Walls, Posts, Dams, Embankments, Piling, Scaffolding, Centreing, Levelling, Scouring, and other Works and Conveniences in or across the said River *Severn*, or on the Banks or Shores thereof, as may be necessary for the Purposes of or in connexion with the Bridge and Ferry; or either of them, and the Approaches thereto respectively :

All such temporary Roads upon any of the Lands delineated on the said Plans as the Trustees deem necessary for the Accommodation of the Traffic during the rebuilding or repairing of the Bridge, or the working of the Ferry : Provided always, that no Landing Place, Stage, Pier, Abutment, Wall, Post, Dam, Embankment, Piling, Scaffolding, Centreing, or other Works or Conveniences (other than those temporarily required in taking down and removing the present Bridge, and rebuilding or in repairing and maintaining the Bridge,) shall, in exercise of any Powers given by the First Act or the Second Act or this Act, be erected or put in the Waterway or Course of the River as shown on the deposited Plans and Sections.

8. And with reference to the Works temporarily required in taking down and removing the present Bridge and rebuilding the Bridge, or in repairing and maintaining the Bridge, the following Provisions shall be applicable :

Temporary Works.

- (1.) All the temporary Works shall be so arranged as to cause as little Obstruction and Inconvenience as possible to the Navigation of the River :
- (2.) Two Openings or Waterways shall be left between the Uprights of the temporary Works for the Passage of Vessels at all Times from the Commencement of the Works until the Completion thereof :
- (3.) One of such Openings shall be at least Forty Feet in Width and Eighteen Feet in Height above the ordinary Water Level, and shall be in the Centre of the River, and the other of such Openings shall be at least Thirty Feet in Width, and in Height to within Two Feet of the Soffit of the intended Arch across the River at that Part of the River, and the last-mentioned Opening shall be in such Position between the central Opening and the Towing Path as may by the *Severn* Commissioners or their Engineer be deemed best suited for the Traffic of the River :

[*Local.*]

S s

(4.) The

Stourport Bridge Act, 1868.

- (4.) The Plans of all the temporary Works which the Trustees may desire to construct in the present Waterway or Course of the River shall, before the same are commenced, be submitted to the *Severn* Commissioners or their Engineer for Approval:
- (5.) The taking down and Removal of the present Bridge shall be completed, and all the temporary Works hereby authorized removed from the Waterway or Course of the River, within Three Years from the Commencement of the Works:
- (6.) All Works required for repairing or maintaining the Bridge shall be prosecuted with all reasonable Expedition.

Trustees to pay the *Severn* Commissioners for all Damage to be done to the Navigation.

9. In case at any Time during the taking down or Removal of the present Bridge, or the rebuilding of the Bridge, or in repairing or maintaining the same, or after the same shall be completed, any Obstruction or Injury shall be done or occasioned thereby to the Navigation of the River, then and in every such Case it shall be lawful for the *Severn* Commissioners to take and use all necessary Ways and Means for removing such Obstruction and repairing such Injury, and all Expenses occasioned by such Removal or Repairs, with all Damages sustained by reason thereof, shall from Time to Time be paid and defrayed by the Trustees to the *Severn* Commissioners, and in default of Payment thereof, on Demand made upon the Treasurer or any Officer of the Trustees, the *Severn* Commissioners may sue for and recover the same, together with Costs of Suit, by Action or other Proceeding in any Court of competent Jurisdiction.

Errors in deposited Plans, &c. may be corrected by Justices, who shall certify the same.

10. If there shall be any Omission, Mis-statement, or wrong Description of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, shown on the deposited Plans or specified in the deposited Books of Reference, the Trustees, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands in question, may apply to Two Justices of the County in which the Lands lie for the Correction thereof, and if it appears to the Justices that the Omission, Mis-statement, or wrong Description arose from Mistake they shall certify the same accordingly, and they shall in the Certificate state the Particulars of the Omission, Mis-statement, or wrong Description.

Certificate of Correction to be deposited.

11. The Certificate of the Justices shall be in Duplicate, and One Part thereof shall be deposited with the Clerk of the Peace for the County of *Worcester*, and a Duplicate thereof with the Parish Clerk of the Parish in which the Lands in question lie, and the Certificates and Duplicates respectively shall be kept by the Clerk of the Peace and the Parish Clerk respectively with the other Documents to which the same shall relate, and thereupon the deposited Plans and Books

Stourport Bridge Act, 1868.

Books of Reference shall be deemed to be corrected in accordance with the Certificate, and the Trustees may execute the Works in accordance with the Certificate.

12. In making the Bridge, Approaches, and Works the Trustees may deviate from the Lines thereof shown on the deposited Plans to any Extent within the Limits of Deviation shown thereon; provided that no such Deviation shall extend into the Lands of any Person whose Name is not stated in the Books of Reference without his previous Consent, unless his Name is omitted by Mistake, and the Fact that the Omission proceeded from Mistake be certified as by this Act is in that Behalf provided.

Power to deviate laterally within Limits of Deviation on Plans, but not into the Lands not mentioned in Book of Reference without Consent.

13. In making the Bridge and Works the Trustees may deviate from the Levels thereof shown on the deposited Sections to any Extent not exceeding Five Feet; provided always, that the Span of the Arch across the River and the Soffit of the same Arch shall not be less in Width and Height respectively than marked on the deposited Plans and Sections.

Power to deviate vertically from Levels on Sections.

14. The Trustees may from Time to Time in or upon any Lands within the Limits of Deviation deposit and work Materials for building and repairing the Bridge, or the Landing Places for the Ferry, or the Approaches thereto respectively, and make any temporary Erections necessary for constructing or repairing the Bridge, doing as little Damage as may be, and making Satisfaction for such Damage to the Owners and Occupiers of such Lands in manner provided for by the First Act with respect to the making Satisfaction for Damage caused by the Surveyor of the Trustees taking Materials from private Grounds.

Materials may be deposited on Lands within Limits of Deviation.

15. The Trustees may from Time to Time cause Lamp Irons or Lamp Posts to be put up and affixed upon or along the Sides of the Bridge, Approaches, and Works, and the Approaches and Landing Places of the Ferry, and may cause such Lamps to be provided and affixed to such Lamp Irons or Lamp Posts as they think fit for lighting the Bridge, Approaches, and Works, and the Landing Places and Approaches of the Ferry, or any Part thereof respectively, and may cause such Lamps to be lighted as and when they think proper.

Power to fix Lamps, &c. on the Bridge.

16. During the taking down and Removal of the present Bridge and the Construction of the new Bridge and Works connected therewith the Trustees shall cause to be hung out or exhibited in some convenient Position thereon every Night, from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense

Trustees to provide Light during Removal of present Bridge and Construction of

Stourport Bridge Act, 1868.

of new one,
and ever
afterwards
maintain
same.

of the Trustees, for the Navigation and safe Guidance of Vessels, and for ever after the Completion of the said Bridge the Trustees shall cause to be hung out or exhibited upon or near to the Centre of the said Bridge every Night, from Half an Hour after Sunset to Half an Hour before Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Trustees, for the Navigation and safe Guidance of Vessels, and such Lights shall be from Time to Time altered by the Trustees in such Manner, and be of such Description, and be so used and placed, as the *Severn* Commissioners shall by Writing under the Hand of their Clerk for the Time being approve of; and in case the Trustees shall neglect to exhibit and keep such Light burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Five Pounds, to be recoverable, with Costs of Suit, as a Penalty is or may be recoverable from the Trustees, or by Action or other Proceeding in any Court of competent Jurisdiction.

Power to
contract for
lighting the
Bridge.

17. The Trustees and any Company or Person may from Time to Time contract together for the lighting the Bridge, Approaches, and Works, and the Landing Places and Approaches of the Ferry, with Gas, Oil, or otherwise, and for the providing and setting up Lamp Posts, Lamp Irons, Lamps, and other Conveniences for the Purpose.

Shareholders
in Joint
Stock Com-
panies not
disqualified
as Trustees
by reason of
Contracts.

18. No Person being a Shareholder or Member of any Joint Stock Company shall be disqualified or prevented from acting as a Trustee in the Execution of this Act by reason of any Contract entered into between such Joint Stock Company and the Trustees.

Power to
dispose
of old
Materials.

19. The Trustees may from Time to Time sell or dispose of all such Materials removed from the Bridge and Ferry and the Approaches thereto, and the Toll Gate and Toll House and Works connected therewith respectively, as may not be required for the Purposes of this Act.

Power to
borrow
Money on
Mortgage.

20. The Trustees may from Time to Time borrow on the Security of the Tolls any Sum or Sums of Money which they may require for the Purposes of this Act or the recited Acts, or either of them, not exceeding in the whole Ten thousand Pounds, exclusive of the Money now due by them on Mortgage; and the Mortgagees under this Act shall have the same Rights, Remedies, and Powers for enforcing Payment of their Principal and Interest as are given to the Mortgagees under the recited Acts by such recited Acts.

Existing
Mortgages
to have
Priority.

21. All Mortgages granted by the Trustees in pursuance of the Powers of the recited Acts before the passing of this Act, and which shall

Stourport Bridge Act, 1868.

shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages have Priority over any Mortgages to be granted by virtue of this Act.

22. If the Trustees pay off any Part of any Money borrowed by them under the Authority of this Act, or of either of the recited Acts, and remaining unpaid at the passing of this Act, they may reborrow the same, and so from Time to Time. Power to reborrow.

23. If the Trustees can at any Time borrow or take up any Sum of Money at a lower Rate of Interest than any Securities given by them and then in force shall bear, they may borrow such Sum at such lower Rate as aforesaid in order to pay off and discharge the Securities bearing such higher Rate of Interest, and may charge the Tolls or any Part thereof with Payment of such Sum and such lower Rate of Interest in such Manner and subject to such Regulations as are herein contained, or as are at the passing of this Act in force under the Authority of the recited Acts, or either of them, with respect to other Monies borrowed on Mortgage or Assignment in Security. Power to borrow Money at a lower Rate of Interest to pay off Securities at a higher Rate.

24. The Trustees may, if they think proper, fix a Period for the Repayment of all Principal Monies borrowed under the Provisions of this Act, with the Interest thereof, and in such Case they shall cause such Period to be inserted in the Mortgage Deed or Assignment in Security, and upon the Expiration of such Period the Principal Sum, together with the Interest accrued thereon, shall, on Demand, be paid to the Person entitled to receive the same, and if no other Place of Payment be inserted in such Deed, such Principal and Interest shall be payable at the Office of the Clerk for the Time being of the Trustees. Repayment of Money borrowed at a Time and Place agreed upon.

25. The Trustees may receive from any Person or Body Corporate, lay or ecclesiastical, legally entitled to give the same, such Sum or Sums of Money as any such Person or Body may be willing to give for the Purpose of paying off any Debt which may be incurred by the Trustees in repairing, rebuilding, or maintaining the Bridge, Approaches, and Works connected therewith, or to or for the Creation of a Reserve Fund, or the increasing any existing Reserve Fund created by the Trustees (such Reserve Fund to be applied as herein-after mentioned), and the Trustees shall apply such Money either in the Payment or Part Payment of the Debts so incurred in respect of the Bridge, Approaches, and Works, or shall create or increase (as the Case may be) such Reserve Fund by investing such Money in the Purchase of Exchequer Bills or other Government Securities, Trustees may receive Money to rebuild or repair Bridge or create a Reserve Fund.

[Local.]

T t

Securities,

Stourport Bridge Act, 1868.

Securities, and accumulate the Dividends, Interest, and annual Income thereof by way of Compound Interest by the investing the same and the resulting Income thereof from Time to Time in and upon the like Investments.

Application
of borrowed
Monies.

26. All Monies raised under this Act shall be applied for the Purposes of this Act and the recited Acts, or One of them.

Period for
compulsory
Purchase
of Lands.

27. The Powers of the Trustees for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for
Completion
of Works.

28. The Works authorized by this Act (except as herein-after provided) shall be completed within Three Years from the passing of this Act, and if the same Works shall not be completed within that Period then on the Expiration thereof the Powers by this Act granted to the Trustees for making and completing the same Works shall cease to be exercised, except as to so much thereof as shall then be completed: Provided always, that this Enactment shall not extend to any Works necessary for the Accommodation of the Traffic during the repairing of the Bridge.

Tolls on
Locomotives.

29. The Trustees may from and after the passing of this Act demand and take for every Locomotive, and for every Cart or Carriage drawn or propelled by such Locomotive, such Tolls as are authorized by "The Locomotive Act, 1861."

Power to
stop Persons
failing to
pay Toll.

30. The Tolls shall be paid before any Person, Animal, Cart, Carriage, Engine, or Locomotive, or other Vehicle, shall be permitted to pass through any Toll Gate, and if any Person subject under this Act to the Payment of any Toll after Demand made thereof by any Collector appointed to receive the same fail to pay the Toll, the Collector by himself or taking such Assistance as he thinks necessary may stop and prevent the Passage of the Person so failing to pay the said Toll.

For settling
Disputes
concerning
Tolls and
Distresses.

31. If and whenever any Dispute arises respecting the Amount of Toll due, or the Charges of making, keeping, or selling any Distress for Nonpayment of Toll, the Person distraining may retain the Distress or the Money arising from the Sale thereof until the Amount of the Toll due and of the Charges be ascertained by a Justice or Justices who, on Application made to him or them for the Purpose, may determine the Matter in dispute, and may also award such Costs to be paid by either Party to the other Party as to the Justice or Justices seem reasonable.

32. During

Stourport Bridge Act, 1868.

- 32.** During the Continuance of any Lease of the Tolls the Lessees shall be deemed Collectors of the Tolls leased to them, and shall have the same Powers for collecting and recovering the Tolls so leased, and be subject to the same Rules, Duties, and Penalties in reference thereto, as if they were Toll Collectors appointed under the recited Acts or either of them. Lessees of Tolls to be deemed Collectors.
- 33.** On the Determination of any Lease of the Tolls any Justice, on Application made by the Trustees, may order any Constable with proper Assistance to enter in the Daytime any Toll House, Office, or other Building, and remove therefrom the Lessees or other Persons found therein with their Goods, and take possession of the Toll House, Office, or Building, with its Appurtenances, and of all Property of the Trustees found therein, and deliver the same to the Trustees, or to any Person appointed by them to receive the same. Removal of Lessees on Determination of Lease.
- 34.** If and whenever any Toll Collector dies, or fails to perform or becomes incapable of performing his Duty, or absents himself, the Trustees or the Lessees of the Tolls may remove the Toll Collector so in default, and may appoint some fit Person to be Toll Collector in the Stead of the Toll Collector deceased or so in default. Removal of Toll Collector.
- 35.** A Certificate in Writing under the Hands of the Trustees or the Lessees of the Tolls or their respective Agent of the Appointment or Removal of any Toll Collector shall for all Purposes be sufficient Evidence of the Fact thereby certified. Evidence of Appointment and Removal of Toll Collector.
- 36.** No Cart, Carriage, Engine, or Locomotive shall be allowed to come upon or pass along the Bridge or Approaches thereto with a greater Weight than Twenty Tons, including the Weight of such Cart, Carriage, Engine, or Locomotive, without the special Permission of the Trustees or their Clerk first obtained in Writing, under a Penalty not exceeding Five Pounds, to be paid by the Owner of such Cart, Carriage, Engine, or Locomotive to the Trustees for every Time such Cart, Carriage, Engine, or Locomotive shall come upon or pass along the Bridge or Approaches thereto with such greater Weight as aforesaid. Limiting Weights passing over Bridge.
- 37.** The Trustees shall not be bound to carry across the Ferry any Cart, Carriage, Engine, or Locomotive with a greater Weight than Five Tons, including the Weight of such Cart, Carriage, Engine, or Locomotive. Limiting Weights to be ferried.
- 38.** The Trustees may erect at, upon, or near the Bridge, or at such Distance therefrom as they think fit, One or more Weighing Bridges Power to provide Weighing Machine.

Stourport Bridge Act, 1868.

Bridges or Weighing Machines proper for the weighing of Carts, Carriages, Engines, and Locomotives.

Carts, &c.
may be
weighed.

39. The Keeper of the said Weighing Bridge or Machine or of the Toll Gate of the Bridge, or any other Person appointed by the Trustees or their Lessee, may require every Driver of any Cart, Carriage, Engine, or Locomotive which shall come upon or pass along the Bridge or either Approach thereto, or either Approach to the Ferry, to be weighed at such Weighing Bridge or Machine as aforesaid, and if the Driver or Owner of any such Cart, Carriage, Engine, or Locomotive shall refuse to allow the same to be so weighed, or shall resist the Keeper of the said Weighing Bridge, Machine, or Toll Gate or the Toll Collector in weighing the same, the Driver or Owner so refusing or resisting shall forfeit and pay to the Trustees any Sum not exceeding Five Pounds.

Application
of Tolls.

40. The Tolls shall be applied as follows; (that is to say,)

First, in maintaining, lighting, and cleansing the Bridge and the Approaches thereto, and the Works connected therewith respectively, and the Ferry and the Approaches thereto, and the Works connected therewith respectively, at such Times as such Ferry is used under the Provisions of this Act or the recited Acts, or either of them, and in paying all the Expenses of Management of the Bridge and Ferry, or either of them:

Secondly, in paying the Interest due or to accrue due on Mortgages created under the Authority of the recited Acts or either of them, and subsisting at the passing of this Act:

Thirdly, in paying the Interest on such Mortgages as hereafter may be created under the Authority of this Act:

Lastly, the Residue of such Tolls shall be invested from Time to Time in and upon such Securities as aforesaid, and accumulated by way of Compound Interest in manner aforesaid, and form a Reserve Fund or increase any existing Reserve Fund to be applied as herein-after directed.

Application
of Capital of
Reserve
Fund.

41. The Capital of the Reserve Fund shall be applicable from Time to Time to the paying off the Monies borrowed under the Authority of the recited Acts and this Act, or any or either of them, or to the defraying any extraordinary Expenses and Repairs of the Bridge and the Approaches thereto and the Works connected therewith.

Application
of Income
of Reserve
Fund.

42. So soon as the Reserve Fund shall have amounted to the Sum of One thousand Pounds the Trustees may, if they think fit, apply the whole or Part of the Dividends, Interest, and annual Produce of the

Stourport Bridge Act, 1868.

the same Fund to the paying the Costs and Expenses of maintaining, repairing, lighting, and managing the Bridge and the Approaches thereto and the Works connected therewith, and to the providing, maintaining, lighting, working, and managing the Ferry and the Approaches thereto and the Works connected therewith.

43. When and so soon as the Monies borrowed under the Authority of the recited Acts or either of them and of this Act shall have been repaid, and the Reserve Fund shall amount to the Sum of Five thousand Pounds, then and so long as the Interest, Dividends, and annual Produce of the Reserve Fund shall be sufficient for paying the Costs and Expenses of maintaining, repairing, lighting, and managing the Bridge and the Approaches thereto and the Works connected therewith, or of providing, maintaining, working, lighting, and managing the Ferry and the Approaches thereto and the Works connected therewith, the Bridge and Ferry shall be used Toll-free.

When the Bridge to be Toll-free.

44. The Trustees may from Time to Time make such Byelaws as they think fit for the Purpose of regulating the Conduct of the Officers and Servants of the Trustees, and for providing for the due Management of the Affairs of the Trustees, and may from Time to Time alter or repeal any such Byelaws and make others, provided such Byelaws be not repugnant to the Laws of *England* or to the Provisions of this and the recited Acts, and such Byelaws shall be reduced into Writing, and shall be signed by the Trustees or any Two of them, and a Copy of such Byelaws shall be given to every Officer and Servant of the Trustees affected thereby.

Power to make Byelaws for regulating the Conduct of the Officers, &c. of the Trustees.

45. The Trustees may by such Byelaws impose such reasonable Penalties upon all Persons being Officers or Servants of the Trustees offending against such Byelaws as the Trustees think fit, not exceeding Five Pounds for any One Offence.

Fines for Breach of such Byelaws.

46. All the Byelaws to be made by the Trustees shall be so framed as to allow the Justice or the Sheriff before whom any Penalty imposed thereby may be sought to be recovered to order a Part only of such Penalty to be paid, if such Justice or Sheriff shall think fit.

Byelaws to be so framed as that Penalties may be mitigated.

47. A printed or written Copy of the Byelaws purporting to be signed by the Clerk of the Trustees shall be *primâ facie* Evidence of such Byelaws, without Proof of the Signature of the said Clerk.

Evidence of Byelaws.

[*Local.*]

U u

48. All

Stourport Bridge Act, 1868.

Expenses of
Act.

48. All the Costs, Charges, and Expenses of and incident to the preparing, applying for, and obtaining and passing of this Act shall be paid by the Trustees out of Monies now in their Hands, and in case of such Monies being insufficient for the Purpose, the Deficiency shall be paid out of the First Monies raised under the Authority of this Act.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1868.