



CHAP. xxxii.

An Act to authorise the construction of a Bridge over the river Trent in the county of Nottingham, and Roads and Approaches thereto, to be called "the Gunthorpe Bridge." A.D. 1870.

[20th June 1870.]

**W**HEREAS the construction of a bridge over the river Trent from Gunthorpe in the parish of Lowdham to the parish of East Bridgford, or Bridgford-on-the-Hill, all in the county of Nottingham, would be attended with great local and public advantage, and the persons herein-after named, with others, are willing, at their own expense, to construct such bridge :

And whereas a plan and section showing the line and levels of the bridge and of the roads or approaches thereto, and also a book of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes of the bridge and roads or approaches thereto, have been deposited with the clerk of the peace for the county of Nottingham, and are herein-after referred to as the deposited plan, section, and book of reference :

And whereas there is an ancient ferry across the said river near where the said bridge is proposed to be carried across the same, known as Gunthorpe Ferry (herein-after referred to as "the ferry"), and it is expedient that the same should be acquired by the Company :

And whereas there also exists a right of ford or fording across the said river near to where the said bridge is proposed to be constructed, which it is also expedient to discontinue :

And whereas the objects aforesaid cannot be accomplished 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,)

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—  
Short title.

Incorporation of general Acts herein named.

1. This Act may be cited for all purposes as "The Gunthorpe Bridge Act, 1870."

2. "The Companies Clauses Consolidation Act, 1845 :"

Parts I. and III. of "The Companies Clauses Act, 1863," relating respectively to "cancellation and surrender of shares" and to debenture stock ;

"The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 ;" and such parts of "The Railways Clauses Consolidation Act, 1845," as relates to the temporary occupation of lands near the railway during the construction thereof,

are (except where expressly varied by this Act) incorporated with and form part of this Act: Provided that the provisions of the last-mentioned Act shall be read as if the word "bridge" or "roads" (as the case may be) had been inserted therein instead of the word "railway."

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction: Provided that the word "lands" in those Acts includes for the purposes of this Act ferries, ferry rights, fords, and rights of fording; the expression "the Company" means the Company incorporated by this Act; the expressions "the bridge" and "the undertaking" respectively mean the bridge, roads, and approaches and works connected therewith by this Act authorised; the expression "the company of proprietors" means the proprietors of the river Trent navigation; "toll-gate" means and includes all toll-gates from time to time erected upon or across the bridge or the approaches thereto; the word "carriage" means and includes all carriages, coaches, stage-coaches, omnibuses, cabs, flies, vans, caravans, chariots, chaises, post-chaises, curricles, phaetons, cars, gigs, dog-carts, calashes, taxed carts, chairs, and other vehicles, by whatever names known, respectively adapted or used for the conveyance of persons or light articles, and also all hearses and breaks and all other vehicles not comprised by this Act in the word "cart" or "waggon;" the word "cart" and the word "waggon" respectively mean and include all carts, waggons, wains, vans, caravans, drays, timber carriages, drags, sledges, and other vehicles, by whatever names known, and the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, 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.

4. Henry Martin, George Beaumont the elder, George Beaumont the younger, William Lockwood, Evelyn Abbott, and all other persons and corporations who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, and assigns respectively, shall be united into a company for the purpose of making and maintaining the bridge, and for other the purposes of this Act, and for those purposes shall be incorporated by the name of "The Gunthorpe Bridge Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act, and their undertaking shall be called "the Gunthorpe Bridge."

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Incorporation of  
Company.

5. Subject to the provisions of this Act, the Company may make and maintain in the line and according to the levels shown on the deposited plan and section the bridge, roads, and approaches hereinafter described, with all proper works and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the deposited plan and described in the deposited book of reference as may be required for that purpose:

Power to  
make bridge  
according to  
deposited  
plans.

The works herein-before referred to and authorised by this Act will be wholly situate in the county of Nottingham, and are the following,—

1. A bridge over the river Trent, with all convenient and necessary abutments, piers, landing stairs, and works in connexion therewith, for the passage of horses, cattle, carts, and carriages and passengers, such bridge to commence in the township of Gunthorpe in the parish of Lowdham in the county of Nottingham at a point on the north bank of the river two hundred and ninety yards or thereby, measuring in a straight line in an easterly direction from the south-west corner of the public-house or inn known as the Unicorn Inn, and to terminate in the parish of East Bridgford, or Bridgford-on-the-Hill in the said county, upon the opposite side of the river at a point one hundred and twenty-five yards or thereby east from the tree known as the Willow Tree, on the west bank of the ditch forming the boundary between the parishes of East Bridgford, or Bridgford-on-the-Hill, and the parish of Shelford in the said county of Nottingham, which bridge will be situated wholly in these two parishes:

2. A road to be wholly situate in the said township of Gunthorpe in the parish of Lowdham, to commence at the foot of the proposed bridge on the north side of the river, and to terminate

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at a point twenty feet or thereabouts distant from and opposite to the south-west corner of the said public-house or inn known as the Unicorn Inn; and

3. A road to be wholly situated in the said parish of East Bridgford, or Bridgford-on-the Hill, to commence at the foot of the proposed bridge on the south side of the river, and to terminate at the west end of the lane called Trent Lane leading to East Bridgford, or Bridgford-on-the-Hill, in the said parish of East Bridgford or Bridgford-on-the-Hill.

Errors and omissions in plan, &c. may be corrected by justices, who shall certify the same.

6. If any omission, mis-statement, or erroneous description shall have been made of any lands, or of the owners, lessees, or occupiers of any lands described on the plan or in the book of reference, the Company may, after giving ten days notice to the owner, lessee, or occupier of the lands affected by such proposed correction, apply to two justices for the correction thereof; and if it shall appear to such justices that such omission, mis-statement, or erroneous description arose from mistake, they shall certify the same accordingly, and they shall in such certificate state the particulars of any such omission, and in what respect any such matter shall have been misstated or erroneously described; and such certificate shall be deposited with the clerk of the peace for the county of Nottingham, and such certificate shall be kept by such clerk of the peace along with the other documents to which it relates, and thereupon such plan and book of reference shall be deemed to be corrected according to such certificate, and the Company may proceed with the works in accordance with such certificate.

Certificate to be deposited.

Deviations from lines on plan and sections.

7. The Company may in the construction of the works deviate from the lines thereof to the extent delineated upon the deposited plan, but not in any case into any land not described in the deposited plan and book of reference without the previous consent in writing of the owner, lessee, and occupier of such land, and the Company may deviate from the levels of the works as marked on the deposited section to any extent not exceeding five feet.

Capital.

8. The capital of the Company shall be seven thousand five hundred pounds, in seven hundred and fifty shares of ten pounds each.

Shares not to issue until one fifth paid up.

9. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

10. One fifth of the amount of a share shall be the greatest amount of a call, and two months at least shall be the interval between successive calls, and three fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

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Calls.

11. The Company may from time to time borrow on mortgage any sum not exceeding in the whole two thousand pounds, but no part thereof shall be borrowed until the whole capital of seven thousand five hundred pounds is subscribed for, issued, and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such capital has been subscribed for, issued, and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Power to borrow.

12. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver, and in order to authorise the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five hundred pounds in the whole.

Arrears may be enforced by appointment of a receiver.

13. The Company may create and issue debenture stock.

Debenture stock.

14. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied to the purposes of this Act only.

Application of moneys.

15. The first ordinary meeting of the Company shall be held within six months after the passing of this Act, and the subsequent ordinary meetings of the Company shall be held in the months of June and January in every year.

First ordinary meeting.

16. The quorum of general meetings of the Company shall be five shareholders present, in person or by proxy, holding in the aggregate not less than one thousand pounds in the capital of the Company.

Quorum of general meetings.

17. The number of directors shall be five.

Number of directors.

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Qualification  
of directors.

Quorum.

First direc-  
tors.

Election of  
directors.

**18.** The qualification of a director shall be the possession in his own right of not less than ten shares.

**19.** The quorum of a meeting of directors shall be three.

**20.** Henry Martin, George Beaumont the elder, George Beaumont the younger, William Lockwood, and Evelyn Abbott shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present, in person or by proxy, may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present, in person or by proxy, shall elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead, in manner provided by the same Act.

Powers for  
compulsory  
purchases  
limited.

**21.** The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of two years from the passing of this Act.

Period for  
completion  
of works.

**22.** The bridge shall be completed within five years from the passing of this Act, and if the bridge shall not be completed within that period, then on the expiration thereof the powers by this Act granted to the Company for making and completing the bridge, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

For prevent-  
ing obstruc-  
tions to the  
river Trent.

**23.** Except only so far as is from time to time requisite for the carrying of this Act into effect, the Company, their agents, servants, or workmen, shall not alter, divert, or obstruct the course or channel of the said river Trent, or of any rivers, canals, cuts, aqueducts, drains, or streams communicating therewith, or destroy or injure any weirs, abutments, floodgates, haling-path, or other works belonging to the company of proprietors, without the consent of the company of proprietors, or their clerk or surveyor; and in carrying into effect the powers of this Act the Company shall do as little damage thereby as may be, and shall make full satisfaction to the Company for all damages by them sustained by reason thereof.

Provision as  
to construc-  
tion of  
works, &c.

**24.** In constructing the bridge hereby authorised the Company shall be under the following obligations and restrictions:

1. The Company shall so construct and for ever after maintain the bridge that there shall be at least one opening or waterway at the northern end of the hauling-path, including the hauling-path, of one hundred feet span, whereof ninety feet shall have a clear headway as high as the level of the said bridge where it crosses the river Trent will admit, and not less than ten feet above the level of the present hauling-path contiguous to the side of the bridge.
2. The Company shall construct and make a good and sufficient hauling-path under the bridge not less than ten feet in width and of the same height as the present hauling-path, with a clear heading of not less than eight feet for the whole length and breadth of the present hauling-path, with a proper and sufficient handrail or balustrade thereon, and which hauling-path shall be made under the northern opening or waterway and adjoining to the abutments; and the said hauling-path under the said bridge shall be raised and supported by good and sufficient brackets so as not to interfere with the waterway, and so as to allow and give a waterway under the said hauling-path, and the said hauling-path shall be extended for the space of sixty yards on each side of the said bridge, and shall, together with the railing or balustrade, be at all times supported and maintained by and at the expense of the Company.
3. The bridge and the girders thereof shall be so constructed as to give and afford the greatest clear way and span for the passage of water and vessels that may be consistent with the security and stability of the bridge, and for effecting that object the Company or their engineer shall, not less than forty days before the erection of the bridge over the river Trent shall be commenced, deliver to the company of proprietors, or to their engineer or clerk, accurate plans and sections of the intended bridge, and of the openings or waterways and abutments thereof; and if the company of proprietors or their engineer shall object to such plans, or to the proposed form of construction of the intended bridge, or of the openings or waterways thereof, and the Company or their engineer shall not consent to alter the same in such way as may be required by the company of proprietors or their engineer, the matters in difference shall be referred to a civil engineer to be mutually agreed upon and named by the respective engineers of the Company and the company of proprietors, and failing their so agreeing, by the president for the time being of the Institute of Civil Engineers, and the decision of such engineer shall be binding and conclusive, provided that such engineer

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shall not be at liberty to lessen or diminish the span of the said northern opening or waterway of one hundred feet, nor the height thereof, as herein-before provided, without the consent in writing of the said company of proprietors or their clerk first had and obtained for that purpose.

Providing  
remedy in  
case of  
obstruction  
to the river  
Trent.

**25.** If in the execution of the works by this Act authorised, or by reason of any act or omission of the Company, their agents, servants, or workmen, or if by reason of any of the works when made the river Trent, or any of the side cuts or canals, or the towing-paths thereof, shall at any time be so obstructed as that boats, barges, or other vessels using the same cannot pass along the same, then and in any such case the company of proprietors, at the expense of the Company, may remove the obstruction and make good all damage or injury done to the navigation thereby, and the Company shall pay to the said company of proprietors, as ascertained damages, all expenses so incurred and also five pounds for every hour during which the obstruction continues: Provided that if the obstruction continue beyond seventy-two consecutive hours, or be occasioned by any wilful act of any of the servants or of persons employed by the Company, then and in every such case the Company shall pay to the said company of proprietors, as ascertained damages, ten pounds for every hour during which the obstruction shall continue, and the expenses and damages shall be recoverable by the said company of proprietors as a penalty is by this Act made recoverable from the Company.

Fence or  
railing to be  
erected ad-  
joining  
towing-path  
if required  
by the quar-  
ter sessions.

**26.** If the company of proprietors apprehend danger to horses haling boats along the river Trent by reason of any works of the Company, the company of proprietors, after giving fourteen days notice to the Company, may apply to the court of quarter sessions for the county of Nottingham in respect thereto, and if it shall appear to the court that such danger might be obviated or lessened by the construction of a fence or railing on the towing-path adjoining the river Trent, the Court may, if they think fit, certify the fence or railing necessary or proper to be erected and maintained by the Company for the purpose of obviating or lessening such danger, and by such certificate require the Company to execute such work within a certain time after the service of such certificate to be appointed by the court.

Penalty if  
Company  
fail to erect  
fence.

**27.** Where by any such certificate the Company shall be required to erect and maintain any such fence or railing they shall execute and complete the same within the period appointed for the purpose in such certificate, and if they fail so to do they shall forfeit to the company of proprietors one pound for every day during which such fence shall not be erected or maintained beyond the period appointed



for that purpose, and the justices by whom any such penalty is imposed may order the whole or any part thereof to be laid out in making or maintaining the work in respect whereof the penalty was incurred. A.D. 1870.

**28.** During the making and repairing of the bridge and the works connected therewith the Company shall take all precautions and provide all works and conveniences proper and sufficient for keeping the river Trent, and the towing-path at the side thereof, and the navigation of the river, free from all obstruction, except only such obstruction as is unavoidable, and if and whenever the Company make or occasion any obstruction they shall make to all persons interested full compensation for all loss, damage, or injury thereby occasioned. River not to be obstructed.

**29.** The Company shall make and maintain on each side of the bridge a good and sufficient fence of not less height than three feet six inches. Fence to bridge.

**30.** From and after the completion of the bridge and roads they shall be deemed a public bridge and public highways, and subject to the provisions of this Act, all persons with or without horses, animals, and carriages shall have free liberty, on payment of the tolls by this Act granted, to pass over the same without any interruption; but the bridge shall not be deemed a county bridge so as to make the county of Nottingham liable to repair, light, or watch the same. Bridge to be public but not county bridge.

**31.** After the day on which the bridge is opened for public traffic no person and no animal or carriage shall, with intent to evade the tolls, pass or be driven or be taken over, through, or across the river by means of any ford at any place within a distance of five hundred yards measured in a straight line from either side of the bridge; and if any person, animal, or carriage pass or be driven or taken over, through, or across the river at any ford or other place within those limits without payment of the toll to be demanded and taken for the passing of the person, animal, or carriage over the bridge, every such passenger, and every person having charge of the animal or carriage, shall for every such offence forfeit not exceeding five pounds. Fords to be disused.

**32.** If and whenever after the bridge is completed the passage over it becomes dangerous in consequence of accident or damage, or it is considered desirable to alter, or repair, or rebuild the bridge, or any part thereof, the Company may and shall during the time necessary for altering, repairing, or rebuilding the bridge, or any part thereof, provide a sufficient ferry over the river, and may demand and take in respect of the ferry such tolls as are by this Act authorised to be taken for passing over the bridge. Ferry boats in case of accident to bridge.

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Securing  
compensa-  
tion in  
respect of  
existing  
ferry.

**33.** It shall not be lawful for the Company to open the bridge for public traffic until they shall have made full compensation to the owner and lessee of the ferry in respect of the said ferry and ferry rights, such compensation to be settled in case of difference in the manner provided by "The Lands Clauses Consolidation Act, 1845," and in construing that Act for the purposes of this enactment the word "land" shall include ferry and ferry rights, and on the opening of the bridge for public traffic the ferry shall be discontinued, but in all other respects the rights in connexion with such ferry shall on payment of the before-mentioned compensation vest in the Company.

Power to  
erect toll-  
gates and  
collect tolls.

**34.** The Company may erect upon or across the bridge or the approaches thereto any toll-gates and toll-houses, with outhouses and conveniences thereto, and from time to time alter, or take down and rebuild, or discontinue and remove the same, or any of them, as they should think proper, and take thereat as toll for each time of passing the bridge any sum they shall from time to time direct, not exceeding the sums following; (that is to say,)

Tolls.

For every horse or beast drawing any carriage, one shilling;

For every horse or beast drawing any waggon, sixpence;

For every horse, mule, or ass, not drawing any carriage or cart, threepence;

For every ox, cow, bull, calf, or head of neat cattle, one penny per head;

For every swine, sheep, or lamb, one halfpenny per head;

For every foot passenger (except the person actually driving any waggon), one penny;

For every person who shall ride in or upon any waggon (not being a cart or carriage usually employed for the conveyance of passengers for hire), or who shall ride upon any horse or beast drawing any such waggon, one penny;

which said respective tolls shall be paid before any person, or any horse, cattle, or beast, or any carriage or cart, shall pass through any toll-gate, and which tolls shall be and are hereby vested in the Company for the purposes of this Act.

Limiting the  
number of  
tolls to be  
charged.

**35.** Every horse, beast, swine, sheep, or lamb, carriage, cart, and waggon in respect whereof the tolls by this Act authorised to be taken shall have been paid at any toll-gate, shall upon a ticket denoting such payment being produced be permitted to repass once toll-free on the same day.

Traction by  
steam or  
machinery  
prohibited.

**36.** No carriage or vehicle propelled or moved by the power of steam or machinery shall cross the bridge excepting with the consent of the Company, and on payment of such toll as they shall demand.

**37.** In all cases where there shall be a fractional part of a halfpenny in the amount of any of the tolls the sum of one halfpenny may be demanded and taken in lieu of such fractional part.

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Fractional parts of a halfpenny.

**38.** No tolls shall be demanded or taken for Her Majesty or any of the royal family, or for any person, horse, or carriage attending Her Majesty or any of the royal family, or returning therefrom, or for any officer or officers of Customs, or persons employed for the prevention of smuggling whilst on duty, or proceeding to or returning from the same, or for any policeman on duty, or for any horse, cart, or waggon employed only in carrying or conveying any vagrant sent by a legal pass, or any prisoner sent by a legal warrant, or returning empty after having been so employed, or for any person attending the same, or for any such vagrant or prisoner, or for any horse or carriage, of whatever description, or any person employed or to be employed in carrying the mails of letters and expresses under the authority of Her Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such mails or expresses, or in returning back from conveying or guarding the same, or for any soldier or marine on march or on duty, or for any officer or man in Her Majesty's navy or coastguard service upon duty, or for the horse of any officer or soldier on march or on duty, or for any horse or other beast, or any cart, carriage, or waggon employed in carrying or conveying or returning empty from carrying or conveying, having been employed only in carrying or conveying the arms or baggage of any such officer or soldier or marine, or of any officer or man in Her Majesty's navy or coastguard service upon duty, or employed in carrying or conveying or returning empty from having been employed only in carrying or conveying any sick, wounded, or disabled officer or soldier or marine, or any officer or man in Her Majesty's navy or coastguard service respectively sick, wounded, or disabled, or for any person in charge of the same, or for any waggon, wain, cart, or other carriage whatsoever, or the horse or other cattle drawing the same, or the person in charge thereof employed in conveying any naval, victualling, ordnance, or barrack or commissariat or other public stores of or belonging to Her Majesty or for the use of Her Majesty's sea, land, or coastguard forces, or returning empty from having been so employed, or for any horse furnished by or for any person belonging to any corps of yeomanry or volunteer cavalry, and ridden by him in going to or returning from any place appointed for and on the days of exercise, inspection, or review, or on other public day, or for any yeomanry cavalry man or volunteer cavalry or infantry: Provided that such person be dressed in the uniform of his corps, and shall have his arms, furniture, and accoutrements according to the regulation of such corps at the time of claiming

Exemptions from toll.

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the exemption; and if any person shall claim and take the benefit of any of the exemptions by this Act granted, not being entitled to the same, every such person for every such offence shall forfeit any sum not exceeding forty shillings.

Tolls to be charged equally.

**39.** The aforesaid tolls shall at all times be charged equally upon all persons for or in respect of persons and things under the same circumstances, and no reduction, exemption, or advance in the tolls shall, either directly or indirectly, be made partially or in favour of or against any particular person.

List of tolls to be exhibited on a board.

**40.** A list of the tolls from time to time authorised to be taken shall be published by the same being painted upon a board in distinct black letters on a white ground, or white letters on a black ground, or by the same being printed in legible characters on paper affixed to such board, and such board shall be exhibited at every toll-gate or toll-bar where such tolls shall be payable.

Tolls to be taken only whilst board exhibited.

**41.** No tolls shall be demanded or taken by the Company during any time at which the boards herein-before directed to be exhibited shall not be so exhibited.

Power to stop any person refusing to pay toll.

**42.** If any person subject to the payment of the tolls hereby made payable, or any of them, or any person having charge of any horse, beast, carriage, or thing in respect of which toll is payable, shall, after demand made thereof by any collector appointed to receive toll, neglect or refuse the same, or any part thereof, such collector by himself, or taking such assistance as he shall think necessary, may stop and prevent the passage of the person so neglecting or refusing, or of the horse, beast, carriage, or thing for or in respect of which such tolls ought to have been paid until full payment thereof, or may seize and distrain any horse or other beasts, together with the bridles, saddles, gears, harness, and accoutrements thereunto belonging, or any carriage drawn by any such horse or beast, or any article or thing in or upon the same or belonging to such person, and if such tolls and the reasonable charges of such seizure and distress shall not be paid within the space of four days next after such seizure and distress made the person so seizing and distraining shall and may sell the horse, beast, carriage, or thing so seized or distrained, returning the overplus (if any) upon demand to the owner thereof, after such tolls and the reasonable charges occasioned by such seizure, distress, and sale shall be deducted.

Penalty for evading toll.

**43.** If any person shall forcibly pass along the bridge or through any toll-gate without having paid the tolls, or shall assault, interrupt, or obstruct any person employed in the collection of the tolls, every person offending in any of such cases shall for every such offence forfeit any sum not exceeding five pounds.

**44.** In case any dispute shall happen respecting the demanding or taking or the payment of tolls, or the amount of tolls due, or the charges of keeping or selling any distress, the person distraining may retain such distress, or the money arising from the sale thereof (as the case may be), until the amount of the toll due and the charges of keeping and selling the distress shall be paid, or until such dispute shall be heard and determined by some justice of the peace, who, upon application made to him for that purpose, shall examine the matter upon oath of the parties or other witnesses, and shall determine the amount of the 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 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 so directed to pay the same by warrant under the hand and seal of such justice, which warrant every such justice is hereby empowered to issue, and the overplus (if any), after payment of such costs and the costs of such distress and sale, shall be returned, upon demand, to the person whose goods and chattels shall have been distrained and sold.

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 For settling  
 disputes con-  
 cerning tolls.

**45.** Every collector of the tolls shall place his christian and surname, painted on a board in distinct and legible characters, on some conspicuous part of the toll-house or toll-gate whereat he shall be on duty immediately on his coming on duty, and shall continue the same so placed during the whole of the time he shall be on duty; and if any collector of the tolls shall not place such board as aforesaid, and keep the same there during the time he shall be on duty, or shall demand or take a greater or less toll than he shall be authorised to do by virtue of the powers of this Act and of the orders of the Company, or shall demand or take a toll from any person who shall be exempted from the payment thereof and claim such exemption, or shall refuse to permit or shall not permit any person to read, or shall in anywise hinder any person from reading, the inscriptions on the boards to be fixed and placed as aforesaid, and who shall have paid the legal toll, or upon the legal toll being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any horse, beast, carriage, or any person from passing upon or along the bridge, then and in every such case every such collector shall forfeit any sum not exceeding two pounds for every such offence.

For punish-  
 ing toll col-  
 lectors for  
 misbehaving.

**46.** If any collector of tolls or other officer employed by the Company be discharged or suspended from his office, or die or abscond or absent himself, and if such collector or other officer, or the wife, widow, or any of the family or representative of any such collector or other officer, refuse or neglect, after seven days notice in

Delivery of  
 matters in  
 possession or  
 custody of  
 toll collector  
 at removal.

A.D. 1870. — writing for that purpose, to deliver up to the company or to any person appointed by them for that purpose, any dwelling house, office, or other building, with its appurtenances, or any books, papers, or other matters belonging to the Company in the possession or custody of such collector or other officer at the occurrence of any such event, then, upon application being made by the Company to any justice, such justice may order any constable, with proper assistance, to enter upon such dwelling house, office, or other building, and remove any person found therein, and take possession thereof, and of any books, papers, or other matters, and deliver the same to the Company, or any person appointed by them to receive the same.

Power to lease the tolls.

47. The Company may from time to time, by lease to take effect in possession within three months from the letting thereof, let the tolls to be collected by virtue of this Act to any party for any period not exceeding three years from the commencement of any such lease.

Lessees to be deemed collectors.

48. During the continuance of any such lease the respective lessees named therein, and also all persons appointed by them to collect the tolls so let, shall be deemed collectors of the tolls so let, and they shall have the same power to collect and recover such tolls, and be subject to the same rules, duties, and penalties in reference thereto, as if they had been appointed for that purpose by the Company.

Power to determine lease of tolls.

49. If any such lease shall have become void or voidable according to any stipulations therein contained for that purpose by reason of the failure on the part of the lessee to comply with any of the terms of such lease, or if all or any part of the rent thereby reserved shall be in arrear or unpaid for twenty-one days after the same shall have become payable, the Company may determine such lease, and the same shall accordingly be utterly void, except as to the remedies of the lessors for payment of the rent due or in respect of unperformed or broken obligations or conditions on the lessee's part all which remedies shall remain in full force, and in every such case the Company may again let the tolls to the same or any other person or cause them to be collected in the same manner as if no such former lease had been made relative thereto.

Lessees making default to be removed.

50. Upon the determination of any such lease any justice, upon application made by the Company, may order any constable, with proper assistance, to enter upon any toll-house, dwelling house, office, weighing machine, or other building, with the appurtenances thereto, belonging to the Company, and remove from the same the lessee or collector or other person found therein, together with his

goods, and take possession thereof and of the property found therein belonging to the Company, and deliver the same to them or any person appointed by them to receive the same. A.D. 1870.

**51.** No waggon or other carriage shall, without the consent of the Company, carry at any one time upon the bridge (including the weight of such waggon or carriage) more than fifteen tons. Limiting the weight to be carried on bridge.

**52.** The Company may cause to be erected at or near the bridge, or at such distance as they shall think expedient, one or more cranes or weighing machines proper for the weighing of waggons and other carriages conveying goods, wares, or other articles. Power to erect weighing machines.

**53.** The keeper of any toll-gate, or any other person appointed by the Company, or the keeper of any crane or weighing machine appointed by the Company or by their lessee, shall or may require every driver or conductor of any waggon, cart, or other carriage or engine which shall pass or be about to pass over the bridge to be weighed at such crane or weighing machine; and if any such driver, conductor, or owner of such waggon, cart, or other carriage or engine shall refuse to allow the same to be weighed, or shall resist any gate-keeper, toll-keeper, or toll collector, or weigher in weighing the same, every such owner, driver, or conductor shall forfeit to the Company any sum not exceeding five pounds. Toll-keeper may weigh carriages, &c.

**54.** The powers of the Company with respect to the making of byelaws shall extend to regulating the speed at which any carriage shall pass over the bridge, the use of the bridge, and to preventing nuisances upon the bridge. Extension of Company's power as to byelaws.

**55.** All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company. Expenses of Act.

