



## CHAPTER liii.

An Act for the abandonment of the Bridge authorised by the Stapenhill Bridge Act, 1865, and for the making and maintaining of another Bridge in lieu thereof; and for other purposes. A.D. 1880.  
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[9th July 1880.]

**W**HEREAS by the Stapenhill Bridge Act, 1865, (in this Act called "the Act of 1865,") which received the Royal Assent on the fifth day of July One thousand eight hundred and sixty-five, the Most Honourable Henry the then Marquess of Anglesey, his heirs and assigns (therein called "the Undertakers,") were authorised to make and maintain a bridge over the River Trent, near the town of Burton-upon-Trent, at or near the site of Stapenhill Ferry, with approaches thereto; and by the same Act it was provided that if by any Act passed before or after the passing of that Act any of the trustees of the estates therein and in this Act called "the settled estates" were authorised to become the undertakers in the place of the said Marquess, then in accordance with the provisions of the same Act the expression the undertakers should mean and include the trustees so authorised, their heirs and assigns: 28 & 29 Vict.  
c. cccxiv.

And whereas by the Marquess of Anglesey's Estate Act, 1867, (in this Act called "the Act of 1867,") the trustees (therein described) of the settled estates were constituted, in the place of the said Marquess, his heirs and assigns, the undertakers under the Act of 1865, and those trustees are in this Act referred to as "the Undertakers": 30 & 31 Vict.  
c. 4. (*Priv.*)

And whereas by section 13 of the Act of 1867 the trustees were authorised and empowered to appropriate parts of the settled estates for the site of the bridge and approaches authorised by the Act of 1865:

And whereas by the Marquess of Anglesey's Estate Act, 1877, the said 13th section of the Act of 1867, so far as it related to the appropriation of parts of the settled estates as aforesaid, was repealed, and the trustees were authorised and empowered to 40 & 41 Vict.  
c. 11. (*Priv.*)

A.D. 1880.

appropriate parts of the said estates for the site of the said bridge and approaches, as authorised by the Act of 1865; or the Act of 1867, or as authorised by any Act or Acts which had then been or might be thereafter passed in relation thereto :

And whereas by the Act of 1865 the period for the completion of the bridge and approaches thereby authorised was limited to five years after the passing of that Act, and that period has been extended by subsequent Acts of Parliament :

And whereas the objects of the bridge and approaches authorised by the Act of 1865 would be more effectually attained by the construction of the bridge and works by this Act authorised, and it is expedient that the first-mentioned bridge and works be abandoned, and that the Undertakers be empowered to make the bridge and works by this Act authorised :

And whereas it is expedient that the Undertakers be empowered to let, in manner by this Act provided, the tolls which they are by this Act authorised to demand and take :

And whereas the bridge by this Act authorised will render unnecessary the maintenance of Stapenhill Ferry (which forms part of the settled estates), and it is expedient that the use of that ferry be discontinued on the completion and opening for traffic of the said bridge :

And whereas plans and sections showing the lines and levels of the bridge and works by this Act authorised, and books 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 or under the powers of this Act, were duly deposited with the clerks of the peace for the counties of Stafford and Derby, and are in this Act referred to as "the deposited plans, sections, and books of reference" :

And whereas the objects of this Act cannot be attained 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,)

Short title.

1. This Act may for all purposes be cited as the Stapenhill Bridge Act, 1880.

Incorporation of  
8 & 9 Vict. c. 18.  
23 & 24 Vict.  
c. 106. and  
32 & 33 Vict.  
c. 18.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, are (except where expressly varied by this Act) incorporated with and form part of this Act.



3. The expression "the settled estates" in this Act means such of the lands in the several townships of Burton Extra and Stapenhill respectively as from time to time are held as being parts of the estates in the several counties of Stafford and Derby respectively of which the Most Honourable Henry William George Marquess of Anglesey now is or claims to be tenant for life in possession.

A.D. 1880.

Definition of the term "the settled estates."

4. The expression "the Undertakers" means and includes the trustee or trustees for the time being of the settled estates, and also, if necessary, the late Marquess and the present Marquess of Anglesey.

Definition of the term "Undertakers."

5. The several words and expressions to which by the Acts incorporated with this Act meanings are assigned have in this Act the same respective meanings, unless excluded by the subject or context; provided that the word "lands" in those Acts includes for the purposes of this Act "ferries" and "ferry rights."

Interpretation of terms.

6. The Undertakers shall abandon the construction of the bridge and works authorised by the Act of 1865.

Abandonment of works authorised by 28 & 29 Vict. c. cccxiv.

7. The abandonment by the Undertakers, under the authority of this Act, of any portion of the said bridge or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Undertakers on such land for the purpose of examining and surveying the same, or ascertaining and setting out any parts thereof, and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation, or for any loss, damage, or injury which has been sustained by such owner or occupier by reason thereof, or of the exercise as regards such land of any of the powers contained in the Act of 1865.

Compensation for damage to land by entry, &c. for purposes of works abandoned.

8. Where before the passing of this Act any contract has been entered into or notice given by the Undertakers for the purchasing of any land for the purposes of or in relation to any portion of the bridge or works authorised to be abandoned by this Act, the Undertakers shall be released from all liability to purchase or to complete the purchase of any such lands; but, notwithstanding, full compensation shall be made by the Undertakers to the owners and occupiers, or other persons interested in such lands, for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice; and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act, 1845, as amended by any subsequent Act for determining the amount and

Compensation to be made in respect of portions of works abandoned.

A.D. 1880.

application of compensation paid for lands taken under the provisions thereof.

Power to  
make works.

9. Subject to the provisions of this Act, the Undertakers from time to time may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the works herein-after described, and may enter upon, take, and use such of the lands shown on the deposited plans and described in the deposited books of reference as are required for that purpose. The works above referred to and by this Act authorised are :

- (A.) A new street in the township of Burton Extra in that part of the parish of Burton-upon-Trent which is in the county of Stafford, commencing in Abbey Street opposite or nearly opposite Lichfield Street, and terminating at or near the junction of Fleet Street and Green Street ;
- (B.) A bridge, commencing at or near the termination of the new street, and terminating in the township of Stapenhill in that part of the parish of Burton-upon-Trent which is in the county of Derby, at a point on the eastern bank of the easternmost branch of the River Trent about 28 yards west from the western end of Stapenhill Ferry House ;
- (C.) An approach road in the said township of Stapenhill, commencing at or near the termination of the bridge, and terminating in the west side of the public road leading from Rosliston to Burton-upon-Trent at or near the Barley Mow Inn :

Provided always, that notwithstanding anything contained in this Act or shown on the deposited plans and sections, the Undertakers shall not construct such part of the approach road by this Act authorised as will be made upon any existing public highway without the previous consent of the mayor, aldermen, and burgesses of Burton-upon-Trent (herein-after called "the corporation") under their common seal, and all public highways near or in connexion with the said bridge, new street, and approach road shall at all times remain without obstruction by the Undertakers, except during the making the works by this Act authorised, and shall be as free for the public use as they now are : Provided always, that if any question arise between the Undertakers and the corporation whether the consent of the corporation under this section is unreasonably withheld, the same shall be referred to the decision of an independent engineer, to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers, and the decision of the referee shall be conclusive, and the costs of the reference shall be in his discretion.



**10.** If there 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 Undertakers, 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.

A.D. 1880.  
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Correction of errors in deposited plans, &c.

**11.** The certificate of the justices shall be in duplicate, and one part thereof shall be deposited with the respective clerks of the peace for each of the counties of Stafford and Derby, and a duplicate thereof with the parish clerk of the parish in which the lands in question lie, and the certificate and duplicates respectively shall be kept by the clerks of the peace and the parish clerk respectively with the other documents to which the same relate, and thereupon the deposited plans and books of reference shall be deemed to be corrected in accordance with the certificate, and the Undertakers may execute the works in accordance with the certificate.

Deposit of certificate of correction.

**12.** Notwithstanding anything in this Act, section 12 of the Act of 1865 shall continue in force and shall apply to and in the case of the bridge and works by this Act authorised.

Application of s. 12 of 28 & 29 Vict. c. cccxiv.

**13.** For the purposes of this Act the Undertakers may, upon lands forming part of the settled estates or acquired by them under this Act, from time to time make and maintain all necessary and proper piers, abutments, walls, and embankments, and execute all other works necessary or convenient for making, maintaining, and repairing the bridge and the approaches thereto, and may from time to time make and maintain all necessary and convenient ways and approaches from and out of the bridge or the approaches thereto within the several townships and parishes aforesaid to communicate with buildings and lands adjoining or lying near thereto.

Incidental works.

**14.** In making the works by this Act authorised the Undertakers 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 deposited 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, and the Undertakers may

Power to deviate laterally and vertically.

A.D. 1880. deviate from the levels thereof shown on the deposited sections to any extent not exceeding five feet upwards or downwards.

River not to be obstructed.

**15.** During the making and repairing of the bridge and the works connected therewith the Undertakers shall take all precautions and provide all works and conveniences proper and sufficient for keeping the flow of water in the River Trent free from all obstruction, except only such obstruction as is unavoidable; and if and whenever the Undertakers make or occasion any obstruction they shall make to all persons interested full compensation for all loss, damage, or injury thereby occasioned.

Prevention of obstruction to waterway.

**16.** Notwithstanding anything shown on the deposited plans and sections, no part of the bridge, or of the works connected therewith, between the new street and the approach road shall be constructed by solid embankment, and the bridge shall be so constructed as to afford the smallest practicable amount of obstruction to the flood or other water thereunder.

Period for compulsory purchase of lands.

**17.** The powers of the Undertakers for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years after the passing of this Act.

Period for completion of works.

**18.** The works by this Act authorised shall be completed within five years after the passing of this Act, and on the expiration of that period the powers of the Undertakers for making the same, or otherwise in relation thereto, shall cease to be exercised, except with respect to so much thereof as is then completed.

Bridge to be a public but not a county bridge.

**19.** From and after the completion of the bridge and approaches 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 counties of Stafford and Derby, or either of them, liable to repair, light, or watch the same, or any part thereof.

Stapenhill Ferry abolished.

**20.** After the opening of the bridge and the approaches thereto for public traffic Stapenhill Ferry shall be by this Act abolished, and the rights to take tolls or dues upon, for, or in respect of the same shall be by this Act extinguished: Provided always, that 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 Undertakers shall, during the time necessary for altering, re-



pairing, 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. A.D. 1880.

**21.** When the bridge by this Act authorised is opened for public traffic the Undertakers from time to time may set up such toll-gates at or upon the bridge and the approaches thereto as they think fit, and may from time to time remove such toll-gates and set up others instead thereof, and they may from time to time provide and maintain such toll-houses and other conveniences near to the toll-gates as they think fit: Provided that no tolls shall be demanded or taken for persons, animals, and carriages passing over, along, or upon any part of the approach road by this Act authorised to be made for the purpose of going to or from any premises or public highway from or to which there is now a public right of way along such approach road. Power to provide toll-gates and toll-houses.

**22.** The Undertakers from time to time may, subject to the preceding section, demand and take for persons, animals, and carriages from time to time passing over, along, or upon the bridge and the approaches thereto, or any part thereof respectively, any tolls not exceeding the following; (that is to say, Tolls.)

- (A.) For every horse or other beast drawing any coach, stage coach, omnibus, van, caravan, sociable, berlin, landau, brougham, clarence, chariot, vis-a-vis, barouche, phaeton, chaise, marine calèche, curricule, chair, gig, dog-cart, Irish car, whiskey buggy, hearse, litter, or any like carriage, sixpence :
- (B.) For every horse or other beast drawing any waggon, wain, cart, or other like carriage, or any agricultural or other machine or implement, fourpence :
- (C.) For every horse or mule, laden, or unladen, and not drawing, one penny and one halfpenny :
- (D.) For every ass, laden or unladen, one halfpenny :
- (E.) For every ass drawing or carrying more than one person, one penny :
- (F.) For every ox, cow, bull, or neat cattle, one penny; but so that where there are more than one passing together the toll shall be three farthings each, except only so far as one penny is requisite for avoiding a fraction of a halfpenny :
- (G.) For every calf, pig, sheep, or lamb, one halfpenny, or for a score, eightpence :
- (H.) For every carriage drawn or propelled by steam, or any

A.D. 1880.

24 & 25 Vict.  
c. 70.

means other than animal power, such tolls as are authorised by the Locomotive Act, 1861, or any Act already passed or to be hereafter passed amending that Act :

- (I.) For every bicycle or other carriage or machine moved by hand or foot, threepence :
- (J.) For every foot passenger not being the driver of and engaged in driving or leading any waggon, wain, cart, or other like carriage passing over the bridge, one halfpenny :
- (K.) For every person riding in or upon any waggon, wain, cart, or other like carriage, and not being the driver of and engaged in driving or leading the same, or riding upon any horse or beast drawing any waggon, wain, cart, or other light carriage, one halfpenny.

Tolls vested  
in Under-  
takers.

**23.** The tolls by this Act granted are by this Act vested in the Undertakers as trustees of the settled estates.

Exemptions  
from toll.

- 24.** Provided that no tolls shall be demanded or taken—
- (A.) For any horse or carriage attending Her Majesty or any of the Royal Family, or returning after having so attended :
  - (B.) For any horse, beast, or carriage, of whatever sort, employed in conveying or guarding mails of letters or expresses under the authority of Her Majesty's Postmaster General, either when employed in conveying or guarding the mails or expresses, or returning from conveying or guarding the same :
  - (C.) For any officer or soldier of Her Majesty's regular forces upon march or upon duty :
  - (D.) For any animal or carriage attending soldiers with their arms and baggage, or returning after being so employed :
  - (E.) For any waggon, wain, cart, or other carriage whatsoever, or any animal drawing the same, employed in conveying any ordnance or commissariat or other public stores of or belonging to Her Majesty or to or for the use of Her Majesty's forces :
  - (F.) For any officer or man of Her Majesty's auxiliary or reserve forces, dressed in the uniforms of their respective corps, on their march or upon duty, or in going or returning from the place appointed for and on the days of exercise :
  - (G.) For any horse furnished by or for or belonging to any officer of Her Majesty's regular, auxiliary, or reserve forces, or to any corps of yeomanry or volunteer cavalry, and ridden by such officer on duty, or by a member of such corps, dressed in the uniforms of the corps, in going to or



returning from the place appointed for and on the days of exercise :

(H.) For any policeman on duty :

(I.) For any animal or carriage employed only in conveying any vagrant sent by a legal pass, or any prisoner sent by a legal warrant, or returning empty after being so employed ;

And if any person shall claim or 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 and pay to the Undertakers any sum not exceeding forty shillings.

**25.** After any toll-gate is provided under this Act the Undertakers shall put up and afterwards continue at every such toll-gate a table printed in distinct and legible black letters with white ground, and affix to a board, containing a list distinguishing the several tolls to be paid by virtue of this Act, and the exemptions from the tolls, and shall renew the boards whenever any of the letters or figures thereon are worn out, defaced, or obliterated ; and the Undertakers shall not demand or take at any toll-gate any toll while the table is not so affixed to the toll-gate, except during such time as is reasonably necessary for renewing or repairing the table.

Table of tolls and exemptions to be put up.

**26.** The tolls may be demanded and taken at the toll-gates from time to time provided under this Act by such persons as are from time to time appointed under this Act to be the toll collectors.

Tolls to be taken by toll collectors.

**27.** The tolls shall be paid before any person, animal, or carriage shall be entitled to pass or repass through any toll-gate ; provided that only one full toll shall be demanded or taken for every time of passing or repassing over, along, or on the bridge and approaches, or any part thereof ; provided that no more than two full tolls shall be taken for the passing or repassing in any one and the same day, except in the case of foot passengers, who shall pay the said toll of one halfpenny for each time of passing and repassing as aforesaid.

Payment of tolls.

**28.** The Undertakers from time to time may reduce all or any of the tolls for such time as they think proper, and again raise all or any of the tolls, but so that the tolls never exceed the amount by this Act limited ; and the tolls, whatever be their amount, shall be collected, recovered, and applied as is by this Act provided.

Power to alter tolls.

**29.** The tolls shall at all times be charged equally and after the same respective rate upon all persons and in respect of all animals and carriages of the same respective sort, and no reduction or advance of tolls shall, either directly or indirectly, be made partially or in favour of any particular person, but every such reduction or

Tolls to be charged equally.

A.D. 1880. — advance shall take effect with right to all persons and to all animals and carriages of the same respective sort.

Power to stop persons failing to pay toll and to seize and distrain horses, &c.

**30.** 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, and may seize and distrain the horse or animal in respect of which the toll is payable, with its bridle, saddle, gear, harness, and accoutrements, and any carriage drawn by the horse or animal.

Sale of distress for tolls.

**31.** If the toll and the reasonable charges of the seizure and distress be not paid within three days after the seizure and distress, the person so seizing and distraining may sell the horses, animals, and carriages so seized and distrained, or any part thereof, returning the overplus, if any, of the proceeds of the sale, after deducting the toll and the reasonable charges of the seizure and distress and sale, and what, if any, remains unsold, upon demand, to the person appearing to the Undertakers to be the owner thereof.

Settlement of disputes concerning tolls and distresses.

**32.** 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.

Power to lease tolls.

**33.** The Undertakers from time to time may lease the tolls for such period, not exceeding three years, and on such terms and conditions, as they think fit; and during the continuance of the lease the lessees shall be deemed collectors of the tolls so leased, and shall have the same powers for collecting and recovering the tolls leased, and be subject to the same rules, duties, and penalties in reference thereto, as if they were toll collectors appointed under this Act.

Removal of lessees on determination of lease

**34.** On the determination of any lease of the tolls, any justice, on application made by the Undertakers, may order any constable, with proper assistance, to enter in the daytime any toll-house, office, or other building comprised in such lease 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 Undertakers found therein, and



A.D. 1880.

deliver the same to the Undertakers, or to any person appointed by them to receive the same, and the order shall be binding on all persons interested, and shall be obeyed accordingly.

**35.** The Undertakers, or during any lease of the tolls the lessees thereof, from time to time may appoint such fit persons as the Undertakers and the lessees respectively think proper to be the collectors of the tolls by this Act granted, and every person so from time to time appointed toll collector may demand and take tolls accordingly.

Appoint-  
ment of toll  
collector.

**36.** If and whenever any toll collector fails to perform or becomes incapable of performing his duty, or absents himself, the Undertakers or the lessees of the tolls, as the case may be, may discharge the toll collector so in default, and may appoint some fit person to be toll collector in the stead of the toll collector so in default.

Removal of  
toll collector.

**37.** A certificate in writing under the hands of the Undertakers or of the lessees of the tolls, as the case may be, or their respective agent, of the appointment or discharge of any toll collector shall for all purposes be sufficient evidence of the fact thereby certified.

Evidence of  
appointment,  
&c. of toll  
collector.

**38.** If and whenever any toll collector so discharged, or the wife, widow, or any of the family or other representatives of any toll collector deceased or so discharged, or any other person having the possession of any toll-house, office, or other building or property of the Undertakers, fail for two days after demand in writing under the hand of the Undertakers or the lessees of the tolls, as the case may be, or their respective agent, and given to the toll collector or to any such person, or left at the toll-house, office, or building, to deliver up possession thereof as so demanded, any justice, on application made by the Undertakers or the lessees of the tolls, may order any constable, with proper assistance, to enter in the daytime the toll-house, office, or building and remove therefrom all 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 Undertakers or the lessees found therein, and deliver the same to the newly appointed toll collector, or to the Undertakers or the lessees, or to any person appointed by them respectively to receive the same, and the order shall be binding on all persons interested, and shall be obeyed accordingly.

Power to  
obtain from  
toll collector  
possession  
of toll-house,  
&c.

**39.** Every toll collector shall place his Christian and surname painted on a board in legible characters on the front or some other conspicuous part of the toll-house or toll-gate immediately on his coming on duty, and shall continue the same so placed during the whole time that he is on duty, and every letter of the names shall

Toll collector  
to place his  
name on  
toll-house.

A.D. 1880. — be at least two inches in length, and of a breadth in proportion, and painted in black letters on a board with a white ground.

Penalty for offences by toll collector.

40. If any toll collector commit any of the following offences, every such toll collector so offending shall for every such offence forfeit not exceeding forty shillings; (that is to say,) if any toll collector—

- (A.) Do not place the board and continue the same so placed during the whole time he is on duty :
- (B.) Demand or take from any person greater or less toll than he is by this Act or any order of the Undertakers made in pursuance of this Act authorised to demand or take :
- (C.) Demand and take toll from any person exempted from the payment thereof and claiming the exemption :
- (D.) Refuse to permit any person to read, or in anywise hinder any person from reading, the inscriptions on the board or on the table of tolls and exemptions put up at the toll-gate :
- (E.) Refuse to tell his Christian or surname to any person who having paid any toll demands the same :
- (F.) In answer to any such demand give a false name :
- (G.) On the legal toll being paid or tendered unnecessarily detain or wilfully hinder or prevent any passenger from passing through the toll-gate.

Penalty for damaging bridge, &c. and other offences.

41. If any person commit any of the following offences, every person so offending shall for every such offence forfeit not exceeding forty shillings; (that is to say,)

- (A.) If any person wilfully or negligently destroy, injure, or damage any footpath or causeway on the side of any part of the bridge or approaches :
- (B.) If any person ride or drive or lead any horse, beast, cattle, or carriage over or upon any such footpath or causeway :
- (C.) If any person wilfully obstruct the passage of the bridge or either of the approaches :
- (D.) If any driver of any waggon or other carriage wilfully or carelessly break or damage any of the posts or stones placed for the security of any such footpath or causeway :
- (E.) If any person scrape off any mud, soil, or other thing from any part of the bridge or approaches so as to damage the same :
- (F.) Except in the case of waggons, carts, or other carriages during a reasonable time for loading or unloading, standing as near as conveniently may be to the side of the bridge or approach, if any person, without reasonable cause,



to be allowed by the justice who hears the complaint, leave any waggon, cart, or other carriage, or any plough, harrow, or other implement of husbandry, on or at the side of the bridge or either of the approaches, either with or without any horse, beast, or cattle harnessed or yoked thereto, after having been ordered by the toll collector to remove the same:

- (G.) If any person take off any horse or other animal from any carriage at or near to the bridge, or at or near to any toll-gate, and afterwards put on the horse or animal after having passed the bridge or toll-gate, with intent to evade and thereby evades or endeavours to evade the payment of any part of the toll:
- (H.) If any person counterfeits or alters, or receives from or delivers to any other person, any note or ticket with intent to evade the payment of any part of the tolls:
- (I.) If any person assault, obstruct, or hinder any person employed in the collection of the tolls:
- (J.) If any person aid or abet any person in committing, or incite any person to commit, any of those offences.

42. The bridge and the toll-house and toll-gates, works, and other property of the Undertakers under this Act shall be deemed to be a public bridge within the meaning of the general Acts from time to time in force with respect to malicious injuries to public bridges.

Penalty for destroying bridge, &c.

43. Where any damage or charge is by this Act directed or authorised to be paid, and the manner of ascertaining the amount thereof is not otherwise provided for, the amount, in case of non-payment thereof or dispute respecting the same, shall be ascertained and determined by a justice or justices.

Disputes as to damages, &c. to be settled by a justice.

44. All offences under this Act, and all tolls, charges, penalties, damages, and costs imposed by or payable under this Act, may be taken cognizance of or recovered under the provisions with respect to summary convictions and orders of any Act from time to time in force relating to the performance of duties of justices of the peace out of sessions in England; and all such penalties shall be paid to the Undertakers, except so far as the convicting justices award not more than one half thereof to the informer.

Recovery and application of penalties, &c.

45. Any constable or any toll collector, or any officer or agent, of the Undertakers or of the lessees, as the case may be, and all such persons as he respectively calls to his assistance, and without any warrant other than this Act, may seize and detain any person whose name and place of abode are unknown to the person so

Security of offenders whose names, &c. are unknown.

A.D. 1880.

seizing and who commits any offence against this Act, and may convey him before a justice, and the justice may deal with the offender as if he had been duly summoned or brought by warrant before him.

Bridge, &c.  
in county of  
Stafford.

**46.** The bridge and the approaches thereto on each side thereof shall for all purposes of this Act be held to be within the county of Stafford only.

Undertakers  
to provide  
an office.

**47.** The Undertakers shall provide at one of the toll-houses provided under this Act, or at some convenient place in the town of Burton-upon-Trent, an office for the purposes of this Act, and shall thereat keep the documents by this Act required to be kept by them, and all notices to the Undertakers and to the lessees of the tolls may be served by being delivered to them respectively personally or by being left for them respectively at the office.

Service of  
notices by  
Undertakers,  
&c.

**48.** Where it is necessary for the Undertakers or the lessees of the tolls to serve any summons, demand, notice, writ, or other proceeding at law or in equity upon any person, the same shall be in writing or in print, or partly in writing and partly in print, and be signed by the Undertakers or the lessees, or their respective agent, and shall be sufficiently served by being delivered personally to the person, or being left at his then usual or last place of abode or of business in England, or if the person be a corporation by being delivered to some clerk or other officer of the corporation, or being left at the office of the clerk or principal officer, or at his usual or last place of abode or of business in England.

Saving rights  
of Trent  
Navigation  
Company.

**49.** Except only as is by this Act expressly provided, nothing in this Act shall take away, lessen, prejudice, or alter any of the estates, rights, interests, powers, or privileges of the Company of Proprietors of the River Trent Navigation.

Undertakers  
not exempt  
from provi-  
sions of  
future Act.

**50.** In the event of Parliament at any time hereafter passing an Act for making the River Trent navigable to any point above the bridge, nothing in this Act shall exempt the Undertakers from any provisions sanctioned by Parliament for the protection of the navigation of the river under or near to the bridge.

Expenses  
of Act.

**51.** All the costs, charges, and expenses of and incident to the preparing and applying for, obtaining, and passing of this Act shall be paid by the Undertakers.