



ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

Cap. lxxviii.

An Act for amending and enlarging the Powers of Acts for establishing a Floating Bridge over the River *Itchen* near the Town of *Southampton*.

[4th July 1839.]

WHEREAS an Act was passed in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for establishing a Floating Bridge over the River Itchen from or near a Place called Cross House, within the Liberties of the Town of Southampton, to the opposite Shore in the County of Southampton, with proper Approaches thereto, and for making Roads to communicate therewith, and thereby certain Persons therein named, together with such Person or Persons, Bodies Politic or Corporate or Collegiate, as should from Time to Time become a Subscriber or Subscribers to the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, were united into a Company for the making or building and maintaining a Floating Bridge, and all necessary Piers, Abutments, Buttresses, Chains, and Machinery, at or near to Itchen Ferry aforesaid, with proper Landing Places, and Openings, Ways, and Approaches to the said Bridge, and all necessary Works for rendering the same safe and convenient for the Passage of Carriages, Horses, Cattle, and Passengers over the same, and also for opening, making, and main-*

4 & 5 W. 4.
c. 85.

[Local.] 20 P taining

5 & 6 W. 4.
c. 71.

Powers of
former Acts
to extend to
this Act.

taining the Roads in the said Act mentioned to communicate therewith, and for such Purposes were thereby declared to be One Body Politic and Corporate by the Name of "The Company of Proprietors of the *Itchen* Bridge and Roads:" And whereas by another Act passed in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, intituled *An Act for amending an Act passed in the last Session of Parliament, for establishing a Floating Bridge over the River Itchen near the Town of Southampton, with proper Approaches thereto, and making Roads to communicate therewith*, the said Company were empowered to build, erect, and make proper Piers, Buttresses, Quays, Houses, and Landing Places on each Side or Bank of the said River as therein mentioned: And whereas a Floating Bridge, with Piers, Abutments, Buttresses, Chains, and Machinery, Landing Places, Ways, and Approaches, have been made and completed in pursuance of the said Act: And whereas it is expedient that some of the Powers and Provisions of the said herein-before recited Acts should be altered and amended, but the same cannot be effected without the Aid and 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, That all the Powers and Authorities, Directions, Provisions, Regulations, Clauses, Matters, and Things expressed and contained in the said recited Acts or either of them, except such of them or such Parts thereof as are repealed, altered, or otherwise provided for by this Act, shall extend and be construed to extend to this Act, and shall operate and be in force in respect to the Objects and Purposes hereof, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Directions, Provisions, Regulations, Matters, and Things were repeated and adapted to the Purposes of this Act.

Power to
purchase
Lands,
Roads,
&c.

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized to make and improve any private Roads which the said Company shall consider to be necessary or convenient to be made or improved for the Use of the said Bridge or Approaches; and for the Purpose of making and improving the said Roads or any of them it shall be lawful for the said Company to purchase any Lands, private Roads, Tenements, or other Hereditaments, with the Consent of the Owner or Owners thereof, or other the Person or Persons hereby empowered to sell and convey the same, and to purchase any Leases, Terms, Estates, Rights and Interests, and Charges affecting the said Lands, Roads, and Hereditaments, or such of them or such Part thereof as the said Company shall think proper, and also to take on any Lease or Leases any such Lands, Roads, Tenements, and Hereditaments as aforesaid: Provided always, that nothing herein contained shall extend or be construed to extend to enable the said Company to purchase or take any Lease of or Interest in a certain Bridge over the said River *Itchen* called *Northam Bridge* or any of the Roads or Approaches thereto, or the Tolls thereof.

Bodies, &c.
empowered
to sell.

III. And be it further enacted, That it shall be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or

or Sole, and for all Feoffees and Trustees for charitable or other Purposes, and for all Tenants for Life, or for any Term or Terms of Years determinable on any Life or Lives, and for all Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whatsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or any other Person or Persons, and also for and on behalf of all or any Person or Persons entitled in Reversion, Remainder, or Expectancy after them, if such Person or Persons, or any of them, be incapacitated, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and to and for all other Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, private Roads, Tenements, or Hereditaments, of what Nature or Tenure soever, which shall be thought necessary by the said Company to be purchased for any of the Purposes of this Act, to contract and agree with the said Company for the Sale of and to sell and convey the same, or any Part thereof, to the said Company, and that all such Contracts, Agreements, Sales, and Conveyances shall be valid and effectual in the Law to all Intents and Purposes whatsoever.

IV. And be it further enacted, That if any Money agreed to be paid for any Lands, private Roads, Tenements, and Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased by virtue of the Powers of this Act, shall be payable to any Body Politic, Corporate, or Collegiate, or Person or Persons, who could not convey the same Lands, Roads, Tenements, and Hereditaments, Estate or Interest without the Authority of this Act, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Company of Proprietors of the *Itchen* Bridge and Roads, pursuant to the Directions of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Roads, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Roads, Tenements, and Hereditaments, or Part or Parts thereof, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and

Application of Compensation Money when amounting to 200*l.* or upwards.

1 G. 4. c. 35.

and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Roads, Tenements, and Hereditaments which shall be purchased for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application being made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or of Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement were then actually made.

Application
of Compensation Money
when less
than 200*l.*
and exceeding
20*l.*

V. Provided always, and be it further enacted, That if any Money agreed to be paid for any Lands, Roads, Tenements, and Hereditaments, or any Estate or Estates, Interests or Interest therein, purchased by virtue of the Powers of this Act, shall be payable to any Body or Bodies, Person or Persons, who could not convey the same Lands, Roads, Tenements, and Hereditaments, Estate or Interest, without the Authority of this Act, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Roads, Tenements, and Hereditaments so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Body or Bodies, Person or Persons making such Option, and approved of by Three or more of the Committee of the said Company (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When not
exceeding
20*l.*

VI. Provided also, and be it further enacted, That where such Money so to be paid as last before mentioned shall not exceed or

amount to the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Roads, Tenements, and Hereditaments, Parts, Estates, and Interests, so to be purchased for the Purposes of this Act, in such Manner as the said Committee of the Company, or any Three or more of them, shall think fit; or in case of Infancy, Idiocy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

VII. And be it further enacted, That where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Roads, Tenements, and Hereditaments, or of any Share, Estate, Right, or Interest in any Lands, Roads, Tenements, and Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in possession of such Lands, Roads, Tenements, and Hereditaments, Share or Shares, at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Roads, Tenements, and Hereditaments, Share or Shares, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, or that some other Body or Bodies, Person or Persons, was or were lawfully entitled to such Lands, Roads, Tenements, and Hereditaments, Share or Shares, or to some Estate or Interest therein.

In case of
disputed
Titles.

VIII. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands, Roads, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, or from any other Cause, (except the wilful Refusal of such Person or Corporation to convey the said Lands, Roads, Tenements, or Hereditaments, or to accept the Purchase or Compensation Money for the same,) the Purchase Money for any Lands, Roads, Tenements, or Hereditaments, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of Land, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Re-investment of the same, or the Government or Real Securities purchased therewith, in the

Court of Ex-
chequer may
order reason-
able Ex-
pences of Pur-
chases and
Costs to be
paid by the
Company.

Purchase of other Lands, Tenements, and Hereditaments, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders, and of all other Proceedings for such Purposes (except such as may be occasioned by Litigation between Claimants), and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the said Company, and the said Company shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

Sale of Land
not wanted.

IX. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of, by either public Auction or private Contract, and by Indenture or Indentures under their Common Seal to grant and convey, or direct to be granted and conveyed, by way of absolute Sale in Fee Simple, for a Consideration in Money, all or any Part or Parts of Lands, Roads, Tenements, and Hereditaments which may be purchased by the said Company under the Authority of and which shall not be wanted for the Purposes of this Act; and upon the Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Roads, Tenements, and Hereditaments, or of any Part or Parts thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge or sufficient Discharges to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received, and such Person or Persons, having *bonâ fide* paid the same, shall not afterwards be answerable or accountable for any Loss, Misapplication or Nonapplication of such Purchase Money or any Part thereof.

Hours of
working of
the Bridge.

X. And be it further enacted, That so much of the said first in part recited Act as respects the Hours of working the said Bridge shall be and the same is hereby repealed; and that after the passing of this Act the said Bridge shall be worked at the respective Times herein-after mentioned in every Year as follows; (that is to say,) from the First Day of *February* to the First Day of *May* at and from Seven of the Clock in the Morning until Ten of the Clock in the Evening, and from the First Day of *May* to the First Day of *October* at and from Six of the Clock in the Morning to Eleven of the Clock in the Evening, and from the First Day of *October* to the First Day of *February* at and from Eight of the Clock in the Morning until Nine of the Clock in the Evening: Provided always, that nothing in this Act or in the said recited Act contained shall extend or be construed to extend to prevent or hinder the said Company or their Committee from working the said Bridge at any other Hour or Hours, at any Season of the Year, than those above specified, either earlier in the Morning or later in the Evening, if in their Discretion they shall see fit so to do: Provided also, that all the Provisions contained in the said recited Act with respect to the providing a proper Boat or Boats during the Hours that the said Bridge should not

be working according to the Times thereby appointed shall operate and extend to the providing of such Boat or Boats during the Hours that the said Bridge shall not be working according to the Hours hereby appointed, or to be from Time to Time appointed by the said Company or their Committee as aforesaid.

XI. And be it further enacted, That it shall be lawful for the said Company, for the Purposes of the said recited Act and this Act, forthwith, or at any Time hereafter, and from Time to Time, to raise, in addition to the Sums raised by virtue of the said recited Act, any Sum or Sums of Money, not exceeding in the whole the said Sum of Twenty thousand Pounds, by creating an additional Number of Shares of Fifty Pounds each in the Capital of the said Company, and to sell, transfer, or otherwise dispose of the same Shares for such Price or Prices and upon such Terms as they shall think proper; and such additional Shares shall be considered as Part of the Capital or Joint Stock of the said Company, and shall be under and subject to the same Provisions, Regulations, Directions, and Management, and the Persons, Bodies Politic, Corporate, and Collegiate, Aggregate or Sole, to whom the same respectively shall be sold, transferred, or disposed, or their several and respective Successors or Assigns, shall respectively be entitled to the like proportionate Parts of Profits, and the same Privileges and Advantages, as if the same Shares had been Part of the Capital or Joint Stock authorized to be raised by the said first in part recited Act.

Power to raise further Capital of 20,000*l.* by a Creation of new Shares.

XII. And be it further enacted, That in case the said Company, at any extraordinary General Meeting or Meetings of Proprietors of the said Company to be especially called in pursuance of the said recited Act or this Act, for the Purpose of increasing the Capital or Joint Stock of the said Company, shall resolve that any further Sum or Sums of Money shall be raised by the Creation of additional Shares as aforesaid in pursuance of this Act, and that it would be advisable to secure to the Persons who should purchase such Share the Payment of a Dividend or Dividends thereon in preference to the Payment of any Dividend on the present Shares, Capital, or Joint Stock of the said Company, and on such additional Shares or Capital (if any) as shall then have been raised without such Preference, then it shall be lawful for such extraordinary General Meeting to resolve that Dividends after any Rate not exceeding Five Pounds *per Centum per Annum* shall be paid in respect of the Share or Shares so purchased after such Resolution, for or towards such additional Capital, before any Dividends shall be paid in respect of the then Shares, Capital, or Joint Stock of the said Company; and after such Resolution no Dividends shall be payable to any of the Proprietors of Shares or Sums forming any Part of the said present Capital or Joint Stock of the said Company, or any additional Shares or Capital raised without such Preference, until there shall have been paid to the Proprietors of such Share or Shares a Dividend after the Rate determined by such Resolution as aforesaid in respect of the Share or Shares which such Proprietors respectively shall be entitled in such additional Capital; but that no Proprietors of Shares, Part of any such

Proprietors of additional Shares to have a Preference over the present Proprietors to the Extent of a Dividend not exceeding 5*l.* per Cent.

such additional Capital, shall be entitled to or receive Dividends to a greater Amount than after the Rate so to be determined as aforesaid in respect of such Share or Shares as aforesaid, until and unless the Proprietors of the Share or Shares forming the said present Capital or Joint Stock, and any additional Capital raised without such Preference as aforesaid, shall have received and been paid Dividends of equal Amount to the Dividends in respect of the additional Capital raised after such Resolution as aforesaid.

Power to
raise the
further Sum
of 20,000*l.*
by Mortgage
or Annuities.

XIII. Provided always, and be it further enacted, That in case the said Company shall be desirous to borrow and raise the said Sum of Twenty thousand Pounds, or any Part thereof, by Mortgage of the said Undertaking, or of the Tolls thereof, or by granting Annuities, it shall be lawful for the said Company to borrow and take up at Interest all or any Part of the said additional Sum of Twenty thousand Pounds, either by way of Mortgage of the said Undertaking and the Tolls thereof, or by granting Annuities to be payable out of the said Tolls during the Life of the Purchaser or Purchasers thereof, or of such Person or Persons as should be nominated by and on the Behalf of such Purchaser or Purchasers, which Annuity or Annuities shall be granted and made payable either with or without Benefit of Survivorship; and the said Company are hereby authorized and empowered, under their Common Seal, to grant and assign over the said Undertaking and Tolls as a Security for any Sum or Sums of Money so to be borrowed, with Interest for the same, or for the due and regular Payment of the said Annuity or Annuities so to be granted, as to them should seem meet; and all Mortgages, Assignments, Securities, and Grants of Annuities to be made or granted in pursuance of this Act shall be made and granted under and subject to the same or the like Provisions and Regulations as are provided or directed by or contained in the said recited Acts, or either of them, for borrowing or raising Money on Mortgage or by Grants of Annuities; and all Mortgages, Assignments, Securities, and Grants made or granted for borrowing the said additional Sum of Twenty thousand Pounds, or any Part thereof, shall be as valid and binding as any Mortgages made for borrowing the said Sums of Ten thousand Pounds and Five thousand Pounds in pursuance of the said recited Acts respectively, and as if the Money for or in consideration whereof the same shall be made or granted had been Part of the Money authorized to be borrowed by the said first in part recited Act: Provided always, nevertheless, that all Mortgages which have been made before the passing of this Act shall have Priority over all Mortgages and other Securities to be given or made by the said Company in the Execution of this Act: Provided always, that the Whole or such Part of the said Sum of Twenty thousand Pounds as shall be raised upon Mortgage as aforesaid shall be applied in the Payment and Discharge of Debts already contracted by the said Company, and for no other Purpose whatsoever; and that the Tolls, Rates, and Duties hereby given shall not be applied to any other Purpose except the Repair, Maintenance, keeping up, and working the said Bridge, and in Payment of the Interest and Principal due or to become due on any Mortgages already granted, or to be granted in pursuance of this Act, until the Sum of Twenty thousand Pounds due in respect of such
Mortgages,

Mortgages, together with the whole of the Interest thereof, shall be paid out of such Tolls, Rates, and Duties.

XIV. And be it further enacted, That in case any of the Monies lent to the said Company by way of Mortgage or on Security as aforesaid shall be called in, or in case the Directors of the said Company shall at any Time be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall happen to be payable upon any of the original or other Mortgages or Securities which may have been granted under or by virtue of the said last-recited Act and this Act, or either of them, which may happen to be then existing, it shall be lawful for the said Company from Time to Time to borrow and raise, by way of Mortgage or on Security, in any of the Modes in the said last-recited Act or herein-before mentioned, for the Purpose of paying off any of the said original or other Mortgages or Securities, any Sum or Sums of Money, and therewith to pay off and discharge any of the said original or other Mortgages or Securities which shall be called in; or which shall bear a higher Rate of Interest.

Money may be borrowed to pay off existing Mortgages.

XV. And be it further enacted, That for the Purpose of paying off the said Principal Sums, or any Part or Parts thereof, should the same be raised by Mortgage of the Undertaking or the Tolls thereof as aforesaid, or for answering all or any of the other Purposes of this Act, it shall be lawful for the said Company to borrow and take up any Sum or Sums of Money at Interest, on the Credit of the Undertaking or the Tolls thereof payable to the said Company by virtue of the said last-recited Act and this Act, for any limited or definite or any unlimited or indefinite Period of Time, and so from Time to Time again to borrow and take up and again to repay such Sum or Sums of Money; provided that the total Amount of the Monies which shall be borrowed and remain due upon Security of the said Rates, or on Mortgage under this present Power or Provision, shall not exceed the Sum of Thirty-five thousand Pounds; and that the several Sums of Money so to be from Time to Time borrowed and raised as last aforesaid shall be charged upon the said Undertaking, and the Tolls thereof payable to the said Company, or any of them as aforesaid, and shall be transferrable in the same or the like Manner and Form as herein-before is provided in relation to such Sum or Sums as by the said recited Acts or this Act are authorized to be raised.

Power to pay off Money raised, and again to borrow the same.

XVI. And be it further enacted, That so much of the said first in part recited Act as enacts, that, for the Purpose of Proprietors of the said Undertaking disposing of their Shares, "Duplicates of the Deed of Bargain and Sale or Transfer of such Share or Shares shall be executed by every Vendor and Vendee, and that one Part thereof so executed shall be delivered to the said Company or their Clerk or Clerks, to be filed and kept for the Use of the said Company, and that an Entry thereof shall be made in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Company, for which no more than Two Shillings and Sixpence shall be paid, and that until the Duplicate of such Deed or Transfer shall be so delivered to the said Company or their Clerk or Clerks as aforesaid, such Pur-

Repealing Clause as to Duplicate Transfer.

chaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest paid him, her, or them, for or in respect of such Share or Shares so purchased, nor be entitled to vote as a Proprietor or Proprietors of the said Undertaking," shall be and the same is hereby repealed.

Repeal of
the present
Tolls.

XVII. And be it further enacted, That so much of the said first-recited Act as authorizes any Tolls or Sums of Money to be demanded, collected, taken, and received before any Travellers, Passengers, or Persons, or any Horses, Beasts, Cattle, or Carriages, shall be permitted to go or pass on the said Bridge, or over and across the said River, shall be and the same is hereby repealed.

Repeal of
the Clause
requiring
Tickets.

XVIII. And be it further enacted, That so much of the said first-recited Act as requires "that upon Payment of the Toll by this Act granted and authorized to be taken on the said Road the Collector or Receiver thereof shall and he is hereby required to deliver *gratis* to the Person paying such Toll a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Company or their Committee," shall be and the same is hereby repealed.

For erecting
Toll Gates
on Roads.

XIX. And be it further enacted, That in addition to the Toll House authorized to be erected, set up, or built by virtue of the said first in part recited Act, it shall be lawful for the said Company or their Committee to erect and set up or build, or cause to be erected, set up, or built, upon, in, or across any Road or Roads which shall be made or purchased by or leased to the said Company by virtue of this Act, One or more Toll Gate or Toll Bar and Toll House, or Toll Gates or Toll Bars or Toll Houses, with Outhouses and Conveniences suitable thereto, and to take in and inclose a suitable Garden Spot for every or any such Toll House, not exceeding One Eighth Part of a Statute Acre, as they shall think necessary, and from Time to Time to take down and remove or to alter or discontinue the same as they the said Company or Committee shall think proper and direct or appoint, and the Tolls to be taken at any such Toll House, Toll Gate, or Toll Bar shall be the same as are by the said recited Acts authorized to be taken at any Toll House, Toll Gate, or Toll Bar by the said Acts authorized to be erected upon, in, or across any Road by the said Acts authorized to be made, so nevertheless that no such Toll Bar, Toll Gate, or Toll House shall at any Time be erected or built in or upon any Site or Place in which such Toll Bar, Toll Gate, or Toll House may obstruct or in any Manner interfere with the free Traffic of the Public as heretofore enjoyed in, over, or along any such public Highway existing previous to the passing of the said recited Acts or this Act.

Tolls to be
taken on the
Bridge.

XX. And be it further enacted, That it shall and may be lawful for the said Company or their Committee, or any Collector to be appointed by the said Company, or any Lessee or Lessees of the Tolls, from Time to Time and at all Times hereafter, to demand, collect, take, and receive, before any Traveller, Passenger, or Person, or any Horses, Beasts, Cattle, or Carriages, shall be permitted to go or pass through the Gateway or Lodge of the said Bridge at which the said Company

Company or their Committee shall from Time to Time direct such Tolls or Sums of Money to be taken, the Tolls or Sums of Money herein-after mentioned, or such Tolls or Sums of Money, not exceeding the respective Tolls or Sums of Money herein-after mentioned, as the said Company shall from Time to Time think proper; (that is to say,)

For every Horse or other Beast drawing any Coach, Chariot, Berlin, Landau, Phaeton, Hearse, Chaise, or other such like Carriage with Four Wheels, if drawn by One Horse or other Beast, Eight-pence; and if drawn by Two or more Horses or other Beasts, Sixpence for each Horse or other Beast beyond the first: Tolls.

For every Horse or other Beast drawing any Cabriolet, Chaise, Chair, Gig, Whiskey, or other Carriage on Springs, with less than Four Wheels, if drawn by One Horse or other Beast, Sixpence; and if drawn by Two or more Horses or other Beasts, Four-pence Halfpenny each:

For every Horse or other Beast or Person drawing any Dray, Sledge, or other Carriage without Wheels, or drawing any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, or other such like Carriage, with Four Wheels, the Sum of Sixpence:

For every Horse or other Beast or Person drawing any Dray, Sledge, or other Carriage without Wheels, or drawing any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, or other such like Carriage, with Four Wheels, where there shall be more than One Horse, the Sum of Four-pence Halfpenny:

For every Horse or other Beast or Person drawing any Cart or any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray or other such like Carriage with less than Four Wheels, the Sum of Four-pence Halfpenny:

For every Dog drawing any Cart, Van, Dray, or such like Carriage, the Sum of Four-pence Halfpenny:

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

For every Ox, Bull, Cow, Steer, Heifer, Calf, or Head of Neat Cattle, the Sum of Three-pence:

For every Sheep, Lamb, Hog, Boar, Sow, or Pig, the Sum of One Halfpenny:

For every Passenger or Person merely using the Common Cabin or Floor or Deck of the said Bridge, the Sum of One Penny:

For every Passenger or Person entering or using the best Room or Cabin of the said Bridge, the Sum of One Penny Halfpenny:

For every Coach, Waggon, Cart, or other Carriage not drawn by Horses or other Beasts, but propelled or moved by means of Steam or Machinery, or any other Power than Animal Power, the Sum of Two Shillings and Sixpence shall be payable and be paid for each Wheel whereon the same shall run:

For every Wheelbarrow or Handbarrow, including the Loading thereof, the Sum of One Penny:

For every Hand-truck or Handbarrow with Two Wheels, including the Loading thereof, the Sum of Two-pence:

For every Hand-truck or Barrow with Four Wheels, including the Loading thereof, the Sum of Three-pence:

For every Hogshead, Cask, or other Goods, Wares, or general Merchandize,

chandize, rolled, drawn, or carried, except on Wheels or Sledges, or pushed along the said Bridge or the Approaches thereto, exceeding One Hundred Weight, the Sum of One Penny; and an additional Sum of One Penny for each and every Hundred Weight above the first One Hundred Weight:

For every Merlin or Bath Chair, the Sum of Three-pence:

For each Wheel of every Coach, Chaise, Gig, or other Carriage not drawn by any Horse or other Beast, the Sum of Two-pence:

And for each Wheel of every Carriage; Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, fastened to any other Carriage, and drawn by any Horse or other Beast, the Sum of Two-pence.

Additional
Tolls on
Timber.

XXI. And be it further enacted, That it shall and may be lawful for the said Company or their Committee, or any Collector to be appointed by the said Company, or any Lessee or Lessees of the Tolls, from Time to Time and at all Times hereafter to demand, collect, take, and receive, before any Timber or other Waggon or Truck, or any Timber not upon a Carriage or Truck, shall be permitted to go or pass through any Gateway or Lodge on either Side of the said Bridge, or any of the Landing Places thereto, over and above the Tolls herein-before mentioned to be payable, the following Sums of Money as additional Toll; (that is to say,)

For every Timber Waggon or other Carriage laden with Timber, such Timber being of the Length of Twenty-five Feet, and not exceeding Thirty-five Feet, the Sum of Sixpence; and an additional Sum of Three-pence for every Ten Feet beyond the first Thirty-five Feet.

Payment at
either of the
Gates, &c. to
exempt from
Payment at
any other, or
to be taken
as part Pay-
ment on the
Bridge.

XXII. Provided always, and be it further enacted, That Tolls shall not be payable for or on account of passing through the Gateway or Lodge of the said Bridge, and also for or on account of passing through any Toll Gate or Bar upon any Road now belonging or hereafter to belong to the said Company, but that the Payment of Toll at the Gateway or Lodge of the Bridge shall exempt the Party paying the same from all Tolls for the same Journey at any Toll Gate or Bar on the said Roads, and the Payment of Toll at any Toll Gate or Bar on the said Roads shall be taken as part Payment of the Toll payable on passing the Gateway or Lodge of the said Bridge.

The Tolls to
be recover-
able accord-
ing to the
Provisions of
the former
Act.

XXIII. Provided always, and be it further enacted, That the Tolls or Sums of Money made payable by this Act shall be recoverable in like Manner as by the first-recited Act is provided with respect to the Tolls or Sums of Money thereby made payable, and that all the Provisions, Regulations, Interests, and Things contained in the said recited Act with respect to the Tolls or Sums of Money thereby made payable shall, so far as the same are not hereby altered or repealed, extend and be applied to the Tolls or Sums of Money made payable by this Act.

No more
than One full
Toll at Toll
Gates on
same Day.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the demanding or taking of the Tolls aforesaid of or from any Person or Persons more than Once for passing through Two or more of the said Turnpikes or
Toll

Toll Gates which may be erected on the said Roads with any Horse or Horses, Mules, Beasts, Oxen, or other Cattle or Carriage as aforesaid, on One and the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, but that all and every Horse or Horses, Mules, Beasts, Oxen, or other Cattle or Carriage in respect whereof the Toll shall have been paid at One of the said Turnpikes or Toll Gates in any One Day, to be computed as aforesaid, shall, upon a Note or Ticket denoting such Payment being produced, be permitted to pass and repass any Number of Times Toll-free, during such Days as aforesaid, through any other or others of the same Turnpikes or Toll Gates.

XXV. Provided always, and be it further enacted, That it shall and may be lawful for the said Company, or any Collector to be appointed by the said Committee, or any Lessee or Lessees of the Tolls, to decline and refuse to permit to go and pass upon the Bridge, or any of the Approaches thereto, any Waggon, Cart, or other Carriage of any Weight, Size, and Description which would be attended with any Injury or Damage to the said Bridge and Approaches, or would in anywise damage the Machinery or Works belonging to the said Company.

Waggons,
&c. liable to
injure Bridge
not to be
allowed to
pass.

XXVI. And be it further enacted, That no Person claiming any Exemption from any of the said Tolls under the Provisions of the said first-recited Act, upon the Ground of being a Fisherman or seafaring Person, or otherwise being an Owner, Occupier, or Inmate or Inhabitant of the Parish of *Saint Mary Extra*, shall be entitled to the Benefit of any such Exemption, unless his or her Name and Residence, and the Ground upon which he, she, or they shall claim such Exemption, shall, prior to claiming such Exemption, have been stated to the Collector of Tolls at the said Bridge, to the Intent that the same may be, without Fee or Reward, entered in a Book or Books, which shall be kept at the Toll House of the said Bridge for such Purpose.

Names, &c.
of Persons
claiming Ex-
emption to
be entered
in a Book.

XXVII. Provided always, and be it further enacted, That no greater Toll than the Sum of One Halfpenny shall be demanded or taken each Time of passing upon the said Bridge of or from any Passenger or Person being Owner, Occupier, or Inmate of any House in the Parish of *Saint Mary Extra* aforesaid, and not rated to the Relief of the Poor, or being Owner, Occupier, or Inmate of any such House in the said Parish as aforesaid, and rated to the Relief of the Poor at an Assessment not exceeding Fifteen Pounds *per Annum*, for his or her Passage upon the said Bridge.

Declaring
certain Per-
sons entitled
to use Bridge
on Payment
of One Half-
penny.

XXVIII. And be it further enacted, That if any General Meeting of the said Company shall determine that the said Tolls or Sums of Money hereby made payable, or any of them, shall be let, it shall be lawful for the said Company at any Time or Times, by Writing under their Common Seal, to let the said Tolls or Sums of Money hereby made payable, or other the Tolls or Sums of Money made payable in respect of the said Bridge, or the Tolls or Sums of Money made payable in respect of the said Roads, to any Person or Persons, except to the Company of Proprietors of the *Northam* Bridge and

Power to
lease the
Tolls.

Roads, for any Term which the said Company shall think proper, not exceeding Seven Years from the Commencement of any such Lease ; and the Lessee or Lessees of the said Tolls or Sums of Money, or any of them, and also such Person or Persons as such Lessee respectively shall appoint to collect and receive the Tolls or Sums of Money so let to him, her, or them, shall during the Continuance of any such Lease be deemed a Collector or Collectors of the Tolls or Sums of Money so let, but for the proper Use of the Lessee or Lessees, and shall have the same Power and Authority for collecting and recovering the same as if he or they had been appointed for that Purpose by the said Company, provided that public Notice of the Intention to let the said Tolls or Sums of Money, or such of them as shall be intended to be let, shall be given by the Committee, or by the acting Clerk of the said Company, by Advertisement in some Newspaper circulated within the said County of *Southampton* and within the Borough and Town of *Southampton* at least Seven Days prior to any General Meeting at which it may be proposed that the said Tolls or Sums of Money, or any of them, shall be let as aforesaid.

Power of
Re-entry.

XXIX. And be it further enacted, That in case all or any of the Tolls or Sums of Money made payable by virtue of this Act shall be let to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, or any Part or Instalment thereof, shall be in arrear or unpaid for the Space of Twenty-one Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Agreement, or Contract for demising or letting the same Tolls or Sums of Money, or in case any such Lease, Agreement, or Contract shall in any other Manner become void, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the said Town and Borough of *Southampton*, or of the said County of *Southampton*, upon Application made by the said Committee, or by the Treasurer or acting Clerk for the Time being of the said Company, by Warrant under their respective Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take possession of every or any Toll House belonging to the said Company, and comprised in such Leases, Agreement, or Contract, with the Gardens and all other the Appurtenances thereto belonging, and to remove and put such Lessee or Lessees, or other the Person or Persons who shall be found therein, together with his, her, or their Goods, from and out of the same and the Possession thereof, and from the Collection of such Tolls and Sums of Money, and to put the said Company or any of them, or their new Lessee or Collector, Lessees or Collectors, into the Possession thereof; and thereupon it shall be lawful for the said Committee, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement (if any) which was previously subsisting, and the same shall accordingly be utterly void to all Intents and Purposes (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part,) as if such Lease, Contract, or Agreement

had never been made ; and it shall be lawful for the said Company or Committee in every such Case again to demise or let to farm the said Tolls and Sums of Money to any other Person, or cause them to be collected, in such and the same Manner as if no former Lease, Contract, or Agreement had been made relating thereto.

XXX. And be it further enacted, That all the Costs, Charges, and Expences of applying for, obtaining, and passing this Act, or incident thereto, shall be paid and discharged out of the Funds of the said Company, in preference to all other Payments whatsoever. For paying Expences of Act.

XXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice or diminish, alter, abridge, or take away, or in any Manner interfere with or affect, the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making and maintaining a Dock or Docks at Southampton*, but the same shall remain and continue in the same Manner as if this Act had not been passed. Saving Rights of Southampton Dock Company. 6 W. 4. c. 29.

XXXII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others. Public Act.

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