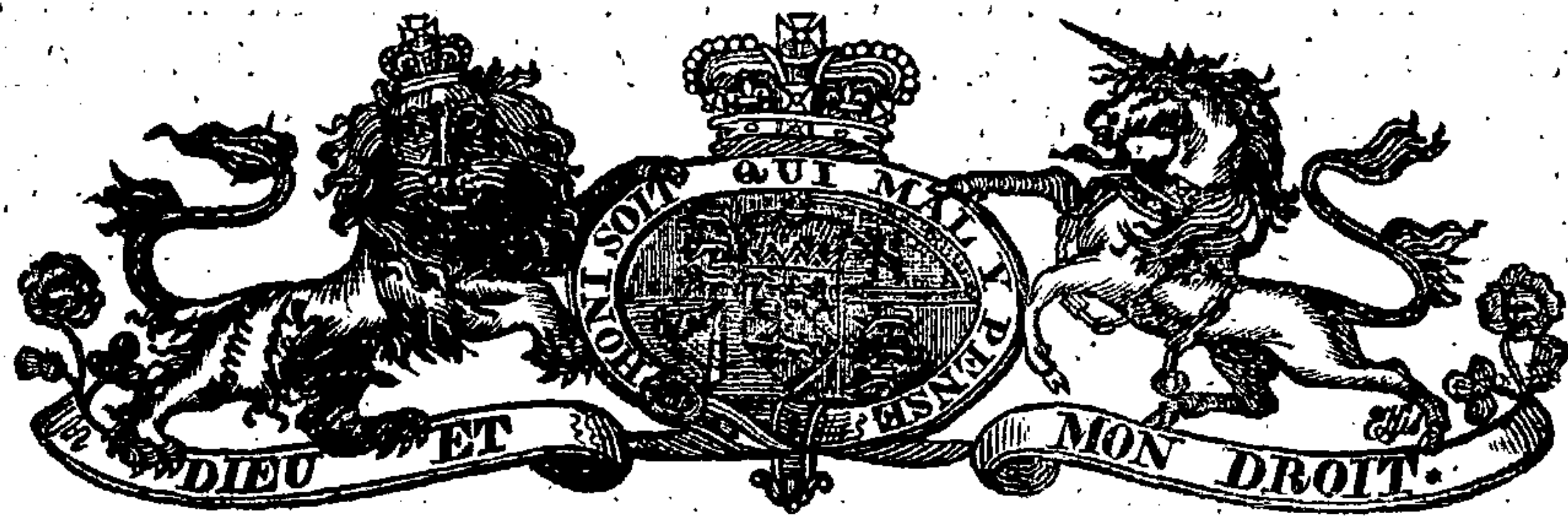




ANNO QUARTO

GEORGIIV. REGIS.

Cap. cxvi.

An Act to amend several Acts for erecting a Bridge over the River *Thames*, from the City of *London* to the opposite Bank, in the Parish of *Saint Saviour* in the County of *Surrey*.

[27th June 1823.]

WHEREAS an Act was passed in the Fifty-first Year of the Reign of His late Majesty King George the Third, intituled *An Act for erecting a Bridge over the River Thames, from or near the Three Cranes, in the Parishes of Saint James Garlick Hithe and Saint Martin Vintry in the City of London, to the opposite Bank of the said River in the Parish of Saint Saviour in the County of Surrey, and for making proper Streets and Avenues to communicate therewith*: And whereas an Act was passed in the Fifty-third Year of the Reign of His said late Majesty, intituled *An Act to amend an Act passed in the Fifty-first Year of His present Majesty, for erecting a Bridge over the River Thames, from the City of London to the opposite Bank in the County of Surrey*: And whereas an Act was passed in the Fifty-sixth Year of the Reign of His said late Majesty, intituled *An Act to amend Two Acts of His present Majesty, for erecting a Bridge over the River Thames, from the City of London to the opposite Bank in the County of Surrey*: And whereas an Act was passed in the Fifty-eighth Year of the Reign of His said late Majesty, intituled *An Act for enabling the Southwark Bridge Company to raise a further Sum of Money, and to amend the Acts for building the said Bridge*: And whereas an Act was passed in the First Year of the Reign of His present Majesty,

[Local.] 30 H intituled

51G.3. c.166.
53 G. 3. c.87.
56 G. 3. c. xi.
58 G. 3. c. lxviii.

1 G. 4. c. xlix. intituled *An Act to alter and amend several Acts for erecting a Bridge over the River Thames, from the City of London to the opposite Bank in the County of Surrey*: And whereas the said Company have proceeded in the Execution of the Works authorized by the said recited Acts, and have completed the said Bridge, and have made great Progress towards the Completion of the Roads and other Works authorized to be made by the said recited Acts or some of them: And whereas the said Company, in proceeding with the said Works, raised great Part of the several Sums of Money authorized to be raised by the said recited Acts of the Fifty-first, Fifty-sixth, and Fifty-eighth Years of the Reign of His late Majesty, and at the Time of the passing of the said Act of the First Year of the Reign of His present Majesty, there remained to be raised of the said Sums of Money a Sum exceeding Fifty thousand Pounds to complete the same: And whereas the said Act of the First Year of the Reign of His present Majesty authorized and empowered the said Company to raise a further Sum of Money not exceeding One hundred thousand Pounds, over and above the Sums which the said Company had been before the passing thereof authorized to raise, and provided that all Mortgages, Annuities, Bonds, Notes, or other Securities to be given for securing the said Sum of One hundred thousand Pounds, or any Part thereof, should be registered with the Clerk of the said Company, and the same, and the Principal, Interest, Annuity or Annuities thereby secured should have Priority over and precede all Dividends and Divisions of Profit or Interest to or amongst the Proprietors in the said Bridge or Undertaking: And whereas since the passing of the said recited Act of the First Year of the Reign of His present Majesty, the said Company have raised Part of the said Sum of One hundred thousand Pounds by the Admission of the Subscribers thereto to Shares in the said Undertaking, with a Priority of Dividend or Interest out of the Profits of the said Undertaking: And whereas Doubts have arisen whether the Provisions of the said Act of the First Year of the Reign of His present Majesty, relating to Priority of Dividend, apply to the Mode in which the said Company have raised such Part of the said Sum of One hundred thousand Pounds, and it is expedient that such Doubts should be removed, and that the Proceedings of the said Company therein should be confirmed, and that the said Company should have Power and Authority to raise, upon the same Terms and Conditions, such Portions of the several Sums authorized to be raised by the said recited Acts of the Fifty-first, Fifty-sixth, and Fifty-eighth Years of the Reign of His late Majesty, as have not yet been raised; and that the said several Acts or some of them should be altered and amended, and the Tolls authorized to be taken should be altered, increased, and extended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Company shall have full Power and Authority to raise the said Sum of One hundred thousand Pounds, authorized to be raised by the said recited Act of the First Year of the Reign of His present Majesty, together with such Portion or Portions of the several Sums of Money authorized to be raised by the

Power to
raise Money
by Issue of
Shares, Pro-
prietors of
which to have

the said recited Acts of the Reign of His late Majesty, as they have not yet raised by the Admission of the Subscribers thereto to Shares in the said Undertaking; and that the Holders and Proprietors of such Shares shall have a Priority over and precede all Dividends and Division of Profits or Interest to or amongst the other Proprietors of Shares in the said Bridge and Undertaking, but so as that the whole Sum so raised or to be raised, with such Priority of Dividend, shall not exceed the Sum of One hundred and fifty thousand Pounds, and so as that the Amount of the Dividend to which such Priority shall be applicable shall not exceed the amount of Seven Pounds Ten Shillings *per Centum per Annum* upon the Sum advanced, paid, or subscribed for such Shares; and that the Provisions of this Act in respect of the raising of the said Sum of One hundred thousand Pounds shall be and be deemed and taken to apply to the Proceedings of the said Company in raising any Part of the said Sum of One hundred thousand Pounds, prior to the passing of this Act; and the Subscribers to such Part of the said Sum of One hundred thousand Pounds, as was raised prior to the passing of this Act, shall have the like Privileges and Advantages as those who shall subscribe thereto after the passing of this Act, and as if such Subscription had all been made, and such Money raised after the passing of this Act; any thing in the said recited Acts of the Fifty-first, Fifty-third, Fifty-sixth, and Fifty-eighth Years of the Reign of His late Majesty, and the Act of the First Year of the Reign of His present Majesty, or either of them, to the contrary thereof in anywise notwithstanding: Provided always, that the Owners or Proprietors of the Shares created or to be created by virtue of this Act shall stand upon the same Footing the one with the other in respect of their Right to the Payment of their Dividend or Interest on such Shares without any Priority among themselves, notwithstanding the Sums of Money for which such Shares may have been given or issued may have been advanced at different Times.

Priority over
Dividends.

II. And be it further enacted, That the Shares to be raised or issued by virtue of this Act, may be raised by the said Company in or by any of the Ways and Means authorized by any or either of the said recited Acts of the Fifty-first, Fifty-third, Fifty-sixth, and Fifty-eighth Years of the Reign of His late Majesty, or the Act of the First Year of the Reign of His present Majesty, for the raising or issuing Shares authorized by the said recited Acts or any or either of them.

Shares under
this Act may
be raised as
under former
Acts.

III. Provided always, and be it further enacted, That in case the said Company of Proprietors or their Committee or Court of Direction, shall raise any Part of the said Sum of One hundred and fifty thousand Pounds by Mortgages, Bonds, Annuities, Notes, or other such Securities as they are authorized to do by the said recited Acts or some of them, the Holders of such Mortgages, Bonds, Annuities, Notes, or other such Securities, shall rank and stand upon the same Footing with the Holders of the Shares issued or to be issued with a Priority of Dividend under and by virtue of this Act, as to the Interest to be paid in respect of such Mortgages, Bonds, Annuities, Notes, or other such Securities; that is

Mortgages,
&c. to stand
upon the
same Footing
with the
Shares issued
under this
Act, with
Priority of
Dividend.

to

to say, that all Holders of Mortgages, Bonds, Annuities, Notes, or other such Securities given or issued by the said Company prior to the passing of this Act, shall be first entitled to receive their Interest upon such Mortgages, Bonds, Annuities, Notes, or other such Securities, and the Holders of any Mortgages, Bonds, Annuities, Notes, or other such Securities to be given or issued by the said Company, upon the Advance of any Part of the said Sum of One hundred and fifty thousand Pounds, shall be next in Succession, and shall, *pari passu* with the Holders of Shares entitled to a Priority of Dividend by virtue of this Act, be entitled to receive the Interest upon such last-mentioned Mortgages, Bonds, Annuities, Notes, or other such Securities, and in Priority only to the Proprietors of the Shares in the said Undertaking, raised by virtue of all or any of the said recited Acts of His late Majesty; and further that the Holders of such last-mentioned Mortgages, Bonds, Annuities, Notes, or other such Securities, shall also stand upon an equal Footing the one with the other in respect of their Right to the Payment of the Principal and Interest, or Annuities thereby secured and made payable without any Priority among themselves, notwithstanding the Sums of Money for which such Securities shall have been given or issued may have been advanced at different Times.

Present Tolls
repealed.

IV. And be it further enacted, That from and after the passing of this Act, the several Tolls authorized to be demanded and taken by the said Company for passing over the said Bridge, by the said recited Act of the Fifty-first Year of the Reign of His late Majesty, shall be and the same are hereby repealed, and that instead thereof, there shall be demanded and taken at all such Toll Gates, Bars, or Turnpikes as are now erected, or which shall hereafter be erected on the said Bridge, or within Twenty Yards thereof, by virtue of the said recited Act of the Fifty-first Year of the Reign of His late Majesty, before any Person using the said Bridge as a Footway, or any Horse, Mule, Ass, or other Cattle or Carriage, Waggon, Wain, Cart, or other Vehicle shall be permitted to pass through any such Gate, Bar, or Turnpike upon the said Bridge, or within Twenty Yards thereof, the respective Tolls following; (that is to say),

New Tolls.

For each and every Time of passing over the said Bridge,

For every Foot Passenger, a Sum not exceeding One Penny:

For every Coach, Berlin, Landau, Vis-a-vis, Chariot, Chaise, Calash, and Pleasure Carriage, and for every Hearse, Litter, or other such Carriage having more than Two Wheels, if drawn by Five or Six Horses or other Beasts of Draught, a Sum not exceeding One Shilling and Sixpence; and if drawn by Three or Four Horses or other Beasts of Draught, a Sum not exceeding One Shilling; and if drawn by Two Horses or other Beasts of Draught, a Sum not exceeding Nine-pence; and if drawn by One Horse or other Beast of Draught, a Sum not exceeding Sixpence:

For every Chaise, Chair, Taxed Cart, Curricule, or other such like Carriage on Two Wheels, if drawn by Two Horses or other Beasts of Draught, a Sum not exceeding Sixpence; and if drawn by One Horse or other Beast of Draught, a Sum not exceeding Four-pence:

For

For every Horse or other Beast of Draught drawing any Wagon, Wain, Cart, Dray, Truck, Sledge, or such like Carriage, laden or unladen, a Sum not exceeding Three-pence :

For every Wheelbarrow or Truck, not drawn by any Horse or other Beast of Draught, a Sum not exceeding Two-pence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, a Sum not exceeding Two-pence :

For every Score of Oxen or Neat Cattle, and so in proportion for any greater or less Number, a Sum not exceeding Eight-pence per Score :

For every Score of Calves, Hogs, Sheep, or Lambs, and so in proportion for any greater or less Number, a Sum not exceeding Four-pence per Score.

V. And be it further enacted, That so much of the said recited Act of the First Year of the Reign of His present Majesty as requires and provides that the Road thereby authorized to be made shall be completed within Three Years from the passing thereof, shall be and the same is hereby repealed.

Time for completing the Road repealed.

VI. And be it further enacted, That the said Company shall, and they are hereby authorized and empowered to proceed in the Execution of the several Works authorized by the said several recited Acts of His late and present Majesty, and complete the same within the Period of Five Years from the passing of this Act, any thing in the said recited Act of the First Year of the Reign of His present Majesty to the contrary thereof in anywise notwithstanding ; and in case the same shall not have been completed so as to answer the Purposes thereof, within the said Space of Five Years from the passing of this Act, then and from thenceforth all the Powers and Authorities given for making the said Works shall cease and determine, save only as to so much of the said Works as shall have been completed within such Time.

Allowing further Time for executing the Works.

VII. And whereas by the said recited Act of the First Year of His present Majesty it is enacted, that the said Company of Proprietors, or their Committee or Court of Direction, shall not be compelled or compellable to pave the said Bridge, or the Road authorized to be made by that Act, or any Part or Parts thereof, not within the Manor of *Southwark*, otherwise called *The Clink* or *Bishop of Winchester's Liberty*, in the Parish of *Saint Saviour Southwark* in the County of *Surrey*, any thing in the therein recited Acts, or either of them, to the contrary thereof in anywise notwithstanding ; And whereas it is expedient, and the Convenience of the Public will be adequately consulted, if the said Company of Proprietors should not be required to pave such Part of the said Road as lies within the *Clink* or *Bishop of Winchester's Liberty* further than is herein-after mentioned ; be it therefore enacted, That with respect to such Parts of the said Road authorized to be made by the said recited Act of the First Year of His present Majesty, or of the Road authorized to be made by the said recited Act of the Fifty-first Year of His late Majesty, as lie within the Manor of *Southwark*, otherwise called *The Clink* or *Bishop of Winchester's Liberty*, in the Parish of *Saint Saviour Southwark*

Respecting paving Clink Liberty.

in the County of *Surrey*, the said Company of Proprietors, or their Committee or Court of Direction, shall not be compelled or compellable or required to pave any further or greater Portion thereof than the Footway, and the Channels for carrying off the Waste Water on each Side of the Carriageway thereof; and that from and after the same shall be so paved as aforesaid, the same, except as herein-after mentioned, shall thereafter be under the Controul and Authority of the Commissioners appointed or to be appointed under and by virtue of an Act made and passed in the Fifty-second Year of the Reign of His late Majesty King George the Third, intituled

52 G. 3. c. 14. *An Act for better paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Manor of Southwark, otherwise called The Clink or Bishop of Winchester's Liberty, in the Parish of Saint Saviour Southwark in the County of Surrey: Provided always, that the said Company of Proprietors shall thereafter continue and be subject and liable to repair, keep in repair, and cleanse, at their own Costs and Charges, so much only of the said Road within the Clink or Bishop of Winchester's Liberty, as shall not be paved in Manner aforesaid; any thing in the said recited Acts or this Act to the contrary thereof in any-wise notwithstanding.*

Act not to
affect Secu-
rity of Ex-
chequer Bill
Commission-
ers.

57G. 3. c. 34.

57G.3.c.124.

VIII. And whereas the Commissioners for carrying into Execution an Act of Parliament made and passed in the Fifty-seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in Manner therein mentioned*; and also another Act made and passed in the same Session, intituled *An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor*, did, on or about the Tenth Day of November One thousand eight hundred and eighteen, advance and lend to the said Company of Proprietors Seventy-eight thousand Pounds in Exchequer Bills, upon the Security of a certain Indenture of Mortgage, under the Seal of the said Company, and dated the said Tenth Day of November One thousand eight hundred and eighteen, whereby, for the Considerations therein mentioned, the said Company of Proprietors did grant, convey, and assign unto *William Holden* Esquire, the Secretary of the said Commissioners for the Issue of Exchequer Bills, all and every the said Bridge, and the Toll House or Toll Houses belonging or which might belong thereto, and all and singular the Rates, Tolls, and Receipts whatsoever, accruing or arising, or which might at any Time thereafter accrue or arise, or which might at any Time thereafter be taken, collected, or received by the said Company, from or out or on account of the said Bridge or otherwise, by virtue of the said Acts, and all the Right, Title, and Interest of the said Company of, in, and unto the same, to hold the same unto the said *William Holden*, his Executors, Administrators, and Assigns, until the aforesaid Sum of Seventy-eight thousand Pounds, and Interest thereon at the Rate of Five Pounds

per Centum per Annum, should be repaid as therein particularly mentioned and expressed; and the said Company did thereby, for themselves and their Successors, covenant, promise, undertake, and agree to and with the said *William Holden*, his Executors, Administrators, and Assigns, that they the said Company or their Successors should, on or before the Tenth Day of *January* then next, complete or cause and procure to be completed the said Bridge and the Roads and Approaches thereto, as therein mentioned, and all Works of every Description necessary to such Completion thereof, at their own proper Costs and Charges, in case the Expence of completing the same in Manner therein mentioned should exceed the Sum of Seventy-eight thousand Pounds, being the estimated Amount for the Completion of the said Bridge, and the Roads and Approaches thereto, at the Time the said Loan was so proposed to be advanced by the said Commissioners for the Issue of Exchequer Bills as aforesaid; be it therefore further enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to invalidate, defeat, make void, or in any Manner incumber or affect the Security given by the said Company of Proprietors to the Secretary of the said Commissioners as aforesaid; and that all Rates, Tolls, and Receipts which may become payable to the said Company under and by virtue of any of the Powers and Authorities of this Act, or the Acts herein recited and referred to, shall form a Part of, and are hereby enacted and declared to form a Part of and to be comprehended in the said Indenture of Mortgage of the Tenth Day of *November*. One thousand eight hundred and eighteen, any thing contained in this Act, or in any Act or Acts herein recited or referred to, to the contrary thereof in anywise notwithstanding.

IX. And be it further enacted, That the said recited Acts of the Fifty-first, Fifty-third, Fifty-sixth, and Fifty-eighth Years of the Reign of His late Majesty, and of the First Year of the Reign of His present Majesty, and all and every the Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Matters and Things whatsoever therein contained, so far as the same are not altered or repealed, shall extend and be construed to extend to operate and be in full force and effect as to all Matters and Things to be done, or which may arise in the Execution of this Act, as fully and effectually to all Intents and Purposes, as if the same, and every of them, and every Part thereof, were repeated and re-enacted in this Act, and were made Part thereof; and the said several recited Acts of the Fifty-first, Fifty-third, Fifty-sixth, and Fifty-eighth Years of His late Majesty, and of the First Year of His present Majesty, and this Act, shall, as to all Matters and Things whatsoever (except as aforesaid), be construed as one Act.

Extending the Provisions of former Acts to this Act.

X. And be it further enacted, That the Charges and Expences of obtaining and passing this Act shall be defrayed by the said Company out of the first Monies arising or to arise by virtue of the said recited Acts or this Act, or any of them, or now in the Hands of the said Company.

Expences of this Act.

XI. And

Recovery of
Penalties and
Forfeitures.

XI. And be it further enacted, That all Penalties, Forfeitures, and Fines by the said recited Acts inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not by the said Acts otherwise directed), shall, upon Proof of the Offences respectively before any Justice of the Peace for the County, City, or Place where the Offence shall have been committed (as the Case may require), either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Justice is in every such Case hereby authorized to administer), be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant), and the Overplus, (if any) after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, City, or Place where the Offender shall be or reside, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers to the said Company of Proprietors, and be applied and disposed of for the Purposes of the said recited Acts and this Act.

Public Act.

XII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1823.