



ANNO PRIMO

VICTORIÆ REGINÆ.

Cap. xi.

An Act for establishing a Floating Bridge or Bridges over the Harbour of *Portsmouth* from or near a Place called *Gosport Beach*, in the Parish of *Alverstoke* in the County of *Southampton*, to the opposite Shore, to or near a Place called *Portsmouth Point*, in the Parish of *Portsmouth* in the said County, with proper Approaches thereto.

[9th May 1838.]

WHEREAS the establishing and maintaining of a Floating Bridge or Floating Bridges, to be worked by Steam, across the Harbour of *Portsmouth*, at or near to a certain Place called *Gosport Beach*, in the Parish of *Alverstoke* in the County of *Southampton*, to the opposite Shore of the said Harbour, at or near to a certain Place called *Portsmouth Point*, in the Parish of *Portsmouth* in the said County of *Southampton*, with proper Landing Places and Approaches to the same on both Sides of the said Harbour, will be of great Convenience and Advantage to the Inhabitants of *Portsmouth*, *Portsea*, and *Gosport*, and their respective Neighbourhoods, and to all Persons travelling or resorting to the said Towns of *Portsmouth* and *Portsea* from various Parts of the Country lying to the Westward of the same, and to Persons travelling from the Westward through the Town of *Gosport* to the Town of *Portsmouth*, *Portsea*, and other Places to the Eastward thereof, and also of great public Utility: And

[Local.]

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whereas

Proprietors
incorporated.

whereas the several Persons herein-after named are willing and desirous of undertaking the Execution of the Works aforesaid, on being united into a Company for that Purpose by 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 Admiral Sir *Philip Charles Henderson Durham*, Rear Admiral Sir *Francis William Austen*, Rear Admiral *Charles Carter*, Rear Admiral *George M'Kinley*, Rear Admiral *Samuel Mottley*, *Daniel Quarrier*, *Edward Prior*, *Robert Seton*, *Robert Cruickshank*, *Edward Downs*, *Charles Edward M'Carthy*, *William Castell Damant*, *John Lawrie*, *William Gamlen*, *William Brownlow*, *John Gainsborough Ravenshaw*, *Francis Thomas Bircham*, *John Easthope*, *Thomas Dickinson*, *Thomas Henry Fiske*, *George Chambers*, *Andrew Nance*, *William George Wilson*, *Henry Norkett*, *William Henry Charpentier*, *James Miller Young*, *Middleton Marsh*, *John Edward Hamshaw*, *Michael Comerford*, *Botteril Megginson*, *Samuel Darley Forbes*, *John Eyre Vardy*, *Henry Foster*, *Frederick Macartney*, *William Pierce*, *Emanuel Emanuel*, *John Gloge*, *Thomas Nicholson*, *Robert Tyler*, *William Simmons*, *James Baker*, *Henry Clarke*, *Caleb Coles*, *William Grossmith*, *William George Grossmith*, *William John Hay*, *John Diaper*, *John Forster*, *Henry Saint John Medley*, *John Charles Selby*, *George Clarke Rout*, *Charles Bettesworth Hellard*, *Eliza MacCarthy Spinster*, *Sophia MacCarthy Spinster*, *Charles Brune Henville*, *John Elias Atkins*, *John Elias Atkins the younger*, *John Thomas Garrett*, *William Crew*, *George Phillips*, *Uriah Green*, *Joseph Holmes*, *Edward Casher*, *Robert Guy*, *Samuel Greetham*, *Joseph Cave*, *William Moore Hall*, *Thomas Dash*, *William Bayley*, *William Harrison*, *Joseph Galt*, *Joseph James Galt*, *James Hollingsworth*, *Henry Hollingsworth*, *James Hatch*, *Richard Weaver*, *James Stewart*, *Samuel Irvine*, *John Howard*, *Henry Huish*, *Joseph Davis*, *John Tatton Brown*, *Charles Menzies*, *Zachariah Dowse*, *Selina Dallaway Wellspring Spinster*, *Robert Wickham*, *John Lindegren*, *Augustus Urmston Meredith*, *George Sherwood*, *William Cavander*, *Charles Henry Binstead*, *Clement Ernest Frames*, *Joseph Warn*, *Thomas Moore*, *Thomas Ellis Owen*, *George Augustus Callaway*, *Richard White*, *James William Hendy*, *John Billett*, *Henry Sargeant*, *John Kempster Lipscombe*, *Mary Ann Hopkins*, *William Cheesman*, *John Lawrence*, *Marcus Slade*, *Henry Bubb*, *James White*, *John Padwick*, *Herbert Allen*, *George Stebbing*, *George Damp*, *Thomas Gray*, *William Owen*, *James Riddett*, *William Owen*, *Sophia Burridge*, *John Pullen*, *George Judd*, *Sarah Bonamy*, *Joseph Reeve*, *James Newton Robinson*, *Sarah Mark*, *Jane Gray*, *Daniel Riley*, *Thomas Brunt*, *Cassandra Eliza Austen*, *John Hunter Hornby*, *Richard Laishley*, *Joseph Clarke the younger*, *George Laishley*, *Robert Lankester*, *William Lankester*, *Thomas Mitchell*, *Thomas Hillman*, *James Dunne*, *Thomas Butts*, *Joseph Lankester*, *Benjamin Goodeve*, *James Crook*, *Thomas White the younger*, *John Henry Diaper*, *Jervis Cooke*, and *John Matthew Hoffmeister*; together with such other Persons, Bodies Politic or Corporate or Collegiate, as shall from Time to Time become Subscribers to the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, being duly admitted as herein-after mentioned

tioned Proprietors of any Share or Shares in the said Undertaking, shall be and they are hereby united into a Company for the making or building and maintaining a Floating Bridge or Bridges, and all necessary Piers, Abutments, Buttresses, Chains, and Machinery, at or near to *Gosport Beach* and *Portsmouth Point* aforesaid, with proper Landing Places and Approaches to the said Bridge or Bridges, and all necessary Works for rendering the same safe and convenient for the Passage of Carriages, Horses, Cattle, and Passengers over the same, and for carrying into execution the several Powers vested in them by this Act, and for such Purposes shall be and are hereby declared to be One Body Politic and Corporate, by the Name of "The Company of Proprietors of the Port of *Portsmouth* Floating Bridge," and by that Name shall have perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm, and shall and may have Power and Authority, from Time to Time and at all Times, to purchase and hold to them and their Successors and Assigns any Lands, Tenements, or Hereditaments, for the Use of the said Undertaking, in manner by this Act directed, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and also to sell and convey any of the Lands, Tenements, and Hereditaments so purchased in manner by this Act directed, and shall and may do all other Acts, Matters, and Things whatsoever in as full and ample a Manner and Form, to all Intents and Purposes, as any other Body or Bodies Corporate within this Realm can or may as such lawfully do.

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized, by themselves or their Deputies, Agents, Officers, Workmen, Servants, or Assistants, to design and build or cause to be built, and to maintain and keep in good Repair, a good and substantial Floating Bridge or Bridges, and for such Purposes to stretch, throw, fix or put, place, and lay down One or more Chain or Chains across the Bed of the said Harbour, and also to build, erect, and make proper Piers, Abutments, Buttresses, Quays, Houses, Landing Places, Canals, and Shafts, of good and substantial Materials, on the Lands on each Side or Bank of the said Harbour, with proper Machinery, Chains, and Implements, for working and using such Bridge or Bridges, and for the Purposes aforesaid from Time to Time to dig and make proper Canals and Shafts, and to drive Piles and make Foundations on the Banks and Lands on each Side of the said Harbour, and to lay down, place, and maintain on the Shores of the said Harbour, on each Side thereof, an Inclined Plane of Stone, Iron, or other durable Materials, for the convenient Use of such Floating Bridge or Bridges, and for such Purpose to excavate the said Shores and Banks, and make Dams on each Side of the said Harbour, and cut and level and embank and secure the Banks thereof, and do and execute all and every other Thing or Things necessary or convenient for building, maintaining, and repairing the said Bridge or Bridges, Piers, Abutments, Buttresses, Chains,

Power to
build Bridge,
with proper
Landing
Places.

Chains, Quays, Houses, Landing Places, Shafts, and Canals, doing as little Damage or Injury as may be, and on making full Compensation and Satisfaction for any such Damage or Injury in manner herein-after mentioned: Provided always, that the said Chain or Chains so across the said Harbour as aforesaid shall be and continue at the Bottom of the said Harbour, except when raised by the said Bridge or Bridges in crossing the said Harbour.

Plans to be deposited.

III. And whereas Plans and Sections of the said Landing Places, Canals, Shafts, and other Works proposed to be constructed on each Shore of the said Harbour have been submitted to and approved by the Lords Commissioners of the Admiralty; be it enacted, That a Duplicate of the said Plans and Sections, together with a Book of Reference thereto, shall be deposited at the Offices of the Lords Commissioners of the Admiralty, and of the Admiral Superintendent or other principal Officer of Her Majesty's Dock Yard at *Portsmouth* aforesaid, and of the Clerk of the Peace of the Borough of *Portsmouth* aforesaid, and with the Clerk of the Peace for the said County of *Southampton* respectively, for the Inspection of all Persons concerned at all reasonable Times; and the said Company in building the said Bridge or Bridges, and the Works connected therewith, or in rebuilding or repairing the same, shall not depart from the said Plans and Sections, without the Consent in Writing of the said Lords Commissioners of the Admiralty for the Time being.

Company not to depart from the Plans.

A Landing Place and Path for the Public on Foot to be made on the Northern Side of the Hard at *Portsmouth Point*.

IV. Provided always, and be it further enacted, That the said Company of Proprietors shall set off and leave on the Northern Side of their Hard or Landing Place at *Portsmouth Point* Seven Feet in the clear Width for the Use of the Public on Foot to land from and embark in open Boats and Wherries without any Interruption whatever, and the said Company of Proprietors shall also construct and maintain such Place for so landing and embarking in a good and sufficient Manner, according to the said Plan approved of by the Lords Commissioners of the Admiralty.

Warping Buoys to be provided as may be required by the Admiralty.

V. Provided always, and be it further enacted, That the said Company shall and they are hereby required, at the Costs and Charges of the said Company, (if directed by the Lords Commissioners of the Admiralty,) to provide or put down or place and maintain in the said Harbour on each Side of the said Bridge, at such Places in the said Harbour as the Master Attendant of Her Majesty's said Dock Yard at *Portsmouth* aforesaid, or other Person whom the said Lords Commissioners shall authorize for the Purpose, shall direct, such and so many proper and sufficient Warping Buoys, of such Materials and Dimensions, Weight and Power, as shall be required by the said Lords Commissioners.

No Work to be made in the Bed of the Harbour without the Sanction of

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the making any Pier, Embankment, Abutment, Buttress, or other Work of any Kind in the Bed of the said Harbour, or on the Shore thereof below High-water Mark, or within the Flux of the Tide,

Tide, other than the Works shown and described on the Plans and Sections deposited as aforesaid, without the previous Consent in Writing of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, and then only under such Conditions and Limitations as the said Commissioners for executing the Office aforesaid shall deem expedient for the Preservation of the Navigation of the said Harbour. the Admiralty.

VII. And be it further enacted, That nothing herein contained shall authorize the said Company, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected on or before the First Day of *November* last, or any Land then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to any Dwelling House, or planted and set apart as a Nursery for Trees, other than and except such as are specified in the Schedule to this Act annexed, without the previous Consent in Writing of the Owner and Occupier thereof respectively, unless the Omission thereof in such Schedule shall have proceeded from Mistake, and it shall be so certified in manner herein-after provided for in Cases of unintentional Errors in the said Books of Reference. Certain Property not to be taken without Consent.

VIII. And be it further enacted, That it shall be lawful for the said Company to make the said Bridge, Works, and Approaches thereto, in the Line or Course, and upon, over, or through the Lands so delineated on the said Map or Plan, although such Lands or any of them, or the Situation thereof respectively, or the Names thereof, or of the Owners, Lessees, or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the Schedule hereto, or in the said Books of Reference, if it shall appear to any Two or more of Her Majesty's Justices of the Peace acting for the County, Borough, or Place wherein such Lands may lie, in case of Dispute about the same, and be certified by Writing under their Hands, that such Omission, Misstatement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for such County or Place. Unintentional Errors in the Act, or Plan, or Book of Reference, not to prevent the Execution of the Act.

IX. And be it further enacted, That the said Company, in building, erecting, and making the Piers, Abutments, Buttresses, Quays, Houses, Landing Places, Canals, and Shafts, and other Works hereby authorized to be made, shall not deviate more than One hundred Yards from the Line, Course, or Direction delineated on the said Map or Plan. Not to deviate more than 100 Yards from Line delineated on the Plan.

X. Provided always, and be it further enacted, That in case the said Bridge or Bridges, and Works connected therewith, shall at any Time become out of repair, unfit or unsafe for Travellers, Cattle, or Carriages, the said Company shall and they are hereby required to cause the same to be forthwith rebuilt or repaired, and made safe When Bridge impassable a Ferry to be made.

[Local.]

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and commodious for the Passage of Travellers, Cattle, and Carriages; and in the meantime and until the said Bridge or Bridges and Works as aforesaid shall be so repaired or rebuilt, and made safe and commodious, it shall be lawful for the said Company, during all such Time as the said Bridge or Bridges or other Works shall be out of Repair, unfit or unsafe as aforesaid, to provide a proper and convenient Barge or Barges, Boat or Boats, not being a Wherry or Wherries, for the Passage of Travellers, Cattle, Carriages, Goods, and general Merchandize over the said Harbour to or from *Portsmouth Point* aforesaid, as near to the Station of the said Bridge as conveniently may be; and it shall be lawful for such Person or Persons as the said Company shall appoint for that Purpose to demand, collect, and receive, for the Passage of such Travellers, Cattle, and Carriages at the said Ferry, before they respectively shall be permitted to pass, the like Tolls as are by this Act authorized to be taken for passing over or in the said Bridge, any thing herein contained to the contrary notwithstanding: Provided always, that it shall not be lawful for the said Company to navigate or use such Boat or Boats, Barge or Barges, to or from *Common Hard* in the Parish of *Portsea* in the aforesaid Borough.

Prescribing
Hours of
working the
Bridge.

XI. And be it further enacted, That the Hours of working the said Bridge at the respective Times herein-after mentioned of every Year shall be 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 Nine of the Clock in the Evening, and from the First Day of *May* to the First Day of *September* at and from Half past Six of the Clock in the Morning until Half past Nine of the Clock in the Evening, and from the First Day of *September* until the First Day of *November* at and from Seven of the Clock in the Morning until Nine of the Clock in the Evening, and from the First Day of *November* until the First Day of *February* at and from Half past Seven of the Clock in the Morning until Half past Eight of the Clock in the Evening.

Bridge may
be used after
the usual
Hours, under
certain Re-
strictions.

XII. Provided always, and be it further enacted, That it shall be lawful for the said Company to work the said Bridge or to cause the same to be worked at any other Time or Times than between the Hours or Times above specified; and it shall be lawful for the said Company during the several and respective Hours that the said Bridge shall not be working to provide a Barge or Barges, Boat or Boats, not being a Wherry or Wherries, for the carrying of Travellers, Cattle, Carriages, Goods, and general Merchandize across the said Harbour, with competent Persons for attending and conducting such Barge or Barges, Boat or Boats, but all and every Persons or Person using the said Bridge, Barge or Barges, Boat or Boats, during such extra Hour or Hours, shall be liable to pay such Toll or Tolls as may be fixed by the said Company or the Directors for the Time being, such Tolls not to exceed Treble the Amount of Tolls ordinarily payable by such Persons or Person respectively during the regular Hours of working; provided that during the stated Hours of working the said Floating Bridge it shall not remain at the Landing Places on either Side (if required to cross) for more than

Ten

Ten Minutes at any one Time, unless detained by Damage or other Accident.

XIII. And be it further enacted, That it shall be lawful for the said Company to treat and agree, and to employ any Person to treat and agree, for the Purchase of any Lands authorized to be taken and used by them as aforesaid, and of any subsisting Leases, Terms, Estates, Rights, and Interest therein and Charges thereon, or such of them or such Part thereof as the said Company shall think proper; and also to treat and agree and make Arrangements with the Owners and Occupiers of Lands through or near which the said Bridge and Approaches may be made or pass, for the Purchase and for the Construction and Maintenance of such Ways, Roads, Works, and Conveniences as may be deemed expedient, and as may be from Time to Time agreed on between the Owners and Occupiers thereof and the said Company.

Power to treat for the Purchase of Lands.

XIV. And be it further enacted, That an Offer on behalf of the said Company to pay any certain Sum of Money as and for Purchase Money, Compensation, or Satisfaction to such Person or Corporation as shall under the Provisions of this Act be entitled to receive the same, or to pay such Sum of Money into the Bank of *England* to such Account or in such Manner as the same shall, under the same Provisions, be of right payable, (such Offer being made in Writing under the Hands of any Person who shall have Power to bind the said Company, and which Offer shall either be delivered personally or left at the Place of Abode of the Person authorized to contract for the said Land, or in case of a Corporation to the Clerk of such Corporation,) shall without Tender thereof be a sufficient Offer to pay such Purchase Money, Compensation, or Satisfaction for the Purposes before mentioned.

Declaring what shall be a sufficient Offer to purchase by the Company.

XV. And be it further enacted, That all Corporations and other Persons by this Act capacitated to sell and convey any Lands, or to sell and convey any Rights or Interests in Lands, and the respective Owners, Lessees, and Occupiers of any Lands upon, across, under, or over which the said Bridge and other Works hereby authorized are intended to be made, may agree to accept and receive, and may (subject to such Restrictions as in this Act are contained as to the Payment thereof) accept and receive Satisfaction for the Value of such Lands, or of the Interest therein by them conveyed, and also Compensation for and on account of any Damage occasioned to such Lands by reason of the severing or dividing of the same, or by reason or on account of the Execution of any of the Works by this Act authorized, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Corporations or other Parties by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners (including Persons hereby capacitated as aforesaid), Lessees, and Occupiers respectively and the said Company; and in case the said Company and the said Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively, or either of them, concerning which they

Corporations and Persons capacitated to sell, and Owners and Occupiers, empowered to agree for Satisfaction and Compensation.

they do not so agree, shall be ascertained and settled by the Verdict of a Jury, if required, as in this Act is directed.

Corporations
and Persons
under legal
Disability
empowered
to sell and
convey
Lands.

XVI. And be it further enacted, That it shall be lawful for all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law under the Powers of this Act in case they had been sole, of full Age, and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for all other Persons whomsoever who are or shall be seised or possessed of or interested in any Lands authorized to be taken under the Powers of this Act, to contract for, sell, and convey the same or any Part thereof to the said Company; and all Conveyances for the Purposes of this Act shall be made at the Expence of the said Company, and may be in the Words or to the Effect following, or with such Variations, Covenants, or Conditions as the Number of the Parties and the Circumstances of the Case may render expedient; (that is to say,)

Form of
Conveyance
to the Com-
pany.

‘ I of in consideration of the Sum
‘ of to me [or, as the Case may be, into the Bank
‘ of *England* in the Name and with the Privity of the Accountant
‘ General of the Court of Exchequer, *ex parte* “ The Company of
‘ Proprietors of the Port of *Portsmouth* Floating Bridge,” or to *A.B.*
‘ of and *C.D.* of Trustees appointed to
‘ receive the same,] pursuant to the Act after mentioned, paid by the
‘ Company of Proprietors of the Port of *Portsmouth* Floating Bridge
‘ [or said Company] established and incorporated by an Act of
‘ Parliament passed in the Year of the Reign of Queen
‘ *Victoria*, intituled [here insert the Title of this Act], do hereby
‘ convey [or, in Cases of Copyhold or Customary Lands requiring
‘ *Surrender*, do hereby agree to surrender] to the said Company,
‘ their Successors and Assigns, all [describing the Premises to be
‘ conveyed], together with all Ways, Rights, and Appurtenances
‘ thereto belonging, and all such Estate, Right, Title, and Interest
‘ in and to the same and every Part thereof as I am or shall become
‘ seised, possessed of, or entitled to, or am by the said Act capaci-
‘ tated or empowered to convey, to hold the Premises to the
‘ said Company, their Successors and Assigns for ever, according
‘ to the true Intent and Meaning of the said Act. In witness
‘ whereof I have hereunto set my Hand and Seal this
‘ Day of in the Year of our Lord

And

And all such Conveyances and Assurances as aforesaid shall be valid and effectual in Law, and shall operate to bar and destroy all such Estates Tail, and all such Titles to Dower, and all such other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests of and to the Lands in such Conveyances respectively comprised as shall have been purchased or compensated for in manner herein-before mentioned, and also to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest thereby conveyed or aliened, except where the said Company shall have express Assignments or other Dispositions made of such Terms for their Benefit, but although the said Terms shall be merged they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the Company, and to attend the Reversion and Inheritance.

XVII. Provided always, and be it further enacted, That the Consideration Money agreed to be paid for any Lands to be purchased from or conveyed by any Corporation or any Person under any Disability or Incapacity as aforesaid, or not having Power to sell, except under the Provision herein-before contained, shall in no Case be less than such Sum as the same shall be valued at by Two able practical Surveyors, one of whom shall be nominated by the said Company, and the other by the Person or Corporation contracting or agreeing to sell the same; and if such Two Surveyors shall not agree in the Valuation thereof, or if such Person or Corporation shall be absent from the United Kingdom, or cannot be found, then by such Surveyor as any Two Justices acting for the County in which the Lands shall be situate shall for that Purpose nominate; and each of the said Two Surveyors, if they shall agree in and make their Valuation, or if not, then the Surveyor so to be nominated by the Justices as aforesaid, shall annex to their or his Survey, Estimate, or Valuation, when completed, a Declaration of the Correctness thereof in the Form prescribed by an Act passed in the Fifth and Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits;'* and to make other Provisions for the Abolition of unnecessary Oaths.

Lands bought of any Corporation or Person under any Disability to be first valued by Two Surveyors or their Umpire.

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XVIII. And for settling all Differences which may arise between the said Company and the several Owners and Occupiers of or Persons or Corporations interested in any Lands which may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted; be it further enacted, That if any Corporation, Trustee, or other Person so interested, or entitled and capacitated to sell, contract, or convey as aforesaid, shall not agree with the said Company as to the Amount of such Purchase Money or Satisfaction or other Compensation as aforesaid, or if any of such Parties shall refuse to accept such Purchase Money or Satisfaction or other Compensation as aforesaid as shall be offered by the said Company, and shall give Notice thereof in Writing to the said Com-

In case the Parties refuse or are incapable to treat the Amount of Satisfaction and Compensation to be settled by a Jury.

[Local.]

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pany within One Calendar Month next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall, for the Space of One Calendar Month next after Notice in Writing shall have been given to him, or in case of any Corporation to the Clerk, Agent, or principal Officer of any such Corporation, either personally or by being left at his Place of Abode, neglect or refuse to treat or shall not agree with the said Company for the Sale and Conveyance of the respective Estates and Interests which they respectively are hereby capacitated to convey, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability be incapable of making such Agreement or Conveyance as shall be necessary or expedient for enabling the said Company to take such Lands, and to proceed in making the said Bridge and other the Works aforesaid, or shall not disclose and prove the State of Title to the Premises of which they respectively may be in possession, or the Share, Interest, or Charge which they may claim to be entitled unto or interested in, in case they shall be required by the said Company to do so, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of any of the Powers of this Act cannot be made, then and in every such Case the said Company shall and they are hereby required from Time to Time to issue a Warrant under their Common Seal, or under the Hands and Seals of Three at least of the Directors of the said Company, to the Sheriff of the County in which the Lands in question shall be situate or the Matter in dispute shall arise, or in case the said Sheriff or his Under Sheriff shall be one of the said Company, or enjoy any Office of Trust or Profit under the said Company, or shall be in anywise interested in the Matter in question, then to any of the Coroners of the said County not interested as aforesaid, or if all the Coroners shall be so interested, then to some Person then living in the said County who shall have filled the Office of Sheriff or Coroner in the said County, and be free from personal Disability, and not interested as aforesaid, (a Person having more recently served either Office being always preferred,) commanding such Sheriff, Coroner, or other Person to impanel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impanel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*; and the Persons so to be impanelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impanelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, Coroner, or other Person, or by some other Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place

so to be appointed as aforesaid, such Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or of others that can speedily be procured (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required, on Request in Writing by either Party, to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may order and authorize such Jury, or any Six or more of them, to view the Place or Matter in Controversy; and such Jury shall upon their Oaths or (being Quakers) upon their solemn Affirmations (which Oaths and solemn Affirmations, as well as the Oaths and Affirmations of all Persons who shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands (except for such Interest therein as shall have been of right purchased by the said Company from any other Person or Corporation), and also the separate and distinct Sum or Sums of Money to be paid by way of Satisfaction or Compensation, either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages to be so done or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Company, and which cannot or will not be further wholly obviated, removed, or repaired by them; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation as shall be assessed by such Jury: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Company to the Party with whom any such Controversy shall arise, by personally serving or leaving such Notice at the Dwelling House of the Person or the Clerk or Agent or principal Officer of any such Corporation: Provided also, that in all such Cases the Party claiming such Satisfaction or Compensation shall be the Plaintiff, and shall be entitled to all such Advantages and Privileges as Plaintiffs are in Actions tried in any of Her Majesty's Courts of Record at *Westminster* by Law entitled.

XIX. And be it further enacted, That in case any Difference or Disagreement shall arise between the said Company and any Owner or Lessee, Tenant, Occupier, or other Person having an Interest in any Lands, Tenements, or Hereditaments through or near to the said Floating Bridge, and which may be required for the Purposes of this Act, and in respect of which Payment is hereby required to be made according to the Value thereof, or between the said Company and any Person who shall sustain any Damage or Injury by or in consequence of any thing done or to be done in pursuance of this Act, or by the Neglect or Omission of any thing by this Act required to be done or performed, respecting the Value,

Power to settle Questions by Arbitration.

Value, Payment, or Compensation for the same, or otherwise on account thereof, and such Owner, Lessee, Tenant, Occupier, or other Person so having an Interest as aforesaid, or any of them, in respect of their respective Estates, Rights, or Interests, shall be inclined, and shall agree and consent, by Writing under their respective Hands, to settle the same by Arbitration in lieu of the Mode herein appointed for the settling of Differences, such Matters in difference shall be referred to Three Arbitrators, One to be appointed by such Owner, Lessee, Tenant, or Occupier, or other Person so interested as aforesaid, another by the said Company, and the Third by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, within Twenty-one Days after Notice in Writing to be given by such Owner, Lessee, Tenant, Occupier, or other Person so interested as aforesaid to the said Company and such Justice for that Purpose; and in case of the Death or Incapacity to act of any or either of the said Arbitrators another shall be appointed in his Stead by the Party by whom or in whose Behalf he was so appointed, within Twenty-one Days next after Notice thereof; and the said Arbitrators or any Two of them shall and they are hereby authorized and required, by Examination of Witnesses upon Oath, (which Oath the said Arbitrators are hereby empowered to administer,) and by other fit and proper Ways and Means, to hear, settle, and determine the Matter in question, and to make their Award therein by Writing under their Hands, or under the Hands of any Two of them; and in case either of the said Parties shall not appoint One Arbitrator for the Purposes aforesaid within Twenty-one Days after being thereunto required by Writing to be delivered to the Party by whom or on whose Behalf any Arbitrator shall not have been appointed as aforesaid, within the Time or Times herein-before limited for that Purpose, or if the Arbitrator appointed by or on behalf of either of the said Parties shall refuse or neglect to act in the Premises, or, having acted, shall refuse or neglect to proceed by the Space of Thirty Days, then such Matter may be settled and determined as soon as conveniently may be by the Arbitrator appointed by or on behalf of the other of the said Parties; and the Determination to be had and made by such One Arbitrator, as herein-before directed, shall be final and binding on both Parties; but if either of such first-named Arbitrators shall neglect or refuse to act any further, then and in such Case the Matter may be settled and determined, as soon as conveniently may be, by the Arbitrator who shall not decline to act and such Third Arbitrator; and the Determination to be had and made by such One of the Two first-named Arbitrators and such Third Arbitrator shall be final and binding on both Parties; and the Costs and Charges incurred in and about such Reference and the making of such Awards as aforesaid shall be apportionable, paid, and payable and recoverable on such and the like Conditions and in such and the like Manner as is herein provided in case of Purchase or Compensation being settled and determined by a Jury; provided that in all Cases wherein the Power of Reference to Arbitrators lastly herein-before contained shall not be resorted to and carried into effect, all Questions and Disputes concerning the several Matters and Things aforesaid (except where the Settlement and Adjustment thereof is herein otherwise provided for) shall be ascertained and settled

settled by the Verdict of a Jury as is herein directed with respect to the Lands which may be taken for the Purposes of this Act.

XX. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the County, Borough, or Place in which the Matter in dispute shall have arisen amongst the Records of the Quarter Sessions for the said County or Place, and shall be deemed Records to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying to such Clerk of the Peace for such Inspection the Sum of One Shilling, and shall be entitled to be furnished with Copies thereof, paying to the said Clerk of the Peace for every such Copy after the Rate of Sixpence for every One hundred Words.

Verdicts to be recorded by the Clerk of the Peace.

XXI. And be it further enacted; That if any such Sheriff, or his Under Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for such Offence forfeit and pay the Sum of Fifty Pounds; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or being a Quaker to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or being a Quaker affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse (such Excuse to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; all which Penalties and Forfeitures shall and may be levied, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County or Place in which the said Lands shall be situate or the said Inquisition shall be held, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Penalty on Sheriff or his Substitute, or Jurors or Witnesses, making default.

XXII. And be it further enacted, That every such Jury and Juryman as aforesaid shall, in addition to the Penalties hereby inflicted, also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster*; and all Persons who in any Examination to be taken by virtue of this Act upon their Oaths, or being Quakers upon their solemn Affirmations, shall wilfully and corruptly give false Evidence

Jurors to be under the same Regulations as those of the Superior Courts.

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before

before any such Jury, Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be liable to the Pains and Penalties to which Persons guilty of wilful Perjury shall or may by Law be subject or liable.

Expences of
Jury and
Witnesses
how to be
paid.

XXIII. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Company for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in or be occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, and the Expences of the Bond to be given as hereinafter mentioned by the Party requiring the Jury to be summoned, shall be borne by the said Company; and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company (unless the Treasurer of the said Company shall pay such Costs, Charges, and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on the Behalf of the said Company, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Company shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Company; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender and Satisfaction of the whole thereof.

Persons re-
questing
Juries to
enter into
Bonds to

XXIV. And be it further enacted, That all Parties with whom the said Company shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall, before the said Company shall be obliged to issue their Warrant for summoning such

such Jury, enter into a Bond to the said Company in a Penalty of Two hundred Pounds, to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning, impannelling, and returning such Jury, taking such Inquisition, and of the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incidental to such Inquisition, in case any Part of such Costs and Expences shall fall upon them.

prosecute their Complaints, and pay Expences.

XXV. And be it further enacted, That the said Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed without the Consent of the said Company, to receive or take notice of any Complaint to be made by any Party for any Loss, Injury, or Damage by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless (after Application by the Company setting forth this Provision) Notice in Writing by the chief Clerk or Treasurer or other proper Officer of the Corporation, or by the Person making such Complaint, stating the Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Company within Two Calendar Months next after such Application from the said Company shall have been made.

Demand of Compensation for Loss or Injury to be made before any Proceedings taken.

XXVI. And be it further enacted, That in case any Difference shall arise between the said Company and any of the Owners or Occupiers of the Lands to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the said Company, their Deputies, Engineers, Contractors, Servants, Agents, or Workmen, to such Lands, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Twenty Pounds, be ascertained and determined by some One or more Justice or Justices of the Peace for the County, Liberty, or Place in which such Lands shall lie, who, upon Application made to him or them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Company.

Damages under 20l. may be settled by One or more Justices.

XXVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers and under the Authority of this Act, or of any Interest therein, or for the Release of any such Lands from any Rents or other Incumbrances charged thereon, or for the Enfranchisement of any such Lands being of Copyhold or Customary Tenure, or for any Compensation or Satisfaction under this Act, which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, or unborn, shall be entitled unto, interested in, or hereby capacitated to convey, such Money shall, in

Application of Compensation Money when amounting to 200l.

case

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 there *ex parte* "The Company of Proprietors of the Port of *Portsmouth* Floating Bridge," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the 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, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the Lands in respect whereof such Money shall be paid, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting such Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, by Order of the said Court made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase can be made the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until such Annuities or Securities shall be ordered by the said Court, to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled, in case the same had been so purchased and settled.

When less than 200*l.* and not less than 20*l.*

XXVIII. And be it further enacted, That if any Money so agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands in respect whereof such Money shall be so awarded or agreed to be paid, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiocy, Lunacy,

Lunacy, or other Incapacity, with the Approbation of the said Company, signified in Writing under their Common Seal, or under the Hands of at least Three of the Directors of the said Company, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as last aforesaid, to be applied in manner last herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said Company), and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and under such Common Seal or the Hands of Three at least of the Directors of the said Company; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

XXIX. And be it further enacted, That where such Money so agreed or awarded to be paid as last above mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments in respect whereof the same shall be paid, in such Manner as the said Company shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Company shall direct the same to be paid shall be sufficient Discharges for the same.

When less than 20*l.*

XXX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of the Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, or in case the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in such Case it shall and may be lawful to and for the said Company to order the said Sum or Sums of Money so awarded as aforesaid to 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 to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Control, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary

Directing how Money is to be paid in case of Failure of Title.

[*Local.*]

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Way of proceeding or otherwise, as to the same Court shall seem meet, to order the same to be placed out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate, Title, or Interest of the Person or Persons making claim thereunto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is or are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in possession presumptively entitled.

XXXI. And be it further enacted, That where any Question shall arise touching the Title of any Person or Persons 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 the Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in the Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to the Bank Annuities, the Person or Persons who shall have been in possession of such Lands, Tenements, or Hereditaments in respect whereof such Money shall have been so paid at the Time of passing this Act, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, 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 to be purchased with such Money, and also the Capital of such Bank Annuities, 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 such Person or Persons was or were not lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Company.

XXXII. And be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands 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 and Hereditaments, or to accept the Purchase or Compensation Money herein-after mentioned, the Purchase Money for any Lands 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 said 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 Reinvestment of the same, or the Government or Real Securities purchased therewith, in the Purchase of other Lands and Hereditaments, together with the necessary Costs, Charges, and Expences of obtaining

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.

XXXIII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Company for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Company may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Company may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or, in case there shall be any Dispute about the same, shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Lands shall be purchased or taken: Provided always, that the said Company shall not be prevented from entering into Possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company: Provided also, that in case the said Company shall not require the making out or furnishing such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Lands purchased or taken, such Seller shall be bound, at the Expence of the said Company, to produce or cause the Production of the Title Deeds relating to the said Lands, when required by the said Company so to do, without furnishing any Abstract of his Title.

Expences of
Titles to be
paid by
the Com-
pany.

XXXIV. And be it further enacted, That if the said Company and the Party aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Company, to order and direct that such Costs, Charges, and Expences shall be referred to One of the Masters of the said Court, to be taxed in the usual Manner; and such

How such
Expences are
to be ascer-
tained.

such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Company to the Party from whom such Lands shall have been purchased or taken, shall be paid to the Party aforesaid: Provided always, that the said Company shall not be at liberty to enter into possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Company shall have deposited the Sums claimed in respect of the same in the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The Company of Proprietors of the Port of *Portsmouth* Floating Bridge," pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, which Sum shall be applied, under the Order of the said Court, in Payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Company, unless One Sixth Part of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Company out of the said Sum so deposited by them as aforesaid.

Power to
enter Lands
on Payment
or Tender of
Purchase
Money.

XXXV. And be it further enacted, That upon Payment or legal Tender of such Money as shall have been agreed upon between the Parties, or awarded by a Jury or Justices in manner aforesaid, for the Purchase of any Lands, or of any Estate or Interest in any Lands, to the respective Proprietors of such Lands, or other Persons entitled according to the Provisions of this Act to receive such Money, within Three Calendar Months next after the same shall have been so agreed upon or awarded, or whenever any of the respective Cases shall happen wherein such Money is herein-before authorized or directed to be paid into the Bank of *England*, then upon Payment into the Bank of *England* in manner in such Case herein-before authorized or directed, it shall be lawful for the said Company immediately to enter upon such Lands, and thereupon such Lands, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of all Parties therein whose Interests shall have been compensated for by such Payment, shall thenceforth be vested in and become the sole Property of the said Company to and for the Purposes of this Act, and the said Company shall not be bound to see to the Application of any such Purchase Money, Compensation, or Satisfaction; and such Payment or Tender and Conveyance as herein-before mentioned, or such Deposit in the Bank of *England* as aforesaid, shall not only bar all Right, Title, Interest, Claim, and Demand of every such Party, but shall also bar all such Dower, and all such Estates Tail
and

and other such Estates in Reversion and Remainder, and all such Rights, Titles, Limitations, and Trusts whatsoever of and in the said Lands as shall have been compensated for as herein-before is mentioned: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England* as aforesaid shall have been made it shall not be lawful for the said Company, or for any Person acting under their Authority, to bore under, dig, or cut into or enter upon such Lands for any of the Purposes of this Act, save for the Purpose of ascertaining and setting out the same for the Purposes of this Act, without the previous Consent of the Owners and Occupiers thereof respectively.

XXXVI. And whereas by means of the Purchases which the said Company are empowered to make by virtue of this Act they may happen to be seised of more Lands than will be necessary for effecting the Purposes of this Act, or of Lands not applicable to the Purposes hereof; be it therefore enacted, That it shall be lawful for the said Company and they are hereby required, within Ten Years after the passing of this Act, to sell any such Lands, or any Estate or Interest purchased by the said Company in such Lands or in any Part thereof, either together or in Parcels, by public Auction or private Contract, or partly by public Auction and partly by private Contract, and for such Price as they shall deem most convenient and think fit, and by any Deed under their Common Seal to convey and assure the same to the Purchaser thereof, or as he may request; and all such Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any Law, Statute, or Custom, to the contrary notwithstanding: Provided always, that the said Company before they shall dispose of any such Lands shall first offer to sell the same to the Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, and who shall be in *England*, and conveniently to be found, and capable of entering into a Contract for the Purchase thereof; and all Persons and Corporations hereby capacitated to sell in like Manner shall be and are hereby capacitated to purchase of the said Company; and every such Person, in case he shall be desirous of purchasing the same Lands, shall signify such his Desire and Intention in that Behalf to the said Company in Writing within Ten Days after such Offer of Sale shall have been made, by Notice in Writing given to or left for him at his last known or usual Place of Abode; and in case such Persons shall decline or neglect to avail themselves of such Offer, or shall neglect so to signify their Desire and Intention to purchase such Lands for the Space of Ten Days after such Offer shall have been made, the Right of Pre-emption of every such Person so declining or neglecting in respect of such Lands included in such Offer shall cease; and a Declaration, in the Form herein-after described, made before a Master or Master Extraordinary in the High Court of Chancery, or before a Justice of the Peace for the County or Place where such Lands may be situate, by some Person not interested in the said Lands, stating that at the Time such Lands shall have been sold the Person entitled to such Right of Pre-emption was not in *England*, or was not to be found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made by or on behalf of the said

Company
may sell
Lands not
wanted for
the Purposes
of this Act.

[Local.]

40

Company,

Company, and was refused or was not accepted or agreed to (as the Case may be) by the Person to whom the same was made within the Space of Ten Days from the Time of making the same, shall in all Courts and on all Occasions whatever be conclusive Evidence and Proof of the Facts therein stated; and in case such Person shall be desirous of purchasing the same, and he and the said Company shall not agree with respect to the Price thereof, then the Price shall be ascertained by a Jury in manner by this Act directed with respect to the disputed Value of Lands to be taken by the said Company; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in this Act is directed with respect to the disputed Value of Lands to be taken or used by the said Company as aforesaid, *mutatis mutandis*; and the Money produced by the Sale which may be made by the said Company of any such Lands as aforesaid shall be applied to the Purposes of this Act.

Receipts to be given for Money paid to the Company.

XXXVII. And be it further enacted, That upon Payment of the Money which shall arise by the Sale of any Lands authorized by this Act to be sold by the said Company, or upon Payment to the said Company of any other Money under this Act, it shall be lawful for the Clerk or Clerks of the said Company for the Time being, or any Officer appointed by the Directors of the said Company for that Purpose, to sign and give Receipts for the Money so paid, which Receipts shall be sufficient Discharges to all Persons for the Purchase Money for such Lands as shall be sold, or for such other Sums of Money as in such Receipts respectively shall be expressed to be received; and such Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase or other Monies, or any Part thereof respectively.

The Word "grant" in Conveyances from the Company to amount to certain Covenants.

XXXVIII. And be it further enacted, That in all Conveyances to be made by the said Company under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants to or with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of such Grantees Interest therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Company, for themselves and their Successors, and that they the said Company, notwithstanding any Act and Default done by them, were at the Time of the Execution of such Conveyances seised of or entitled to the Lands thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them, that the Purchasers thereof, their Heirs and Assigns, Successors and Assigns, or Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the said Company, their Successors, and all claiming under them, and be indemnified and saved harmless by the said Company and their Successors from all Incumbrances committed by the said Company, and also for further Assurance of such Lands by the said Company,

Company, their Successors, and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest expressed to be thereby conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

XXXIX. And be it further enacted, That unless the said Company shall within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued, and pay or cause to be paid for, as in this Act is mentioned, the Lands which they are by this Act empowered to take and use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purpose of making and improving the said Bridge or other Works hereby authorized, then and from thenceforth the Powers which are hereby granted to them for the compulsory taking or using of such Lands shall cease and be utterly void.

If Land not contracted for within Three Years, Power of purchasing to cease.

XL. And whereas, by reason of taking down Houses and Buildings for the Purposes of making the said Bridge and Approaches, there may be Deficiencies in the Assessment for Land Tax in the Town, Borough, or Place, or Counties or Places, where the same are situate; be it therefore enacted, That the said Company shall, from and after the said Company shall become seised and possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax), be subject and liable from Time to Time to pay and make good to or in aid of such Town, Borough, or Place, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said Assessment for Land Tax within such Town, Borough, or Place by reason or means of taking down or using for the Purposes of this Act any Houses, Buildings, or Premises liable to such Assessment, according to the Rental at which the same were valued or rated at the Time of the passing this Act; and the Treasurer, Collector, or Receiver to be appointed under this Act shall be and he is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the said Assessments.

For making good Deficiencies of Land Tax.

XLI. And be it further enacted, That it shall be lawful for the said Company, and their Agents, Workmen, and Servants, from Time to Time and all Times from and after the passing of this Act, at their Will and Pleasure, to bring, place, lay, work, and use any Timber, Stone, Brick, Lime, or other Materials for making or building or for repairing and maintaining the said Landing Places or Approaches or Works, or to bring, place, and lay any Stones, Gravel, or other Materials for making, repairing, or amending the said Landing Places or Approaches or Works, or either of them, or for executing

Materials may be brought and worked on Waste Lands, making Recompence, and on private Lands making Satisfaction for Injury done.

ecuting any other of the Purposes of this Act, in, upon, through, and over any Common or Waste Ground within One hundred Yards of the said Bridge or Landing Places respectively, making a Recompence for so doing, and also in, upon, through, and over any private Lands or Grounds within One hundred Yards of the said Bridge or Approaches respectively, doing as little Damage as may be, and making Satisfaction for such Damage to the Owners and Occupiers of such Lands or Grounds; and in case of Dispute about the Quantum of such Damage and Satisfaction the same shall be settled by any Two or more Justices of the Peace for the County, Borough, or Place wherein the Damage shall be done; and such Justices are hereby authorized and empowered to hear, settle, and determine the same accordingly.

Power to
remove
Annoyances.

XLII. And be it further enacted, That it shall and may be lawful for the said Company, or the Directors to be appointed as herein-after mentioned, and for their Surveyor or Surveyors, or for such Person or Persons as the said Company or Directors, or either of them, shall appoint for that Purpose, to remove and prevent all Annoyances on the said Landing Places and Approaches by Filth, Dung, Ashes, Rubbish, or otherwise, and to turn any Watercourses, Sinks, or Drains running into, along, or out of the said Landing Places or Approaches, to the Prejudice thereof, and to open, scour, and cleanse any Watercourses or Ditches adjoining to the said Landing Places and Approaches, and make the same as deep and large as they shall think proper and necessary, in case the Owners or Occupiers of the Premises shall neglect to remove the same, or to open, scour, or cleanse such Watercourses or Ditches, or remove such other Annoyances for the Space of Seven Days next after Notice in Writing given for that Purpose by the said Company or Directors, or their Surveyor or Surveyors for the Time being, the Charges whereof (to be settled by any Two Justices of the Peace of the said County, Borough, or Place within which such Annoyance shall happen, and which Charges the said Justices are hereby authorized and empowered to settle accordingly) shall be reimbursed to the said Company by such Owners or Occupiers, the same to be recovered by Distress and Sale of the Goods and Chattels of such Owners or Occupiers as Penalties and Forfeitures are herein-after directed to be recovered: Provided always, that such Owners and Occupiers shall not be subject or liable for such Annoyances to any greater Extent than they are now liable to by Law.

Company to
raise among
themselves
a Sum not
exceeding
16,000*l.*

XLIII. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves by way of Capital or Joint Stock any Sum or Sums of Money not exceeding in the whole the Sum of Sixteen thousand Pounds (except as herein-after is mentioned); which said Sum or Sums of Money shall be laid out and applied, in the first place, in defraying the Expence of obtaining and passing this Act, and of the Surveys, Plans, Estimates, and other Expences incident thereto, and then for and towards the carrying on, making, and completing the said Floating Bridge or Bridges, Landing Places, and Works, and in paying the Purchase Money for any Lands, Messuages, Buildings, Tenements, and Hereditaments

ditaments necessary for the Purposes of this Act, and in maintaining the said Bridges, Approaches, and Works in sufficient Repair, and for otherwise carrying this Act into execution; and the said Sum of Sixteen thousand Pounds shall be divided into Six hundred and forty Shares of Twenty-five Pounds each, and the said Shares shall be and they are hereby vested in the several Persons subscribing for the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their own proper Use and Benefit, proportionably to the Sums they shall severally pay and contribute; and all Persons subscribing for or holding One or more such Share or Shares, their several and respective Executors, Administrators, and Assigns, shall be entitled to and receive an equal proportionable Part of the Profits and Advantages that shall and may arise and accrue by the Tolls and Sums of Money to be raised or received by the said Company under the Authority of this Act, as herein-after mentioned; and every Person and Persons having such Property in the said Undertaking as aforesaid shall bear and pay a proportionable Sum towards carrying on the same in manner herein directed and appointed.

XLIV. And be it further enacted, That all Shares and Proportions of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall to all Intents and Purposes be deemed Personal Estate, and be transmissible as such, and shall not be deemed to be of the Nature of Real Property.

Shares to be
Personal
Estate.

XLV. And be it further enacted, That the several Persons, and Bodies Politic, Corporate, or Collegiate, who have subscribed for or agreed to advance any Money for or towards any of the Purposes of this Act, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Company or the Directors, under and by virtue of the Powers and Directions of this Act, to such Person or Persons, and in such Manner, and at such Times and Places as shall be directed by the said Company or Directors in manner herein-after mentioned; and in case any Person or Persons shall refuse or neglect to pay the same at the Time and in manner required for that Purpose, it shall and may be lawful for the said Company to sue for and recover the same, with legal Interest thereon from the Time appointed for the Payment thereof, with full Costs of Suit, in any Court of Law or Equity.

To compel
the Payment
of the Sub-
scriptions.

XLVI. And be it further enacted, That it shall be lawful for the said Company, by an Order of any General or Special General Meeting of the said Company, after One Half of the said Capital shall have been paid up, from Time to Time to borrow and take up at Interest any further or additional Sum not exceeding Five thousand three hundred Pounds on the Credit of the said Undertaking, as to them shall seem proper; and the said Company and the Directors of the said Company, after an Order made for that Purpose at any General or Special General Meeting of the said Company, are hereby empowered to mortgage, assign, and charge the Property of the said Undertaking, and the Rates, Tolls, or other Sums arising or to arise by virtue of this Act, or any Part thereof, the Costs and Charges

Power to
raise an ad-
ditional Sum
of 5,300*l.* by
Mortgage.

[*Local.*]

4 P

of

of assigning the same to be paid out of such Rates, Tolls, or Sums (as a Security for any such Money to be borrowed as aforesaid, with Interest), to or for the Benefit of the Party or to his Trustee who shall advance the same; and a Copy of the Order of any General or Special General Meeting of the said Company authorizing the borrowing of any such Sum of Money, certified by One Director or the Clerk or other Officer of the said Company to be a true Copy, shall be sufficient Evidence of the making of such Order for raising such additional Sum of Money.

Form of
Mortgage.

XLVII. And be it further enacted, That every such Grant or Assignment so to be given as a Security for any Sum or Sums so to be borrowed by way of Mortgage shall and may be made in the Words following, or by any other Words to the like Effect; (that is to say,)

‘ **BY** virtue of an Act passed in the First Year of the Reign of
 ‘ Her Majesty Queen *Victoria*, intituled [*here insert the Title of*
 ‘ *this Act*], we the Company of Proprietors of the Port of *Portsmouth*
 ‘ Floating Bridge, incorporated under and by virtue of the said Act,
 ‘ in consideration of the Sum of _____ to us lent and
 ‘ advanced by _____ of _____ in the County of
 ‘ _____ do grant and convey unto the said
 ‘ his [*or her*] Executors, Administrators, and Assigns, all that the
 ‘ Port of *Portsmouth* Floating Bridge and Landing Places erected
 ‘ and made by virtue of the said Act, and Toll Houses, if any,
 ‘ thereunto belonging, and all and singular the Tolls arising by virtue
 ‘ of the said Act, and all our Right, Title, and Interest of, in, and to
 ‘ the same, to hold unto the said _____ his [*or her*] Suc-
 ‘ cessors, Executors, Administrators, or Assigns, until the said Sum
 ‘ of _____ with Interest for the same after the Rate
 ‘ of _____ *per Centum per Annum*, shall be fully paid and satisfied.
 ‘ Given under our Common Seal this _____ Day of
 ‘ in the Year of our Lord _____ .’

Mortgagees
entitled to
Security
without
Preference.

And all and every Person and Persons to whom such Grant or Assignment shall be made shall be equally entitled to the respective Portions of the said Tolls and Revenues of the said Company according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment of such respective Sums, with the Interest, without any Preference by reason of Priority of any Grant or Conveyance or on any other Account whatsoever; and the Money so to be borrowed shall be laid out and applied for and towards the making, completing, and maintaining the said Bridge or Bridges and Landing Places and Works, and other the Purposes of this Act, and to no other Use or Purpose whatsoever; and an Entry or Memorial of every such Mortgage, containing the Date thereof, and an Account of the Name or Names of the Party or Parties, with their proper Additions, to whom the same shall have been made, and of the Sum or Sums of Money borrowed, together with the Rate of Interest to be paid thereon, shall, within Forty Days next after the Date thereof, be written and inserted in One or more Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Company; and for every such Entry the Clerk or Clerks of the Company shall be paid the Sum of Two Shillings and Sixpence; and every such Mortgagee

or within Three Miles thereof, as the said Company shall at their respective General Assemblies appoint; and all such General Assemblies shall be convened at or before the Hour of Twelve of the Clock at Noon of the respective Days of holding the same; and in case at any Time it shall appear to any Five or more of such Proprietors, having together not less than Forty Shares, that for more effectually putting this Act into execution a Spécial Assembly or Meeting of Proprietors is necessary to be held, it shall be lawful for such Five or more of them, having such Number and Votes as aforesaid, to convene the same, and for that Purpose to cause Notice and Advertisement to be given thereof in some Newspaper usually circulated in the County of *Southampton* and Borough of *Portsmouth*, and in such other Manner as the said Company shall at a General Assembly direct or appoint, declaring in such Notice and Advertisement the Place where and the Time when such Spécial Assembly is to be held, the same being not less than Ten Days after such Notice and Advertisement so given as aforesaid, and likewise specifying in every such Notice and Advertisement the Reason for and Intention of such Spécial Assembly; and the Proprietors are hereby authorized to meet pursuant to such Notice and Advertisement, and to proceed to the Execution of this Act with respect to the Matters so specified only; and all such Acts of the said Proprietors, or the major Part of them assembled at such Spécial Assemblies, shall be as valid to all Intents and Purposes as if the same were done at any General Assemblies held in manner herein-before appointed; and all such General Assemblies and Spécial General Assemblies may be adjourned from Time to Time and from Place to Place, within the Limits aforesaid, as shall be found expedient; and all and every the Proprietors of the said Undertaking shall be entitled to vote at every such Meeting according to the Number of Shares possessed by such Proprietors respectively in the Proportions or Manner following; (that is to say,) for Twenty Shares or upwards to give Six Votes, for Fifteen Shares and under Twenty Shares Five Votes, for Ten Shares and under Fifteen Shares Four Votes, for Five Shares and under Ten Shares Three Votes, for Three Shares and under Five Shares Two Votes, and for Two Shares or One Share One Vote; which Vote or Votes shall and may be given by him, her, or them personally, or by his, her, or their Proxy or Proxies, duly constituted under the Common Seal of any Corporation, or under the Hand of any other such Person or Persons, or in case of the Infancy or Lunacy of any such Person or Persons, then under the Hand or Hands of his, her, or their Guardian or Guardians, Committee or Committees, as the Case may be, every such Proxy being a Proprietor of the said Undertaking; and every such Vote by Proxy shall be as good and valid to all Intents and Purposes as if such Principal or Principals had voted in Person; the Appointment of which Proxies may be made according to the Form or Effect following; (that is to say,)

Mode of
voting.

Form of
Proxy,

‘ I of _____ in the County
 ‘ of _____ being a Proprietor of _____ Share
 ‘ in the Capital or Joint Stock of the Company of Proprietors of
 ‘ the Port of *Portsmouth* Floating Bridge, do hereby nominate,
 ‘ constitute, and appoint _____ of _____ in
 ‘ the County of _____ to be my Proxy, in my Absence to
 ‘ vote

Lunatics and
Minors to
vote by Com-
mittees and
Guardians.

LII. And be it further enacted, That in case any Proprietor or Proprietors entitled to vote at any such Meetings as aforesaid shall be a Lunatic or Lunatics or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings by his, her, or their Committee or any One of such Committees, and such Minor or Minors shall and may vote by his, her, or their Guardians, or any One of such Guardians; provided that such Committee or Guardian may also vote in right of his own Shares as well as in the Character of Committee of any Lunatic or Lunatics or of Guardian of any Minor or Minors on the same Occasion.

Directors to
be appointed.

LIII. And be it further enacted, That it shall be lawful for the said Company from Time to Time, at any General Assembly to be held as aforesaid, (at which there shall be Proprietors present, either as Principals or Proxies, entitled to vote in respect of Fifty Shares at least in the said Undertaking,) to nominate and appoint such Number of the Proprietors of the said Undertaking as they shall think proper, not exceeding Fifteen, (being respectively possessed of at least Four Shares therein,) to be a Board of Directors to manage the Affairs of the said Company for One Year, or for so long Time not exceeding Three Years as the said Company shall think proper; and every such Board of Directors shall have full Power and Authority to direct and manage all the Affairs of the said Company, as well in contracting for and purchasing Messuages, Buildings, Lands, Tenements, and Hereditaments for the Use of the said Undertaking, as for employing, ordering, and directing the Works and Workmen, and in placing and displacing Surveyors, Collectors, Gate Keepers, and Workmen, and in making Contracts and Bargains touching the said Undertaking, so that no such Contract, Bargain, or other Matter be done or transacted without the Concurrence of the Majority of the Directors then assembled, such Majority not being less than Three: Provided always, that the Directors shall from Time to Time make Reports of their Proceedings to and shall be subject to the Examination and Control of such General and Special Assemblies of the said Company as aforesaid, and shall pay due Obedience to all such Orders and Directions in and about the Premises as they shall from Time to Time receive from any such General or Special Assembly, such Orders and Directions not being contrary to any express Directions or Provisions in this Act contained, or otherwise contrary to Law: Provided also, that no Person holding or taking any Place, Office, or Employment under the said Company shall be capable of being chosen to serve as a Director, or of continuing so to serve, during the Time of his or their Continuance in such Place, Office, or Employment.

If a certain
Number of
Proprietors
are not pre-
sent, Di-
rectors may
be appointed
at another
Meeting.

LIV. Provided always, and be it further enacted, That if at any such General Assembly there shall not be Persons present who have Fifty Shares as aforesaid, either as Principals or Proxies, no Choice of Directors shall be made at that Time, but in such Case there shall be a new General Assembly of the said Company at the same Place upon that Day Three Weeks, and such Choice shall be then made of Persons to be Directors as ought to have been made on the Day herein-before appointed had there been a sufficient Number of Voters present,

present, and the Persons then chosen to be Directors shall have the same Powers which they would have had and shall continue in such Office until such Time as they would have done had they been chosen on the Day herein-before appointed; and in case of Failure of the meeting of the Persons having Fifty Shares as Principals or Proxies at such first-mentioned General Assembly, the whole Number of Proprietors who shall not be present at such second General Assembly, by themselves or their Proxies, shall forfeit to the said Company for every such Share which they shall then have in the said Undertaking the Sum of Two Shillings, to be deducted out of the first Payment of Interest or from the first Dividend of the Profits of the said Undertaking then next accruing, as the Case may happen.

LV. And be it further enacted, That the said Proprietors so chosen at the said several General Assemblies as aforesaid to be Directors shall meet once in every Calendar Month (or oftener if they shall find it necessary), either within the said Borough of *Portsmouth* or in the said Town of *Gosport*, or at some Place within Three Miles thereof, on a Day and at an Hour to be appointed by a Majority of the said Directors at some former Meeting for the Purpose of carrying this Act into execution, but no Resolutions shall be taken or Business done at any Meeting of such Directors unless Five Directors at the least be present; and in order to defray the Expences of the said Meeting of the said Directors it shall be lawful for them to expend or retain to themselves, or to demand and receive from the Treasurer for the Time being of the said Company, such Sums of Money out of the Capital Stock of the said Company, for their Expences in attending such Meetings, as at some previous General Assembly of the said Company shall be settled and allowed: Provided always, that no Member of the said Board of Directors shall have more than One Vote, except the Chairman for the Time being, who shall be chosen by themselves, and who, in case of a Division of equal Numbers, shall have the casting Vote, although he has given One Vote before.

Meetings of
Directors.

LVI. And be it further enacted, That if any Member or Members of the said Board of Directors shall die, or become disqualified, or for the Space of Six Calendar Months refuse or neglect to attend a Meeting of the said Directors to be holden in pursuance of this Act, then and in every such Case such Member or Members so becoming disqualified or not attending shall cease to be of the said Board of Directors; and it shall and may be lawful to and for the remaining Members of the said Board, at any of their Meetings, or a Majority of them, and they are hereby required, to elect another Person or Persons qualified to be a Member or Members of the said Board in the Room or Stead of the Person or Persons so dying, becoming disqualified, or refusing or neglecting to attend; and each and every Person and Persons so elected shall have the like Powers and Authorities, and be subject to the like Rules, Regulations, and Restrictions, and shall continue in Office as a Member or Members of the said Board for such Time, and no longer, as the Person or Persons in whose Room or Stead he or they shall be so elected would

Directors
neglecting
to attend.

would have continued in Office but for such Refusal or Neglect as aforesaid.

Company to
appoint
Treasurer
and Clerk.

LVII. And be it further enacted, That the said Company, at their First or any subsequent General Assembly, shall and may, by Writing under their Common Seal, elect and appoint a Treasurer and Clerk or Clerks, and may from Time to Time dismiss, suspend, or remove such Treasurer or Clerk or Clerks at their Will and Pleasure, and appoint another Person or other Persons to be such Treasurer or Clerk or Clerks in the Room and Stead of such Treasurer or Clerk or Clerks who shall be so dismissed, suspended, or removed, or shall die, or decline to act under the said Company; provided that Ten Days Notice at the least of such Intention to dismiss, suspend, or remove any Treasurer or Clerk or Clerks, and to appoint another or others in his or their Stead, be given in Writing to every such Treasurer or Clerk or Clerks, under the Common Seal of the said Company, or signed by their Clerk or Clerks: Provided always, that it shall be lawful for the said Company, out of the Monies to be received by virtue of this Act, to appoint and pay such Salaries or other Allowances to the said Treasurer or Clerk or Clerks, any or either of them, and to all and every other Person and Persons who shall be appointed by the Board of Directors as aforesaid, or who shall be employed in or about the Execution of this Act, as they shall judge reasonable and proper.

Directors to
appoint En-
gineers and
other Officers.

LVIII. And be it further enacted, That the said Board of Directors, at their First or any subsequent Meeting, shall and may elect and appoint an Engineer or Engineers, Surveyor or Surveyors, Collector or Collectors, and such other Officers and Assistants as they shall think proper and necessary, and may from Time to Time dismiss, suspend, or remove all or any of the said Officers and Assistants, at their Will and Pleasure, and without any Notice in Writing or otherwise, and appoint another Person or other Persons to be such Officers and Assistants in the Room and Stead of such of them as shall be so dismissed, suspended, or removed, or shall die, or decline to act under the said Board of Directors.

Officers, &c.
to account.

LIX. And be it further enacted, That every such Treasurer, Engineer, Surveyor, Collector, or other Officers and Assistants of the said Company or Directors, so to be appointed as aforesaid, shall under his Hand, at such Times and in such Manner as the said Company or Directors shall direct, deliver to the said Company or Directors, or to such Person or Persons as they respectively shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Engineer, Surveyor, Collector, or other Officers or Assistants respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid, laid out, and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as remain in his or their Hand or Hands to the said Company or their Directors, or to

to such Person or Persons as they shall respectively appoint; and if any such Treasurer, Engineer, Surveyor, Collector, Officers, or Assistants shall refuse to produce or deliver up such Accounts, Receipts, or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Company or Directors, or to such Person or Persons as they shall respectively appoint, within Seven Days after being thereunto required by the said Company or Directors, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his or their respective Hands to the said Company or Directors, or as they shall respectively direct and appoint, then and in either of the Cases aforesaid it shall be lawful for any One Justice of the Peace acting within his Jurisdiction, upon Complaint to him made by the said Company or Directors, or such Person or Persons as they respectively shall appoint for that Purpose, to summon before him any such Treasurer, Engineer, Surveyor, Collector, Officers, or Assistants, and upon his or their appearing or not being to be found to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, (which Oath such Justice is hereby required and empowered to administer,) it shall appear to such Justice that any of the Monies that shall have been collected, raised, or received by virtue of this Act shall be in the Hands of such Treasurer, Engineer, Surveyor, Collector, Officer, or Assistant, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Surveyor, Collector, Officer, or Assistant respectively; and if no Goods or Chattels of such Treasurer, Engineer, Surveyor, Collector, Officer, or Assistant can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same, or if such Treasurer, Engineer, Surveyor, Collector, Officer, or Assistant shall not appear before the said Justice at the Time and Place by him appointed for that Purpose, unless for some sufficient Reason, or if appearing shall refuse or neglect to give and deliver to such Justice an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively in his Custody or Power, or the Books, Accounts, Papers, and Writings in his Custody or Power relating to the said Bridge and Works, then and in any or either of the Cases aforesaid such Justice shall commit every such Offender to the Common Gaol for such County or Place wherein the Offence shall be committed, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Company or Directors, and shall have paid such Composition in such Manner as they respectively shall appoint, (which Composition the said Company or Directors are hereby empowered to make,) and until he shall deliver up such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings

[*Local.*]

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as aforesaid, or give Satisfaction in respect thereof to the said Company or Directors; but no Treasurer, Engineer, Surveyor, Collector, Officer, or Assistant so committed for Want of sufficient Distress shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months.

Clerk and
Treasurer
not to be the
same Person.

LX. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person or Persons who may be appointed to act as the Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk of any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk of any Person in the Service or Employ of any such Treasurer, to be the Clerk or one of the Clerks to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Books of
Account to
be kept.

LXI. And be it further enacted, That proper Books of Account and other Matters relating to the said Undertaking shall be kept, and the same shall be deposited, under the Direction of the said Company or Board of Directors, at such Place or Places as they shall from Time to Time appoint, and every Proprietor or Proprietors, at all reasonable Times, shall have free Access to the same, for his, her, or their Inspection, without Fee or Reward; and in One or more of such Book or Books to be provided by the said Company for that Purpose the Clerk or Clerks to the said Company shall enter and keep a true and perfect Account of the Names and Places of Abode of the several Members of the said Company and Proprietors of Shares in the said Undertaking, and of the several Persons who shall from Time to Time become Owners or Proprietors of or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions

actions of the said Company or Board of Directors, and of all Receipts, Payments, and Disbursements under this Act, and of the several Articles, Matters, and Things for which such Payments and Disbursements have been made; and each of the several Members and Proprietors of any Share or Shares in the said Undertaking, and Persons entitled to any such Share or Shares, and every Creditor under this Act, shall and may, at all convenient Times, have recourse to and peruse and inspect the several and respective Books, or any of them, kept in pursuance of this Act or for the Purposes thereof, *gratis*, and may demand and take Copies thereof or of any Part thereof, without Fee or Reward; and if any such Clerk or Clerks to the said Company shall refuse to permit or shall not permit any Proprietor or Person so interested, or any Creditor as aforesaid, to inspect or peruse such Books, or any or either of such Books, or to take any such Copy or Copies, such Clerk or Clerks shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds; and all and every the Books kept in pursuance of this Act or for the Purposes thereof, and all Accounts, Writings, and Papers whatsoever which shall be in the Custody of any Treasurer, Superintendent, Engineer, Surveyor, Clerk or Clerks, Collector, and every other Officer and Person to be appointed as aforesaid, his Executors or Administrators respectively, in anywise relating to the said Bridge or Undertaking, shall be and the same are hereby declared to be, and shall be construed, deemed, and taken to be, the Right and Property of the said Company.

LXII. And be it further enacted, That all the Orders and Proceedings of the said Company, and also of the Board of Directors for the Time being, at any of their Meetings to be held by virtue of this Act, shall be regularly entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks of the said Company, and shall be signed by the Chairman of each respective Meeting; and such Entries, so made and signed, shall be deemed Originals, and admitted as Evidence in all Courts whatsoever, and by and before all Judges, Justices, and others.

Proceedings
to be entered.

LXIII. And be it further enacted, That all Notices requisite to be given in pursuance of this Act, the Manner of giving of which is not by this Act otherwise directed, shall be affixed upon Boards to be provided on the Landing Places respectively of the said Bridges or Undertaking to be erected by virtue of this Act, or on some conspicuous Part of the said Bridge.

Notices how
to be given.

LXIV. And be it further enacted, That every such General Assembly shall have Power to call for, audit, and settle all Accounts of Money laid out and disbursed on account of the said Undertaking with the Treasurer, Receiver, Collectors, and other Officers to be appointed as aforesaid, or any other Person whomsoever employed by or concerned for or under them in and about the said Undertaking, and for that Purpose shall have Power to adjourn themselves from Time to Time as shall be thought convenient by the Majority of any such Assembly; and every General Assembly or Board of Directors as aforesaid shall have Power from Time to Time

Accounts to
be audited at
General As-
sembly.

Power to
make Calls.

to

Owners of
Shares to pay
Calls after
Ten Days
Notice.

In case of
Neglect the
Shares to be
forfeited and
sold.

No Advan-
tage of For-
feiture to be
taken with-
out Notice.

If the Pur-
chase Money
of forfeited
Shares be
more than
sufficient to
pay the Ar-
rears, &c.
the Surplus

to make such Call or Calls for Money from the Proprietors of the said Undertaking, to defray the Expences of and to carry on the same, as they shall from Time to Time find necessary for those Purposes, so that no One Call do exceed the Sum of Five Pounds for every Share, and so as no Call be made but at the Distance of Sixty Days at the least from another, which Monies so called for shall be paid to such Person or Persons and in such Manner as the said General Assembly or Board of Directors shall from Time to Time appoint and direct, for the Use of the said Undertaking; and every Owner of One or more Share or Shares in the said Undertaking shall pay his or her Share and Proportion of the Money to be called for as aforesaid at such Time and Place as shall be appointed, of which Ten Days Notice at least shall be given by publishing the same in some Newspaper usually circulated in the County of *Southampton* and within the said Borough of *Portsmouth* or Town of *Gosport*, and in such other Manner as the said Company shall direct or appoint; and if any Person shall neglect or refuse to pay his rateable or proportionable Share of the said Money to be called for as aforesaid at the Time and Place appointed by any General Assembly or Board of Directors, he or she so neglecting or refusing shall forfeit a Sum not exceeding Twenty-five Shillings for every Share he, she, or they shall have in the said Undertaking in respect of which such Call or Calls shall not have been paid; and in case such Person shall refuse or neglect to pay his or her rateable Calls as aforesaid for the Space of Two Calendar Months after the Time appointed for Payment thereof as aforesaid, then he or she so neglecting or refusing shall forfeit his or her Share, Part, and Interest in the said Undertaking, and all Profit and Advantage thereof, to and for the Use and Benefit of the other Proprietors of the said Undertaking; and all such forfeited Shares shall be sold at a public Sale by the said Company for the most Money they can get for the same, and the Produce thereof, except in the Case herein-after mentioned, shall be equally divided amongst the rest of the said Proprietors in proportion to their respective Shares and Interests in the said Undertaking: Provided always, that no Advantage shall be taken of the Forfeiture of any such Share until Notice in Writing be given by the Treasurer or Clerk or Clerks of the said Company to the Owner or Proprietor thereof, nor unless the same shall be declared to be forfeited at some General Assembly of the said Company to be held within Six Calendar Months next after such Forfeiture shall happen; and every such Forfeiture shall be an Indemnification and Discharge to and for every Proprietor so forfeiting against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietors so forfeiting and the rest of the Proprietors with regard to carrying on the said Undertaking.

LXV. Provided also, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Call as aforesaid, and lawful Interest thereon, with the Expences attending such Sale or Sales, the Surplus of such Money shall be paid, on Demand, to the Person or Persons whose Property such Share or Shares shall have been; but the Company shall not sell or transfer or direct to be sold

sold or transferred any more of such Shares of such Defaulter or Defaulters, for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after the Payment of all such Calls, and the Interest and Expences as aforesaid, any Share or Shares so vested in such Company as aforesaid which shall remain in their Hands unsold shall revert to and become the Property of the Person or Persons, or his, her, or their Executors, Administrators, or Assigns, whose Property such Share or Shares shall have been immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

to be paid to the Owner.

LXVI. Provided also, and be it further enacted, That the several Persons, and Bodies Politic, Corporate, and Collegiate, who are or shall be or become a Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall and they are hereby required to pay all and every the Sum or Sums of Money which shall be from Time to Time called for by the said Company or Board of Directors, under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Company or Board of Directors in manner before mentioned; and in case any Person or Persons shall neglect or refuse to pay the same at the Time and in manner required for that Purpose it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity, in which no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed.

Persons not paying Calls may be sued.

LXVII. And be it further enacted, That in case any Proprietor or Proprietors of any Share or Shares in the said Undertaking, or other Person or Persons liable to the Payment of any Call or Calls to be made or which may already have been made by any General Assembly of the said Company or Board of Directors, shall refuse or neglect or shall have refused or neglected to make Payment of the Sum or Sums of Money to be so called for, or any Part thereof, within the Period herein-before appointed for making such Payments, then and in every such Case the Person or Party so neglecting or refusing to make such Payment shall be liable to pay to the said Company Interest at the Rate of Five Pounds *per Centum per Annum* on the Amount of the Money so called for and so unpaid, to be computed from the Day on which such Money ought by virtue of such Call to be paid or to have been paid, until the Day of Payment; and the Proprietor or Proprietors of the Share or Shares in respect whereof any such Call shall be so behind or unpaid shall not be entitled to have or receive any Share of the Profits or Advantages arising or to arise from the said Undertaking until such Interest shall be first paid or deducted from such Share of Profits and Advantage, and such Interest shall be recoverable and recovered in such and the like Manner or by such and the like Ways and Means as are herein-before provided for the Recovery of any unpaid Call or Calls as herein provided or mentioned; and in case of the Sale or Sales of any forfeited Share or Shares in pursuance of this Act, whereon any such Interest shall be due, such Interest shall be first deducted from the Produce of any such Sale or Sales before any Surplus shall be

Interest to be charged on Calls neglected to be paid.

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paid

paid to the Owner of such forfeited Share or Shares, as herein-before mentioned or provided.

Proceedings
in Actions
for Calls.

LXVIII. And be it further enacted, That in any Action to be brought by the said Company against any such Proprietor or Proprietors, or Owner or Owners, or Person or Persons, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant or Defendants, being a Proprietor or Proprietors or a Claimant or Claimants of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to for such and so many Call or Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to or claimed by the said Defendant or Defendants (as the Case may happen to be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were a Proprietor or Proprietors of or had made claim to some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Board of Directors who made such Call or Calls, or any other Matter whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, unless it shall appear that any such Call exceeded Five Pounds at any One Time upon any One Share, or was made before the Interval of Sixty Days from the last preceding Call, or was made without such Notice given as aforesaid.

In case of
Death of
Proprietors.

LXIX. And be it further enacted, That if the Proprietor of any Share or Shares in the said Undertaking shall die before Payment shall have been made of the full Sum to be advanced on each Share which he or she shall have been possessed of or entitled to, without having made Provision by Will or otherwise for the Payment of the same, then and in such Case it shall be lawful for the Executors and Administrators of such Proprietors, and the Trustee or Trustees, Guardian or Guardians of any Infant, or other Person entitled to the Personal Estate or Effects of such Proprietor, to pay, out of any Assets or Effects of any such deceased Proprietor in a due Course of Administration, any Sum or Sums of Money, when called for as aforesaid, to complete every such Subscription; and if such deceased Proprietor shall not have left Assets sufficient to complete such Subscription, or in case any such Executor or Administrator, Trustee or Guardian, shall refuse or neglect to answer such Calls, or to make the Payments necessary to complete the same, the said Company shall be and they are hereby empowered and required to admit any other Person to be Proprietor or Proprietors of the Share or Shares of such deceased Proprietor, on condition that he, she, or they so admitted do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Proprietor, or the Trustee or Trustees, Guardian

Guardian or Guardians of any Infant or others entitled to his or her Effects, so much Money as the same can be by public Auction sold for.

LXX. And be it further enacted, That the said Company or Board of Directors shall, as soon as the same can be done, cause the Names and Additions of the several Persons who shall be entitled to any Share or Shares in the said Capital or Joint Stock, and the Number of Shares to which they shall be respectively entitled, and also the proper Numbers by which every such Share shall be distinguished, to be fairly and distinctly entered in a Register Book to be kept by the Clerk or Clerks of the said Company, and after such Entry to cause the Common Seal of the said Company to be affixed to such Entry, which said Book shall from Time to Time be altered and corrected, and new Books shall from Time to Time be sealed with the said Common Seal, as the Change of Proprietors and Transfers of Shares shall render necessary and expedient; and the said Clerk or Clerks shall also cause as many Tickets or Instruments to be prepared as there shall be Shares in the said Capital or Joint Stock, bearing respectively the same Numbers as in the said Books, and the said Common Seal of the said Company to be affixed to each of such Tickets or Instruments, and thereupon to cause to be delivered to every Subscriber towards the said Undertaking, upon Demand, a Ticket or Tickets specifying the Share or Shares to which he or she is entitled in the said Joint Stock or Undertaking; and every such Subscriber shall pay to the Clerk or Clerks of the said Company, or there shall be paid to the Clerk or Clerks by the said Company out of the Joint Stock or Funds of the said Company, Two Shillings and Sixpence, and no more, for every such Ticket or Instrument; and every such Ticket or Instrument shall be admitted as Evidence in all Courts whatsoever of the Title of such Subscriber, his or her Executors, Administrators, Successors, or Assigns, to the Share therein specified; but the Want of any such Ticket or Instrument shall not hinder or prevent the Owner or Proprietor of any Share from selling or disposing thereof, or from receiving, annually or otherwise, as the Account shall be made up, his or her Share of the Profits of the said Undertaking in respect thereof; which said Ticket shall be in the Words or to the Effect following; (that is to say,)

Shares to be registered, and Tickets for Shares to be delivered.

Tickets to be Evidence of Subscriber's Title.

‘ THESE are to certify, That _____ of
 ‘ _____ in the County of _____ is [or are]
 ‘ a Member [or Members] of the Company of Proprietors of the
 ‘ Port of *Portsmouth* Floating Bridge, and is [or are] possessed
 ‘ of the Share or Number _____ in the Undertaking of the
 ‘ said Company, subject to the Rules, Orders, and Regulations of
 ‘ the said Company; and that the said _____ his,
 ‘ [her or their] Executors, Administrators, [or Successors,] or
 ‘ Assigns, is [or are] entitled to the Profits and Advantages of the
 ‘ said Share. Given under the Common Seal of the said Company
 ‘ the _____ Day of _____ in the Year of our
 ‘ Lord _____ .’

Form of Ticket.

LXXI. And be it further enacted, That all and every Person and Persons whose Name or Names shall at any Time hereafter stand in the Register to

Persons whose Names appear in the Register to

be deemed
Proprietors.

the Register Books of the said Company, either as a Proprietor or as Proprietors of One or more Share or Shares in the said Undertaking, whether as original Subscribers, or as Successors, Executors, Administrators, or Assigns of original Subscribers or former Proprietors, or as Purchasers, or as Creditor or Creditors on the said Undertaking, shall be deemed and taken to be Proprietors of the several Shares standing in the said Books in his, her, or their respective Names, and as Creditors for the Sums mentioned therein, and shall be subject to such Rules, Orders, and Regulations to which the Subscribers to or Proprietors of Shares in or Creditors on the said Undertaking are subject and liable to; and all Payments of Interest and Dividends due and to grow due on any such Shares, or on or in respect of any Securities on the said Undertaking, as in this Act mentioned, shall be made to such Persons as by the said Books shall so appear to be Proprietors or Purchasers thereof or Creditors thereon as aforesaid; and no Assignment, Transfer, or Bargain and Sale of any Share or Shares, or other Instrument giving Title thereto, or to any Securities on the said Undertaking, or the Monies thereby secured, which shall not have been brought to the said Clerk or Clerks to be entered as directed by this Act, shall be given or admitted as Evidence to make the said Company liable to the Payment of any Interest or Dividends to any other Person or Persons than such as appear upon the said Books to be a Proprietor or Proprietors of or Person or Persons entitled to such Shares, or Holder or Holders of such Securities as aforesaid, but in all such Cases (unless where it shall be expressly proved that the said Books are defective by reason of some Default or Neglect of the said Clerk or Clerks) the said Books shall be considered as sufficient and conclusive Evidence of the Right and Title in and to the said Shares and Securities respectively.

For giving
new Share
Tickets and
Securities in
case of old
ones being
destroyed.

LXXII. And be it further enacted, That in case any Tickets, or Transfers, Assignments, or Instruments denoting the Ownership of Shares or Securities, shall be worn out or damaged, then, and upon the same being produced and shown at some General Assembly of the said Company, such Tickets, or Transfers, Assignments, or Instruments, shall be cancelled and destroyed, and other Tickets and Securities given under the Common Seal of the Company, of corresponding Numbers to the said original Tickets and Securities, to the Persons in whom the Property of such Shares and Securities shall be at any Time vested; and in case such Tickets, Transfers, Assignments, or Instruments shall be burnt or destroyed, then, upon satisfactory Proof thereof, like new Tickets and Securities shall be given to the Person or Persons who was or were the Owner or Owners of or entitled to those so burnt or destroyed, so as that a due Entry of the same had been duly made by the Clerk or Clerks of the said Company, and of any Transfers of the same (if any made in manner herein directed), for which the Sum of Two Shillings and Sixpence, and no more, shall be paid to such Clerk or Clerks for each such new Ticket or Security; and all such new Tickets or Securities shall be deemed original Tickets and Securities.

Proprietors
may sell
their Shares.

LXXIII. And be it further enacted, That it shall be lawful for any of the Proprietors of the said Undertaking to sell or dispose of
any

any Share or Shares he, she, or they shall and may be entitled to therein in manner and subject to the Rules and Conditions herein mentioned, and for that Purpose Duplicates of the Deed of Bargain and Sale or Transfer of such Share or Shares shall be executed by every Vendor and Vendee, and 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 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 until the Duplicate of such Deed or Transfer shall be so delivered to the said Company, or their Clerk or Clerks as aforesaid, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest paid him, her, or them for and in respect of such Share or Shares so purchased, nor be entitled to vote as a Proprietor or Proprietors of the said Undertaking.

LXXIV. Provided always, and be it further enacted, That after any Call for Money shall be made by a General Assembly or Board of Directors as aforesaid no Person or Persons shall sell or transfer any Share which he, she, or they shall then have in the said Undertaking until the Money called for upon his, her, or their Share or Shares so to be sold shall be paid; and every Person making default therein shall forfeit his, her, or their Share or Shares in the said Undertaking to the said Company, for the Benefit of the rest of the Proprietors, (unless the Person or Persons who shall be the Vendor or Vendors shall at the Time of such Sale or Transfer pay the Money called for upon every Share so sold or transferred to the Treasurer for the Time being to the said Company,) such Forfeiture having been first notified and declared at a General Assembly in manner hereinbefore directed.

Shares not to be sold until Calls are paid.

LXXV. And be it further enacted, That a Transfer of the said Shares shall be by Deed duly stamped, in which the Consideration for the same shall be truly stated, and may be in the Form or to the Purport and Effect following; (that is to say,)

Form of Transfer of Shares.

‘ I of in the County of
 ‘ in consideration of the Sum of paid to me
 ‘ by of in the County of
 ‘ do hereby bargain, sell, transfer, and assign over to the said
 ‘ his Executors, Administrators, and Assigns,
 ‘ Share [*or* Shares] in the Capital or Joint Stock and
 ‘ Undertaking of the Company of Proprietors of the Port of *Ports-*
 ‘ *mouth* Floating Bridge, to hold to the said
 ‘ his Executors, Administrators, and Assigns, subject to the same
 ‘ Rules and Orders and on the same Conditions that I held the
 ‘ same immediately before the Execution hereof; and I the said
 ‘ do hereby agree to accept of the said
 ‘ Share [*or* Shares], subject to all such Rules, Orders, and Con-
 ‘ ditions. Witness our Hands and Seals the Day of
 ‘ in the Year of our Lord
 ‘ Witness

[*Local.*]

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And

Transfer to
be notified to
the Clerk.

And every such Transfer shall, within Twenty Days next after the Date thereof, be produced to the Clerk or Clerks of the said Company, who shall cause a Memorial to be made thereof in the said Book directed to be kept for entering the original Assignment to the same Purport and Effect as the Memorial of the original Assignment, for which such Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence, and no more, by the Person producing such Transfer; and after such Entry made (but not till then) every such Transfer shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit thereof, and such Assignee or Assignees may in like Manner assign again, and so *toties quoties*; and it shall not be in the Power of any Persons or Person who shall have made any such Transfer or Assignment to make void, release, or discharge the same or any Monies thereby due, or any Part thereof.

Provision as
to Proprietors
of Shares by
Marriage, &c.

LXXVI. And be it further enacted, That before any Person or Persons who shall claim any Part of the Profits of the said Undertaking in right of Marriage shall be entitled to receive the same, or be entitled to vote in respect of any Share, a Declaration or solemn Affirmation by any Person of the Society of Quakers, in Writing, containing the Copy of the Register of such Marriage, or the Particulars of the Celebration thereof, shall be made or solemnly affirmed by some credible Person before a Master or Master Extraordinary in Chancery, or any One of Her Majesty's Justices of the Peace, and shall be transmitted to the Clerk or Clerks of the said Company, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk or Clerks for the Entry and Transfer of Sales of Shares in the said Undertaking; and before any Person or Persons who shall claim any Part of the Profits of the said Undertaking by virtue of any Bequest or Will, or in course of Administration, shall be entitled to receive the same, or be entitled to vote in respect of any Shares, the said Will or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk or Clerks, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator or Intestate shall be made and verified by a Declaration, or Affirmation in case of a Quaker, by the Executor or Executors of the said Will, or the Administrator or Administrators of the Intestate with the Will annexed, before a Master or Master Extraordinary in Chancery, or any One of Her Majesty's Justices of the Peace as aforesaid, and shall also be transmitted to the said Clerk or Clerks, who shall file and enter the same as herein-before mentioned; and in all Cases other than herein-before mentioned, when the Right and Property of any Shares or Share in the said Undertaking shall pass from any Proprietors thereof to any Person or Persons by any other legal Means than by a Transfer and Conveyance thereof as herein directed, a Declaration, or solemn Affirmation in case of a Quaker, in Writing, shall be made by One or more credible Person or Persons before a Master or Master Extraordinary in Chancery, or any of Her Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons; and such Declaration or solemn Affirmation shall be transmitted to the Clerk

or Clerks of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors of the said Undertaking: Provided always, that such and similar Entries shall be made in the Register Book of the said Company of all Acquisitions or Devolutions of Mortgages, Assignments, or Securities on the said Tolls, Rates, and Duties (if any) by Sale of Assignments, Marriages, Wills, Intestacy, or by any other Means as aforesaid, in order to ascertain the Parties who shall from Time to Time be Creditors on the said Undertaking and entitled to receive the Interest of or Dividends in respect of such Mortgages, Assignments, or Securities as aforesaid, as herein-before directed with respect to Shares in the Capital or Joint Stock of the said Company, *mutatis mutandis*; and the Clerk or Clerks of the said Company shall be entitled to receive for each and every such Entry herein-before directed the Sum of Two Shillings and Sixpence, and no more.

LXXVII. And be it further enacted, That if the said Company or Board of Directors shall deem it expedient out of any Surplus of Money or otherwise to buy up any Share or Shares in the said Undertaking which shall be offered to Sale, then and in such Case it shall be lawful for any General Meeting of the said Company either to direct that any such Share or Shares so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk or Clerks of the said Company in Trust for the said Company; and such Share or Shares may in such last-mentioned Case at any Time thereafter be sold for the Benefit of the said Company, and for the raising of any Sum of Money which may be wanted for or toward erecting, rebuilding, or repairing of any Buildings or Works requisite for or belonging to the said Undertaking, or for any other Purpose necessary for carrying on, continuing, and maintaining the same.

The Com-
pany may buy
up Shares.

LXXVIII. And be it further enacted, That it shall be lawful for the said Company or Board of Directors to contract with any Person or Persons for erecting, constructing, or building the said Bridge or Bridges and Works, and for making the said Approaches or any of them, or any Part or Parts thereof, or for repairing, widening, and altering the said Bridge or Bridges and Works and Approaches, or any or either of them, in such Manner and for such Sum or Sums of Money as the said Company or Board of Directors shall think proper; and all Contracts in Writing entered into pursuant to an Order made at any General Meeting of the said Company, or at any Meeting of the said Board of Directors, shall be binding on all Parties who shall sign the same, his, her, and their Executors and Administrators, and Actions and Suits may be maintained thereon, and Damages recovered against the Parties failing in the Execution thereof.

Company
may contract
for building
the Bridge
and making
the Roads.

LXXIX. And be it further enacted, That the Right and Property of and in the said Bridge or Bridges, Landing Places and Approaches, and in all Piers, Chains, Abutments, Buttresses, and other Works and Machinery to be from Time to Time made or provided for the necessary or convenient Establishment or Use of the said Bridge or Bridges, and in the said Footpaths, and of and in all Toll Houses,
Gates,

Bridge and
Roads vested
in the Com-
pany.

Gates, and Bars, and of and in all Buildings and other Conveniences, and of all Tunnels, Arches, Culverts, Posts, Rails, and Fences erected, set up, or provided, or to be erected, set up, or provided, in or upon or across the said Landing Places or any or either of them, or on the Side or Sides thereof, under and by virtue of this Act, and of all Materials, Matters, and Things which shall be from Time to Time gotten or provided by or by the Order or Authority of the said Company or Board of Directors for erecting, making, building, maintaining, and repairing the said Bridge and Approaches and Works, or any or either of them, or for any or either of the Purposes of this Act, shall be and the same are hereby respectively vested in the said Company and their Successors; and they are hereby empowered and authorized to bring or cause to be brought any Action or Actions, and to prefer and prosecute One or more Indictment or Indictments, against any Person or Persons who shall steal, take, carry away, or injure or damage the same or any Part thereof, or disturb them in the Possession of the same or any Part thereof.

Tolls to be taken at the Bridge.

LXXX. And be it further enacted, That it shall and may be lawful for the said Company or the Directors, 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 Travellers, Passengers, or Persons, or any Horses, Beasts, Cattle, or Carriages, shall be permitted to go or pass upon the said Bridge or Bridges or any of the Landing Places thereto, or through or past any Toll Houses or Toll Bars or Gates erected or to be erected in pursuance of the Powers given by this Act, 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,)

Tolls.

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, One Shilling, and if drawn by Two or more Horses or other Beasts Nine-pence for each Horse or other Beast beyond the first:

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, Nine-pence, and if drawn by Two or more Horses or other Beasts Sixpence each:

For every Horse, 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 Nine-pence:

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

For every Dog drawing any Cart, Van, Dray, or such like Carriage, the Sum of Sixpence:

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

For

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 Penny :

For every Passenger or Person merely using the Floor or Deck of the said Bridge, the Sum of Two-pence :

For every Passenger or Person entering or using the best Room or Cabin of the said Bridge, the Sum of Three-pence :

For every Portmanteau, Trunk, Carpet Bag, Box, or other Luggage belonging to any Passenger, not exceeding One Hundred Weight, the Sum of One Penny ; and for each and every One Hundred Weight above the first Hundred Weight an additional One Penny for each and every One Hundred Weight :

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 paid for each Wheel whereon the same shall run :

For every Wheelbarrow or Handbarrow of which the Dimensions shall not exceed Two Feet by Three Feet either Way, including the Loading thereof, the Sum of One Penny :

For every Wheelbarrow or Handbarrow of which the Dimensions shall exceed Two Feet by Three Feet either Way, including the Loading thereof, the Sum of Two-pence :

For every Hand-truck or Handbarrow with Two Wheels of which the Dimensions do not exceed Four Feet by Three Feet either Way, including the Loading thereof, the Sum of Two-pence :

For every Hand-truck or Handbarrow with Two Wheels of which the Dimensions do exceed Four Feet by Three Feet either Way, including the Loading thereof, the Sum of Four-pence :

For every Hand-truck or Barrow with Four Wheels of which the Dimensions do not exceed Four Feet by Six Feet either Way, including the Loading thereof, the Sum of Three-pence :

For every Hand-truck or Barrow with Four Wheels of which the Dimensions do exceed Four Feet by Six Feet either Way, including the Loading thereof, the Sum of Sixpence :

For every Hogshead, Cask, or other Goods, Wares, or general Merchandize, rolled, drawn, carried, or pushed along the said Bridge or the Approaches thereto, not 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 Three-pence ; and for each Wheel of every Carriage, Waggon, Stage Waggon, Van, Caravan, Wain, or Dray fastened to another, and drawn by any Horse or other Beast, or by any Person, the Sum of Three-pence.

LXXXI. And be it further enacted, That it shall and may be lawful for the said Company or Board of Directors, or any Collector to be appointed by the said Board of Directors, or any Lessee or

Additional
Tolls on
Timber.

[*Local.*]

4 U

Lessees

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 upon the said Bridge or over or across the said Harbour, 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 Waggon laden with Timber, including Waggon and Timber, not exceeding the Length of Twenty-five Feet, the Sum of One Shilling, and an additional Sum of One Shilling for every Ten Feet beyond Twenty-five Feet.

Additional
Toll above
a certain
Weight.

LXXXII. And be it further enacted, That it shall and may be lawful for the said Company or Board of Directors, or any Collector to be appointed by the said Board of Directors, or any Lessee or Lessees of the Tolls, from Time to Time and at all Times hereafter to demand, collect, take, and receive, over and above the Tolls herein-before mentioned to be payable, the following Sums of Money as additional Toll for every Hundred Weight, of One hundred and twelve Pounds to the Hundred, which any Waggon, Cart, or other such Carriage, together with the Loading thereof, shall weigh, at any Weighing Machine or Engine to be erected as herein-after mentioned, over and above the Weight of Two Tons and a Half; (that is to say,) for the first One Hundred Weight over and above the said Weight of Two Tons and a Half the Sum of Three-pence, and for every One Hundred Weight Overweight above One and not exceeding Three Hundred the Sum of Sixpence, and for every Hundred Weight Overweight above Three and not exceeding Six Hundred Weight the Sum of Nine-pence, and for every Hundred Weight Overweight above Six the Sum of One Shilling.

Waggons,
&c. liable to
injure Bridge
not to be al-
lowed to pass.

LXXXIII. 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 Board of Directors, 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 he or they shall believe and consider would be attended with any Risk, Injury, or Damage to the said Bridge and Approaches, or would in any-wise damage the Machinery or other Works belonging to the said Company.

Additional
Tolls not to
ext end
Chaises, &c.

LXXXIV. Provided always, and be it further enacted, That nothing herein contained relating to the Length or Weight of Timber Waggons or other Carriages, or to the Tolls payable thereon, shall extend or be construed to extend to any Chaise Marine, Coach, Landau, Berlin, Barouche, Phaeton, Sociable, Chariot, Hearse, Horse Break, Chaise, Curricule, Gig, Chair, or Taxed Cart or Market Cart, or other Cart not drawn by more than Two Horses or Oxen, and used for the Conveyance of Passengers or light Goods or Articles.

LXXXV. And

LXXXV. And for the better preventing of Accidents or Injury which might arise on the said Bridge and Works from the unsafe and improper Carriage of certain Goods and Merchandize upon the same; be it further enacted, That every Person who shall send or cause to be sent by the said Bridge any Aquafortis, Oil of Vitriol, Gunpowder, or other Goods of a dangerous Quality, shall distinctly mark or state the Nature of such Goods on the Outside of the Package containing the same, or shall otherwise give Notice in Writing to the Book-keeper or other Servant of the said Company with whom the same shall be left at the Time of so sending or causing the said Goods to be sent, on pain of forfeiting for every Default herein the Sum of Twenty Pounds, to be recovered and levied in the same Manner as other Penalties are by this Act directed to be recovered and levied: Provided always, that the said Company shall not be compelled or compellable to carry upon the said Bridge any Gunpowder or other Goods which in the Judgment of the said Company shall be of a dangerous Character; and it shall be lawful also for the said Company to restrain any other Persons from carrying thereon Gunpowder or such other Goods of a dangerous Character as aforesaid.

Regulating
the Convey-
ance of Gun-
powder, &c.
over the
Bridge.

LXXXVI. And whereas many Vessels, Ships, and Boats worked by Steam or otherwise are now in the practice of embarking, shipping, and landing Travellers, Passengers, and Persons, and also Horses, Beasts, Cattle, and Carriages; to and from various Parts of the Kingdom and elsewhere, at and upon different Parts of the Beach on each Side of the said Harbour of *Portsmouth*: And whereas the same may be more conveniently embarked, shipped, and landed at or upon the Landing Places or Piers of the said Bridge to be built and erected by virtue of this Act; be it therefore enacted, That it shall and may be lawful for the said Company or Board of Directors, or any Collector to be appointed by the said Board of Directors, or any Lessee or Lessees of the Tolls, from Time to Time and at all Times hereafter to demand, collect, take, and receive from all Travellers, Passengers, or other Persons, and also in respect of all Horses, Beasts, Cattle, and Carriages, Luggage, Goods, Wares, and general Merchandize, embarking from, landing upon, or otherwise using the said Landing Places or Piers, such, the like, and the same Tolls as are herein-before authorized to be demanded, collected, taken, and received for and in respect of any Travellers, Passengers, or other Persons, or any Horses, Beasts, Cattle, or Carriages, Luggage, Goods, Wares, and general Merchandize, going or passing upon the said Bridge or over or across the said Harbour.

Piers of
Bridge may
be used as
Landing
Places.

Tolls
thereon.

LXXXVII. And be it further enacted, That it shall and may be lawful for the said Company or Board of Directors at any of their respective Meetings, if they think proper, to order and cause to be built on the said Bridge or Bridges, or on the said Approaches to the said Bridge, or at such Distance therefrom as they shall think expedient, One or more Crane or Cranes, Machines or Engines, with a suitable House or other Building thereto, proper for the weighing of Waggon or Carriages conveying any Goods or Merchandize whatsoever, and, by Notice on a Board for that Purpose to be put up at every such Weighing Machine, to order and direct all and every such Waggon

Power to
erect Cranes
&c. for
weighing.

or

or Carriages which shall come upon the said Landing Places, or any of them, or upon the said Bridge, to be weighed, together with the Loading thereof.

Collectors to weigh.

LXXXVIII. And be it further enacted, That the Collector or Collectors, or any other Person to be appointed by the said Company or Board of Directors, or by their Lessee or Lessees, to the Care of such Weighing Engine or Machine, shall and is hereby required to weigh all such Waggons, Carts, and other Carriages liable to be weighed, and which he shall believe to carry greater Weights than are allowed to pass without paying the additional Toll; and if any Collector or Person so appointed shall permit any such Waggon, Cart, or other Carriage to pass the said Bridge, or by or along the said Landing Places to the said Bridge, or any of them, with greater Weights than are hereby allowed, without weighing the same and receiving such additional Tolls as are herein-before granted, he shall for every such Offence forfeit the Sum of Five Pounds; and if the Owner or Driver of any Waggon, Cart, or other Carriage shall refuse to allow the same to be weighed, or shall resist any Collector or other Person so appointed in weighing the same, every Owner or Driver so offending shall forfeit and pay any Sum not exceeding Five Pounds.

For detecting Frauds respecting weighing.

LXXXIX. And in order to detect the said Collector or Receiver in any fraudulent Contrivance or Neglect of Duty in the Matters aforesaid; be it further enacted, That it shall and may be lawful for any One or more of the said Board of Directors of the said Company, or their Surveyor, if he or they shall suspect any such Connivance or Neglect as aforesaid, to cause any Waggon, Cart, or other Carriage which shall have passed the said Bridge or along the said Landing Places thereto where any Weighing Machine shall be erected in pursuance of this Act, and shall not have passed above Two hundred Yards beyond such Weighing Machine, to return to such Weighing Machine, and be there weighed with the Loading in the Presence of such One or more of the said Directors or their Surveyor, upon requiring the Driver thereof to drive such Carriage back to such Weighing Machine, and upon paying or tendering to him the Sum of One Shilling for so doing, which Sum of One Shilling shall be restored to the Person paying the same, if upon weighing such Carriage and the Loading thereof it shall be found above the Weight hereby allowed.

Convenient Places to be made for turning Waggons, &c.

XC. And for the better enforcing the Authority of this Act; be it further enacted, That the said Company or the Directors may and they are hereby authorized to make convenient Places for turning such Waggons, Carts, or other Carriages where any Weighing Machine shall be erected, or as near thereto as Circumstances will admit; and if the Driver of any such Waggon, Cart, or other Carriage, being so requested to return with his Waggon, Cart, or other Carriage to such Weighing Machine, shall neglect or refuse so to do, he shall forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lawful for any Peace Officer or other Person or Persons being then present upon such Neglect or Refusal to drive and take such

such Carriage back to such Weighing Machine in order to be weighed as aforesaid.

XCI. And be it further enacted, That if any Person or Persons subject or liable to the Payment of any of the said Tolls or of the said additional Tolls, or any Person or Persons riding or leading or driving any Horse, Beast, Cattle, or Carriage subject or liable to the Payment of any of the said Tolls or additional Tolls, shall, after Demand thereof made by any Collector or Collectors to be appointed as aforesaid, neglect or refuse to pay the same, it shall and may be lawful for such Collector or Collectors, by himself or themselves, or taking such Assistance as he or they shall think necessary, to stop and prevent the Passage of any Person or Persons so refusing, or of the Horse, Beast, Cattle, or Carriage for or in respect of which such Tolls ought to be paid, on or from the said Bridge and Landing Places thereto, or through the said Toll Gate or Toll Bar, until full Payment thereof.

In case of Persons refusing to pay.

XCII. And be it further enacted, That the Tolls hereby made payable for or in respect of Horses, Beasts, Cattle, and Carriages, Passengers and Persons, Luggage, Goods, Wares, and general Merchandize, for passing upon the said Bridge, shall be payable and paid for each Time of going upon or passing or repassing on the said Bridge, and shall be payable on the said Bridge, or at such House or Houses, Station or Stations as shall be erected at or near the Landing Place or Landing Places to the said Bridge.

Tolls to be paid each Time of passing.

XCIII. And be it further enacted, That when any Coach, Chariot, Chaise, or any other Carriage whatsoever with Four Wheels shall go upon the said Bridge, or pass through such Toll Gate or Toll Bar to be erected by virtue of this Act, affixed, tied, or secured to any Waggon, Cart, or other Carriage, the same Toll, and no more, shall be demanded and taken for or in respect of such Coach, Chariot, Chaise, or other Carriage as if the same had been drawn by Two Horses; and when any Chaise, Cart, or other Carriage whatsoever with Two Wheels only shall go upon the said Bridge, or pass through such Toll Gate or Toll Bar, so affixed, tied, or secured to any Waggon, Cart, or other Carriage as aforesaid, the same Toll, and no more, shall and may be demanded and taken for or in respect of such Chaise, Cart, or other Carriage with Two Wheels only as if the same had been drawn by One Horse only; and when any Horse shall be fastened to but not used in drawing any Waggon, Cart, or other Carriage, such Horse shall not be liable to a higher Toll than a single Horse: Provided always, that if any Coach, Chariot, Chaise, Chair, Cart, or other Carriage so affixed, tied, or secured to any Waggon or Cart shall have any Goods conveyed therein other than the Harness thereto belonging and such Articles of Package as may be necessary for the Protection of such Carriages, the same, if a Carriage with Four Wheels, shall be liable to pay the Toll of Two Shillings, and if a Carriage with Two Wheels only shall be liable to the Toll of One Shilling and Sixpence.

Tolls to be paid upon Carriages affixed to others.

[*Local.*]

4 X

XCIV. And

A Table of
Tolls to be
set up.

XCIV. And be it further enacted, That a Table of the Tolls payable under this Act at the said Bridge shall be affixed on some conspicuous Place at or near each Landing Place, or shall be affixed on the Toll Gate or Toll Bar or Toll House (if any) to be erected in pursuance of this Act.

Tolls not to
be taken
except when
Table is
fixed up.

XCV. And be it further enacted, That it shall not be lawful for the said Company to demand or take or cause to be demanded or taken any Tolls for or in respect of any Carriages, Horses, Cattle, or Passengers but for and during such Time as a Table of the Tolls payable under this Act shall remain fixed as aforesaid.

Tolls may be
distrained for.

XCVI. And be it further enacted, That if any Person or Persons subject to the Payment of any of the Tolls by this Act granted or made payable shall, after Demand thereof made either on the Bridge or at the Gate where such Tolls shall be collected, or after passing the same, neglect or refuse to pay the same, it shall be lawful for the Person or Persons appointed to collect such Tolls, by himself, herself, and themselves, or taking such Assistance as he, she, or they shall think necessary, to seize or distrain any Horse or Horses, Beast or Beasts, Cattle, Carriage, or other Thing upon or for which such Toll is hereby imposed, together with the Harness, Bridles, Reins, (except the Bridle or Reins apart from the Horse or Harness), Saddles, Gears, or Accoutrements, or their Loading, or a sufficient Part thereof, or any of the Goods or Chattels of or belonging to or in the Possession of the Person or Persons so then and there neglecting or refusing to pay the Tolls as aforesaid; and if such Toll or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Five Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriage, Thing or Things so distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any), and what shall remain unsold, upon Demand, to the Owner thereof, after such Toll, and the reasonable Costs, Charges, and Expences occasioned by such Seizure, Distress, and Sale, shall be deducted, to be ascertained or determined, in case of Dispute concerning the same, by some Justice of the Peace.

For settling
Disputes con-
cerning Tolls.

XCVII. And be it further enacted, That if any Dispute or Disputes shall happen respecting the demanding or taking or the Payment of any of the Tolls by this Act granted or authorized to be demanded and taken, or about the Amount of the Toll due, or the Charges of making, keeping, or selling any Distress for Recovery of the said Tolls, such Dispute shall be settled and determined by some Justice of the Peace for the County, Borough, Liberty, or Place in which such Dispute or Disputes shall happen, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses (which Oath such Justice is hereby authorized to administer), and shall determine the Amount of the Tolls due and other Matters in dispute between the Parties, and may also award such Costs, Charges, and Expences to either Party as to such Justice shall appear right and proper, all which

Costs, Charges, and Expences shall and may be levied and recovered, in case of Nonpayment thereof forthwith, by Distress and Sale of the Goods and Chattels of the Person or Persons awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs, Charges, and Expences of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

XCVIII. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered from Time to Time to lessen or reduce all or any of the Tolls by this Act granted, and for such Time or Times as they the said Company shall think proper, and from Time to Time afterwards to advance any of the Tolls so lessened or reduced to any Sum or Sums of Money not exceeding the respective Tolls granted by this Act: Provided always, that it shall not be lawful for the said Company to lessen or reduce the said Tolls or any of them without the Consent of Three Fifths in Value of the Creditors on the said Tolls respectively; and no Toll shall be lessened, reduced, or advanced unless at a General or Special General Assembly of the said Company, of which Twenty-one Days public Notice shall be given; and the Tolls so lessened or reduced or raised again shall be collected and recovered in the same Manner as the Tolls hereby granted are hereby directed or authorized to be collected and recovered.

Power to
lessen the
Tolls.

XCIX. And be it further enacted, That the Tolls to be taken by virtue of this Act shall at all Times be charged equally and after the same Rate in respect of the same Description of Articles, Matters, or Things, Cattle or Carriages, and no Reduction or Advance of the said Tolls shall either directly or indirectly be made partially or in favour of any particular Person or Party, but that every such Reduction or Advance of Tolls shall extend and take place in respect of the same Description of Articles, Matters, or Things, Cattle and Carriages, and to all Persons or Parties whomsoever using the said Bridge, any thing herein contained to the contrary thereof in anywise notwithstanding.

Tolls not to
be reduced
partially.

C. And be it further enacted, That it shall be lawful for the said Company from Time to Time to demise or let to farm or agree to demise or let to farm all or any of the Tolls arising by virtue of this Act, and all or any of the Toll Houses or Weighing Machines and the Conveniences and Appurtenances thereto belonging, for for any Term not exceeding Three Years, upon public Bidding or private Tender, to the best Bidder or for the best Price or Rent to be gotten for the same, payable quarterly in advance, or at such other Time or Times as the said Company shall think proper, to any Person or Persons who shall be willing to take or farm the same, under such Conditions and Agreements and with such Sureties for the Payment thereof as the said Company shall think fit; and at any such public Letting the said Company shall have and be entitled to One or more Bidding or Biddings for such Tolls by their Clerk or Clerks or other Person by them authorized.

Tolls may be
leased.

CI. And

Lessees or
Persons ap-
pointed by
them may
collect Tolls.

CI. And be it further enacted, That during such Time as the said Tolls or any Part or Parts thereof shall be leased, demised, or let to any Person or Persons whomsoever it shall and may be lawful to and for the Lessee or Lessees, Farmer or Farmers thereof, or such other Person or Persons as he or they shall authorize or appoint, to occupy and enjoy the Toll House or Toll Houses at which the said Tolls so let are to be collected and to arise, with all the Appurtenances and Conveniences to the same Toll House or Toll Houses belonging, for the Purpose of collecting such Tolls during so long Time only as such Lessee or Lessees, Farmer or Farmers shall regularly and duly pay his, her, or their Rent or Rents, and perform the Covenants and Agreements and Conditions of such Lease, Demise, or Letting, but no further or otherwise, and that such Lessee or Lessees, Farmer or Farmers, and the Person or Persons so to be by him, her, or them appointed, shall and may demand and take the said Tolls so leased, demised, farmed, or let, with the like Powers for the Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls appointed by the said Company is by virtue of this Act authorized and empowered to demand, take, and recover the same; and such Lessee or Lessees, Farmer or Farmers, Collector or Collectors, or other Person or Persons as aforesaid, shall be subject to the Regulations of this Act, and to the like Pains, Penalties, and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls appointed in pursuance of this Act is subject or liable to.

Penalty on
Collector, &c.
taking
greater or
less Toll than
allowed.

CII. And be it further enacted, That if any Lessee, Farmer, or Renter, or any Collector of the Tolls, shall demand and take or cause to be demanded and taken from any Person or Persons any Toll not hereby authorized to be taken, or a greater or less Toll than so authorized and directed by the said Company or Board of Directors to be taken under the Authority of this Act, such Lessee, Farmer, or Renter shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and his Contract for renting the Tolls shall be vacated if the said Company or Board of Directors shall think fit to vacate the same; and every Collector, not being the Lessee, Farmer, or Renter, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, such respective Forfeitures to be recovered in manner herein-after mentioned.

For prevent-
ing Toll Col-
lectors from
misbehaving.

CIII. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, or appointed either by any such Lessee or Lessees or by the said Company or Board of Directors to collect the Tolls by this Act granted, shall and he is hereby required to place his Christian and Surname painted on a Board in legible Characters in the Front or on some other conspicuous Part of the Toll House or Toll Gate (if any) to be erected by virtue of this Act, or on the said Bridge, immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or in Black Letters on a White Ground, and shall continue the same so placed during the whole
Time

Time he shall be upon such Duty; and every such Collector shall place or cause to be placed on the Front of the Toll House or Toll Gate (if any) at which such Collector shall be stationed the Board herein-before directed to be provided, containing the usual Name of the Toll Gate (if any) where the Board shall be fixed, and also the Schedule or List of the Tolls payable at such Gate; and if any Collector of the said Tolls shall not place such Board as aforesaid and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the Company or Board of Directors made in pursuance thereof, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading such Boards respectively, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or upon the proper Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Horse, Beast, Cattle, Carriage, or Passenger, or any Luggage, Goods, Wares, or other general Merchandize from passing upon or from the said Bridge, or through any such Toll Gate or Toll Bar, (except such Waggon, Cart, or other Carriage of such Weight, Size, and Description which he or they shall believe and consider would be attended with any Risk, Injury, or Damage to the said Bridge or Bridges and Landing Places, or would in anywise damage the Machinery or other Works belonging to the said Company, as is herein-before mentioned,) or shall make use of any scurrilous, abusive, or insulting Language to any Proprietor, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, to be recovered and applied as herein-after mentioned: Provided also, that if any Person or Persons shall at any Time or Times assault, obstruct, hinder, or in any Manner or under any Pretence interfere with, or in any other Way molest or annoy, any Collector or Collectors, Lessee or Lessees, who shall or may be employed by virtue of or in the Execution of this Act, in the Performance of his or their Duty, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, as the Justice or Justices before whom the Information shall be laid shall adjudge.

Penalty on obstructing Collectors.

CIV. And be it further enacted, That in case any Collector of the said Tolls, Rates, or Duties, or any other Officer, Agent, or Servant of the said Company, who shall quit or be dismissed or suspended from such Offices, shall refuse to deliver up Possession of any Toll House, Counting-house, or Offices, or any Dwelling House, Buildings, and Appurtenances, or any Books, Papers, or other Matters and Things belonging to the said Company in his Possession, Custody, or Power in right of his or their Appointment or Appointments to such Offices or Office, within Seven Days after Notice given to him or them, or left at any such Buildings or Dwelling

If discharged Collector or other Officer in possession of Houses or Buildings of the Company refuse to quit, a Justice may remove the Party.

[*Local.*]

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Houses,

Houses, or at his or their Dwelling House, under the Hand of the Clerk or Clerks of the said Company by Direction of the said Company or Board of Directors, or if the Widow or any of the Family of any such Collector or other such Officer, Agent, or Servant who shall so die as aforesaid, or any others who shall be in possession of the Premises by any Means whatsoever, shall refuse to deliver up such Houses or Offices, Dwelling Houses and Appurtenances, Books, Papers, and other Matters or Things, within Two Days after Notice shall have been given or left on the Premises, signed as aforesaid, then and in every or any such Case or Cases it shall and may be lawful for any Justice of the Peace for the County, Borough, Liberty, or Place wherein the Premises shall be situate, or where such Books, Papers, and other Matters and Things shall then be, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Counting-houses or other Offices, Dwelling Houses, Buildings, and Premises, with the Appurtenances, in the Daytime, and thereout and therefrom to remove all Persons whomsoever who shall be found therein, together with their Goods and Chattels, and take possession of all Books, Papers, Matters, and Things which shall be found therein belonging to the said Company, and to deliver Possession thereof to the said Company or Board of Directors, or to any Person or Persons whom they or either of them shall appoint to receive the same.

Same Penalties for destroying Bridge as under Act 7 & 8 G. 4. c. 30.

CV. And be it further enacted, That the said Bridge, and the Engines, Chains, and Machinery thereof, and the Toll Houses and Toll Gates, Works, and other Property belonging to the said Company, shall be deemed and taken to be within the Intent and Meaning of an Act passed in the Seventh and Eighth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relative to malicious Injuries to Property.*

Company liable for Damage done by Bridge, and Vessels to pay for Damage done by them to Bridge.

CVI. And be it further enacted, That if any Person or Persons shall by Carelessness or Inattention injure or damage any Part of the Bridge, Boats, Chains, Machinery, or other Articles or Things belonging to the said Company, or if the Person or Persons working or navigating the said Bridge shall by Carelessness or Inattention injure or damage any Float, Raft, Barge, Boat, Ship, or Vessel navigating or being on the said Harbour, the Person or Persons by whose Carelessness or Inattention such Injury or Damage shall happen to be occasioned shall for every such Offence, on Conviction before One or more Justice or Justices of the Peace for the County of *Southampton* or for the said Borough of *Portsmouth*, forfeit and pay any Sum not exceeding Five Pounds, over and above the Amount of Damage actually sustained by the Party, or upon whom such Damage or Injury shall be done or inflicted; which Penalties or Forfeitures and Compensation shall from Time to Time, if incurred or payable by the said Company, or any Person or Persons employed by them in navigating or working the said Bridge, shall and may be recovered from the said Company in the same Manner and by the same Means

as are herein-after directed and authorized with respect to the Recovery of Monies payable by the said Company by way of Compensation or Satisfaction for Costs, Damages, Spoil, or Injury.

CVII. Provided always, and be it enacted, That nothing in this Act contained shall be construed to warrant or authorize in any Manner the Obstruction of the free Passage at all Times of Her Majesty's Ships of War and the Ships and Vessels employed in Her Majesty's Service into and out of the Harbour of *Portsmouth*, but that the Exercise of the Right of such free Passage shall be paramount to all other Service.

Not to obstruct Her Majesty's Ships.

CVIII. And for the more effectually securing such free Passage, and preventing all Impediments, be it enacted, That the Superintendent for the Time being of Her Majesty's Dock Yard at *Portsmouth*, or the Master Attendant of the said Dock Yard, or the Storekeeper of the Ordnance respectively, shall have full Power and Authority at all Times, when either of them shall see Occasion for the passing of any of Her Majesty's Ships, or of any Ships or Vessels employed in Her Majesty's Service, to cause the plying and Passage of the said Floating Bridge to be stopped for such Time as either of them shall deem requisite to allow any such Ship or Vessel to pass into or out of the said Harbour; and that if the Passage of any such Ship or Vessel shall nevertheless be obstructed by means of the said Bridge, or if any Person employed in the Management thereof shall do any Act, directly or indirectly, whereby the free Passage of any such Ship or Vessel shall be in any Manner retarded, stopped, or obstructed for any Period of Time, every Person so offending shall be deemed guilty of a Misdemeanor, and shall, upon Conviction thereof before any Justice of the Peace for the County of *Southampton*, forfeit and pay the Sum of Twenty Pounds to Her Majesty the Queen, to be recovered summarily in the same Manner as any Penalties or Forfeitures are or may be by Law recoverable before any Justice or Justices of the Peace.

For securing the free Passage of Ships.

CIX. And be it further enacted, That if any Person or Persons shall moor or fasten any Float, Boat propelled by Steam or otherwise, Barge, Ship, or Vessel, or other Thing, to the said Bridge or Bridges or Works, or any Part or Parts thereof, or of the Machinery belonging thereto, or shall in any other Manner, or by any Means, Ways, Contrivances, or Device whatever, wilfully or intentionally obstruct, interfere with, or otherwise prevent or impede the free Use or Passage of the said Bridge or Bridges, or the Passage over any Way or Parts leading to the same; or if any Person or Persons whosoever shall wilfully pull up, injure, or damage any Toll Gate, Bar, or Chain, or any of the Posts, Boards, or Tables of Tolls put up or placed by the said Company or Directors, or by their Order, or by virtue of this Act, or wilfully or designedly deface or obliterate any of the Inscriptions, Letters, Figures, or Marks thereon, or shall wilfully break, throw down, or otherwise damage any Lamp, Lamp Post, or Lamp Iron set up or affixed by Order of the said Company or Directors on the said Landing Places, or at or near to the said Gate, or shall cause or procure the same to be done; or if any Person or

Penalty for damaging Bridge, &c. or committing Nuisances.

Persons

Persons shall wilfully pull up, injure, or damage any other Posts, Rails, or Fences to be placed or put up by Order of the said Company or Board of Directors by the Sides or Side of such Landing Places, or at or near to any Pit or Quarry which shall be used, opened, or made for the getting of Stones or other Materials for the Purpose of this Act in order to prevent Accidents, or to protect and preserve any Hedge or Quickset, or any Part or Parts thereof, planted by or by the Order of the Company or Board of Directors, or shall wilfully root up, cut, destroy, or damage any such Hedge or Quickset, or any Part or Parts thereof; or shall remove, throw down, pull up, or displace or injure any Stakes or Marks put up or placed for staking out or marking the Line of the said Works; or if any Person or Persons shall haul or draw or cause to be hauled or drawn upon any Part of such Landing Places any Tree or Piece of Timber or any Stone otherwise than upon a Wheel Carriage, or shall suffer any Tree or Piece of Timber which shall be conveyed upon a Wheel Carriage to drag upon any Part of such Landing Places to the Prejudice thereof; or shall wilfully drive any loaded Waggon, Cart, or Carriage along or against any Footpath or Causeway, being Part of or adjoining to such Landing Places; or shall, without being thereto authorized by the said Company or Board of Directors, or their Surveyor or Surveyors for the Time being, shovel up, scrape, gather, or carry away any Stones, Sand, Gravel, or other Materials, Slutch, Dirt, Mire, Drift, or Soil from off any such Footpath or Causeway, or any other Part of such Landing Places; or if any Person or Persons shall drive any Cart or other Carriage upon any Footway or Causeway made upon such Landing Places, or shall wilfully or carelessly cause any Damage to be done to any such Footway or Causeway; or if any Person shall turn loose any Horse, Ass, Beast, or Swine upon the said Bridge or Landing Places, or shall suffer the same to root up and damage the said Landing Places or any Part thereof; or if any Person or Persons shall wheel any Carriage, Truck, or Wheelbarrow on any Part of any such Footway or Causeway; or shall thereon, or in or upon any Part of the said Landing Places, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, dress, or cut up any Beast, Swine, Calf, Lamb, or other Cattle, or cause or permit any Blood to run from any Slaughter House, House, Building, Butcher's Shop, or Shambles into such Landing Places; or burn, dress, or sweep any Piece or Pieces of Cork, or hoop or fire, cleanse, wash, or scald any Cask or Casks in any Part or Parts of the said Landing Places, or in any exposed Situation near thereto; or shall hew, saw, or cut, or cause to be hewn, sawn, or cut, any Stone, Wood, or Timber, or shall shoe, farry, or bleed any Horse, Mule, or Ass, on the said Landing Places or on the Sides thereof (except in the Case of Accidents); or if the Driver of any Cart, Waggon, Dray, Sledge, or other Carriage used for the Carriage of Goods and Merchandize shall ride on the Shafts or on any other Part of such Waggon, Cart, Dray, Sledge, or other Carriage, or on any of the Horses drawing the same, upon any Part of the said Landing Places; or if any Person upon Horseback, or driving any Coach, Chaise, Waggon, Cart, or other Carriage upon the said Landing Places, and meeting another Cart, Coach, Chaise, Waggon, or other Carriage, or Person on Horseback, shall not keep his Horse
or

or Carriage on his Left or Near Side of such Landing Places; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Landing Places, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Person shall make or assist in the making of any Fire or Fires commonly called Bonfires, or shall set fire to or let off, or throw any Squib, Rocket, Serpent, or other Firework whatsoever, upon such Landing Places, or within Eighty Feet of the Centre thereof; or play at Football or any other Game on any Part or Parts of the said Landing Places, to the Annoyance of any Passenger or Passengers; or if any Person shall leave any Waggon, Wain, Cart, or other such Carriage longer than may be necessary for loading or unloading the same, or in, upon, or on the Side of any Part of such Landing Places, either with or without any Horse or Beast of Draught harnessed or yoked thereto, or shall wilfully obstruct the Carriageway or Footway, or in case the same shall not during such loading or unloading be placed as conveniently as may be for the Passage of the Public; or if any Person shall erect or place any Tent, Camp, Awning, or Hut on the Sides of the said Landing Places or any Part thereof, or make any Fire or Fires on any Part of the said Landing Places, or on the Sides thereof; or if any Person shall, after having blocked or stopped any Waggon, Wain, Cart, Truck, or other Carriage in going along any rising Ground on the said Landing Places or leading thereto, leave or suffer to be or remain on the said Landing Places or any Part thereof the Stone or other Thing with which such Waggon, Wain, Cart, Truck, or other Carriage shall have been blocked or stopped; or if any Person driving any Horse or other Beast on the said Landing Places conveying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, so that the same or any of them shall project more than Twenty-four Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage, travelling upon or along the same; or if any Blacksmith or Farrier or other Person occupying a Blacksmith's or Farrier's Shop having Doors or Windows fronting on the said Landing Places shall not by good and close Shutters every Evening after it becomes dark, and every Morning until after Twilight, bar and prevent the Light from such Shop shining into the public Way; or if the Driver of any Waggon, Wain, Cart, or other Carriage shall wilfully or carelessly pull up, break, or damage any Posts or Stones to be erected by the said Company or Board of Directors on the said Landing Places, or by the Sides thereof, or wilfully drive the Wheel of any Carriage against the same, or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Ashes, Filth, Rubbish, or other Matter or Thing whatsoever, on any Part of such Landing Places, or on the Side or Sides thereof, or upon the Footpaths or Causeways adjoining to such Landing Places, to the Prejudice, Annoyance, or Interruption of Persons travelling and passing thereon; every such Person shall forfeit and pay a Sum not exceeding Sixty Shillings for every such Offence, to be levied, recovered, apportioned, and applied in manner herein-after provided for the Recovery and Application of Penalties and Forfeitures; and such Offenders shall also pay to the said Company or their Treasurer, or to the said Board of Directors, such Sum of Money as shall be a full Satisfaction for the Damage so done,

[*Local.*]

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which

which Damage shall be settled or ascertained by the Justice or Justices of the Peace by or before whom such Offender shall be convicted of any of the Offences aforesaid, and shall and may be levied and recovered in like Manner as any Penalties or Forfeitures imposed by this Act may be levied and recovered, and shall be applied for the Purposes of this Act.

Persons having Control of any Float, &c. not removing the same on Request to be deemed guilty of a wilful Obstruction.

CX. Provided always, and be it further enacted, That if any Owner or Person having the Control of any Float, Boat, Barge, Ship, or Vessel shall, after Notice or Request by or on behalf of the said Company, persevere in keeping such Float, Boat, Barge, Ship, or Vessel, or any Cable or Hawser attached thereto, across the Line or Passage of the said Bridge after having been offered, by or on behalf of the said Company, adequate and sufficient Means of Removal to a Place of Safety, such Perseverance shall under all Circumstances be deemed a wilful Obstruction.

Justices may proceed by Summonses in the Recovery of Penalties.

CXI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace it shall be lawful for any Justice of the Peace before whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

Compelling Witnesses to attend.

CXII. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice or Justices of the Peace touching any Matter or Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall refuse or neglect to appear at the Time or Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his, her, or their Costs and Charges, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined, or shall not answer upon Oath, (or in case of a Quaker or Quakers on solemn Affirmation,) and to give Evidence before such Justice or Justices of the Peace, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Persons giving false Evidence guilty of Perjury.

CXIII. And be it further enacted, That all and every Persons or Person who in any Examination to be taken upon Oath by virtue of this Act shall wilfully give false Evidence or otherwise forswear themselves before any Jury, or before any Justice or Justices of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

CXIV. And

CXIV. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not otherwise herein directed) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County, Liberty, Borough, or Place where the Offence shall have been committed (as the Case may be), either by the Confession of the Party offending or by the Oath or Affirmation of any credible Witness or Witnesses, (which Oath or Affirmation such Justice is in every Case hereby fully authorized to administer,) be levied, together with the Costs and Expences 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 forthwith be 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 Five 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, or in case it shall appear to the Satisfaction of any such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any Justice of the Peace as aforesaid, and he is hereby authorized, 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, Liberty, 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 Forfeitures, Penalties, or 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 to the said Company, and applied and disposed of for the Purposes of this Act.

Recovery and Application of Penalties.

CXV. Provided always, and be it further enacted, That the said Company shall, before any Penalty shall be recoverable under the Provisions of this Act, cause a List of all such Penalties, together with the Nature of the Offences in respect of which they are so recoverable, to be painted or printed in legible Characters and affixed in some conspicuous Place on the said Bridge, or on any of the

List of Penalties to be affixed to Toll Houses.

the Approaches thereto, or on any Toll House or Toll Bar (if any) to be erected by virtue of this Act.

For securing
transient
Offenders.

CXVI. And be it further enacted, That it shall and may be lawful for any of the said Company or Board of Directors, or their Collectors, Lessees or Farmers of Tolls, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, (and which all By-standers and other Persons, on Demand, are hereby required to give,) without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Company, Collectors, Lessees, Farmers, Surveyors, or other Officers) who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the County, Liberty, or Place where the Offence or Offences shall be committed or such Offender or Offenders shall be seized or apprehended; and such Justice or Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of
Conviction.

CXVII. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form or to the like Effect; (that is to say,)

‘ to wit. } **BE** it remembered, That on the _____ Day
‘ of _____ in the _____ Year of
‘ Majesty _____ *A.B.* is convicted before me,
‘ One of Her Majesty’s Justices of the Peace for the said County
‘ of *Southampton, or Borough of Portsmouth [or the*
‘ *as the Case may be]*, by virtue of an Act passed in the First Year
‘ of the Reign of Her Majesty Queen *Victoria [here set forth the*
‘ *Title of this Act, and specify the Offence, and the Time and Place*
‘ *when and where the same was committed, as the Case may be]*.
‘ Given under my Hand and Seal the Day and Year aforesaid.’

Appeal to
Quarter
Sessions.

CXVIII. And be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, such Person may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden in and for the County, Borough, or Place in which the Cause of Complaint shall arise, and within Four Calendar Months after such Cause of Complaint shall have arisen, the Person appealing first giving or causing to be given Ten Days Notice in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the said Company or other the Respondent or Respondents, and within Two Days after such Notice entering into a Recognizance before some Justice of the Peace for such County, Borough, or Place, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at the said General or Quarter Sessions, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed
against

against as the said Justices shall think proper ; and the Determination of the said Justices in their General or Quarter Sessions shall be binding and conclusive to all Intents and Purposes.

CXIX. Provided always, and be it further enacted, That no Order, Verdict, Judgment, or other Proceedings made touching or concerning any of the Matters aforesaid, or touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding ; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case ; provided that no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity if sufficient Tender of Amends hath been made to him, her, or them, by or on behalf of the Defendant or Defendants, before such Action brought.

Proceedings not to be quashed for Want of Form.

CXX. And be it further enacted, That in all Cases wherein it may be requisite or necessary under the Provisions of this Act or otherwise for any Person or Persons or Party or Parties to serve upon the said Company any Notice or Notices, Writ or Writs, or other judicial or legal Proceeding or Proceedings in Equity, the Service thereof upon any one of the Members of the Board of Directors of the said Company, or upon the Clerk or Clerks of the said Company, or delivered to some Inmate at the Office or usual Place of Abode of such Member or of such Clerk or Clerks, or upon any Agent or Officer of the said Company, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively upon the said Company.

For Service of Notices on the Company.

CXXI. And be it further enacted, That in case the said intended Floating Bridge or Bridges shall not have been completed and made passable for Horses, Carriages, and Passengers within the Space of Three Years from the passing of this Act, then from and after the Expiration of the said Term of Three Years all the Powers, Authorities, and Privileges given by this Act for building the said Floating Bridge or Bridges shall cease and determine.

If Bridge not completed in Three Years the Power to build same shall cease.

CXXII. And whereas the Mayor, Aldermen, and Burgesses of the Borough of *Portsmouth* claim to be entitled to certain Craneage, Wharfage, Petty Customs, and other Dues for or in respect of the Goods, Wares, and Merchandize, Horses, Beasts, Cattle, Carriages, and other Articles loaded, shipped, or unloaded at the Town Quay

Provision as to Corporation Dues.

[Local.]

5 A

of

of the said Borough, or from or on the Banks, Shores, or Beaches thereof: And whereas Goods, Wares, Merchandize, Horses, Beasts, Cattle, Carriages, and other Articles may hereafter be loaded, shipped, or unloaded at or upon the Landing Places or Piers to be made for the Purposes of the said Bridge on the East or *Portsmouth* Side of the said Harbour; be it therefore enacted, That it shall and may be lawful for the said Company of Proprietors, so long as the said Mayor, Aldermen, and Burgesses shall consent thereto, to ask, demand, take, and receive, to and for the Use and Benefit of the said Mayor, Aldermen, and Burgesses, the said Craneage, Wharfage, Petty Customs, and other Dues which shall become payable to them as herein-before provided, in such and the like Manner as the said Mayor, Aldermen, and Burgesses are now authorized and empowered to ask, demand, take, and receive the same, and in case of Neglect or Refusal to pay any such Craneage, Wharfage, Petty Customs, and other Dues, or any Part thereof, to use and exercise all such Powers and Authorities for enforcing the Payment thereof as the said Mayor, Aldermen, and Burgesses are now authorized and enabled to use and exercise for enforcing the Payment of the said Craneage, Wharfage, Petty Customs, and other Dues; and the said Company of Proprietors shall be liable from Time to Time to account with the said Mayor, Aldermen, and Burgesses, or such Person or Persons as the Council of the said Borough for the Time being shall appoint, for all such Craneage, Wharfage, Petty Customs, and other Dues as shall be so taken and received by them the said Company of Proprietors, and pay over the same, and shall make Entries of the Receipt of the same in a Book to be kept by them for that Purpose; and the said Mayor, Aldermen, and Burgesses, or such Person or Persons as shall by the Council of the said Borough be lawfully appointed, shall, at all Times during the usual Hours of Business, have Liberty to inspect the said Books, and to take Copies of all or any Part thereof; and the said Mayor, Aldermen, and Burgesses, or the Council of the said Borough, upon such accounting as aforesaid, shall allow to the said Company of Proprietors the Sum of Ten Pounds for every One hundred Pounds, and so at and after the same Rate for every less Sum of the Monies taken and received by them for such Craneage, Wharfage, Petty Customs, and other Dues as aforesaid: Provided always, that no Tolls or Wharfage or other Dues shall be paid or payable to the said Mayor, Aldermen, and Burgesses for or in respect of any Goods, Wares, Merchandize, Horses, Beasts, Cattle, Carriages, or other Articles going or passing upon the said Bridge or over or across the said Harbour.

Interpre-
tation of
certain Words
in this Act.

CXXIII. And be it further enacted, That wherever in this Act any Word is used or employed importing the Singular Number only, such Word shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and Word every importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure; and the Word "Corporation" shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate

or Sole ; unless in any of the Cases aforesaid it is otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

CXXIV. Provided always, and be it further enacted, That nothing herein contained shall be deemed or construed to take away, prejudice, or lessen the Liberties, Customs, Privileges, Franchises, Immunities, Exemptions, Rights, Powers, and Jurisdictions of the Mayor, Aldermen, and Burgesses of the Borough of *Portsmouth* in their Corporate Capacity to them belonging or appertaining, but that the said Mayor, Aldermen, and Burgesses, and all and every Officer and Officers of or belonging to such Corporation, shall and may from Time to Time and at all Times hereafter have, hold, exercise, and enjoy all such Liberties, Customs, Privileges, Franchises, Immunities, Exemptions, Rights, Powers, and Jurisdictions in as full, ample, and beneficial Manner, to all Intents and Purposes, as they respectively might have held and enjoyed the same before the passing of this Act, or in case the same had never been made, so as such Liberties, Customs, Privileges, Franchises, Immunities, Exemptions, Rights, Powers, and Jurisdictions do not defeat the End or Design of this Act.

General Saving Clause as to the Rights of the Corporation of Portsmouth.

CXXV. Saving and always reserving to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every Bodies Politic and Corporate and other Person and Persons whomsoever, his, her, or their Heirs, Successors, Executors, and Administrators, all such Right, Title, Estate, and Interest (other than those meant and intended to be barred and regulated by this Act) as they and every or any of them had and enjoyed before the passing of this Act, or could or might have had and enjoyed in case this Act had not been passed.

General Saving.

CXXVI. 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.

The SCHEDULE to which this Act refers.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
No. 4.	All that Quay or Wharf and Ground adjoining, and the Messuage or Dwelling House, with the Counting-house, Offices, and other Buildings built and standing on Part of the said Ground, and the Three Warehouses or Storehouses also built and standing on other Part, and the Timber Pound Storehouses built on Piles on the East Side of and adjoining to the said Quay, and the Timber Pound on the East Side of and adjoining the said Timber Pound Storehouse, and all other the Premises usually held and enjoyed with the said Quay or Wharf as the same are in the Tenure or Occupation of the said John Lindegren, Esquire.	The Corporation of Portsmouth.	John Lindegren, Esquire.	The said John Lindegren.

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