



ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

Cap. lxxxv.

An Act for establishing a Floating Bridge over the River *Itchen* from or near a Place called *Cross House*, within the Liberties of the Town of *Southampton*, to the opposite Shore in the County of *Southampton*, with proper Approaches thereto, and for making Roads to communicate therewith.

[25th July 1834.]

WHEREAS the establishing and maintaining a Floating Bridge, to be worked by Steam, across the River *Itchen*, near and to the South of the ancient Ferry called *Itchen Ferry*, over the said River, near and to the South of a certain Place called *Cross House*, in the Parish of *Saint Mary*, within the Liberties of the Town and County of the Town of *Southampton*, to the opposite Shore of the said River at *Itchen* in the Parish of *Saint Mary Extra* in the County of *Southampton*, with proper Landing Places and Approaches to the same on both Sides of the said River, and the opening, making, and maintaining of a Road to commence at the Western Landing Place of the said intended Bridge, near to and to the South of *Cross House* in the Parish of *Saint Mary* aforesaid, and to terminate at or near to the Eastern End of *Bernard Street* in the said Parish of *Saint Mary*, and one other Road, to commence at *Chapel Road* in the said Parish of *Saint Mary*, near to the Southern End of a certain Road or Place called *Marine Parade* otherwise the *Shore Road*, crossing the before-mentioned Road, and to terminate at or near to the Bank or Shore of the *Southampton Water*, and also

[Local.]

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Proprietors
incorporated.

one other Road, to commence from the Eastern Landing Place of the said Bridge, near and to the South of the *Royal Oak* Public House at *Itchen* in the Parish of *Saint Mary Extra* aforesaid, to lead through the Parish of *Hound*, and to terminate at the Turnpike Road leading from *Bursledon Bridge* to *Northam Bridge*, near to the Western Side of *Bursledon Bridge* in the Parish of *Bursledon* in the said County of *Southampton*, will be of great Advantage to the Inhabitants of the Town of *Southampton* and the Neighbourhood thereof, and to all Persons travelling or resorting to the said Town from various Parts of the Country lying to the Eastward of the same, and also of great public Utility: And 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 King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Charles Bridger, William Bridger, Henry Buchan, John Buckland, Henry Burgh, Thomas Chamberlayne, John Drew, John Watkins Drew, John Earle, James Ede, John Harris Flocks, Richard Christopher Gale, John Hall, Ann Hambly, Joseph Hill junior, Alice Hulton, James Dott Hulton, George Hunt, Joseph Jackson, Catherine Knight, Henry Knight, Robert Knight, George Laishley, James Lampard, Henry Bloomfield Lankester, Joseph Lankester, William Lankester, Harry Lee, William James Le Feuvre, Charles Maul, Henry Mulcock, James Newman, James Prior, James Ralfe, Edward Phillips Samuel, William Scard, John Smith, Edward Thompson, Richard Trench, James Trodd junior, Charles Walton, James Warner junior, John Week, William Colson Westlake, Edward Wilkins, George Wootton, and John Young*, together with such other Person or Persons, Bodies Politic or Corporate or Collegiate, as shall from Time to Time become a Subscriber or Subscribers to the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, being duly admitted as herein-after mentioned a Proprietor or 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, and all necessary Piers, Abutments, Buttresses, Chains, and Machinery, at or near to *Itchen Ferry* aforesaid, with proper Landing Places and Openings, Ways and Approaches, to the said Bridge, and all necessary Works for rendering the same safe and convenient for the Passage of Carriages, Horses, Cattle, and Passengers over the same, and also for opening, making, and maintaining the Roads in this Act mentioned to communicate therewith, 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 *Itchen Bridge* and Roads," 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

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, 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 River, and also to build, erect, and make proper Piers, Buttresses, Quays, Houses, and Landing Places of good and substantial Materials on the Lands on each Side or Bank of the said River, the Northern Line or Limit of the said Bridge, Piers, Buttresses, Quays, Houses, and Landing Places to be South of the Southernmost Corner or Extremity of a certain Slate Wharf now in the Occupation of *Richard and William Coles*, and Fifty Feet at the least to the South of the *Cross House* on the Western Side or Bank of the said River, and the said Northern Line or Limit of the said Bridge, Piers, Buttresses, Quays, Houses, and Landing Places to be South of certain Rails called the Boundary Rails, situate South-west of the said *Royal Oak* Public House, and dividing the Ferry Beach from the Property of *Thomas Chamberlayne* Esquire on the Eastern Side or Bank of the said River, with proper Chains and Implements for working and using such Bridge; and for the Purposes aforesaid from Time to Time to dig and make proper Foundations on the Banks and Lands on each Side or Bank of the said River, and to lay down, place, and maintain on the Shores of the said River, above Low-water Mark on each Side thereof, an Inclined Plane of Stone, Iron, or other durable Materials, for the convenient Use of such Floating Bridge, and for such Purpose to excavate the said Shores and Banks, and make Dams on each Side of the River, and cut and level and embank and secure the Banks thereof, and cut, remove, scour, take, and carry away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or other Impediment whatsoever, and do and execute all and every other Thing or Things necessary or convenient for building, maintaining, and repairing the said Bridge, Piers, Buttresses, Chains, Quays, Houses, and Landing Places: Provided always, that the said Chain or Chains so across the said River as aforesaid shall be and continue at the Bottom of the said River, except when raised by the said Bridge in its Passage; and that such Piers, Buttresses, Quays, Houses, and Landing Places, and Works which may be so built, erected, laid down, and made, shall be constructed that the Flux and Reflux of the Tide shall not be impeded thereby.

Power to
build a Float-
ing Bridge.

III. Provided always, and be it further enacted, That the said Company or their Committee 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 River on each Side of the said Bridge, at such Places in the said

Requiring
the Company
to place and
maintain
Warping
Buoys.

River

River as the Harbour Master of the Port of *Southampton*, 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 River without the Sanction of the Admiralty.

IV. 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, Buttress, or other Work of any Kind in the Bed of the said River or on the Shore thereof below High-water Mark, or within the Flux of the Tide, without the previous Consent of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, to be signified in Writing by One of the Secretaries of the Admiralty, 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 River.

Company not to use the Hard nor the Graving Beach.

V. Provided always, and be it further enacted, That it shall not be lawful for the said Company for any of the Purposes aforesaid to take or use any Part of the Hard or Shore of the said River on the North Side of the Boundary Rails near to the Public House called the *Royal Oak*, nor any Part of the present Graving Beach on the Western Side of the said River *Itchen*.

Power to make Approaches.

VI. And be it further enacted, That it shall and may be lawful for the said Company, and they are hereby authorized and empowered, to open, form, make, and maintain all necessary Openings, Ways, or Approaches to the Landing Places of the said Bridge on both Sides of the said River, within One hundred Yards from the said respective Landing Places, and to make, build, and construct all such Footpaths and Causeways and Steps as shall be necessary for the convenient public Use of the said Bridge and Approaches; and it shall also be lawful for the said Company, and they are hereby authorized and empowered, to open, form, and make the aforesaid Roads from *Bernard Street* aforesaid to the Western Landing Place of the said Bridge, and from *Chapel Road* aforesaid to the Shore of the *Southampton Water* aforesaid; and also to open, form, make, and maintain, for the Passage of Travellers, Cattle, and Carriages, the aforesaid Road from the Eastern Landing Place of the said Bridge to the present Turnpike Road leading from *Bursledon Bridge* to *Northam Bridge* aforesaid upon, in, over, or through any private Lands, Buildings, Hereditaments, and Premises, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, and also in, upon, over, or through any Commons or Waste Lands, without making any Satisfaction for such Commons or Waste Lands, of such Width or Dimensions as they shall think proper, not exceeding Sixty Feet, together with such Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences on the Line of the said Roads as they shall think necessary or expedient, and also to take and use the Houses, Buildings, Gardens, Yards, and other Property described in the Schedule to this Act annexed, any Law or Statute to the contrary notwithstanding; and for the Purposes aforesaid it shall be lawful for the said Company, by themselves, their

Deputies, Agents, Officers, Workmen, Servants, and Assistants, to enter, with or without Horses, Carts, or Carriages, upon any Lands, Hereditaments, and Premises necessary to be taken or used for the Site of the said Piers, Buttresses, Quays, Houses, and Landing Places, and Openings, Ways, or Approaches and Works, or for making the said Roads, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, or for lodging Materials for the Construction of the Works authorized by this Act, or for any of the Purposes of this Act, and to dig, cut, bore, excavate, and work in or on any such Lands, Hereditaments, and Premises, and to do and execute all and every Things and Thing necessary or convenient for making, erecting, building, and maintaining the said Works and Ways or Approaches, and the said Roads, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, and for the other Purposes of this Act, doing as little Damage as may be in the Execution of the Works aforesaid, and making full Satisfaction and Compensation for all Damage done in the Execution thereof as herein-after mentioned: Provided always, that it shall not be lawful for the said Company to erect any other Fence on the Common or Marsh in the Parish of *Saint Mary* aforesaid than Posts and Rails or Chains not exceeding the Height of Four Feet.

VII. And whereas Maps or Plans describing the Line of the said Roads, and the Lands through or over which the same are intended to be carried or made, together with Books of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited at the Offices of the Clerks of the Peace for the Town and County of the Town of *Southampton* and for the County of *Southampton* respectively: And whereas, since the depositing of the said Maps or Plans and Books of Reference as aforesaid, it has been found expedient that an Alteration should be made in Parts of the Line of the said Roads in the Parish of *Saint Mary* and in the Parish of *Saint Mary Extra* aforesaid by carrying the same more to the Southward than such first-mentioned Line is laid down on the said Maps or Plans; be it therefore further enacted, That other Maps or Plans describing the intended Line of the said Roads, with such Alteration, and the Approaches and Landing Places to the said Bridge, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, together with Books of Reference to such new Maps or Plans, shall, within Three Calendar Months after the passing of this Act, be deposited at the Offices of the Clerks of the Peace for the Town and County of the Town of *Southampton* and for the County of *Southampton* respectively, and such last-mentioned Maps or Plans and Books of Reference shall remain in the Custody of the said respective Clerks of the Peace, to the end that all Persons may at any seasonable Time or Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof and therefrom, at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of any such Map or Plan and Book of Reference; and the said Company in making the said Roads shall not deviate more than One hundred Yards from the Line described in such Map or Plan without the Consent or Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Col-

Roads to be made according to Map and Book of Reference.

legiate, through whose Lands or Premises such Deviation or Deviations shall be made.

Company restrained from pulling down Dwelling Houses without the Consent of the Owner.

VIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower or authorize the said Company to take or pull down any Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Paddock, Park, Lawn, Shrubbery, planted Walk, or Avenue to a House, or inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first obtained, other than and except such as are mentioned in the Schedule to this Act annexed.

Lands marked in the Maps or Plans may be used notwithstanding Errors in the Book of Reference, &c.

IX. Provided always, and be it further enacted, That it shall be lawful for the said Company, for the Purposes of making the said Roads and the said Bridge and Works, to take and use the Buildings, Lands, Orchards, Gardens, Yards, Paddocks, Parks, Lawns, Shrubberies, Plantations, and Premises described in the said Maps or Plans or Book of Reference, or in the Schedule to this Act, although such Buildings, Lands, Hereditaments, or Premises aforesaid, or any of them, or the Name or Names of the Owner or Owners, may happen to be erroneously described, or omitted or mis-stated, in the said Map or Plan or Book of Reference, or Schedule to this Act, in case it shall appear to any Two or more Justices of the Peace for the said Town and County of the Town of *Southampton*, or for the said County of *Southampton*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or was not wilful.

Road not to be made through Mr. Wright's Lands or Mr. Hunt's Ship Yard without Consent.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Company to make the said Road through any Lands now belonging to *John Wright* Esquire in the said Parish of *Saint Mary Extra*, without the Consent in Writing first had and obtained of the said *John Wright*, or of the Owner or Proprietor for the Time being of any Lands in the said Parish now belonging to the said *John Wright* Esquire; and provided always, that nothing in this Act shall extend or be construed to extend to empower the said Company to enter upon the Ship-building Yards or the Public House situate at the *Cross House* aforesaid, belonging to *John Hunt* Esquire, without the Consent in Writing of the said *John Hunt*, his Heirs or Assigns, being first had.

Time limited for Purchase of Property specified in the Schedule limited.

XI. Provided also, and be it further enacted, That in case the said Company shall not purchase the Buildings, Lands, or Premises specified in the Schedule to this Act annexed within the Space of Five Years from the passing of this Act, all the Powers hereby granted for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall thenceforth cease and determine and be utterly void, except with the Consent of the Owners or Proprietors thereof for the Time being.

If the Bridge becomes impassable, a Ferry to be made.

XII. Provided always, and be it further enacted, That in case the said Bridge shall at any Time become out of repair, unfit or unsafe for Travellers or Carriages, the said Company shall and are hereby required

to cause the same to be forthwith rebuilt or repaired, and made safe and commodious for the Passage of Travellers, Cattle, and Carriages; and in the meantime, and until the said Bridge shall be so repaired or rebuilt, and made safe and commodious, it shall be lawful for the said Company and they are hereby required, during all such Time as the said Bridge shall be out of repair, unfit or unsafe as aforesaid, to provide a proper and convenient Ferry Boat for the Passage of Travellers, Cattle, and Carriages over the said River 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.

XIII. 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 Six of the Clock in the Morning until Ten of the Clock in the Evening; and from the First Day of *May* to the First Day of *September*, at and from Five of the Clock in the Morning until Eleven of the Clock in the Evening; and from the First Day of *September* until the First Day of *November*, at and from Six of the Clock in the Morning until Ten of the Clock in the Evening; and from the First Day of *November* until the First Day of *February* following, at and from Seven of the Clock in the Morning until Ten of the Clock in the Evening: Provided always, that during the several and respective Hours that the said Bridge shall not be working as aforesaid it shall be lawful for the said Company to provide a proper Boat or Boats for carrying Foot Passengers across the said River, with competent Persons for attending and conducting such Boat or Boats, and kept in such Places, and in the same Manner, and subject to the same Regulations and Charges, as Boats and Boatmen have been heretofore kept and regulated at the present Ferry over the said River called *Itchen Ferry*.

Prescribing the Hours for working the Bridge at the different Periods of the Year.

Boats to be provided for Foot Passengers at Night.

XIV. 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 also lawful for the said Company and they are hereby required, during the several and respective Hours that the said Bridge shall not be working, to provide a Boat or Boats for the carrying of Foot Passengers across the said River, with competent Persons for attending and conducting such Boat or Boats; but all and every Persons or Person using the said Bridge, or 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 Committee 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 of the said Floating Bridge it shall not remain at the Landing Places on either Side (if required to cross) for more than a Quarter of an Hour at any one Time.

Bridge may be used after usual Hours on Payment of extra Tolls, but not to exceed Treble Tolls.

XV. And be it further enacted, That it shall be lawful for the said Company to treat, contract, and agree with any Body or Bodies Politic, Corporate,

Company empowered to treat with

Meaning of an Act passed in the Fourth Year of the Reign of King
William the Fourth, intituled [*here set forth the Title of this Act*]. In
 witness whereof have hereunto set Hand
 and Seal this Day of in the Year of our
 Lord

XVII. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons who is or are seised, possessed of, or interested in any Lands or Grounds, Messuages, Tenements, or Hereditaments which may be required for the Purposes of this Act, or in any Ferry or Ferries which may be sold or transferred in pursuance of this Act, may accept and receive Satisfaction for the Value of such Lands or Grounds, Messuages, Tenements, or Hereditaments, Ferry or Ferries, and for the Losses or Damages to be sustained by the Execution of any of the Purposes of this Act, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company, or as shall be assessed or awarded by a Jury pursuant to the Provisions of this Act.

Satisfaction to be made for Lands, &c. taken.

XVIII. And be it further enacted, That in case of any Difference between the said Company and any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or any Tenants for Life or in Tail, Husbands, Feoffees in Trust, Committees, Executors, or Administrators, Guardians, Trustees, Femes Covert, or other Person or Persons so interested or entitled, and hereby capacitated to sell as aforesaid, for or on behalf of himself or herself, or for or on behalf of his or her Cestuique Trust, or of the Person or Persons entitled in Remainder or Reversion after him or her, or of any other incapacitated Person as aforesaid, or between the said Company and any other Person or Persons, relative to the Value or Price or Amount of Compensation to be given for any Lands, Messuages, Buildings, Tenements, or Hereditaments (except any Ferry) to be taken or used for the Purposes of this Act, or relative to any Damages or Injury alleged to be sustained by any such Body or Bodies, or incapacitated Person or Persons aforesaid, or other Person or Persons, or relative to the Amount of Recompence or Satisfaction to be given or made for such Damage or Injury; and in case such Price or Value or Question of Damage or Recompence cannot be settled, adjusted, and agreed upon between such Parties and the said Company, or if any such Body or Bodies, Trustee or Trustees, or any other Person or Persons, shall refuse to receive, upon due Tender thereof made, such Purchase Money or Recompence as shall be offered to be paid by the said Company, or shall for the Space of Twenty-one Days next after Notice in Writing given to the principal Officers of any such Body or Bodies, or to such Tenant or Tenants for Life or in Tail, or Trustee or Trustees, or other Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any such Lands, Messuages, Buildings, Tenements, or Hereditaments, neglect or refuse to treat or shall not

Differences respecting Price of Land, or respecting Damages, to be settled by a Jury.

[Local.]

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agree

agree with the said Company concerning the same, or shall by reason of Absence or otherwise be prevented from treating, or shall by reason of Nonage or other Impediment not provided for by this Act be incapable of treating or making such Agreement as shall be expedient for enabling the said Company to proceed in the making or carrying on the Works aforesaid, or shall not, within the before-mentioned Space of Twenty-one Days, produce and fully disclose the State of the Title to the Premises of which he, she, or they are or shall be in Possession, and to the Interest which he, she, or they claim therein, then and in every or any such Case it shall and may be lawful to and for the said Company or their Committee of Management, and they are hereby empowered and required, to issue a Warrant under the Common Seal of the said Company, directed to the Sheriff for the Time being of the County in which such Lands, Messuages, Buildings, Tenements, or Hereditaments shall lie, thereby commanding him to impanel, summon, and return a Jury of Twenty-four sufficient and indifferent Men, qualified according to Law to be returned for Trials of Issues joined in His Majesty's Courts at *Westminster*, to appear before the said Sheriff at such Time and Place as in the said Warrant or Warrants shall be appointed, and the said Sheriff, either by himself or his Under Sheriff, is hereby required to impanel, summon, and return such Number of Persons accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear, the said Sheriff shall swear or cause to be sworn Twelve, who shall be the Jury for the Purpose aforesaid; and for default of a sufficient Number of Jurymen the said Sheriff or his Under Sheriff shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel and Solicitors, to attend and be heard and to adduce Evidence before the said Sheriff; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff is hereby empowered and required, by a Summons or Notice to be signed by him either previous to or at the Time of any such Meeting or Meetings, to call before him all and every Person and Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath touching or concerning the Premises; and the said Sheriff may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Premises in question if there be Occasion, and to use all other Ways and Means as well for his own as for the Jury's better Information in the Premises, as the said Sheriff shall think fit; which Jury upon their Oaths (which Oaths, as well as the Oaths of such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands, Tenements, or Hereditaments, or what Losses or Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or Person or Persons interested, for or on account of the taking such Lands, Tenements, or Hereditaments by virtue of this Act; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said

said Company to the said Owners or Occupiers of or other Person or Persons interested in the said Lands, Tenements, or Hereditaments according to such Verdict or Inquisition of the said Jury, and give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order and Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff, and shall be binding, final, and conclusive to all Intents and Purposes against all Parties and Persons whomsoever claiming any Estate in Fee Simple or Fee Tail, for Life or Lives, in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Femes Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Court, any Law or Statute to the contrary thereof notwithstanding.

XIX. And be it further enacted, That if any Sheriff or Sheriffs shall make default in the Premises they shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster* by the said Company, or by such other Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or other Person or Persons interested in the Matter in question; and if any Person so impannelled, summoned, and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any Manner wilfully neglect his Duty therein contrary to the true Intent and Meaning of this Act, and if any Person or Persons summoned to give Evidence before the said Jury touching the Premises shall neglect or refuse to appear after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, or shall not allege a sufficient Excuse to the said Sheriff for not appearing, or appearing shall refuse to be sworn and examined or to give Evidence, then and in every such Case such Person so offending, upon Proof thereof made before any Justice or Justices of the Peace upon the Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of such Justice or Justices; and in case any such Penalty shall not forthwith be paid it shall and may be levied by virtue of any Warrant under the Hand and Seal of such Justice or Justices by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty as shall be paid by or recovered from any Person who shall be impannelled, summoned, and returned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice or Justices to be injured by Default of such Person.

Penalty upon Sheriffs, Jurors, or Witnesses making default.

XX. And be it further enacted, That in all Cases where a Verdict shall be given, in pursuance of the Provisions of this Act, for more Money as a Recompence or Satisfaction for any Lands, Grounds, Messuages, Buildings,

Expences of Jury how to be paid.

Buildings, Tenements, or other Hereditaments, or for any Losses or Damages done or to be done to any Lands, Messuages, Buildings, Tenements, or Hereditaments or other Property, than had been previously offered by or on behalf of the said Company, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, or where no Compensation or a smaller Sum than shall be given by such Verdict had been previously offered or tendered in respect thereof by or on behalf of the said Company, or where by reason of Absence in Foreign Countries, or other Impediments or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensation for such Lands, Tenements, or Hereditaments, or Damages, then and in all such Cases all the reasonable Costs and Expences attending the impannelling, summoning, and returning such Jury and taking such Verdict shall be settled by such Justices and defrayed by the said Company; and in case such Costs shall not be paid by the said Company within Thirty Days after the same shall be demanded, the same shall and may be levied by virtue of any Warrant under the Hand and Seal of any Justice of the Peace, by Distress and Sale of the Goods and Chattels of the said Company, in whatever County such Goods and Chattels may be, or of their Treasurer; but if any Verdict shall be given for the same Sum as had been previously offered by or on behalf of the said Company, or for a less Sum than had been so previously offered, or in case of such Refusal or Neglect to enter into Treaty with or make Conveyances to or receive Compensation from the said Company, by any Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act or otherwise, legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, in which Case such Costs and Expences shall be paid by the said Company,) the Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled in like Manner by the said Justices so impannelling, summoning, and returning such Jury, and taking such Verdict; (that is to say,) one Moiety or Half Part of such Costs and Expences shall be borne and paid by the said Company, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or other Person or Persons with whom the said Company shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict where the Dispute is for Compensation for Injury only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

XXI. Provided always, and be it further enacted, That in ascertaining the Sum or Sums of Money to be paid for the Purchase of any Lands, Messuages, Buildings, Tenements, or other Hereditaments to be taken or made use of for the Purposes of this Act, the Jury shall also ascertain and assess the Compensation and Satisfaction to be made by the said Company for any Damages which shall or may at any Time or Times hereafter be sustained by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons respectively, being Owner or Owners of or interested in such Lands, Tenements, or other Hereditaments, for or by reason of the severing or dividing the same from other Lands, Tenements, or Hereditaments belonging to such Body or Bodies Politic, Corporate, or Collegiate, or to any such Person or Persons as aforesaid, and for or on account of the Detriment, Injury, Loss, and Damage, or Prejudice which shall or may accrue to or be sustained by such Body or Bodies Politic, Corporate, or Collegiate, Owner or Owners, or other Person or Persons interested in such Lands, Messuages, Buildings, Tenements, or other Hereditaments, or any of them, by reason of the erecting, making, using, repairing, or maintaining the said Bridge or Works or Roads, or by reason or means of the Execution of any of the Powers by this Act given to the said Company, such Damages and Compensation to be settled and ascertained separately and distinctly from the Value of the Lands, Messuages, Buildings, Tenements, and Hereditaments so to be taken and used as aforesaid.

Value of Land and Damages to be ascertained separately.

XXII. And be it further enacted, That all such Juries shall and they are hereby respectively empowered to settle what Shares and Proportions of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such his, her, or their Interest or respective Interests therein.

Compensation Money to be apportioned.

XXIII. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and be kept by the Clerk of the Peace, or other Person or Persons having the Custody of the Records of the Quarter Sessions of the Peace of the County or Division in which the Verdict shall be given, and shall be deposited with and be deemed to be Records of such Quarter Sessions 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 for such Inspection the Sum of One Shilling, or to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so on in proportion for any greater or less Number of Words.

Verdicts of Juries to be recorded.

XXIV. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in manner aforesaid, within One Calendar Month after the same shall have been so contracted or agreed for or assessed as aforesaid, for the Purchase or Transfer of any such Lands, Messuages, Buildings, Tenements, or Hereditaments, Ferry or Ferries, or as a Compensation for Losses or Damages as herein-before mentioned, to the Proprietor or Proprietors of such Lands, Messuages, Buildings,

Lands to vest in the Company on Payment or Tender of the Value.

[Local.]

27 A

Buildings, Tenements, or Hereditaments, Ferry or Ferries, or to such other Person or Persons as shall be interested therein, or entitled to receive such Purchase Money or Compensation respectively, or to his, her, or their Agent or Agents, or upon depositing the same in the Bank of *England* in manner by this Act directed, as the Case may be, it shall be lawful for the said Company, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Messuages, Buildings, Tenements, or Hereditaments, Ferry or Ferries respectively, and then and thereupon such Lands, Messuages, Buildings, Tenements, or Hereditaments, Ferry or Ferries, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company for the Purposes of this Act for ever; and such Tender, Payment, or Deposit shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion, Remainder, Expectancy, or otherwise, to his, her, or their Issue, and of all and every other Person and Persons interested therein: Provided nevertheless, that before such Payment, Tender, or Deposit as aforesaid shall be made it shall not be lawful for the said Company, or any Person or Persons acting under or by virtue of their Authority, to dig or cut or otherwise affect any Lands, Tenements, or Hereditaments of the Person or Persons entitled to such Payment for the Purposes of this Act, (except entering and continuing upon the same or any of them for marking or staking out the Line of such Roads and Works, and for taking Levels, and other such like Purposes,) without the Leave and Consent of such Person or Persons respectively.

Compensation for Ferry may be made by a Rent-charge on the Tolls.

XXV. Provided always, and be it further enacted, That in case the said Company or their Committee can agree with the Proprietors of or Parties interested in the said Ferry called *Itchen Ferry*, or the Tolls on Passengers payable at such Ferry, respecting the Amount of an annual Rent-charge on the Tolls by this Act granted to be paid to such Proprietors or Parties, or any or either of them, by way of Compensation for such Ferry, or for the respective Shares or Rights or Interests of any or either of such Proprietors or Parties therein, then and in any such Case it shall be lawful for the said Company and such Proprietors or Parties, or any or either of them respectively, to agree respecting the same accordingly, in lieu of making a Compensation by a Sum of Money in gross for such Ferry or Tolls, or for any Share therein; and it shall be lawful for the said Company to pay, and for such Proprietors or Parties, or any or either of them, to accept, in lieu of a Compensation in Money as aforesaid, such annual Rent-charge or Rent-charges as shall be so agreed upon, to be secured on the Tolls by this Act granted, in such Manner, and under such Regulations, and with such Power to the said Company to redeem such Rent-charge or Rent-charges on such Terms and at such Time or Times as shall be agreed upon by and between the said Parties respectively: Provided always, that in case any Person or Persons being Proprietor or Proprietors of the said Ferry, or of any Share or Shares therein, shall not be entitled to such his, her, or their Property therein in Fee Simple, or shall be incapacitated to dispose of such Property absolutely, then and in any such Case

Case it shall not be lawful for any such Person or Persons to accept or receive Compensation for his, her, or their Interest therein by a Rent-charge or Rent-charges as aforesaid.

XXVI. And be it further enacted, That all Sums of Money which are to be paid to any Bodies Politic, Corporate, Collegiate, Spiritual, Lay, Ecclesiastical, or Civil, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of any Lunatics, Idiots, Femes Covert, or other Cestuique Trusts, Tenants for Life or in Tail, or to any Person or Persons whose Lands, Tenements, or Hereditaments, Ferry or Ferries, are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, for the Purchase or Transfer of or for the Damage to be done to any such Lands, Messuages, Buildings, Tenements, or Hereditaments, Ferry or Ferries, by virtue or in consequence of the Powers in this Act contained, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, 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 *Itchen Bridge* and Roads, pursuant to the Method prescribed by an Act made in the First Year of the Reign of 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*, according to the General Orders of the said Court, without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, Ferry or Ferries, in the Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Charge or Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, Ferry or Ferries, or affecting other Lands, Tenements, or Hereditaments, Ferry or Ferries, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such Uses, Trusts, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments, Ferry or Ferries, which shall be so purchased, taken, used, or injured as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, 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; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Proceeds of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the

Time

Application
of Purchase
Money when
exceeding
200*l.*

1 G. 4. c. 35.

Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, Ferry or Ferries, so hereby directed to be purchased, in case such Purchase and Settlement were made.

Application where Purchase Money is less than 200*l.*, and amounts to or exceeds 20*l.*

XXVII. Provided always, and be it further enacted, That if any Money so agreed and awarded to be paid for any Lands, Tenements, or Hereditaments, Ferry or Ferries, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, or on account of any Damage to be done or occasioned to any such Lands, Tenements, or Hereditaments as herein-before mentioned, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Ferry or Ferries, so purchased, taken, used, or injured, in respect whereof the same shall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, Trustee or Trustees, Receiver or Receivers, or other Person or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be named by the Person or Persons making such Option, and approved of by the said Company, (such Nomination and Approbation to be signified in Writing under the Hands of the Parties nominating such Trustees, and under the Common Seal of the said Company,) in order that such Principal Money and the Dividends arising thereon may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application when Money is less than 20*l.*

XXVIII. Provided also, 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, Ferry or Ferries, 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.

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

XXIX. 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, Ferry or Ferries, 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,

ditaments, Ferry or Ferries, 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, Ferry or Ferries (describing them), subject to the Order, Controul, 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 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.

XXX. Provided always, 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, Ferry or Ferries, or of any Estate, Right, or Interest in the Lands, Tenements, or Hereditaments, Ferry or Ferries, 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, Ferry or Ferries, 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, Ferry or Ferries, 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, Ferry or Ferries, or to some Estate or Interest therein.

Where any Question shall arise as to the Title to Money, the Person who shall be in Possession of the Lands, &c. to be deemed entitled thereto.

XXXI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Exchequer to order the reasonable

The Court may order reasonable Expences of Purchases to be paid by the Company.

[Local.]

27 B

Expences

Expences of all Purchases from Time to Time to be made in pursuance of this Act, and also of the Re-investment of the Purchase Money thereof in Land, or other Disposition of the same, to be paid by the said Company out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

For making good Deficiencies in the Land Tax.

XXXII. 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 is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Assessments.

Materials may be got from Waste Grounds without paying for the same, or from private Grounds, making Satisfaction for the Damage.

XXXIII. And be it further enacted, That the said Company, or any other Person or Persons whom they shall appoint for that Purpose, may and is and are hereby authorized and empowered to search for, cut, dig, gather, take, and carry away any Furze, Heath, Gravel, Chalk, Sand, Stones, Ballast, or other Materials proper for making or building or repairing the said Landing Places and Works and Approaches, and for making and maintaining the Roads to be made in pursuance of this Act, in, upon, and out of or from any Waste Ground or Grounds, River, or Brook in any Parish or Parishes through or in which the same respectively are intended to be made, or any or either of them, or in any neighbouring Parish or Place, (except from any Waste Ground or Grounds belonging to the Corporation of *Southampton*;) without paying or making any Satisfaction for the same, they the said Company, or such Person or Persons employed by them for that Purpose, filling up the Pits and levelling the Grounds from which such Materials shall be so taken, or railing or fencing the same so that such Pits be not dangerous to Passengers or Cattle; and also in, upon, and out of and from and over the Lands and Grounds of any Person or Persons whomsoever, (not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, or inclosed Ground planted with any Avenue of Trees for the Ornament of any House,) and paying or offering to pay to the respective Owners and Occupiers of such Lands or Grounds for the Damages they shall thereby sustain, as the said Company shall judge reasonable; and in case of any Difference concerning the same, any Two or more Justices of the Peace of the County or Place where such Materials shall be so cut, digged, gathered, taken, and carried away, shall and may,

on

on Fourteen Days Notice thereof to be given by the said Company to such Owner or Owners, Occupier or Occupiers, or to be left at his, her, or their respective Places of Abode with some or one of his, her, or their respective Families, or by such Owner or Owners, Occupier or Occupiers, to the said Company or their Clerk for the Time being, hear, settle, and determine the Matters in dispute, and ascertain what Damages shall be paid; and the Order and Determination of the said Justices shall be final and conclusive to all Parties.

XXXIV. Provided nevertheless, and be it further enacted, That it shall not be lawful for the said Company, or any other Person or Persons, under the Authority of this Act, to carry and take away Materials for building, making, or repairing the said Approaches and Roads hereby authorized to be built and made from any inclosed Lands or Grounds until Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before any Two or more Justices of the Peace for the County where such Lands or Grounds are situated, to show Cause why such Materials shall not be had or taken from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice the said Justices shall, if they think meet, authorize the said Company, or such Person or Persons as the said Company shall appoint for that Purpose, to dig, gather, take, and carry away such Materials from such Lands or Grounds at such Time or Times as to the said Justices shall seem proper; and if such Occupier shall neglect or refuse to appear, by himself or his Agent, at the Time and Place appointed, the said Justices shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier or his Agent had attended.

Materials not to be carried out of private Ground without Notice.

XXXV. 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 at 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 or 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 Roads or either of them, or for executing any other of the Purposes of this Act, in, upon, through, and over any Common or Waste Ground within Five hundred Yards of the said Bridge or Approaches or Roads respectively, without making any 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 or Roads 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 wherein the Damage shall be done, and such Justices are hereby authorized and empowered to hear, settle, and determine the same accordingly.

Materials may be brought and worked on Waste Lands without Satisfaction, and on private Lands with Satisfaction, for Injury done.

XXXVI. And be it further enacted, That it shall and may be lawful for the said Company or the Committee to be appointed as herein-after mentioned,

Power to remove Annoyances.

mentioned, and for their Surveyor or Surveyors, or for such Person or Persons as the said Company or Committee or either of them shall appoint for that Purpose, to remove and prevent all Annoyances on the said Landing Places, Approaches, and Roads by Filth, Dung, Ashes, Rubbish, or otherwise, and to turn any Watercourses, Sinks, or Drains running into, along, or out of the said Roads to the Prejudice thereof, and to open, scour, and cleanse any Watercourses or Ditches adjoining to the said Roads, and make the same as deep and large as he or they shall think proper and necessary, and to cut down, lop, or top any Trees or Bushes growing in the said Roads and the Hedges or Banks adjoining thereto, and to take and carry away the same in case the Owners or Occupiers of the Premises shall neglect to remove the same, or to cut down or carry away such Trees or Bushes as aforesaid, 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 Committee, or their Surveyor or Surveyors for the Time being, the Charges whereof, to be settled by any Two Justices of the Peace of the County 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 in such Manner as Penalties and Forfeitures are herein-after directed to be recovered; and if after the Removal of any of the said Annoyances any Person shall again offend in the like Kind, every such Person shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Parishes not to be liable to the Repairs of Roads.

XXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall be held or construed to render any Parish through which the Roads, Avenues, and Approaches hereby authorized to be made shall pass liable for the Maintenance or Repairs of the said Roads, Avenues, or Approaches, but the whole thereof respectively shall be made, sustained, and kept in repair at the sole Costs and Charge of the said Company, who are hereby made liable thereto: Provided always, that nothing herein contained shall extend to discharge any such Parish or the Inhabitants thereof from any Liability to the Repair or Maintenance of any Road or Highway to the Extent to which they are now liable.

Company may raise among themselves a Sum not exceeding 23,000*l.*

XXXVIII. 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 Twenty-three 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 Expences 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 Bridge, Approaches, and Works, and in making the said several Roads, and in paying the Purchase Money for any Lands, Messuages, Buildings, Tenements, Ferry or Ferries, and Hereditaments necessary for the Purposes of this Act, and in maintaining the said Bridge, Approaches, and Works, and the said Roads, in sufficient Repair, and for otherwise carrying this Act into execution; and the said Sum of Twenty-three thousand Pounds shall be divided into Four hundred and sixty Shares of Fifty Pounds each, and the said Shares shall be and they are hereby

hereby vested in the several Persons, and Bodies Politic, Corporate, or Collegiate, subscribing for the same, and their several and respective Executors, Administrators, Successors, 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, and Bodies Politic, Corporate, and Collegiate, subscribing for or holding One or more such Share or Shares, their several and respective Executors, Administrators, Successors, and Assigns, shall be entitled to and receive an equal proportionable Part of the Profit 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 Body Politic, Corporate, and Collegiate, 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.

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

If Floating Bridge not completed in Five Years, Powers of this Act then to cease.

XL. And whereas the probable Expence of building the said Bridge and making the said Roads and Approaches will amount to the Sum of Twenty-three thousand Pounds, and more than Four Fifths thereof have been already subscribed by several Persons under a Contract binding themselves, their Heirs, Executors, and Administrators, for the Payment of the several Sums by them subscribed respectively; be it further enacted, That the whole of the said Sum of Twenty-three thousand Pounds shall be subscribed in like Manner before any of the Powers given by this Act for building the said Bridge and making the said Roads and Approaches shall be put in force.

The Sum of 23,000*l.* to be subscribed before Act shall be put in force.

XLI. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and all other Person and Persons, of and in the said Undertaking, or the said Capital or Joint Stock or Fund of the said Company, shall be and be deemed to be Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Shares to be Personal Estate.

XLII. And be it further enacted, That the several Persons, and Bodies Politic, Corporate, or Collegiate, who have subscribed for or agreed to advance, or who shall hereafter subscribe for or agree 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 to be so subscribed, or such Part or Proportions thereof as shall from Time to Time be called for by the said Company or their Committee 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 Committee in manner

To compel Payment of Subscriptions.

[Local.]

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herein.

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, and with full Costs of Suit, in any Court of Law or Equity.

Power to
raise Money
by Mortgage
or Annuities.

XLIII. Provided always, and be it further enacted, That in case the said Company shall be desirous of raising the Sum of Ten thousand Pounds or any Part thereof by Mortgage of the said Undertaking or of the Tolls thereof, as herein-after mentioned, it shall and may be lawful to and for the said Company to borrow and take up at Interest all or any Part of the said Sum of Ten thousand Pounds, either by way of Mortgage of the said Undertaking and the Tolls by this Act granted, or by granting Annuities to be payable out of the said Tolls during the natural Life of the Purchaser or Purchasers thereof, or of such Person or Persons as shall be nominated by and on the Behalf of such Purchaser or Purchasers, which Annuity or Annuities shall be granted and made payable either with or without Benefit of Survivorship, and in such Manner as the said Company shall think proper ; and the said Company are hereby fully authorized and empowered under their Common Seal to grant and assign over the said Undertaking and Tolls as a Security for any Sum or Sums of Money so to be borrowed, with Interest for the same, or for the due and regular Payment of the said Annuity or Annuities so to be granted, as to them shall seem meet.

Form of
Mortgage.

XLIV. And be it further enacted, That every such Grant or Assignment so to be given as a Security for any Sum or Sums of Money 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 made and passed in the Fourth Year of the Reign
 ‘ of His Majesty King *William* the Fourth, intituled *An Act* [*here*
 ‘ *set forth the Title of this Act*], we, the Company of Proprietors of
 ‘ the *Itchen Bridge* and Roads, incorporated under and by virtue of
 ‘ the said Act, in consideration of the Sum of _____ to us lent
 ‘ and advanced by *A. B.* of _____ do grant and convey unto
 ‘ the said *A. B.*, his *or* her Executors, Administrators, and Assigns, all
 ‘ that the *Itchen Bridge* and Roads erected and made by virtue of the said
 ‘ Act, and Toll Houses 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 *A. B.*, his *or* her
 ‘ Successors, 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
equally en-
titled without
Preference.

With such additional Words as shall be necessary for excepting or saving any Rent-charge or Rent-charges which shall or may be granted under the Powers of this Act, in case any such shall be granted ; and all and every Person and Persons, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, to whom such Grant or Assignment shall be made, shall be
 equally

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 and Approaches and Works and Roads, 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 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 to the said Company, and for every such Entry the Clerk to the said Company shall be paid the Sum of Two Shillings and Sixpence; and every such Mortgagee or Mortgagees, and all and every Person and Persons to whom any such Mortgage or Mortgages shall be transferred or assigned, or who shall be entitled to the Money thereby secured, may from Time to Time assign and transfer his, her, or their Right, Title, Interest, or Benefit to his, her, or their Mortgage or Security to any Person or Persons whomsoever, which Transfer shall and may be made according to the Form following; (that is to say,)

‘ I *A. B.* of _____ in consideration of the Sum of _____
 ‘ paid by *C. D.* of _____ do hereby transfer a certain Mort-
 ‘ gage made by the Company of Proprietors of the *Itchen Bridge* and
 ‘ Roads, Number _____ being dated the _____ Day of _____
 ‘ for securing the Principal Sum of _____ and the Interest now
 ‘ due and hereafter to become due thereon, and all my Right and Pro-
 ‘ perty therein, to the said *C. D.*, his Executors, Administrators, and
 ‘ Assigns. In witness whereof I have hereunto set my Hand and Seal
 ‘ this _____ Day of _____ in the Year of our Lord _____.’

Form of
Transfer.

And every such Transfer shall be produced and certified to the Clerk to the said Company, who shall thereupon cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sums of Money thereby transferred, in the said Book or Books to be kept for entering the said original Mortgages, for which last-mentioned Entry such Clerk shall be paid the Sum of Two Shillings and Sixpence and no more; and after such Entry made every such Assignment shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage; and it shall not be in the Power of any Person or Persons who shall have made any such Assignment or Assignments at any Time afterwards to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof.

XLV. And be it further enacted, That the Interest of the Money so to be borrowed as aforesaid shall be paid half-yearly to the several Persons entitled thereto in preference to any Interest or Dividends due and payable by virtue of this Act to the Proprietors of the said Undertaking, and shall

Interest to
be paid half-
yearly before
any Dividend
made.

shall be fully discharged or provided for before the yearly or other Interest or Dividends due to the said Proprietors shall be paid.

General and
Special Meet-
ings when
and how to
be held.

Special Meet-
ings.

Mode of
voting.

XLVI. And be it further enacted, That the said Company shall hold Two General Assemblies or Meetings in every Year for carrying the Purposes of this Act into execution, the First of which General Assemblies shall be holden at the Town Hall in the Town of *Southampton* on the *Monday* Fortnight next after the Day of the passing of this Act, and the Second General Assembly shall be holden on the First *Monday* in *November* then next ensuing at such Place as shall be agreed upon at the First General Assembly, and all future General Assemblies shall be holden at such convenient Times at the said Town, 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 Eleven of the Clock in the Forenoon 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 that for the more effectually putting this Act into execution a Special Assembly or Meeting of Proprietors is necessary to be held, it shall be lawful for such Five or more of them 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 in the Town of *Southampton*, 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 Special 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 Special 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 Special 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 Special 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 :

' I of being a Proprietor of Form of
' Share [or of Shares, *as the Case may be,*] in the Capital or Proxy.
' Joint Stock of the Company of Proprietors of the *Itchen Bridge* and
' Roads, do hereby nominate, constitute, and appoint of
' to be my Proxy, in my Absence to vote, or give my Assent or Dissent
' to any Business, Matter, or Thing relating to the Affairs of the said
' Company which shall be mentioned or proposed at any Assembly of
' the said Company, in such Manner as the said shall
' think proper, according to his Opinion and Judgment, for the Benefit
' of the said Company or their Undertaking, or any thing appertaining
' thereto. In witness thereof I have hereunto set my Hand [or we have
' hereunto set our Seal, *as the Case may be,*] the Day of
' in the Year of our Lord One thousand eight hundred and .

And every Question, Matter, and Thing whatsoever which shall be proposed, discussed, or considered in any General or Special Assembly of the said Company to be held by virtue of this Act shall be finally determined by the Majority of Votes then present by Principals and Proxies, computing such Votes in manner aforesaid; and no Person shall be Proxy for more than Two absent Proprietors. All Questions to be decided by the Majority of Votes.

XLVII. Provided always, and be it further enacted, That from and after the First General Meeting to be held under this Act no such Proprietor or Proprietors shall be deemed to be qualified or entitled to vote who has or have not possessed his, her, or their Shares, and whose Names or Name have or hath not been entered in manner herein-after directed in the Books of the said Company as the Possessor or Possessors and Proprietor or Proprietors of such Shares, for the Space of Six Calendar Months then next preceding, at any General or Special General Assembly of the said Company, under pain of forfeiting his, her, or their said Shares, and all Benefit, Profit, and Advantage due and to become due thereon, to the Use of the said Company, unless it shall appear that it shall be owing to the Default of the Clerk of the said Company that the said Party so claiming to vote as aforesaid has not been entered in the Books of the said Company as herein directed, or to the Default or Neglect of any other Person other than the Party so claiming to vote as aforesaid: Provided also, that no Proprietor or Proprietors shall be or be deemed to be entitled to vote for any Shares unless he possess the same *bonâ fide* and in his own Right, and not in the Right or as the Property of any other Person whomsoever, upon pain of forfeiting the said Shares, and all Benefit, Profit, and Advantage due and to become due thereon, to the Use of the said Company. Proprietors not entitled to vote unless possessed of their Shares Six Calendar Months.

XLVIII. Provided also, and be it further enacted, That no Proprietor shall be allowed to vote or give his Voice in the Agitation or Decision of any Question respecting the Concerns of the said Company, either personally or by Proxy or as Proxy, at any General Assembly or Meeting, or at any Special General Assembly or Meeting, during the Time when any Call in respect of any Share in the said Undertaking belonging to such Proprietor shall be in arrear, nor until such Time as all such Arrears shall be paid up in respect of any such Call or Calls. Proprietors in arrear not to vote.

[*Local.*]

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XLIX. And

The Person whose Name stands first as a joint Proprietor with others to be deemed the Owner, and be entitled to vote.

XLIX. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares shall for the Purposes of this Act be deemed and taken to be the Proprietor or Owner of such Share or Shares; and all Notices hereby required or necessary to be given to the Proprietor or Owner of any Share or Shares in the said Undertaking shall and may be given to or sent to such Person whose Name shall so stand first in the Books of the said Company, and such Notice to such Person shall be deemed and taken to be a sufficient Notice to all the Owners or Proprietors of such Share or Shares for all the Purposes for which such Notice is intended to be given; and such Proprietors or Owners shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, and whose Vote shall, either in Person or by Proxy, on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares.

Lunatics and Minors to vote by Committees and Guardians.

L. 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 Committee, 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.

Committee may be appointed.

LI. 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 (being respectively possessed of at least Five Shares therein) to be a Committee 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 Committee 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, Ferries, Lands, Tenements, and Hereditaments, for the Use of the said Undertaking, as for employing, ordering, and directing the Work and Workmen, and in placing and displacing Surveyors, Collectors, Gatekeepers, 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 Committee then assembled, such Majority not being less than Three: Provided always, that every Committee shall from Time to Time make Reports of their Proceedings to and shall be subject to the Examination and Controul 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

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 upon Committees, or of continuing so to serve, during the Time of his or their Continuance in such Place, Office, or Employment.

Persons holding Places, &c. to be incapable of serving on Committees.

LII. 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 a Committee 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 of the Committee as ought to have been made on the Day herein-before appointed had there been a sufficient Number of Voters present, and the Persons then chosen to be of the said Committee 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 Votes 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.

Committee may be appointed at another Meeting.

LIII. And be it further enacted, That the said Proprietors so chosen at the said several General Assemblies as aforesaid to be Committee-men shall meet once in every Calendar Month (or oftener if such Committee shall find it necessary) at the said Town of *Southampton*, or at some Place within Three Miles thereof, on a Day and at an Hour to be appointed by a Majority of the said Committee 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 Committee unless Five Members of such Committee at the least be present; and in order to defray the Expences of the said Meeting of the said Committee 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 Committee shall have more than One Vote in the said Committee, except the Chairman, 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 the Committees.

LIV. Provided always, and be it further enacted, That if any Member or Members of the said Committee shall die, or become disqualified, or for the Space of Six Calendar Months refuse or neglect to attend a Meeting of the said Committee to be holden in pursuance of this Act,

If Members of Committee neglect to attend, others may be elected.

then and in every such Case such Member or Members so becoming disqualified or not attending shall cease to be of the said Committee; and it shall and may be lawful to and for the remaining Members of the said Committee 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 Committee 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 Committee for such Time and no longer, as the Person or Persons in whose Room or Stead he or they shall be so elected would have continued in Office but for such Refusal or Neglect as aforesaid.

Appointment
of Officers.

LV. 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 or appoint a Treasurer and Clerk or Clerks, Surveyor or Surveyors, Collector or Collectors, and such other Officers and Assistants as they the said Company 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 appoint 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 Company; provided that Ten Days Notice at the least of such Intention to dismiss, suspend, or remove any Officer or Officers, Assistant or Assistants, and to appoint another or others in his or their Stead, be given in Writing to every such Officer or Assistant under the Common Seal of the said Company, or signed by their Clerk; and 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 Officers and Assistants, any or either of them, and to all and every other Person and Persons who shall be employed in or about the Execution of this Act, as they shall judge reasonable and proper.

Treasurer,
&c. to give
Security, and
Officers to
account.

LVI. Provided always, and be it further enacted, That the said Company shall and are hereby required to take such Security as they shall think proper from their Treasurer, Clerk, Collectors, and other Officers for the due Execution of their respective Offices and of the Trusts reposed in them, and all such Officers and Persons shall under their Hands (at such Time and Times and in such Manner as the said Company or the Committee for the Time being shall direct) deliver to the said Company or the said Committee, or to such Person or Persons as they or either of them shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by them respectively received by virtue of and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Company, or to such Person or Persons as they shall appoint; and the said Officers and Persons so accounting shall, if thereunto required by the said Company or the Committee,

mittee, verify their said Accounts ; and if any such Officer or Person shall not make and render, or shall neglect or refuse to verify any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Company or to their Committee, or to such Person as they or either of them shall appoint, within Twenty-one Days next after being thereunto required by Notice in Writing under the Common Seal of the said Company, or signed by their Clerk, given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Company or their Committee respecting the same, the said Company are hereby authorized and empowered to cause an Action to be brought against the Officer or Person so neglecting or refusing, in order for the Recovery of the Monies, Books, Papers, and Writings that shall be in his Hands, and may recover the same, with full Costs of Suit ; or if Complaint shall be made by the said Company or the said Committee, or by such Person or Persons as they or either of them shall appoint for that Purpose, of any such Refusal or Neglect, to any Justice of the Peace for the City, County, Riding, Division, Liberty, Town, or Place wherein such Officer or Person shall be or reside, such Justice is hereby authorized and empowered by Warrant under his Hand and Seal to cause such Officer or Person to be brought before him, and on his appearing, or not being to be found, to hear and determine the Matter in a summary Way ; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice that any of the Monies that shall have been collected and raised by virtue of this Act shall be in the Hands of such Officer or Person, such Justice is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person ; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling the Distress, or if it shall in manner aforesaid appear to such Justice that any such Officer or Person shall refuse or neglect to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of any such Officer or Person, and he shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then such Justice shall commit every such Offender to the Common Gaol or House of Correction of or for the City, County, Riding, Division, Liberty, Town, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he or they shall give and make a true and perfect Account and Payment as aforesaid, or until he or they shall compound with the said Company or their Committee touching the same, and shall have paid such Composition in such Manner as they shall appoint (which said Composition the said Company or the said Committee are hereby empowered to make and receive), and until he or they shall deliver up all such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof, to the said Company or Committee as aforesaid ; but no Person who shall be committed on account only of his not having sufficient Goods or Chattels as aforesaid shall be detained in Prison for any longer Term than Six Calendar Months.

Same Person
not to be
Clerk and
Treasurer.

LVII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or 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, 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 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, to be the Clerk 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 or 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 His 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 Imparlanche, shall be allowed.

Books to be
kept, and de-
clared to be
the Property
of the Com-
pany.

LVIII. 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 their Committee, 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 of the said Company or their Committee, 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

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 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, 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.

LIX. And be it further enacted, That all the Orders and Proceedings of the said Company and also of their Committees 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.

LX. 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 the Toll House or Toll Houses to be erected by virtue of this Act.

Notices.

LXI. 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 by them appointed, 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 such Committee as aforesaid shall have Power from Time to Time 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 Ten Pounds for every Fifty Pounds, and so as no Call be made but at the Distance of Fourteen 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 Committee 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 in the Town of *Southampton*, and in such other Manner as the said Company shall direct or appoint; and if any Person shall neglect or refuse to

General
Assembly to
audit Ac-
counts, &c.

The General
Assembly or
the Commit-
tee may make
Calls.

pay

Forfeiture of 5l. per Cent. for Neglect of Payment at appointed Time.

Forfeiture of Shares if Payment neglected for Two Months.

No Advantage to be taken of Forfeiture without Notice.

If the Purchase Money of the Forfeited Shares be more than sufficient to pay the Arrears of Calls, Interest, and Expences, the Surplus to be paid to the Owner.

Persons not paying after Calls made may be sued.

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 Committee, he or she so neglecting or refusing shall forfeit a Sum not exceeding Five Pounds for every One hundred Pounds of his or her Share, Part, and Interest in the said Undertaking; 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 Profits 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 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 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.

LXII. 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 said Company shall not sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be at the Time of such Call, to pay the Arrears due from 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 again become the Property of the Person or Persons, or his, her, or their Executors or Administrators, 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.

LXIII. 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 the said Committee, 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 the said Committee in manner before

mentioned;

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.

LXIV. 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 of or 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 Committee 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 Ten Pounds at any One Time upon any One Share, or was made before the Interval of Fourteen Days from the last preceding Call, or was made without such Notice given as aforesaid.

Proceedings
in Actions
for Calls.

LXV. Provided always, and be it further enacted, That if the Proprietor of any Share 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 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

Directing
how Calls
shall be made
on Shares un-
disposed of
belonging to
Persons
dying.

dian 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.

Shares to be registered, and Tickets delivered to Subscribers.

LXVI. And be it further enacted, That the said Company or their Committee 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 Number 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,)

Tickets to be Evidence of Subscriber's Title.

Form of the Ticket.

‘ THESE are to certify, That _____ of _____ is
 ‘ [or are] a Member [or Members] of the Company of Proprietors of
 ‘ the *Itchen Bridge* and Roads, 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 Advan-
 ‘ tages of the said Share. Given under the Common Seal of the said
 ‘ Company the _____ Day of _____ in the Year of our
 ‘ Lord _____ .’

The Persons whose Names appear in Register to be deemed Proprietors.

LXVII. And be it further enacted, That the Bodies Politic and Corporate, and all and every Person and Persons whose Name or Names shall at any Time hereafter stand in 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

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.

LXVIII. 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 correspondent 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 for each such new Ticket or Security; and all such new Tickets or Securities shall be deemed original Tickets and Securities.

For giving new Shares or Tickets and Securities in case of the old ones being damaged or destroyed.

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

Proprietors may sell or dispose of their Shares, but not till Calls are paid up.

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: Provided always, that after any Call for Money shall be made by a General Assembly or such Committee 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 herein-before directed.

Form of
Transfer of
Shares.

LXX. And be it further enacted, That a Transfer of the said Shares shall or may be in the Form or to the Purport and Effect following:

‘ I *A. B.* of _____ in consideration of the Sum
 ‘ of _____ paid to me by *C. D.* of _____
 ‘ do hereby bargain, sell, transfer, and assign over to the said *C. D.*, his
 ‘ Executors, Administrators, and Assigns, _____ Share [*or* Shares]
 ‘ in the Capital or Joint Stock and Undertaking of the Company of
 ‘ Proprietors of the *Itchen Bridge* and Roads, to hold to the said *C. D.*, 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 *C. D.* do hereby agree to
 ‘ accept of the said *A. B.*’s Share [*or* Shares], subject to all such Rules,
 ‘ Orders, and Conditions. Witness our Hands and Seals the
 ‘ Day of _____ in the Year of our Lord _____
 ‘ Witness _____’

Transfer to
be notified to
the Clerk,
who shall
enter the
same in a
Book.

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 Assignments 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 Person or Persons 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 Proprie-
tors of Shares
by Marriage;

LXXI. 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

respect of any Share, an Affidavit, 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 and sworn to or solemnly affirmed by some credible Person before a Master or Master Extraordinary in Chancery, or any One of His 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 or sworn to or solemnly affirmed to 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 His 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 Share or Shares in the said Undertaking shall pass from any Proprietor or Proprietors thereof to any Person or Persons by any other legal Means than by a Transfer and Conveyance thereof as herein directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to or solemnly affirmed by One or more credible Person or Persons before a Master or Master Extraordinary in Chancery, or any One of His 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 Affidavit 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.

by Will, or in course of Administration;

by any other Means.

The like as to Mortgages or Securities on the Bridge, &c. and Undertaking.

LXXII. And be it further enacted, That if the said Company or their Committee 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

The Company may buy up Shares.

[Local.]

27 G

or

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 towards 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.

Company may contract for building, &c. the Bridge and making the Roads.

LXXIII. And be it further enacted, That it shall be lawful for the said Company or their Committee to contract with any Person or Persons for erecting, constructing, or building the said Bridge and Works, and for making the said Roads or any of them, or any Part or Parts thereof, or for repairing, widening, and altering the said Bridge and Works and Roads, or any or either of them, in such Manner or for such Sum or Sums of Money as the said Company or the Committee 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 Committee 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.

Bridge and Roads vested in the Company.

LXXIV. And be it further enacted, That the Right and Property of and in the said Bridge, Landing Places, and Approaches, and in all Piers, Chains, Buttresses, Abutments, 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, and in the said Roads and Footpaths, and of and in all Toll Houses, 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 Roads, 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 Committee for erecting, building, making, maintaining, and repairing the said Bridge and Approaches and Works and Roads, 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.

Roads to be measured, and Milestones and Direction Posts, &c. to be set up.

LXXV. And be it further enacted, That it shall be lawful for the said Company to cause the said Roads to be measured, and Stones or Posts to be set up in or near the Sides of the said Roads at the Distance of One Mile from each other, denoting the Distance of every Stone or Post from any Town or Place; and the said Company shall and they are hereby required also to cause to be set up and maintained Direction Posts and Boards

on the principal Side Openings of the said Roads, with proper Inscriptions thereon, denoting to what Place or Places such Side Roads respectively lead, and the Distances to such Places respectively; and the said Company shall and they are hereby required to make, erect, or place sufficient Fences on the Sides of the said Roads where the same shall pass through or over any private Lands, Fields, or Grounds, with proper and sufficient Gates to enter into and out of the said Roads, through which the respective Owners and Occupiers of the said Lands, and their Agents and Servants, shall and may at all Times thereafter have free Ingress, Egress, and Regress to pass and repass with their Horses, Teams, and Cattle, and also Stiles where necessary for Foot Passengers; and after such Fences and Gates and Stiles shall be made the same shall be for ever thereafter the Property of the Person or Parties on whose Lands, Fields, or Grounds the same shall have been made, erected, or placed, and shall be supported and maintained by or at the Expence of the Owners or Proprietors of the Lands, Fields, or Grounds whereon such Fences are or shall have been made, erected, or placed.

LXXVI. And be it further enacted, That it shall be lawful for the said Company or Committee to erect and set up or build, or cause to be erected, set up, or built, upon, in, or across the said Road leading from the Eastern Landing Place of the said Bridge to the present Turnpike Road leading from *Bursledon Bridge* to *Northam Bridge* aforesaid, One Toll Gate or Toll Bar and Toll House, with Outhouses and Conveniences suitable thereto at or near such Toll Gate, and to take in and inclose on the Sides of the said Road a suitable Garden Spot for such Toll House, not exceeding One Eighth Part of a Statute Acre, as they shall think necessary, and from Time to Time to take down and remove, or to alter or discontinue the same, as they the said Company or Committee shall think proper and direct or appoint, so nevertheless that no such Toll Bar, Toll Gate, or Toll House shall at any Time be erected or placed in or upon any Part of the said Road leading from the said Eastern Landing Place to the said last-mentioned Turnpike Road which has been heretofore used as a public Highway, or in or upon any other Site or Place in which such Toll Bar, Toll Gate, or Toll House may obstruct or in any Manner interfere with the free Traffic of the Public as heretofore enjoyed in, over, or along any such public Highway.

For erecting
a Toll Gate
on the Road.

LXXVII. And be it further enacted, That it shall and may be lawful for the said Company or their Committee, or any Collector to be appointed by the said Company, or any Lessee or Lessees of the Tolls, from Time to Time and at all Times hereafter to demand, collect, take, and receive, before any Travellers, Passengers, or Persons, or any Horses, Beasts, Cattle, or Carriages, shall be permitted to go or pass upon the said Bridge, or over or across the said River, 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 to be
taken on the
Bridge.

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, Sixpence; and if drawn by Two or more Horses or other Beasts, Four-pence Half-penny each:

Tolls.

For

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, Four-pence Halfpenny; and if drawn by Two or more Horses or other Beasts, Three-pence each :

For every Horse or other Beast 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 Four-pence Halfpenny :

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

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

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

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

For every Passenger or Person, the Sum of One Penny :

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 One Shilling and Sixpence shall be payable and be paid for each Wheel whereon the same shall run :

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

For every Handtruck or Handbarrow with Two Wheels, the Sum of One Penny Halfpenny :

For every Hand Truck with Four Wheels, the Sum of Two-pence :

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

For each Wheel of every Coach, Chaise, Gig, or other Carriage not drawn by any Horse or other Beast, the Sum of One Penny Halfpenny :

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, the Sum of One Penny Halfpenny.

Tolls to be taken on the Road.

LXXVIII. And be it further enacted, That it shall and may be lawful for the said Company or their Committee, or any Collector to be appointed by the said Company, or any Lessee or Lessees of the Tolls, from Time to Time and at all Times hereafter to demand, collect, take, and receive, before any Horses, Beasts, Cattle, or Carriages shall be permitted to pass through the Toll Gate or Toll Bar to be erected by virtue of 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, Two-pence ; if drawn by Two or more Horses or other Beasts, One Penny Halfpenny each :

For every Horse or other Beast drawing any Cabriolet, Chaise, Chair, Gig, Whiskey, or other Carriage on Springs with less than Four
Wheels,

Wheels, if drawn by One Horse or other Beast, Two-pence; and if drawn by Two or more Horses or other Beasts, One Penny Halfpenny each:

For every Horse or other Beast drawing any Dray, Sledge, or other Carriage whatever without Wheels, or drawing any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, or other such like Carriage with Four Wheels, the Fellies of the Wheels whereof are of a less Breadth than Four Inches and a Half, the Sum of Two-pence:

For every Horse or other Beast drawing any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, or other such like Carriage with Four Wheels, the Fellies of the Wheels whereof are of the Breadth of Four Inches and a Half or upwards, the Sum of One Penny Halfpenny:

For every Horse or other Beast drawing any Cart, or any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, or other such like Carriage with less than Four Wheels, the Fellies of the Wheels whereof are of a less Breadth than Four Inches and a Half, the Sum of Two-pence:

For every Horse or other Beast drawing any Cart, or any Waggon, Stage Waggon, Van, Caravan, Wain, or Dray, or other such like Carriage with less than Four Wheels, the Fellies of the Wheels whereof are of the Breadth of Four Inches and a Half or upwards, the Sum of One Penny Halfpenny:

For every Horse, Mule, or Ass, rode or not rode, or laden or unladen, and not drawing, the Sum of One Penny:

For every Ox, Bull, Cow, Steer, Heifer, Calf, or Head of Neat Cattle, the Sum of One Halfpenny:

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

And 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 One Shilling shall be payable and be paid for each Wheel whereon the same shall run.

LXXIX. And be it further enacted, That if any Person or Persons subject or liable to the Payment of any of the said 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, 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 the 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, to, on, or from the said Bridge, or through the said Toll Gate or Toll Bar, until full Payment thereof.

Power to stop Persons refusing to pay Toll.

LXXX. And be it further enacted, That the Tolls hereby made payable for or in respect of Horses, Beasts, Cattle, and Carriages, Passengers and Persons, 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: Provided always, that it shall be lawful for

Bridge Toll to be paid each Time of passing.

[Local.]

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Empowering the Company to

remit Toll for
once repass-
ing.

the said Company, if they shall see fit, to order that a Proportion only of the said Tolls or any of them, or that no Part of the said Tolls or any of them, shall be demanded or taken for once repassing by the said Bridge after Payment of the full Toll for passing the same, and to allow such repassing according to such Order.

Exempting
certain Per-
sons from
Toll, and de-
claring cer-
tain others
entitled to
use Bridge on
Payment of
One Half-
penny.

LXXXI. Provided always, and be it further enacted, That no greater Toll than the Sum of One Halfpenny shall be demanded or taken each Time of passing upon the said Bridge of or from any Passenger or Person being Owner, Occupier, or Inmate of any House in the Parish of *Saint Mary Extra* aforesaid, and not rated to the Relief of the Poor, or being Owner, Occupier, or Inmate of any such House in the said Parish as aforesaid, and rated to the Relief of the Poor at an Assessment not exceeding Ten Pounds *per Annum*, for his or her Passage upon the said Bridge; and that no Toll whatever shall be demanded or taken for passing upon the said Bridge of or from any Fisherman or Seafaring Person being an Inhabitant of the said Parish of *Saint Mary Extra*, or of or from any Inhabitant whatsoever of the said Parish when going to or returning from Divine Service, or the Performance of any Religious Ceremony or Rite at the Parish Church of *Saint Mary* in the Town and County of the Town of *Southampton*, or for or on account of the passing upon the said Bridge of any Corpse for Interment at the said Church, or any Person or Persons bearing or attending upon or with such Corpse, or of or from any Child or Person, being an Inhabitant of or resident in the said Parish of *Saint Mary Extra*, and going to or returning from any School or Place of Education at or in the Town and County of the Town of *Southampton* aforesaid.

Fishermen,
&c. not to be
deprived of
their Right
of Passage in
their own
Boats.

LXXXII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away from any Fishermen, Seafaring Men, or other Handicraft Inhabitants of the Village of *Itchen* aforesaid, or their respective Wives or Families, or to deprive them or any of them of any Right which they now enjoy of Passage across the said River, or of carrying across the said River any Goods, Wares, Merchandize, or Chattels.

No more
than One full
Toll to be
taken at Toll
Gates.

LXXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the demanding or taking of the Tolls aforesaid of or from any Person or Persons more than once for passing through the said Turnpike or Toll Gate with any Horse or Horses, Mules, Beasts, Oxen, or other Cattle or Carriage as aforesaid, in one and the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, but that all and every Horse or Horses, Mules, Beasts, Oxen, or other Cattle or Carriage, in respect whereof the Toll shall have been paid in any One Day, to be computed as aforesaid, at the said Turnpike or Toll Gate, shall, upon a Note or Ticket denoting such Payment being produced, be permitted to pass and repass any Number of Times Toll-free during such Day as aforesaid through the same Turnpike or Toll Gate.

Tolls to be
paid upon
Carriages

LXXXIV. 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 Chair, 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 Chair, 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 shall be liable to Double the Toll herein-before imposed in case the same respectively had not been so laden.

affixed to others.

LXXXV. 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, and a Table of the Tolls payable on the said Road shall be affixed on the Toll Gate or Toll Bar or Toll House to be erected in pursuance of this Act.

Table of Tolls to be set up.

LXXXVI. Provided always, 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.

No Tolls to be taken but whilst Boards are fixed.

LXXXVII. And be it further enacted, That upon Payment of the Toll by this Act granted and authorized to be taken on the said Road the Collector or Receiver thereof shall and he is hereby required to deliver *gratis* to the Person paying such Toll a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Company or their Committee.

Tickets to be provided denoting Payment of Tolls.

LXXXVIII. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll His Majesty, or any Member of the Royal Family, or any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom.

Royal Family exempted.

LXXXIX. Provided always, and be it further enacted, That no Toll whatever shall be demanded or taken for any Horse, Beast, Cattle, or Carriage of whatsoever Description employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriage attending

General Exemptions from Toll.

ing

ing them with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces; or for any Horse, Beast, Cattle, or Carriage travelling with Vagrants sent by legal Passes, or any Prisoner in Custody under any legal Warrant; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided always that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemptions as aforesaid; or for any Coach, Berlin, Landau, Chariot, Calash, Chair, or other Carriage, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Southampton*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted for the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Penalty on
evading Tolls.

XC. And be it further enacted, That if any Person or Persons shall forcibly go upon the said Bridge without Payment of the Toll, on Demand made by any Collector or Person empowered to demand or collect the same, or shall refuse or neglect to pay the Toll on such Bridge on such Demand, or shall in any other Manner wilfully evade the Payment of the said Tolls or any of them, or any Part thereof; or if any Person or Persons having the Care of any Horses, Beasts, or Carriages upon the said Bridge, or passing through the Toll Gate or Bar on the said Road, shall refuse or neglect to pay the proper Toll or any Part thereof; or if any Person or Persons shall deliver to any other Person or Persons, or if any Person or Persons shall receive from any other Person or Persons, any Note or Ticket by this Act directed to be given by the Collectors or Receivers of the said Tolls, or if any Person or Persons shall alter or forge or counterfeit any such Note or Ticket, and the Payment of Toll shall be thereby evaded; or if any Person or Persons not having paid the Toll shall offer or produce or use any such Note or Ticket for the Purpose of evading the said Tolls or any of them, or shall wilfully or fraudulently go upon the said Bridge, or pass through the said Toll Gate or Bar, with any Horse, Carriage, Cattle, or Beast, without Payment of Toll, or shall take off or cause to be taken off any Horse, Beast, or Cattle from any Carriage, or having passed through such Toll Gate or Bar shall put on an additional Horse or Beast to any such Carriage, or shall leave or cause to be left behind any Horse, Cattle, Beast, or Carriage, or shall unload or cause to be unladen any Goods, Merchandise, or other Things from or out of any Carriage, or put or cause
to

to be put or placed any Goods, Merchandize, or other Things upon or in any Carriage with Intent to evade Payment of any of the said Tolls, all and every such Person or Persons so offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds, over and besides such Damages or Punishment as he, she, or they shall be otherwise liable to by Law.

XCI. 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 Horses), 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 Charges 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.

Tolls may be
distrained
for.

XCII. 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, 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 and Charges to either Party as to such Justice shall appear right and proper, all which Costs and Charges 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 and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

For settling
Disputes
concerning
Tolls.

Power to
lessen the
Tolls;

but not with-
out Consent
of Four Fifths
in Value of
Creditors.

XCIII. 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 Four 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.

Tolls may be
leased.

XCIV. 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 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 other Person by them authorized.

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

XCV. 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, (such Rents and Covenants being duly paid and performed,) 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.

XCVI. 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 Committee 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 Committee 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: Provided always, that if the Justice by or before whom the Matter of Complaint shall be heard shall be of opinion that the Offender had probable Grounds for such Demand or Taking, it shall be lawful for such Justice either to mitigate the said Penalty, or wholly to exonerate the Offender therefrom, as such Justice shall think fit.

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

XCVII. 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 Committee, 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 some other conspicuous Part of the Toll House or Toll Gate, 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 Black Letters on a White Ground, and shall continue the same so placed during the whole 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 at which such Collector shall be stationed the Board herein-before directed to be provided, containing the usual Name of the Toll Gate 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 Boards respectively 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 Committee made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof and claim such Exemption, 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 refuse or neglect to give a Ticket denoting the Payment of Toll, 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 from passing upon or from the said Bridge, or through any such Toll Gate, or shall make

For preventing Toll Collectors from misbehaving.

use

use of any scurrilous or abusive Language to any Proprietor, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such 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 assault, obstruct, hinder, or molest any Collector who shall or may be employed by virtue of or in the Execution of this Act, in the Performance of his Duty, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, as the Justice or Justices before whom the Information shall be laid shall adjudge.

Penalty on obstructing Collectors.

If any Collector or other Officer in Possession of Houses or Buildings of the Company is discharged and refuses to quit, any Justice may remove him.

XCVIII. 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 from such Offices, shall refuse to deliver up the 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 Office or Offices, within Twenty-one Days after Notice given to him or them, or left at any such Buildings or Dwelling Houses, or at his or their Dwelling House, under the Hand of the Clerk of the said Company, by Direction of the said Company or the Committee; 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 other or 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 and 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, 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 Assistants 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 Committee, or to whom they shall appoint to receive the same.

Persons wilfully damaging the Bridge, &c. to be guilty of Felony.

XCIX. And be it further enacted, That if any Person or Persons shall wilfully and maliciously blow up, burn, pull down, or in any other Manner destroy, or attempt to blow up, burn, pull down, or in any other Manner destroy, the said Bridge or any Part thereof, or any of the Works belonging thereto, or any Toll House or Toll Houses, Toll Gate or Toll Bar, or other Work, Matter, or Thing whatsoever, to be erected by virtue of this Act, or shall in any Manner or by any Means prevent or hinder, or attempt to prevent or hinder, the making or building of the Bridge or
Works

Works authorized by this Act to be made or built, or the erecting of the said Toll House or Toll Houses, Gate or Bar, or the making the said Roads or either of them, or any other Work, Matter, or Thing to be erected, built, set up, or done under or in pursuance of this Act, every Person and Persons so offending, and being thereof lawfully convicted, shall be deemed guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Simple Larceny.

C. 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, or other Articles or Things belonging to the said Company, or if the Person or Persons working in or navigating the said Bridge shall by Carelessness or Inattention injure or damage any Float, Raft, Barge, Boats, Ship, or Vessel navigating or being on the said River, 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 either of the Counties aforesaid, forfeit and pay any Sum not exceeding Five Pounds, over and above the Amount of the Damage actually sustained by the Party to or upon whom such Damage or Injury shall be done or inflicted; which Penalties or Forfeitures and Compensation shall from Time to Time, if payable to the said Company, be recovered and applied as herein-after directed with respect to other Penalties and Forfeitures imposed by this Act, and 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.

Penalty for
injuring
Bridge or
Vessels.

CI. And be it further enacted, That if any Person or Persons shall moor or fasten any Float, Boat, Barge, Ship, or Vessel, or other Thing, to the said Bridge or Works, or any Part or Parts thereof, or shall in any other Manner, or by any Means, Ways, Contrivance, or Device whatever, wilfully obstruct the Use or Passage of the said Bridge, or the Passage over any Way or Parts leading to the same; or if any Person or Persons whomsoever shall wilfully pull up, injure, or damage any Toll Gate, Bar or Chain, or any of the Posts, Boards, Milestones, or Tables of Tolls put up or placed by the said Company or Committee, 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 Committee on the said Approaches, or at or near to the said Gate, or on any other Part of the said Roads, or shall cause or procure the same to be done; or if any Person or 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 Committee, either by the Side or Sides of such Approaches or Roads, 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 Purposes 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 said Company or Com-

Penalty for
damaging
Bridge, &c.
or commit-
ting Nuisance
on Roads or
Bridge.

[*Local.*]

27 K

mittee,

mittee, 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 Roads or Works; or if any Person or Persons shall haul or draw, or cause to be hauled or drawn, upon any Part of such Approaches or Roads, 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 Approaches or Roads 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 Approaches or Roads, or shall, without being thereto authorized by the said Company or Committee, or their Surveyor or Surveyors for the Time being, shovel up, scrape, gather, or carry away any Stones, Gravel, Sand, or other Materials, Slutch, Dirt, Mire, Drift, or Soil, from off any such Footpath or Causeway, or any other Part of such Approaches or Roads; or if any Person or Persons shall drive any Cart or other Carriage upon any Footway or Causeway made upon any such Approaches or Roads, 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 Approaches, or upon the said Roads; or if any Person or Persons driving any Swine upon such Roads shall suffer the same to root up and damage the said Roads or any Part thereof, or the Fences, Hedgings, Backings, or Copse on either Side 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 such Approaches or Roads, 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 Approaches or Roads, 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 Approaches or Roads, 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 Approaches or Roads, or on the Sides thereof (except in the Case of Accidents); or if the Driver of any Waggon, Cart, 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 such Approaches or Roads; or if any Person on Horseback, or driving any Coach, Chaise, Waggon, Cart, or other Carriage upon the said Approaches or Roads, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, or Person on Horseback, shall not keep his Horse or Carriage on his Left or Near Side of such Approaches or Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Approaches or Roads, 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 Approaches,

proaches, or upon the said Road leading from the Eastern Landing Place of the said Bridge to the present Turnpike Road leading from *Bursledon Bridge* to *Northam Bridge* aforesaid, or within Eighty Feet of the Centre thereof, or play at Football or any other Game on any Part or Parts of the said Approaches or such last-mentioned Road, 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 Approaches or Roads, either with or without any Horse or Beast of Draught harnessed or yoked thereto, 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 Approaches or Roads, or any Part thereof, or make any Fire or Fires on any Part of the said Approaches or Roads, or on the Sides thereof; or if any Person shall, after having blocked or stopped any Waggon, Wain, Cart, or other Carriage in going along any rising Ground, leave or suffer to be or remain on the said Approaches or Roads, or any Part thereof, the Stone or other Thing with which such Waggon, Wain, Cart, or other Carriage shall have been blocked or stopped; or if any Person driving any Horse or other Beast on the said Approaches or Roads, conveying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, or 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 Approaches or Roads, 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 Committee on the said Approaches or Roads, or by the Sides thereof, or wilfully or carelessly 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 Approaches or Roads, or on the Side or Sides thereof, or upon the Footpaths or Causeways adjoining to such Approaches or Roads, to the Prejudice, Annoyance, or Interruption of Persons travelling and passing thereon; every such Person shall forfeit and pay a Sum not exceeding Five Pounds 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 Committee, such Sum of Money as shall be a full Satisfaction for the Damage so done, 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

of this Act: Provided always, that if any Owner or Person having the Controul 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 of 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.

Penalty on conveying for Hire Persons, &c. over the River within a certain Distance without Payment of the Tolls.

CII. And be it further enacted, That after the said Bridge shall be established, if any Person shall, for Hire, in any Way or in any Manner convey any Person, Horse, Beast, or other Cattle, or any Coach, Chaise, Waggon, Cart, or other Carriage whatsoever, across the said River *Itchen* at any Place or Places situate to the South of the said Bridge, and within Five hundred Yards of the Southernmost Line or Limit of the said Bridge, or at any Place or Places situate to the North of the said Bridge, and within or to the South of a straight Line drawn from the Hatch of a certain Sluice in the Bank of the Mill Pond numbered 27 in the Schedule to this Act annexed, in the Parish of *Saint Mary* aforesaid, across the said River to the South-westernmost Point of the Garden belonging to *Joseph Chapman*, situate in the Village of *Itchen*, without Payment to the said Company, or their Collectors or Lessees, of the Toll or Tolls which ought to be paid by virtue of this Act, or whereby such Tolls or any Part thereof may be evaded, or shall be in anywise aiding or assisting therein, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, one Moiety whereof shall be paid to the Informer, and the other Moiety to the Treasurer of the said Company, for the Purposes of this Act, and shall also pay to the said Company the Amount of the Tolls which shall be thereby so evaded, to be recovered and levied in like Manner as such Penalty may be recovered or levied by virtue of this Act.

Compensation ordered to be paid by Company may be levied by Distress of their Goods.

CIII. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid by the said Company, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Company, or any Person or Persons acting by or under their Authority or Direction, such Sum or Sums of Money, together with the reasonable Costs and Charges of hearing and determining the Matter, shall forthwith be paid by the Treasurer to the said Company, out of any Monies then in the Hands of such Treasurer, to the Party or Parties entitled to receive the same; and if the same shall not be so paid within Fourteen Days after Demand thereof in Writing shall have been made and delivered to the Clerk or Clerks or Treasurer to the said Company for the Time being, then and in such Case the Amount of such Compensation or Satisfaction and Costs as aforesaid shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, or of the Goods and Chattels of their Treasurer for the Time being, together with the Costs also of such Distress and Sale, under a Warrant to be issued for that Purpose by any

Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant upon Application made to him or them for that Purpose by the Party or Parties entitled to receive such Compensation or Satisfaction for any such Costs, Damages, Spoil, or Injury as aforesaid.

CIV. And be it further enacted, That in all Cases where any Damages or Charges are by this Act directed to be paid, and the Manner of ascertaining the Amount thereof shall not be specified or provided for, the Amount of such Damages and Charges, in case of Nonpayment or of any Dispute respecting the same, shall be settled, ascertained, and determined by some Justice or Justices of the Peace, and the Justice and Justices aforesaid is and are hereby authorized and required, on Nonpayment of the Amount of such Damages and Charges, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same in manner directed by this Act for levying of any Penalties or Forfeitures.

Damages and Charges, in Cases of Dispute, to be settled by Justices.

CV. 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 to 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.

Justices may proceed by Summonses in the Recovery of Penalties.

CVI. 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 of 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 and 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.

Compelling Witnesses to attend.

CVII. And be it further enacted, That no Person shall be deemed incompetent to give Evidence, or be disqualified from giving Testimony or Evidence in any Action, Suit, Prosecution, or other legal Proceedings to be brought or had in any Court of Law or Equity, or before any Justice or Justices of the Peace, under or by virtue of this Act, or in any Dispute, Suit, or Litigation in anywise relating to the Tolls by this Act

Proprietors, Mortgagees, Collectors, &c. not to be incompetent Witnesses.

granted, by reason of being a Proprietor or Mortgagee or Creditor of the said Undertaking, or a Mortgagee or Creditor of the Tolls thereof, or a Farmer or Lessee or Collector of such Tolls, or a Treasurer or Clerk or Surveyor, or other Officer or Servant of the said Company, or other Person acting under the Authority of the said Company, nor shall such Testimony or Evidence for any of the Reasons aforesaid be rejected, or liable to be questioned or set aside.

For punish-
ing Persons
giving false
Evidence.

CVIII. And be it further enacted, That all and every Person or Persons 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 such 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.

Recovery of
Penalties and
Forfeitures.

CIX. 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, or Place where the Offence shall have been committed (as the Case may require), either by the Confession of the Party offending, or by the Oath 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 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 and required, by Warrant or Warrants under his Hand and Seal to cause such Offender

If Penalties
cannot be
levied, the
Offenders to
be commit-
ted for any
Time not ex-
ceeding Six
Calendar
Months.

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 Six Calendar Months, unless such Forfeitures, Penalties, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers to the said Company, and applied and disposed of for the Purposes of this Act.

Application of Penalties.

CX. And be it further enacted, That it shall and may be lawful for any of the said Company, 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 Bystanders 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.

For securing transient Offenders.

CXI. 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,)

Form of Conviction of Offenders.

‘ to wit. } **B**E it remembered, That on the _____ Day of _____
 ‘ _____ in the _____ Year of His
 ‘ Majesty _____ A. B. is convicted before me, one of His
 ‘ Majesty’s Justices of the Peace for the said County of *Southampton*,
 ‘ [or the _____ as the Case may be,] by virtue of an Act of
 ‘ Parliament made in the Fourth Year of the Reign of His Majesty King
 ‘ *William* the Fourth [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.’

CXII. Provided always, and be it further enacted, That in all Cases where the Commission of any Offence against this Act shall not be confined to One County only, but shall extend to both of the Counties within which the said Bridge or Approaches or Roads is or are situate, any Justice of the Peace for either of the said Counties shall and may take cognizance of and hear and determine the same as he could or might have done in case such Offence had been committed in the County for which he is empowered to act as a Justice.

Justices may act in both Counties.

CXIII. And be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act (except

Persons aggrieved may appeal

to the Quar-
ter Sessions.

(except in such Cases where the final Determination is directed by th^{is} Act), and for which no particular Method of Relief hath been hereby appointed, 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 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 or Place, with Two sufficient Sureties, 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 as the said Justices shall think proper; and the Determination of the said Justices in their said General or Quarter Sessions shall be binding and conclusive to all Intents and Purposes.

Proceedings
not to be
quashed for
Want of
Form.

CXIV. 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 removable by Certiorari, or any other Writ or Process whatsoever, into any of His 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.

Limitation of
Actions.

CXV. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any thing done in pursuance of this Act, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority

General
Issue.

thority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases at Law.

Costs.

CXVI. 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 Committee of the said Company, or upon the Clerk 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 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 Company.

For Service of Notices, &c. on the Company.

CXVII. And be it further enacted, That in case the Bill now in progress in Parliament for making a Railway from *London to Southampton*, and incorporating a Company of Proprietors of such Railway, shall pass into a Law, then and in such Case the Road hereby authorized to be made from the River *Itchen* to the Town of *Southampton* shall, where it will cross such Railway, be made level with such Railway; and in case the Railway Company so to be established shall erect a Lodge for the Residence of a Gate-keeper, and Gates across such Railway on each Side of the said Road, and shall from Time to Time appoint a Gate-keeper at such Gates, then and in such Case one Moiety of the Expence of erecting and maintaining such Lodge and Gates, and of maintaining such Gate-keeper, shall be paid and payable by the Company hereby incorporated, on Demand made by such Railway Company; and in case the same shall not from Time to Time be paid, on Demand, to such Railway Company, then such Expences shall be chargeable on the Tolls of the Company hereby incorporated, and shall be recoverable in the same Manner as other Sums are hereby made recoverable from the said Company hereby incorporated.

Company to contribute to certain Expences relating to a Lodge and Gate in case a certain Railway Bill shall pass into a Law.

CXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect, prejudice, alter, abridge, or take away any Rights, Estates, Powers, Immunities, and Advantages or Privileges whatsoever belonging or appertaining to the Mayor and Corporation of the said Town and County, or to any other Person or Persons whomsoever (except such as are hereby expressly taken away or altered), but that all such Rights, Estates, Powers, and Privileges shall continue in full Force and Effect, and may be exercised and enjoyed in as full and ample a Manner to all Intents and Purposes

Saving Rights of the Corporation of Southampton.

as if this Act had not been made, any thing herein contained to the contrary notwithstanding.

Public Act.

CXIX. 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.

The SCHEDULE to which the foregoing Act refers.

Number on Plan.	Reputed Owners.	Reputed Lessees.	Reputed Occupiers.	Description of Property.
<i>Parish of Saint Mary.</i>				
1, 2, 3, 4. {	William Daman, Charles Queen's College, Oxford.	- - -	John Swaffield and his Under-tenants, Richard Bulbeck, Richard Hardy, and James Gilbert.	1, 2, Stone Yard, House, Brewery, Yard, and Premises; 3, Paddock; 4, Tenements and Land.
5.	Ditto - -	Henry Hartley -	George Love - -	South Paddock and Right of Way.
6.	Ditto - -	Ditto - -	Daniel Brooks -	North Paddock and Right of Way.
7.	Three Field Lane, public Road.			
8.	G. Smith, Queen's College, Oxford.	George Smith -	Himself - -	Land.
9.	Queen's College, Oxford.	Daniel Brooks -	Himself - -	House, Offices, Garden, and Shrubbery.
10.	Road.			
11.	Mayor and Corporation.	- - -	Rated Inhabitants -	The Marsh.
12.	Marsh Road.			
13, 14.	Earl of Guildford -	Charles Fox -	Charles Fox - -	Chantry Meadows.
15.	Thomas Bradby -	- - -	John Jelly - -	The Fair Meadow.
17.	William Colson Westlake.	- - -	Henry Bray, vacant -	House and Garden.
16.	Ditto - -	- - -	Himself and his Under-tenants, John Oliver, William Light, David Harding.	Tenements and Store-houses.
18.	The Mill, public Road.			
19, 20.	Corporation of Southampton, Richard Eldridge.	- - -	Richard Eldridge -	Timber and Bonding Yards.
21.	Corporation of Southampton, Samuel and James Bovill.	- - -	S. and J. W. Bovill -	Ditto.
22.	Ditto - -	- - -	John Allen - -	Ditto.
23.	Ditto - -	- - -	John Hunt - -	Ditto.
24.	Public Path and Causeway.			
25.	William Colson Westlake.	- - -	John Ruby -	Timber Yard.
26.	Ditto - -	- - -	Joseph Horsey Ellis -	Timber and Bonding Yard.
27.	Ditto - -	- - -	William Colson Westlake.	Mill Pond.
28.	Ditto - -	- - -	- - -	Pond Embankment.
29.	Ditto - -	- - -	Ditto.	
30.	Richard Coles, the Corporation of Southampton.	Richard Coles, William Coles, James Coles, and James Privett.	William Coles.	

Number on Plan.	Reputed Owners.	Reputed Lessees.	Reputed Occupiers.	Description of Property.
31.	Thomas Chamberlayne Esq., Mrs. Waring, Reverend William Waring.	- - -	Mrs. Waring, Widow, Rev. William Waring, Thomas Chamberlayne, James Matthews, Mrs. Frances Draper.	The present Ferry over the River Itchen.
32.	Chapel Road.	- - -	- - -	Bank or Shore of the Southampton Water.
33.	- - -	- - -	- - -	Ship Building and Timber Yards, Wharfs, Buildings, and Public House and Premises.
34.	Corporation of Southampton. } of }	John Hunt - {	John Ruby and Ransom - - }	Mud Lands.
35.	Ditto - - -	- - -	Ditto - - -	
<i>Parish of Saint Mary Extra.</i>				
1 ^a .	Thos. Chamberlayne	- - -	- - -	The Itchen Mud Lands and public Path.
1 ^b .	John Wright	- - -	- - -	Land, Garden, Yard, &c.
1, 2.	The Bishop of Winchester, T. Chamberlayne, the Corporation of Southampton, Mrs. Waring, the Reverend W. Waring.	- - -	James Matthews, Frances Diaper.	The Itchen Mud Lands and public Road.
3.	{ Rev. W. Waring } { Mrs. Waring. }	- - -	{ William Gray, Henry } { Cooper. }	Royal Oak Public House, Tenement, and Yard, and Premises.
4.	Ditto - - -	- - -	William Gray - - -	Paddock.
5.	Ditto - - -	- - -	William Gray - - -	Garden.
6.	Ditto - - -	- - -	Frances Diaper, Charles Dyke, and Thomas Gibbons.	Two Tenements and Gardens and Premises.
7.	T. Chamberlayne -	- - -	James Matthews -	Stable, Skittle Alley, and Waste Land.
8.	Ditto - - -	- - -	Ditto - - -	Garden Ground.
9.	Ditto - - -	- - -	Ditto - - -	Paddock.
10.	Daniel Parker -	- - -	Himself and others, Ephraim Harris, Edmund Phillips.	Two Tenements.
11.	John Heathcote -	- - -	Himself - - -	Two Ditto.
12.	J. Tytheridge sen. -	- - -	Ditto - - -	Three Ditto.
13.	Ditto - - -	- - -	Ditto - - -	Garden Land.
14.	John Heathcote -	- - -	Ditto - - -	Ditto.
15.	Ditto - - -	- - -	James Wheeler -	Ditto.
16.	Josiah Bryer -	- - -	Himself and others, Mrs. Smith, William Bye.	Tenements and Garden Land.
17.	Rev. John Saville Ogle.	- - -	John Wright -	House, Lawn, and Garden, Summer-house and Premises.
18.	Ditto - - -	- - -	John Wright, William Gray.	Paddock.
19.	- - -	- - -	- - -	Public Road.
20.	Rev. W. Waring and Mrs. Waring.	- - -	Himself - - -	Part of Great Highlands, Arable.
<i>Parish of Hound, Sholing Tything.</i>				
20 ^(a) .	Rev. W. Waring, Mrs. Waring.	- - -	Themselves - - -	Great Highlands.
21.	T. Chamberlayne -	- - -	Benjamin Bye - - -	Frogbridge Meadow, and Stream in it.
22.	Ditto -	John Hunt -	John Hunt - - -	Waterwood Coppice.

Number on Plan.	Reputed Owners.	Reputed Lessees.	Reputed Occupiers.	Description of Property.
23.	T. Chamberlayne -	John Hunt - -	John Hunt.	
24.	Ditto - -	Ditto - -	Ditto.	
25.	Ditto - -	Ditto - -	Ditto.	
26.	Ditto - -	Ditto - -	Ditto.	
27.	Ditto - -	Ditto - -	Ditto.	
28.	Ditto - -	- - -	Himself - -	Sholing Common.
29.	Ditto - -	- - -	Himself - -	Plantation.
30.	Thomas Chamberlayne and the Bishop of Winchester, as Lords of the Manor.	- - -	Thomas Chamberlayne and the Bishop of Winchester.	Part of Miller's Pond.
<i>Parish of St. Mary Extra, Weston Tything.</i>				
31.	Thomas Chamberlayne.	- - -	Himself - -	Part of Miller's Pond.
32.	Ditto - -	- - -	Ditto - -	New Inclosure and Plantation.
33.	- - -	- - -	- - -	Netley and Weston Road.
<i>Parish of Hound, Netley Tything.</i>				
34.	Thomas Chamberlayne.	- - -	Himself - -	Netley Farm.
35.	Ditto - -	John Buckland -	John Buckland -	Rough Moor, Pasture.
36.	Ditto - -	Ditto - -	Ditto - -	Tower Hill, Arable.
37.	Ditto - -	Ditto - -	Ditto - -	Way Ground, Ditto.
38.	Ditto - -	Ditto - -	Ditto - -	Great Butts, Ditto.
39.	- - -	- - -	- - -	Netley Lane, Occupation Road.
39 (a).	- - -	- - -	- - -	Netley High Road.
40.	Ditto - -	Ditto - -	Ditto - -	Tenement, Garden, and Lane.
41.	Ditto - -	Ditto - -	Ditto - -	East Ridge.
42.	Winchester College	Ditto - -	Ditto - -	Follings, Arable.
43.	Thomas Chamberlayne.	Ditto - -	Ditto - -	Briston's Field, Arable.
44.	William Atkyns -	- - -	John Bell - -	Home Close, Ditto.
45.	Thomas Chamberlayne.	Ditto - -	John Buckland -	Inner East Ridge, Ditto.
46.	Ditto - -	Ditto - -	Ditto - -	Robbin's Paddock, Ditto.
(A.)	- - -	- - -	- - -	Netley public Road.
47.	Ditto - -	Jonathan Coles -	Jonathan Coles -	Shaw Field, Arable.
48.	Ditto - -	Ditto - -	Ditto - -	Hillier's Field, Arable.
49.	Edward Hillier -	- - -	Edward Hillier or Hellyer.	House, Garden, Orchard, and Paddock, Arable.
50.	George Spencer -	- - -	George Spencer, Henry Sturges.	House, Garden, and Orchard, Ditto.
51.	Parochial Officers of Hound Parish.	- - -	Themselves and James Randall.	The Poor-house, Tenement, Garden, and Blacksmith's Shop.
52.	Ditto - -	- - -	Themselves - -	Parish Field, Arable.
53.	Thomas Chamberlayne.	- - -	Himself - -	Netley Common and Road.
54.	- - -	- - -	- - -	Botley and Hamble Road.
55.	- - -	- - -	- - -	Netley and Bursledon Road.
56.	Ditto - -	- - -	James Warner -	New inclosed Land, Brickyard, &c., rough Pasture.
57.	Ditto - -	James Fisher -	James Fisher -	Garden and Cattle Yard.
58.	Ditto - -	- - -	James Warner -	Kiln Paddock, Arable.
59.	Williams Atkins -	- - -	John Bell, John Hewett.	Arable.

[Local.]

27 N

Number on Plan.	Reputed Owners.	Reputed Lessees.	Reputed Occupiers.	Description of Property.
60.	James Fisher -	-	James Fisher -	House, Garden, and Yard.
61.	Ditto -	-	Ditto -	Part of Meadow, Meadow.
	Thomas Chamberlayne, Lord of the Manor.			

Parish of Bursledon:

61 (a)	James Fisher -	-	James Fisher -	Part of Meadow.
62.	-	-	-	Bursledon Common.
63.	John Hewett -	-	Himself -	Meadow Land, Orchard, House, Outbuildings, Garden, and Yard.
64.	Wm. Pritchard -	-	Himself -	Arable Field, Arable.
65.	Trustees -	-	-	Turnpike Road from Bursledon Bridge to Northam Bridge.

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