



ANNO PRIMO

# VICTORIÆ REGINÆ.

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## *Cap. cxiv.*

An Act to alter and amend an Act of the Fourth Year of the Reign of His late Majesty for erecting, establishing, and maintaining a Market in the Parish of *Saint George the Martyr* in the Borough of *Southwark*. [12th July 1837.]

**W**HEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act for erecting, establishing, and maintaining a Market in the Parish of Saint George the Martyr in the Borough of Southwark in the County of Surrey*, whereby the Persons therein mentioned, and their respective Successors, Executors, Administrators, and Assigns, were united into a Company for the Purposes of the said Act, and were declared to be One Body Politic and Corporate, by the Name of "The South London Market Company," for erecting, establishing, and maintaining a Market in the Parish of *Saint George the Martyr* in the Borough of *Southwark* and County of *Surrey*, for the Sale of Meat, Fish, Game, Poultry, Vegetables, Fruit, Butter, Eggs, and other Articles of Provisions, and of Hay, Straw, and other Commodities, Goods, Wares, and Merchandize, with Abattoirs or Slaughter-houses, and other Erections, Buildings, and Conveniences connected therewith: And whereas certain Powers and Provisions in the said Act have been found defective and insufficient for carrying the Purposes thereof into execution, and it is expedient that such Powers and Provisions should be explained, altered, and amended, but the same cannot be effected without the Authority of Parliament: May it therefore please Your  
[Local.] 48 N Majesty



Powers of recited Act extended to this Act, except as hereby altered.

Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Fourth Year of the Reign of His late Majesty, and all the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Restrictions, Forfeitures, Penalties, and other Matters and Things therein contained, save and except in so far as the same are hereby altered, amended, enlarged, or repealed, shall extend and be construed to extend to and for the Purposes of this Act, and shall remain and continue in full Force and Effect, and be as good, valid, and effectual to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act.

Annual Election of Directors.

II. And be it further enacted, That at the next annual General Meeting of the said Company to be held in the Month of *July* in the present Year One thousand eight hundred and thirty-seven, or at some Adjournment thereof, pursuant to the said recited Act, Twelve Proprietors of the said Company (each of them being at the Time possessed of at least Ten Shares in the said Undertaking) shall be elected Directors for managing the Affairs of the said Company, instead of the Six Directors appointed or authorized to be appointed by virtue of the said recited Act, and that such Twelve Directors so to be elected shall continue in office until the annual General Meeting of the said Company which shall take place in the Month of *July* in the Year One thousand eight hundred and thirty-eight, or until other Persons shall be elected in their Stead at an adjourned General Meeting of the said Company, in pursuance of the said recited Act and this Act.

Directors to go out of Office annually by Rotation.

III. And be it further enacted, That at the General Meeting of the said Company to be held in the Month of *July* which will be in the Year One thousand eight hundred and thirty-eight One Third of the Directors who shall have been so elected as aforesaid (to be determined by Ballot amongst themselves) shall go out of Office and cease to be Directors of the said Company, and an equal Number of Persons who shall be Proprietors, and respectively possessed of at least Ten Shares in the said Undertaking, shall be elected Directors in their Place and Stead; and at the General Meeting to be held in the Month of *July* which will be in the Year One thousand eight hundred and thirty-nine One Half of the remaining Directors who shall have been so primarily elected as aforesaid (to be determined as aforesaid) shall go out of Office and cease to be Directors of the said Company, and their Places shall be supplied in like Manner; and at the General Meeting to be held in the Month of *July* which will be in the Year One thousand eight hundred and forty the Four remaining Directors who shall have been so primarily elected as aforesaid shall go out of Office and cease to be Directors of the said Company, and their Places shall be supplied in like Manner; and at the General Meeting to be held in the Month of *July* in every subsequent Year One Third of the Directors, being those who shall have been longest in Office, shall go out of Office and cease to be Directors of the said Company, and their Places shall be supplied in like Manner: Provided always,



that if at any such annual General Meeting such Election of Directors shall not take place an adjourned General Meeting shall be held for that Purpose in manner provided by the said recited Act, and that until such Election shall be made at any such adjourned General Meeting the Directors going out by rotation shall continue in Office till other Persons shall be so elected in their Stead.

IV. Provided always, and be it further enacted, That every Director who shall go out of Office on any such annual Election may be immediately or at any future Time re-elected a Director of the said Company, and after such Re-election he shall, with reference to the going out by Rotation, be considered as a new Director; and that if any Director shall cease to be possessed of or entitled to Ten Shares at least in the said Undertaking he shall *ipso facto* from thenceforth become disqualified, and vacate his said Office: Provided always, that in case of the Death, Resignation, or Disqualification of any of the said Directors the Vacancy or Vacancies thereby occasioned shall be filled up at a Special General Meeting or Special General Meetings to be called for that Purpose in the Manner provided by the said recited Act.

Directors going out of Office may be re-elected.

V. And be it further enacted, That in all Meetings of the Directors of the said Company to be elected in manner aforesaid any Three of them shall be a Quorum for carrying the said recited Act and this Act into execution, and that all the Powers and Authorities thereby given to and vested in them shall and may be exercised by any Three or more of the said Directors at any of their Meetings to be held in pursuance of the said recited Act and this Act.

Three Directors to be a Quorum.

VI. And be it further enacted, That in every General Meeting of the said Company for carrying the said recited Act and this Act into execution all Questions shall be decided by a Majority of Votes of the Proprietors present at such Meeting according to their respective Number of Shares; that is to say, One Vote in respect of every Two Shares, Two Votes in respect of every Five Shares, Three Votes in respect of every Seven Shares, and Five Votes in respect of every Ten or more Shares held in their own Right or represented by Proxy at such General Meeting.

In every General Meeting all Questions to be decided by a Majority of Votes.

VII. And be it further enacted, That all future General and Special General Meetings of the said Company (to be called in manner provided by the said recited Act), and all Adjournments thereof, and all future Meetings of the Directors of the said Company, and all Adjournments thereof, shall and may be called and held at some convenient Place or Places within the Town and Borough of *Southwark*, the Borough of *Lambeth*, the City of *London*, or the City and Liberty of *Westminster*.

Meetings to be held in Southwark, Lambeth, London, or Westminster.

VIII. And be it further enacted, That in every Inquiry by a Jury as to the Amount of Purchase Money, Satisfaction, Recompence, or other Compensation, for or in respect of any Lands or Premises which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers granted by the said recited Act and this

Persons claiming Compensation to be Plaintiffs.



this Act, the Corporations or Persons claiming Compensation shall be Plaintiffs, and shall have all such Rights and Privileges as Plaintiffs in Actions at Law are entitled to.

Expences of  
Jury how to  
be paid.

IX. And be it further enacted, That in every Case in which the Verdict of a Jury summoned in manner provided by the said recited Act shall be given for the same or a greater Sum than shall have been previously offered in Writing by the said Company or on their Behalf, or where no such Sum shall have been previously offered, and a Verdict shall be given for any Amount for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation, Recompence, or Satisfaction for any Damage or Loss which may happen or arise in the Execution of any of the Powers thereby granted, all the Costs, Charges, and Expences of impannelling and summoning such Jury and Witnesses, and the Expences of the Bond to be given by the Party requiring the Jury to be summoned, as herein-after mentioned, and of the Inquisition and Verdict and Judgment thereon, or in anywise consequent or incident to the same, shall be defrayed by the said Company; and such Costs, Charges, and Expences shall be settled and determined by the High Bailiff of the Town and Borough of *Southwark*; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Twenty Days after the same shall have been demanded then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said Town or Borough not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by the said Company, or in case the said Company shall have required a Statement of the Manner in which any Amount of Money which shall have been demanded as a Satisfaction or Compensation has been computed and made up, and the Jury shall be of opinion that no sufficient Statement was delivered by the Claimant to enable the said Company to make a proper Offer, One Moiety of the said Costs, Charges, and Expences shall be defrayed by the Party with whom the said Company shall have such Controversy or Dispute, and the Remainder shall be defrayed by the said Company; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in Manner herein-before mentioned, shall and may be deducted out of the Money adjudged to be paid to such other Party as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of the Money so adjudged shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender and Satisfaction of the whole thereof: Provided always, that in Cases in which by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing as aforesaid, the whole of such Costs, Charges, and Expences shall be borne and paid by the said Company: Provided also, that in Cases in which no Sum shall be given by the Verdict of such



such Jury the whole of the aforesaid Costs, Charges, and Expences shall be borne and paid by the Claimant.

X. And be it further enacted, That all Parties with whom the said Company shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall, at the Expence of the said Company, before the said Company shall be obliged to issue their Warrant for the summoning of such Jury, enter into a Bond to the said Company in a Penalty of One hundred Pounds to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning and returning such Jury and taking such Verdict, and of the summoning and Attendance of Witnesses, in case any Part of such Costs and Expences should fall upon them.

Persons requesting Juries to enter into Bonds to prosecute their Complaint and to pay Expences.

XI. And be it further enacted, That the said Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, (without the Consent of the said Company,) to receive or take notice of any Complaint to be made by any Party for any Loss or Injury by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing, by or on behalf of the Corporation or Person making such Complaint, stating the Nature, Extent, and Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Company Twenty Days before the summoning of such Jury, and within the Space of Twelve Calendar Months after the Time of such supposed Loss or Injury having been sustained, or after the doing or committing thereof shall have ceased.

Notice of Injury to be given to the Company before Complaint.

XII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of any Party entitled to any Lands to be taken or used, or in respect of which any Satisfaction, Redemption, or Compensation shall be payable, under the Authority of the said recited Act and this Act, or from any other Cause except the wilful Refusal of any Party to convey or accept the Purchase or Compensation Money herein-after mentioned, the Purchase Money for the same or the Money paid for such Compensation shall be required to be paid into the Bank of *England*, it shall be lawful for the Court of Exchequer to order all the Costs, Charges, and Expences of or which may be incurred in consequence of the Purchase or taking or using of such Lands by the said Company, under and by virtue of this Act, and also of the Investment of the Purchase and Compensation Money in Consolidated or Reduced Bank Annuities or other Government Securities, or in the Re-investment of such Purchase and Compensation Money in Land, or so much of such several Costs, Charges, and Expences occasioned only by the Execution of the said recited Act and this Act, and not by Litigation between the Claimants, or otherwise, of any Proceedings had as herein-before authorized, as the said Court shall deem reasonable, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders for such Purposes, and for the Payment of the Dividends, Interest, and annual Produce of such Consolidated or Reduced Bank Annuities or other Government Securities, and for the Payment out of Court of such

The Court may order reasonable Expences of Purchase and Investment to be paid by the Company.



Purchase or Compensation Money, or of the Consolidated or Reduced Bank Annuities or Government Securities purchased therewith, to be paid by the said Company out of the Monies to be received by virtue of the said recited Act and this Act; and the said Company shall from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court may direct.

Expences of Title to be paid by the Company.

XIII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Company for the Purposes of the said recited Act and this Act, or any Terms or Interests therein, and of deducing, evidencing, and verifying such Title as the said Company may require to the said Lands, or any Term or Interest therein, and of making out and furnishing such Abstract and such attested Copies as the said Company may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Lands shall be purchased or taken: Provided always, that the said Company shall not be prevented from entering into the Possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of the said Costs, Charges, and Expences to the said Company.

In case of Dispute the Costs to be taxed by Order of the Court of Exchequer.

XIV. And be it further enacted, That if the said Company and the said Party cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Company, to order and direct that such Costs, Charges, and Expences shall be referred to One of the Masters of the said Court to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation of such Costs, Charges, and Expences it shall be lawful for the said Court to order and direct that the Amount at which the same shall be so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Company to the Person from whom such Lands shall have been purchased or taken as herein-after mentioned, shall be paid to the Person aforesaid, and the said Money so deposited as aforesaid shall be applied, under the Direction of the said Court, towards the Payment thereof, so far as the same will extend: Provided always, that the said Company shall



not be at liberty to enter into the Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Company shall have deposited the Sums claimed in respect of the same in the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* the *South London Market Company*, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and other Purposes*; which Sums shall be applied, under the Order of the said Court, in payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Company, unless One Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Person from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Company out of the said Sum so deposited by them as aforesaid.

1 G. 4. c. 35.

XV. And be it further enacted, That in case the said Company or the Directors thereof for the Time being shall not purchase the whole of the Messuages, Lands, Tenements, or Hereditaments mentioned and described in the First Schedule of the said recited Act, or any of them, within the Space of One Year from and after the passing of this Act, then and in such Case it shall not be lawful for the said Company, or the Directors thereof for the Time being, to purchase any of the said Messuages, Tenements, or Hereditaments which shall remain unpurchased at the Expiration of the said One Year, without the Consent in Writing of the Owner or Owners thereof for that Purpose first had and obtained.

Certain Premises not to be purchased after One Year without Consent of Owners.

XVI. And be it further enacted, That in case the Works authorized to be made and executed under the Authority of the said recited Act and this Act shall not be completed within the Space or Time of Four Years from and after the passing of this Act, all the Powers and Authorities by the said recited Act and this Act granted shall thenceforth cease and determine, save only as to so much of the said Works as shall have been completed within such Time, and such of the Clauses and Enactments therein contained as shall be applicable to the Works so completed, and save only and except as to any Works to be made upon the Messuages, Lands, Tenements, and Hereditaments not comprised in the said First Schedule of the said recited Act, but thereby authorized to be purchased at any Time or Times thereafter.

If the Market is not completed in Four Years, the Powers of this Act to cease.

XVII. And be it further enacted, That the Costs, Charges, and Expences of applying for, obtaining, and passing this Act, and all other Expences incident thereto, shall, in preference to all other Payments whatever, be paid by and out of any Money in the Hands of the

For paying Costs of this Act.

the Treasurer or Treasurers of the said Company, or out of the first Money which shall be raised or received under or by virtue of the said recited Act and this Act or either of them.

Public Act.

XVIII. 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.

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