



ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. xi.

An Act to amend Two Acts of His present Majesty for erecting a Bridge over the River *Thames*, from the City of *London* to the opposite Bank in the County of *Surrey*. [11th April 1816.]

WHEREAS an Act was passed in the Fifty-first Year of the Reign of His present Majesty, intituled *An Act for erecting a Bridge over the River Thames from or near the Three Cranes in the Parishes of Saint James Garlick Hythe, and Saint Martin Vintry, in the City of London, to the opposite Bank of the said River, in the Parish of Saint Saviour, in the County of Surrey, and for making proper Streets and Avenues to communicate therewith*, whereby the *Southwark Bridge Company* were incorporated for the Purpose of building the said Bridge, and certain Powers and Authorities were thereby given to and vested in the said Company for that Purpose: And whereas an Act was passed in the Fifty-third Year of the Reign of His said Majesty, intituled *An Act to amend an Act passed in the Fifty-first Year of His present Majesty, for erecting a Bridge over the River Thames from the City of London to the opposite Bank, in the Parish of Saint Saviour, in the County of Surrey*, whereby the said first-recited Act, and the Powers and Authorities thereby given to the said Company, were altered, varied, amended, and enlarged: And whereas the said Company have, since the passing of the said last-recited Act, subscribed the Sum of Three hundred thousand Pounds in Manner required by the said first-recited Act, before they should proceed to take any Lands, Grounds, Houses, Tenements, or Premises for the Purposes of the said first-recited Act, or to proceed with the Works therein authorized to be made, and have raised the greater Part thereof, and have invested the Sum of Thirty thousand Pounds in the Bank of *England*, in Manner by the said first-recited Act directed: And whereas

[Local.] X* there

51 G. 3. c. 166.

53 G. 3. c. 87.

Power to raise
200,000l.
by Sale of
Shares.

there remains to be raised of the several Sums authorized by the said first-recited Act the further Sum of Two hundred thousand Pounds : And whereas the said Company have proceeded in the Erection of the said Bridge, and in Execution of the Powers and Authorities of the said recited Acts ; but it is expedient that further Powers should be given to them, and that the said recited Acts should be altered, amended, and enlarged : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Company shall have Power and Authority to raise the said Sum of Two hundred thousand Pounds, and every Part thereof, by the Sale and Disposal of such Number of Shares in the said Undertaking as shall be requisite and necessary for that Purpose ; and such Shares, when so sold and disposed of, shall be deemed to be of the Value of One hundred Pounds each, and shall be entered in the Register Book kept by the said Company ; and the Holders of such new Shares shall be deemed and considered, and shall be Proprietors of and in the said Undertaking, and shall be entitled in respect of such new Shares to the same Rights and Privileges, and shall have the same Powers and Authorities, as the Proprietors of the present Shares ; and all the Clauses, Provisoos, Penalties, Restrictions, and Provisions in the said Two recited Acts, or either of them, relating to or concerning the Shares in the said Undertaking, shall extend and be construed to extend, and be in full Force and Effect, with respect to the said new Shares and the Proprietors thereof.

Interest to
be paid on
Monies ad-
vanced upon
new Shares.

II. And be it further enacted, That the several Parties and Persons to whom any such Share or Shares as are herein-before authorized to be disposed of shall be issued, shall respectively be entitled to Interest after the Rate of Five Pounds *per Centum per Annum* upon the respective Sum or Sums of Money which they shall advance to or pay to the said Company for or in respect of any such Share or Shares, in the same and the like Manner as the Subscribers to and Proprietors of the original Shares in the said Undertaking ; which Interest shall commence and be computed from the Time or respective Times of Payment of such Sum or Sums of Money, until the said Bridge shall be opened for the Passage of Horses or Carriages over and across the same.

Power to raise
Money on
Promissory
Notes.

III. And be it further enacted, That it shall and may be lawful to and for the said Company, if they or their Committee or Court of Direction shall think it meet and expedient, to borrow the whole of the said Sum of Two hundred thousand Pounds, or any Part, or Parts thereof, upon Promissory Notes under the Common Seal of the said Company, which Notes shall express the Manner and Time or Times at which the same shall be payable, and also such legal Rate of Interest as shall have been agreed on between the Holders thereof and the said Committee or Court of Direction ; and all such Notes shall be made with or without a Power in the respective Holders thereof to have an Option of becoming a Proprietor of One Share of One hundred Pounds in the said Undertaking in lieu of every One hundred Pounds of the Principal Money by such several Promissory Notes to be secured, or so much or such Part thereof as the said Committee or Court of Direction, and the Person or Persons

advancing

advancing such Money on the Security of the said Notes, shall jointly agree upon; and such Notes shall express accordingly whether they are made with or without such Option; and the said principal Sums so borrowed, and the Interest thereof, shall be deemed a Lien upon the Tolls authorized to be taken by the said first-recited Act, and be paid and discharged in the like Manner as Money raised on Mortgage under the said first-recited Act, and the Interest thereof, are thereby directed to be paid and discharged.

IV. And be it further enacted, That the said Company shall have full Power and Authority to raise the Whole of the said Sum of Two hundred thousand Pounds, or any Part or Parts thereof, by all or any of such Ways and Means as are by the said first-recited Act authorized in respect of the Sum of One hundred thousand Pounds therein mentioned. General Power to raise Money.

V. Provided also, and be it further enacted, That the said Company of Proprietors, or their Committee or Court of Direction, shall have full Power and Authority, if they shall deem it expedient, out of any Surplus Monies or otherwise, to buy up any Shares which may be offered for Sale by any of the said Proprietors, and thereupon either to direct that any such Share so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk of the said Company in Trust for the said Company; and such Shares may in such 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 the Purpose of carrying the said Two recited Acts and this Act into Execution. Surplus Money may be applied in buying up Shares.

VI. And whereas it is by the said first-recited Act enacted, that every Question which should be proposed or considered in any General or Special General Assembly of the said Company of Proprietors should be determined by the Majority of Votes then present, such Majority not being less than Two-thirds of the Votes then present, computing the Votes as therein mentioned, not exceeding Five Votes in the whole for each Proprietor, provided that the Members present be possessed of not less than One hundred and fifty Shares; and it is also thereby enacted, that all Acts, Orders, or Determinations of any Special General Assembly of the said Company of Proprietors, or the Majority of them, met together at every such Special General Assembly, provided that the Proprietors present and represented by Proxy shall be possessed of at least Two hundred and fifty Shares in the said Undertaking, shall be as valid with respect to the Matter specified in the Notice for such Special General Assembly as if the same had been done at any stated General Assembly: And whereas the said Provisions have been found inconvenient, be it therefore enacted, That the said Provisions shall be and the same are hereby repealed. Majority of Two-thirds of General Meeting required to carry Questions repealed.

VII. And be it further enacted, That from and after the passing of this Act, any General or Special General Assembly of the said Company which shall have been convened in Manner directed by the said first-recited Act, shall be competent to proceed to the Discussion and Determination of any Question, Matter, or Thing which shall be duly brought forward, without Reference to the Number of Shares possessed by the Members present, either as Principals or Proxies, any Thing in the said first-recited Act to the contrary thereof in anywise notwithstanding; and that every Future General and Special General Assemblies.
Question,

Question, Matter, or Thing which shall be proposed, discussed, or considered at such General or Special General Assembly of the said Company, shall be determined by the Majority of Votes and Proxies then present, computing the Votes in the Proportions as to the Number of Shares directed by the said first-recited Act.

Provision
respecting
Proxies for
more than
Five Shares
repealed.

VIII. And whereas it is by the said first-recited Act enacted, that no Person shall give or deliver in Proxies for more than Five Shares: And whereas the said Provision has been found inconvenient; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Proxies may
be given for
Five Votes.

IX. And be it further enacted, That at all future General or Special General Assemblies of the said Company, any Proprietor may give in Proxies for Five Votes and no more.

Committee
elected in the
Room of those
going out of
Office by Ro-
tation, to be
in Office
Three Years.

X. And be it further enacted, That whenever any of the said Committee or Court of Direction shall go out of Office, and cease to be upon the Committee or Court of Direction of the said Company, the Persons who shall from Time to Time be elected in their Room or Stead shall continue in Office for the full Term of Three Years (except in case of Death, or Refusal to act, or ceasing to be qualified in Manner by the said first-recited Act directed, or being removed or displaced by the said Company at any General Assembly or Special General Assembly convened for that Purpose) and no longer; any Thing in the said first-recited Act to the contrary thereof in anywise notwithstanding.

Acts of Di-
rectors elected
by Commit-
tee valid.

XI. And be it further enacted, That all the Acts and Proceedings of the Person or Persons appointed by the Committee or Court of Direction, by virtue of the said first-recited Act, to be a Member of the said Committee or Court of Direction in the Room or Stead of any Member or Members of the said Committee or Court of Direction who shall die, or refuse to act in the Execution of the said recited Acts and this Act, or who shall cease to be qualified in Manner by the said first-recited Act directed, or shall hold any Place, Office, Employment, or Contract under the said Company, shall be and be deemed to have been valid and effectual to all Intents and Purposes, notwithstanding the Election of such Person or Persons shall not be confirmed by the said Company of Proprietors at their next General or Special General Assembly after such Election by the said Committee or Court of Direction.

Proceedings
under former
Acts declared
valid.

XII. And whereas Doubts have arisen as to the Validity of the Election of certain Members of the Committee or Court of Direction, and of certain Proceedings of the said Company and their Committee or Court of Direction, in consequence of the Omission to hold One of the General Assemblies of the said Company directed by the said first-recited Act; for removing whereof, be it declared and enacted, That all the Acts and Proceedings of the said Company, and of the said Committee or Court of Direction, done and executed in other respects in pursuance of and in conformity with the several Powers and Directions of the said Two recited Acts, and the Election of any Members of the said Committee or Court of Direction, and all other Matters whatsoever, shall be as good, valid, and effectual to all Intents and Purposes, as if such General Af-
sembly

sembly as aforesaid had been duly held, and such Proceedings taken place as are directed in and by the said first-recited Act; any Thing in the said first-recited Act to the contrary thereof in anywise notwithstanding.

XIII. And whereas it is by the said first-recited Act enacted, that if any Member of the said Committee or Court of Direction should for the Space of Three Months neglect or refuse to attend a Meeting of the said Committee or Court of Direction, such Member so not attending should cease to be of the said Committee or Court of Direction: And whereas the said Provision has been found inconvenient; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Provision
respecting
Directors not
attending,
repealed.

XIV. And be it further enacted, That no Member or Members of the said Committee or Court of Direction shall be deemed or taken to have been absent from, or to have refused or neglected to attend a Meeting of the said Committee or Court of Direction for the Space of Three Months, so as to be deemed and taken to have ceased to be of the said Committee or Court of Direction by virtue of the said first-recited Act, unless such Absence for the said Space of Three Months shall have been without the Leave, Concurrence, or Approbation of the said Committee or Court of Direction; any Thing in the said first-recited Act to the contrary thereof in anywise notwithstanding: Provided always, that in case any Person shall have ceased to be a Member of the said Committee or Court of Direction, in consequence of such Absence, from a Neglect or Refusal to attend the Meetings of the said Committee or Court of Direction, without such Leave, Concurrence, or Approbation of the said Committee or Court of Direction as aforesaid, such Person shall be eligible to be immediately nominated and appointed a Member of the said Committee or Court of Direction.

Absence from
Committee
for Three
Months to be
without
Leave in or-
der to dis-
qualify.

XV. And be it further enacted, That the said Committee or Court of Direction shall have full Power and Authority over the several Persons appointed or to be appointed Officers of the said Company, and it shall be in the Discretion of the said Committee or Court of Direction to settle and determine what Number and Description of Officers shall from Time to Time be requisite and necessary for the Purposes of the said Company, and to dispense with such as they in their Judgment shall deem no longer to be requisite, and to discharge them accordingly; any Thing in the said recited Act to the contrary thereof in anywise notwithstanding.

Officers to be
under Con-
trol of Com-
mittee.

XVI. And be it further enacted, That the said Committee or Court of Direction shall have full Power and Authority to do and execute any Act, Matter, or Thing by the said recited Acts and this Act authorized to be done by the said Company, save and except such only as shall be expressly directed to be done and executed at a General or Special General Assembly of the said Company.

General
Power of
Committee
to manage
Concern.

XVII. And be it further enacted, That in all Actions to be brought or commenced by the said Company against any Person or Persons for any Call or Calls heretofore, or which shall be hereafter made upon the Shares in the said Undertaking, the Production of the Register Book directed to be kept by the said first-recited Act shall be Evidence

Directing
further Pro-
ceedings in
Actions for
Calls.

[*Local.*]

Y y

upon

upon the Trial that the Defendant or Defendants in such Action was or were the Owner or Owners, Proprietor or Proprietors, of such and so many Share or Shares as in the said Register Book shall be expressed; and on such Trial it shall not be necessary to prove the Appointment of the Committee or Court of Direction who made such Call or Calls, or any other Matter whatsoever than is required by the said first-recited Act to be proved; and that in all such Actions, if a Verdict shall be found for the said Company, the said Company shall be also entitled to recover the Sum of Twenty Shillings for every Share held by such Defendant or Defendants for and in respect of each and every Call for which such Verdict shall be found, over and above the Amount of the said Calls as and for the Forfeiture for the Non-payment of the said Calls mentioned and imposed in and by the said first-recited Act.

Provision
respecting
investing
30,000l.
repealed.

XVIII. And whereas it is by the said first-recited Act enacted, that before any Lands, Houses, Tenements, Wharfs, or Hereditaments shall be purchased or taken by virtue of the Powers of the said Act, and before the said Bridge, Streets, or Accesses thereto should be begun to be erected, widened, or made, the said Company should invest in the Three Pounds *per Centum* Consolidated Bank Annuities, in the Names of certain Trustees, the Sum of Thirty thousand Pounds, for the Purposes therein mentioned: And whereas the said Sum of Thirty thousand Pounds has been invested according to the Directions of the said Act: And whereas it is by the said Act further enacted, that when it should appear to the said Trustees that the said Bridge and Streets, and the Works connected therewith, should be so far erected and made, that the said Sum of Thirty thousand Pounds, and the Accumulations thereof, would be sufficient to finish the said Bridge, Streets, and Works, then the said Trustees should transfer the same to the said Company, to be applied for that Purpose: And whereas the said Provision may prove highly inconvenient to the said Company; be it therefore enacted, That so much of the said Act as directs, that when and as soon as it should appear to the Satisfaction of the Trustees for the Time being, or the Majority of them, that the said Bridge and Streets, and the Works connected therewith, should be so far erected, built, and made, that the said Sum of Money so invested in the Three Pounds *per Centum* Consolidated Bank Annuities, as therein before directed, together with the Accumulations, would be sufficient to finish and complete the said Bridge, Streets, and Works, then the said Trustees should and they were thereby authorized and required to transfer the same to the said Company of Proprietors, or as they should direct, to be applied for that Purpose, shall be and the same is hereby repealed.

As to the
Return of
the Sum of
30,000l.

XIX. And be it further enacted, That when and as soon as it shall appear to the Trustees in the said first-recited Act mentioned, or the Survivors or Survivor of them, or the Majority of them, that the said Sum of Thirty thousand Pounds, together with the Accumulations thereof, will be sufficient to finish and complete the said Bridge, then the said Trustees, or the Survivors or Survivor of them, shall and they are hereby authorized and required to transfer the same to the said Company, or as they shall direct, any Thing in the said first-recited Act to the contrary thereof in anywise notwithstanding; and the said Sum, when so transferred by virtue of this Act, or a competent Part thereof, shall be forthwith applied in finishing and completing the said intended Bridge, and no Part thereof shall

shall be laid out or expended in the Streets and other Works authorized by the said recited Acts and this Act, or in the Purchase of Houses, Lands, or Hereditaments for that Purpose, or otherwise howsoever, until and unless the said intended Bridge and every Part thereof shall be fully completed and finished.

XX. And be it further enacted, That so much of the said first-recited Act as requires the said Company to construct convenient Stone Stairs and Plying Places on each Side of each End of the said Bridge, for the Use of the Watermen and Wherry-men rowing on the River *Thames*, shall be and the same is hereby repealed.

Clause as to Two Plying Places at each End of Bridge repealed.

XXI. Provided always, and be it further enacted, That the said Company shall and they are hereby required to construct at each End of the said Bridge One convenient Plying Place, or Flight of Stone Stairs, of not less than Sixteen Feet in Width, for the Use of the said Watermen and Wherry-men; but nothing herein contained shall extend to prevent the said Company from constructing such Stone Stairs or Plying Places on each Side of each End of the said Bridge, if they shall deem it proper and adviseable so to do.

Company required to construct One Plying Place at each End of Bridge.

XXII. And whereas the Width of the Access to the said Bridge on the North Side thereof, from *Thames Street* in the City of *London*, is not specified and directed in the said first-recited Act, and it is expedient that the same should be made broad and convenient; be it therefore enacted, That the said Company of Proprietors shall and they are hereby required, within the Period limited for the Completion of the said Bridge, Streets, and Works by the said first-recited Act, to make and construct the said Access of the full Width of Sixty-six Feet for the Length of One hundred and forty Feet, to be measured from the North Abutment of the said Bridge, and of the full Width of Fifty-three Feet from the End of such One hundred and forty Feet to *Thames Street* aforesaid.

Width of Street.

XXIII. And whereas it is by the said first-recited Act enacted, that Satisfaction should be made for the Value of Lands, Grounds, Erections, Buildings, Houses, Tenements, Wharfs, and Hereditaments, and for the Damages to be sustained by the making and completing the Works therein directed and authorized to be made, either in gross Sums or by annual Rents, (except in Cases of Spiritual Persons, to whom Compensation for Glebe and Tithes should be made in Manner therein directed), as should be agreed upon between the said Company of Proprietors and the Parties interested: And whereas it is expedient that so much of the said first-recited Act as authorizes the Payment of such Recompence or Satisfaction by annual Rents should be repealed; be it therefore enacted, That so much of the said first-recited Act as authorizes any Body or Bodies Politic, Corporate, or Collegiate, 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 shall be seised, possessed of, or interested in any Lands, Grounds, Buildings, Houses, Tenements, Wharfs, and Hereditaments through,

Repealing Provision for making Satisfaction for Damages, &c. by annual Rents.

through, in, or upon which the said Bridge and the Streets and Avenues thereto, and other Works, are thereby authorized to be built, made, and constructed, to accept and receive Satisfaction for the Value of such Lands, Grounds, Buildings, Houses, Tenements, Wharfs, and Hereditaments, and for the Damages to be sustained by the making and completing the Works thereby authorized to be made, by annual Rents in Manner thereby directed, shall be and the same is hereby repealed.

Three Directors may give Receipts for Purchase Money of Lands re-sold.

XXIV. And be it further enacted, That in all Cases when the said Company shall sell and dispose of any Lands, Grounds, Erections, Buildings, Houses, Wharfs, Tenements, or Hereditaments which shall not be wanted for the Purposes of the said recited Acts and this Act, it shall be lawful for any Three of the said Committee or Court of Direction to sign and give Receipts for the Money for which the same shall be sold; and such Receipts shall have the like Force and Effect as if the same had been signed by the Treasurer or Treasurers for the Time being to the said Company of Proprietors by virtue of the said first-recited Act.

Power to lease Tolls for not more than Three Years.

XXV. And be it further enacted, That the said Company, or their Committee or Court of Direction, shall have full Power and Authority, after giving Fourteen Days Notice in Writing, to be affixed on all the Turnpike Gates which shall then be erected by virtue of the said recited Acts and this Act, and advertising the same Twice in some Newspaper published or circulated in the City of *London*, from Time to Time to lease and demise the Tolls granted by the said first-recited Act and this Act, or any Part or Parts thereof, for any Term or Terms of Years not exceeding Three Years at any one Time, for the best Price that can be gotten for the same, payable at such Times and under such Covenants as they the said Company, or their Committee or Court of Direction, shall think fit; they the said Company having a Counterpart of such Lease or Leases, Demise or Demises, and taking such other sufficient Security from the Person or Persons to whom any such Tolls shall be leased or demised, for Payment of the Rents and Performance of the Covenants to be reserved and comprized in such Lease or Leases, Demise or Demises, as the said Company or their Committee, or Court of Direction, shall think fit.

Repeal of Clause for Tolls to be paid once a Day.

XXVI. And whereas it is by the said first-recited Act enacted, that no Person having Occasion to pass through any Turnpike or Toll Bar, where Toll should be taken by virtue of the said Act, with any Coach or other Carriage, Horse, or other Cattle, and who should return the same Day through the same Turnpike or Toll Bar with the same Coach or other Carriage, Horse or other Cattle, for which such Toll shall have been paid, be liable to pay, on his, her, or their Return, the said Toll at such Turnpike or Toll Bar: And whereas it is expedient that the said Provision should be repealed, be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Committee may agree for Passage of Persons, and issue Tickets.

XXVII. And be it further enacted, That the said Committee or Court of Direction shall have full Power and Authority to contract or agree with any Person or Persons for his, her, or their free Passage over the said Bridge, for any Time or Times not exceeding Three Years at any one Time, for such Sum as to the said Committee or Court of Direction shall seem meet, and thereupon

thereupon to issue one or more Ticket or Tickets to such Person or Persons to enable him, her, or them to pass Toll-free over the said Bridge for the Time for which such Contract shall have been made; and if any such Person or Persons shall lend or transfer such Ticket for the Use of any other Person or Persons, and whereby such other Person or Persons shall under Colour of such Ticket pass over the said Bridge Toll-free, such Person or Persons so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings for the Use of the said Company.

XXVIII. And be it further enacted, That the said Company shall and they are hereby directed and required to cause Notice to be given, by a Board to be constantly affixed on all the Turnpikes or Toll Houses to be erected on or near the said Bridge, in large legible Characters, that the Payment of Toll at any one Turnpike or Gate shall free and exempt the Person or Persons paying the same from Payment at any other Turnpike or Gate for and in respect of passing once over the said Bridge; and if any Person or Persons shall deface or obliterate any Part of the Notice on such Board, he, she, or they shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Notice of
Payment of
Toll to be
given on a
Board.

XXIX. And be it further enacted, That all and every Toll Collector appointed either by the said Company of Proprietors, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll Gate to be erected by virtue of the said Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House or Toll Gate, immediately upon his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of the said Act or this Act, 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 Christian or Surname, 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 give a false Name or Names on such Demand, or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling over the said Bridge, or shall, without sufficient Cause, detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Toll Collec-
tors to put up
their Names.

XXX. And be it further enacted, That if any Dispute shall happen about the Amount of Toll due, or the Charges of keeping or selling any Distress, it shall be lawful for the Collector or Person distraining to retain the same, or the Money arising by the Sale thereof (as the Case may happen), until the Amount of such Toll, and the Charges of making such Distress, and of keeping and selling the same, shall be ascertained by some Justice of the Peace of the County, Town, or Place wherein such Dispute shall happen, who, upon Application to him made for that Purpose, shall examine

Disputes con-
cerning Toll
to be settled
by a Justice.

[Local.]

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mine

mine the Matter upon the Oath of the Parties or other Witnesses or Witnesses (which Oath such Justice is hereby authorized to administer,) and shall determine the Amount of the Tolls due, and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the Parties to the other as he shall think fit and reasonable; and in case of Non-payment thereof on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hand of such Justice.

Compensation to the Commissioners of the Clink Pavements confirmed.

XXXI. And whereas it is by the said first-recited Act enacted, that the said Company of Proprietors, or their Committee or Court of Direction, or their Treasurer or Treasurers for the Time being, should pay or cause to be paid to the Commissioners appointed for carrying into Execution an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, for paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Manor of *Southwark*, otherwise called *The Clink*, or Bishop of *Winchester's* Liberty in the Parish of *Saint Saviour, Southwark*, in the County of *Surrey*, and for other the Purposes therein mentioned, such annual Sum and Sums of Money as are expressed in and by the said first herein-before recited Act, as an Equivalent for the Loss the said Commissioners might sustain by the Non-payment of the Rates or Assessments in the said first-recited Act mentioned: And whereas since the passing of the said first-recited Act the said Act of the Twenty-sixth Year of His present Majesty's Reign has been repealed, and another Act was passed in lieu and stead thereof in the Fifty-second Year of the said Reign, intituled *An Act for better paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Manor of Southwark, otherwise called The Clink, or Bishop of Winchester's Liberty, in the Parish of Saint Saviour, Southwark, in the County of Surrey*; be it therefore enacted, That all Sum and Sums of Money directed by the said first-recited Act to be paid to the said Commissioners for carrying the said Act into Execution, of the Twenty-sixth Year of His said Majesty's Reign, shall be paid and payable to the Commissioners appointed to carry into Execution the said Act of the Fifty-second Year of the said Reign, or to the Collector or Receiver, or Collectors or Receivers, duly appointed under and by virtue of the said last-mentioned Act, as an Equivalent and in lieu of such Rates or Assessments, in like Manner to all Intents and Purposes as the same are payable to the said first-mentioned Commissioners; and that the said Commissioners for carrying the said Act of the Fifty-second Year of the said Reign into Execution, and their Collector or Receiver, Collectors or Receivers, shall have the same Powers and Authorities for demanding, recovering, and receiving the said Sum and Sums of Money, as are vested in the said first-mentioned Commissioners in and by the said first-recited Act of Parliament.

Saving the Rights of the Commissioners of the Clink Pavements.

XXXII. Provided always, and be it further enacted, That nothing in the said recited Act or this Act contained shall extend or be deemed or construed to extend to give to or invest the said Company of Proprietors, or any Person or Persons whomsoever, with any Right, Power, or Authority which may at all interfere with the Rights, Powers, Authorities, or Provisions heretofore granted and contained by and in the said Act passed in the Fifty-second Year of the Reign of His present Majesty; but all the Rights, Powers, and Authorities vested in the several Commissioners for carrying

carrying the said Act into Execution, shall be as good, valid, and effectual, as if the said recited Acts and this Act had not been made; save and except as in and by the said recited Acts and this Act is and are particularly otherwise declared and enacted.

XXXIII. And be it further enacted, That the said recited Acts, and all and every the Tolls, Duties, Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Matters, and Things whatsoever therein contained, so far as the same are not hereby repealed, shall extend and be construed to extend to operate and be in full Force and Effect with respect to all Matters and Things to be done, or which may arise in the Execution of this Act, as fully and effectually as if the same and every of them, and every Part thereof, were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Acts and this Act shall as to all Matters and Things whatsoever (except as aforesaid) be construed as One Act.

Extending the Provisions of the former Act to this Act.

XXXIV. And be it further enacted, That the Charges and Expences of obtaining and passing this Act shall be defrayed by the said Company in preference to all other Payments.

Expences of the Act.

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

Public Act.

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