ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

****

Cap. lxxvii.

An Act for erecting a Bridge across the River *Hull* or *Old Harbour*, with Approaches and other Works connected therewith, all in the Town and County of the Town of *Kingston-upon-Hull*.

[30th *June* 1862.]

WHEREAS the Erection of a Bridge across the River *Hull* or *Old Harbour*, near its Confluence with the River *Humber*, with Approaches thereto, would open an improved Communication between the Portions of the Town, Docks, and Railways Westward of the River *Hull* or *Old Harbour*, and the Docks, Tramwayy, and *Citadel Lands* Eastward of such River or *Old Harbour*, and would be of public and local Advantage: And whereas Her Majesty, in right of Her Crown, is or claims to be the Owner of such *Citadel Lands* and the Foreshore adjacent thereto, and the Construction of the Bridge will materially improve the Value of such Lands, and facilitate their letting or Disposal for building, shipbuilding, manufacturing, and other Purposes: And whereas the several Persons herein-after named, with others, are willing to carry the said Undertaking into effect; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this

present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited for all Purposes as "*Hull South Bridge* Act, 1862."

8 & 9 Vict. cc. 16 and 18. and 23 & 24 Vict. c. 106. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," are incorporated with this Act.

Same Meanings to Words in incorporated Acts as in this Act.

3. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Proprietors incorporated.

4. *Zachariah Charles Pearson*, *John Thomas Dobson*, *William Hodge*, *Edward Dannatt*, and *Henry Blundell*, and all other Persons who have already subscribed or shall hereafter subscribe to the Undertaking, and their respective Executors, Administrators, Successors, and Assigns, shall be united into a Company for the Purpose of constructing the Bridge, and forming the Roads and Approaches thereto, and other Works connected therewith, and for such Purpose shall be incorporated by the Name of "*Hull South Bridge* Company," and by that Name shall be a Body Corporate, with perpetual Succession, and may have a Common Seal, and may purchase and hold Lands for the Purposes of the Undertaking, subject to the Provisions of this Act.

Capital.

5. The Capital of the Company shall be Thirty thousand Pounds, divided into Shares of Twenty Pounds each.

Calls.

6. Two Pounds Ten Shillings shall be the greatest Amount of any One Call which the Company may make in respect of any Share created under this Act, and Two Months at the least shall intervene between successive Calls, and the aggregate Amount of Calls to be made on any Share in any One Year shall not exceed Three Fifths of the Amount of such Share.

Application of Money.

7. All Money raised under the Provisions of this Act by means of Shares, or received by way of Loan, under the Provisions of the Agreement set forth in the Schedule to this Act, shall be applied to the Purposes of the Undertaking, and to no other Purpose.

Number and Qualification of Directors.

8. The Number of Directors shall be Ten, and the Qualification of a Director appointed by the Shareholders shall be the Possession of Twenty Shares in the Undertaking.

9. The

Quorum of Directors.

9. The Quorum of a Meeting of Directors shall be Five.

First Directors.

10. *Zachariah Charles Pearson*, *John Thomas Dobson*, *William Hodge*, *Edward Dannatt*, *Henry Blundell*, *George Leeman*, *Samuel Priestman*, *Thomas Firbank*, and *William Wright* shall be the First Directors of the Company.

Number of Directors may be reduced.

11. The Company may from Time to Time reduce the Number of Directors, provided the reduced Number of Directors be not less than Seven.

Power to certain Companies to subscribe.

12. And whereas the Construction of the Bridge and Approach will greatly facilitate the Trade and Commerce of the Port of *Hull*, and be beneficial to the Interests of the *North-eastern* Railway Company, and of the Dock Company at *Kingston-upon-Hull*, and they have agreed to join in the Promotion of the said Undertaking: Therefore it shall be lawful for the *North-eastern* Railway Company and the Dock Company at *Kingston-upon-Hull* to subscribe towards and become Shareholders in the Undertaking to the following Extent; (namely,) the *North-eastern* Railway Company Two thousand Pounds, and the Dock Company Two thousand Pounds; and the said Companies respectively may, with the Authority of Three Fifths of their Shareholders present, personally or by Proxy, at a General Meeting specially convened for the Purpose, respectively contribute and apply, in Payment of their said respective Subscriptions, any Monies which they are already respectively authorized to raise, and which may not be required by them for the Purposes of their respective Undertakings to which such Monies shall be applicable; and the said Companies shall, in respect of the said Sums to be subscribed, and the corresponding Shares in the Company to be held by them respectively, have all the Powers, Rights, and Privileges (except in regard to voting at General Meetings, which shall be regulated by the special Provisions herein-after contained), and be subject to all the Obligations and Liabilities of Proprietors of Shares in the Company.

Appointment of Directors by subscribing Bodies.

13. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, may, so long as any Part of the Money advanced on Loan in pursuance of the Agreement set forth in the Schedule to this Act remains due and owing, and the Dock Company at *Kingston-upon-Hull* and the *North-eastern* Railway Company, so long as they respectively hold Two thousand Pounds in the Capital of the Company, may appoint the following Number of Directors of the Company; (that is to say,) the Commissioners or One of them may appoint One Person, the Dock Company Two Persons, and the *North-eastern* Railway Company Two Persons, to be a Director or Directors of the Company; and every such Person may act as a Director of the Company, whether a Shareholder in the Company or not, and shall be entitled to and may exercise

exercise in all respects all the Rights, Privileges, and Powers of a Director of the Company.

Mode of such Appointment.

14. Every such Appointment shall be in Writing under the Hand of the Commissioner or Party making the Appointment, or under the Seal of any Corporate Body, as the Case may be, and shall be deposited with the Secretary of the Company, and may in like Manner be revoked and renewed; and every Director so appointed shall enter on Office immediately on his Appointment, and shall remain in Office during the Pleasure of the Commissioners or Party by whom he was appointed.

Parties contributing to vote at General Meetings.

15. Any Corporation, whilst they continue Shareholders of the Company, may, by Writing under the Common Seal of the Corporate Body, from Time to Time appoint some Person to attend any Meeting of the Company; and each such Person shall have all the Privileges and Powers attaching to other Shareholders at such Meetings, and may vote thereat in respect of the Capital held by the Party he represents, upon all Questions excepting the Election of Directors of the Company: Provided always, that any Director or Directors of the Company appointed by any of the contributing Companies shall be capable of being appointed by such Party to attend any Meeting of the Company as aforesaid; and in the event of no special Appointment by such contributing Party being produced at any such Meeting, the Directors or Director present at such Meeting shall be deemed to hold such Appointment, and in the event of there not being any Director or other Representative of the contributing Company present at any such Meeting, the Company so represented may exercise the Rights, Powers, and Privileges of voting at such Meeting by Proxy, in the Mode prescribed by "The Companies Clauses Consolidation Act, 1845:" Provided nevertheless, that so long as any of the said contributing Companies shall retain the Right of directly appointing a Director or Directors of the Company, under the Provisions herein-before contained, the Party retaining such Right shall not be entitled to vote at any Meeting of the Company in regard to the Election of Directors; but when any such Party shall cease to hold such direct Right of Appointment they shall be entitled to vote in the Election of Directors of the Company, in the same Manner as other Shareholders.

First Ordinary Meeting.

16. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

Quorum for General Meetings of Shareholders.

17. In order to constitute a General Meeting of the Company, there shall be present, either personally or by Proxy, not less than Ten Shareholders holding not less in the aggregate than One hundred Shares in the Capital of the Company.

18. And

Power to make Bridge and Approaches according to deposited Plan.

18. And whereas a Plan and Section of the Bridge, showing the Situation and Level thereof, and also the Line and Levels of the several Approaches thereto, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands in or through which the same respectively will be made, were deposited with the Clerk of the Peace for the Town and County of the Town of *Kingston-upon-Hull* in the Month of *November* One thousand eight hundred and sixty-one: And whereas since the Deposit of such Plan and Section an Alteration has been agreed to in the Line of the Approach through and near the *Citadel Lands*, and the Owners and Occupiers of the Property have assented to such Alteration, and a Plan of such Alteration has also been lodged with the said Clerk of the Peace: Therefore, subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company to build, construct, and maintain the Bridge, with the Approaches thereto, as altered on such last-mentioned Plan, and all necessary Works and Conveniences connected therewith, in the Line and upon the Lands delineated on the said Plan and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Describing Works.

19. The Works which the Company may execute are the following; that is to say,

A Bridge over the River *Hull* or *Old Harbour* from or near the Junction of *Humber Street* with *High Street* on the West Side of that River, in the Borough, Town, and County of the Town of *Kingston-upon-Hull*, to the Northern Part of the Shipbuilding Yard at or near the Southern End of the Road or Way called the *Garrison Side*, in the Parish or Extra-parochial Place of *Garrison Side* in the said Town and County:

An Approach commencing on the *Humber Dock* Quays, at, on, or near to *Humber Place*, thence passing along or adopting *Humber Street* and Part of *High Street*, and terminating at the Western Side of the intended Bridge before described:

An Approach commencing on the Eastern Side of the intended Bridge at, in, or near the said Shipbuilding Yard, passing along the *Citadel Lands* or the Foreshore thereof, and terminating on the Quays of the *Victoria Dock* on the North-western Side of the *Victoria* Half-tide Dock or Basin.

Power for Company to lay down Tramway along Bridge and Approaches.

20. The Company may lay down and maintain on and along the Approaches before described, and over the intended Bridge, a Tramway for the Conveyance of Goods by Horse Traction, and may connect the same with the Tramways at or near the *Humber Dock* Basin on the one Side and the *Victoria Dock* Basin on the other Side: Provided always,

always, that no Locomotive Engine shall be used on such Tramway; and the Edges or Flanges thereof, for the Purpose of guiding the Wheels of Carriages thereon, shall not sink below the Level of the Approach more than One Inch, nor rise above such Level.

Powers of Local Board with regard to Tramways.

21. The Tramway to be laid down on and along *Humber Street*, across *Queen Street*, and on and along *High Street*, shall be respectively made, laid down, and maintained, and the Roadway between the Tram Rails, and for a Width of Two Feet on each Side, shall be repaired by the Company, to the Satisfaction of the Board of Health of the Borough of *Kingston-upon-Hull*, who may, by Byelaws and Regulations to be from Time to Time made by them, prescribe the Rate of Speed and the Length of Time of Succession of Trucks and Waggons using or passing along such last-mentioned Tramway: Provided always, that it shall be lawful for the Local Board, if they should think it needful for the public Convenience, to require such last-mentioned Tramway along *Humber Street*, across *Queen Street*, and on and along *High Street*, to be removed, to order the same to be removed accordingly, and thereupon the said Company shall remove the same within a reasonable Period to be prescribed in such Order, unless upon Appeal to One of Her Majesty's Principal Secretaries of State acting under the Local Government Acts such Principal Secretary should otherwise determine.

Errors and Omissions in Plans, &c. may be corrected by Justices, who shall certify the same.

22. If any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands described on the Plans or in the Book of Reference, the Company may, after giving Ten Days Notice to the Owner, Lessee, or Occupier of the Lands affected by such proposed Correction, apply to Two Justices for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace of the said Town and County, and such Certificate shall be kept by such Clerk of the Peace along with the other Documents to which it relates, and thereupon such Plans and Book of Reference shall be deemed to be corrected according to such Certificate, and the Company may proceed with the Works in accordance with such Certificate.

Certificate to be deposited.

Sect. 92. of 8 & 9 Vict. c. 18. not to extend to certain Premises.

23. Inasmuch as on the Eastern Side of the River *Hull* there are a Shipbuilding Yard and Premises, a Portion of which only will be required for the Purposes of this Act, and the Owners thereof are willing that the Ninety-second Section of "The Lands Clauses Consolidation Act, 1845," shall not apply to such Shipbuilding Yard and Premises: Therefore

Therefore the Ninety-second Section of such Act shall not be construed to enable such Owners to require the Company to purchase more of such Shipbuilding Yard and Premises than the Company require for the Purposes of this Act.

Rights of Owners not to be affected.

24. The Owners of such Shipbuilding Yard and Premises shall have the like Rights, under the same Restrictions and Stipulations, of making Sidings and Roads, and of uniting the same with the Tramway and Approach, and of using such Tramways and Road Eastward of the River *Hull*, as are conferred upon the Tenants of the *Citadel Lands* by Article Four of the Agreement set forth in the Schedule to this Act.

Deviation from Lines on Plans.

25. The Company may, in the Execution of the Works by this Act authorized, deviate from the Lines thereof, except in *Humber Street*, *Queen Street*, and *High Street*, to the Extent delineated upon the Plans, but not in any Case into any Land not described in the Plans or the Book of Reference, without the previous Consent in Writing of the Owner, Lessee, and Occupier of such Land, and in the Case of the *Citadel Lands*, without the previous Consent of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

Deviation from Levels.

26. The Company may deviate, except in *Humber Street*, *Queen Street*, and *High Street*, from the Levels of the Works by this Act authorized, as marked on the Sections deposited as aforesaid, to any Extent not exceeding Five Feet.

Powers for compulsory Purchases limited.

27. The Powers of the Company for the compulsory Purchase or taking of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Limiting Time for completing the Bridge.

28. If the Bridge and the Approaches to the same are not completed within Five Years from the passing of this Act, the Powers by this Act granted for building and forming the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

How Bridge to be constructed.

29. Unless with the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral, in this Act referred to as the Lords of the Admiralty, the Bridge shall be constructed with an Opening Span of One hundred Feet in Width, and a fixed Side Span of Thirty-eight Feet, with a Headway of Three Feet Six Inches throughout above High Water of ordinary Spring Tides, and no Alteration shall be made in the said Bridge without the previous Consent of the said Lords of the Admiralty, every such Consent to be signified in Writing

Writing under the Hand of the Secretary of the Admiralty, and if such Consent be given the Bridge shall be constructed only in such Manner as may be mentioned in any such Consent.

If not so constructed Admiralty may take down the same.

30. If the Bridge be not so constructed, or if any Alteration be made in the Construction thereof without the previous Consent of the said Lords of the Admiralty, it shall be lawful for the Lords of the Admiralty to abate and pull down such Bridge or any Part thereof; and the Cost of every such Abatement and pulling down shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Lights to be exhibited, if required.

31. During the Construction of the Bridge and Works connected therewith, the Company, if required by the Lords of the Admiralty, shall cause to be hung out or exhibited every Night, from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and for ever after the Completion of the Bridge the Company, if so required, shall cause to be hung out or exhibited upon or near to the Centre of the Bridge, every Night, from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Company, and be so used and placed as the Lords of the Admiralty shall, by Writing under the Hand of the Secretary of the Admiralty, approve of; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Admiralty may order local Survey, at Expense of Company.

32. If at any Time or Times it shall be deemed expedient by the Lords of the Admiralty to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Works affecting tidal Waters abandoned may be removed by Admiralty, at Expense of Company

33. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lords of the Admiralty to abate and remove the same, or such Part or Parts thereof as he or they may at any Time

or

or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Bridge and Approaches to be deemed Part of the Streets of the Borough.

34. The Bridge and the Approaches thereto shall, for the Purpose of preventing Nuisances, Obstructions, and Annoyances thereon, be deemed Part of the Streets of the Borough, and the Provisions of any Act for the Prevention or Removal of Nuisances, Obstructions, and Annoyances shall be applicable to the Bridge and the Approaches thereto, and Penalties and Offences may be enforced and recovered in the same Manner as Penalties for Offences in any public Street in the Borough could be enforced and recovered.

Regulations as to opening Bridge.

35. For the Space of Four Hours before High Water and Three Hours and a Half after High Water of every Tide the Bridge shall be opened, at such Times and in such Manner, and for such Period, not exceeding Fifteen Minutes at any One Time, as the Harbour Master appointed by the Master, Wardens, and Pilots, Seamen of the *Trinity House* at *Kingston-upon-Hull*, shall, either verbally or in Writing, direct; and, subject thereto, the Bridge shall be opened and shut at such Times and in such Manner, and shall continue open for such Period, as shall be prescribed by Byelaws and Regulations to be from Time to Time made by the Corporation of the Mayor, Aldermen, and Burgesses of the Borough of *Kingston-upon-Hull*, and which Byelaws and Regulations the Corporation are hereby from Time to Time authorized to make and alter at their Discretion: Provided always, that all such Byelaws and Regulations shall be submitted to and approved of by the Board of Trade, under the Hand of the Secretary of the Board of Trade for the Time being; and if any Disagreement arise between the Company and the Corporation as to the framing or Alteration of any such Byelaws and Regulations, it shall be lawful for the Board of Trade to determine any Matters in difference in such Manner as they from Time to Time think fit: Provided always, that in case of Storm, Tempest, or other Emergency affecting the Safety of Shipping, the Harbour Master may, when necessary in consequence thereof, extend the Time for keeping the Bridge open beyond Fifteen Minutes; and the Company shall provide at their own Expense proper and efficient Servants and Labourers for opening and shutting the Bridge, at all Times, whether by Night or Day, when necessary, in accordance with the Provisions of this Act.

Penalty for detaining Vessels.

36. If the Company, or any Person or Persons acting under them, shall wilfully or negligently detain any Vessel contrary to such Byelaws and Regulations, the Company or every Person so offending shall in every such

such Case forfeit and pay any Sum not exceeding Ten Pounds, but nothing in this Act shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention in contravention of such Bye-laws and Regulations.

Incorporation of Parts of Harbours, Docks, &c. Act.

37. The Provisions of Sections Fifty-three, Fifty-four, and Fifty-five of "The Harbours, Docks, and Piers Clauses Act, 1847," are incorporated with this Act; and the Expression the "Harbour, Dock, or Pier," in those Provisions, means for the Purposes of this Act the Harbour at *Kingston-upon-Hull*, and the Bridge by this Act authorized to be constructed.

Local Board not to be relieved from Liability to repair Streets, &c.

38. Nothing in this Act contained shall relieve the Local Board from any Liability or Obligation to repair or light any Streets or Place, although such Streets or Place may be shown on the deposited Plan as forming Part of the Approaches to the Bridge, but all such Streets and Places (except any Tramway along the same, and as herein-before provided,) shall be repaired and maintained by the Local Board as if this Act had not been passed.

Articles of Agreement in Schedule confirmed.

39. The Articles of Agreement between the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and Three of the Provisional Directors of the Company, set forth in the Schedule to this Act, is by this Act confirmed, and the said Agreement shall be binding upon the Company as fully and effectually as if the same had been made after the passing of this Act, in pursuance of Powers in this Act contained, and had then been entered into under the Common Seal of the Company, and had then been duly executed by *Charles Alexander Gore*, therein named, pursuant to Authority in that Behalf contained in this Act; and in the Construction of such Agreement the maximum Tolls which by this Act the Company are authorized to take shall be deemed to be the Tolls in which by the Seventh Article of such Agreement no Reduction is to be made without the Consent therein mentioned; and the Sum of Ten thousand Pounds, mentioned in the said Agreement, or so much thereof as shall be advanced, shall be so advanced out of the Capital of the Land Revenues of the Crown.

Agreements with Dock Company and others for Use of Tramways.

40. The Company and the Dock Company at *Kingston-upon-Hull*, the *North-eastern* Railway Company, and the *Manchester, Sheffield, and Lincolnshire* Railway Company, or any of them, may enter into and carry into effect Agreements as to the Use of the Tramway and Bridge of the Company by all or any of such Companies, the Tolls or Sums of Money to be paid in respect of such Use, or otherwise, but not so as to create any Preference in favour of any such Company.

Power to erect Toll Gates and collect Tolls.

41. The Company may erect upon or across the Bridge, or adjoining or near thereto, on either of the Approaches, within Ten Yards of either End

End of the Bridge when closed, as they shall judge necessary, any Toll Gate or Toll Bar and Toll House, with Outhouses and Conveniences thereto, and from Time to Time alter or take down and rebuild or discontinue and remove the same or any of them, as they shall think proper, and take thereat as Toll for each Time of passing or repassing the same any Sum they shall from Time to Time direct, not exceeding the Sums following; (that is to say,)

Tolls.

For every Horse or Beast drawing any Coach, Barouche, Sociable, Berlin, Chariot, Landau, Chaise, Caleche, Chair, Phaeton, Caravan, Hearse, Litter, Waggon (except Waggons adapted for and using the Tramway), Wain, Cart, or such other like Carriage, Threepence:

For every Horse or Beast drawing any Waggon, Truck, or other Carriage adapted for and using the Tramway, the Sum of Sixpence; and if more than One such Waggon, Truck, or Carriage shall be attached and drawn together, the Sum of Fourpence *per* Waggon for the Second and for every additional Waggon, Truck, or Carriage:

For every Horse, Mule, or Ass not drawing any Carriage, One Penny Halfpenny:

For every Drove of Oxen or other Neat Cattle, Fivepence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Swine, Hogs, Sheep, or Lambs, Twopence Halfpenny *per* Score, and so in proportion for any greater or less Number:

For every Foot Passenger (except the Person actually driving any Waggon, Wain, Cart, or other Carriage), One Penny:

For every Person who shall ride in or upon any Waggon, Wain, Cart, or other such like Carriage (not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire), or who shall ride upon any Horse or Beast drawing any such Waggon, Wain, Cart, or other such like Carriage, One Penny:

Which said respective Tolls shall be paid before any Person, or any Horse, Cattle, or Beast, or any Carriage, shall pass through any Toll Gate or Toll Bar, and which Tolls shall be and are hereby vested in the Company for the Purposes of this Act.

Traction by Steam or Machinery prohibited.

42. No Carriage or Vehicle propelled or moved by the Power of Steam or Machinery shall be allowed to cross the Bridge or to run on any Part of the Tramways.

Fractional Part of a Halfpenny.

43. In all Cases where there shall be a fractional Part of a Halfpenny in the Amount of any of the Tolls by this Act authorized to be taken, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

44. No

Exemptions from Tolls.

44. No Tolls shall be demanded or taken for Her Majesty or any of the Royal Family, or for any Person, Horse, or Carriage attending Her Majesty or any of the Royal Family, or returning therefrom; or for any Officer or Officers of Customs or Persons employed for the Prevention of Smuggling, whilst on Duty, or proceeding to or returning from the same; or for any Policeman on Duty; or for any Horse, Cart, or Waggon employed only in carrying or conveying any Vagrant sent by a legal Pass, or any Prisoner sent by a legal Warrant, or returning empty after having been so employed, or for any Person attending the same, or for any such Vagrant or Prisoner; or for any Horse or Carriage, of whatever Description, or any Person employed or to be employed in carrying the Mails of Letters and Expresses under the Authority of Her 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 Soldier or Marine on March or on Duty; or for any Officer or Man in Her Majesty's Navy or Coast Guard Service upon Duty; or for the Horse of any Officer or Soldier on March or on Duty, or for any Horse or other Beast, or any Cart, Carriage, or Waggon, employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, the Arms or Baggage of any such Officer or Soldier or Marine, or of any Officer or Man in Her Majesty's Navy or Coast Guard Service upon Duty, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying, any sick, wounded, or disabled Officer or Soldier or Marine, or any Officer or Man in Her Majesty's Navy or Coast Guard Service respectively, sick, wounded, or disabled, or for any Person in charge of the same; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or other Cattle drawing the same, or the Person in charge thereof, employed in conveying any Naval, Victualling, Ordnance, or Barrack or Commissariat or other Public Stores of or belonging to Her Majesty, or for the Use of Her Majesty's Sea, Land, or Coast Guard Forces, or returning empty from having been so employed; or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and ridden by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, or on other public Day; or for any Yeomanry Cavalry Man, or Volunteer Cavalry or Infantry; provided that such Person be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements, according to the Regulation of such Corps, at the Time of claiming the Exemption; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person for every such Offence shall forfeit any Sum not exceeding Forty Shillings.

45. The

Power to compound for Bridge Tolls.

45. The Company may compound and agree with any Person using the Bridge either for Purposes of Business or Pleasure, for the Payment of a fixed Sum, payable in advance, or a Composition by the Week or other shorter Period, in lieu of the Tolls by this Act payable for the Use of the Bridge: Provided always, that if the Company shall make any such Composition with any Person they shall be compellable to make the same Composition with every other Person desiring to compound for the Payment of such Tolls for the like Period.

Tolls to be charged equally.

46. The aforesaid Tolls shall at all Times be charged equally upon all Persons for or in respect of Persons and Things under the same Circumstances, and no Reduction, Exemption, or Advance in the Tolls shall either directly or indirectly be made partially or in favour of or against any particular Person.

List of Tolls to be exhibited on a Board.

47. A List of the Tolls from Time to Time authorized to be taken shall be published by the same being painted upon a Board in distinct Black Letters on a White Ground, or White Letters on a Black Ground, or by the same being printed in legible Characters on Paper affixed to such Board, and such Board shall be exhibited at every Toll Gate or Toll Bar where such Tolls shall be payable.

Tolls to be taken only whilst Board exhibited.

48. No Tolls shall be demanded or taken by the Company during any Time at which the Boards herein-before directed to be exhibited shall not be so exhibited.

Power to stop any Person refusing to pay Toll.

49. If any Person subject to the Payment of the Tolls hereby made payable or any of them, or any Person having charge of any Horse, Beast, Carriage, or Thing in respect of which Toll is payable, shall, after Demand made thereof by any Collector appointed to receive Toll, neglect or refuse the same or any Part thereof, such Collector, by himself, or taking such Assistance as he shall think necessary, may stop and prevent the Passage of the Person so neglecting or refusing, or of the Horse, Beast, Carriage, or Thing for or in respect of which such Tolls ought to have been paid, until full Payment thereof, or may seize and distrain any Horse or other Beast, together with the Bridles, Saddles, Gears, Harness, and Accoutrements thereunto belonging, or any Carriage drawn by any such Horse or Beast, or any Article or Thing in or upon the same or belonging to such Person; and if such Tolls, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days next after such Seizure and Distress made, the Person so seizing and distraining shall and may sell the Horse, Beast, Carriage, or Thing so seized or distrained, returning the Overplus (if any), upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted.

Penalty for evading Tolls.

50. If any Person shall forcibly pass along the Bridge, or through any Toll Gate or Toll Bar, without having paid the Tolls, or shall assault, interrupt, or obstruct any Person employed in the Collection of the Tolls, every Person offending in any of such Cases shall for every such Offence forfeit any Sum not exceeding Five Pounds.

For settling Disputes concerning Tolls.

51. In case any Dispute shall happen respecting the demanding or taking or the Payment of Tolls, or the Amount of Tolls due, or the Charges of keeping or selling any Distress, the Person distraining may retain such Distress, or the Money arising from the Sale thereof, (as the Case may be,) until the Amount of the Toll due, and the Charges of keeping and selling the Distress, shall be paid, or until such Dispute shall be heard and determined by some Justice of the Peace, who, upon Application made to him for that Purpose, shall examine the Matter, upon Oath of the Parties or other Witnesses, and shall determine the Amount of the Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice shall seem reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person so directed to pay the same, by Warrant under the Hand and Seal of such Justice, which Warrant every such Justice is hereby empowered to issue; and the Overplus (if any), after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person whose Goods and Chattels shall have been distrained and sold.

For punishing Toll Collectors misbehaving.

52. Every Collector of the Tolls shall place his Christian and Surname, painted on a Board in distinct and legible Characters, on some conspicuous Part of the Toll House or Toll Gate whereat he shall be on Duty, immediately on his coming on Duty, and shall continue the same so placed during the whole of the Time he shall be on Duty; and if any Collector of the Tolls shall not place such Board as aforesaid, and keep the same there during the Time he shall be on Duty, or shall demand or take a greater or less Toll than he shall be authorized to do by virtue of the Powers of this Act and of the Orders of the Company, or shall demand or take a Toll from any Person who shall be exempted from the Payment thereof and claim such Exemption, or shall refuse to permit or shall not permit any Person to read or shall in anywise hinder any Person from reading the Inscriptions on the Boards to be affixed and placed as aforesaid, and who shall have paid the legal Toll, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any Horse, Beast, Carriage, or any Person from passing upon or along the Bridge, then and in every such Case every such Collector shall forfeit any Sum not exceeding Five Pounds for every such Offience.

53. If

Delivery of Matters in Possession or Custody of of Toll Collector at Removal.

53. If any Collector of Tolls or other Officer employed by the Company be discharged or suspended from his Office, or die, or abscond or absent himself, and if such Collector or other Officer, or the Wife, Widow, or any of the Family or Representative of any such Collector or other Officer, refuse or neglect, after Seven Days Notice in Writing for that Purpose, to deliver up to the Company, or to any Person appointed by them for that Purpose, any Dwelling House, Office, or other Building, with its Appurtenances, or any Books, Papers, or other Matters belonging to the Company, in the Possession or Custody of such Collector or other Officer at the Occurrence of any such Event, then, upon Application being made by the Company to any Justice, such Justice may order any Constable, with proper Assistance, to enter upon such Dwelling House, Office, or other Building, and remove any Person found therein, and take possession thereof, and of any Books, Papers, or other Matters, and deliver the same to the Company, or any Person appointed by them to receive the same.

Power to lease the Tolls.

54. The Company may from Time to Time by Lease, to take effect in possession within Three Months from the letting thereof, let the Tolls to be collected by virtue of this Act, to any Party, for any Period not exceeding Three Years from the Commencement of any such Lease: Provided always, that no such letting shall take place unless public Notice of the Intention to let the Tolls shall have been given by the Company by Advertisement, at least Fourteen Days prior to the Meeting of the Directors at which it shall be intended to let the Tolls.

Lessees to be deemed Collectors.

55. During the Continuance of any such Lease the respective Lessees named therein, and also all Persons appointed by them to collect the Tolls so let, shall be deemed Collectors of the Tolls so let, and they shall have the same Power to collect and recover such Tolls, and be subject to the same Rules, Duties, and Penalties in reference thereto, as if they had been appointed for that Purpose by the Company.

Power to determine Lease of Tolls.

56. If any such Lease shall have become void or voidable, according to any Stipulations therein contained for that Purpose, by reason of the Failure on the Part of the Lessee to comply with any of the Terms of such Lease, or if all or any Part of the Rent thereby reserved shall be in arrear or unpaid for Twenty-one Days after the same shall have become payable, the Company may determine such Lease, and the same shall accordingly be utterly void, except as to the Remedies of the Lessors for Payment of the Rent due, or in respect of unperformed or broken Obligations or Conditions on the Lessee's Part, all which Remedies shall remain in full Force; and in every such Case the Company may again let the Tolls to the same or any other Person, or cause them to be collected, in the same Manner as if no such former Lease had been made relative thereto.

57. Upon

Lessees making *default to* be removed.

57. Upon the Determination of any such Lease, any Justice, upon Application made by the Company, may order any Constable, with proper Assistance, to enter upon any Toll House, Dwelling House, Office, Weighing Machine, or other Building, with the Appurtenances thereto, belonging to the Company, and remove from the same the Lessee or Collector or other Person found therein, together with his Goods, and take possession thereof, and of the Property found therein belonging to the Company, and deliver the same to them, or any Person appointed by them to receive the same.

Limiting Weights to be carried over the Bridge.

58. No Waggon or other Carriage shall, without the Consent of the Company, carry at any One Time along or over the Bridge (including the Weight of such Waggon or Carriage) more than Twelve Tons.

Power to erect Weighing Machines.

59. The Company may cause to be erected at or near the Bridge, or at such Distance as they shall think expedient, One or more Cranes or Weighing Machines proper for the weighing of Waggons and other Carriages conveying Goods, Wares, or other Articles; provided that such Cranes or Weighing Machines be placed in such Situation as shall not impede the free Passage of Persons using the Approaches and not going along the Bridge.

Toll Keeper may weigh Carriages, &c.

60. The Keeper of any Weighing Machine or Toll Gate, or any other Person appointed by the Company or by their Lessee, shall or may require every Driver or Conductor of any Waggon, Cart, or other Carriage or Engine which shall come upon or pass along the Bridge, and which he shall suspect to be a greater Weight than Twelve Tons, including the Loading thereof, to be weighed at such Crane or Weighing Machine as aforesaid; and if any such Driver, Conductor, or Owner of such Waggon, Cart, or other Carriage or Engine, shall refuse to allow the same to be weighed, or shall resist any Gate Keeper, Toll Keeper, or Toll Collector in weighing the same, every such Owner, Driver, or Conductor shall forfeit to the Company any Sum not exceeding Five Pounds.

Annual Account to be made up and transmitted to the Clerk of the Peace.

61. The Company shall every Year cause an Account in Abstract to be prepared, showing the total Receipt and Expenditure of all Funds (arising from the Tolls) levied by virtue of this Act for the Year ending on the Thirty-first Day of *December* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with the Statement of the Balance of such Account, duly audited, and certified by the Directors or some of them, and by the Auditor, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace of the Borough and Town and County of *Kingston-upon-Hull* on or before the Thirty-first Day of *January* then next, which

Account

Account shall be open to the Inspection of the Public at all reasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the Company shall omit to prepare or transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Bridge to be public but not a County Bridge.

62. After the Bridge and Approaches shall have been completed, the same shall be deemed public; and, subject to the Provisions of this Act, all Persons, with or without Horses, Beasts, and Carriages, shall have free Liberty, upon Payment of the Tolls by this Act granted, to pass over the same without any Interruption whatsoever; but such Bridge shall not be deemed a County Bridge, so as to subject the Town and County of the Town of *Kingston-upon-Hull* to repair the same.

Limitation of Dividend.

63. The Profits of the Undertaking to be divided amongst the Shareholders in any Year shall not exceed the Rate of Five Pounds in the Hundred by the Year on the paid-up Capital of the Company, unless a larger Dividend be at any Time necessary to make up the Deficiency of any previous Dividend which shall have fallen short of the said yearly Rate.

Reserve Fund to be formed out of Supplies.

64. If the clear Profits of the Undertaking in any Year amount to a larger Sum than is sufficient, after making up the Deficiency in the Dividends of any previous Year, as aforesaid, to make a Dividend at the before-mentioned Rate, the Excess beyond the Sum necessary for such Purpose shall be carried to a Fund called the Reserve Fund, and the same shall be invested in the Names of Two Trustees, to be appointed from Time to Time by the Directors of the Company, in Government or other Securities, and the Dividends or Interest arising from such Securities shall also be invested in the same or the like Securities, in order that the same may accumulate at Compound Interest.

Application of Reserve Fund.

65. The Reserve Fund shall be first applicable to answer any Deficiency which may at any Time happen in the Amount of divisible Profit.

As to Discharge of *Debts out* of Reserve Fund.

66. Whenever and so often as the Reserve Fund exceeds the Sum of Two thousand Pounds, the Trustees shall apply the Sum of Two thousand Pounds in or towards the Discharge of the Loan to the Company made in conformity with the Agreement set forth in the Schedule to this Act, and any Interest due thereon; and when such Loan shall have been discharged, the reserved Fund, when and as often as the same exceeds Two thousand Pounds, shall be applied in the Purchase or paying off of the Shares of the Company, in manner herein-after mentioned.

As to Mode of discharging Capital.

67. The Trustees shall cause Notice of their Intention to apply the Sum of Two thousand Pounds in the Purchase of Shares in the Company to

to be given in some Newspaper published in *Hull*, or by Letter addressed to each Person entitled to any Share or Shares in the Capital of the Company, and the Trustees shall apply such Sum or a Portion thereof (as the Case may require) in paying to the Proprietor of any such Share or Shares, who shall, by Proposal in Writing transmitted to the Secretary of the Company on or before a Time specified in such Notice, have offered to accept the lowest Sum of Money in respect of such Share or Shares less than the nominal Value thereof, and after Payment to such Person as aforesaid shall apply the Surplus (if any) of such Sum, or a Portion thereof, (as the Case may require,) in or towards the Payment to the Person who by Proposal as aforesaid shall have offered to accept the next lowest Amount in respect of his Share or Shares, and so in like Manner until the Sum applicable to such Payment shall be exhausted; and if and whenever Two or more Persons by such Proposals as aforesaid shall have offered to accept an equal Rate of Money, the Trustees may determine by Lot the Preference between or amongst such Persons, or pay such Money rateably between or amongst such Persons, as the Trustees shall think fit; and if there be no Proposal, or no Proposal for a less Sum than the nominal Value of the Share, or if there be any Surplus of the Sum applicable to such Payments, after applying the same, so far as may be necessary, in or towards the Discharge of the Shares to which such Proposals relate, the Trustees shall apply the Sum applicable to such Payments, or the Surplus thereof, (as the Case may be,) in paying off at Par any Share or Shares in the Capital of the Company; and the Share or Shares to be paid off shall be determined by Lot, and any Shareholders whose Share or Shares shall be decided by Lot to be paid off shall transfer his Share or Shares accordingly, upon Payment of the nominal Value of the Share or Shares, and all Dividends and Arrears or Deficiencies of Dividend then due, and on Payment or Tender of such Money the Interest of the Shareholder in such Share or Shares shall cease and determine.

Persons registered in Books to be entitled primâ facie.

68. The several Persons whose Names shall appear in the Books of the Company as Shareholders shall, until the contrary be proved to the Satisfaction of the Trustees, be considered to be the Persons entitled to receive the Money in respect of Shares by this Act directed to be paid by the Trustees.

Trustees not to be bound by Trusts.

69. The Trustees shall not be bound to see to the Execution of any Trusts, whether express, implied, or constructive, to which any Share or Shares may be subject; and the Receipt of the Person in whose Name any Shares shall stand in the Books of the Company shall be a sufficient Discharge to the Trustees for all Monies which shall be paid in respect of any such Shares, notwithstanding any Trust to which the same may be subject, and whether the Trustees or the Company shall or shall not have had Notice of such Trusts; and the Trustees shall not be bound to see to the Application of the Money paid upon such Receipt.

70. The

Trustees Receipts to be good Discharges.

70. The Receipt of any Executor, Administrator, Trustee, or Committee or Guardian of any Person entitled to any Money, shall be a good and effectual Discharge to the Trustees for so much Money as shall be paid by them, or by their Order, to such Executor, Administrator, Trustee, Committee, or Guardian, for or on behalf of such Person, and as shall be expressed in any such Receipt to have been received, and shall exonerate and discharge the Trustees from seeing to the Application thereof, and from being answerable for any Misapplication or Non-application thereof or any Part thereof, or being liable to any other Duty or Obligation by reason of any Trust affecting the Person to whom such Payment shall be made; and the Assets of the Trustees shall not after such Payment be in anywise liable to the Performance of such Trusts, or to any Action or Suit at Law or in Equity in respect thereof.

Providing for unclaimed Money.

71. In case any Money due to any Shareholder whose Share or Shares are to be paid off under the Provisions of this Act shall not be applied for or accepted within Six Months after Notice in Writing to such Shareholder sent by Post addressed to his Residence as contained in the Shareholders Address Book, the Trustees may pay such Money into the Bank of *England*, with the Privity of the Accountant General of the Court of Chancery, in manner provided by the Act for better securing Trust Funds and the Relief of Trustees.

Shares paid off vested in Trustees.

72. All Shares paid off shall vest in and be held by the Trustees upon Trust to receive the Interest and Dividends that may be payable thereon, and such Interest and Dividends shall be carried to the Reserve Fund.

Expenses of Trustees.

73. All Expenses incurred by the Trustees in executing any of the Provisions of this Act shall be charged upon and paid out of the Reserve Fund.

When Capital of Company paid off, Powers of Company to cease, and certain Powers transferred to Local Board.

74. When the Trustees shall have paid off all the Shares of the Company, the Powers by this Act granted to the Company (except the Power to maintain and support the Bridge and Approaches, and collect Tolls,) shall cease and determine, and the Company shall be dissolved, and the Power to maintain and support the Bridge and Approaches, and to collect Tolls, shall thereupon be transferred to the Local Board, to be by them executed in the same Manner and to the same Extent as such Powers could be exercised by the Company, the Word "Company" in this Act being then construed to mean the Local Board.

Books of Company to be Evidence.

75. All Books and other Documents whatsoever relating to the Company authorized or directed to be kept and made Evidence shall, after and notwithstanding the Dissolution of the Company, be admitted as Evidence in all Courts of Law and Equity or elsewhere.

76. When

When Tolls are to cease.

76. When the Power of collecting the Tolls by this Act authorized is vested in the Local Board, otherwise than by Lease or Purchase, the Local Board after discharging the Cost of maintaining and supporting the Bridge and Approaches, shall allow the Remainder of such Tolls, and all other Monies that may come into their Hands, (in this Act called the Accumulation Fund,) to accumulate, which Fund, and all Interest, Dividends, and annual Produce arising therefrom, shall from Time to Time, when and as often as the same amounts to the Sum of One hundred Pounds, be laid out in the Names of the Treasurer for the Time being of the Local Board, and any Two Persons from Time to Time appointed by the Local Board, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or on Government or Real Securities, upon the Trusts herein-after mentioned, until the Sums so invested shall amount to the Sum of Five thousand Pounds, whereupon the Tolls on the Bridge and Approaches shall cease and determine.

Accumulation Fund to be under the Control of the Local Board.

77. The Accumulation Fund and the Income arising therefrom shall be under the Control of the Local Board, for the Purpose of maintaining and supporting the Bridge and Approaches, and they may direct any Portion of the same to be sold or transferred for that Purpose, and the Receipt of the Treasurer of the Local Board for any Money paid to him for that Purpose shall be a good and valid Discharge to the Persons for the Time being who may sell or transfer any Portion of such Funds.

Power to levy further Tolls.

78. If, after the Tolls by this Act authorized shall have ceased to be collected, the Accumulation Fund or any Part thereof shall have been sold, or if it shall appear to the Local Board that it is necessary to collect further Tolls for the Maintenance and Repair of the Bridge and Approaches, they shall from Time to Time, and for such Time as they think necessary, impose and again collect such Tolls as they may think necessary, not exceeding the Tolls by this Act authorized; and the Produce of such Tolls shall be by them applied in supporting the Bridge and Approaches, and in restoring the Accumulation Fund to the Amount herein-before specified.

Notice to be given before further Tolls collected.

79. Before any such further Tolls shall be again collected the Local Board shall give Fourteen Days Notice of their Intention to collect the same in Two or more Newspapers printed or circulated in *Kingston-upon-Hull*, and during the Collection of the same the Provisions of this Act in regard to Tolls and the Collection thereof shall be in force.

Agreements between Company and Corporation and Local Board.

80. The Company and the Corporation or Local Board may enter into and carry into effect any Contracts or Agreements with reference to the Execution of any of the Works authorized by this Act, or any Contribution to be made in respect of such Works by such Corporation or Local Board,

Board, or any Shares to be taken in the Capital of the Company, or the Execution of any of the Works and Purposes of the Act by the Corporation and Local Board or either of them.

Power to lease the Bridge.

81. It shall be lawful for the Company, after Repayment of any Sum of Money advanced by way of Loan under the Agreement in the Schedule to this Act, and all Interest thereon, to let on Lease the Bridge and Works hereby authorized to be made, to the Corporation or Local Board or either of them, for such Term or Number of Years and on such Conditions as may be mutually agreed on; and it shall be lawful for the Local Board, or for the Corporation, with the Approbation of the Council of the Borough, to accept and take such Lease; and all the Provisions, Directions, Penalties, Forfeitures, Payments, and Exemptions, Remedies, Regulations, Rules, Clauses, Matters, and Things, contained in this Act and the incorporated Act, shall extend and apply to the Lessees as fully and effectually as they extend and apply to the Company.

Power to sell Bridge, &c.

82. It shall be lawful for the Company, after Repayment of any Sum of Money advanced by way of Loan under the Agreement in the Schedule to this Act, and all Interest thereon, to sell and transfer to the Corporation or the Local Board, and for the Corporation or the Local Board to purchase, the Bridge and Works by this Act authorized to be made, or any of them, or any Part thereof, or any Share or Interest therein, and whether before or after the Completion thereof (but subject to any existing Mortgages, Contracts, Agreements, or Liabilities affecting the same); and on Completion of such Purchase, of which Completion a Transfer or Conveyance, duly stamped under the Corporate Seal of the Company, shall be sufficient Evidence, the Corporation or the Local Board by whom such Purchase is made may have and hold the Bridge and Works, or may construct or complete such Bridge and Works, and use, exercise, and enjoy, or participate in the Use, Exercise, and Enjoyment of all or any of the Rights, Powers, and Privileges conferred by this Act on the Company; and from and after such Purchase as aforesaid, if any such shall take place, the Bridge and Works by this Act authorized to be made, or such of them or such Part or Parts thereof respectively as may be so purchased by the said Corporation or the Local Board, or the Right and Powers of constructing or completing such Bridge and Works, shall thenceforth be vested in the Corporation or the Local Board purchasing the same, and from thenceforth all the Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules, Clauses, Matters, and Things contained in this Act or the incorporated Acts relating to the Bridge and Works hereby authorized to be made, which may so become vested in the Corporation or the Local Board, shall, with reference to such Bridge, Works, Matters, and Things as might have been made or done by the Company, be applied and applicable to the Corporation or the Local

Board, as the Case may be, their Officers, Agents, and Servants, in every respect as if the Corporation or the Local Board, as the Case may be, making such Purchase, had been in every Case in this Act written or referred to in lieu and stead of the Company: Provided always, that the Powers of Lease or Purchase given by this Act to the Company and the Corporation or the Local Board, shall not extend to any Lands or Works which may have belonged or may belong to Her Majesty, or which have been constructed by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues.

Transfer of Undertaking.

83. If the Corporation or Local Board are desirous of purchasing the Undertaking of the Company, under the Provisions herein-before contained, and shall give Notice in Writing of such Desire to the Company, the Company shall and they are hereby required to sell and transfer their Undertaking accordingly, upon receiving, as the Consideration of that Transfer, all Monies expended and owing by the Company for the Purposes of this Act, and Interest thereon after the Rate of Five Pounds *per Centum per Annum*, to be computed from the Time when any such Money was raised, borrowed, or received for the Purposes of this Act.

Powers to Corporation to apply Borough Fund.

84. For any of the Purposes of this Act authorized to be undertaken by the Corporation, the Corporation may apply the Borough Fund of the Borough, or may (subject to the Approbation of the Lords Commissioners of the Treasury or any Two of them) raise Money on Mortgage of the Lands, Tenements, and Hereditaments of the Corporation, and for any of the Purposes of this Act authorized to be undertaken by the Local Board the Local Board may apply the District Rates of the Borough, or raise Money upon Mortgage of such Rates.

Company not to acquire Right to oppose further Bridge at or above Scale Lane.

85. If at any Time hereafter the Corporation or Local Board promote, either together or separately, or in conjunction with any other public Body or Persons, a Bill in Parliament for the Construction of a Bridge over the River *Hull* from *Scale Lane* or elsewhere North of *Scale Lane*, the Construction by the Company of the Bridge and Approaches by this Act authorized shall not be deemed to give them a Right to object to the Construction of such other Bridge as aforesaid.

Saving Rights of Dock Company as to their Tramways.

86. Without the Consent in Writing of the Dock Company at *Kingston-upon-Hull*, nothing in this Act contained shall authorize the Use of the Tramways of the Dock Company, except for the Purpose of carrying Goods to be shipped, or which have been unshipped in the Docks of that Company; but the Company and the Dock Company, if they think fit, may agree for the Use of the Tramways of the Dock Company for the Conveyance of any other Goods than those carried for Shipment, or which have been unshipped as aforesaid in their Docks, on such Terms and Conditions as may be agreed upon.

87. Except

Saving for Kingston-upon-Hull Gaslight Company.

87. Except only as is by this Act otherwise expressly provided, this Act shall not take away, lessen, alter, or prejudice any of the Rights, Powers, or Privileges of the *Kingston-upon-Hull* Gas-light Company with respect to the breaking up and opening by them of Streets and Ways, and the laying down, altering, repairing, maintaining, and removing by them of Mains and Pipes, or any other Powers, Privileges, or Authorities vested in or belonging to the *Kingston-upon-Hull* Gas-light Company.

Expenses of Act.

88. All the Costs, Charges, and Expenses of and incident to the obtaining of this Act, and preparatory thereto, shall be paid by the Company.

The

The SCHEDULE to which the foregoing Act refers.

ARTICLES OF AGREEMENT made this Third Day of March One thousand eight hundred and sixty-two, between the Honorable Charles Alexander Gore, the Commissioner of Her Majesty's Woods, Forests, and Land Revenues, to whom have been assigned the Management and Direction of the Lands and Foreshore herein-after described as the "Citadel Lands," by Order under the Hands of Two of the Commissioners of Her Majesty's Treasury, and in this Agreement referred to as the Commissioner, of the First Part, the Three Persons who have hereunto set their Names and affixed their Seals, being Three of the Provisional Directors of a Company proposed to be incorporated under the Name and Style of "The Hull South Bridge Company," and which Company is in this Agreement referred to as the Bridge Company, of the Second Part, and the Queen's most Excellent Majesty, of the Third Part: Whereas a Bill is about to be introduced into Parliament in the present Session for erecting a Bridge across the River Hull or Old Harbour, with Approaches and other Works connected therewith, all in or adjacent to the Town and County of the Town of Kingston-upon-Hull: And whereas Plans and Sections, describing the Situation, Line, and Levels of the Bridge and Approaches, have been deposited at the Office of the Clerk of the Peace for the Borough and County of the Town of Kingston-upon-Hull: And whereas Her Majesty in right of Her Crown is or claims to be the Owner of certain Lands and Foreshore, containing altogether Sixty-two Acres or thereabouts, situated on the Eastern Side of the River Hull or Old Harbour, and in this Agreement referred to as the Citadel Lands, and by means of the said Bridge and the Approaches thereto the said Citadel Lands will be put into direct Communication with the Docks, Railway Stations, and Business Parts of the Town of Hull Westward of the River Hull, and the Value of the Citadel Lands for building, shipbuilding, manufacturing, and other Purposes will be much increased: And whereas the Commissioner, in consideration of the Advantages which will arise to the Citadel Lands from the Construction of the said Bridge and Approaches, has been authorized by the Lords Commissioners of Her Majesty's Treasury to enter into such Arrangements with the Bridge Company as herein-after appear: Now these Presents witness, that the Commissioner, in respect of all Matters and Things to be done or forborne to be done by him and his Successors, agrees with the several Persons, Parties hereto of the Second Part, their Executors and Administrators respectively, and the said several Persons, Parties hereto of the Second Part, do hereby, for and on behalf of the Bridge Company, and in respect of all Acts, Matters, and Things to be done or forborne to be done by that Company, agree with the Queen's most Excellent Majesty, Her Heirs and Successors, as follows; videlicet,

1. In case the Persons, Parties hereto of the Second Part, shall, before the First Day of December One thousand eight hundred and sixty-two, obtain an Act of Parliament authorizing the Construction of a Bridge across the River Hull, the Bridge Company shall with all convenient Speed, so soon as the Plans of the Bridge shall have been approved, as authorized or required by such Act, proceed to carry into execution the Objects of the said Act.

2. For the Purposes of the Approach on the Eastern Side of the River Hull, the Crown shall grant to the Company a Licence to form and maintain in

in Perpetuity a Road across the Citadel Lands, 45 Feet in Width, and to lay down Tramways thereon, without requiring the Payment of any Consideration for such Licence.

3. The Bridge, Road, and Tramways shall be constructed and laid down according to the Plan already submitted to and approved of by the Commissioner, and signed by John Hawkshaw, Civil Engineer, and the Commissioner, and deposited at the Office of Her Majesty's Woods, Forests, and Land Revenues; and the Portion of the Road and Tramways on the Citadel Lands and on the Lands of Messrs. Samuelson and Company shall be constructed in the Line shown on that approved Plan, and according to such Working Drawings and Sections as may be hereafter approved in Writing by the Commissioner, and no Deviation shall be made from the Line so approved Eastward of the River Hull, without the Consent in Writing of the Commissioner; and it shall be lawful for the Commissioner at any Time to cause to be made any Sewers, Vaults, Cellars, or other Excavations or Works under the proposed Road on the Citadel Lands during its Construction, or from Time to Time thereafter, provided that the Surface thereof shall in every Case be restored to as good a State as it was in before the Execution of such Works.

4. The Crown and its Servants, together with the Purchasers, Lessees, and Tenants of any Part of the Citadel Lands, shall have Power at all Times, after giving Fourteen Days Notice to the Company, to make Sidings into and Junctions with the Tramways upon the Road which it is proposed that the Bridge Company shall construct through the Citadel Lands, and also to make Roads to join the said proposed Road across the Citadel Lands, without paying any Consideration to the Company for the same; and it shall be lawful for the Crown, and its Servants, Agents, and Workmen, and such Purchasers, Lessees, and Tenants as aforesaid, and their Servants, Agents, and Workmen, to use such Sidings, Junctions, and Communications, and also the Road and Tramway of the Bridge Company to the Eastward of the intended Bridge, without Payment of any Toll or Charge; but all such Sidings, Junctions, and Communications shall be made and maintained to the reasonable Satisfaction of the Engineer for the Time being of the Company, or, in case of any Dispute, from Time to Time of an Engineer to be appointed by the President of the Institution of Civil Engineers for the Time being, as often as Occasion shall require; and all such Sidings, Junctions, and Communications shall be maintained by the Parties constructing such Sidings, Junctions, and Communications, at their own Expense.

5. The Commissioner, out of the Land Revenues of the Crown, shall advance to the Company the Sum of £10,000 as a Loan, to be repaid as herein-after mentioned, with the Option of Repayment on the Part of the Company in Sums of not less than £1,000 each, after giving Three Calendar Months previous Notice in Writing from Time to Time to the Commissioner, unless he shall dispense with any such Notice. Such Sum of £10,000 shall be advanced by Instalments, as the Works progress, upon the Certificate of the Engineer of the Company, so long as Mr. John Hawkshaw shall hold that Office, and thereafter upon the Certificate of the Company's Engineer, if the Appointment of such Engineer shall have been approved of in Writing by the Commissioner, and if not so approved of then on the Certificate of an Engineer to be named by the Commissioner; and such Instalments shall be payable in manner following; that is to say, of every Amount which the Engineer shall certify to be due for Work actually executed, and for the Consideration Monies paid to Vendors for Lands actually purchased and paid for, the Crown shall advance Two Third Parts thereof if the Amount be for Work executed, and

One Third Part thereof if the Amount be for Lands purchased, until in the whole £9,000 shall have been paid, and the remaining £1,000 shall be paid upon the opening of the Bridge and Approaches for public Traffic.

6. The said Advances shall bear Interest at the Rate of £3 per Cent. per Annum from the Date of their Payment respectively, and such Advances and the Interest thereon shall be a Debt due from the Bridge Company to the Crown, and shall be the first Charge upon the Undertaking and Property of the Bridge Company, and upon the Tolls that may be authorized to be taken, and shall have Priority over all other Debts of the Bridge Company; and the Commissioner for the Time being shall have Power, in the event of such Interest or any Part thereof not being paid half-yearly within Thirty Days after the Thirtieth Day of June and the Thirty-first Day of December respectively, to enter and take possession of the Property of the Company or any Part thereof, and collect or receive the Tolls, or the Rent for the same, in case the same shall have been leased, until the Amount of all Interest due shall have been recovered, together with all the Costs, Charges, and Expenses incurred by such Nonpayment, and shall pay over any Balance to the Bridge Company; but such Power shall be without Prejudice to the Right of the Crown to sue for the Interest in any Court of competent Jurisdiction.

7. The Tolls to be taken by the Bridge Company shall be such as shall be prescribed in the Act; but if the Bridge Company desire to make any Reduction in such Tolls, they shall, before making any such Reduction, obtain the Consent in Writing of the Commissioner thereto, and so from Time to Time when any Alteration is proposed to be made in the Amount of such Tolls; and no Alteration shall be made in the Tolls prescribed in the Act, unless such Alteration shall have been previously approved in Writing by the Commissioner. The Tolls shall only be collected at or immediately adjoining to the Bridge, and no Toll or Charge shall be taken or made for the Use of the Road or Tramways eastward of the Bridge, in respect of any Traffic not passing over the Bridge.

8. Provision shall be made in the Bill for limiting the Dividend upon the Share Capital to be raised to £5 per Cent. per Annum, unless a higher Dividend be necessary for making up Deficiencies in any previous Dividend, and like Provision also for the Accumulation of any net Income that may arise after Payment of such Dividends, such Accumulations to be applied as follows; that is to say, so soon as the Accumulations shall from Time to Time amount to the sum of £2,000 the same shall be applied in the Repayment of the like Amount of the Loan from the Crown, and after the whole of that Loan and Interest has been paid off, the further Accumulations, when from Time to Time amounting to £2,000, shall from Time to Time be applied in the Redemption and Repayment of any other Loans or Charges upon the Undertaking and Property of the Company, and in the Extinction of the Share Capital, and in providing a Fund for maintaining and working the Bridge, to the Intent that the Bridge shall ultimately be free from Toll in the Manner provided by the Clauses of the Bill relating to the Matters aforesaid.

9. In case the Bridge be not completed and the Approaches formed so as to provide a convenient Communication for Passengers and Carriages between Humber Street and the Victoria Docks within the Time limited by the Act, then and in such Case, and so soon as the Powers of building and forming the said intended Bridge and the Approaches to the same shall have expired or be forfeited, the whole of the said Sum of £10,000, or so much thereof as shall be then due, shall become immediately due and payable.

10. The

10. The Commissioner shall have the Power from Time to Time, so long as any Part of the said Sum of £10,000 or any Interest thereon shall remain due, of appointing an ex-officio Director, who shall be deemed for all Purposes a Director of the Company; and such Director shall not be required to possess any Qualification in Shares of the Company, and shall be removable by the Commissioner, and shall hold his Office until removed by the Commissioner, or until the whole of the said Sum of £10,000 and all Interest thereon shall have been paid off, and shall have Power to vote at all Meetings of the Directors as a Director; and if any Remuneration be voted to the Directors of the Company by the Shareholders, such ex-officio Director shall participate therein with the other Directors.

11. The Expression "the Commissioner," contained in this Agreement, shall mean not only the said Charles Alexander Gore, but also the Commissioner or Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or other Officers or Officer for the Time being having the Management of the Citadel Lands.

12. The Agreement shall be subject to the Confirmation of Parliament by Enactment in the said Bill.

In witness whereof the said Charles Alexander Gore, and Zachariah Charles Pearson, Henry Blundell, and John Thomas Dobson, Three of the Provisional Directors of the proposed Hull South Bridge Company, have hereunto respectively set their Hands and Seals, the Day and Year first above written.

CHARLES A. L.S. GORE.

Z. C. L.S. PEARSON.

JOHN THOS. L.S. DOBSON.

HENRY L.S. BLUNDELL.

Signed, sealed, and delivered by the within-named Charles Alexander Gore in the Presence of

J. F. REDGRAVE,
Office of Woods, &c.
Whitehall.

Signed, sealed, and delivered by the within-named Zachariah Charles Pearson, Henry Blundell, and John Thomas Dobson in the Presence of

WILLIAM HENRY MOSS,
Solicitor, Hull.

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