ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

# VICTORIÆ REGINÆ.

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*of Parliament for establishing a Floating Bridge on the River* Itchen *near the Town of* Southampton, *with proper Approaches thereto, and making Roads to communicate therewith*, further Provision was made with respect to the Undertaking of the Company, and they were authorized to raise a further Sum of Five thousand Pounds on Mortgage: And whereas by an Act of the Session of the Second and Third Years of Her present Majesty (1839), Chapter 68, intituled *An Act for amending and enlarging the Powers of Acts for establishing a Floating Bridge over the River* Itchen *near the Town of* Southampton, further Provision was made with respect to the Undertaking of the Company, and the Company were authorized to raise an additional Capital not exceeding Twenty thousand Pounds in Shares of Fifty Pounds each, either as ordinary or as preferential Capital, or to borrow on Mortgage all or any Part of that Sum instead of raising it by Shares: And whereas by an Act of the Session of the Fourteenth and Fifteenth Years of Her present Majesty (1851), Chapter 109, intituled *An Act for amending and enlarging the Powers of the several Acts relating to the Company of Proprietors of the* Itchen *Bridge and Roads*, the Name of the Company was changed to the Name "The Company of Proprietors of the *Southampton and Itchen* Floating Bridge and Roads," and further Provision was made with respect to the Undertaking of the Company and with respect to the raising by the Company of Money by Preferential Shares instead of by Mortgage: And whereas the Company have put the several recited Acts in execution, and have established and maintained and work a Floating Bridge across the River *Itchen*, with Roads and Approaches thereto: And whereas it is expedient that the Company be authorized to extend and improve the Works and Conveniences connected with their Floating Bridge: And whereas by the Act of the Session of the First and Second Years of *William* IV. (1831), Chapter 1, intituled *An Act for erecting and maintaining a Pier and other Works for the more conveniently landing and embarking Passengers in the Port of the Town of* Southampton (in this Act called "The Pier Act,") the Commissioners for executing that Act (in this Act called "the Pier Commissioners,") were authorized to make and maintain a Pier (in this Act called "the Pier") at the then Breakwater of the Town of *Southampton*: And whereas for some Years after the passing of the Pier Act the Pier made under the Authority thereof was the only Place at *Southampton* where Passengers by Steam Vessels plying to and from *Southampton* could at all Times conveniently land and embark with their Luggage: And whereas the Pier is at the South-western Side of the Town of *Southampton* and the Floating Bridge is at the South-eastern Side of the Town: And whereas of late Years the Population in the Neighbourhood of the Floating Bridge has greatly increased, and the Establishment of a Floating Jetty near to the Floating Bridge for the Accommodation of Passengers by Steam Vessels plying to and from the River *Itchen* would be of great public and local Advantage, and it is expedient that the Company be authorized to establish and maintain a

2 & 3 Vict. c. lxviii.

14 & 15 Vict. c. cix.

1 & 2 W. 4. c. i.

Floating

Floating Jetty accordingly: And whereas by the Act of the Session of the Sixth and Seventh Years of Her present Majesty (1843), Chapter 65, relating to the *Southampton* Dock Company, Provision was made (Section 55) for the Deposit with the Clerk of the Peace and the Town Clerk of the Town and County of the Town of *Southampton*, and also with the Clerk of the Peace for the County of *Southampton*, of Plans of the River *Itchen* and the Shores thereof between *Northam Bridge* and the Mouth of the River, with a Line on each Shore of the River between the High and Low Water Marks thereof laid down thereon (in the reciting Act and this Act respectively called the Parliamentary Quay Line,) and (Section 56) for authorizing the Owners of Mudlands between the High-water Mark and the Parliamentary Quay Line on either Shore of the River *Itchen*, to enclose or embank the same Mudlands, and for prohibiting the making of any Enclosure, Embankment, Wharf, Quay, Pier, or other Projection beyond or nearer to the Channel of the River than the Parliamentary Quay Line, and (Section 58) for requiring the Assent of the Admiralty to all Works there below High-water Mark at ordinary Spring Tides: And whereas a Question has been raised whether that Prohibition extends to a Floating Jetty and the Mooring Posts for the same between the Parliamentary Quay Line and the Channel of the River *Itchen*, and it is expedient that all such Questions be obviated: And whereas it is expedient that Arrangements between the Company and the *Southampton* Port and Harbour Commissioners and the Pier Commissioners and the Steam Vessel Companies plying to and from the River *Itchen*, or any of them, be authorized; And whereas the Company's Debenture Debt and their Capital now raised are: 6 & 7 Vict. c. lxv.

| | |
|---|---|
| Debenture Debt - - - - | £29,530 |
| Preferential Capital bearing £5 *per Cent.* *per Annum* Preferential Dividend - | 5,275 |
| Ordinary Capital - - - - | 23,000 |
| Total Capital - | £28,275: |

And whereas it is expedient that the Company be authorized to raise further Monies: And whereas it is expedient that the Four several recited Acts of 1834 and 1835, and 1839 and 1851 respectively, relating to the Company be repealed, but saving some and re-enacting, with or without Amendment, others of the Sections and Provisions thereof: And whereas Plans and Sections of divers of the Works by this Act authorized, showing the Lines and Levels thereof, and Books of Reference thereto, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees and Occupiers of the Lands in which the Works are intended to be made, have been deposited with the respective Clerks of the Peace for the County of *Southampton* and the Town and County of the Town of *Southampton*, and those Plans, Sections, and Books of Reference

Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas the Objects of this Act cannot be attained 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 Titles.

**1.** The recited Acts relating to the Company and this Act may for all Purposes be respectively cited as follows; that is to say: "The *Itchen* Bridge and Roads Acts, 1834," "The *Itchen* Bridge and Roads Act "Amendment, 1835," "The *Itchen* Bridge and Roads Acts Amendment, "1839," "The *Southampton and Itchen* Floating Bridge and Roads Acts "Amendment, 1851," and "The *Itchen* Floating Bridge Act, 1863."

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

**2.** "The Companies Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," (save so far as any of the Sections and Provisions of those Acts respectively are by this Act expressly varied or excepted,) are respectively incorporated with this Act.

10 & 11 Vict. c. 27. incorporated.

**3.** "The Harbours, Docks, and Piers Clauses Act, 1847," (save so far as any of the Sections and Provisions of that Act are by this Act expressly varied or excepted), is incorporated with this Act, and the Expression "the Harbour, Dock, or Pier," in that Act means for the Purposes of this Act the Floating Jetty by this Act authorized and the Works connected therewith, and the Expression "the Undertakers" in that Act means for the Purposes of this Act the Company: Provided, that Sections Fourteen and Fifteen and Twenty-five and Twenty-six of that Act are not incorporated with this Act: Provided also, that the Provisions of that Act "with respect to Life Boats," and "with respect to keeping a Tide or Weather Gauge," shall not be in force for the Purposes of this Act unless and until the Board of Trade require the Company to carry those Provisions into execution, and then only to the Extent from Time to Time so required.

Same Meaning to Words, &c., in incorporated Acts as in this Act.

**4.** The several Words and Expressions to which by the Acts in whole or in Part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Roads to be Turnpike Roads, and General

**5.** The Roads shall, within the Meaning of the General Turnpike Acts from Time to Time in force, be Turnpike Roads, and the Provisions of those Acts, so far as they are from Time to Time applicable, accordingly

accordingly extend and apply to this Act as being an Act for maintaining and repairing Turnpike Roads, and (*mutatis mutandis*) shall accordingly be in force and have effect for the Purposes of this Act with respect to the Roads. Turnpike Acts to apply accordingly.

**6.** Subject to the Provisions of this Act, and except as is by this Act otherwise provided, the Four recited Acts of 1834 and 1835, and 1839 and 1851 respectively relating to the Company are by this Act repealed. Repeal of Company's Acts.

**7.** Provided, That the several Sections and Provisions of those Four Acts respectively, and the Schedule to the Act of 1851, which are specified in the Schedule to this Act annexed, are not repealed, but (subject to the Provisions of this Act) shall continue in full Force and have effect according to the Purport and true Intent thereof. Sections of repealed Acts in Schedule not repealed.

**8.** Notwithstanding the Repeal of those Four Acts the Company for the Purposes of this Act shall, as from the passing of the recited Act of 1834, continue and be incorporated, and as from the passing of the recited Act of 1851, continue and be incorporated by the Name of "The Company of Proprietors of the *Southampton and Itchen* Floating Bridge and Roads," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to sue and be sued, and to maintain and to make and maintain the several Works by this Act authorized to be made, and to be made and maintained respectively, and for the other Purposes of this Act, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act, and to put this Act in all respects in execution. Company to continue incorporated.

**9.** The Company shall continue to be seised and possessed of and entitled to and interested in their Undertaking under those Acts, and all the Lands, Buildings, Ferry, Rights of Ferry, Easements, Works, Conveniences, Floating Bridge, Monies, Choses in Action, Property, and Effects whatsoever, and the Benefit of all Contracts, Agreements, and Proceedings in any way relating thereto, and all the Estate, Right, Title, Interest, Privileges, Authorities, Immunities, and Indemnities whatsoever in, over, or with respect to the same or otherwise howsoever of or to which the Company immediately before the passing of this Act were seised, possessed, or entitled at Law or in Equity, or otherwise howsoever, but subject to all existing Rentcharges, Debts, Liabilities, Engagements, and Obligations affecting the same or affecting the Company in respect of the same: Provided that the Company from Time to Time as and when they think fit may and within Ten Years after the passing of this Act shall sell and convey in Fee Simple for building or improving Purposes any of the Lands on the Western Side of the River Company to continue entitled to Property.

*Itchen* now belonging to them, and which they from Time to Time deem unnecessary for carrying on their Undertaking, and may sell and convey the same on such Terms and Conditions whatsoever as they think fit.

General Saving of Rights under repealed Acts.

**10.** Except only as is by this Act otherwise expressly provided, everything before the passing of this Act done, suffered, and confirmed respectively under or by those Four Acts respectively shall be as valid and effectual both for and against and with respect to the Company as if the Repeal had not happened, and the Repeal and this Act respectively shall accordingly be subject and without prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims and Demands, both present and future, which if the Repeal had not happened would be incident to and consequent on any and every thing so done, suffered, and confirmed respectively, and with respect to the same and all such Rights, Liabilities, Claims, and Demands, both present and future, the Company under this Act shall to all Intents be the same as the Company under the repealed Acts: Provided that the Generality of this Provision shall not be restricted by any other of the Sections and Provisions of this Act.

Provisions of other Acts continued.

**11.** All the Provisions of any and every Act of Parliament (other than the repealed Acts) relating to the Company and their Officers and Servants respectively and on the passing of this Act in force shall be of the like Force as if the Repeal had not happened, and may be exercised, enforced, and enjoyed by and against the Company and their Directors, Officers, and Servants respectively accordingly.

Contracts, &c., preserved.

**12.** All Purchases, Sales, Conveyances, Securities, and Contracts before the passing of this Act made under any Act by this Act repealed, or with reference to the Purposes thereof, shall be as effectual to all Intents for, against, and with respect to the Company as if the same had been made under this Act, and may be proceeded on and enforced in like Manner to all Intents.

Actions not to abate, &c.

**13.** Any Action, Suit, Prosecution, or other Proceeding commenced either at Law or in Equity, or otherwise by or against the Company before the passing of this Act, shall not abate or be discontinued or prejudicially affected by the Repeal, but on the contrary shall continue and take effect both in favour of and against the Company in the same Manner to all Intents as if the Repeal had not happened.

Tolls, &c., to be paid.

**14.** All Tolls, Fares, Rates, Dues, or Duties immediately before the passing of this Act due and payable or accruing to the Company shall be payable to and may be collected and recovered by the Company in like Manner as any Tolls, Rates, Dues, or Duties under this Act.

**15.** All

Debts to be paid.

**15.** All Persons who immediately before the passing of this Act owed any Money to the Company, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or accruing thereon, to the Company, and all Monies which immediately before the passing of this Act were owing by or recoverable from the Company, or for the Payment of which they were, or but for the Repeal, would be liable, shall be paid with all Interest (if any) due and payable, or accruing for the same by or be recoverable from the Company.

Resolutions, &c., continued.

**16.** All Resolutions, Orders, and Proceedings of General Meetings and Boards of Directors which immediately before the passing of this Act were binding on the Company, or their Directors, Officers, or Servants, or any of them, shall continue in full Force, and be in like Manner binding on the Company and their Directors, Officers, and Servants accordingly.

Books, &c., continued Evidence.

**17.** All Documents, Books, and Writings by any of the repealed Acts directed or authorized to be kept, and which, if the Repeal had not happened, would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity, and elsewhere accordingly.

Officers continued.

**18.** Every Officer and Servant appointed by virtue of or acting under any Act by this Act repealed, shall hold and enjoy his Office and Employment with the Salary thereunto annexed, and be deemed an Officer and Servant of the Company, unless and until he be removed from the Office and Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Regulations, Pains, and Penalties as if he were appointed under this Act.

First and other General Meetings.

**19.** The First Meeting of the Company after the passing of this Act shall be held within Nine Months after the passing of this Act, and the Ordinary Meetings shall be held in the Months of *January* and *July* in every Year; and the General Meetings shall be held in the Town of *Southampton* or at such other Place within Three Miles from the Town as the Company from Time to Time appoint, and all General Meetings shall be convened to meet at or before Noon.

Quorum of General Meeting.

**20.** The Quorum of a General Meeting shall be Five Shareholders, representing in person or by proxy Shares of not less in the aggregate than Two thousand five hundred Pounds.

Less than 6 Months Possession of Shares not to confer Right of voting.

**21.** Provided, That no Share shall confer any Right of voting on any Person who has not at the Time of voting been the registered Holder of the Share for at least Six Months, or inherited it from One who has so held.

**22.** For

For ascertaining Numbers of Votes.

**22.** For the Purpose of ascertaining the Numbers of the Votes where all the Shares are not of Fifty Pounds each, the Amount of Capital of the Company represented by all the Shares held by any registered Holder thereof, shall be considered as divided into so many Fifty Pound Shares as that Amount will admit, and the Right of the registered Holder in respect of the Shares shall be determined by the Number of Fifty Pound Shares (rejecting Fractions) into which the Amount of Capital, represented by all the Shares held by him, is from Time to Time capable of being divided.

Number of Directors and Quorum and Qualification.

**23.** The Number of Directors shall be Seven, of whom Three shall form a Quorum, and the Qualification of a Director shall be his holding in his own Right Shares of not less in the aggregate than Three hundred and fifty Pounds.

Present Directors to remain in Office.

**24.** The several Persons who immediately before the passing of this Act were Directors shall remain in Office until they respectively cease in accordance with the Provisions of this Act to be Directors, and they shall retire from Office in the Rotation in which they would retire if this Act were not passed.

Number of Directors may be reduced.

**25.** The Company from Time to Time may reduce the Number of Directors so as the reduced Number be not less than Five, and may determine the Rotation in which the reduced Number shall retire from Office, and the Quorum for a Meeting of the Directors shall be Three.

Newspaper for Advertisements.

**26.** The Newspaper for Advertisements relating to the Affairs of the Company shall be any Newspaper published in the Town and County of the Town of *Southampton*.

Publication of Notices.

**27.** All Notices to be given for the Purposes of this Act the Manner of giving which is not by this Act otherwise directed shall be given by being affixed on the Company's Toll Houses.

Company's Capital under Act.

**28.** From and after the passing of this Act, the following shall be the Company's Capital, (that is to say);

| | £ |
|---|---|
| The Company's present Five Pounds *per Cent.* Preferential Capital -- - - - | 5,275 |
| The Company's present Ordinary Capital - - | 23,000 |
| The additional Capital which the Company are by this Act authorized to raise by new Shares - | 14,000 |
| Total - - - | £42,275 |

**29.** For

Power to raise additional Capital by new Shares.

**29.** For the Purposes of the new Works by this Act authorized, and other Purposes of their Undertaking, the Company from Time to Time may raise by the Creation and Issue of new Shares and in addition to their present Capital any Sums not exceeding in the whole Fourteen thousand Pounds.

New Shares of different Classes.

**30.** The new Shares which the Company are by this Act authorized to create and issue may, with the Sanction of at least Three Fifths of the Votes of the Shareholders present in person or by proxy at a General Meeting of the Company specially convened for the Purpose, be created either of one Class and with like Privileges or of several Classes and with different Privileges, and of the same or different Amounts, and respectively with any fixed, fluctuating, contingent, preferential, perpetual, terminable, and other Dividend not exceeding Six Pounds *per Centum per Annum*; and the Company, as they from Time to Time think fit, may fix the Amounts and Times of Payment of the Calls on the new Shares: Provided that all Shares of the same Class shall be of like Amount, and shall confer like Privileges, and shall bear like Dividends or Interest, and be subject to like Restrictions (if any); provided also, that if in any Year ending the Thirty-first Day of *December* there shall not be Profits available for the Payment of the full Amount of such preferential or other Dividend for that Year, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year or out of any other Funds of the Company: Provided also, that the Terms and Conditions to which any Preference Shares created under this Act are subjected by the Provisions of this Act shall be clearly stated on the Certificate of every such Preference Share.

Saving for existing Preferential Shares.

**31.** Provided, That if the Company grant any Preference or Priority in the Payment of Dividend with respect to any new Shares created by them under this Act the Preference or Priority so granted shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares previously granted by them, by or in pursuance of or confirmed by any Act of Parliament passed before this Act, or otherwise from Time to Time lawfully subsisting.

Power to borrow on Mortgage.

**32.** For the Purposes of the new Works by this Act authorized and other Purposes of their Undertaking, the Company from Time to Time may borrow on Mortgage, in addition to their present Debenture Debt, any Sums not exceeding in the whole Two thousand Pounds: Provided that the Company shall not borrow any Part of that Amount until the whole of the additional Capital by this Act authorized to be raised by new Shares is subscribed for or taken, and One Half thereof is paid up, and the Justice who certifies in pursuance of Section Forty of "The Companies Clauses Consolidation Act, 1845," is satisfied that the Shares are *bonâ fide* held by Persons legally liable to pay the unpaid Amount thereof,

of which Satisfaction his Certificate under that Section shall be sufficient Evidence.

Priority of existing Mortgages.

**33.** Provided, That all Mortgages granted by the Company before the passing of this Act and in force at the passing of this Act shall, while in force, have priority over all Mortgages granted by the Company under this Act; provided also, that from and after the Time when all the Mortgages granted by the Company and now in force are paid off or discharged all the Mortgages from Time to Time after the passing of this Act granted by the Company shall together form One Class of Mortgages.

Arrears may be enforced by Appointment of a Receiver.

**34.** The present and future Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver is Three thousand Pounds.

Application of Monies.

**35.** All Monies by this Act authorized to be raised by the Company by new Shares and by borrowing respectively shall be applied only for Purposes of the Undertaking of the Company.

Appointment and Removal of Officers.

**36.** The Company from Time to Time may appoint and remove such Treasurer, Secretary, Pier Master, Collector of Tolls, and other Officers and Servants as the Company think fit, and may determine their respective Duties, Salaries, and Wages or Remuneration, and the Security to be taken from any of them for the due Performance of their respective Duties.

Power of Company to take Lands.

**37.** Subject to the Provisions of this Act, the Company from Time to Time may enter upon, take, and use for any of the Purposes of this Act such of the Lands shown on the deposited Plans and specified in the deposited Books of Reference as the Company from Time to Time think fit.

Powers for compulsory Purchases limited.

**38.** The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years after the passing of this Act.

Lands for extra-ordinary Purposes.

**39.** The Company from Time to Time may purchase by Agreement in addition to the Lands by this Act authorized to be taken compulsorily any Quantity of Land for any of the Purposes specified in "The Harbours, Docks, and Piers Clauses Act, 1847," or other the Purposes of their Undertaking, not exceeding in the whole One Acre.

Power for Company to make Works authorized by Act.

**40.** Subject to the Provisions of this Act, the Company from Time to Time may make and maintain the several Works by this Act authorized, and may make and maintain such of the same as are shown on the

the deposited Plans in the Lines and according to the Levels shown on the deposited Plans and Sections respectively, and in the Lands shown on the deposited Plans and specified in the deposited Books of Reference.

Works authorized by Act.

**41.** The Works which the Company are by this Act authorized to make and maintain comprise the following Works, together with all proper and sufficient Works and Conveniences in connexion therewith.

First, a Wharf and Pier, with all necessary Dolphins and other Works and Conveniences, commencing near to the North-eastern Angle of the Timber Pond belonging to the *Southampton* Dock Company, and terminating on the Foreshore of the River *Itchen*:

Secondly, a Pier Head or Floating Jetty, extending from the said Wharf and Pier South-eastwardly into the River *Itchen*:

Thirdly, another Pier Head or Floating Jetty, extending into the River *Itchen* Southwardly from the Commencement of the last-mentioned Pier Head or Floating Jetty:

Fourthly, an Embankment or Retaining Wall, commencing near to the North-eastern Angle of the Timber Pond belonging to the *Southampton* Dock Company, and extending thence Eastwardly into the River *Itchen*:

Fifthly, another Embankment or Retaining Wall, commencing near to the North-eastern Angle of the Timber Wharf belonging to the Company, and extending thence Eastwardly into the River *Itchen*:

Sixthly, between those Two Embankments or Quay Walls One or more inclined Planes, Landing Stages, Cells, Cuts, Canals, and other Works:

Seventhly, the widening, extending, and enlarging on the Northern Side of so much of the existing Road and Landing Stage belonging to the Company on the Eastern Shore of the River *Itchen*, as is situate to the Westward of the Company's Toll House and Toll Gate:

Eighthly, an Embankment or Retaining Wall, commencing near to the South-western Angle of the Company's existing Road and Landing Stage on the Eastern Shore of the River *Itchen*, and extending thence South-westwardly into the River *Itchen*:

Ninthly, another Embankment or Retaining Wall, commencing Northward of that South-western Angle, and extending thence North-westwardly into the River *Itchen*:

Tenthly, between those Two Embankments or Retaining Walls, One or more Cills, Cuts, Canals, and other Works:

Eleventhly, all necessary and suitable Approaches, Platforms, Wharfs, Embankments, Gates, Landing Planes, or Stages, Sheds, Warehouses, Engines, Machinery, and other Works and Conveniences

veniences in connexion with those several Works, or any of them:

Twelfthly, the dredging, scouring, and deepening of the Bed or Soil of the River *Itchen* opposite or near to those Works or any of them:

Thirteenthly, the making, erecting, laying down, and maintaining, in the Parishes of *Saint Mary* and *Saint Mary Extra* and in the Bed or Shore of the River *Itchen*, of all proper and convenient Moorings, Chains, Beacons, Piles, Whalings, Pontoons, Buoys, Dolphins, Engines, and other Works and Conveniences:

Fourteenthly, the crossing, diverting, altering, or stopping up, either temporarily or permanently, of all such Pipes and Sewers in the Lands shown on the deposited Plans and specified in the deposited Books of Reference thereto, as the Company from Time to Time find it expedient for any of the Purposes of those Works so to interfere with.

Mode in which certain Works are to be constructed.

**42.** Provided, That the Company in constructing the Pier first described shall not deviate in a South-westwardly Direction from the centre Line thereof as shown on the deposited Plans, and the Pier shall extend One hundred and twenty Feet at the least from the Commencement thereof near the North-eastern Angle of the Timber Pond belonging to the *Southampton* Dock Company; and the Pier Head thirdly described shall not extend beyond a Right Line drawn at Right Angles with the Eastern Side of the Timber Pond, from a Point on that Side One hundred Feet Southward of the North-eastern Angle to Low-water Mark on the Foreshore of the River *Itchen*, and that Pier Head shall be Two hundred and seventy Feet at the least from that Point.

Power to Board of Trade to order a local Survey at Expense of Company.

**43.** If at any Time it is deemed expedient by the Board of Trade 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 from the Company to the Crown, and be recoverable accordingly, with Costs, 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 Board of Trade at Expense of Company.

**44.** If any Work to be constructed by the Company in, under, over, through, or across any tidal or navigable Water or 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, the Board of Trade may abate and remove the same, or any Part thereof, and restore the Site thereof to its former Condition at the Expense of the Company, and the Amount of such Expense shall be a Debt due from the Company to the Crown, and be recoverable accordingly,

accordingly, with Costs, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Certain Works to be deemed to be in the Parish of Saint Mary.

**45.** All the Works authorized by this Act to be constructed, inclosed, and made on the Western Side of the River *Itchen* shall be deemed to be in the Parish of *Saint Mary* in the Town and County of the Town of *Southampton*.

Company may use Works or Lands acquired by them under this Act.

**46.** The Company may appropriate and use for the Purposes of this Act all or any Parts of the Works already made or now in the course of Construction, upon any Part of the Lands shown on the deposited Plans and specified in the deposited Books of Reference which they acquire under this Act.

Company to maintain present and future Works.

**47.** Subject to the Provisions of this Act, the Company from Time to Time may maintain, repair, renew, manage, work, and use their present Landing Places, Wharfs, Piers, Chains, Floating Bridge, Vessels, Boats, Roads, Approaches, Toll Houses, Toll Gates, Buildings, Engines, Machinery, Works, and Conveniences whatsoever, and the Piers, Floating Jetties, Embankments, Walls, Landing Stages, Vessels, Engines, Machinery, Works, and Conveniences whatsoever from Time to Time made or provided by them under this Act and all other their Lands, Property, and Effects.

Vessels for Floating Bridge and for dredging.

**48.** The Company from Time to Time may purchase, hire, provide, and use any Vessels worked by Steam or otherwise, Machinery and Apparatus which they think fit for the Purposes of their Floating Bridge, and also for the dredging, scouring, and deepening in accordance with the Provisions in that Behalf of this Act of Parts of the River *Itchen*.

Company to provide Ferry Boats in aid of the Bridge.

**49.** For the Accommodation of Persons desirous of passing over the River the Company shall provide Two good Ferry Boats which, Wind and Weather permitting, shall run Twice within every Hour from each Landing Place, and shall be kept at Work in aid of and in addition to the Bridge between the Hours of Ten o'Clock in the Morning and Sunset of every Day; and also shall between the Hours of Six o'Clock and Ten o'Clock in the Morning, and also from Sunset to Midnight of every Day (except during the Months of *January* and *December*) provide One good Ferry Boat to be so kept at Work; and also shall during the Months of *January* and *December* in every Year provide One good Ferry Boat to be so kept at Work from Seven o'Clock in the Morning until Midnight.

Power to provide Weighing Machines.

**50.** The Company may maintain, or make and maintain on the Bridge, or on the Floating Jetties, or either of them, or on any of the Approaches to or

or Landing Places of the Bridge or Floating Jetties, any Crane, Engine, or other Machine, with a suitable House or other Building proper for the lifting and weighing of Carriages and Things.

Toll Gates on Roads.

**51.** The Company from Time to Time may continue and erect and set up, upon, in, or across any of the Roads any Toll Gates, or Toll Bars, or Toll Houses with Outhouses and Conveniences suitable thereto, and take in and inclose a suitable Garden Spot for every or any such Toll House not exceeding One Eighth of an Acre, as they think necessary, and from Time to Time may take down and remove, alter or discontinue the same as they think proper.

Regular Hours of working the Bridge.

**52.** The Bridge shall be worked during the following regular Hours in every Year; (that is to say,) from the First Day of *February* inclusive to the First Day of *May* exclusive, at and from Seven o'Clock in the Morning until Ten o'Clock in the Evening, and from the First Day of *May* inclusive to the First Day of *October* exclusive, at and from Six o'Clock in the Morning until Eleven o'Clock in the Evening, and from the First Day of *October* inclusive to the First Day of *February* exclusive, at and from Eight o'Clock in the Morning until Nine o'Clock in the Evening: Provided that the Company, if and when they think fit, may work the Bridge during any extra Hours.

Bridge not to stop at Landing Place more than Quarter of an Hour.

**53.** During the regular Hours of working the Bridge it shall not (if required to cross) remain at the Landing Place on either Side of the River more than One Quarter of an Hour at any One Time.

As to working on the Bridge on Sundays.

**54.** The Company may stop the working of the Bridge on *Sunday* until Half-past Nine o'Clock in the Forenoon.

Bridge may be worked in extra Hours.

**55.** The Company, if and when they think fit but not otherwise, may work the Bridge at any other Times than during the regular Hours.

Waggons, &c., likely to injure Bridge not to be allowed to pass.

**56.** The Company or any Collector of Tolls may refuse to permit to go and pass on the Bridge any Carriage of any Weight, Size, or Description, not being a Mail Coach or Mail Cart, which he or they shall believe to be likely to occasion any Risk, Injury, or Damage to the Bridge or any Machinery or Works of the Company: Provided that if the said Company or any Collector of Tolls refuse to allow of the passing upon the Bridge of any Carriage without reasonable Ground for Refusal, then and in every such Case they or he shall forfeit not exceeding Two Pounds.

As to Conveyance of Gunpowder, &c., on Bridge.

**57.** For the better preventing of Accidents or Injury which might happen on the Bridge and Works from the unsafe and improper Carriage of dangerous Goods upon the same, every Person who sends or causes to be

be sent on or by the Bridge or any Boat of the Company any Aquafortis, Oil of Vitriol, Gunpowder, or other Goods of a dangerous Quality, shall distinctly mark or state the Nature of the Goods on the Outside of the Package containing the same, or shall otherwise give Notice in Writing thereof to the Collector of the Tolls at the Time of so sending the Goods on pain of forfeiting for every Default herein not exceeding Twenty Pounds, to be recovered as a Debt due to the Company or, as the Case may be, to their Lessees: Provided that this Section does not apply to any dangerous Goods borne or carried by or on the Person of a Passenger on the Bridge or to any Mail Bags or Post Letters, whatever be the Contents thereof.

Company to provide Ferry Boats when Bridge out of repair.

**58.** If and whenever the Bridge is out of repair, and thereby rendered unfit for the Conveyance of Passengers across the River, the Company shall provide not less than Four Ferry Boats, suitably found and manned for the Purpose of such Conveyance, and shall keep the Boats at Work during the regular Hours for working the Bridge.

Power to take Bridge Tolls.

**59.** Subject to the Provisions of this Act, the Company from Time to Time may demand and take for the Passage across the River by the Bridge or Boats of the Company at the Place or within the Limits of the Company's Ferry any Tolls not exceeding the Tolls following; (that is to say,)

Bridge Tolls.

For every Carriage on Springs with Four Wheels, if drawn by One Horse or other Beast, One Shilling;

If drawn by Two or more Horses or other Beasts, for every Horse or other Beast Ninepence:

For every Carriage on Springs with less than Four Wheels, if drawn by One Horse or other Beast, Ninepence;

If drawn by Two or more Horses or other Beasts, for every Horse or other Beast Sixpence:

For every Waggon, Stage Waggon, Van, Caravan, Omnibus Wain, Dray, or Sledge, or other such like Carriage with Four Wheels, or without Wheels, and drawn by Horses or other Beasts if the Carriage is not unladen, for every Horse or other Beast Ninepence;

If the Carriage is unladen and empty, for every Horse or other Beast Fourpence Halfpenny:

For every Cart, Van, or Caravan, or other such like Carriage with less than Four Wheels, and drawn by Horses or other Beasts, for every Horse or other Beast Sixpence:

For every Wheel of every Carriage constructed to be drawn by Horses or other Beasts but not so drawn, Threepence:

For every Wheel of every Carriage attached to another Carriage, Threepence:

For every Wheel of every Carriage constructed to be propelled or moved by means of Steam or Machinery, or any Power other than Animal Power, Two Shillings and Sixpence:

For every Wheelbarrow or Handbarrow with One Wheel, if the Dimensions of the Body thereof do not exceed Two Feet by Three Feet either Way, including the Loading thereof, One Penny;

If the Dimensions exceed Two Feet by Three Feet either Way, Twopence:

For every Handtruck or Handbarrow with Two Wheels, if the Dimensions of the Body thereof do not exceed Four Feet by Three Feet either Way including the Loading thereof, Twopence;

If the Dimensions exceed Four Feet by Three Feet either Way, Fourpence:

For every Handtruck or Barrow with Four Wheels, if the Dimensions of the Body thereof do not exceed Four Feet by Six Feet either Way, including the Loading thereof, Threepence;

If the Dimensions exceed Four Feet by Six Feet either Way, Sixpence:

For every Merlin or Bath Chair, Threepence:

For every Child's Go-cart or Perambulator, Twopence:

For every Horse, Mule, or Ass, ridden or not, or laden or unladen and not drawing, Threepence:

For every Ox, Bull, Cow, Steer, Heifer, Calf, or Head of Neat Cattle, Threepence:

For every Sheep, Lamb, Hog, Boar, Sow, or Pig, One Penny:

For every Dog, One Halfpenny:

For every Passenger or Person merely using the Floor or Deck or ordinary Cabin of the Bridge, One Penny;

For every Passenger or Person using or entering the better Cabin or best Room of the Bridge, Twopence:

For every Portmanteau, Trunk, Carpet-bag, Box, or other Article of Luggage, and for every Hogshead, Cask, or Parcel of other Goods, Wares, or general Merchandise, rolled, or drawn, or carried, except on Wheels or Sledges, or pushed along the Bridge or the Approaches thereto, or carried in the Boats of the Company across the River, if above the Weight of Fifty-six Pounds and not exceeding One Hundredweight, One Penny;

If exceeding One Hundredweight, for every Hundredweight above the First Hundredweight an additional One Penny:

Additional Toll on Timber.

For Timber in Length exceeding Twenty-five Feet and not exceeding Thirty-five Feet, an additional One Shilling;

If exceeding Thirty-five Feet, for every Foot beyond the First Thirty-five Feet, an additional One Penny.

Additional Bridge Toll for Pas-

**60.** Where any Carriage with Four Wheels drawn by One Horse contains more than Four Passengers, and where any Carriage with Four Wheels

Wheels drawn by Two or more Horses contains more than Eight Passengers, and where any Carriage with Two Wheels drawn by One Horse contains more than Two Passengers, and where any Carriage with Two Wheels drawn by Two or more Horses contains more than Four Passengers the Company may demand and take for every Passenger, exclusive of the Driver of the respective Carriage beyond the respective Number, the same Toll (in addition to the other Tolls) as for a Passenger merely using the Floor, Deck, or ordinary Cabin of the Bridge.

sengers in Carriages beyond specified Numbers.

**61.** The Company from Time to Time may demand and take for every Hundredweight, by which the Weight of any Carriage with Four Wheels with the Loading thereof exceeds Three Tons and a Half, and for every Hundredweight by which the Weight of any Carriage with Two Wheels with the Loading thereof exceeds Thirty-five Hundredweight, the following Tolls in addition to the other Tolls; (that is to say,)

For the First Hundredweight of the Excess, Sixpence:

For the Second Hundredweight of the Excess, an additional Ninepence:

For the Third Hundredweight of the Excess, an additional Ninepence:

For the Fourth and every further Hundredweight of the Excess, an additional One Shilling.

Additional Bridge Toll for Carriages of great Weight.

**62.** When any Carriage whatsoever, with Four Wheels, goes on the Bridge, or passes through any Toll Gate or Toll Bar maintained in accordance with this Act, tied or attached to any other Carriage, the same Toll and no more shall be demanded and taken for the Carriage so tied or attached, as if it were drawn by Two Horses, and when any Carriage whatsoever with Two Wheels only goes on the Bridge or passes through any such Toll Gate or Toll Bar tied or attached to any other Carriage, the same Toll and no more shall be demanded and taken for the Carriage so tied or attached as if it were drawn by One Horse, and when any Horse is fastened to but not used in drawing any Carriage the Horse shall not be liable to a higher Toll than a single Horse: Provided that if any Carriage so tied or attached have any Goods therein, other than the Harness thereto belonging, and any Articles of Package necessary for the Protection thereof, the Carriage shall be liable to double the Toll to which in case it had not been so laden it would be liable under this Section.

Bridge Tolls to be paid for Carriages tied to others.

**63.** The Tolls payable for Animals, Carriages, and Persons for passing on the Bridge or Boats shall be paid for every Time of going or passing or repassing on the Bridge or Boats, and shall be paid on the Bridge or Boats, or at the Toll Houses near to the Landing Planes for the Bridge; provided that the Company, if and when they see fit, may order that a Part only, or no Part of the Tolls or any of them, shall be demanded

Payment of Toll every Time of passing on Bridge or Boats.

demanded or taken for once repassing on the Bridge or Boats after Payment of the full Toll for passing on the same, and may allow repassing accordingly.

Additional Bridge Tolls between Nine and Ten in the Evening.

**64.** The Company may demand and take for Animals, Carriages, Persons, and Things going on the Bridge between the Hours of Nine and Ten o'Clock in the Evening during the Months of *November*, *December*, *January*, and *February* double the Amount of Tolls payable for going on the Bridge at an earlier Hour of the Day.

Extra Tolls for Bridge or Boats during extra Hours.

**65.** All Persons using the Bridge or any Boat provided by the Company during extra Hours shall pay such Tolls as the Company from Time to Time fix, not exceeding (except as is by this Act provided with respect to Double Tolls between Nine and Ten o'Clock in the Evening during the Months of *November*, *December*, *January*, and *February*,) treble the Amount of Tolls and additional Tolls payable during the regular Hours.

Tolls for Use of Landing Planes.

**66.** The Company from Time to Time may demand and take for all Animals, Carriages, Persons, Goods, and Things embarking from or landing upon any of the Landing Planes of the Company between which the Bridge runs, and not using the Bridge or Boats of the Company, One Half of the respective Tolls by this Act authorized to be demanded and taken for Animals, Carriages, Persons, Goods, and Things going on the Bridge.

Power to take Roads Tolls.

**67.** The Company from Time to Time may demand and take at their Toll Houses or Toll Gates, or Toll Bars already or hereafter erected and from Time to Time maintained upon or across any of the Roads of the Company in respect of the User of the Roads, and before any Passage through the Toll Gates or Toll Bars shall be permitted, any Tolls not exceeding the Tolls following; (that is to say,)

For every Horse or other Beast drawing any Coach, Chariot, Berlin, Landau, Phæton, Hearse, Chaise, or other such like Carriage with Four Wheels, if drawn by One Horse or other Beast, Fourpence;

If drawn by Two or more Horses or other Beasts, for every Horse or other Beas Threepence:

For every Horse or other Beast drawing any Cabriolet, Chaise, Chair, Gig, Whiskey, or other Carriage on Springs, with less than Four Wheels, if drawn by One Horse or other Beast, Threepence:

And for every additional Horse or Beast so drawing it, Threepence:

For every Horse or other Beast, drawing any Dray, Sledge, or other Carriage whatever, without Wheels, or drawing any Waggon, Stage Waggon, Van, Caravan, Omnibus, Wain, or Dray, or other such

such like Carriage with Four Wheels, the Fellies of the Wheels whereof are of a less Breadth than Four Inches and a Half, Four pence Halfpenny:

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

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

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

For every Horse, Mule, or Ass, ridden or not, or laden or unladen, and not drawing, One Penny:

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

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

For every Coach, Waggon, Cart, or other Carriage not drawn by Horses or other Beasts but propelled or moved by means of Steam or Machinery or any Power other than Animal Power, for every Wheel whereon it runs, One Shilling and Sixpence.

Roads Toll to be taken once a Day only.

**68.** If any Person in any One Day pay the Toll for Passage of any Animal or Carriage through any One of the Toll Gates or Toll Bars upon or across the Roads not being a Gate for collecting Tolls for passing the Ferry, he shall upon the Production of a Ticket denoting the Payment be permitted to pass through all or any of the Road, Toll Gates, or Toll Bars with the same Animal or Carriage Toll-free at any Times during the same Day between Midnight and Midnight:

Persons crossing River by Bridge or Boats exempted from Roads Tolls.

**69.** Tolls shall not be payable for crossing the River by the Bridge or Boats of the Company, and also for passing through any Toll Gate or Toll Bar on any of the Roads of the Company, but Payment of Toll for crossing the River by the Bridge or Boats shall upon the Production of a Ticket denoting the Payment exempt the Person paying the same from all Tolls for the same Journey at any Toll Gate or Toll Bar on the Roads, and Payment of Toll at any Toll Gate or Toll Bar on the Roads shall be taken as Part Payment of the Toll otherwise payable on crossing the River by the Bridge or Boats.

**70.** In

Power to take Tolls for using Floating Jetties.

**70.** In respect of their Floating Jetties and the Works connected therewith, the Company from Time to Time may demand and take any Tolls not exceeding the following Tolls; (that is to say,)

For every Passenger and other Person who shall land thereat, or embark therefrom, One Penny Halfpenny:

For every Person not so landing or embarking who shall use the same for the Purpose of walking for Exercise, Pleasure, or otherwise, One Penny Halfpenny:

For every Four-wheel Carriage not being so landed or embarked, Sixpence:

For every Two-wheel Carriage not being so landed or embarked, Fourpence:

For every Horse landed or embarked, Sixpence;

If craned, the additional Sum of Sixpence:

For every Bull, Cow, or Head of Neat Cattle landed or embarked, Fourpence:

For every Score of Swine which shall be landed or embarked, One Shilling;

And for every Number less than a Score, *per* Head One Penny:

For every Score of Sheep or Lambs landed or embarked, Eightpence;

And for every Number less than a Score, *per* Head One Halfpenny:

For every Four-wheel Carriage landed or embarked, Two Shillings and Sixpence;

If craned, the additional Sum of One Shilling:

For every Two-wheel Carriage landed or embarked, One Shilling and Sixpence;

If craned, the additional Sum of Ninepence:

For every Trunk, Portmanteau, Box, Parcel, or other Package falling within the Description of Luggage that shall be landed or otherwise taken from or placed thereon, if exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, One Penny;

If exceeding Twenty-eight Pounds and not exceeding Eighty-four Pounds, Twopence:

If exceeding Eighty-four Pounds and not exceeding One Hundred and twelve Pounds, Threepence:

If exceeding One hundred and twelve Pounds and not exceeding One hundred and forty Pounds, Fourpence:

If exceeding One hundred and forty Pounds, and not exceeding One hundred and ninety-six Pounds, Fivepence:

If exceeding One hundred and ninety-six Pounds and not exceeding Two-hundredweight, Sixpence:

If amounting to or exceeding Two-hundredweight, for every Hundredweight, Threepence:

And for every Twenty-eight Pounds in addition, One Penny:

But

But if the same shall be placed on a Barrow, then for any Quantity of Luggage belonging to One Person and contained in any One Barrow, and not exceeding One hundred and forty Pounds in Weight, Sixpence:

For all other Goods, Wares, or Merchandise of whatever Description landed or embarked;

For every Hundredweight or less, One Penny:

If the Measure of such Goods, Wares, or Merchandise be after the Rate of Forty Cubic Feet in Measure for every Ton in Weight, then the same shall not be charged by Weight but shall be charged for every Ton Measure One Shilling and Eightpence;

And so in proportion for any greater or less Quantity.

Tables of Tolls to be set up.

**71.** A Table of the Bridge Tolls shall be affixed on some conspicuous Place at or near to each Landing Plane of the Bridge, and a Table of the Road Tolls shall be affixed on the Toll Gate or Toll House on the Road; and a Table of the Floating Jetty Tolls shall be affixed on the Floating Jetty or on some conspicuous Place near thereto; and the Company shall not demand or take the respective Tolls except during such Time as the prescribed Table thereof remains so fixed.

Power to reduce and increase Tolls.

**72.** The Company from Time to Time may reduce all or any of the Tolls to such Extent and for such Time as they think proper, and from Time to Time afterwards may increase all or any of the Tolls so reduced to such Extent not exceeding the Tolls by this Act granted as they think proper; and the reduced or increased Tolls shall be collected, paid, and recovered as Tolls by this Act granted: Provided that the Company shall not reduce any of the Tolls without the Consent of Four Fifths in value of the Mortgagees of the Tolls; and no Toll shall be reduced or increased unless at a General Meeting of the Company specially convened for the Purpose.

Tolls to be charged equally.

**73.** The Tolls shall at all Times be charged equally and after the same respective Rate for all Persons, Animals, and Carriages, and no Reduction or Increase of the Tolls shall either directly or indirectly be made partially or in favour of any particular Person, but every such Reduction or Increase shall take effect with respect to all Persons and to all Animals and Carriages of the same respective Sort.

Power to lease Tolls.

**74.** The Company from Time to Time may lease all or any of the Tolls, and all or any of the Toll Houses, Weighing Machines, and other Conveniences, with the Appurtenances, for such Term not exceeding Seven Years, and on such Terms and Conditions whatsoever as the Company think fit, and the Persons in that Behalf appointed by the Lessees shall during the respective Continuance of the Leases be Collectors of the Tolls.

Tolls to be taken by Toll Collectors.

**75.** The Tolls may be demanded and taken by such Persons as the Company or their Lessees from Time to Time appoint to be Collectors of the Tolls.

Boards to be set up by Toll Collectors.

**76.** Every Collector of the Tolls shall place his Christian and Surname painted on a Board in legible Characters in the Front or some other conspicuous Part of the Toll House, or Toll Gate, or other Place where he collects the Tolls immediately on his coming on Duty, every Letter of the Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or in Black Letters on a White Ground, and shall continue the same so placed during the whole Time he is on Duty, and every Collector of the Tolls shall place on the Front of the Toll House, or Toll Gate, or Place at which he is stationed, a Board containing the usual Name of the Toll Gate or Place where the Board is fixed and the Table of Tolls payable thereat.

Removal of Collector.

**77.** If and whenever any Collector of the Tolls dies, or fails to perform or becomes incapable of performing his Duty, or absconds or absents himself, the Company or the Lessee of the Tolls may discharge the Collector so in default, and may appoint some fit Person to be Collector of the Tolls in the Stead of the Collector deceased or so in default.

Evidence of Appointment and Removal of Collector of Tolls.

**78.** A Certificate in Writing, under the Hand of the Secretary of the Company, or, as the Case may be, of the Lessee of the Tolls, shall for all Purposes be sufficient Evidence of the Appointment or Removal of any Collector of the Tolls.

Power to obtain from discharged Collector possession of Toll House, &c.

**79.** If, whenever any Collector of Tolls so discharged, or the Wife, Widow, or any of the Children, Family, or other Representatives of any Collector deceased or so discharged, or any other Person having the Possession of any Toll House or other Building or Property of the Company, fail for Two Days after Demand by Notice in Writing, signed by the Secretary of the Company or by the Lessee of the Tolls and given to the Collector or to any such Person, or left at the Toll House, Building, or Premises to deliver up Possession thereof as so demanded, any Justice of the Peace for the County in which the Premises are situate by Warrant under his Hand and Seal, may order any Constable or other Peace Officer for the County, with requisite Assistance, to enter into the Toll House, Building, or Premises in the Daytime, and to remove all Persons found therein, with their Goods, out of the same, and put the Company, or Lessee, or newly-appointed Collector of the Tolls or any other Person into possession thereof.

**80.** The

Power to require Weighing at Weighing Machines.

**80.** The Company, by Notice on a Board put up at every Weighing Machine provided by them, may order that all Carriages or Things brought on the Approaches or Landing Planes, or any of them, or on the Bridge, or on any Floating Jetty, shall be weighed thereat, and the weighing, if and when required by or on behalf of the Company, shall take place in the Presence of the Driver or Person having Charge of the Carriage or Thing.

Collectors to weigh Waggons, &c.

**81.** The Person having the Care of any such Weighing Machine shall weigh all Carriages and Things liable to be weighed and which he believes to be of greater Weight than is allowed to pass without paying additional Toll, and if he permit any Carriage or Thing of greater Weight than is so allowed to pass without weighing the same or receiving the additional Toll for the same, he shall for every such Offence forfeit not exceeding Two Pounds, and if the Owner or Driver of any Carriage or Person in charge of anything, refuse to allow it to be weighed or resist the Person in weighing it, every Person so offending shall for every such Offence forfeit not exceeding Two Pounds.

Persons attending Waggons may require Collector to weigh.

**82.** Any Person attending any Carriage which comes upon the Approaches or Landing Planes, or any of them, when a Weighing Machine is provided there, may require the Person in charge thereof to weigh the Carriage and the Loading thereof, and to give a Certificate of the Weight on Payment for every Carriage so weighed, if having Four Wheels, One Shilling, and if having Two Wheels, Sixpence.

Royal Family exempted from Tolls.

**83.** This Act shall not charge with Toll Her Majesty or any Member of the Royal Family, or any Horse or Carriage attending Her Majesty or any of the Royal Family, or returning therefrom.

Officers of the Customs, &c., exempted from Toll.

**84.** No Toll shall be payable under this Act for any Officer of the Army, Navy, or Marines being duly employed for the Prevention of smuggling and on Full Pay, or by any Officer of Customs or Inland Revenue, or any Person acting in his Aid or Assistance or duly employed for the Prevention of Smuggling while in good Faith in the due Execution of his Duty as such Officer or Person.

Mails exempted from Toll.

**85.** No Toll shall be demanded or taken at the Toll House or Toll Gate of the Bridge, or at any Toll House or Toll Gate or Toll Bar already or hereafter erected upon or across any of the Roads of the Company, or for passing over the River in the Boats of the Company, for any Person or any Animal or Carriage employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of Her Majesty's Postmaster General, either when so employed or in returning therefrom.

**86.** No

Husbandry Exemptions from Roads Tolls.

**86.** No Tolls shall be demanded or taken at any Toll House, Toll Gate, or Toll Bar already or hereafter erected on any of the Roads of the Company for any Animal or Carriage employed in carrying or conveying or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, between Midnight and Midnight, any Dung, Soil, Compost, or Manure for improving Lands, or any Ploughs, Harrows, or Implements of Husbandry (unless laden also with some other Thing not by this Act exempted from Toll), or any Hay, Straw, Fodder for Cattle, and Corn in the Straw which has grown or risen on Land or Ground in the Occupation of the Owner of the Hay, Straw, Fodder, or Corn in the Straw, and has not been bought, sold, or disposed of, and is not going to be sold or disposed of, or any Animal employed in Husbandry, going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, or going to be or returning from being shod or farried, the Animal not going or returning on the Occasion more than Two Miles on the Roads, or for any Person going to or returning from his proper Parochial Church or Chapel, or for any Person going to or returning from his usual Place of religious Worship tolerated by Law on Sundays or on any Day on which Divine Service is by Authority ordered to be celebrated, or for any Animal or Carriage which only crosses the Road or does not pass above One hundred Yards thereon.

Other Exemptions from Toll.

**87.** No Toll shall be demanded or taken at any Toll Gate or Toll Bar already or hereafter erected on the Company's Road for any Soldiers or Marines on their March or on Duty, or for any Officer or Man in Her Majesty's Navy or Coast Guard Service, Royal Naval Volunteers, Royal Naval Reserve, or Royal Naval Coast Volunteers, on or for Duty, or for any Animal or Carriage attending them with their Arms and Baggage, or returning therefrom, or for any Carriage or any Animal drawing the same employed in conveying any Naval, Victualling, Ordnance, 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 for any Animal or Carriage travelling with Vagrants sent by legal Passes, or any Prisoner in Custody under any legal Warrant, or for any Volunteers or Yeomanry on their March or on Duty, or going to or returning from the Place appointed for and on the Days of Exercise, or for any Horse furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and ridden by them in going to or returning from the Place appointed for and on the Days of Exercise, so as the Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for the respective Corps at the Time of claiming the Exemption, or for any Carriage or Passenger on Horseback going to or returning from any Election of a Knight of the Shire to serve in Parliament for the County of

of *Southampton* on the Day of Election or on the Day before or Day after the Election begins or is concluded.

Power to stop Persons refusing to pay Tolls.

**88.** If any Person liable to the Payment of any Toll, or any Person riding or leading or driving any Animal or Carriage liable to the Payment of any Toll, after Demand thereof made by any Collector of the Tolls fail to pay the same, the Collector, by himself or taking such Assistance as he thinks necessary, may stop and prevent the Passage of the Person so failing to pay or of the Animal or Carriage for which the Toll ought to be paid until full Payment thereof.

Tolls may be distrained for.

**89.** If any Person liable to pay any of the Tolls shall, after Demand thereof, made either on the Bridge or at the Toll Gate or other Place where the Toll ought to be paid or after passing the same fail to pay the same, the Collector of the Tolls, by himself or taking such Assistance as he thinks necessary, may seize or distrain any Animal, Carriage, or other Thing for which the Toll is payable, together with the Harness, Bridles, Reins (except the Bridle or Reins apart from the Horse), Saddles, Gears, or Accoutrements, or their Loading, or a sufficient Part thereof, or any of the Goods or Chattels of or belonging to or in the Possession of the Person so failing to pay the Toll, and if the Toll or any Part thereof, and the reasonable Charges of the Seizure and Distress, be not paid within Five Days after the Seizure and Distress made, the Person so seizing and distraining shall and may sell the Animal, Carriage, and Things so distrained, or a sufficient Part thereof, returning the Overplus (if any) of the Proceeds of Sale and what remains unsold, on Demand, to the Owner thereof, after deducting the Toll and the reasonable Charges occasioned by the Seizure, Distress, and Sale.

For settling Differences concerning Tolls.

**90.** If any Difference arise respecting the demanding or taking or Payment of any Toll, or the Amount of the Toll due, or the Charges of making, keeping, or selling any Distress for Recovery of any Toll, every such Difference shall be settled and determined by Two Justices of the Peace for the County in which the Difference arises, and on Application made to him for the Purpose he shall examine the Matter on the Oath of the Parties or other Witnesses (which Oath he may administer) and shall determine the Amount of the Toll due and other Matters in difference between the Parties, and he may also award such Costs and Charges to either Party as to him appear proper, all which Costs and Charges may and shall, in case of Nonpayment thereof, forthwith be levied and recovered by Distress and Sale of the Goods and Chattels of the Person awarded to pay the same by Warrant under the Hand and Seal of the Justice, the Overplus (if any) being rendered upon Demand, after deducting the Amount distrained for and the Costs and Charges of making the Distress and Sale, to the Person whose Goods and Chattels were distrained and sold.

Penalty on evading Tolls.

**91.** If any Person commit any of the following Offences; that is to say,

(A.) If any Person forcibly go upon the Bridge or Boats without Payment of the Toll on Demand thereof made by any Collector of the Tolls:

(B.) If any Person wilfully fail to pay the Toll on the Bridge or Boats on Demand thereof made by any Collector of the Tolls:

(C.) If any Person in any other Manner wilfully evade the Payment of the Toll, or any Part thereof:

Every Person shall for every such Offence forfeit not exceeding Forty Shillings over and besides such Damages or Punishment as he shall be otherwise liable to by Law.

Penalty for falsely claiming and taking Exemption.

**92.** If any Person knowingly and wilfully claim and take the Benefit of any Exemption from Toll by this Act authorized not being entitled to the same, or if any Person aid and assist any other Person in so offending, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds.

For Registration, &c., of Persons entitled to Exemptions.

**93.** The Company shall keep a Book to be called the "Register of Exemptions," and shall enter therein the Names of all Persons who, under any of the Sections set forth in the Schedule to this Act annexed, are entitled to and claim any Exemption from Toll, and may from Time to Time make Regulations as to the Registration of all such Persons, and as to the Mode in which they shall take the Benefit of any such Exemption, and no such Person shall be entitled to the Benefit of any such Exemption, except in accordance with the Regulations from Time to Time in force, and the Company may impose such reasonable Penalty not exceeding Forty Shillings upon all Persons offending against any of the Regulations, as the Company think fit: Provided that no such Regulation shall come into operation unless the same be allowed by a Judge of One of the Superior Courts, and be approved by the Board of Trade.

Penalty on Lessee of Tolls and Collector taking greater or less Toll than allowed.

**94.** If any Collector of the Tolls demand and take from any Person any Toll not by this Act authorized to be taken, or a greater or less Toll than the Toll which the Company under the Authority of this Act authorize to be taken, if the Person so offending were appointed by a Lessee of the Tolls, then the Lessee whose Servant so offends shall for every such Offence forfeit not exceeding Five Pounds; and every Person not being the Lessee of the Tolls who so offends shall for every such Offence forfeit not exceeding Forty Shillings; Provided that if the Justice by or before whom the Matter of Complaint is heard be of opinion that the Offender had probable Grounds for the Demand or taking, the Justice, as he thinks fit, may either mitigate or remit the Penalty.

**95.** If

Penalties for Offence by Toll Collector.

**95.** If any Collector of the Tolls payable in respect of the Bridge or the Floating Jetties, or either of them, or any Landing Place of the Company, commit any of the Offences for which if committed by a Collector of Turnpike Tolls he would under the General Turnpike Acts be liable to any Penalty, or Forfeiture, or Punishment, every Person so offending shall for every such Offence be liable to the like Penalty, or Forfeiture, or Punishment.

Penalty for assaulting Toll Collector.

**96.** If any Person assault, obstruct, hinder, or molest any Collector of Tolls employed in the Execution of this Act in the Performance of his Duty, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds.

Penalty for Nuisances, &c.

**97.** If any Person commit any of the following Offences; (that is to say,)

(A.) If any Person moor or fasten any Float, Boat, Barge, Vessel, or Thing to the Bridge or the Floating Jetties, or either of them, or any of the Works thereof:

(B.) If any Person in any Manner, or by any Means, Way, Contrivance, or Device whatever, wilfully obstruct the User or Passage of the Bridge, or the User of the Floating Jetties, or either of them, or the Passage over any Way or Place leading to the Bridge or to the Floating Jetties, or either of them:

Every Person so offending shall for every such Offence forfeit not exceeding Five Pounds, and shall also pay to the Company full Satisfaction for the Damage or Injury so done, the same to be settled or ascertained by the Justices by or before whom the Offender is convicted, and to be levied and recovered with and in like Manner as the Penalty.

Penalty for Offences as to Bridge, &c., as under General Turnpike Acts.

**98.** If any Person commit, with respect to the Bridge or the Floating Jetties, or either of them, or any Building, Erection, Work, Convenience, or Property of the Company connected with the same respectively, any Offence for which if committed by him with respect to any Bridge, Toll House, Toll Gate, Building, Erection, Work, Convenience, or Property of the Trustees of any Turnpike Road he would under the General Turnpike Acts be liable to any Penalty, or Forfeiture, or Punishment, every Person so offending shall for every such Offence be liable to the like Penalty, or Forfeiture, or Punishment.

Wilful Obstruction of Passage of Bridge.

**99.** If any Owner or Person having the Control of any Float, Boat, Barge, or Vessel, after Notice or Request to the contrary by or on behalf of the Company, keep the Float, Boat, Barge, or Vessel, or any Cable or Hawser attached thereto across the Line of Passage of the Bridge after having been offered by or on behalf of the Company proper and sufficient

Means

Means of Removal to a Place of Safety, his so keeping the same shall under all Circumstances be deemed a wilful Obstruction.

Penalty for destroying Bridge, &c.

**100.** The Bridge and Floating Jetties, and other Works and Property of the Company shall respectively be deemed a Bridge and a Vessel within the Meaning of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of the Queen, Chapter 97, intituled *An Act to consolidate and amend the Statute Law of* England *and* Ireland *relative to malicious Injuries to Property.*

Penalty for injuring Bridge, Floating Jetties, or Vessels.

**101.** If any Person by Carelessness or Inattention injure or damage any Part of the Bridge, Chains, Floating Jetties, Boats, or other Articles or Things belonging to the Company, or if any Person working or navigating the Bridge by Carelessness or Inattention injure or damage any Float, Raft, Barge, Boat, or Vessel navigating or being on the River, every Person by whose Carelessness or Inattention the Injury or Damage is occasioned shall for every such Offence forfeit not exceeding Five Pounds over and above the Amount of Compensation for the Injury or Damage actually sustained, which Forfeitures and Compensation, if incurred or payable by any Person employed by the Company in navigating or working the Bridge, may be recovered from the Company in like Manner as any Damages are recoverable from them.

Owners of Vessels, &c., answerable for Damage done by their Servants.

**102.** If and whenever any Person having the Care of any Boat, Barge, or other Vessel or Float of Timber navigated on the River wilfully, carelessly, or negligently cause or suffer any Damage or Injury to be done by the Vessel to the Bridge or the Floating Jetties, or either of them, or any other of the Works and Property of the Company, the Owner of the Vessel or Float shall be liable to make Satisfaction to the Company for all such Damage or Injury.

For securing Offenders whose Names, &c., are unknown.

**103.** Any Constable or any Collector of Tolls or other Officer or Agent of the Company, and all such Persons as he respectively calls to his Assistance, and without any Warrant other than this Act, may seize and detain any Person whose Name and Place of Abode are unknown to the Person so seizing, and who commits any Offence against this Act, and may convey him before a Justice of the Peace for the County in which the Offence was committed, and such Justice may deal with the Offender as if he had been duly summoned or brought by Warrant before him.

Justices may act in both Counties.

**104.** In all Cases where the Commission of any Offence against this Act is not confined to One County only, but extends to both of the Counties within which the Bridge or the Roads or Approaches is or are situate any Justice of the Peace for either of the Counties may and shall take cognizance of and hear and determine the same as he might do in

case

case the Offence had been committed in the County for which he is authorized to act as a Justice.

Contracts respecting Company's Floating Jetties.

**105.** The Company on the one hand and all or any of the *Southampton* Port and Harbour Commissioners, and the Pier Commissioners, and the *Southampton, Isle of Wight, and South of England* Royal Mail Steam Packet Company (Limited), and the *Southampton, Isle of Wight, and Portsmouth* Improved Steamboat Company (Limited), and any other Company or Person competent in that Behalf on the other hand, from Time to Time may enter into and carry into effect all such Contracts, Agreements, and Arrangements as the contracting Companies think fit, and on such Terms and Conditions whatsoever as the contracting Parties think fit with respect to the User of all or any Part of the Company's Floating Jetties and Landing Places, and the Works and Conveniences connected therewith, and the Tolls and Charges to be paid upon or in respect of the same, and all Matters incidental or necessary thereto.

Power to lease Company's Floating Jetties, &c.

**106.** The Company may make, and all or any of the *Southampton* Port and Harbour Commissioners, and the Pier Commissioners, and the *Southampton, Isle of Wight, and South of England* Royal Mail Steam Packet Company (Limited), and the *Southampton, Isle of Wight, and Portsmouth* Improved Steam Boat Company (Limited), and any other Company or Person competent in that Behalf, may accept a Lease of all or any Parts of the Company's Floating Jetties and Landing Places, and the Works and Conveniences connected therewith, and the Tolls to be taken in respect thereof, and any such Lease may be for such Period not exceeding Twenty-one Years and on such Terms and Conditions as the Parties thereto think fit.

Power and Duties of Lessees.

**107.** Every such Lease shall, during the Continuance thereof, entitle the Lessees therein named and their Officers and Servants to the Possession, Management, User, and Enjoyment of the demised Premises and such as are specified in the Lease of the Powers, Authorities, and Immunities of the Company relating to the demised Premises, and during the Continuance of the Lease the Lessees and their Officers and Servants shall, with respect to the demised Premises and all incidental Matters be subject to and perform and observe the Duties, Obligations, and Liabilities which if the Lease were not made would under this Act be incumbent on the Company and their Directors, Officers, and Servants in respect of the same.

Power to compound Pier Tolls.

**108.** Whereas by the Pier Act (Section Fifty-six) all Captains, Masters, or Persons in command of Steamboats carrying Passengers are required in the Manner and at the Times therein mentioned to come alongside the Pier under a Penalty of not exceeding Five Pounds, and it is expedient that Provision be made for compounding in manner herein-

after mentioned for the Tolls payable at the Pier: Therefore the Pier Commissioners from Time to Time shall, if required by the Captain, Master, or Owner of any Steamboat engaged in transporting Passengers or carrying Cargoes or frequenting the Port of *Southampton*, or with any other Person frequenting the Pier either for the Purposes of Business or Pleasure, compound by the Year or other longer or shorter Period with such Captain, Master, Owner, or other Person for all or any of the Pier Tolls payable under that Act, and may accept or take such Sum of Money as may from Time to Time be agreed upon or determined, as herein provided, in lieu of such Tolls: Provided that such Composition shall be at all Times made with all Persons requiring to compound equally under like Circumstances; provided that if the Pier Commissioners and any such Captain, Master, Owner, or other Person cannot agree as to the Terms of such Composition, the same shall from Time to Time be settled by an Arbitrator to be appointed by the Board of Trade on the Application of either Party, and the said Arbitrator shall determine by which of the Parties or in what Proportion by each Party the Costs of the Arbitration shall be paid; provided also, that during the Continuance of any such Composition the Captain, Master, or Owner of any such Steamboat in respect of which such Composition shall have been made shall be exempt from the Obligation and Penalty imposed by that Section.

Power to Lease the Company's Undertaking.

**109.** The Company from Time to Time may demise or lease their Undertaking, Works, and Property, or any Part thereof, or the Tolls or any Part of the Tolls thereof, to any Person competent to accept a Lease thereof for such Term of Years (not exceeding Three Years) and at such Rent and on such Terms and Conditions as they think proper: Provided that nothing in this Section contained shall authorize the Company to lease their Undertaking, Works, and Property, or the Tolls thereof, to or to any Trustee for the Company of Proprietors of the *Northam* Bridge and Roads or to enter into any Arrangements whatsoever with that Company whereby the Undertaking or any Part thereof might directly or indirectly be vested in that Company.

Contracts or Leases not to affect Persons not Parties thereto.

**110.** Provided always, That no such Contract or Lease as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls which the respective Parties to such Contract or Lease shall for the Time being be respectively authorized and entitled to demand or receive from any Person or any other Company, but all such other Persons and Companies shall, notwithstanding any such Contract or Lease, be entitled to the Use and Benefit of any of the said Pier, Floating Jetties, Undertaking, and Works of the Company, upon the same Terms and Conditions and on Payment of the same Tolls as they would have been in case no such Contract or Lease had been entered into.

**111.** Nothing

Saving Rights of Commissioners, Companies, &c., herein named.

**111.** Nothing in this Act contained shall take away, lessen, or prejudice any of the Estates, Rights, Interests, Powers, Privileges, and Authorities of the *Southampton* Port and Harbour Commissioners, or the *Southampton* Dock Company, or any Steam Vessel Company named in this Act, or (except only as is by this Act expressly provided) of the Pier Commissioners.

Reserving Rights of Corporation of Southampton.

**112.** Except as is by this Act expressly provided, nothing in this Act contained shall extend or be construed to extend to affect, prejudice, alter, abridge, or take away, any Rights, Estates, Powers, Immunities, and Advantages or Privileges whatsoever belonging or appertaining to the Mayor and Corporation of the Town and County of the Town of *Southampton*.

Company not exempt from Provisions of General Acts.

**113.** Nothing in this Act contained shall exempt the Company from the Provisions of any present or future General Act relating to Harbours, Docks, and Piers, or to any future Revision or Alteration, under the Authority of Parliament, of the Tolls by this Act authorized.

Saving Rights of the Crown.

**114.** Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the said Company to take, use, or in any Manner interfere with any Foreshore or other Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty first had and obtained for that Purpose, (which Consent such Commissioners are hereby respectively authorized to give,) neither shall anything in the said Act or Acts contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of Act.

**115.** All the Costs, Charges, and Expenses of and incident to the preparing and applying for, obtaining, and passing of this Act shall be borne and paid by the Company.

The

# The SCHEDULE to which the foregoing Act refers.

## SECTIONS AND PROVISIONS OF REPEALED ACTS SAVED.

### *From the Act of* 1834 (*4 & 5 William IV., Chapter* 85.)

**Power to build a Floating Bridge.**

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

**Requiring the Company to place and**

III. Provided always, and be it further enacted, That the said Company or their Committee shall and they are hereby required, at the Costs and Charges of

of the said Company, if directed by the Lords Commissioners of the Admiralty, to provide or put down, or place and maintain in the said River, on each Side of the said Bridge, at such Places in the said River as the Harbour Master of the Port of Southampton or other Person whom the said Lords Commissioners shall authorize for the Purpose shall direct, such and so many proper and sufficient Warping Buoys, of such Materials and Dimensions, Weight and Power, as shall be required by the said Lords Commissioners.

maintain Warping Buoys.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to authorize the making any Pier, Embankment, Buttress, or other Work of any Kind in the Bed of the said River or on the Shore thereof below High-water Mark, or within the Flux of the Tide, without the previous Consent of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, to be signified in Writing by One of the Secretaries of the Admiralty, and then only under such Conditions and Limitations as the said Commissioners for executing the Office aforesaid shall deem expedient for the Preservation of the Navigation of the said River.

No Work to be made in the Bed of the River without the Sanction of the Admiralty.

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

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

XXXIV. Provided nevertheless, and be it further enacted, That it shall not be lawful for the said Company, or any other Person or Persons under the Authority

Materials not to be carried out of private

**Ground without Notice.**

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

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

XXXV. And be it further enacted, That it shall be lawful for the said Company and their Agents, Workmen, and Servants, from Time to Time and at all Times from and after the passing of this Act, at their Will and Pleasure, to bring, place, lay, work, and use any Timber, Stone, Brick, Lime, or other Materials for making, or building, or for repairing or maintaining the said Landing Places or Approaches or Works, or to bring, place, and lay any Stones, Gravel, or other Materials for making, repairing, or amending the said Roads, or either of them, or for executing any other of the Purposes of this Act, in, upon, through, and over any Common or Waste Ground within Five hundred Yards of the said Bridge, or Approaches or Roads respectively, without making any Recompence for so doing, and also in, upon, through, and over any private Lands or Grounds within One hundred Yards of the said Bridge or Approaches or Roads respectively; doing as little Damage as may be, and making Satisfaction for such Damage to the Owners and Occupiers of such Lands or Grounds, and in case of Dispute about the Quantum of such Damage and Satisfaction, the same shall be settled by any Two or more Justices of the Peace for the County wherein the Damage shall be done, and such Justices are hereby authorized and empowered to hear, settle, and determine the same accordingly

**Power to remove Annoyances.**

XXXVI. And be it further enacted, That it shall and may be lawful for the said Company or the Committee to be appointed as herein-after mentioned, and for their Surveyor or Surveyors, or for such Person or Persons as the said Company or Committee, or either of them, shall appoint for that Purpose, to remove and prevent all Annoyances on the said Landing Places, Approaches, and Roads by Filth, Dung, Ashes, Rubbish, or otherwise, and to turn any Watercourses, Sinks, or Drains running into, along, or out of the said Roads to the Prejudice thereof, and to open, scour, and cleanse any Watercourses or Ditches adjoining to the said Roads, and make the same as deep and large as he or they shall think proper and necessary, and to cut down, lop, or top any Trees or Bushes growing in the said Roads, and the Hedges or Banks adjoining thereto, and to take and carry away the same in case the Owners or Occupiers of the Premises shall neglect to remove the same, or to cut down or carry away such Trees or Bushes as aforesaid, or to open, scour,

scour, or cleanse such Watercourses or Ditches, or remove any such other Annoyances for the Space of Seven Days next after Notice in Writing given for that Purpose by the said Company or Committee, or their Surveyor or Surveyors for the Time being, the Charges whereof to be settled by any Two Justices of the Peace of the County within which such Annoyance shall happen, and which Charges the said Justices are hereby authorized and empowered to settle accordingly, shall be reimbursed to the said Company by such Owners or Occupiers, the same to be recovered in such Manner as Penalties and Forfeitures are herein-after directed to be recovered; and if, after the Removal of any of the said Annoyances, any Person shall again offend in the like Kind, every such Person shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Parishes not to be liable to the Repairs of Roads.

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

Bridge and Roads vested in the Company.

LXXIV. And be it further enacted, That the Right and Property of and in the said Bridge, Landing Places, and Approaches, and in all Piers, Chains, Buttresses, Abutments, and other Works and Machinery to be from Time to Time made or provided for the necessary or convenient Establishment or Use of the said Bridge, and in the said Roads and Footpaths, and of and in all Toll Houses, Gates, and Bars, and of and in all Buildings and other Conveniences, and of all Tunnels, Arches, Culverts, Posts, Rails, and Fences erected, set up, or provided, or to be erected, set up, or provided in or upon or across the said Roads, or any or either of them, or on the Side or Sides thereof, under and by virtue of this Act, and of all Materials, Matters, and Things which shall be from Time to Time gotten or provided by or by the Order or Authority of the said Company or Committee for erecting, building, making, maintaining, and repairing the said Bridge and Approaches and Works and Roads, or any or either of them, or for any or either of the Purposes of this Act, shall be and the same are hereby respectively vested in the said Company and their Successors, and they are hereby empowered and authorized to bring, or cause to be brought, any Action or Actions, and to prefer and prosecute One or more Indictment or Indictments against any Person or Persons who shall steal, take, carry away, or injure or damage the same or any Part thereof, or disturb them in the Possession of the same or any Part thereof.

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

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

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

**Exempting certain Persons from Toll and declaring certain others entitled to use Bridge on Payment of One Halfpenny.**

LXXXI. And that no Toll whatever shall be demanded or taken for passing upon the said Bridge of or from any Fisherman or Seafaring Person, being an Inhabitant of the said Parish of Saint Mary Extra, or of or from any Inhabitant whatever of the said Parish when going to or returning from Divine Service or the Performance of any religious Ceremony or Rite at the Parish Church of Saint Mary in the Town and County of the Town of Southampton, or for or on account of the passing upon the said Bridge of any Corpse for Interment at the said Church, or any Person or Persons bearing or attending upon or with such Corpse, or of or from any Child or Person being an Inhabitant of or Resident in the said Parish of Saint Mary Extra, and going to or returning from any School or Place of Education at or in the Town and County of the Town of Southampton aforesaid.

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

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

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

CII. And be it further enacted, That after the said Bridge shall be established if any Person shall for Hire, in any Way or in any Manner, convey any Person, Horse, Beast, or other Cattle, or any Coach, Chaise, Waggon, Cart, or other Carriage whatsoever, across the said River Hitchen at any Place or Places situate to the South of the said Bridge and within Five hundred Yards of the Southernmost Line or Limit of the said Bridge, or at any Place or Places situate to the North of the said Bridge and within or to the South of a straight Line drawn from the Hatch of a certain Sluice in the Bank of the Millpond numbered 27 in the Schedule to this Act annexed, in the Parish of Saint Mary aforesaid, across the said River to the South-westernmost Point of the Garden belonging to Joseph Chapman, situate in the village of Itchen, without Payment to the said Company or their Collectors or Lessees of the

Toll

## *The Itchen Floating Bridge Act*, 1863.

Toll or Tolls which ought to be paid by virtue of this Act, or whereby such Tolls or any Part thereof may be evaded or shall be in anywise aiding or assisting therein, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, one Moiety thereof shall be paid to the Informer and the other Moiety to the Treasurer of the said Company, for the Purposes of this Act, and shall also pay to the said Company the Amount of the Tolls which shall be thereby so evaded, to be recovered and levied in like Manner as such Penalty may be recovered or levied by virtue of this Act.

Saving Rights of the Corporation of Southampton.

CXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend, to affect, prejudice, alter, abridge, or take away any Rights, Estates, Powers, Immunities, and Advantages or Privileges whatsoever belonging or appertaining to the Mayor and Corporation of the said Town and County, or to any other Person or Persons whomsoever (except such as are hereby expressly taken away or altered), but that all such Rights, Estates, Powers, and Privileges shall continue in full Force and Effect, and may be exercised and enjoyed in as full and ample a Manner to all Intents and Purposes as if this Act had not been made, anything herein contained to the contrary notwithstanding.

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## *From the Act of* 1835 (5 & 6 *William IV., Chapter* 71.)

Company empowered to place a Chain across the Bed of the River, to erect Pier, &c., as herein directed.

I. That it shall be lawful for the said Company, and they are hereby anthorized and empowered for the Purposes of the said Act, to stretch, throw, fix or put, place and lay down One or more Chain or Chains across the Bed of the said River and also to build, erect, and make proper Piers, Buttresses, Quays, Houses, and Landing-Places of good and substantial Materials on the Lands authorized to be taken by virtue of the Powers or Provisions of the said recited Act, on each Side or Bank of the said River, in such Situation as the said Company shall, with the Consent of the Lords of the Admiralty, think proper, to the South or the Southernmost Corner or Extremity of a certain Slate Wharf now in the Occupation of Richard and William Coles and Fifty Feet at the least to the South of the Cross House on the Western Side or Bank of the said River, and to the South of certain Rails called the Boundary Rails, situate South-west of the Royal Oak Public House, and dividing the Ferry Beach from the Property of Thomas Chamberlayne, Esquire, on the Eastern Side or Bank of the said River, and also to open, form, make, and maintain all necessary Openings, Ways, or Approaches to the Landing Places, so to be made on both Sides of the said River, within Two hundred Yards from such respective Landing Places, and to make and construct all such Footpaths, Causeways, Steps, and Works as shall be necessary for the convenient public Use of the said Approaches, Landing Places, and of the Floating Bridge, the said recited Act or anything therein contained to the contrary in anywise notwithstanding.

No Works to be made in the Bed of the River without the Sanction of the Admiralty.

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

## *The Itchen Floating Bridge Act*, 1863.

Flux of the Tide, without the previous Consent of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, to be signified in Writing by One of the Secretaries of the Admiralty and then only under such Conditions and Limitations as the Commissioners for executing the Office aforesaid shall deem expedient for the Preservation of the Navigation of the said River.

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### *From the Act of* 1839 (2 & 3 *Victoria, Chapter* 68.)

Proviso to Section II.

Power to purchase Lands, Roads, &c.

Provided always, that nothing herein contained shall extend or be construed to extend to enable the said Company to purchase or take any Lease of or Interest in a certain Bridge over the said River Itchen, called Northam Bridge, or any of the Roads or Approaches thereto or the Tolls thereof.

Name, &c., of Persons claiming Exemption to be entered in a Book.

XXVI. And be it further enacted, That no Person claiming any Exemption from any of the said Tolls under the Provisions of the said first-recited Act, upon the Ground of being a Fisherman or Seafaring Person, or otherwise being an Owner, Occupier, or Inmate or Inhabitant of the Parish of Saint Mary Extra, shall be entitled to the Benefit of any such Exemption, unless his or her Name and Residence, and the Ground upon which he, she, or they shall claim such Exemption shall, prior to claiming such Exemption, have been stated to the Collector of Tolls at the said Bridge, to the Intent that the same may be, without Fee or Reward, entered in a Book or Books which shall be kept at the Toll House of the said Bridge for such Purpose.

Declaring certain Persons entitled to use Bridge on Payment of One Halfpenny.

XXVII. Provided always, and be it further enacted, That no greater Toll than the Sum of One Halfpenny shall be demanded or taken each Time of passing upon the said Bridge of or from any Passenger or Person being Owner, Occupier, or Inmate of any House in the Parish of Saint Mary Extra aforesaid and not rated to the Relief of the Poor; or being Owner, Occupier, or Inmate of any such House in the said Parish as aforesaid and rated to the Relief of the Poor at an Assessment not exceeding Fifteen Pounds per Annum for his or her Passage upon the said Bridge.

Saving Rights of Southampton Docks Company (6 Will. 4. c. 29.)

XXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, or prejudice or diminish, alter, abridge, or take away, or in any Manner interfere with or affect the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled an Act for making and maintaining a Dock or Docks at Southampton, but the same shall remain and continue in the same Manner as if this Act had not been passed.

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### *From the Act of* 1851 (14 & 15 *Victoria, Chapter* 109.)

Instead of paying off Mortgages

IX. That in case the said Company shall at any Time or Times be desirous of paying off any Portion of the Principal Monies due and owing upon Mortgage

Mortgage of the said Undertaking or of the Tolls thereof, where all the Interest due thereon shall have been duly paid or otherwise satisfied, it shall and may be lawful for the Directors of the said Company, if they shall think fit, instead of paying the same rateably amongst all the Mortgagees, to determine by Lot to which of such Mortgagees the whole or any Portion thereof shall be so paid, and to pay the same to such Mortgagee or Mortgagees only, or to any of the Mortgagees, with the Consent of all the other Mortgagees.

rateably, Company may do so by Lot.

X. That nothing in this Act contained shall extend to prejudice the Rights and Interests of the present Mortgagees of the said Company; but it shall be lawful for the said Company to enter into any Arrangements with the said Mortgagees for the Purpose of securing to the Holders of the Preference Shares hereby authorized to be created a Dividend on such Shares respectively before any Interest shall be payable to the said Mortgagees.

Saving Rights of the Mortgagees of the Company.

XXIII. That no greater Toll than the Sum of One Halfpenny shall be demanded or taken each Time of passing upon the said Bridge, or using the Boats of the Company, of or from any Persons who shall be bonâ fide Occupiers, Residents, and Inmates (but not as temporary Lodgers or Owners, not resident) in any House in the said Parish of Saint Mary Extra, who either are not rated to the Relief of the Poor or are rated at an Assessment not exceeding Fifteen Pounds per Annum.

Certain Persons entitled to use Bridge on Payment of One Halfpenny.

XXIV. That no Toll whatever shall be demanded or taken from any Fisherman or other Inhabitant of the Parish of Saint Mary Extra for or in respect of any Fish borne or carried by them upon or over the said Bridge, or in the Boats of the Company across the said River.

Fish carried by certain Persons exempt from Toll.

XXV. That the Words "Fishermen," "Seafaring Men," and "Seafaring Persons," in the said recited Acts, or any of them, shall not be deemed or construed to extend to or include any Person who shall not be bonâ fide a Fisherman, Seaman, Mariner, Sailor, or Pilot, or who shall not have been such Fisherman, Seaman, Mariner, Sailor, or Pilot, and be incapacitated by Age or Infirmity, and that the Words "Handicraft Inhabitants of the Village of Itchen," in the said first-recited Act shall not be deemed or construed to extend to or include any Person not residing within the Limits of the present Village of Itchen, and carrying on his Business within the same Limits.

Interpretation of the Words "Seafaring Men," &c.

XXVI. That nothing in the said recited Acts or either of them contained shall be construed to exempt any Inhabitant of the said Parish of Saint Mary Extra from the Payment of Toll for passing upon the said Bridge, or over the said River Itchen, on the Bridge or in the Boats of the said Company, when going to or returning from Divine Service, as in the first-recited Act mentioned except during the Hours of and for One Hour before the Commencement of Divine Service at the Parish Church of Saint Mary in the Town and County of the Town of Southampton, and One Hour after the Close of such Divine Service, nor shall any Child or Person being an Inhabitant of or resident in the said Parish of Saint Mary Extra, be exempt from the Payment of Toll as aforesaid by reason of his, her, or their going to or returning from any School or Place of Education at or in the Town and County of the Town of Southampton aforesaid, except such Child or Person shall be an Inhabitant of and residing

As to Exemption from Tolls by Persons going to or returning from Church.

residing in, a House situate in the Parish of Saint Mary Extra aforesaid, either not rated to the Poor of the said Parish, or rated in a Sum not exceeding Twelve Pounds per Annum.

Names of Persons claiming Exemption to be entered in a Book kept at the Toll House of Bridge.

XXVII. That after such Notices as are herein mentioned shall have been affixed during Seven Days, no Person claiming to pass over the said Bridge, or by the Boats of the Company on Payment of the Sum of One Halfpenny, or claiming Exemption from the Payment of Toll by reason of the Provisions in this or either of the said recited Acts, shall be entitled to the Benefit of any such Privilege or Exemption, unless his or her Name and Residence, and the Ground upon which he or she shall claim such Privilege or Exemption shall have been stated and signed in the Form or to the effect set forth in the Schedule to this Act to the Collector of Tolls at the said Bridge, of which Form a printed Copy shall be supplied at the Expense of the Company to any Person or Persons entitled to such Privilege or Exemption as aforesaid, to the Intent that the Name and Residence of every Person claiming any such Exemption or Privilege may be, without Fee or Reward, registered in a Book or Books which shall be kept at the Toll House of the said Bridge for such Purpose: Provided always, that the said Company shall cause a Notice to be fairly written or printed, and to be put up for public View in a conspicuous Part of the Toll House of the said Company for Seven Days before it shall be requisite for any Person or Persons claiming Exemption or Privilege as aforesaid to state as aforesaid his or her Name, Residence, or Ground of Exemption or Privilege as aforesaid; provided also, that any Claim to the Privilege of passing on Payment of One Halfpenny may be made by the Parent or Head of any Family for or in respect of the Children or other resident Inmates of his or her Household who may be entitled to such Privilege, and that the Claim so stated and signed by such Parent or Head of a Family shall be sufficient to entitle such Children and resident Inmates to the Privilege aforesaid.

Claims to exemption to be decided by Justices of the Peace in the event of Dispute.

XXVIII. That if any Dispute or Difference shall arise between the said Company and any Person claiming the Benefit of any Exemption or Privilege under the Provisions of the said recited Acts, or of this Act, the same shall be decided by Two Justices of the Peace for the County of Southampton, or of the Town and County of the Town of Southampton, who, upon Information or Complaint made to them by any Person claiming such Exemption or Privilege, shall issue his Summons to the Clerk of the said Company, and on hearing such Complaint shall determine whether such Claim should be allowed by the said Company, and shall either dismiss the said Summons or shall order and direct that the Name and Residence of such Claimant shall be registered in the Manner herein-before provided under a Penalty not exceeding Twenty Pounds, to be recovered of the said Company and applied in such Manner as may be directed by such Justices for the Benefit of any local Public Charity.

Penalty on the Company discontinuing the working of the Bridge.

XLV. That if at any Time or Times after the Expiration of Nine Calendar Months from the passing of this Act the working of the said Bridge shall be discontinued either wholly or in part during the Hours or Times when it ought to be worked pursuant to this Act or the said recited Acts or either of them (except such Time or Times as shall be necessarily required for the repairing of

of the said Bridge or the Machinery and Works connected therewith), then during such Discontinuance of the working of the said Bridge, notwithstanding anything to the contrary contained in this Act or the said recited Acts or either of them, it shall not be lawful for the Company, or their Mortgagees or Mortgagee, or Lessees or Lessee, or any of them, to demand or take for the Passage of any Person across the said River by the Boats of the Company more than One Half of the Toll or Sum of Money by this Act authorized to be demanded and taken for such Passage; and if the Company, or their Mortgagees or Mortgagee, or Lessees or Lessee, or any other Person, shall, during such Discontinuance of the working of the said Bridge as aforesaid, demand or take more than One Half of any such Toll from any such Passenger or Passengers for the said Passage across the said River, the Person or Persons so demanding or taking the same, shall in every such Case forfeit and pay the Sum of Forty Shillings, which shall be recoverable on Information laid or Complaint made before any Justice or Justices of the Peace acting in and for the County of Southampton, in such Manner as is provided in the first-recited Act in respect of any Penalty or Forfeiture imposed and made recoverable by such Act; but, nevertheless, every Sum of Money which shall be recovered by virtue of this Clause shall be paid and applied for the Benefit of such local Charity as the Justice or Justices of the Peace by whom such Complaint shall be heard and determined shall order and direct: Provided always, that in addition to the Time or Times necessarily required for the repairing of the said Bridge and Machinery, and the Works connected therewith, the Company shall be entitled to discontinue the working of the said Bridge immediately before the Commencement and immediately after the Completion of such Repairs for such longer Time as the Company shall deem necessary or expedient, not exceeding in the whole Thirty Days within any Twelve consecutive Months, without being liable to accept less than the full Tolls authorized by this Act.

**Power to order an Engineer to inspect the Condition of the Bridge and Works.**

XLVI. That whensoever after the Expiration of Nine Calendar Months from the passing of this Act the working of the said Bridge shall be discontinued during the whole or any Part of the Hours or Times when the same ought pursuant to this Act or the said recited Acts, or either of them, to be worked, it shall be lawful for any Justice or Justices of the Peace acting in and for the County of Southampton, upon Application to him or them made in Writing by any Five Inhabitants of the said Parish of Saint Mary Extra, who shall severally for the Time being be rated to the Relief of the Poor at a Sum not less than Fifteen Pounds, to make an Order in Writing under the Hand or Hands of such Justice or Justices of the Peace, that some Engineer or other competent Person to be nominated in such Order shall or may examine the State and Condition of the said Bridge and the Machinery and Works connected therewith; and the Company or the Mortgagee or Mortgagees, or Lessee or Lessees thereof, or other the Person or Persons who shall be in possession or have the Charge of the said Bridge and Machinery, or either of them, shall, on Production to them or him of such Order of a Justice or Justices of the Peace, permit the Engineer or other Person therein nominated in that Behalf to enter and view the State and Condition of the said Bridge and Machinery respectively: Provided always, that no such Order as aforesaid shall be made unless Notice in Writing of such intended Application to the said Justice or Justices shall have been given under the Hands of the said

Applicants not less than Five Days previously to such Application to the Clerk of the Company, or, in case there shall be no such Clerk, then to the Person who for the Time being shall collect the Tolls for the said Ferry.

For giving effect to the Proviso for Re-entry.

XLIX. That the Proviso or Agreement for Re-entry by this Act directed to be inserted in each such Conveyance as aforesaid shall be good and valid Authority for the said Company to enter into and upon and take possession of the Lands and Hereditaments comprised in each Conveyance as to which there shall have been Breach of Covenant and Nonperformance after Notice as aforesaid; and that the same Land and Hereditaments, together with any Dwelling House or other Building which may have been erected thereon or on any Part thereof, shall, after Entry lawfully authorized as aforesaid, become and be absolutely vested in the said Company, their Successors or Assigns, for such Period of Five Years as aforesaid, without any Condition, Claim, or Limitation whatsoever, except only that the said Lands and Hereditaments shall not be used for any of the objectionable Purposes herein-before referred to.

Purchasers Covenants to run with the Lands.

L. That the Covenants which shall be entered into by any Purchaser or Purchasers of any Part of the said Land and Hereditaments to erect a Dwelling House or Dwelling Houses of the respective Values aforesaid, and to prevent the User of the same House or Houses for any noisome, offensive, or other Trade or Business as aforesaid, shall be deemed to run and shall run with the Land purchased by him or them, and shall bind the Purchaser or Purchasers thereof, his, her, and their Heirs, Appointees, and Assigns.

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## *Schedule to the Act of* 1851 (14 & 15 *Victoria, Chapter* 109.)

### The SCHEDULE herein-before referred to.

### SOUTHAMPTON AND ITCHEN FLOATING BRIDGE AND ROADS COMPANY.

CLAIM FOR PRIVILEGE OF REDUCED TOLL.

| Date of Claim. | Christian and Surname. | Residence. | Ground of Claim. |
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SOUTHAMPTON

SOUTHAMPTON AND ITCHEN FLOATING BRIDGE AND ROADS COMPANY.

CLAIM FOR TOTAL EXEMPTION FROM TOLL.

| Date of Claim. | Christian and Surname of Claimant. | Residence. | Occupation. |
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