ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

****

Cap. lxvii.

An Act to repeal, amend, and enlarge some of the Provisions of the Act relating to the Metropolitan Suspension Bridge. [4th *July* 1838.]

WHEREAS an Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for erecting and maintaining* 6 & 7 W. 4.
a Bridge across the River Thames *from* Church Street *in the Parish* c. 134.
of Saint Mary Lambeth *in the County of* Surrey *to the opposite Bank of the said River near* Market Street *in the Parish of* Saint John the Evangelist *within the City and Liberty of* Westminster *in the County of* Middlesex: And whereas in the said Act several Persons are named and appointed a Committee of Management for putting the Provisions thereof into execution, and some of them having become disqualified from acting as Members of such Committee, and others residing at considerable Distances from the Place appointed for holding their Meetings, great Delay and Inconvenience has consequently arisen in putting the said Act into execution; and it is therefore expedient that the Powers and Provisions relating to the Appointment and Qualification of the Members of the Committee of Management should be repealed or altered, and that other Provisions of the said Act should be amended and enlarged; but the same cannot be effected without the Authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers, Provisions, Authorities, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained in the said recited Act (except such of them, or such Parts thereof respectively, as are by this Act repealed, altered, or otherwise provided for) shall extend and be construed to extend to this Act, and to the Purposes and Things hereby authorized or required to be effected and done, and shall operate and be in force in respect of the Purposes of this Act, as fully and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Provisions, Authorities, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things were repeated and re-enacted in this Act.

Powers, &c. of recited Act extended to this Act.

II. And whereas by the said recited Act it is enacted, that for the better managing and conducting the Affairs of the Company there should be a Committee of Management, and that Twenty-seven Persons therein named should be the first Committee of Management, and should all continue in Office until the Annual General Meeting in One thousand eight hundred and thirty-seven, or some Adjournment thereof, unless any Member of the said Committee of Management should die or be removed, or should cease to be entitled to Ten Shares in the said Undertaking; and that at the Annual General Meeting in One thousand eight hundred and thirty-seven, or some Adjournment thereof, at which the Election of Five Members of the Committee should take place, Five Members of the Committee should go out of Office; and in order to determine which of the Members should go out of Office the Secretary of the said Company at such Meeting should and he is thereby required to write the Name of each one of the Members of the said Committee by itself on a distinct Piece of Paper, and such Fifteen Papers, which should be of equal Size, should be rolled up in the same Form, as near as may be, and be put into a Box or Wheel, and Five of such Papers should be then drawn out of such Box or Wheel by such Secretary one by one, and the Members of the Committee whose Names should be upon such Five Papers respectively should go out of Office; and the Five Persons elected at such Meeting in the Place of the Five Members who should go out of Office should continue in Office until the Annual Meeting in the Third succeeding Year, or some Adjournment thereof, at which the Election of Five Members of the said Committee should take place, unless they respectively should die or be removed, or cease to be entitled to Ten Shares; and at the Annual General Meeting in One thousand eight hundred and thirty-eight, or some Adjournment thereof, at which the Election of Five Members of the said Committee should take place, Five more Members of the Committee thereby appointed, or the Person or Persons elected in their or any of their Room or Stead, should go out of Office; and in order to determine which Five Members of the Committee should go out of Office the Secretary of the said Company at such Meeting should and he is thereby required to

Repealing Clauses appointing Committee of Management.

to write the Name of each one of such Ten Members by itself on a distinct Piece of Paper, and such Ten Papers, which should be of equal Size, should be rolled up in the same Form, as near as may be, and be put into a Box or Wheel by such Secretary, and Five of such Papers should then be drawn out of such Box or Wheel by such Secretary one by one, and the Members of the Committee whose Names should be upon such Five Papers should go out of Office; and the Five Persons elected at such Meeting in the Place of the Five Members who should then go out of Office should continue in Office until the Annual Meeting in the Third succeeding Year, or some Adjournment thereof, at which the Election of Five Members of the said Committee should take place, unless they respectively should die or be removed, or cease to be entitled to Ten Shares; and at the Annual Meeting in One thousand eight hundred and thirty-nine, or some Adjournment thereof, at which the Election of Five Members of the said Committee should take place, the Five remaining Members of the Committee appointed by that Act, or the Person or Persons elected in his or their Room or Stead, should go out of Office; and the Five Persons elected at such Meeting in the Place of the Five Members who should then go out of Office should continue in Office until the Annual Meeting in the Third succeeding Year, or some Adjournment thereof, at which the Election of Five Members should take place, unless they respectively should die or be removed, or ceased to be entitled to Ten Shares; and at the Annual Meeting in every succeeding Year, or some Adjournment thereof, the Five Members who should have been longest in Office, or the Person or Persons elected in their or any of their Room or Stead, should go out of Office: And whereas it is expedient that the said Provisions should be repealed, and that other Provisions should be made instead thereof; be it therefore enacted, That the said Provisions shall be and the same are hereby declared to be repealed.

Committee of Management to be elected at a Special General Meeting.

III. And be it further enacted, That a Special General Meeting of the said Company shall be held within Two Calendar Months next after the passing of this Act for the Purpose of electing Nine Persons respectively possessed in their own Right of Five Shares in the said Undertaking as a Committee of Management, to manage and conduct the Affairs of the said Company, by the Proprietors present at such Meeting, either personally or by Proxy; and the Clerk to the said Company shall and he is hereby required to give Notice of such Special General Meeting by public Advertisement in One or more Newspaper or Newspapers printed or circulated in the Counties of *Middlesex* and *Surrey* Seven Days at least before the Time appointed for holding such Meeting, and such Notice shall specify the Time, Place, and Object of such Special General Meeting; and any Three or more of the Members of the Committee elected under the Authority of this Act shall be competent to act; and the several Persons so to be elected, being duly qualified, and not declining to act, and the Survivors of them, shall be the Members of the said Committee, and shall continue in Office until the yearly General Meeting of the said Company which shall be held in the Month of *September* in the Year One thousand eight hundred and thirty-

thirty-nine, and until other Members of the Committee shall be elected in their Stead in pursuance of this Act; and the said Company at any General Meeting shall have Power to fix what Remuneration (if any) shall from Time to Time be allowed to the Members of the said Committee of Management: Provided always, that such Committee of Management so to be elected shall be invested with and may exercise the like Powers and Authorities as are by the said recited Act granted to the Committee of Management therein named.

Members of the Committee to go out of Office by Rotation, and their Places supplied at General Meetings.

IV. And be it further enacted, That at the General Meeting to be held in the Month of *September* which will be in the Year One thousand eight hundred and thirty-nine Three of the Members of the said Committee who shall have been so elected as aforesaid (to be determined by Ballot among themselves) shall go out of Office, and Three Persons who shall be Proprietors and respectively possessed in their own Right of Five Shares at the least in the said Undertaking (any thing in the said recited Act contained to the contrary notwithstanding) shall be elected by the said Company to be Members of the said Committee-men in their Place and Stead; and at the General Meeting to be held in the Month of *September* which will be in the Year One thousand eight hundred and forty, Three of the remaining Members of the said Committee who shall have been so primarily elected as aforesaid (to be determined as aforesaid) shall go out of Office, and their Places be supplied in like Manner; and at the General Meeting to be held in the Month of *September* which will be in the Year One thousand eight hundred and forty-one the remaining Three Members of the said Committee who shall have been so primarily elected as aforesaid shall go out of Office, and their Places be supplied in like Manner; and at the General Meeting to be held in the Month of *September* in every subsequent Year Three Members of the said Committee who shall have been longest in Office shall go out of Office, and their Places be supplied in like Manner: Provided always, that every Member of the said Committee who shall go out of Office on any annual Day of Election may be immediately or at any future Time re-elected by the said Company a Member of the Committee of the said Company, and after such Re-election he shall, with reference to the going out by Rotation, be considered as a new Member of the said Committee: Provided also, that the first Business to be transacted at all General Meetings of the said Company at which under the Provisions of this Act the Members of the said Committee are to be elected shall be the Election of such Members, and no other Business shall be transacted at such Meetings until after such Election shall be made.

Members of the Committee may be re-elected.

Committee of Management empowered to divide Shares.

V. And be it further enacted, That it shall be lawful for the Members of the Committee of Management to be appointed under this Act, and their Successors, to alter and vary the Amount of Shares into which the Capital or Joint Stock of the said Company is by the said recited Act declared to be divided, by dividing each of such Shares of Thirty Pounds into Three Shares of Ten Pounds each: Provided always, that in the Event of such Division being made,

made, every Proprietor of One or more of such Shares of Ten Pounds each shall, as regards the Number of Votes to which he shall be entitled, and the several Provisions of this and the said recited Act, in which the holding a certain Number of Shares is made a necessary Qualification for any of the Purposes of this or the said recited Act, be entitled, in respect of each Share of Ten Pounds, to the same Rights and Privileges as Shareholders would be entitled to in respect of any Share of the Value of Thirty Pounds, in case no Division thereof had been made.

Repealing Restriction as to Vote by Proxy.

VI. And be it further enacted, That so much of the said recited Act as provides that no Vote shall be given by Proxy except for a Female or a Corporation, or the Guardian or Guardians of an Infant, or the Committee or Committees of a Lunatic, shall be and the same is hereby declared to be repealed.

Proprietors may vote by Proxy.

VII. And be it further enacted, That at all General and Special General Meetings to be held by virtue of the said recited Act or this Act all Persons who shall respectively have duly subscribed for or become the Proprietors of Shares in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, when absent, may vote by their respective Proxies constituted under the Hands of the Proprietors appointing such Proxies, all such Proxies being Proprietors of Shares in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person; and the Appointment of every such Proxy may be made according to the Form prescribed in the said recited Act, or as near thereto as the Circumstances of the Case will admit; and all such Proxies shall be subject to the same Regulations and shall have the like Force and Effect as if the same had been given under the Authority of the said recited Act.

Repeal of certain Provisions in recited Act.

VIII. And whereas by the said recited Act it was enacted, that if any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons who should as therein mentioned consent to sell any Houses, Buildings, Lands, Tenements, or Hereditaments, or Interest therein or Charge thereon, or any such Person or Persons entitled to Satisfaction or Compensation for any Loss, Damage, or Injury which may be sustained from Time to Time by him, her, or them by the making of the said Bridge and Approaches or any of the Works to be made and maintained by virtue thereof, should not agree with the said Company as to the Amount of the Purchase Money or Compensation Money to be given for the same respectively, and should by Notice in Writing to be given to the Clerk of the said Company request that the Matter in dispute may be submitted to the Determination of a Jury, then and in every such Case the Committee of Management, or any Three or more of them, should and they were thereby empowered and required from Time to Time to issue a Warrant under their Hands and Seals directed to the Sheriff of the said County of *Middlesex* or of the said County of *Surrey*, (according as the Lands or Tenements in question should be situate or the Matter in dispute should

should arise,) commanding such Sheriff to impannel, summon, and return a Jury; and such Sheriff was thereby authorized and required accordingly to impannel, summon, and return Forty-eight substantial and indifferent Persons qualified to be returned for the Trial of Issues in Her Majesty's Courts of Record at *Westminster;* and the Persons so to be impannelled, summoned, and returned as aforesaid were thereby required to appear before such Sheriff at such Time and Place as in such Warrant or Warrants should be appointed; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men should be drawn in such Manner as Juries for the Trial of Issues joined in Her Majesty's Courts of Record at *Westminster* were directed to be drawn; and the said Sheriff was thereby required to swear or cause to be sworn the said Twelve Men, or such of them as should appear; and in case a sufficient Number of Jurymen should not appear at the Time and Place to be appointed as aforesaid, the said Sheriff should return and cause to be sworn other substantial, honest, and indifferent Men of the By-standers, or of others who could be speedily procured to attend that Service, being so qualified as aforesaid, to make the said Jury to the Number of Twelve; and all Parties concerned should have their lawful Challenges against any of the said Jurymen, but should not be at liberty to challenge the Array; and the said Sheriff was thereby empowered and required by a Summons or Notice to be signed by such Sheriff, either previously to or at the Time of any such Meeting or Meetings, to summon and call before him all and every or any Person or Persons whomsoever who should be thought proper and necessary to be examined as a Witness on his, her, or their Oath or Oaths touching or concerning the Premises; and the said Sheriff, if he should think fit, should on the Application of either Party likewise authorize the said Jury, or any Three or more of them, to view the Place or Places and Premises in question in such Manner as he should direct; and the said Sheriff should have Power to adjourn such Meeting from Day to Day as Occasion should require, and to command such Jury, Witnesses, and Parties to attend until all such Affairs for which they were summoned should be concluded; and the said Jury upon their Oaths, which Oaths, as well as the Oaths of such Person or Persons as should be called upon to give Evidence, the said Sheriff was thereby empowered and required to administer, should inquire of, assess, and ascertain, and give a Verdict for the Amount of such Purchase Money or Compensation Money, as the Case may be, according to the Terms of such Warrant or Warrants; and the said Sheriff should give Judgment for such Purchase Money or Compensation Money, as the Case may be, so inquired of or assessed, and should order the same to be paid by the said Company to the Party or Parties entitled thereto, according to the Verdict of such Jury respectively; and the said Verdict or Verdicts, and the said Judgment or Judgments, Order or Orders thereupon, should be signed by the said Sheriff, and should be binding and conclusive to all Intents and Purposes upon all such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate and Sole, or other Person or Persons as aforesaid, and all other Persons whomsoever, and should not be removed by Certiorari or any other Process into any of Her Majesty's Courts at *Westminster;* and it was thereby also enacted, that

that the said Sheriff and Juries should in their Awards, Determinations, Judgments, and Verdicts separately and distinctly apportion the Sums to be respectively paid for any Purchase Money or Compensation Money so and in such Manner that the same be clearly distinguished from each other; and it was thereby further enacted, that upon Payment or legal Tender of such Sum or Sums of Money as should have been contracted or agreed for, or should have been assessed or awarded by any Jury in manner therein mentioned to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, to the Bodies Politic and Corporate, Corporations Aggregate and Sole, or other the Person or Persons therein empowered to sell, or his, her, or their Agent or Agents, such Houses, Buildings, Lands, Tenements, and Hereditaments, or Parts or Shares, Estates, Interests, or Charges, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity of the Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or other the Person or Persons aforesaid, into or out of the Houses, Buildings, Lands, Tenements, Titles, Hereditaments, and Premises to be purchased as aforesaid, should vest in and become the sole Property of the said Company, for the Purposes of that Act, for ever, and they should be deemed in Law to be in the actual Seizin and Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Person or Persons having any Estate in the Premises had duly conveyed the same with Livery of Seizin or by any Conveyance or Assurance whatsoever; and such Payment or Tender should not only bar all Right, Title, Interest, Claim, and Demand of the Body or Bodies Politic, Corporate, or Collegiate, and Corporations Aggregate or Sole, Person or Persons, to whom the same should or ought to have been made, but also should extend to and be deemed and construed to bar the Dower or Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail, Rights, Titles, Interests, Claims, and Demands whatsoever in Possession, Reversion, Remainder, Expectancy, or Contingency therein or thereto; and it was thereby further enacted, that in case the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons to whom any Sum or Sums of Money should be awarded for the Purchase of any Lands, Tenements, or Hereditaments, or any Parts, Shares, Estates, or Interests therein or Charge thereon, to be taken or purchased by virtue of that Act, should refuse to accept the same, or to execute a proper Conveyance or proper Conveyances of the same Premises, or should not be able to make a good Title to the same to the Satisfaction of the said Company or their Committee of Management, or in case such Person or Persons to whom such Sum or Sums should be so awarded as therein mentioned could not be found, or if the Person or Persons entitled to such Lands, Tenements, and Hereditaments, Parts, Shares, Estates, Interest, or Charges be not known or discovered, then and in every such Case it should be lawful for the said Committee of Management, or any Three or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General

General of the Court of Exchequer, to be placed to his Account to the Credit of the Party or Parties interested in the said Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, (describing such Tenements or Hereditaments,) or if such Party or Persons should not be known, then to the Credit of the then unknown Person or Persons interested in the said Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, (describing the said Tenements or Hereditaments,) subject to the Order, Control, and Disposition of the said Court of Exchequer, on the Application of any Body or Bodies Politic, Corporate, or Collegiate, Person or Persons making claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, should and was thereby empowered in a summary Way of Proceeding, or otherwise as to the same Court should seem meet, to order the same to be laid out and invested in the Fublic Funds, and to order Distribution thereof according to the respective Estate or Estates, Title, or Interest of the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court should seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who should receive such Sum or Sums of Money were thereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same was or were received, to such Person or Persons as should pay any such Sum or Sums of Money into the Bank as aforesaid; and it was thereby further enacted, that all the Costs, Charges, and Expences, on the Part as well of the Seller as of the Purchaser, of all Conveyances and Assurances of any Lands which should be purchased or taken by the said Company for the Purposes of that Act, and of deducing, evidencing, and verifying such Title as the Company may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Company might require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, should be exclusively borne and paid by the said Company, and the said Company before entering into Possession of the Lands so purchased or taken should pay the Amount of such Costs, Charges, and Expences; provided always, that the said Company should not be prevented from entering into Possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, unless the Party or Parties from whom such Lands should have been purchased should, within Seven Days after Notice in Writing for that Purpose should have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company; and it was thereby further enacted, that if the said Company and the Party or Parties aforesaid could not agree as to the Amount of such Costs, Charges, and Expences, the same should be ascertained by the said Court of Exchequer; and it should be lawful for the said Court, on a Petition to be presented by the said Company or the Party with whom such Dispute should arise, to order and direct that such Costs, Charges, and Expences should be referred to one of the Masters of the said Court, to be taxed in the usual Manner, and after Taxation thereof to order and direct that the Amount of such Costs, Charges, and Expences so

taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as should be payable by the said Company to the Person or Persons from whom such Lands should have been purchased or taken, should be paid to the Person or Persons aforesaid: Provided always, that the said Company should not be at liberty to enter into the Possession of the Lands so purchased or taken until they should have deposited the Amount claimed in respect of such Costs, Charges, and Expences in the Hands of some Banker to be appointed by the Party with whom such Dispute should arise, or in the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The Metropolitan Suspension Bridge Company," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, which Sums should be applied under the Order of the said Court, on Payment of the said Costs, Charges, and Expences; provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, should be paid and borne by the said Company, unless One Sixth of the said Costs, Charges, and Expences should be disallowed, in which Case the said Expences should be paid and borne by the Person or Persons from whom the said Lands were purchased or taken, and the Amount there of might then be deducted by the said Company from the Sum payable by them, under the Direction or Award of the said Master; and it was thereby further enacted, that if any Person or Persons should wilfully or maliciously damage the said Bridge, or any Part thereof, or any Gate, Turnpike, or Toll House belonging thereto, or should wilfully or maliciously and without Authority from the said Company of Proprietors, or their Committee of Management, remove or take away any Works thereunto belonging, or in any Way direct or procure the same to be done, or should be aiding or assisting therein, whereby the said Bridge or the Works thereof might be damaged, any Person so offending should be judged guilty of Felony, and every such Person so offending, and being thereof legally convicted, should be subject to the like Punishments and Penalties as in Cases of Felony, and the Court by or before whom such Person should be tried and convicted should have Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or in Mitigation of such Punishment such Court may award such Sentence as the Law directs in Cases of Petty Larceny; and any Offence committed upon the said Bridge or any Part thereof should be punishable in either of the said Counties of *Middlesex* or *Surrey*; and it was thereby further enacted, that no Action or Suit should be brought against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance thereof after Three Calendar Months next after the Cause of Action should arise, and every such Action or Actions should be laid and brought in the County

1 G. 4. c. 35.

where the Cause of Action should arise, and not elsewhere, except where otherwise authorized by that Act; and the Defendant or Defendants in any such Action or Suit might, at their, his, or her Option, plead specially, or plead the General Issue, and give that Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Acts were done in pursuance and by the Authority of that Act; and if it should appear to have been so done, or that such Action or Suit was brought without Twenty-one Days Notice thereof having been given as aforesaid, in Cases in which such Notice was thereby required to be given, or after sufficient Amends tendered as aforesaid, or after the Time limited for bringing the same, or to be brought in any other County or Place than as therein mentioned, then and in any such Case the Jury should find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants should have appeared, or if upon Demurrer Judgment should be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants should recover Treble Costs, and should have the like Remedy for the same as any Defendant or Defendants hath or have for the Costs of Suit in other Cases by Law: And whereas it is expedient that the several Provisions herein-before recited should be repealed or varied, and other Provisions made instead thereof; be it therefore enacted, That the said recited Provisions shall be and the same are hereby repealed.

For ascertaining the Amount of Compensation for Damages.

IX. And whereas it is provided by the said recited Act that the said Company should make Compensation in respect of any Damages to be sustained by reason of Obstruction of Lights or any Damage that may be caused to any Lands, Houses, Buildings, Tenements, or Hereditaments on account of the said Company raising the Level of the Streets or Roads on both or either of the Sides of the said Bridge forming the Approaches thereto, or any other Works connected therewith: And whereas, inasmuch as there is no Provision in the said recited Act for ascertaining and settling the Value of such Compensation, in case of Difference between the Parties respecting the same, it is expedient that the Amount thereof should be ascertained and determined as herein-after directed; be it therefore enacted, That in case any Difference shall arise between the said Company and any Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons whomsoever, entitled under the Provisions of the said recited Act to any Satisfaction, Recompence, or Compensation for any Damage done by the said Company, their Agents or Workmen, in the Execution of any of the Powers of the said recited Act, and such Difference cannot be adjusted and settled between the Parties, the same shall be ascertained and determined, at the Expence of the said Company, by some Two or more Justices of the Peace for the said Counties of *Middlesex* or *Surrey*, (according as the Lands or Tenements in question shall be situate or the Matter in dispute shall arise,) who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Satisfaction, Recompence, or Compensation which shall be payable by the said

said Company: Provided always, that the Decision of such Justices shall be subject to Appeal in the Manner directed by the said recited Act.

The Bridge shall not become a County Bridge.

X. And be it further enacted, That the said Bridge shall not be deemed or taken to be a County Bridge, so as to subject the Counties of *Surrey* and *Middlesex* or the City and Liberty of *Westminster*, or any of them, to the Repair or Support of the same, or any Approaches by the said recited Act authorized to be made to such Bridge.

Company empowered to borrow when One Half the Capital is paid up.

XI. And whereas by the said recited Act the Capital of the said Company is limited to the Sum of One hundred and fifty thousand Pounds, to be divided into Shares of Thirty Pounds each, with Power to the said Company, in case the Capital should be found insufficient for the Purposes of the said Act, to raise the further Sum of Thirty thousand Pounds by way of Mortgage, or by granting Annuities on Security of the said Undertaking, or by increasing their Capital Stock by the Issue of further Shares, or by all or any of the said Means; and it is expedient that such Authority should be altered in manner herein-after mentioned; be it therefore further enacted, That it shall be lawful for the said Company to raise the said Sum of Thirty thousand Pounds, or any Part thereof, by all or any of the Means authorized by the said recited Act for that Purpose when and so soon as one Moiety of the said Capital of One hundred and fifty thousand Pounds shall have been paid up, with all the same Powers and Authorities for that Purpose as the said Company or Directors respectively might have exercised under the said recited Act if the whole of the said Capital had been paid up and found insufficient for the Purposes thereof.

For defraying the Expences of the Act.

XII. And be it further enacted, That all the Costs, Charges, and Expences of obtaining and passing this Act, and all other Costs, Charges, and Expences in any Way incident thereto, shall be paid and defrayed by the said Company out of the Money already raised and received or out of the first Money to be raised or received by virtue of the said recited Act or this Act, in preference to any Payment whatsoever.

Act declared public.

XIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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