



ANNO QUADRAGESIMO QUARTO

GEORGI II. REGIS.

Cap. 78.

An Act to amend an Act, made in the Thirty-first Year of His present Majesty, for building a Bridge cross the River *Thames* from *Stanes* to *Egham*, in the Counties of *Middlesex* and *Surrey*.

[10th July 1804.]

WHEREAS by an Act, made in the Thirty-first Year of the Reign of His present Majesty, intituled, *An Act for building a Bridge cross the River Thames from Stanes to Egham, in the Counties of Middlesex and Surrey*, certain Persons were appointed Commissioners for taking down the old Bridge then standing across the said River, and building a new Bridge instead thereof, and Power was given by the said Act to raise any Sum not exceeding Twelve thousand Pounds, upon the Credit of the Tolls thereby granted: And whereas the Commissioners appointed by the said Act did, in pursuance of the Powers thereby given, build a Stone Bridge, by Contract, over the said River for the Sum of Eight thousand four hundred Pounds, but which, owing to some of the Piers sinking, became dangerous, and it was found necessary that the same should be taken down soon after it was opened for publick Use: And whereas the said Commissioners afterwards caused an Iron Bridge to be erected across the said River, for which they contracted to pay the Sum of Four thousand nine hundred Pounds, and which has lately been completed; but a material Defect appearing in one of the Stone Abutments

[Loc. & Per.]

14 X

ments

31 Geo. 3.

Commission-
ers may
raise a farther
Sum.

ments of the said Bridge, and Part of the Iron Work having cracked in several Places in consequence thereof, the said Commissioners have been under the Necessity, for the publick Safety, to cause the same to be shut up and the old Bridge to be re-opened: And whereas the Expence of building the said Bridges, and of taking down the Stone Bridge, has nearly exhausted all the Money which the said Commissioners were authorized to raise, and in order to enable them to complete and effectually maintain the said Bridge, it will be expedient that they should be empowered to borrow a further Sum of Money, and that the Tolls on the said Bridge should be increased in case the same should be found expedient and necessary: May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to raise, by all or either of the Methods prescribed by the said recited Act, any Sum or Sums of Money not exceeding in the Whole the Sum of Six thousand Pounds over and above the Sum thereby authorized to be raised, and apply the same in completing, maintaining, and supporting the said Bridge in such Manner as the said Commissioners, or any Five or more of them, shall think proper, under and subject to the several Powers, Authorities, Restrictions, and Provisions contained in the said recited Act; which Sum or Sums of Money so to be borrowed shall be and is and are hereby charged upon and made payable out of the Tolls granted by the said recited Act and this Act.

Tolls
increased.

II. And be it further enacted, That the Tolls granted and made payable by the said recited Act, shall, from and after the First Day of *July* One thousand eight hundred and four, cease and determine, and that instead thereof the Tolls following shall and may be demanded and taken before any Cattle, Carriage, or Vessel shall be permitted to pass over or under the said Bridge; (that is to say),

For every Horse, Mule, or Afs, not drawing, the Sum of One Penny Halfpenny:

For every Horse, Mule, or Afs, drawing, the Sum of Three-pence:

For every Score of Calves, Hogs, Sheep, or Lambs, the Sum of Four-pence Halfpenny, and so in Proportion for any greater or less Number:

For every Ox or Cow, or other neat Cattle, not drawing, the Sum of Three Farthings:

For every Ox or Cow, or other neat Cattle, drawing, the Sum of Three-pence:

For every laden Lighter, Barge, or other Vessel (other than a Wherry or Scull), passing under the said Bridge, the Sum of Four-pence; and for every such Boat not laden, the Sum of Three-pence:

Which said respective Tolls shall be and are hereby declared to be vested in the said Commissioners for executing the said recited Act and this Act; and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, and disposed of, in such and the same Manner, and by such and the same Ways, Means, and Methods, and with such Remedies for Nonpayment or Evasion thereof, and with such Powers, Provisions, Exemptions,

Exemptions, and Restrictions, as are contained in the said recited Act respecting the Tolls thereby authorized to be taken.

III. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from Time to Time, to lessen, vary, or alter the Tolls hereby granted, and to cause the same to be collected in such Manner, Parts, and Proportions, as they shall think fit, and to raise the same again, so as they do not at any Time exceed the Tolls hereby granted, and so as every Reduction thereof be made with the Consent of the Person or Persons for the Time being entitled to Five-Sixths of the Money then due on the Security of the said Tolls; but no such Alteration shall be made, unless Twenty-one Days previous Notice thereof, in Writing, shall be affixed on the Toll House erected on or near the said Bridge, and also inserted Three Times in One or more Newspapers circulated in the Counties of *Middlesex* and *Surrey*.

Commissioners may reduce the Tolls.

IV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Commissioners for executing the said Act and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order, made upon a Petition, to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual

Directing the Application of Compensation Money, where exceeding 200*l*.

Produce

Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application
of Compensation
Money
when less than
200^l and
above 20^l.

V. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Commissioners for executing the said Act and this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain, the Direction or Approbation of the said Court of Chancery.

When less
than 20^l.

VI. Provided also, and be it further enacted, That where such Money so agreed to awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said Act and this Act, in such Manner as the said Commissioners, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not
making out
Titles;

or if Persons
cannot be
found, Pur-
chase Money
to be paid into
the Bank;

VII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Act or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners; or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Five

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 Privy of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (*describing them*), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

subject to the Order of the Court of Chancery, on Motion or Petition.

VIII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Chancery, in pursuance of the said recited Act or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase, shall be deemed entitled thereto according to such Possession.

IX. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of the said Act or this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this or the said recited Act, or so much

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

For paying
the Expences
of the Act.

X. And be it further enacted, That the Charges and Expences of procuring and passing this Act shall be paid out of any Money borrowed or collected by virtue of the said recited Act, or out of any Money to be raised by virtue of this Act.

Publick Act.

XI. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

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