



ANNO UNDECIMO

# GEORGIIV. REGIS.

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## *Cap. lxxv.*

An Act for amending and extending the Provisions of an Act passed in the Sixth Year of the Reign of His present Majesty, for the rebuilding of *Kingston Bridge*, and for improving and making suitable Approaches thereto. [29th May 1830.]

**W**HEREAS by an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the rebuilding of Kingston Bridge, and for improving and making suitable Approaches thereto*, the Bailiffs and Freemen of the Town of *Kingston-upon-Thames* in the County of *Surrey* were authorized and empowered to erect and build a new Bridge across the River *Thames*, from the said Town of *Kingston-upon-Thames* to the Hamlet of *Hampton Wick* in the Parish of *Hampton* in the County of *Middlesex*, and to make convenient and suitable Approaches to the said Bridge on both Sides of the said River, and for that Purpose they were further authorized and empowered to borrow and take up at Interest, upon Mortgage of the Bridge and the Tolls thereof, any Sum not exceeding Forty thousand Pounds, in manner and by the Means directed by the said Act; and the said Bailiffs and Freemen were thereby empowered to pull down and remove certain Houses and Buildings, and to take and use certain Lands, Grounds, Tenements, and Hereditaments, particularly mentioned and specified in the Schedule to the said Act, for the Purpose

6G.4. c. 125.

[*Local.*]

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of

of erecting and building the said Bridge, and for making, widening, and improving the Approaches and Avenues thereto, upon giving to the Owners and Occupiers thereof the several Notices therein directed: And whereas the said Bailiffs and Freemen have borrowed the Sum of Forty thousand Pounds of the Commissioners for the Issue of Exchequer Bills for Public Works, on Mortgage of the said Bridge and Tolls; and the said Bailiffs and Freemen have completed the Bridge by the said Act authorized to be made, and have also made an immediate Access to the same on both Sides of the said River, and have expended thereon the Money so borrowed by them as aforesaid: And whereas the Approach to the said Bridge in the Town of *Kingston-upon-Thames* still remains incomplete and inconvenient to the Public: And whereas for the Purpose of enabling the said Bailiffs and Freemen to complete the same it is expedient that some of the Provisions of the said recited Act should be altered, amended, and further extended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act passed in the Sixth Year of the Reign of His present Majesty, and all and every the Powers, Authorities, Directions, Limitations, Indemnities, Penalties, Forfeitures, Matters, and Things therein contained, (save and except such Parts thereof as are hereby varied, altered, or amended,) shall be as good, valid, and effectual for carrying this Act into execution as if the same were herein repeated and re-enacted.

Powers of recited Act extended to this Act.

Bailiffs and Freemen empowered to borrow an additional Sum of 10,000*l.*

II. And be it further enacted, That it shall and may be lawful for the said Bailiffs and Freemen from Time to Time to borrow and take up at Interest any further Sum or Sums of Money, not exceeding the Sum of Ten thousand Pounds, either by way of Mortgage of the said Bridge or the Tolls thereof, or by granting Annuities to be payable out of the said Tolls, in such Manner as the said Bailiffs and Freemen shall think proper, conformable to the Powers and Authorities given and reserved to them in and by the said recited Act; and the said Bailiffs and Freemen are hereby fully authorized and empowered under their Common Seal to grant or assign over the said Bridge and the Tolls thereof as a Security for any such Sum or Sums of Money so to be borrowed as aforesaid, with Interest for the same, or for the due and regular Payment of any Annuity or Annuities to be granted, as to them shall seem meet, subject nevertheless and without Prejudice to the Security or Securities thereon for the Monies borrowed by them under the Authority of the above-recited Act.

Application of Money to be borrowed.

III. And be it further enacted, That the said Sum or Sums of Money so to be raised as aforesaid shall be applied in the first place in discharging the Costs, Charges, and Expences of obtaining and passing this Act, and other incidental Expences relating thereto, and then in or towards the making the said Approach to the said Bridge, and paying the Purchase Money for the Houses, Lands, and Hereditaments authorized by the above-recited Act to be purchased, and otherwise for the Purposes of this Act.

IV. And



IV. And whereas the Commissioners acting in execution of an Act of Parliament made and passed in the Third Year of the Reign of His said present Majesty King George the Fourth, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, and the other Acts therein recited, mentioned, or referred to, and the several Acts subsequently passed for amending the same, did, under the Powers and Provisions of the said Acts, on or about the Twenty-eighth Day of *January* One thousand eight hundred and twenty-six, advance and lend to the Bailiffs and Freemen of the Town of *Kingston-upon-Thames* in the County of *Surrey*, acting under and in pursuance of the said Act of the Sixth Year of the Reign of His said present Majesty, intituled *An Act for the rebuilding of Kingston Bridge, and for improving and making suitable Approaches thereto*, the Sum of Forty thousand Pounds in Exchequer Bills, for the Purpose of building a Stone Bridge across the River *Thames*, from *Kingston* aforesaid to *Hampton Wick* in the County of *Middlesex*, and for making the necessary Roads of Approach thereto; and in order to secure the Repayment thereof by annual Instalments of Two thousand Pounds, besides Interest at the Rate of Four Pounds *per Centum per Annum* on the said Principal Sum of Forty thousand Pounds, or such Part of the said Sum as should remain due for the Time being, the said Bailiffs and Freemen executed a certain Indenture of Mortgage, under their Common Seal, bearing Date the said Twenty-eighth Day of *January* One thousand eight hundred and twenty-six, to *William Holden* Esquire, the Secretary to the said Commissioners appointed by the said Act of the Third Year of His said present Majesty, whereby the said Bailiffs and Freemen did grant, convey, and assign to the said *William Holden* and his Successors the said Bridge and the Toll House and Toll Houses thereto belonging, and all and singular the Tolls and Receipts accruing or arising, or which should or might thereafter accrue or arise, be taken, collected, or received from or by virtue of the said Act of the Sixth Year aforesaid, and all the Right, Title, and Interest of the said Bailiffs and Freemen of, in, and to the same, to hold the same, subject to the Repayment of the said Sum of Forty thousand Pounds, with Interest thereon at the Rate aforesaid, at the Times and in manner therein mentioned: And whereas the Tolls so mortgaged by the said recited Indenture not being considered sufficient Security for the Repayment of the said Loan within the Period prescribed by the Acts under which the same was advanced, the Commissioners of His Majesty's Woods, Forests, and Land Revenues, in pursuance of the Power and Authority given them by the said Act of the Sixth Year aforesaid, and with the Consent of the Lords Commissioners of His Majesty's Treasury, did enter into a certain Indenture bearing even Date with the said recited Mortgage, whereby, for the Considerations therein mentioned, the said Commissioners of His Majesty's Woods, Forests, and Land Revenues did covenant, promise, declare, and agree to and with the said Commissioners for the Issue of Exchequer Bills, that in case at any Time previous to the Repayment of the said Loan of

Securities given to the Exchequer Bill Commissioners not to be affected.  
3 G. 4. c. 86.

6 G. 4. c. 125.

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Forty thousand Pounds and all Interest for the same, the said Tolls produced or to be produced under or by virtue of the said Act of the Sixth Year aforesaid should be insufficient to satisfy and discharge the then accrued Payment or Instalment of the said Loan or the Interest thereof, then that they the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, or their Successors, should and would from Time to Time, and when and so often as the same should happen, by, with, and out of the Produce of His Majesty's Land Revenues, pay, satisfy, and discharge so much and such Part of the said Loan and the Interest for the same as, at the respective Times appointed for the Payment thereof by the said recited Indenture of Mortgage of even Date therewith, the said Tolls should be insufficient to pay; and the said *William Holden* did by the said last-recited Indenture declare that in case the said Commissioners of His Majesty's Woods, Forests, and Land Revenues should at any Time thereafter, in pursuance of the Covenant entered into by them as aforesaid, be required to and should actually advance and pay any Part of the said Loan of Forty thousand Pounds or of the Interest thereof, then and from thenceforth and until such Advance or Advances should be repaid to the said Commissioners of His Majesty's Woods, Forests, and Land Revenues by the said Bailiffs and Freemen, he the said *William Holden*, his Successors, Executors, Administrators, and Assigns, should and would hold and stand possessed of the said Tolls, Receipts, and Premises so mortgaged to him as aforesaid, upon Trust for the said last-mentioned Commissioners and their Successors; be it therefore further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, defeat, make void, or in any Manner incumber or affect the said Two several herein-before recited Indentures bearing Date respectively the Twenty-eighth Day of *January* One thousand eight hundred and twenty-six, so entered into by the said several Parties as aforesaid for securing the said Loan of Forty thousand Pounds in Exchequer Bills in the Manner provided by the said first-mentioned Indenture of Mortgage, and that the Tolls and Duties payable under and by virtue of this Act in respect of the said Bridge shall form a Part of, and are hereby enacted and declared to form a Part of and to be comprehended in the said several herein-before recited Indentures of the Twenty-eighth Day of *January* One thousand eight hundred and twenty-six, for securing Repayment of the said Sum of Forty thousand Pounds and Interest in manner aforesaid, in such and the like Manner, to all Intents and Purposes whatsoever, as the Tolls mentioned and referred to in the said recited Indentures respectively; any thing in the said recited Acts or this Act contained to the contrary thereof in anywise notwithstanding.

For Sale of  
certain Here-  
ditaments  
vested in the  
Bailiffs and  
Freemen.

V. And be it further enacted, That it shall be lawful for the said Bailiffs and Freemen to sell and dispose of, and by Instrument under their Common Seal absolutely to grant and convey, all and every or any of the Houses, Buildings, Lands, Tenements, or Hereditaments vested in the said Bailiffs and Freemen for the Maintenance and Repair of the old Bridge of the said Town, now pulled down and removed, commonly called "The Old Bridge Estates," and referred to in the above-recited Act; and that all such Conveyances by the



said Bailiffs and Freemen shall be valid and effectual, any Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Monies which shall arise by the Sale or Sales of such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parcel thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Bailiffs and Freemen to give and sign Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof as shall be sold, or for so much thereof as in such Receipts respectively shall be expressed to be received, and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof; and the said Purchase Money when so received shall be applied and disposed of in the first place for paying off and discharging any Mortgages or Incumbrances that may be now existing upon the said Bridge Estates, and after the Discharge and Satisfaction of the same the Residue of such Purchase Monies shall be applied for and towards the Purposes of the said recited Act and this Act.

VI. And whereas in and by the said recited Act it is amongst other Things enacted, that if the said Bailiffs and Freemen should not within the Space of Five Years, to be computed from the passing of the said Act, purchase or take the Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or Parts thereof respectively, which they were thereby empowered to take, use, and purchase as therein mentioned, then and from thenceforth the Powers thereby granted to them for such Purpose should cease, determine, and be utterly void, any thing therein contained to the contrary thereof in anywise notwithstanding: And whereas it is expedient that the said Enactment should be repealed; be it therefore further enacted, That the said last-mentioned Enactment be and the same is hereby repealed.

Repeal of Power in recited Act limiting the Purchase of Property under that Act.

VII. And be it further enacted, That if the said Bailiffs and Freemen shall not within the Space of Five Years, to be computed from the passing of this Act, purchase or take the Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or Parts thereof respectively, which they are in and by the said recited Act empowered to take, use, and purchase as therein mentioned, then and from thenceforth the Powers thereby granted to them for that Purpose shall cease, determine, and be utterly void, any thing herein or in the said recited Act contained to the contrary in anywise notwithstanding.

Power of purchasing limited to Five Years from the passing of this Act.

VIII. And whereas in and by the above-recited Act it was amongst other Things enacted, that no Tolls should be demanded or taken for any Horse or other Beast employed in towing any Barge or Lighter on the River *Thames*: And whereas Doubts have arisen whether the said Exemption can be construed to extend to the said Horses or Beasts returning from being employed in towing any such Barge or

Horses employed in towing Barges exempted from Toll.

[*Local.*]

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Lighter;



Lighter; in order therefore to obviate such Doubts, be it further enacted, That from and after the First Day of *September* next after the passing of this Act no Toll shall be demanded or taken for any Horse or other Beast employed in towing any Barge or Lighter on the River *Thames* in going over the said Bridge or the Approaches thereto, or returning after having been so employed, any thing contained to the contrary thereof in the said recited Act notwithstanding.

Justices may proceed by Summons in the Recovery of Penalties.

IX. And be it further enacted, That in all Cases in which by this Act or by the said recited Act any Penalty is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace to whom Complaint shall be made of any Offence against this Act or the said recited Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information in Writing shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing were exhibited.

Public Act.

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

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