



ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

Cap. li.

An Act for improving the Approaches to the *Charing Cross Bridge* on the *Surrey* Side thereof, and for amending the Acts relating thereto; for authorizing the raising of a further Sum of Money; and for other Purposes.

[13th July 1849.]

WHEREAS an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for building a Foot Bridge over the River Thames from Hungerford Market in the Parish of Saint Martin in the Fields in the County of Middlesex to the opposite Shore in the Parish of Lambeth in the County of Surrey, and for making suitable Approaches thereto*; and by the said Act certain Persons were incorporated by the Name of “*The Hungerford and Lambeth Suspension Foot Bridge Company*,” for carrying into execution the said Undertaking: And whereas an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to amend an Act relating to the building of the Hungerford and Lambeth Suspension Foot Bridge, and for granting further Powers to “The Hungerford and Lambeth Suspension Foot Bridge Company:”*

6 & 7 W. 4.
c. 133.

6 & 7 Vict.
c. 19.

[Local.]

8 K

And

8 & 9 Vict.
c. 62.

And whereas the said Bridge was, under the Powers of the said recited Acts, completed and opened for public Use: And whereas an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to the Hungerford and Lambeth Suspension Foot Bridge Company, hereafter to be called "The Charing Cross Bridge Company,"* by which Act the *Hungerford and Lambeth Suspension Foot Bridge Company*, incorporated by the said first-recited Act, were directed and required to take and use the Name and Style of "*The Charing Cross Bridge Company*," and to alter their Common Seal, and do all other Acts consequent upon such Change of Name: And whereas by the said last-recited Act the said Company were authorized to make new Approaches to the said Bridge on the *Surrey Side* thereof, from the *Belvidere Road* in the Parish of *Lambeth* otherwise *Saint Mary Lambeth* into *Sutton Street* in the said Parish, and from the *Belvidere Road* into *Vine Street* and the *York Road* in the same Parish, and to raise by the Creation of Shares and by Mortgage further Monies for the Formation thereof: And whereas it would improve the Approaches to the said Bridge and facilitate the Access thereto from the *Waterloo Station* of the *London and South-western Railway* if the Line of the Approaches authorized by the said Third-recited Act were altered, and a more direct Approach made from the present Approach to the said Bridge in the *Belvidere Road* into the *York Road*, between *Sutton Street* and *Vine Street* in the said Parish of *Lambeth*, and the said Company are willing and desirous to make such improved Approach: And whereas it is expedient that the Company should be authorized to raise a further Sum of Money for the Formation of the said proposed Approach, and also for the general Purposes of the Company, and that some of the Powers and Provisions of the said recited Acts should be altered, amended, and enlarged, and that further Powers should be granted to the Company: And whereas the several beneficial Purposes aforesaid cannot be effected without the Aid and 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 Provisions contained in the said recited Acts or either of them, or in the Lands Clauses Consolidation Act, 1845, incorporated therewith, (so far as the same are now unrepealed, and except such of them as are by this Act repealed, altered, or otherwise provided for, or as are inconsistent with the Provisions of this Act) shall extend to this Act and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually to all Intents and Purposes as if the same Provisions were re-enacted in this Act with reference to such Purposes, Matters, and Things; and the said recited Act, and the Lands Clauses Consolidation Act, 1845, incorporated therewith, and this Act, shall, as to all Matters and Things whatsoever, except as aforesaid, be read and construed together as One Act.

Provisions of
recited Acts
and 8&9 Vict.
c. 18. ex-
tended to
this Act.

Short Title.

II. And be it enacted, That in citing this Act in any Act of Parliament, in legal Instruments or Proceedings, or in Notices, Adver-

Advertisements, or other like Documents, it shall be sufficient to use the Expression "The *Charing Cross Bridge Approaches Act, 1849.*"

III. And whereas under the said first-recited Act the said Company were authorized to raise the Sum of Eighty thousand Pounds by the Creation of Shares, the whole of which said Sum of Eighty thousand Pounds has been paid up, and to borrow on Mortgage of the Undertaking the Sum of Twenty-six thousand Pounds, of which the Sum of Twenty-one thousand Pounds only is now owing on the Credit thereof: And whereas by the said secondly-recited Act the said Company were authorized to raise a further Sum of Fifty thousand Pounds by the Creation of new Shares, no Portion of which has been raised: And whereas by the said thirdly-recited Act the said Company were authorized to raise the further Sum of Ten thousand Pounds by the Creation of new Shares, the whole of which have been subscribed for, and in respect of which the Sum of Three thousand two hundred and fifty Pounds has been paid up, and by the same Act the said Company were authorized to raise by Mortgage the further Sum of Three thousand three hundred and thirty-three Pounds, no Portion of which has yet been raised: And whereas the whole of the Sums so raised under the said first-recited Act, and the Sum of Nine hundred and ninety-two Pounds, Part of the said Sum of Three thousand two hundred and fifty Pounds raised under the said thirdly-recited Act, have been applied for the Purposes of the said Acts: And whereas it is expedient that the said Company should be authorized to raise a further Sum of Thirty-one thousand Pounds: And whereas the said Bridge being completed, and the Works authorized by this Act being of great public Benefit, and the said Company being possessed of a large surplus Revenue, which is likely to increase, and which is at present more than sufficient to secure the whole of the said Sum of Thirty-one thousand Pounds, it is expedient that the said Company should be authorized to raise the same by Mortgage or Bond on the Credit of their said Undertaking: Be it therefore enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond, for the Purposes of this Act, and for the general Purposes of the Company, such Sum or Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding (in addition to the Sums which under or by virtue of the said first and third recited Acts the Company have borrowed, and are authorized to borrow or reborrow, and the Powers to borrow or reborrow, which it is hereby declared shall not be prejudiced,) the Sum of Thirty-one thousand Pounds, and to secure the Repayment of the Money so borrowed, with Interest, by Mortgage of their Undertaking, and of the Rates, Tolls, Duties, and Revenue arising therefrom, or by Bond in the Manner directed or authorized by the Provisions of "The Companies Clauses Consolidation Act, 1845," incorporated herewith: Provided always, that the whole and every Part of such Sum when so borrowed shall be applied only to the Purposes and for the Objects of the said recited Acts and this Act.

Power to
borrow
Money on
Mortgage.

IV. Provided always, and be it enacted, That nothing herein contained shall be held to affect the Validity of any Mortgages on the said

Prior Mort-
gages not to
be affected.

said Undertaking which may be subsisting at the Time of the passing of this Act, but all such Mortgages shall during the Continuance thereof have Priority over the Mortgages or any of them which may be created under the Powers of this Act.

Provisions of 8 & 9 Vict. c. 16. as to borrowing Money to apply to this Act.

V. And be it enacted, That all the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of the Money borrowed into Capital, shall be incorporated with this Act, and shall be applicable to the borrowing by the Company of the Monies by this Act authorized to be borrowed by them, and to the Conversion thereof into Capital.

Power to sue for Arrears of Interest on Mortgages, or to apply for a Receiver.

VI. And in order to provide for the Recovery of the Arrears of Interest owing on any Mortgage or Bond to be made or entered into by the Company, be it enacted, That if such Interest or any Part thereof shall for Thirty Days after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee or Bond Creditor may either sue for the Interest so in arrear by Action of Debt in any of the superior Courts or in any inferior Court of competent Jurisdiction, or he may enforce the Payment thereof by the Appointment of a Receiver in the Manner authorized by the Provisions of the Companies Clauses Consolidation Act, incorporated herewith.

Power to sue for Principal Monies secured by Mortgages, or to apply for a Receiver.

VII. And in order to provide for the Recovery of the Principal Money secured by and owing on any Mortgage or Bond to be made or entered into by the Company, be it enacted, That if the Principal Monies owing upon any such Mortgage or Bond be not paid within Six Months after the same has become payable, and after Demand thereof in Writing, the Mortgagee or Bond Creditor may sue for the same, together with all Arrears of Interest, in any of the Superior Courts of Law or Equity; or if his Debt for Principal Money amount to the Sum of Two thousand Pounds he may alone, or if his Debt for Principal Money do not amount to the Sum of Two thousand Pounds, he may, in conjunction with other Mortgagees or Bond Creditors whose Debts for Principal Monies, being so in arrear, after Demand as aforesaid, shall together with his amount to the Sum of Five thousand Pounds, enforce the Payment of such Principal Monies, and of all Arrears of Interest, by the Appointment of a Receiver, in the Manner authorized by the Provisions of the Companies Clauses Consolidation Act incorporated herewith.

Power to Company to employ existing Funds for the Purposes of this Act.

VIII. And be it enacted, That it shall be lawful for the Company to apply for or towards the Purposes of this Act any Sum of Money which they may have raised or may raise under the Powers and which shall not have been applied for the Purposes of their said recited Acts or any of them.

Power to make Approaches according to deposited Plans.

IX. And whereas Plans showing the Line of the said improved Approach, and the Lands and Houses in or through which the same is intended to be made, and also other Lands and Houses required to be purchased by the Company, and also a Section of the said proposed Approach, showing the Levels thereof, and also a Book of

Reference to the said Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands and Houses through which the said Approach is intended to be made, and of the Lands and Houses so required to be purchased, have been deposited with the Clerk of the Peace for the County of *Surrey*: Be it enacted, That, subject to the Provisions of this Act and of the said recited Acts, and of "The Lands Clauses Consolidation Act, 1845," incorporated therewith, which have been extended to and made applicable to the Purposes of this Act, it shall be lawful for the Company to vary or alter the Approaches to the said Bridge on the *Surrey* Side thereof by the said third-recited Act authorized to be made, and in lieu thereof to make a new or improved Approach to the said Bridge, to commence on the South or South-east Side of the *Belvidere Road* in the said Parish of *Lambeth* otherwise *Saint Mary Lambeth* in the said County of *Surrey*, opposite to the present *Surrey* Side Approach of or to the said Bridge, on the North or North-west Side of the said Road, at or near the Point marked A. on the said Plans so deposited as aforesaid, and to pass thence to and into *Manners Street* in the said Parish, and from thence across *Manners Street* to and into the *York Road* in the same Parish, and to terminate in the same Road between *Vine Street* and *Sulton Street* at or near the Point marked B. on the said Plans, all in the said Parish of *Lambeth* otherwise *Saint Mary Lambeth* in the County of *Surrey*, with all proper Conveniences thereto, in the Line and Situation and upon the Lands delineated on the said Plans and described in the said Book of Reference, and for the Purposes of the said Approach, and for other the Purposes of the Company or any of them, to enter upon, take, and use such of the Lands and Houses delineated on the said Plans and described in the said Book of Reference as the Company shall deem it expedient or necessary to purchase and take, anything in the said third-recited Act to the contrary notwithstanding.

X. And be it enacted, That if any Omission, Mis-statement, or erroneous Description shall have been made of any Lands or Houses, or of the Owners, Lessees, or Occupiers of any Lands or Houses, described on the said Plans or in the said Book of Reference, it shall be lawful for the Company, after giving Ten Days Notice to the Owners of the Lands affected by such proposed Correction, to apply to Two Justices for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace of the County of *Surrey*, and shall also be deposited with the Parish Clerk of the said Parish of *Lambeth* otherwise *St. Mary Lambeth*, and such Certificate shall be kept by such Clerk of the Peace and Parish Clerk respectively along with the other Documents to which they relate, and thereupon such Plan and Book of Reference shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Company to make the Works in accordance with such Certificate.

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

Certificate to be deposited.

[Local.]

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XI. And

Limiting Powers of Deviation from Line laid down on Plans.

XI. And be it enacted, That it shall be lawful for the Company in making the said new or improved Approach to deviate from the Line thereof delineated on the said Plans so deposited as aforesaid; provided that the said Approach, or any Works connected therewith, be not by means of any such Deviation as aforesaid made to extend to a greater Distance than the Limits of Deviation delineated upon the said Plans, or into the Lands or Houses of any Person, whether Owner, Lessee, or Occupier, whose Name is not mentioned in the said Book of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein provided for in Cases of unintentional Errors in the said Book of Reference.

Power to Company to execute Works for Improvement of Approaches to Bridge.

XII. And be it enacted, That it shall be lawful for the Company to execute such Works for the Improvement of the Approaches to the said Bridge on the *Surrey* Side thereof, and for facilitating the Access thereto and to the Works of the Company from the *Waterloo* Station of The *London and South-western* Railway, and also for improving of the various Works and Conveniences belonging to or connected with the said Bridge on the *Surrey* Side thereof, and for facilitating the Access to such Bridge and Works as well from the River *Thames* as from the said Railway Station, and the Streets and Places on the *Surrey* Side of the said Bridge, as the Company shall from Time to Time think necessary or expedient: Provided always, that nothing herein contained shall authorize the Company to make, maintain, vary, extend, or enlarge any Street, except to such Extent as is shown on the said Plans so deposited as aforesaid: Provided also, that nothing in this Act contained shall prevent the Company from making, maintaining, varying, extending, or enlarging any Street (other than the Streets or Approaches by this Act authorized to be relinquished) which the Company might have made, maintained, varied, extended, or enlarged under the Powers of the said recited Acts or any of them.

Not to authorize the Construction of Streets not shown on the Plans, or to take away Powers under existing Acts.

Works under this Act to be deemed Part of the Approaches to the Bridge.

XIII. And be it enacted, That the said improved Approach and other Works to be executed by the Company shall, for all the Purposes of the said recited Acts or any of them, be and be deemed and taken to be Part of the Approaches to the said Bridge: Provided always, that nothing in this Act contained shall be deemed to prevent the said Company from dedicating the said improved Approach, in the Manner required by Law, to the Use of the Public, in order that the same may become a public Highway, and be for ever thereafter kept in repair by the Parish.

Portion of Approaches authorized by the Charing Cross Bridge Act, 1845, and not included in the Line of the proposed

XIV. And whereas the said deposited Plans also show the Lines of the said Approaches authorized by the said third-recited Act, and what Portions thereof are not included within the Line, or the Limits of Deviation therefrom, of the said proposed new Approach authorized by this Act: Be it enacted, That the Company shall and they are hereby required to abstain from making such Parts of the said Approaches authorized to be made by the said third-recited Act, and of the Works connected therewith, as are not included in the Approach and Works by this Act authorized to be made, and

all

all the Powers and Authorities vested in the Company by the said Act for making and maintaining the Parts of the said Approaches and Works hereby required to be relinquished shall from and after the passing of this Act, cease and determine.

Approach,
not to be
made.

XV. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands and Houses for the Purposes of this Act shall not be exercised after the Thirtieth Day of *June* which will be in the Year One thousand eight hundred and fifty-two.

Period for
the com-
pulsory Pur-
chase of
Lands
limited.

XVI. And be it enacted, That the Works by this Act authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers for executing the said Works, or otherwise in relation thereto, shall cease to be exercised, except as to such of the said Works as shall then be completed.

Period for
Completion
of Works.

XVII. And whereas the Company are seised of some Lands purchased under the Powers of the said first-recited Act, which Lands not having yet been used for the Purposes of the said recited Acts it is apprehended may be considered as coming within the Description of superfluous Lands: And whereas such Lands will now be required for the Purposes of the said recited Acts in connexion with the Purposes authorized by this Act: Be it therefore enacted, That the Period by the said secondly recited Act limited for the Company to sell, and by Deed under their Common Seal to convey to the Purchasers thereof, any Part of the superfluous Lands of which they may be seised under the Provisions of the said first-recited Act, or any Estate or Interest purchased by the Company in such Lands or any Part thereof, shall be extended and enlarged for the further Term of Three Years, to be computed from the Thirtieth Day of *August* One thousand eight hundred and forty-nine, and that in the meantime and until the Company shall use such Lands for the Purposes of the Company, or shall think proper to sell the same or any Part thereof, it shall be lawful for the Company to let any such superfluous Lands to any Person willing to become the Tenant thereof, in such Manner and upon such Terms as the Company shall think proper; and all the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to Lands acquired by the Promoters of the Undertaking under the Provisions of this or the special Act, or any Act incorporated therewith, but which shall not be required for the Purposes thereof, shall extend and apply to the superfluous Lands now vested in the Company under the said first-recited Act, and also to any Lands which may be purchased by the Company under the Powers of this Act, and which may not be required for the Purposes thereof, or for any other Purposes of the Company.

Extension of
Time for
Sale of
superfluous
Lands.

XVIII. And be it enacted, That it shall be lawful for the Company, in the Construction of the Approach and Works authorized by this Act, to do and execute all necessary Works, Acts, Matters, and Things, and to break up or open the Pavement or Soil of any public or private Street, Road, or Way shown on the said deposited Plans, or any Sewer, Drain, or Tunnel in such Street, Road, or Way, and

Power to
execute
Works and
break up
Streets, &c.
for the Pur-
poses of
this Act.
to

to arch over any Sewer or Drain in or upon the Lands delineated on the said Plans, they the Company doing as little Damage as may be in the Execution of the said Powers, and making Compensation for any Damage caused thereby in the Manner by "The Lands Clauses Consolidation Act, 1845," provided for ascertaining and determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof, and subject, as to any Sewer, Drain, or Tunnel, to the Provisions herein contained as to the Control of the Metropolitan Commissioners of Sewers.

Notice to be served by Company before breaking up Streets.

XIX. And be it enacted, That before any public Street, Road, or Way shall be opened or broken up by the Company they shall give to the Persons under whose Control or Management such Street, Road, or Way may be, Notice in Writing of their Intention to open or break up the same, Three Days before the Commencement of such Operation.

Notice to be served before interfering with Sewers, &c., and the Company to obey Directions of Commissioners of Sewers.

XX. And be it enacted, That before any Sewer, Drain, Tunnel, or Watercourse shall be opened, broken up, arched over, or interfered with by the Company, they shall give to the Metropolitan Commissioners of Sewers Notice in Writing of their Intention to open, break up, arch over, or interfere with the same, Twenty-one Days before the Commencement of such Operation, together with a Plan of the Works proposed; and the Company shall not, except as herein-after provided, proceed in the Works until the Commissioners shall have sanctioned the same; and the Company shall and they are hereby required to adhere to and comply with such Orders and Regulations as the Commissioners may make in relation to the proposed arching over or Interference with such Sewer, Drain, Tunnel, or Watercourse; and all such Works to which any Order of the Commissioners shall refer shall be done under the Direction and Control of the Surveyor or other Officer of the Commissioners; and such Works, when completed by the Company, shall thenceforth be subject to the Control of the Commissioners.

If Company disobey Directions of Commissioners of Sewers, the Commissioners may stop Works.

XXI. And be it enacted, That if the Company shall not adhere to and comply with such Orders and Regulations as the Metropolitan Commissioners of Sewers may make in relation to the proposed arching over or Interference with such Sewer, Drain, Tunnel, or Watercourse as aforesaid, or shall not execute any Works which the Commissioners may direct to be done in the Manner in which the same shall have been ordered or directed by the Commissioners to be executed, it shall be lawful for the Commissioners to stop any Operations of the Company, and to construct, do, and perform all such Works and Things as may be requisite or necessary to carry the Orders, Regulations, and Directions of the Commissioners into full and complete Effect, so as to guard against Injury to the Drainage of the District, and the Expenses incurred by them in so doing shall be repaid to them by the Company, on Demand, and in default thereof may be recovered by the Commissioners in the same Way as the Commissioners may by Law levy Charges for Default.

XXII. Pro-

XXII. Provided always, and be it enacted, That if the Commissioners shall not, within Fourteen Days from the first Ordinary Court of Sewers which shall be holden next after the Expiration of Seven clear Days after the Receipt of any such Notice as is herein-before directed to be given by the Company to the Commissioners, make any Order with reference to the Works mentioned in such Notice, the Company may, at the Expiration of such Fourteen Days, proceed in their Operations according to their said Notice and Plans, in the same Manner as if the Commissioners had expressly sanctioned the same, but subject nevertheless to the Execution thereof being superintended and controlled by the Metropolitan Commissioners of Sewers or their Surveyor.

If Commissioners neglect to give Directions within Fourteen Days, the Works may be proceeded with.

XXIII. And be it enacted, That every such Street, Road, or Way shall be opened or broken up under the Superintendence of the Persons having the Control or Management of the same, or their Officer, and according to such Plan as shall be agreed upon between such Persons or their Officer and the Company, or in case of any Difference respecting such Plan, then according to such Plan as shall be determined by Two Justices in Petty Sessions assembled; and such Justices are hereby required, on the Application of the Company, to determine the Plan according to which such Street, Road, or Way shall be opened or broken up; provided that Three Days Notice of the Time and Place at which such Determination is to be made shall be proved to have been served upon the Person having the Control or Management of the Street, Road, or Way proposed to be opened or broken up: Provided always, that if the Person having such Control or Management as aforesaid shall neglect or refuse to superintend the opening of any such Street, Road, or Way, after having had Notice of the Company's Intention as aforesaid, or shall not propose any Plan for breaking up or opening the same, the Company may perform the Work specified in such Notice, without the Superintendence of such Person.

Streets to be broken up under Superintendence.

XXIV. And be it enacted, That when the Company shall open or break up the Road or Pavement of any Street, Road, or Way, or shall open, break up, or arch over any Sewer, Drain, or Tunnel, they shall with all convenient Speed complete the Work for which the same shall be broken up, and fill in the Ground and reinstate and make good the Road or Pavement, or the Sewer, Drain, or Tunnel, so opened, broken up, or arched over, and carry away the Rubbish occasioned thereby, and shall at all Times whilst any such Road or Pavement shall be so opened or broken up cause the same to be fenced and guarded, and shall cause a Light sufficient for the warning of Passengers to be set up and maintained against or near such Road or Pavement where the same shall be open or broken up, every Night during which the same shall be continued open or broken up, and shall keep the Road or Pavement which has been so broken up in good Repair for Three Months after replacing and making good the same, and for such further Time, if any, not being more than Twelve Months in the whole, as the Soil so broken up shall continue to subside.

Streets, &c. broken up to be reinstated without Delay.

Penalty for
Delay in
reinstating
Streets.

XXV. And be it enacted, That if the Company open or break up any Street, Road, or Way, or arch over or interfere with the said Sewer, without giving such Notice as aforesaid, or in a Manner different from that which shall have been approved of or determined as aforesaid, except in the Cases in which the Company are hereby authorized to perform such Works without any Superintendence or Notice, or if the Company make any Delay in completing such Work, or in filling in the Ground, or reinstating and making good the Road or Pavement, or the Sewer arched over or interfered with, or in carrying away the Rubbish occasioned thereby, or if they neglect to cause the Place where such Road or Pavement has been broken up to be fenced, guarded, and lighted, or neglect to keep the Road or Pavement in repair for the Space of Three Months next after the same is made good, or such further Time as aforesaid, they shall forfeit to the Person having the Control or Management of the Street or Sewer in respect of which such Default is made, a Sum not exceeding Five Pounds for every such Offence, and they shall forfeit an additional Sum of Five Pounds for each Day during which any such Delay as aforesaid shall continue after they shall have received Notice thereof.

In case of
Delay other
Parties may
reinstate and
recover the
Expenses.

XXVI. And be it enacted, That if any such Delay or Omission as aforesaid take place, the Person having the Control or Management of the Street or Sewer in respect of which such Delay or Omission shall take place may cause the Work, so delayed or omitted, to be executed, and the Expense of executing the same shall be repaid to such Persons by the Company, and such Expenses may be recovered in the same Manner as Damages are recoverable under this Act.

Power to
stop up
Streets, &c.
temporarily.

XXVII. And be it enacted, That, with the Consent of Two or more Justices in Petty Sessions, as after mentioned, it shall be lawful for the Company temporarily to alter, diver, stop up, or inclose the whole or any Part of any Street, Road, Court, Alley, Way, or Passage shown on the said deposited Plans which the Company shall at any Time and from Time to Time deem necessary to be altered, diverted, stopped up, or inclosed, for the Purpose of enabling them to carry into execution all or any of the Powers and Provisions of this Act.

Proceedings
on Applica-
tion to Jus-
tices to con-
sent to
Streets, &c.
being
stopped up.

XXVIII. And be it enacted, That when the Company shall intend to apply for the Consent of Two Justices, as herein-before provided, so as to authorize them to alter, divert, stop up, or inclose the whole or any Part of any Street, Road, Court, Alley, Way, or Passage shown on the said deposited Plans, they shall, Fourteen Days at least previous to the holding of the Petty Sessions at which such Application is intended to be made, cause Notice of such intended Application to be affixed at each End of such Street, Road, Court, Alley, Way, or Passage so proposed to be altered, stopped up, or inclosed; and if it appear to any Two or more Justices acting for the District in which such Street, Road, Court, Alley, Way, or Passage is situate, and assembled in Petty Session after such Notice as aforesaid, that the same can, consistently with due Regard to the
Public

Public Convenience, be altered, diverted, stopped up, or inclosed, it shall be lawful for such Justices to consent that the same may be so altered, diverted, stopped up, or inclosed for such Period as such Justices shall think necessary, which Period may from Time to Time, upon the like Notice and Application, be extended for such further Period as any Two Justices may think proper.

XXIX. And be it enacted, That nothing in this Act contained shall authorize the Company, their Workmen or Servants, or any of them, to embank, encroach upon, or interfere with any Part of the Soil or Bed of the River *Thames*, or the Banks or Shores thereof. Company not to interfere with the River Thames.

XXX. And be it enacted, That all the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, and incident thereto, shall be paid and discharged out of the Funds of the Company, in preference to all other Payments whatsoever. Expenses of Act.

XXXI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such. Public Act.

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