



ANNO QUARTO

GULIELMI IV. REGIS.

Cap. xxii.

° An Act to continue the Term and to alter and amend the Powers of an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, for taking down and rebuilding *Folly Bridge* otherwise *Friars Bridge*, across the River *Isis*, in or near the City of *Oxford*.
[22d May 1834.]

WHEREAS by an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for taking down and rebuilding the Whole or Part of a certain Bridge across the River Isis in or near the City of Oxford, called Folly Bridge otherwise Friars Bridge, and for widening the same Bridge, and improving the Approaches thereto*, certain Magistrates, Officers, and Members of the University of *Oxford*, and of the Colleges and Halls therein, and of the City of *Oxford*, and of the Corporation of the said City, for the Time being respectively, together with certain Persons in the said Act named and described, were appointed the Trustees for putting the same in execution, and certain Tolls were granted to the said Trustees for a limited Term, to enable them to carry into execution the Purposes of the said Act: And whereas in pursuance of the Powers and Authorities of the said Act the Trustees for putting the same in execution as aforesaid have built a new Bridge over the said River *Isis*, within the Limits directed by the said Act, and have altered and improved the Avenues,
[Local.] 5 Q Ascents, 55 G. 3. c. 94.

Ascents, and Approaches thereto, and have also straightened the Bed or Channel of the said River, and constructed, made, and set up certain Locks, Weirs, and Works necessary for penning a Head of Water, within the Limits directed by the said Act, for the Purposes of the River Navigation, and have likewise performed and executed certain other Works by the said Act authorized and directed to be performed; and the said new Bridge having been completed and rendered fit for the Passage of Horses, Carriages, and Cattle, the said Trustees have, pursuant to the Directions of the said Act, certified the same under their Hands to the respective Justices of the Peace of and for the said City of *Oxford* and the said County of *Berks* at their respective General Quarter Sessions of the Peace: And whereas the said Trustees have, in the Execution of the Powers of the said Act, borrowed a considerable Sum of Money on the Credit of the Tolls by the same Act granted, which hath been applied towards the building of the said present Bridge, and executing the other Works thereby authorized to be made and done, and in otherwise carrying the said Act into execution: And whereas a considerable Part of the Money so borrowed on the Credit of the Tolls by the said Act granted still remains due and owing, and cannot be paid off unless the Term and Powers of the said Act, so far as the same relate to the demanding, taking, and collecting of the Tolls by the said Act granted, are continued and enlarged; and it is expedient that some of the Powers and Provisions of the said Act should be altered, amended, extended, and enlarged: But inasmuch as the 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 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 Fifty-fifth Year of the Reign of His said Majesty King *George* the Third, and all and every the Powers and Provisions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Part or Parts of the said Powers and Provisions, Matters and Things, as relate to the building of the said Bridge, and the erecting, making, and doing of all and every or any of the Works by the said Act authorized or directed to be made or done, and except also such of the Powers and Provisions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things in the said Act contained as are hereby varied, altered, or repealed, shall be, continue, and remain in full Force and Effect, and the same are hereby further continued, and together with this Act shall be executed for and during the Term herein-after mentioned, in as full and ample a Manner to all Intents and Purposes as if the same were repeated and re-enacted in this Act, but subject nevertheless to the Provisions, Alterations, and Amendments in this Act contained; and this Act, and the additional Term hereby granted, shall be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said recited Act, and of all Interest due or to grow due for the same.

Powers of recited Act extended to this Act.

Certain Provisions of recited Act relative to Meetings of Trustees repealed.

II. And whereas it was by the said recited Act enacted, that the said Trustees should and might, at their several Meetings to be holden for the Purpose of carrying the said Act into execution, from Time to Time adjourn themselves, and appoint their next Meeting to be holden at the Town Hall in the City of *Oxford*, or at any other Place within

Seven

Seven Miles Distance of the said Bridge, as to the said Trustees should seem convenient and at such Time as to them should seem proper; and if it should so happen that there should not appear at any such Meeting a sufficient Number of Trustees to act in the Execution of the said Act, the Trustee or Trustees then present, or the Clerk or Clerks to the said Trustees, should from Time to Time, as often as the Case should happen, adjourn such Meeting to some other Day within Fourteen Days then next following, to be holden at the same Place, and the said Clerk or Clerks should cause Notice thereof to be inserted in the Newspapers called the *Oxford Journal* and *Reading Mercury*, or in some other Newspaper published or circulated in the said City of *Oxford* and County of *Berks*, and affixed on the Toll Gate which should or might be erected by virtue of the said Act, or on the Toll Gate at which the Tolls granted by the said Act should be collected, at least Five Days before the Day to which such Meeting should be so adjourned, and the said Trustees should, at their several Meetings to be held under or by virtue of the said Act, defray their own Expences; and it was by the said Act further enacted, that if, after any Adjournment of any Meeting as aforesaid, it should at any Time or Times be thought necessary that a Meeting of the Trustees should be holden on an earlier Day than the Day to which such Meeting should have been adjourned, then and in every such Case the Clerk or Clerks to the said Trustees (an Order in Writing signed by Five or more of the said Trustees, mentioning the Time, Place, and Purpose of such earlier Meeting, being given to him or them, or left at his or their last or usual Place of Abode,) should forthwith give Notice of such earlier Day in manner therein-before directed, and of the Time and Place which should be mentioned in the Order of the said Trustees, (such Time not being sooner than Five Days after such Notice,) and all the Proceedings of the said Trustees at such earlier Meeting should be as good, valid, and effectual as they would have been in case such Trustees had met in pursuance of an Adjournment: And whereas the said Provisions have been found inconvenient, and it is expedient that the same should be repealed; be it therefore enacted, That the said recited Provisions shall be and the same are hereby repealed.

III. And be it further enacted, That the said Trustees shall and may from Time to Time meet at such Time and Place within the said City of *Oxford* or the Suburbs thereof as to them shall seem necessary and convenient, and may adjourn themselves to meet at any Place within the same City or the Suburbs thereof, and at such Time, as the said Trustees or the major Part of them present at any Meeting shall appoint; and at all their several Meetings the said Trustees shall pay and defray their own Expences, except any Sum not exceeding Ten Shillings *per Diem* for the Use of the Room wherein they shall meet.

Regulations
as to Meet-
ings of Trus-
tees.

IV. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the respective Counties of *Berks* and *Oxfordshire* shall be added to and joined with the Persons appointed by the said recited Act to be the Trustees for the Purposes of the said recited Act and this Act, and shall have the same Powers and Authorities, to all Intents and Purposes, as if they had been named Trustees by the said recited Act.

Justices of
Berks and
Oxfordshire
to be Trus-
tees under
this Act.

V. And

Qualification
necessary for
Persons
chosen to be
Trustees.

V. And be it further enacted, That no Person who shall hereafter be chosen or appointed a Trustee shall be qualified or capable of becoming and acting as a Trustee in the Execution of the said recited Act or this Act, unless he shall be, in his own Right or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person possessed of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of Two hundred Pounds above Reprizes, and unless he shall, before he shall act as such Trustee, excepting he be a Justice of the Peace acting for either of the Counties of *Oxford* or *Berks*, take and subscribe the Oath or Affirmation following before any Two or more of the Trustees appointed or to be appointed by or in pursuance of the said recited Act or this Act, who are hereby authorized and empowered to administer the same in the Words or to the Effect following; that is to say,

Oath of Qua-
lification.

‘ I do swear, [*or, being one of the People called Quakers, do solemnly affirm,*] That I truly and *bonâ fide* am in my own Right [*or in the Right of my Wife*] in the actual Possession and Enjoyment of [*or in the Receipt of Rents and Profits issuing out of*] Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes [*or am Heir Apparent of* _____ who, to the best of my Knowledge, is seised of Freehold or Copyhold Lands, Tenements or Hereditaments of the clear yearly Value of Two hundred Pounds above Reprizes, *as the Case may be*]. So help me GOD.’

[*Or, being a Quaker, omit the Words ‘So help me God.’*]

Three Trust-
tees to be a
Quorum.

VI. And be it further enacted, That all Acts, Orders, or Proceedings had, made, or done by or before any Three Trustees shall have the same Force and Effect, and be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said Trustees.

Clerk not to
act as Treas-
urer, and
vice versâ.

VII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, to be Treasurer or Treasurers for the Purposes of the said recited Act and this Act, or to continue or appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or any Clerk or Person in the Service or Employ of such Treasurer or Treasurers or the Partner or Partners of such Treasurers, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Act or this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer or Treasurers, or any Clerk

Clerk or Person in the Service or Employ of any such Treasurer or Treasurers or of the Partner or Partners of such Treasurer or Treasurers, shall act as Clerk in the Execution of the said recited Act or this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Office or Place of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

VIII. And be it further enacted, That it shall be lawful for the Trustees for putting the said recited Act and this Act into execution, at any Meeting to be held for that Purpose, whereof Twenty-one Days Notice shall be given in Writing to be affixed upon the Turnpike Gate at which the Tolls granted by the said recited Act shall from Time to Time be payable and collected, and advertised twice or oftener in the Newspapers called the *Oxford Journal* and *Reading Mercury*, or in some other Newspaper published or circulated in the said City of *Oxford* and County of *Berks*, and so from Time to Time to reduce and lower all or any of the Tolls by the said recited Act granted, and to continue to take the same so reduced or lowered for such and so long Time as they shall think proper, and at any other Meeting, upon Notice given and published in the Manner herein-before mentioned, again to raise the Tolls so reduced or lowered, or any Part thereof, so nevertheless that the said Tolls or any of them be not reduced at any Time more than One Half Part thereof, and so also that in afterwards raising such reduced Tolls the same shall never exceed the Tolls by the said recited Act granted; and the Tolls so lessened or reduced, or raised again, shall be collected, recovered, and applied in the same Manner as the Tolls by the said recited Act granted are thereby and by this Act authorized and directed to be applied.

Power to reduce and again to raise the Tolls to a certain Extent.

IX. And be it further enacted, That the said Trustees, or their Lessee or Lessees, or Collector or Collectors for the Time being of the said Tolls, shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at the Turnpike or Toll Gate whereon the said Tolls shall or may from Time to Time be payable and collected, a Table, painted in distinct and legible Black Letters on a Board with a White Ground, or White Letters on a Black Ground, at least One Inch in Length, and of a Breadth in proportion, containing a List distinguishing the several Tolls to be paid by virtue of the said recited Act and this Act, or either of them, and to renew such Boards whenever any of the Letters or Figures shall be worn out, defaced, or obliterated.

Tables of Tolls to be put up.

X. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or otherwise damage any Lamp erected or to be erected on the said Bridge, or in the Roads, Avenues, or Approaches leading thereto, or any of the Posts, Irons, or other Furniture thereof, or extinguish the Light within any of the said Lamps, it shall and may be lawful to and for any Person or Persons whomsoever to

Penalty for damaging Lamps, &c.

[Local.]

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apprehend

apprehend and seize such Offender or Offenders, and to convey the Party so offending to some Peace Officer, and deliver him, her, or them into the said Officer's Custody, who is hereby authorized and required to take such Offender into Custody, in order to be secured and conveyed before some Justice of the Peace for the said City or County of *Oxford* or the said County of *Berks*; and the Party accused being brought before any such Justice, such Justice shall proceed to examine, upon Oath, any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party accused shall be convicted of such Offence, either by his or her Confession, or upon such Information as aforesaid, the Party so convicted shall forfeit and pay any Sum not exceeding Forty Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid, and full Satisfaction shall also be made to the Party aggrieved by such Offender or Offenders for the Damage by him, her, or them done as aforesaid; and in case the Party so offending shall not, upon Conviction, pay the Forfeiture incurred and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be convicted is hereby required to commit him, her, or them to the Common Gaol of the said City or County of *Oxford*, or to the Common Gaol for the said County of *Berks*, as the Case may be, there to be kept to hard Labour for any Time not exceeding Two Calendar Months; and no such Offender shall be discharged before the Expiration of the Time for which he or she shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; one Half of which respective Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Half shall be paid to the Treasurer of the said Trustees, to be applied for the Purposes of the said recited Act and of this Act; and if any Person shall negligently or accidentally break, throw down, or otherwise destroy any Lamp erected or to be erected on the said Bridge, or in the Avenues or Approaches leading thereto as aforesaid, or any of the Posts, Irons, or other Furniture thereof, or extinguish the Light within any of the said Lamps, and shall not, upon Demand, make Satisfaction to the Party aggrieved for the Damage by such Person done as aforesaid, it shall be lawful for any Justice of the Peace of or for the said City or County of *Oxford* or the County of *Berks* aforesaid, and he is hereby required, upon Complaint thereof made, to summon the Party complained of, and upon his or her appearing, or making Default to appear, (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or Place of Abode, if known, or that Attempt was made to serve such Summons, but that the Party complained of could not be found, and his or her Place of Abode was not known,) such Justice shall proceed to examine the Matter of Complaint, and upon Proof thereof, either by Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of for the Damage so by him or her done as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded, in case the same be not paid forthwith upon the making such Award or Order, to be levied by Distress and Sale of the Goods and Chattels of the Person complained of, rendering to him or her, upon Demand, the Overplus (if any be), after deducting the Charges of prosecuting such Complaint and of such Distress and Sale.

XI. And

XI. And be it further enacted, That in case the said Bridge shall be lighted with Gas, and such Gas shall be found to escape from any of the Pipes which shall be laid down or set up by any Company of Proprietors, or Body Politic or Corporate, Contractor or Contractors, or any Person or Persons whomsoever, making, furnishing, or supplying any Gas to be burnt or consumed in lighting the said Bridge, the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall, immediately after Notice given to them or him, by Parol or in Writing, from any Person or Persons whomsoever, of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall not within Twenty-four Hours after such Notice given effectually stop and prevent any future Escape, and fully and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid.

For preventing the Escape of Gas.

XII. And be it further enacted, That all Pipes or other Conduits to be laid or used by any Company of Proprietors, or Body Politic or Corporate, Contractor or Contractors, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas to be burnt or consumed in lighting the said Bridge, for the Conveyance of such Gas in, through, or under the said Bridge or any Part thereof, shall be so laid at the greatest practicable Distance, and (whenever the Width of the said Bridge will allow thereof) at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, through, under, or along the said Bridge; (except in Cases where it shall be unavoidably necessary to lay the said Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Cases the Length of the said Gas Pipes so crossing the said Water Pipes shall always exceed Nine Feet, in order that no Joint of the said Gas Pipes may be nearer to any Part of the said Water Pipes than Four Feet at least;) and in laying down the said Gas Pipes the said Company of Proprietors, or Body Politic or Corporate, Contractor or Contractors, or other Person or Persons making or supplying any Gas to be burnt or consumed in lighting the said Bridge, shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall then in such Trench, and not before, properly form and complete, with proper and sufficient Materials, the Joining with the other Pipe or Pipes to be connected therewith, and shall also make and keep air-tight all such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, and in every respect prevent the said Gas from escaping therefrom or from any Part thereof, upon pain of forfeiting the Sum of Five Pounds for every Default.

Gas Pipes to be laid at least Four Feet from Water Pipes.

XIII. And

To prevent
Contamina-
tion of
Water.

XIII. And be it further enacted, That whenever the Water running into or through the Waterworks of or belonging to the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, or the Waters of any other Owners or Proprietors of any other Waterworks, or the Water of any Spring, Reservoir, Well, or Pond belonging to or used by any Party or Person whomsoever, shall be contaminated or affected by the Gas of any Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons whomsoever, making or supplying any Gas to be burnt or consumed in lighting the said Bridge, the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds; and the same shall, in Cases where the Water of the City Waterworks shall be contaminated or affected, be applied to and for the Use and Benefit of the said Mayor, Bailiffs, and Commonalty, and in all other Cases to and for the Use and Benefit of the Owners or Proprietors of such other Waterworks, Spring, Reservoir, Well, or Pond, or the Party or Person using any such Water, as shall sue for such Penalty; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by One of the Bailiffs of the said City of *Oxford* as to the said City Waterworks, or by any known Agent or Manager for the Time being of or for any other of the Owners or Proprietors of other the Waterworks, Spring, Reservoir, Well, or Pond, or by any Party or Person interested in or using any such Water, to be left at the usual Office or Place of transacting Business of the said Company of Proprietors, Body Politic or Corporate, or Contractor or Contractors, or at the last or usual Place of Abode of such other Party or Person or Persons as aforesaid, cause Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall not within Twenty-four Hours next after such Notice effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall forfeit and pay to the Treasurer for the Time being of the said Mayor, Bailiffs, and Commonalty of the said City of *Oxford* in Cases where the Bailiff of the said City ist he Complainant, and in all other Cases to the Owners or Proprietors of Waterworks, or of any Spring, Reservoir, Well, or Pond, or to the Party or Person interested in or using any such Water, and complaining as aforesaid, for the Use and Benefit of the said Mayor, Bailiffs, and Commonalty, or the same Proprietors or Owners, or Party or Person, over and above the before-mentioned Penalty of Twenty Pounds, the further Sum of Ten Pounds for each and every Day during which any such Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and in default of Payment thereof as aforesaid such Penalty or Penalties, Forfeitures, or Payments shall and may be recovered by
Information,

Information, to be exhibited by or in the Name of either of the Bailiffs of the said City in Cases where the said Mayor, Bailiffs, and Commonalty of the City of *Oxford* are interested, and in other Cases of the Manager, Owners, or Proprietors of any Waterworks, or Spring, Reservoir, Well, or Pond, at the Option of the Parties prosecuting such Information, or in the Name of the Party or Person interested in or using any such Water and complaining as aforesaid, against the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, before any Justice of the Peace for the County wherein such Spring, Reservoir, Well, or Pond is situated, with Costs to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and all such Penalties, Forfeitures, or Payments, and Costs, when so levied, shall be paid to the Treasurer for the Time being of the said City of *Oxford*, or to the Owners or Proprietors of any Waterworks, for the Use of the same Owners or Proprietors, or to the Party or Person interested in or using any such Water, and informing or complaining as aforesaid.

XIV. And whereas it may become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons making or supplying any Gas to be burnt or consumed in lighting the said Bridge; be it therefore enacted, That in every such Case it shall be lawful for the said Mayor, Bailiffs, and Commonalty, as to the said City Waterworks, or for any Person or Persons by them authorized, and in other Cases for any such Owners or Proprietors of any Waterworks, Springs, Reservoirs, Wells, or Ponds, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Road or Pavement which shall be taken up or disturbed, shall be borne and paid by the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, then and in such Case the said Mayor, Bailiffs, and Commonalty, or other the Owners or Proprietors of any Waterworks,

For ascertaining if the Water is contaminated.

Springs, Reservoirs, Wells, or Ponds, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned by the said Mains, Pipes, Conduits, or Apparatus of the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Road or Pavement which shall be broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

Penalty for conveying Washings into any Sewer, &c.

XV. Provided always, and be it further enacted, That if any Company of Proprietors, or Body Politic or Corporate, Contractor or Contractors, or other Person or Persons whomsoever, making or supplying any Gas to be burnt or consumed in lighting the said Bridge, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the making of such Gas, into any River, Brook, or running Stream, Reservoir, Feeder, Aqueduct, Pond, or Springhead, or into any Sewer, Drain, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, whereby the said Water or any Part thereof shall or may be spoiled or corrupted, then and in every such Case such Company of Proprietors, or Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, or more than One Imparance shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same is sued for within Twelve Calendar Months next after the Time when such Annoyance, Act, and Thing shall have ceased: Provided also, that in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be recovered), in case any of the Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Sewer, Drain, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Company of Proprietors, or any of them, or to the said Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, and the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall not within Twenty-four Hours after such Notice given stop and prevent all and every such Washings, waste Liquids,

Liquids; or noisome or offensive Liquids, Substances, or Things from being drained or conveyed or from running or flowing in manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid; then and in every such Case the said Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

XVI. Provided always, and be it further enacted, That the Powers and Provisions in the said recited Act or this Act contained shall not extend or be construed to extend to protect any Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or any Person or Persons making or supplying any Gas to be used, burnt, or consumed in lighting the said Bridge, or any of the Servants or Officers or Workmen of any such Company of Proprietors, Body Politic or Corporate, Contractor or Contractors, or other Person or Persons as aforesaid, from any Indictment or Prosecution for a public or private Nuisance in respect of any Works, or the Means which shall be employed by them in making the said Gas or using the same, or supplying any such Gas, nor from any Action or Actions for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the said Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

This Act not to prevent any Persons lighting with Gas from being indicted for a Nuisance.

XVII. And be it further enacted, That if any Person shall wilfully or maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Plug, or other Apparatus, Matter, or Thing in any way used or employed in or for lighting the said Bridge, to whomsoever the same may belong, or shall wilfully or maliciously waste or consume any of the inflammable Air or Gas supplied by any Company of Proprietors, or Body Politic or Corporate, Contractor or Contractors, or other Person or Persons whomsoever, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath or Affirmation of some credible Witness, before some Justice or Justices of the Peace for the County where the Offence shall be committed; shall forfeit and pay to the Party or Person injured any Sum not exceeding Five Pounds, and twice the Amount of the Damage done or occasioned by such Conduct, the same to be ascertained by such Justice or Justices; and such Penalty and Damage, together with reasonable Costs, shall be levied by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus (if any), on Demand, to the Owner of such Goods and Chattels; or such Offender shall or may be committed to the Common Gaol or House of Correction of the County or Hundred where the Offence shall have been committed, there to remain for any Time not exceeding Three Calendar Months.

Penalty for damaging Pipes.

XVIII. And

The Owners of Carts and Carriages to be answerable for Offences of their Servants.

Masters to recover from their Servants.

XVIII. And for the more easy discovering and effectually punishing Offenders against the Provisions of the said recited Act or this Act, be it further enacted, That in all Cases where any Offence shall be committed against the said recited Act or this Act by means of any Cart, Carriage, or other Vehicle whatsoever, the Owner of such Cart, Carriage, or other Vehicle shall be deemed and considered to be the Offender, as well as the Person or Persons actually offending, and shall be subject and liable to the Penalty hereby imposed in respect of such Offence: Provided always, that in case any such Owner or Owners shall be compelled to pay any Penalty, or to make Satisfaction for any Damage, by reason of any wilful Neglect or Default done or committed by his, her, or their Servant or Servants, such Servant or Servants shall be liable to repay such Penalty or Satisfaction to such Owner or Owners; and in case of Nonpayment upon Demand thereof, and Oath made by such Owner or Owners of the Payment of him, her, or them of such Penalty or Satisfaction, and that the same hath not been repaid to him, her, or them by such Servant or Servants, (such Oath to be made before One Justice of the Peace of or for the said City or County of *Oxford* or the said County of *Berks*,) the same Penalty and Satisfaction shall be levied by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant or Servants, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction when recovered shall be paid to such Owner or Owners in discharge of such Penalty and Satisfaction; and if sufficient Goods and Chattels of such Servant or Servants cannot be found to answer such Distress, then such Justice is hereby required by Warrant under his Hand and Seal to cause such Servant or Servants to be apprehended and brought before him the said Justice; and in case such Penalty and Satisfaction, and the Costs of such Proceeding as aforesaid, shall not be forthwith paid, such Justice is hereby required forthwith to commit such Servant or Servants to the House of Correction for the City or County of *Oxford* or County of *Berks*, as the Case may be, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months nor less than Fourteen Days, unless the said Penalty and Satisfaction, and such Costs and other Charges as aforesaid, shall be forthwith paid, or unless such Servant or Servants shall have compounded for the said Penalty, Satisfaction, Costs, and Charges with such Owner or Owners, and paid such Composition, which such Owner or Owners is or are hereby empowered to make and accept.

Stone Steps on the Eastward Side of the Bridge to be considered Part thereof.

XIX. And whereas the Trustees have erected and put up on or near to the Eastward Part or Side of the said new Bridge, and near to the South End thereof, a Flight of Stone Steps leading from the said new Bridge to the Water-side: And whereas Doubts are entertained whether such Steps form any Part of the said new Bridge; be it therefore further enacted, That the said Steps shall, from and after the passing of this Act, be and be considered as Part of the said new Bridge, and shall, with the Walls and Fences thereto, be vested in the Mayor, Bailiffs, and Commonalty of the City of *Oxford* in like Manner as the said new Bridge is now by virtue of the said recited Act vested in them; and the same Steps, Walls, and Fences shall from Time to Time and at all Times for ever hereafter be repaired, maintained, and supported by the said Mayor, Bailiffs, and Commonalty, as Part of the said Bridge.

XX. And

XX. And whereas there is a small Piece of Ground adjoining the Westward Side of the said Bridge, and near to the North End thereof, heretofore Parcel of the late Bed or Channel of the said River *Isis*, but now filled in, containing by Admeasurement Four Perches or One hundred and twenty-three Yards, bounded on the South by the new Channel of the said River, on the West by other Part of the said late Bed or Channel of the said River; also now filled in, and lately sold and conveyed under the Powers of the said recited Act to *Lawrence Wyatt* and *Robert Wyatt* of *Oxford*, Barge Masters, on the North by the Road leading from the public Street called *Saint Aldate* to the City Waterworks, and on the East by the said new Bridge; which said Piece of Ground by the Provisions of the said Act is now vested in the said Trustees, to be sold and disposed of by them according to the Directions in the said Act contained: And whereas it is desirable that the said Piece of Ground should belong to and be held with the said Bridge or as appurtenant thereto; be it therefore enacted, That the Power of Sale and other Provisions in the said recited Act contained, so far as the same relate to the said Piece of Ground, shall be and the same are hereby repealed.

Power of Trustees to sell small Piece of Ground on the Westward Side of the Bridge repealed;

XXI. And be it further enacted, That the said Piece of Ground shall from and after the passing of this Act become and be vested in the said Mayor, Bailiffs, and Commonalty of the City of *Oxford*, and be from Time to Time held by them as Part of or appurtenant to the said new Bridge.

and the Ground vested in the Corporation of Oxford.

XXII. And be it further enacted, That all the Powers and Provisions, Penalties, Forfeitures, Remedies, Matters, and Things mentioned or contained in the said recited Act and this Act, so far as the same respects Nuisances, Annoyances, and Trespasses, shall extend and apply to the said Steps, and the Walls and Fences thereto, and the said Piece of Ground respectively; and the Justices of the Peace acting for the said City or County of *Oxford* and for the said County of *Berks* respectively are hereby authorized and empowered to enforce all Penalties for Nuisances, Annoyances, and Trespasses upon or to the said several last-mentioned Premises respectively in like Manner in all respects as by the said recited Act or this Act is or are authorized and directed with respect to Nuisances, Annoyances, and Trespasses committed or done to or upon the said Bridge, or any of the Avenues, Accents, or Approaches thereto.

The Penalties respecting Nuisances to extend to said Steps, &c. and Justices of the City and County to have concurrent Jurisdiction.

XXIII. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall moor or stay any Boat, Barge, or Vessel of any Kind whatsoever under any of the Arches of the said new Bridge, or shall, either within the new-made Channel of the said River, or upon that Part of the old River lying Eastward of the said Bridge (not commonly used for the Purpose of the River Navigation), and within One hundred Yards of the said Bridge, moor or stay any Boat, Barge, or other Vessel (other than for the necessary loading or unloading thereof at the Wharf and Premises which adjoin the said new Channel, or at the Wharf and Premises near to the said Bridge, called the Sewers Commissioners Wharf), or if any Person or Persons shall place, float, or keep any Timber or Raft of any Sort, or occasion any Kind of Obstruction or Annoyance whatever, upon or within the said new Channel, or upon that Part of the said River lying Eastward of the said Bridge as aforesaid, or

Penalty for mooring or staying any Vessel under the Arches of the Bridge.

[Local.]

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shall

shall within the Limits aforesaid in any Manner obstruct the Current of the said River, or obstruct, incommode, hinder, or prevent the free Passage from the said River to the aforesaid Steps at the South End of the said Bridge, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered as other Penalties are by the said recited Act directed to be levied; and one Moiety thereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of the said recited Act and of this Act.

Exempting
the Royal
Family from
Toll.

XXIV. Provided always, and be it further enacted, That neither the said recited Act or this Act shall extend or be construed to extend to charge with Toll any Horses or Carriages belonging to His Majesty, or attending His Majesty or any of the Royal Family, or returning after having so attended.

Trustees may
sue and be
sued in the
Name of their
Clerk.

XXV. And be it further enacted, That the said Trustees may sue and be sued in the Name of their Clerk for the Time being, or any One of the Trustees; and all Actions or Suits that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of the said recited Act or this Act, or for or in respect of any other Matter or Thing relating to the said recited Act or this Act, may be brought in the Name of the said Clerk or any One of the Trustees; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Trustees or any of them, by virtue or on account of the said recited Act or this Act, in the Name of the Clerk or any One of the Trustees, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk or the said Trustees done or suffered without the Consent or Direction of the said Trustees, but the Clerk to the said Trustees for the Time being, or any One of the Trustees, shall be always deemed Plaintiff or Defendant in every such Action or Suit, except in such Action or Actions as shall be prosecuted between the said Trustees and their Clerk for the Time being, in which Action or Suit any of the said Trustees shall or may be Plaintiffs or Defendants, as the Case may be.

Justices may
proceed by
Summons in
Recovery of
Penalties.

XXVI. And be it further enacted, That in all Cases in which by the said recited Act or this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall be lawful for the Justice before whom Complaint shall be made of any Offence committed against the said recited Act or this 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 or Admission 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 had been exhibited.

Justices of
Peace for the
County of
Oxford to

XXVII. And be it further enacted, That all Justices of the Peace acting for the County of *Oxford* shall have and they are hereby invested with the same Power and Authority to summon Offenders, and enforce the
several.

several Penalties and Forfeitures imposed by the said recited Act or this Act, as is or are thereby or hereby respectively given to Justices of the Peace acting for the City of *Oxford* or for the said County of *Berks* respectively; and if any Offence shall be committed against the said recited Act or this Act, the Person or Persons committing the same shall and may be prosecuted either in the City or County of *Oxford* respectively or in the County of *Berks*, as the Case may be.

have concurrent Jurisdiction with those of the City.

XXVIII. And whereas the Commissioners for carrying into execution an Act of Parliament passed in the Third Year of the Reign of His late 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 or referred to, did on or about the Fifteenth Day of *November* One thousand eight hundred and twenty-six, under the Provisions of the said Acts, and of the said Act of the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, advance to the Trustees acting under the said last-mentioned Act the Sum of Six thousand Pounds in Exchequer Bills, on the Security of an Indenture of Mortgage bearing Date the said Fifteenth Day of *November* One thousand eight hundred and twenty-six, whereby, for the Considerations therein mentioned, the said Trustees assigned to *William Holden*, the then Secretary of the said Commissioners for the Issue of Exchequer Bills, but now deceased, all and every the Tolls, Rents, and Receipts whatsoever accruing or which should or might thereafter accrue, arise, be taken, collected, or received from or by virtue of the said Act of the Fifty-fifth Year of the Reign of His said Majesty King *George* the Third, or any other Act or Acts of Parliament therein recited, mentioned, or referred to, or any other Act or Acts of Parliament relating to the said Bridge, and the Toll Gates, Toll Bars, and Toll Houses then already made and erected or thereafter to be made and erected for collecting the same Tolls, subject to Redemption upon Payment of the said Sum of Six thousand Pounds by such Instalments and at such Times as in the said Indenture is particularly expressed; be it therefore enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, defeat, make void, or in any Manner incumber, diminish, or affect the Security given or intended so to be given by the said Indenture bearing Date the said Fifteenth Day of *November* One thousand eight hundred and twenty-six, but that the same shall be and continue as good, valid, and effectual in all respects as if this Act had not been passed, any thing contained in the Acts hereinbefore recited or referred to, or this Act, or any of them, to the contrary thereof notwithstanding.

Mortgage to Exchequer Bill Commissioners not to be affected by this Act.

3 G. 4. c. 86.

XXIX. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the procuring and obtaining this Act, together with lawful Interest from the Time of advancing the same until the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees and they are hereby required to order and direct Payment of the said Charges and Expences, with Interest as aforesaid, out of any Monies in their Hands, or out of the first

For paying Expences of the Act.

first Monies that shall be collected or received by virtue of the said recited Act and this Act, in preference to all other Payments and Disbursements whatsoever.

Public Act. XXX. 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.

Continuance of Term of Act. XXXI. And be it further enacted, That the Term granted by the said recited Act shall on the passing of this Act cease and determine; and the said Act (subject to the Alterations, Variations, and Additions hereinbefore contained) and this Act shall from thenceforth commence, continue, and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, unless the Monies which have been so borrowed and taken up at Interest, and now due and owing as aforesaid, and the Interest thereof, shall be sooner paid off and discharged.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1834.