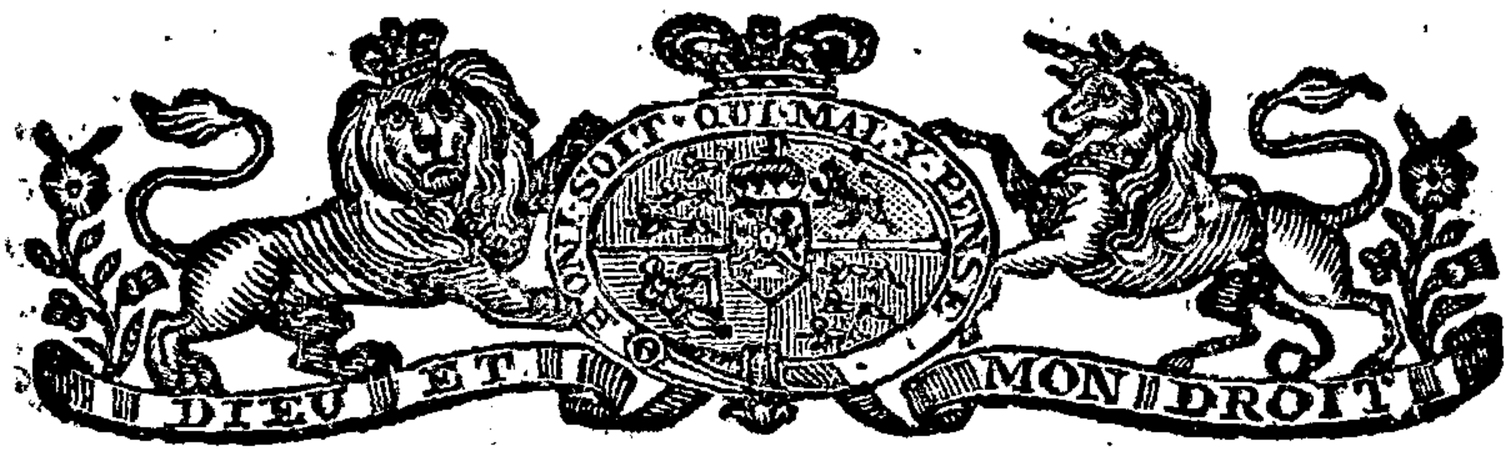


ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. xciv.

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 *Friar's Bridge*; and for widening the ſame Bridge, and improving the Approaches thereto. [28th *June* 1815.]

WHEREAS the Bridge over or acroſs the River *Thames* or *Iſis*, at or near to the South End of the City of *Oxford*, in the Pariſh of *Saint Aldates*, in the County of *Berks*, called *Folly Bridge*, is very ancient and greatly decayed, and is alſo very narrow and inconvenient, and does not afford ſafe or proper Accommodation for the great Increaſe of Paſſage of Carriages of all Sorts over the ſame, ariſing from the Improvement of the Roads leading to the ſaid Bridge: And whereas it would therefore be greatly for the Benefit and Advantage of the Inhabitants of the ſaid City, and the Neighbourhood thereof, and of great Public Utility, if the ſaid preſent Bridge called *Folly Bridge*, were wholly or in Part taken down, and a wider and more convenient and ſubſtantial Bridge erected inſtead thereof, on or near to the Scite of the preſent Bridge, and if the Approaches thereto were widened, opened, and rendered commodious: And whereas the Mayor, Bailiffs, and Commonalty of the ſaid City of *Oxford* are, and from Time immemorial have been liable to maintain, ſupport, and keep in Repair the ſaid Bridge; but the Funds of the ſaid Corporation are very inadequate to the re-building, widening, and improving the ſaid Bridge, and the Approaches thereto; and the beneficial Purpoſes aforeſaid therefore cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Ma-

jesty 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,

Trustees. and by the Authority of the same, That the following 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, that is to say, the Vicechancellor, or Pro-Vicechancellor of the said University, his Assessor in the University Court, all Heads or Governors of Colleges and Halls in the said University, the Canons of the Cathedral Church of *Christ*, the several Royal and other Professors of and within the said University, the Proctors of the University, the Public Orator, the *Bodleian* and *Radclivian* Librarians and Registrar of the said University; the Mayor, Recorder, Aldermen, Assistants, Bailiffs, Town Clerk, and Solicitor of the City of *Oxford* for the Time being; together with the respective Rectors, Vicars, or other Incumbents for the Time being, of the several Parish Churches and Chapels of *St. Aldates*, *Wytham*, *Cumner*, *North Hinksey*, *South Hinksey*, *Kennington*, *Wootton*, *Sunningwell*, and *Radley*, in the County of *Berks*, and of *St. Nicholas* and *St. Helens* in the Town of *Abingdon*; and *Sir George Bowyer* Baronet, the Reverend *Henry Bowyer* Clerk, *Richard Bradfield*, *John Bull*, *Thomas Burrows*, *Edward Child*, *Joshua Cook*, *Richard Curtis*, *Thomas Fletcher*, *John Grosvenor*, *Nicholas Gunn*, *William Hall*, *William Halse*, *John Hickman*, *John Joy*, *John Ireland*, *Henry Knapp*, *Richard Knight*, *James Latham*, *John Latham*, *Edward Micklem*, *Benjamin Morland*, *Baker Morrell*, *James Morrell*, *Thomas Prince*, *Thomas Robinson*, *James Rowland*, *Samuel Sellwood*, *William Slatter*, *John Francis Spenlove*, *Thomas Richard Walker*, *William Winter* and *Lawrence Wyatt*, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby declared to be Trustees for effecting the Purposes aforesaid; and for otherwise carrying this Act into full and complete Execution.

Power to appoint additional Trustees.

II. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Ten in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so elected, and being duly qualified, shall be and are hereby invested with the same Powers and Authorities for executing this Act, as if they had been herein named and appointed.

No Act of the Trustees valid, unless at a Meeting, &c.

III. And be it further enacted, That no Act of the said Trustees shall be good, valid, or effectual, unless the same shall be done at some Meeting to be holden in pursuance of this Act, (except in the Cases hereinafter mentioned), and that all the Powers and Authorities by this Act granted to the said Trustees shall and may be exercised from Time to Time by the major Part of them, who shall be present at any Meeting to be holden in pursuance of this Act, the Number of Trustees present at every such Meeting not being less than Five; and all the Orders and Proceedings of the major Part of the Trustees present at such their several Meetings shall have the same Force and Effect, as if the same were made or done by all such Trustees for the Time being, (save and except as herein-

after mentioned); and that at every Meeting of the said Truſtees, a Chairman ſhall be appointed; and when and as often as it ſhall happen that there ſhall be an Equality of Votes at any ſuch Meeting upon any Queſtion, (including the Vote of the Chairman), then and in every ſuch Caſe, it ſhall be lawful for ſuch Chairman to give the caſting or deciſive Vote.

Power to appoint new Truſtees.

IV. And be it further enacted, That upon the Death, Refuſal or Diſability to act of any of the Truſtees herein-before named, or of their Succeſſors, to be elected in Manner herein-after mentioned, (ſave and except ſuch as are herein appointed Truſtees by virtue of their reſpective Offices), to act in the Execution of this Act, then, and in every ſuch Caſe, it ſhall be lawful for the ſurviving or remaining Truſtees, from Time to Time to elect and appoint one other Perſon to be a Truſtee in the room of each Truſtee ſo dying, refuſing, or becoming incapable to act; and Notice of the Time and Place of the Meeting for every ſuch Election, ſhall be ſigned by the Clerk or Clerks to the ſaid Truſtees for the Time being, and ſhall 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*, Ten Days at leaſt before ſuch Meeting; and every Perſon ſo elected a Truſtee in Manner aforeſaid, ſhall be and is hereby empowered to act in the Execution of this Act, in as full and ample Manner to all Intents and Purpoſes whatſoever, as the Truſtee in whoſe Stead he ſhall have been ſo elected.

Qualification of Truſtees.

V. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee, in the Execution of this Act, ſave and except the ſaid herein-before mentioned 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, and the ſaid Rectors, Vicars, and Incumbents for the Time being reſpectively, 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 Lands, Tenements, or Hereditaments in the Counties of *Oxford* and *Berks*, or One of them, of the clear yearly Value of Fifty Pounds, or be poſſeſſed of or entitled to a Perſonal Eſtate of the Value of Two thouſand Pounds, after Payment of all his Debts; nor ſhall any Perſon be capable of acting as ſuch Truſtee, (ſave and except in appointing the Firſt Meeting of the ſaid Truſtees to be holden in purſuance of this Act, in caſe the ſame ſhall not be holden on the Day herein appointed, and in adminiſtering the Oath herein-after mentioned, to the other Truſtees), until he ſhall have taken and ſubſcribed the Oath or Affirmation following, at a Meeting to be holden by the ſaid Truſtees, by virtue of this Act, which Oath or Affirmation, any One or more of the ſaid Truſtees is and are hereby authorized and empowered to adminiſter, (that is to ſay),

Oath.

'I *A. B.* do ſwear [*or, being one of the People called* Quakers, *do ſolemnly affirm*], that I will execute the Duty of a Truſtee repoſed in me by virtue of an Act paſſed in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, intituled [*here inſert the Title of this Act*], according to the beſt of my Skill and Judgment, and without Favour or Affection, Prejudice or Malice, to any Perſon or Perſons whomſoever.

'So help me GOD.'

And

And if any Perſon not being ſo qualified, except as herein-before excepted, or not having taken the ſaid Oath or Affirmation, ſhall act as a Truſtee, in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter* by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; and every Perſon ſo ſued, or proſecuted, ſhall prove that he is qualified as aforeſaid, except as herein-before excepted, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Plaintiff or Proſecutor, than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act: Provided nevertheleſs, that all Acts and Proceedings of any Perſon or Perſons acting as a Truſtee or Truſtees in the Execution of this Act, though not duly authorized or qualified as aforeſaid, previous to his or their being convicted of the ſaid Offence, ſhall notwithſtanding ſuch Conviction be as good, valid, and effectual, as if ſuch Perſon or Perſons had been duly authorized or qualified to act as a Truſtee or Truſtees, according to the Directions of this Act.

Victuallers, &c. incapable of acting.

VI. Provided alſo, and be it further enacted, That no Perſon, who ſhall keep a Victualling Houſe, Ale Houſe, or other Houſe of Public Entertainment, or who ſhall ſell any Wine, Cyder, Beer, Ale, or Spirituous or other ſtrong Liquors by Retail, ſhall be capable of acting as a Truſtee, or of taking, holding, or enjoying any Place or Places of Truſt or Profit under the ſaid Truſtees, or of collecting the Tolls by this Act granted and made payable, during ſuch Time as he ſhall keep ſuch Victualling Houſe, Ale Houſe or other Houſe of Public Entertainment, or ſhall ſell any Wine, Cyder, Beer, Ale or Spirituous or other ſtrong Liquors by Retail; but no ſuch Perſon ſhall be precluded from farming the Tolls by this Act granted, provided he ſhall employ a Perſon or Perſons to collect ſuch Tolls, who ſhall not be under ſuch Incapacity; nor ſhall any Perſon be capable of acting as a Truſtee in the Execution of this Act, during ſuch Time as he ſhall hold any Office or Place of Profit under the ſaid Truſtees for the Execution thereof, or during ſuch Time as he ſhall have any Share or Intereſt in any Contract or Work to be performed or done under any of the Powers of this Act, or in any other Matter wherein he ſhall be in anywiſe perſonally or beneficially intereſted, (except as a Mortgagee or Creditor of or upon the Tolls, hereby authorized and directed to be impoſed, levied, and collected).

Truſtees may act as Juſtices if not intereſted.

VII. And be it further enacted, That ſuch of the ſaid Truſtees as are or ſhall be Juſtices of the Peace, ſhall and may in their reſpective Juriſdictions, and they are hereby empowered to act as Juſtices of the Peace, in the Execution of this Act, notwithſtanding their being Truſtees, except only in ſuch Caſes where they ſhall be perſonally intereſted.

Appointing the Firſt Meeting of Truſtees.

VIII. And be it further enacted, That the ſaid Truſtees ſhall meet at the *Town Hall* in the City of *Oxford*, on the Third *Thurſday* next after the paſſing of this Act, between the Hours of Ten of the Clock in the Forenoon and One of the Clock in the Afternoon, and proceed to carry this Act into Execution; and in caſe none of the ſaid Truſtees ſhall attend ſuch Meeting, then ſuch Meeting ſhall be and be deemed to be adjourned to the next Day, (*Sunday*, *Good Friday*, *Chriſt-*

mas

mas Day, or any Day on which Divine Service is ordered by Authority to be celebrated, only excepted, and then to the next Day), and ſo *toties quoties*, until a ſufficient Number of Truſtees ſhall attend at ſuch Meeting to act in the Execution of this Act, or until a Truſtee or Truſtees ſhall attend ſo as to adjourn ſuch Meeting; and the ſaid Truſtees ſhall and may at ſuch Meeting, and at their ſeveral Meetings to be holden for the Purpoſe of carrying this Act into Execution, from Time to Time adjourn themſelves, and appoint their next Meeting to be holden there, or at any other Place, within Seven Miles Diſtance of the ſaid Bridge, as to the ſaid Truſtees ſhall ſeem convenient, and at ſuch Time as to them ſhall ſeem proper; and if it ſhall ſo happen, that there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act in the Execution of this Act, the Truſtee or Truſtees then preſent, or the Clerk or Clerks to the ſaid Truſtees, ſhall, from Time to Time as often as the Caſe ſhall 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 ſhall cauſe Notice thereof to be inſerted in the ſaid 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 ſhall or may be erected, by virtue of this Act, or on the Toll Gate at which the Tolls granted by this Act ſhall be collected, at leaſt Five Days before the Day to which ſuch Meeting ſhall be ſo adjourned; and the ſaid Truſtees ſhall at their ſeveral Meetings to be held under or by virtue of this Act defray their own Expences.

Meetings on Emergencies.

IX. And be it further enacted, That if after any Adjournment of any Meeting as aforeſaid, it ſhall 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 ſhall 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) ſhall forthwith give Notice of ſuch earlier Day in Manner before directed, and of the Time and Place which ſhall 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, ſhall be as good, valid and effectual, as they would have been in caſe ſuch Truſtees had met in purſuance of an Adjournment.

No Order to be revoked unleſs at a Meeting for that Purpoſe.

X. And be it further enacted, That no Order or other Proceeding made at any Meeting of the Truſtees, holden in purſuance of this Act, ſhall be revoked or altered at any ſubſequent Meeting, unleſs at a Meeting to be holden for that Purpoſe, nor unleſs Notice, ſpecifying the Revocation or Alteration intended to be made, ſigned by the Clerk or Clerks to the ſaid Truſtees, be affixed on the Toll Gate that ſhall or may be erected by virtue of this Act, or the Toll Gate at which the Tolls granted by this Act ſhall be collected, or inſerted in the ſaid 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*, at leaſt Seven Days before ſuch ſubſequent Meeting; nor unleſs there ſhall be Nine Truſtees preſent at ſuch ſubſequent Meeting, and a Majority of Three Truſtees ſhall decide in Favour of ſuch Revocation or Alteration;

nor unleſs there ſhall be a greater Number of Truſtees preſent at ſuch ſubſequent Meeting than were preſent at the Meeting when ſuch Order or other Proceeding was had or made.

Proviſion for General Annual Meeting of Truſtees.

XI. And be it further enacted, That the ſaid Truſtees ſhall, and they are hereby required to meet on the Firſt *Thurſday* in the Month of *April* yearly, at the Town Hall in the ſaid City of *Oxford*; and that, at ſuch General Annual Meeting, the Accounts of all Monies received and paid from Time to Time, by virtue or in Execution of this Act, by any Perſon or Perſons whomſoever, ſhall be produced and ſtated to the ſaid Truſtees.

Proceedings to be entered.

XII. And be it further enacted, That the ſaid Truſtees ſhall cauſe to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of all their Acts, Orders, and Proceedings relative to the Execution of this Act; and of the Names of all ſuch Truſtees as ſhall be preſent at their ſeveral Meetings; and all Entries in ſuch Book or Books, being ſigned by the Chairman of ſuch Meeting, ſhall be deemed Originals, and ſhall be allowed to be read as Evidence in all Cauſes, Suits, and Actions touching or concerning any Thing done in purſuance of this Act; and ſuch Book or Books ſhall at all the Meetings of the ſaid Truſtees be open, and liable to the Inſpection of all and every of the ſaid Truſtees, and of the Creditors on the Tolls hereby granted; and any of the ſaid Truſtees and Creditors ſhall and may have and take Copies thereof or of any Part thereof, paying for every Copy not exceeding One hundred Words the Sum of Sixpence, and ſo in proportion for any greater or leſs Number of Words.

Truſtees to appoint Officers, &c.

XIII. And be it further enacted, That the ſaid Truſtees may, and they are hereby empowered, by Writing under their Hands, to appoint a Treaſurer or Treaſurers, Clerk or Clerks, and a Collector or Collectors of the Tolls by this Act granted, and (if neceſſary), a Surveyor or Surveyors of the Bridge, and other Works hereby directed or authorized to be erected, made, done, and executed, and alſo ſuch other Officers and Perſons for the Execution of this Act, as they the ſaid Truſtees ſhall think proper; and from Time to Time to remove ſuch Officers and Perſons reſpectively as they the ſaid Truſtees ſhall ſee Occaſion; and out of the Monies to be received by virtue of this Act, to allow and pay ſuch Salaries, Wages and Allowances to the ſaid Officers and other Perſons, as the ſaid Truſtees ſhall think reaſonable; and the ſaid Truſtees ſhall and they are hereby required to take ſufficient Security from every ſuch Treaſurer, for the due Execution of his Office; and all ſuch Officers ſo to be appointed ſhall under their Hands, at ſuch Time or Times, and in ſuch Manner as the ſaid Truſtees ſhall direct, deliver to the Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all the Matters and Things committed to their Charge by virtue of this Act; and alſo of all the Monies which ſhall have been by ſuch Officers reſpectively received by virtue and for the Purpoſes of this Act; and how much thereof hath been expended and diſburſed, and for what Purpoſe, together with proper Vouchers for ſuch Payments; and ſhall pay all ſuch Monies as ſhall remain due from them reſpectively, to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame; and every ſuch Treaſurer ſhall at the Meeting of the ſaid Truſtees herein-before

directed to be holden on the First *Thurſday* in the Month of *April* yearly lay his Accounts before the ſaid Truſtees, in order that the ſame may be audited, paſſed, and allowed by them, if approved; and if any ſuch Officer ſhall refuſe or neglect to make and render any ſuch Account, or to produce and deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid; or ſhall refuſe or wilfully neglect to deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, within Ten Days after being thereunto required by the ſaid Truſtees, by Notice in Writing to or left at the laſt or uſual Place of Abode of the ſaid Officer, all Books, Papers, and Writings in his Cuſtody or Power, relating to the Execution of this Act, or give Satisfaction to the ſaid Truſtees, reſpecting the ſame, then and in every ſuch Caſe, upon Complaint made by the ſaid Truſtees, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or wilful Neglect as aforeſaid, to any Juſtice of the Peace for the County or Place wherein ſuch Officer ſo refuſing or wilfully neglecting ſhall be or reſide, ſuch Juſtice may and he is hereby authorized and required to iſſue a Warrant, under his Hand and Seal, for the Officer ſo refuſing or neglecting to appear before him; and upon his appearing, or having been ſummoned, and not appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party, or by the Teſtimony of any One or more credible Witneſs or Witneſſes upon Oath, (which Oath ſuch Juſtice is hereby empowered to adminiſter), it ſhall appear to ſuch Juſtice, that any of the Monies, which ſhall have been collected or raiſed by virtue of this Act, ſhall remain due from ſuch Officer, ſuch Juſtice may, and he is hereby authorized and required upon Non-payment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer; and if no Goods or Chattels of ſuch Officer can be found, ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſaid Goods and Chattels, or if it ſhall appear to ſuch Juſtice that ſuch Officer ſhall have refuſed or wilfully neglected to render and give ſuch Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings, relating to the Execution of this Act, ſhall be in the Cuſtody or Power of ſuch Officer, and he ſhall have refuſed or wilfully neglected to deliver or give Satisfaction reſpecting the ſame as aforeſaid, then and in each and every ſuch Caſe ſuch Juſtice ſhall commit ſuch Offender to the Common Gaol or Houſe of Correction for the County or Place where ſuch Offender ſhall be or reſide, there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Truſtees for ſuch Money, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, (which Compoſition the ſaid Truſtees are hereby empowered to make and receive), and until he ſhall deliver up ſuch Books, Papers, and Writings, or give Satisfaction in reſpect thereof to the ſaid Truſtees; but no ſuch Officer ſhall be detained or kept in Priſon for want of ſuch Diſtreſs, by virtue of this Act, for any longer Space of Time than Six Calendar Months.

On the Death of a Gate Keeper Truſtees may no-

XIV. And be it further enacted, That it ſhall and may be lawful for any Five or more of the ſaid Truſtees, upon the Death, Neglect, or Refuſal, or Incapacity to act, of any Collector of the Tolls hereby granted, by Writing under their Hands, to nominate and appoint ſome other fit and proper

minate another until the next Meeting.

proper Perſon in his Place, until the next Meeting of the ſaid Truſtees; which Perſon, ſo to be nominated and appointed, ſhall have the like Power and Authority, and be accountable in the ſame Manner in all Reſpects as the Perſon or Perſons in whoſe Room or Stead he ſhall be ſo appointed; and if any Collector of the ſaid Tolls, who ſhall be diſcharged from his Office by the ſaid Truſtees, ſhall refuſe to deliver up the Poſſeſſion of any Books of Accounts or Papers relating to the Execution of this Act, or of any Toll Houſe, Buildings, and Appurtenances, which ſhall or may be erected or ſet up by virtue of this Act, which he enjoyed in right of his Appointment to that Office, within Four Days after Notice given to him, or left at ſuch Toll Houſe, or at any Toll Houſe, at which the Tolls granted by this Act ſhall be collected, in Writing under the Hands of the ſaid Truſtees, or any Five or more of them; or if the Wife or Family of any ſuch Collector, who ſhall die as aforeſaid, or any other Perſon, who ſhall be in the Poſſeſſion of the Premiſes, by any Means whatever, ſhall refuſe to deliver up ſuch Books of Accounts, or Papers as aforeſaid, or ſuch Toll Houſe, Building, and Appurtenances, to be erected or ſet up by virtue of this Act, within Four Days after Notice of ſuch new Appointment being made as aforeſaid, ſhall have been given to him or them, or left at ſuch Toll Houſe, or at any Toll Houſe, at which the Tolls granted by this Act ſhall be collected as aforeſaid, ſigned by any Five or more of the ſaid Truſtees, then, and in any of the ſaid Caſes, it ſhall be lawful for any Juſtice of the Peace for the County or Place in which ſuch Toll Houſe ſhall be ſituate, by Warrant under his Hand and Seal, to order any Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Toll Houſe and Premiſes, ſo to be erected as aforeſaid, or any Toll Houſe at which the Tolls granted by this Act ſhall be collected as aforeſaid, in the Day Time, and to remove all Books of Accounts, or Papers as aforeſaid, and alſo the Perſon or Perſons, who ſhall be found in any ſuch Toll Houſes which ſhall be ſo erected or ſet up as aforeſaid, together with his or their Goods and Chattels out of ſuch Toll Houſe and other Premiſes, and to put the new appointed Collector in Poſſeſſion thereof.

Power to take down the preſent Bridge, or any Part thereof, and to rebuild the ſame, &c.

XV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby fully authorized and empowered, by and out of the Tolls and other Monies to be received and raiſed by virtue of this Act, to cauſe the whole, or ſo much of the ſaid preſent Bridge, called *Folly Bridge*, as they ſhall think neceſſary, to be taken down, and well, ſufficiently, and ſubſtantially rebuilt with Stone, Iron, or other Materials, according to ſuch Deſign, and in ſuch Manner, as to them ſhall ſeem right and proper, upon or within One hundred Yards of the Site and inſtead of the preſent Bridge, and to alter, widen, or enlarge the Roads, Avenues, Aſcents, and Approaches, at each End of the ſaid Bridge; and to ſet up a Ferry, or erect a temporary Bridge, at ſome convenient Place or Places, until the ſaid Bridge ſhall be completed, and the ſaid Truſtees are hereby required to continue the ſaid Ferry or temporary Bridge, until the intended new Bridge ſhall be rendered ſafe for the Paſſage of Travellers, Cattle, Carts, and Carriages, and to make proper Roads, Ways, Avenues, Aſcents, and Approaches to the ſaid Ferry and temporary Bridge; and, if neceſſary, to erect and ſet up One or more Toll Houſe or Toll Houſes, with a Gate or Gates, and other Conveniences, upon or near the ſaid Bridge, and to ſupport, maintain, and keep, the ſaid Toll

Toll House, Gate, and other Conveniences in good and sufficient Repair; and that it shall be lawful for the said Trustees, for the several Purposes aforesaid, and they are hereby authorized and empowered, upon giving Six Calendar Months previous Notice to the respective Occupiers for the Time being, of the several Dwelling Houses and Tenements at the North End of the said Bridge, in the respective Occupations of *Sutton Thomas Wood*, *John Taylor*, and *Richard Hooper*, and of the Dwelling House at the South End of the said Bridge, in the Occupation of *Stephen Davies*, to cause all and every, or such One or more, or such Part or Parts, of the said several Dwelling Houses and Tenements, as to the said Trustees, or any Five or more of them, shall in their Discretion seem meet, to be pulled down, and the Materials thereof applied or sold, or disposed of, for or towards the Purposes of this Act, the said Trustees making Satisfaction to the Owner or Owners, and to all Persons, Bodies Corporate and Collegiate, interested in the said several Dwelling Houses and Premises, or such of them, or so much thereof as shall be pulled down, taken or used, for the Purposes of this Act in Manner herein-after mentioned and provided for; and that it shall also be lawful for the said Trustees, or any Five or more of them, and they are hereby fully authorized and empowered, to dig and make proper Foundations in the said River, and on the Lands and Grounds lying and being on each Side thereof, for the Piers and Abutments of the said Bridge; and also with the Consent of the Commissioners of the *Thames* Navigation, expressed at a General Meeting for that Purpose assembled, to remove the Tackle and Works under the present Bridge for penning a Head of Water for the Purposes of the River Navigation, to some more convenient Part of the said River, above and within Two hundred Yards of the said Bridge, and there to erect, make, and set up any Lock, Dam, Weir, Gates, Rymers, tumbling Bay, or other Tackle or Works necessary and effectual for penning such Head of Water as aforesaid, and carrying off the waste Water to be occasioned thereby; and which said penning Tackle, from and immediately after such Removal and Re-establishment, together with the several Works that shall appertain thereunto, shall belong unto, and be vested in, and supported and maintained by, the same Body or Bodies Corporate, Person or Persons, and in such and the same Manner, and be subject to the same Use, Controul, and Enjoyment, as the same would have belonged and been subject unto, in case the same had not been removed or affected by virtue of this Act; and that it shall also be lawful for the said Trustees, or any Five or more of them, and they are hereby fully authorized and empowered to remove or cause to be removed, any Shoals, or other Obstruction, in the said River, within Two hundred Yards of the said Bridge, and to take away all Beds of Gravel, Sand, Mud, or other Impediments within the like Distance; and also, with the Consent of the said Commissioners of the *Thames* Navigation to be expressed at a General Meeting for that Purpose assembled, and of the Owner or Owners, Body or Bodies Corporate, Collegiate, and Persons interested in a certain Meadow Island, containing Two Acres or thereabouts, lying immediately above the said Bridge, to straighten the Bed or Channel of the said River within the said Distance of Two hundred Yards, and for that Purpose to excavate and dig so much of the said Meadow Island, as shall be expedient or necessary for straightening the Bed or Channel of the said River across the said Meadow, and well and effectually to embank and strengthen such new Excavation and Channel; and when the same shall be made, embanked,

and completed, to apply the Soil and Earth that ſhall be dug thereout, and ſuch other Materials as ſhall be neceſſary or proper, in filling in, and ſtopping up ſo much and ſuch Part of the ſaid preſent Bed or Channel of the ſaid River, as ſhall be rendered uſeleſs and unneceſſary; and which ſaid Part of the ſaid preſent Bed or Channel ſhall from thenceforth belong to and become veſted in the Truſtees for executing this Act, and ſhall and may be ſold and diſpoſed of by them, and the Money to ariſe therefrom ſhall be applied towards the Purpoſes of this Act; and that it ſhall alſo be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby fully authorized and empowered to dig and cut the Banks of the ſaid River, on each or either Side thereof, in ſuch Manner as ſhall be neceſſary and proper for the better rebuilding the whole or any Part of the ſaid Bridge, and other Works, and preſerving the ſame, and the Navigation of the ſaid River, near and under the ſaid Bridge, free and open; and from Time to Time, to do or cauſe to be done all other Acts, Matters, and Things, as the ſaid Truſtees or any Five or more of them, ſhall think neceſſary, uſeful, and convenient, for making or repairing, removing, and re-eſtabliſhing the ſaid Bridge, and other Works and Conveniences, or the Aſcents and Approaches to the ſaid Bridge, and to take and purchaſe any Houſes, Tenements, Lands, and Grounds, that ſhall be neceſſary for any of the Purpoſes aforeſaid, ſituate, lying, or being within the Diſtance of Two hundred Yards above the ſaid Bridge, or of One hundred Yards of the ſaid Bridge, in any other Direction, and from Time to Time to bring, place, lay, manufacture, work, and uſe any Timber, Stone, Iron, Brick, Lime, or other Materials for building, rebuilding, erecting, or repairing the ſaid Bridge, or temporary Bridge, Ways, Avenues, Aſcents, and Approaches thereof, or for executing any other of the Purpoſes of this Act, in, upon, through, and over any Lands or Grounds within One hundred Yards of the ſaid preſent Bridge, doing as little Damage as may be, and making Satisfaction for ſuch Damage to the Owners and Occupiers of ſuch Lands or Grounds.

Certain Premiſes not to be uſed without Conſent.

XVI. Provided always, and be it further enacted, That nothing herein contained ſhall authorize or empower the ſaid Truſtees, or any other Perſon or Perſons, to purchaſe, take, pull down, uſe, or apply, to or for any of the Purpoſes of this Act, the Building, Yard, and Premiſes wherein the Chancellor, Maſters, and Scholars of the Univerſity of *Oxford*, have lately eſtabliſhed a Public Charity School, or any Part thereof, without the Conſent of the ſaid Chancellor, Maſters, and Scholars, or their Succeſſors, teſtified under their Common Seal; nor to take, purchaſe, or uſe, or apply, either of the Wharfs belonging to the Commiſſioners of Sewers, or any Part or Parts thereof, for any of the Purpoſes aforeſaid, without the Conſent of the ſaid Commiſſioners of Sewers, or the major Part of them, at a Meeting for that Purpoſe aſſembled; nor to take, purchaſe, uſe, or apply to or for any of the Purpoſes of this Act, any Part or Parts of the Meadow or Walk, known by the Name of *Chriſt Church* Meadow or Walk, without the previous Conſent in Writing of the Dean and Chapter of the Cathedral Church of *Chriſt* in *Oxford*, nor any Private Yard or Garden, (ſave and except only any Yards or Gardens belonging to the ſaid ſeveral Dwelling Houſes and Tenements in the reſpective Occupations of *Sutton Thomas Wood*, *John Taylor*, *Richard Hooper*, and *Stephen Davis*, or any or either of them), without the previous Conſent in Writing of the Owner or Occupier, or Owners or Occupiers thereof,

any Thing in this Act contained to the contrary thereof, in anywise notwithstanding.

Trustees may contract for performing Works.

XVII. And be it further enacted, That the said Trustees shall and may, and they are hereby authorized and empowered, to contract and agree with any fit and proper Person or Persons, Artificers, Workmen, and others, for the making and doing of all and every or any Part or Parts of the Works by this Act authorized or directed to be done and performed, or for supplying any of the Materials for the same, which Contract or Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by Five or more of the said Trustees, and also by the Person or Persons contracting or agreeing to perform such Works respectively, which Contract or Contracts, or a Copy or Copies thereof, shall be entered in a Book to be kept for that Purpose by the Clerk or Clerks to the said Trustees, but previous to making any such Contract or Contracts, Ten Days Notice at the least shall be given in some Newspaper circulated in the said City of *Oxford* and County of *Berks*, and also by affixing a Notice on the Toll Gate which shall or may be erected by virtue of this Act, or on the Toll Gate at which the Tolls granted by this Act shall be collected, expressing the Intention of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Trustees at a certain Time and Place in such Notice to be mentioned.

Trustees may employ Surveyors, and sue and compound for Breach of Contracts, &c.

XVIII. And be it further enacted, That the said Trustees shall cause all and every the Works to be done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall for that Purpose appoint, and in case the same shall not be well and sufficiently performed, according to the Terms, Intent, or Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times specified in such Contract or Contracts, then the said Trustees may bring or cause to be brought any Action or Actions in any of His Majesty's Courts of Law at *Westminster*, against any such Contractor, for any Penalty contained in his Contract; and on Proof of the signing of the said Contract or Contracts, and Non-performance thereof, at the Time or Times for that Purpose to be therein mentioned, the said Trustees shall be entitled to and shall recover the full Penalty contained in any such Contract, which, when recovered, shall be applied for such of the Purposes of this Act, as the said Contract or Contracts shall relate to: Provided always, that it shall be lawful for the said Trustees (if they think fit) to compound and agree with any Contractor, for any Penalty incurred by him for the Breach or Non-performance of any such Contract, for such Sum of Money as the said Trustees shall think proper, not being less than the Injury or Damage sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences that shall be occasioned thereby.

Property in the Bridge.

XIX. And be it further enacted, That until the said Bridge shall be built, and the Avenues, Ascents, and Approaches leading thereto completed, the Right and Property of, in, and to the said Bridge, Avenues, Ascents, and Approaches leading thereto, with the Walls and Fences belonging

longing thereto, ſhall be and are hereby veſted in the Truſtees for putting this Act into Execution, and their Succeſſors; and they are hereby empowered to bring or cauſe to be brought any Action or Actions, or to prefer any Indictment or Indictments againſt any Perſon or Perſons, who ſhall be liable thereto reſpectively, or diſturb them in the Poſſeſſion thereof, or ſhall take or retain, or hold the Poſſeſſion thereof, being required to deliver up the ſame by the ſaid Truſtees, or any Perſon to be appointed by them for that Purpoſe.

Power to take Tolls.

XX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby authorized and empowered, from and immediately after the paſſing of this Act, to demand and take, or cauſe to be demanded and taken, at any Gate or Gates, Bar or Chain, now erected, or hereafter to be erected, at, or upon or near to the ſaid Bridge, the Tolls following, before any Carriage, Horſe, or other Beaſt or Cattle whatſoever, ſhall be permitted to paſs through the ſame; that is to ſay,

Tolls.

For every Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Chair, Hearſe, Litter, Waggon, or other Carriage whatſoever, with Four Wheels, any Sum not exceeding the Sum of One Shilling, and with leſs than Four Wheels, any Sum not exceeding the Sum of Sixpence; and for every Horſe, or other Beaſt, drawing the ſame, any Sum not exceeding the Sum of Two-pence:

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, any Sum not exceeding the Sum of Two-pence:

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding the Sum of One Shilling and Eight-pence *per* Score, and ſo in Proportion for any greater or leſs Number:

For every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding the Sum of Ten-pence *per* Score, and ſo in Proportion for any greater or leſs Number.

Power to take and collect the Bridge Tolls at the preſent Toll Gate on the Abingdon Road.

XXI. And whereas there is now ſtanding and being, within a very ſhort Diſtance of the ſaid Bridge, a Toll Houſe, Turnpike Gate, and Appurtenances belonging to the Truſtees (as ſuch Truſtees) of the Road from *Friar Bacon's Study*, in or near the City of *Oxford*, to the *Mayor's Stone*, at the End of the Vineyard, in the Borough of *Abingdon*, in the County of *Berks*: And whereas it would be a Saving of conſiderable Expence to the Truſtees for executing this Act, and a great Convenience and Accommodation to the Public, if the laſt mentioned Truſtees were empowered, with the Leave of the Truſtees of the ſaid Road, to make uſe of the ſaid Toll Houſe, Turnpike Gate, and Appurtenances, for collecting the Tolls by this Act granted, in order to avoid the Interruption and Inconvenience which may otherwiſe ariſe from the collecting the Tolls granted by this Act ſo near to the Place where the Tolls are collected for the ſaid Road; be it therefore further enacted, That it ſhall be lawful for the ſaid Truſtees for executing this Act, and they are hereby authorized and empowered, by and with the Conſent in Writing of the Truſtees of the ſaid Road, or any Five or more of them, and of the Leſſee of the Tolls of the ſaid Road for the Time being, to uſe or cauſe to be uſed the ſaid Toll Houſe, Turnpike Gate, and Appurtenances, for the Purpoſe of collecting the Tolls by this Act granted, and the ſaid Truſtees for executing this Act are hereby fully authorized and empowered to nominate and appoint the Perſon or Perſons,

Perſons, who now is, or are, or may hereafter be appointed by the Truſtees of the ſaid Road, or ſuch other Perſon or Perſons as they the ſaid Truſtees for executing this Act ſhall think proper, to collect the Tolls, granted by this Act, at ſuch Gate or Toll Houſe, in like Manner, as if the ſaid Toll Houſe and Gate had been erected by and belonged to the Truſtees under this Act; and ſuch Perſon or Perſons is and are hereby authorized and required to aſk, demand, take, and collect the ſame accordingly; and ſhall, and is, and are hereby required, to keep a diſtinct and ſeparate Account of the Tolls granted by this Act; and ſhall, and is, and are hereby required to pay over the ſame to the Treaſurer of the Truſtees for executing this Act, and ſuch Collector or Collectors ſhall be, and is and are hereby made anſwerable and accountable for ſuch Tolls, in ſuch and the ſame Manner, to all Intents and Purpoſes, as any Toll Collector is made anſwerable and accountable, under the Proviſions of this Act, for any Tolls by this Act granted; and all ſuch Tolls when ſo collected, paid, and received, ſhall be applied for and towards the Purpoſes of this Act.

Tolls to be collected at One Gate only.

XXII. Provided always, and be it further enacted, That it ſhall not be lawful to or for the ſaid Truſtees for executing this Act, to uſe, or cauſe to be uſed, any Turnpike Gate, which ſhall or may be erected and ſet up by virtue of this Act, and the ſaid Turnpike Gate belonging to the Truſtees of the ſaid Road, jointly, and at the ſame Period of Time for collecting the Tolls by this Act granted; but that the ſaid Tolls ſhall always be payable and collected at one Gate only; and the ſaid Truſtees are hereby directed and required, upon any Change in the Collection of the ſaid Tolls from one Gate to the other, to cauſe Notice thereof in Writing to be affixed up at each of the ſaid Gates, to the End that all Perſons concerned may be duly appriſed at which Gate the ſaid Tolls by this Act granted ſhall from Time to Time be payable.

Tolls, &c. to be free from Parochial Taxes.

XXIII. And be it further enacted, That the Tolls by this Act granted, and alſo any Toll Houſe or Toll Houſes that ſhall or may be erected by virtue of this Act, ſhall be freed, exempted, acquitted, exonerated, and diſcharged of and from the Payment of all Parochial Taxes, Rates, Aſſeſſments, and Impoſitions whatſoever.

Tolls veſted in Truſtees.

XXIV. And be it further enacted, That the ſaid Tolls by this Act granted ſhall be and they are hereby veſted in the ſaid Truſtees for executing this Act, and a Table thereof ſhall be put up and continued at the Turnpike or Toll Gate erected on or near the ſaid Bridge, or the Avenues leading thereto, or at the Toll Houſe where the ſame ſhall be collected; and it ſhall be lawful for the Perſon or Perſons who ſhall be appointed Collector or Collectors of the ſaid Tolls, to demand, collect, and receive the ſaid Tolls; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls ſhall, after Demand made thereof by any Collector or Collectors to be appointed as aforeſaid, neglect or refuſe to pay the ſame, or any Part thereof, it ſhall be lawful for ſuch Collector or Collectors to ſtop and prevent the Paſſage of the Horſe, Beaſt, Cattle, or Carriage for or in reſpect of which ſuch Tolls ought to be paid, until full Payment thereof; or to ſeize and diſtrain, or cauſe to be ſeized and diſtrained, any Horſe or Horſes, or other Cattle, together with their Bridles, Saddles, Gears, Harneſs, or

Accoutrements, or their Lading, or any Carriage with its Loading, or any other Goods and Chattels of the Perſon or Perſons chargeable with the ſaid Tolls, or any of them; and if ſuch Tolls, or any Part or Parts thereof, and the reaſonable Charges of ſuch Seizure and Diſtreſs, and of detaining and keeping the ſame, ſhall not be paid within Five Days next after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo ſeizing and diſtraining ſhall and may ſell, or cauſe to be ſold, the Horſe or Horſes, Carriages, Goods, Chattels, or Things ſo ſeized and diſtrained, or any Part thereof, returning the Overplus (if any) and what ſhall remain unſold, upon Demand, to the Owner or Owners thereof, after ſuch Tolls, and the reaſonable Charges for diſtraining, keeping, and ſelling the ſame, ſhall be deducted and paid.

Diſputes reſpecting Tolls to be ſettled by a Juſtice.

XXV. And be it further enacted, That if any Diſpute ſhall ariſe touching the Amount of Tolls due, or the Coſts and Charges of diſtraining, keeping, and ſelling any Diſtreſs, it ſhall be lawful for the Collector, or Perſon ſo diſtraining, to detain the Diſtreſs, or the Money ariſing from the Sale thereof, until the Amount of the Tolls due, or the Charges of diſtraining, keeping, and ſelling the Diſtreſs (as the Caſe may be) ſhall be aſcertained by ſome Juſtice of the Peace for the ſaid County of *Berks*, who, upon Application made to him for that Purpoſe, ſhall examine the ſaid Matter upon the Oath or Oaths of the Party or Parties, or other Witneſs or Witneſſes, and ſhall determine the Amount of Tolls due, and ſhall award ſuch Coſts to be paid by either Party to the other, as to ſuch Juſtice ſhall ſeem meet and proper; all which Coſts, in caſe the ſame ſhall not be forthwith paid, ſhall and may be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo directed to pay the ſame, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus, if any, after Payment of ſuch Coſts, together with the Charges of ſuch Diſtreſs and Sale, to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold.

Power to compound for the Payment of Tolls.

XXVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time to compound with any Perſon or Perſons for any Period of Time, not exceeding Three Years, for any Horſes, Beaſts, or Cattle paſſing over the ſaid Bridge, for all or any of the Tolls to be paid in reſpect of ſuch Horſes, Beaſts, or Cattle, and all ſuch Compoſition Money ſhall be paid in advance, Quarterly or otherwiſe, as the ſaid Truſtees ſhall appoint, and in Default thereof ſuch Compoſition ſhall be null and void to all Intents and Purpoſes.

Turnpikes, &c. veſted in the Truſtees.

XXVII. And be it further enacted, That in the mean Time, and until all the Principal Money to be borrowed and ſecured upon the Credit of this Act, and the Intereſt thereof, ſhall be paid and ſatisfied, the Right and Property of the ſaid Turnpikes, Toll Houſe, and other Buildings to be erected by virtue of this Act, with the Ground, Fences, and all other Appurtenances thereto reſpectively belonging, and alſo of all Materials, Tools, and Implements which are or ſhall be provided for making, erecting, and completing the ſaid Bridge, Avenues, Aſcents, or Approaches, and other Works, or any of them, by virtue of this Act, ſhall be veſted in the ſaid Truſtees.

XXVIII. Provided

Tolls to be paid but Once the ſame Day.

XXVIII. Provided always, and be it further enacted, That no Perſon who ſhall have paid the Toll for paſſing through the Turnpike or Toll Gate at which the Tolls granted by this Act ſhall for the Time being be payable, between the Hour of One in the Morning of one Day and One in the Morning of the following Day, and ſhall produce a Note or Ticket denoting the Payment of the ſaid Toll at the ſaid Gate, (which Note or Ticket the Receiver or Collector is hereby required to give *gratis* on the Receipt of the ſaid Toll), ſhall be ſubject or liable to the Payment of any further or other Toll for paſſing or repaſſing ſuch Gate, between the ſame Hours, with the ſame Horſe or Horſes, or other Cattle, or with the ſame Coach, Waggon, or other Carriage, drawn by the ſame Horſe or Horſes, or other Cattle.

Collectors of Tolls to be competent Witneſſes.

XXIX. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhould ariſe touching or in anywiſe relating to the ſaid Tolls, or any of them, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons, acting by or under the Authority of the ſaid Truſtees, ſhall not be diſqualified from giving Evidence in any ſuch Diſpute, Suit, or Litigation by reaſon of his or their Appointment to collect ſuch Tolls.

Toll Collectors to put up their Names.

XXX. And be it further enacted, That all and every Toll Collector, appointed either by the ſaid Truſtees, or any Five or more of them, or by any Leſſee or Leſſees under them, to collect the Tolls payable at any Turnpike or Toll Gate whereat the Tolls granted by this Act ſhall or may from Time to Time be payable and collected, ſhall and he is hereby required to place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front, or on ſome other conſpicuous Part of ſuch Toll Houſe or Toll Gate, immediately upon his coming on Duty, and ſhall continue the ſame ſo placed, during the whole Time he ſhall be upon ſuch Duty, at any ſuch Turnpike or Toll Gate; and if any Collector of the ſaid Tolls ſhall not place and keep ſuch Board as aforeſaid, during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon or Perſons than he ſhall be authorized to do by virtue of the Powers of this Act, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in anywiſe hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them, or ſhall give a falſe Name or Names on ſuch Demand, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Toll when demanded, or ſhall make uſe of any ſcurrilous or blaſphemous Language to any Perſon or Perſons paſſing or going to paſs over the ſaid Bridge, or through any ſuch Turnpike or Toll Gate whereat the ſaid Tolls ſhall be payable, or ſhall, without ſufficient Cauſe, detain or delay any Perſon or Perſons ſo paſſing or going to paſs, then and in every ſuch Caſe every ſuch Collector ſhall forfeit and pay any Sum not exceeding Forty Shillings for every ſuch Offence.

Penalty on evading Tolls.

XXXI. And be it further enacted, That if any Perſon or Perſons ſhall give to, offer, or diſpoſe of, or receive from any other Perſon or Perſons, any

any ſuch Ticket as aforeſaid; or ſhall forge or counterfeit, or knowingly make uſe of any forged or counterfeit Ticket, in order to avoid Payment of the ſaid Tolls, or any Part thereof, or ſhall take off or cauſe to be taken off any Horſe or other Beaſt from any Carriage, whereby the Payment of any of the ſaid Tolls, or any Part thereof, is or ſhall be evaded; or ſhall ride, lead, drive or convey any Horſe, Beaſt, Cattle, or Carriage, whatſoever, through, over, or acroſs the ſaid River, within One Mile of the ſaid Bridge, in order, or with Intent to evade the Payment of the ſaid Tolls, or ſhall do any other Act for the Purpoſe of evading the Payment of the ſaid Tolls or any of them, or any Part thereof, every Perſon ſo offending in any of the Caſes aforeſaid, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds; One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act.

General Exemptions.

XXXII. Provided always, and be it further enacted, That no Toll ſhall be demanded or taken for the Paſſage of any Cattle or Carriage, which ſhall be uſed or employed only in conveying Stones, Timber, Iron, or other Materials for building or repairing the ſaid Bridge, or for other the Purpoſes of this Act, nor for any Horſe, Beaſt, Cattle, or Carriage, employed in conveying any Dung or Manure, or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church, Chapel, or other Place of Religious Worſhip on *Sundays*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Perſon who ſhall die and be buried in the Pariſh in which the ſaid Bridge lies, or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; nor ſhall any Toll be demanded or taken for any Horſes, Mares, Geldings, Mules, or other Cattle, going to or returning from Paſture or Watering Places within the ſeveral Pariſhes, in which the ſaid Bridge and other Works, by this Act authorized to be erected and made, ſhall be ſituate; nor for any Horſe, Beaſt, Cattle, or Carriage of whatever Deſcription employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſt Maſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; nor for any Horſe, Beaſt, Cattle, or Carriage attending any Soldiers upon their March, or on Duty, or attending them laden with their Arms or Baggage; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat, or other Public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, nor for any Horſe, Mare, or Gelding furniſhed for or by any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, or for or by any Field Officer, or other mounted Officer of any Corps of Volunteer Infantry, and rode by them in going to or returning from the Place appointed for and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemption; nor ſhall any Toll be demanded or taken for any Horſe, Cattle, Beaſt, or Carriage going for or returning with Materials, for repairing the Public Highways, in any of the Pariſhes through which the Turnpike Road from *Oxford* to *Abingdon* leads,

leads, nor for any Horſe, Cattle, Beaſt or Carriage, employed in the Conveyance of Vagrants ſent by legal Paſſes or returning therefrom; or for any Horſe, Beaſt, Cattle, or Carriage, carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of *Berks*, on the Day or Days of ſuch Election, or on the Day before or the Day after ſuch Election ſhall begin or be concluded; and if any Perſon or Perſons ſhall in any fraudulent or colluſive Manner whatſoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds; One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act.

Owners or Drivers of Waggons conveying Military Stores not ſubject to Penalties for Overweight.

XXXIII. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, or Commiſſariat, or other public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways, or Turnpike Roads, or in this Act contained to the contrary notwithſtanding.

Tolls may be let.

XXXIV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby empowered at any Meeting upon Twenty-one Days Notice being affixed on the Toll Gate or Turnpike, which may be erected by virtue of this Act, or on the Toll Houſe or Toll Gate, at which the Tolls granted by this Act ſhall be collected, and by Advertiſement to be inſerted in the *Oxford Journal* and *Reading Mercury*, or in ſome other Newſpaper, publiſhed or circulated in the ſaid City of *Oxford* and County of *Berks*, to let or farm the Tolls to be collected by virtue of this Act, or any Part or Parts thereof, to any Perſon or Perſons at and for, the largeſt yearly Sum that can be reaſonably had or gotten for the ſame, provided that the Leaſes, Contracts or Agreements, of or for letting the ſame be in Writing, and be duly executed by the Perſon or Perſons taking or farming ſuch Tolls, and alſo by Seven or more of the ſaid Truſtees; but the ſame ſhall not be let for more than Three Years at any One Time, and the Rent which ſhall be agreed to be paid for the ſaid Tolls, ſhall be made payable, and ſhall be paid to the Treaſurer of the ſaid Truſtees, ſo that One Calendar Month's Payment of ſuch Rent ſhall always be in advance, or ſufficient Security given for the Payment of ſuch Rent, to the Satisfaction of the ſaid Truſtees, or in Default thereof, it ſhall be lawful for the ſaid Truſtees, if they ſhall ſee fit, to vacate and make void every ſuch Leaſe, Contract, or Agreement; and the Monies ariſing from ſuch leaſing or letting to farm ſhall be applied in ſuch and the ſame Manner as the Tolls ſo to be leaſed or let are hereby directed to be applied.

Leſſees, or Perſons ap-

XXXV. And be it further enacted, That during ſuch Time as the ſaid Tolls, or any Part or Parts thereof, ſhall be leaſed or in farm to any Perſon

pointed by them, may collect the Tolls.

Perſon or Perſons whomſoever, it ſhall be lawful for the Leſſee or Leſſees, Farmer or Farmers thereof, or ſuch Perſon or Perſons as he or they ſhall by Writing or Writings under his, her, or their Hand or Hands authorize or appoint, to demand and take the ſaid Tolls, ſo leaſed or farmed, with the like Powers for the Recovery thereof, to all Intents and Purpoſes, as the ſaid Truſtees or any Collector of the ſaid Tolls, appointed by them, are or is hereby authorized and empowered to demand, take, and recover the ſame; and ſuch Leſſee or Leſſees, Farmer or Farmers, or other Perſon or Perſons as aforeſaid, ſhall be ſubject to the like Pains, Penalties, and Forfeitures, and ſhall be liable to the like Actions and Proſecutions, as any Collector of the ſaid Tolls appointed by the ſaid Truſtees is ſubject or liable to.

Truſtees empowered to raiſe Money by Mortgage ſecured on the Tolls.

XXXVI. And be it further enacted, That the ſaid Truſtees, at any Meeting to be held for that Purpoſe, whereof Fourteen Days Notice ſhall be given in Writing, to be affixed upon the Turnpike Gate, at which the Tolls granted by this Act ſhall from Time to Time be payable and collected, and advertized 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*, ſhall and may, and they are hereby authorized and empowered, from Time to Time to borrow and take up at Intereſt, in Sums of One hundred Pounds each, on Mortgage of the Tolls by this Act granted, in Manner herein-after mentioned, ſuch Sum or Sums of Money, as they the ſaid Truſtees ſhall think proper, not exceeding the Sum of Sixteen thouſand five hundred Pounds in the Whole, as they ſhall think needful, for the Execution of the Powers by this Act granted, and for that Purpoſe, by any Writing or Inſtrument under the Hands and Seals of any Seven or more of the ſaid Truſtees, to aſſign over or mortgage the Tolls hereby granted, or any Part thereof; and alſo any Toll Houſe and Appurtenances thereunto belonging, which ſhall or may at any Time be ſet up and erected by virtue of this Act, (the Charges of aſſigning or mortgaging the ſame to be paid out of ſuch Tolls), as a Security or Securities for ſuch Sum or Sums of Money, ſo to be borrowed as aforeſaid, to ſuch Perſon or Perſons, or his or their Truſtee or Truſtees who ſhall advance and lend the ſame, to ſecure the Payment thereof, which Money ſo to be borrowed, ſhall be applied and diſpoſed of for the Purpoſes of this Act; and ſuch Mortgage or Mortgages may be in the Form following, or in ſuch other Form as the ſaid Truſtees making the ſame, ſhall think proper; that is to ſay,

Mortgage.

'BY virtue of an Act paſſed in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, intituled *An Act* [*here inſert the Title of this Act*], we of the Truſtees, for putting the ſaid Act into Execution, in Conſideration of the Sum of to the Treaſurer to the ſaid Truſtees, in Hand paid, do grant, bargain, ſell, and demiſe unto *A. B.* his Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Tolls, ariſing upon the ſaid Bridge, and of the Turnpike, and Toll Houſe, for collecting the ſame, as the ſaid Sum of doth or ſhall bear to the whole Sum due, and owing on the Credit thereof, to be had and holden from this Day of in the Year of our Lord One thouſand eight hundred and until the ſaid Sum of together with Intereſt, after the Rate of *per Centum per Annum*, ſhall be ſooner paid and ſatisfied.'

And

And Copies of all ſuch Mortgages ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk or Clerks, Treaſurer or Treaſurers to the ſaid Truſtees; and which Book or Books ſhall and may at all reaſonable Times be peruſed and inſpected by the ſaid Truſtees or Mortgagees, or any of them, or any Perſon or Perſons on their Behalf, without Fee or Reward; and every Perſon to whom any Mortgage ſhall be made, as aforeſaid, or who ſhall be entitled to the Money thereby ſecured, may from Time to Time transfer his or her Right, Title, Intereſt, or Benefit to the ſaid Mortgage, and the Principal and Intereſt thereby ſecured, to any other Perſon or Perſons whomſoever, by Indorſement on the Back of ſuch Security, or by any other Writing, under his or her Hand, before One credible Witneſs, in the following Words, or Words to the like Effect; that is to ſay,

Form of Transfer.

'I Do transfer this Mortgage, [*or*, a certain Mortgage, *as the Caſe may be*,] with all my Right and Title to the Principal Money thereby ſecured, and to all Intereſt now due upon the ſame, and all Arrears now due thereon, unto his Executors, Adminiſtrators, and Aſſigns. Dated this Day of in the Year *A. B.*'

Transfer to be notified to the Clerk or Treaſurer.

Which Transfer ſhall be produced and notified to the ſaid Clerk or Clerks, Treaſurer or Treaſurers, within Three Calendar Months next after the Date thereof, who ſhall cauſe an Entry or Memorial to be made thereof, in the before mentioned Book or Books, containing the Numbers, Dates, and Names of the Parties, and Sums of Money therein transferred, for which the ſaid Clerk or Clerks, Treaſurer or Treaſurers ſhall be paid the Sum of Five Shillings; and ſuch Transfer ſhall then entitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof and Payment thereon; and ſuch Aſſignee may in like Manner aſſign or transfer the ſame again, and ſo *toties quoties*; and it ſhall not be in the Power of any Perſon or Perſons (except the Perſon to whom the ſame ſhall be laſt transferred) to make void, releaſe, or diſcharge the original Securities or Monies thereby due or any Part thereof, and all Perſons to whom any ſuch Mortgage or Transfer ſhall be made by virtue of this Act, ſhall be in Proportion to the Sum or Sums of Money therein mentioned, Creditors on the Tolls by this Act granted, in equal Degree one with another; and ſhall have no Preference in reſpect to the Priority of the Time of advancing of any Sum or Sums of Money on ſuch Mortgage or Mortgages, or of the Dates thereof reſpectively.

Application of the Tolls and the Money to be borrowed.

XXXVII. And be it further enacted, That out of the firſt Money ariſing or to ariſe by the Tolls which ſhall be collected by virtue of this Act, or out of the firſt Money which ſhall be borrowed upon the Credit thereof, the ſaid Truſtees ſhall in the firſt Place pay and defray the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act, and repay all and every Sum or Sums of Money which ſhall have been or ſhall be advanced by any Perſon or Perſons for the Paymentof ſuch Coſts or Expences, together with lawful Intereſt for the ſame, and alſo all Coſts, Charges, and Expences, in making the Surveys, Plans, and Eſtimates for the taking down and rebuilding all or any Part of the ſaid Bridge and other Works; and after Payment thereof, all the Money which ſhall ariſe, or come to the Hands, Cuſtody, or Power of the ſaid Truſtees or their Treaſurer,

ſurer, by virtue or for the Purpoſes of this Act, ſhall from Time to Time, be applied in defraying the Expences of erecting the ſaid Turnpike, Toll Gate, and Toll Houſe, and in eſtabliſhing any Ferry, and in the erecting any temporary Bridge, and in rebuilding all or any Part of the preſent Bridge, and in improving the Avenues, Aſcents, and Approaches to the ſaid Bridge, and alſo to the ſaid temporary Bridge at each End thereof, and in executing the other Works by this Act authorized to be made and done, and defraying all other neceſſary Charges and Expences attending the Execution of this Act, and in paying the Principal Money ſo to be borrowed, and the Intereſt thereof, and in otherwiſe carrying this Act into Execution, and to or for no other Uſe, Intent, or Purpoſe whatſoever.

Corporations, &c. empowered to treat.

XXXVIII. And be it further enacted, That it ſhall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees of Idiots and Lunatics, and all other Truſtees whomſoever, for or on Behalf of any Infants, Femes Covert, Ceſtuique Truſts, Idiots, or Lunatics, or other Perſons under any Diſability of acting for themſelves, and for all and every Perſon and Perſons who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Meſſuages, Lands, Tenements, or Hereditaments, which, being ſituate within the Diſtance of One hundred Yards of the ſaid Bridge, may be neceſſary or expedient to be purchaſed for the Purpoſes of this Act, to treat and agree with the ſaid Truſtees for the abſolute Sale thereof, or any Part thereof, or for their Intereſt therein, or by way of annual Rent for the ſame, and to convey the ſame to the ſaid Truſtees for the Purpoſes of pulling down, rebuilding, or altering all or any Part of the ſaid Bridge, or building the ſaid temporary Bridge, and erecting the Toll Houſe, Toll Gate, Works, and Conveniences thereto, and of improving the Avenues, Aſcents, and Approaches to the ſaid Bridge, or for other the Works and Purpoſes by this Act authorized to be made and effected, or any of them; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be good, valid, and effectual to all Intents and Purpoſes whatſoever, any Law, Uſage, or other Matter or Thing, to the contrary thereof in anywiſe notwithſtanding; and all ſuch Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees, Huſbands, and Truſtees, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and other Perſons, are and ſhall be indemnified for what they ſhall do by virtue and in purſuance of this Act.

In caſe of Perſons refuſing to treat, or not agreeing, a Jury to ſettle the Recompence.

XXXIX. And be it further enacted, That if any Owner, Proprietor, Occupier of, or other Perſon or Perſons intereſted in any Meſſuages, Houſes, Lands, Tenements, or Hereditaments, ſituate as aforeſaid, which the ſaid Truſtees ſhall judge neceſſary or proper to be purchaſed, taken, or uſed for any of the Purpoſes of this Act, or which ſhall be injured or damaged by the ſaid Truſtees, or any Perſon or Perſons acting under or by their Authority, in carrying this Act into Execution, or any ſuch Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees, Guardians, Huſbands, Committees, or other Truſtees, upon Notice to him, her, or

or them, given or left in Writing at the Dwelling Houſe or Place of Abode of ſuch Perſon or Perſons, or of the Clerk or Head Officer of any ſuch Body Politic, Corporate, or Collegiate, or at the Houſe of the Tenant in Poſſeſſion of the Premiſes, ſigned by the Clerk or Clerks to the ſaid Truſtees, ſhall, for the Space of Twenty-one Days next after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by reaſon of Abſence or otherwiſe ſhall be prevented from treating, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees to cauſe it to be enquired into and aſcertained, by and upon the Oaths of a Jury of Twelve indifferent Men of the County, City, or Place in which the Premiſes ſhall be ſituate (which Oaths the ſaid Truſtees, or any Two or more of them, are hereby empowered to adminiſter), what Damage will be ſuſtained by and what Recompence and Satisfaction ſhall be made to ſuch Owner, Proprietor, Occupier, or other Perſon or Perſons intereſted for or on account of the taking or uſing of ſuch Meſſuages, Houſes, Lands, Tenements, or Hereditaments, for the Purpoſes of this Act; and in order thereto, the ſaid Truſtees, or any Five or more of them, are hereby empowered and required from Time to Time, to ſummon and call before them all and every Perſon or Perſons who ſhall be thought neceſſary to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, and ſhall examine ſuch Witneſs or Witneſſes before the Jury upon Oath (which Oath the ſaid Truſtees, or any Two or more of them, are hereby empowered and required to adminiſter), and they ſhall order and cauſe the ſaid Jury to view the Place in Queſtion, and uſe all ſuch lawful Ways and Means, as well for their own as for the ſaid Jury's Information in the Premiſes; and after the ſaid Jury ſhall have ſo aſcertained and ſettled ſuch Damages and Recompence, they the ſaid Truſtees ſhall thereupon order, adjudge, and determine the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury to be paid to the Owners, Proprietors, or Occupiers of the ſaid Meſſuages, Houſes, Lands, Tenements, or Hereditaments, or other Perſons intereſted therein, according to the Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition, and Judgment, Order, or Determination ſo had or made, ſhall be final, binding, and concluſive to all Intents and Purpoſes whatſoever, againſt all Parties and Perſons claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe; and all and every ſuch Owners, Proprietors, Occupiers, and Perſons any ways intereſted in ſuch Meſſuages, Houſes, Lands, Tenements, or Hereditaments, ſhall hereby be from thenceforth to all Intents and Purpoſes diveſted of all Right, Title, Claim, Intereſt, or Property of, in, to, or out of the ſame; and upon Payment of the Money ſo aſſeſſed to the reſpective Perſons entitled thereto, or their Agents, or (in caſe of Refuſal to accept ſuch Money) upon paying the ſame into the Bank of *England*, in Manner by this Act directed, it ſhall be lawful for the ſaid Truſtees to cauſe the Premiſes in reſpect whereof ſuch Money ſhall be aſſeſſed, to be diſpoſed of, and ſuch Acts to be done thereto, as if the Purchaſe thereof had been agreed upon and completed, and the ſaid reſpective Premiſes were untenanted, and the Purchaſe or Conſideration Money had been received by the Perſon or Perſons entitled thereto; and for ſummoning and returning any ſuch Jury, the ſaid Truſtees are hereby empowered to iſſue out their Warrant or Warrants, ſigned by any Two or more of them, to the Sheriff of the County in which the Premiſes in Queſtion ſhall be ſituate, thereby requiring him to impannel, ſummon, and return an indifferent Jury of Twenty-four Perſons, to appear before the ſaid Truſtees at ſuch Time and

Place as in ſuch Warrant ſhall be appointed; and ſuch Sheriff, his Deputy or Deputies, is and are hereby required thereupon to impannel, ſummon, and return ſuch Twenty-four Perſons accordingly, and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear according to or upon ſuch Summons, the ſaid Truſtees ſhall ſwear or cauſe to be ſworn Twelve Perſons, who ſhall be the Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff, or his Deputy or Deputies, ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured or ſummoned, to attend that Service, to the Number of Twelve.

Jurors may be challenged. Sheriffs, &c. to be fined for neglect of Duty.

XL. Provided always, That all Perſons concerned ſhall have their lawful Challenges againſt any of the Jurymen to be ſummoned in purſuance of this Act, in ſuch and the like Manner as any Party in any Action depending in any of His Majeſty's Courts of Record at *Weſtminſter* is or ſhall be by Law entitled to; and the ſaid Truſtees are hereby empowered to impoſe any reaſonable Fine or Fines, not exceeding Twenty Pounds, on ſuch Sheriff, his Deputy or Deputies, who ſhall make Default in the Premiſes; and alſo on any of the Perſons who ſhall be ſummoned and returned to ſerve on ſuch Jury, and ſhall not appear, or after having appeared, ſhall refuſe to be ſworn on the ſaid Jury, or having been ſworn ſhall refuſe to give or ſhall not give his or their Verdict on the Matter in Queſtion, or ſhall in any other Manner wilfully neglect his or their Duty therein, and on any of the Perſons who being ſummoned or required to give Evidence before the ſaid Jury touching the Premiſes ſhall refuſe or neglect to appear, after having been paid or tendered a reaſonable Sum for his, her, or their Coſts, Charges, and Expences, or refuſe to be ſworn or be examined, or give Evidence touching the ſame; but no ſuch Fine ſhall exceed Ten Pounds upon any One Perſon for One Offence.

By whom the Expences of the Jury to be paid.

XLI. And be it further enacted, That in caſe any ſuch Jury ſhall give in or deliver a Verdict or Aſſeſſment for more Money than ſhall by or on the Behalf of the ſaid Truſtees have been offered before the ſummoning and returning ſuch Jury, as a Recompence or Satisfaction for any ſuch Meſſuages, Houſes, Lands, Tenements, or Hereditaments to be purchaſed as aforeſaid, or for any ſuch Right, Intereſt, or Property, or Damage, as aforeſaid, then and in every ſuch Caſe, the Coſts and Charges of ſummoning and returning the Jury and Witneſſes ſhall be borne and paid by the ſaid Truſtees out of the Money to ariſe by virtue of this Act; but if any Jury ſhall give in or deliver a Verdict or Aſſeſſment for no more, or for leſs Money than ſhall by or on Behalf of the ſaid Truſtees have been offered before the ſummoning and returning ſuch Jury, as a Recompence or Satisfaction for any ſuch Meſſuages, Lands, Tenements, or Hereditaments ſo to be purchaſed as aforeſaid, or for any ſuch Right, Intereſt, or Property, or Damages as aforeſaid, then and in every ſuch Caſe, the Coſts and Charges of ſummoning and returning the ſaid Jury and Witneſſes ſhall be borne and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have any Controverſy or Diſpute, which ſaid Coſts and Expences ſhall be aſcertained and ſettled by ſome Juſtice of the Peace, (not intereſted in the Matter in Queſtion, who is hereby authorized and required to examine and ſettle the ſame), and ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged, as ſo much Money advanced to and for the Uſe of ſuch

Perſon or Perſons; and the Payment or Tender of the Remainder of ſuch Monies ſhall be deemed and taken to all Intents and Purpoſes whatſoever, to be a Payment and Tender of the whole Sum or Sums of Money ſo aſſeſſed and adjudged, or otherwiſe ſuch Coſts and Expences, in caſe the ſame be not paid on Demand, after being ſo aſcertained and ſettled as aforeſaid, may be recovered by the Clerk or Clerks to the ſaid Truſtees, by ſuch Ways and Means as are herein provided for the Recovery of Penalties and Forfeitures incurred by this Act: Provided always, that in all Caſes where any Perſon or Perſons ſhall by reaſon of Abſence have been prevented from treating with the ſaid Truſtees, ſuch Coſts and Expences ſhall be borne by the ſaid Truſtees in Manner aforeſaid.

Application of Compenſation if amounting to 200l.

XLII. And be it further enacted, That if any Money ſhall be paid, or agreed or awarded to be paid, for the Purchaſe of any Meſſuages, Houſes, Tenements, Lands, or Hereditaments, purchaſed, taken, or uſed by virtue of this Act for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor or Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Meſſuages, Houſes, Tenements, Lands, or Hereditaments are limited to ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery to be placed to his Account there, *ex parte* the Truſtees for executing this Act, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon the Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Meſſuages, Houſes, Tenements, Lands, or Hereditaments in the Purchaſe and Redemption of the Land Tax, or towards the Diſcharge of any Debts, or ſuch other Incumbrance or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Meſſuages, Houſes, Tenements, Lands, or Hereditaments, or affecting other Meſſuages, Houſes, Tenements, Lands, or Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court in the Purchaſe of other Meſſuages, Houſes, Tenements, Lands, or Hereditaments which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Houſes, Tenements, Lands, or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the ſaid Court, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time

to

to Time be paid by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Meſſuages, Houſes, Tenements, Lands, and Hereditaments ſo hereby directed to be purchaſed by virtue of this Act, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation if leſs than 200l. and exceeding 20l.

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

Application of Compenſation if leſs than 20l.

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

In caſe of not making out Titles, &c.

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

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

In caſe of diſputed Titles.

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

The Court of Chancery may order reaſonable Expences to be paid by Truſtees.

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

paid by the ſaid Truſtees, out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Truſtees empowered to ſell Ground not wanted.

XLVIII. And whereas by reaſon of the Purchaſes which may be made by the ſaid Truſtees, by virtue of this Act, they may become ſeiſed or poſſeſſed of Land or Ground, which may not eventually be neceſſary for the Purpoſes of this Act; be it therefore further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby required, from Time to Time, to ſell and convey all their Eſtate, Right, Title, Property, and Intereſt, in and to ſuch Land and Ground, unto the reſpective Perſons, Bodies Corporate or Collegiate who were the Owners and Proprietors thereof, immediately before the ſaid Truſtees became ſeiſed of the ſame, or unto the reſpective Heirs, Succeſſors, or Aſſigns, of ſuch Perſons, Bodies Corporate or Collegiate, in caſe they ſhall reſpectively think fit to become Purchaſers thereof, and to pay ſuch valuable Conſideration for ſuch Land or Ground to the ſaid Truſtees, as they the ſaid Truſtees ſhall judge reaſonable; or in caſe any Difference ſhall ariſe in regard to the ſame, then as a Jury, to be impannelled in the Manner herein-before directed, ſhall aſcertain or award to be paid, ſo that ſuch Conſideration do not exceed the Sum or Sums firſt paid by the ſaid Truſtees for the Purchaſe of ſuch Land or Ground; and in caſe the ſaid Truſtees upon Payment or Tender to them, of ſuch valuable Conſideration, ſhall refuſe or neglect to convey ſuch Land or Ground, then and in ſuch Caſe the ſame ſhall thereupon revert to and be from thenceforth veſted in the ſaid ſeveral and reſpective Perſons, Bodies Corporate or Collegiate, their Heirs, Succeſſors, or Aſſigns: Provided always, that if any ſuch Perſon or Perſons, Bodies Corporate or Collegiate, their Heirs, Succeſſors, or Aſſigns, upon Application to him or them made by or on Behalf of the ſaid Truſtees, ſhall not agree, or ſhall refuſe or decline to purchaſe any ſuch Land or Ground, and an Affidavit ſhall be made and ſworn before a Maſter Extraordinary of the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace of or for the City, County or Place, where ſuch Land or Ground ſhall lie, and which Oath ſuch Maſter or Juſtice is hereby empowered to adminiſter, by ſome Perſon or Perſons no ways intereſted in ſuch Land or Ground, ſtating that ſuch Offer was made by or on Behalf of the ſaid Truſtees, and that the ſame was not agreed to, or was refuſed or declined by the Perſon or Perſons to whom ſuch Offer was made; and which Affidavit ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made and not agreed to, or was refuſed by the Perſon or Perſons to whom the ſame was made, as the Caſe may be, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to ſell and convey the ſame Land or Ground reſpectively, to any other Perſon or Perſons whomſoever, together or in Parcels, and either by public Sale or private Contract, as they ſhall deem moſt advantageous and convenient; and all the Money to ariſe by any ſuch Sale or Sales ſhall be applied, after defraying all Expences attending the ſame, to and for the Purpoſes of this Act.

For getting Materials to repair Bridges and Roads.

XLIX. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Bridge, and to and for ſuch Perſon or Perſons as he or they ſhall reſpectively appoint, to ſearch for, dig, get, gather, take, and carry away any Stone, Gravel, Sand, or other Materials,

rials, for making and repairing the Road over the ſaid Bridge or temporary Bridge, or the Avenues, Aſcents, or Approaches leading thereto, out of or from any Common or Waſte Ground, or from any Common, River, or Brook, within or near the City of *Oxford* aforeſaid, or any adjoining Pariſh, Townſhip, Hamlet, Diviſion, Diſtrict or Place, without paying any Thing for the ſame, the ſaid Surveyor or Surveyors, or other Perſon or Perſons acting by his or their Appointment, filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks, where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and alſo that ſuch Surveyor or Surveyors, or other Perſons as aforeſaid, may by Order of the ſaid Truſtees, (ſuch Order to be made at ſome Meeting of the ſaid Truſtees to be holden in purſuance of this Act, and a Copy thereof given to ſuch Surveyor or Surveyors, atteſted and ſigned by the Clerk or Clerks to the ſaid Truſtees), ſearch for, cut, dig, get, gather, or take away any ſuch Materials as aforeſaid, in, from, and out of the private Lands, Fields, or Grounds of any Perſon or Perſons, where the ſame can or may be had or found, ſuch Lands, Fields, or Grounds, not being a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a Houſe; or any Piece of Ground planted and ſet apart as a Nurſery for Trees, making or tendering ſuch Satisfaction as well for the Stone or other Materials to be dug, gotten, gathered, and carried away, as for the Damage done thereby to the Owners and Occupiers of ſuch Grounds, where and from whence the ſame ſhall be cut, dug, gotten, gathered, and carried away, or over which the ſame, or any other Materials for making and repairing the Road over the ſaid Bridge, Avenues, Aſcents, or Approaches leading thereto, ſhall be carried, according to their reſpective Rights and Intereſts in ſuch Grounds, as the ſaid Truſtees ſhall judge reaſonable; and in caſe of any Difference between the Truſtees, Surveyor or Surveyors, or other Perſon or Perſons employed as aforeſaid, and the ſaid Owners or Occupiers or any of them, concerning ſuch Damages, it ſhall be lawful for any Two or more Juſtices of the Peace of the County, City, or Place, where ſuch Materials ſhall be ſo cut, dug, gotten, gathered, and carried away, on Fourteen Days Notice thereof, being given in Writing by either Party to the other, or left at their reſpective Places of Abode, to hear, ſettle, and determine the Matters of ſuch Payment and Damages; and the Judgment or Order of the ſaid Juſtices ſhall be final and concluſive to all Parties.

Notice to be given to Occupiers of incloſed Lands, before Materials taken.

L. Provided always, and be it further enacted, That it ſhall not be lawful for any Surveyor or any other Perſon or Perſons acting under the Authority of this Act, to dig, gather, get, take, or carry away, any Materials for making and repairing the Road over ſuch Bridge, Avenues, Aſcents, or Approaches thereto, or any of them, out of or from any incloſed Lands or Grounds, until Notice in Writing, ſigned by the Surveyor, ſhall have been given to the Owner or Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left for ſuch Owner or Occupier at his uſual Place of Reſidence, to appear before any Two or more Juſtices of the Peace acting for the County, City, or Place, where ſuch Premiſes ſhall lie, to ſhew cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Owner or Occupier, or his Agent, ſhall not attend, or ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, to the Satisfaction of ſuch Juſtices, then and in ſuch Caſe ſuch Juſtices ſhall and may authorize ſuch Surveyor, or other Perſon or Perſons, to dig, get,

get, gather, take, and carry away ſuch Materials at ſuch Time or Times as to ſuch Juſtices ſhall ſeem proper; and if ſuch Owner or Occupier ſhall neglect or refuſe to appear by himſelf, or his Agent purſuant to ſuch Notice, ſuch Juſtices ſhall and may make ſuch Order therein as they reſpectively ſhall think fit, as fully and effectually, to all Intents and Purpoſes as if ſuch Owner or Occupier, or his Agent, had attended.

Penalty on obſtructing Collectors.

LI. And be it further enacted, That if any Perſon or Perſons ſhall at any Time obſtruct, hinder, or moleſt any Collector of the Tolls employed by virtue or under the Authority of this Act, in the Performance or Execution of his or their Duty, every ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Forty Shillings.

Penalty on taking away Materials.

LII. And be it further enacted, That if any Perſon or Perſons whomſoever ſhall remove or take away any Stones, Gravel, Sand, or other Materials, laid upon or near the ſaid Bridge or temporary Bridge, or upon the Avenues, Aſcents, or Approaches thereto, or upon any Part thereof, for the erecting, building, or repairing thereof, without the Order of the ſaid Truſtees, or of their Surveyor or Surveyors for that Purpoſe, or if any Perſon or Perſons whomſoever ſhall take away any Stones, Sand, Gravel, or other Materials, which ſhall have been dug or gathered by or by the Order of the ſaid Truſtees, or their Surveyor or Surveyors, in any Lands, Fields, Waſtes, or Ground, Common, River, or Brook, for the Purpoſes of making and repairing the Road over the ſaid Bridges, Avenues, Aſcents, and Approaches thereto, or any Part or Parts thereof, or ſhall get or take away any Stones, Sand, Gravel, or other Materials, out of any Pit or Quarry, which ſhall have been made for the Purpoſe of getting ſuch Materials for making and repairing the Road over the ſaid Bridges, Avenues, Aſcents, or Approaches thereto, or any Part or Parts thereof, before the ſaid Surveyor or Surveyors, or his or their Workmen, ſhall have diſcontinued working therein for the Space of Six Weeks, (except the Owners or Occupiers of any private Grounds, and Perſons authorized by ſuch Owner or Occupier to get Materials therein for his or her own private Uſe only, and not for Sale), every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

Penalty on Perſons injuring the Bridge.

LIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully and maliciouſly blow up, pull down, deſtroy, or injure the ſaid Bridge or any temporary Bridge to be built by virtue of this Act, or any Part thereof reſpectively, or any Toll Houſe or Toll Gate to be erected or ſet up on or near the ſaid Bridges, or either of them, or any of the Works, Buildings, or Erections, to be made in purſuance of this Act, or cauſe or procure, or direct the ſame to be done, every Perſon ſo offending, on being convicted thereof, ſhall be deemed guilty of Felony, and the Court by and before whom ſuch Perſon ſhall be tried and convicted ſhall have Power and Authority to cauſe ſuch Perſon or Perſons to be tranſported for the Term of Seven Years; or may, in Mitigation of ſuch Puniſhment, pronounce ſuch Sentence as the Law directs in Caſes of Petit Larceny.

To prevent damaging the Bridges

LIV. And be it further enacted, That if any Perſon or Perſons ſhall break, throw down, injure, deſtroy, obliterate, or deface any Mile Stone, Table of Tolls, or Poſts, erected on the ſaid Bridge or temporary Bridge, or

or any of the Avenues, Aſcents, or Approaches thereto, or any of the Letters, Figures, or Marks, painted or inſcribed thereon, or if any Perſon or Perſons, having the Care of any Barge, Boat, or other Veſſel, which ſhall be navigated in or upon the ſaid River, ſhall paſs a Line over the ſaid Bridge or any temporary Bridge, to be erected as aforeſaid, to the Annoyance of Paſſengers or Cattle going over the ſame, or ſhall laſh, tie, or make faſt, any Cord, Rope, or Cable, to any Part of the ſaid Bridges or either of them, for the Purpoſe of mooring or ſtaying any Barge, Boat, or other Veſſel, or ſhall moor, ſtay, faſten, or cauſe or procure to be moored, ſtayed, or faſtened, any Barge, Boat, or other Veſſel, ſo as to beat againſt or ſtrike the ſaid Bridges, or either of them, on either Side thereof, without the Conſent of the ſaid Truſtees, or any Five or more of them, by Writing under their Hands firſt had and obtained, or ſhall haul or draw, or cauſe to be hauled or drawn, upon any Part of the ſaid Bridge or Bridges, or the Avenues, Aſcents, or Approaches thereto, any Tree or Piece of Timber, or any Stone otherwiſe than upon a Wheel Carriage, or ſhall ſuffer any Part of any Tree or Piece of Timber, which ſhall be conveyed upon any Wheel Carriage, to drag upon any Part of ſuch Bridge or Bridges, or the Avenues, Aſcents, or Approaches thereto, to the Injury thereof reſpectively, every Perſon offending in any of the Caſes aforeſaid, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds.

by towing Boats with a Line.

LV. And be it further enacted, That if any Perſon or Perſons having the Care of any Barge, Boat, or other Veſſel, which ſhall be navigated in or upon the ſaid River *Iſis*, ſhall wilfully, careleſsly, or negligently cauſe, permit, or ſuffer any Damage or Injury to be done to the ſaid Bridge or temporary Bridge by any ſuch Barge, Boat, or other Veſſel, then and in every ſuch Caſe the Owner or Owners of every ſuch Boat, Barge, or other Veſſel ſhall be anſwerable and liable to make Satisfaction to the ſaid Truſtees for ſuch Damage or Injury; and ſuch Satisfaction ſhall and may be recovered from the Owner or Owners of ſuch Barge, Boat, or other Veſſel, in like Manner as if ſuch Damage or Injury had been occaſioned by or through his or their own Negligence or Careleſſneſs.

Damage done to the Bridge by Bargemen, to be paid by the Owners.

LVI. And be it further enacted, That as ſoon as the ſaid Bridge ſhall be built, completed, and rendered fit for the Paſſage of Horſes, Carriages, and Cattle, the ſaid Truſtees, or any Five or more of them, ſhall certify 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 next General Quarter Seſſions; and that from and immediately after the Delivery of the ſaid Certificate, the Right and Property of and in the ſaid Bridge, with the Walls and Fences belonging thereto, ſhall be veſted in the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, and ſhall from Time to Time, and at all Times for ever thereafter, be repaired, maintained, and ſupported by the ſaid Mayor, Bailiffs, and Commonalty of the ſaid City of *Oxford*, in the ſame Manner as the ſaid Bridge would have been liable to be repaired, maintained, and ſupported by them, in caſe this Act had not been made.

Bridge to be veſted in the Mayor, Bailiffs, and Commonalty of the City of Oxford, who are to maintain the ſame.

LVII. Provided always, and be it further enacted, That from and immediately after the building and Completion of the ſaid Bridge, and the Delivery of the ſaid Certificate, the ſaid Truſtees ſhall, and they are hereby directed and required, after paying the Expences of collecting and receiving the

When the Bridge is built, the Tolls to be applied in diſcharge of Debt.

the ſaid Tolls hereby granted, and the Repairs of any Toll Gate and Toll Houſe, that may be erected by virtue of this Act, and the Intereſt of the Principal Money borrowed under the Powers hereof, to apply, from Time to Time, the Remainder of the ſaid Tolls, in or towards the Re-payment and Diſcharge of the ſaid Principal Money.

Manner of paying off Debt.

LVIII. And, in order that no Preference may be given to any of the Bodies Corporate or Perſons who may advance or lend any Money upon the Credit or by way of Mortgage of the Tolls granted by this Act; be it further enacted, That the ſaid Truſtees ſhall cauſe all ſuch Mortgages or Securities which for the Time being ſhall be in force, and of which One or more ſhall from Time to Time be intended to be paid off, to be numbered, and the Numbers to be written upon diſtinct Pieces of Paper, of an equal Size and Shape; and all ſuch Papers ſhall be rolled up in the ſame Manner, as nearly as may be, and put into a Box or Wheel, and the Number or Numbers of ſuch Securities ſhall be drawn ſeparately out of ſuch Box or Wheel by the Clerk or Clerks to the ſaid Truſtees, for the Time being, in the Preſence of the ſaid Truſtees, or any Five or more of them, at ſome or One of the Meetings of the ſaid Truſtees; and ſuch Securities ſhall be paid off and diſcharged, according to the Rotation in which the Numbers ſhall be drawn at every ſuch Ballot, beginning with the Firſt, and proceeding progreſſively to the Second, Third, Fourth, Fifth, and every other Number drawn, ſo far as the Money then in the Hands of the ſaid Truſtees will extend to pay; and after every ſuch Ballot the ſaid Truſtees ſhall cauſe Notice ſigned by their Clerk or Clerks, to be given or ſent to, or left at, the uſual Abode of the Perſon or Perſons, or of the proper Officer of the Corporation or Corporations, that ſhall be entitled to the Money to be paid off, purſuant to ſuch Ballot, ſignifying that at the End of Six Calendar Months, to be computed from the Delivery of ſuch Notice, the ſaid Truſtees will pay ſuch Sum or Sums of Money as ſhall be expreſſed in ſuch Notice, and the Intereſt due thereon, at a Place therein to be mentioned; and that the Intereſt of the Principal Money ſo expreſſed ſhall, from and after the End of the ſaid Six Calendar Months, ceaſe and be no longer payable, unleſs ſuch Money ſhall be demanded purſuant to ſuch Notice, and not paid; but the ſaid Principal Money, and alſo the Intereſt due at the Expiration of ſuch Notice, ſhall nevertheleſs be payable on Demand.

For removing Annoyances.

LIX. And be it further enacted, That if any Perſon ſhall leave any Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage, longer than may be neceſſary for the loading or unloading the ſame, in, upon, or on the Side of the ſaid Bridge or Bridges, or the Avenues, Aſcents, or Approaches thereto, either with or without any Horſe or Beaſt of Draft harneſſed or yoked thereto, or ſhall not place the ſame, during the loading or unloading thereof, as near to the Side of the ſaid Bridge or Bridges, or Avenues, Aſcents, or Approaches thereto, as may be, or ſhall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbiſh, or other Matter or Thing whatſoever, in or upon any Part or Parts of the ſaid Bridge or Bridges, or the Avenues, Aſcents, or Approaches thereto, or on the Side or Sides thereof, or to the Injury thereof, or Annoyance of any Perſon travelling thereon, or if any Perſon driving any Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage, in or upon the ſaid Bridge or Bridges, or Avenues, Aſcents, or Approaches thereto, or if any Perſon ſhall in any

Manner wilfully prevent any other Perſon or Perſons from paſſing him or them, in or upon the ſaid Bridge or Bridges, or Avenues, Aſcents, or Approaches leading thereto, or the Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage under his Care, or in ſo paſſing with any ſuch Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage, ſhall throw down, damage, or in any way injure the Walls, or Coping of the Walls, or Sides of the ſaid Bridge or Bridges, or if any Perſon ſhall make or aſſiſt in making any Fire or Fires, commonly called *Bonfires*, or ſhall ſet fire to, or let off or throw any Squib, Rocket, Serpent, or other Fire Works whatſoever, or play at Foot-ball, or any other Game or Games, in or upon any Part or Parts of the ſaid Bridge or Bridges, or Avenues, Aſcents, or Approaches leading thereto, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Truſtees may ſue and be ſued in their Clerks Name.

LX. And be it further enacted, That the ſaid Truſtees for putting this Act in Execution may ſue and be ſued in the Name of their Clerk or Clerks, and that no Action or Suit, to be brought by or againſt the ſaid Truſtees, by virtue or in conſequence of this Act, in the Name of their Clerk or Clerks, ſhall abate or be diſcontinued by the Death or Removal of ſuch Clerk or Clerks, or his or their Act or Acts, without the Authority of the ſaid Truſtees; but the Clerk or Clerks, for the Time being, to the ſaid Truſtees, ſhall always be deemed Plaintiff or Defendant, as the Caſe may be, in ſuch Action or Suit: Provided always, that every ſuch Clerk or Clerks, in whoſe Name or Names any Action or Suit ſhall be commenced, proſecuted, or defended, in purſuance of this Act, ſhall be reimburſed and paid out of the Monies to be raiſed by virtue of this Act all ſuch Coſts and Charges, as in the Courſe or by the Event of any ſuch Proceeding he or they ſhall be put unto or become chargeable with, by reaſon of his or their being ſo made Party thereto as aforeſaid.

Annual Accounts to be ſtated and filed.

LXI. And be it further enacted, That the ſaid Truſtees ſhall, and they are hereby required, between the Firſt Day of *April* and the Firſt Day of *May* in every Year, during the Continuance of this Act, to cauſe a juſt and fair Account to be made out, up to the preceding *Lady Day*, of all Monies received and paid by virtue or in purſuance of this Act, and how, and from, or to whom, and for what Purpoſe, the ſame ſhall have been received, paid, or expended; and that Two Copies of every ſuch Account ſhall be ſigned by the ſaid Truſtees, or any Five or more of them, and One of ſuch Copies ſhall be filed annually with the Clerk of the Peace of the County of *Berks*, at the *Trinity* Quarter Seſſions of the Peace of and for that County; and the other of the ſaid Copies, with the Town Clerk of the City of *Oxford*, at the ſame Quarter Seſſions of and for that City; and that all Perſons, at all ſeaſonable Times, ſhall and may peruſe and inſpect the ſaid Accounts, and take Copies or Extracts therefrom upon Payment to the ſaid Clerk of the Peace, or Town Clerk, of the Sum of One Shilling for every ſuch Inſpection, and after the Rate of Sixpence for every One hundred Words of ſuch Copies or Extracts.

Power to detain unknown Perſons guilty of Offences.

LXII. And whereas Perſons guilty of Offences againſt this Act may be tranſient Perſons, unknown to the Collectors, Surveyors, or other Officers employed under this Act, be it therefore enacted, That it ſhall be lawful for the

the ſaid Collectors, Surveyors, or other Officers reſpectively, to ſeize and detain any ſuch unknown Perſon or Perſons guilty of any Offence againſt this Act, and forthwith to convey him, her, or them before any Juſtice or Juſtices of the Peace for the County, City, or Place, where any ſuch Offence or Offences ſhall be committed, without any other Warrant or Authority than this Act for ſo doing.

Recovery and Application of Penalties.

LXIII. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act impoſed (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County, City, or Place, where the Offence ſhall be committed, or the Offender or Offenders ſhall be or reſide, (which Warrant ſuch Juſtice is hereby empowered to grant, upon the Confeſſion of the Party, or upon the Evidence of any credible Perſon upon Oath), and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale ſhall be returned upon Demand to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges of making, keeping, and ſelling the Diſtreſs; and ſuch Penalties and Forfeitures when recovered (if not herein-before directed to be otherwiſe applied) ſhall be paid to the Treaſurer, or to the ſaid Truſtees, to be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for the County, City, or Place, where ſuch Offence ſhall be committed, or where the Offender ſhall be or reſide, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner fully paid and ſatisfied.

LXIV. And be it further enacted, That in all Caſes where any Convictions ſhall be had for any Offence or Offences committed againſt this Act, or againſt any Order of Seſſions, or any Matter or Thing done in the Execution of this Act, the Form of Conviction ſhall be in the Words, or to the Effect following; that is to ſay,

Form of Conviction.

'BE it remembered, That on this Day of in the Year of the Reign of A. B. is convicted before His Majeſty's Juſtices of the Peace for the of having [*as the Offence ſhall be*], and I [*or*, we] the ſaid do adjudge him, [her, *or* them], to forfeit and pay for the ſame, the Sum of Given under my Hand and Seal, [*or*, our Hands and Seals,] the Day and Year aforeſaid.'

Appeal.

LXV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Judgment or Determination, or by any Act, Matter, or Thing done in purſuance of this Act, ſuch Perſon or Perſons may appeal to the Juſtices of the Peace at the Firſt General or Quarter Seſſions of the Peace to be holden for the County, City, or Place within which the Matter of Appeal ſhall

ſhall ariſe, next after the Expiration of One Calendar Month from the Time ſuch Matter of Appeal ſhall have ariſen, the Perſon or Perſons appealing having firſt given Fourteen Days Notice at leaſt of his, her, or their Intention to bring ſuch Appeal, and of the Matter thereof, to the Treaſurer or Treaſurers, Clerk or Clerks to the ſaid Truſtees, and within Ten Days after ſuch Notice entering into a Recognizance before ſome One Juſtice of the Peace for ſuch County, City, or Place, with Two ſufficient Securities conditioned to try ſuch Appeal, and abide the Order and Award of the ſaid Court thereon; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of ſuch Appeal, in a ſummary Way, and to make ſuch Order or Determination therein, and award ſuch Coſts to either of the Parties, or otherwiſe, as they ſhall judge proper; and the ſaid Juſtices may alſo order ſuch further Satisfaction to be made to the Party injured as they ſhall judge reaſonable; and all ſuch Orders and Determinations of the ſaid Juſtices ſhall be final, binding and concluſive to all Parties to all Intents and Purpoſes whatſoever.

Diſtreſs not unlawful for want of Form.

LXVI. And be it further enacted, That when any Diſtreſs ſhall be made for any Sum of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawfully made, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity that ſhall be afterwards done by the Party or Parties ſo diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage, in an Action upon the Caſe.

Proceedings not to be quaſhed for want of Form.

LXVII. And be it further enacted, That no Order, Verdict, Aſſeſſment, Judgment, or other Proceeding made touching or concerning the Conviction of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or by any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

Plaintiff not to recover without No ice, nor after Tender of Amends.

LXVIII. And be it further enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon for any Thing done in purſuance of this Act, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants Fourteen Days before ſuch Action ſhall be commenced of ſuch intended Action, ſigned by the Attorney for the Plaintiff or Plaintiffs, ſpecifying the Cauſe of ſuch Action; nor ſhall the Plaintiff recover in ſuch Action if Tender of ſufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney or Attornies, by or on the Behalf of the Defendant or Defendants, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful for the Defendant or Defendants in any ſuch Action, by leave of the Court, after ſuch Action ſhall have been brought, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, Order, and Judgment

shall be made and given in and by such Court, as in other Actions, where the Defendant is allowed to pay Money into Court.

Limitation Actions.

LXIX. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, after the Expiration of Six Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall arise, and not elsewhere; and if any such Action or Suit shall be brought before Fourteen Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Public Act.

LXX. 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.

Period of Continuance of Tolls.

LXXI. And be it further enacted, That this Act shall continue and be in full Force and Effect, and the Tolls hereby created, or made payable, shall be payable and have Continuance for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, unless the said Sum of Sixteen thousand five hundred Pounds, or so much thereof as shall be borrowed and taken up at Interest, and the Interest thereof, and the Costs and Charges of borrowing the same, shall be sooner paid off and discharged.

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