

THE  
BRISTOL DOCK ACT, 1865. }

A N A C T

To enable the Corporation of BRISTOL  
to improve the RIVER AVON and the  
DOCKS of BRISTOL.

[ROYAL ASSENT, 26TH MAY, 1865.]

28 & 29 VICT.—SESSION 1865.

BRICE AND BURGESS,

*Council House, Bristol, Solicitors.*

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# THE BRISTOL DOCK ACT, 1865.

## ARRANGEMENT OF SECTIONS.

Preamble recites :—

- 11 & 12 Wm. III., cap. 23.
- 47 Geo. III., Sess. 2, cap. 33.
- 11 & 12 Vict., cap. 43.
- 43 Geo. III., cap. 140.
- 46 Geo. III., cap. 35.
- 48 Geo. III., cap. 11.
- 49 Geo. III., cap. 17.
- 3 George IV., cap. 21.

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SCHEDULE.

# A N A C T

To enable the Corporation of BRISTOL to improve the RIVER  
AVON, and the DOCKS of BRISTOL.

[ROYAL ASSENT, 26TH MAY, 1865.]

**W**HEREAS the Mayor, Aldermen, and Burgesses of the City of  
Bristol (who are hereinafter called the Corporation) are  
conservators of the river Avon from Hanham Mills (a place about  
four miles eastward of the said City) to the mouth of the said river  
5 at Kingroad or Avonside, and are also conservators of the river  
Severn, and of the Bristol Channel from Kingroad westward to the  
small islands called the Stipe Holmes and the Flat Holmes; and  
the said Corporation are, or claim to be, seised in fee of the Port of  
Bristol and of the Docks within the same, and of the wharfs and  
10 quays used as lawful quays within the same City and Port; and  
especially they have by virtue of "The Bristol Dock Act, 1848,"  
purchased and become owners of the Floating Harbour Docks and  
Works within the said City constructed by the Bristol Dock Com-  
pany under the powers of an Act passed in 1803, and amended and  
15 extended by various subsequent Acts:

Preamble recites :

11 & 12 Will. 3;  
c. 23.

47 Geo. 3, Sess. 2,  
c. 33.

11 & 12 Vict.,  
cap. 43.

43 Geo. 3; c. 140.

46 Geo. 3; c. 35.

48 Geo. 3; c. 11.

49 Geo. 3; c. 17.

3 Geo. 4; c. 21.

And whereas the increasing commerce of the City of Bristol

and the increased size of the vessels resorting to the river Avon have rendered necessary the improvement of the said river and of the existing Docks, and the access thereto, and the construction of a new entrance lock from the river Avon into Cumberland Basin, and a new junction lock between Cumberland Basin and the Floating Harbour; and the Corporation are willing to effect the said improvements and Works, and to raise the necessary funds for these purposes, subject to the conditions and enactments hereinafter contained :

And whereas Plans and Sections, showing the Works authorised by this Act, with a Book of Reference to the Plans containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands in which the said Works will be made, or which will be taken for the purposes of the said Works, have been deposited with the Clerks of the Peace for the Counties of Somerset and Gloucester respectively, and with the Clerk of the Peace for the City and County of Bristol :

And whereas the objects of this Act cannot be effected without the authority of Parliament :

MAY IT THEREFORE PLEASE YOUR MAJESTY, 20

That it may be enacted, AND BE IT ENACTED, by the QUEEN'S Most Excellent MAJESTY, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows (that is to say) :—

Incorporation of  
General Acts.

1. There shall be incorporated with this Act "The Lands  
"Clauses Consolidation Act, 1845," "The Lands Clauses Consoli-  
"dation Acts Amendment Act, 1860," "The Harbours, Docks, and  
"Piers Clauses Act, 1847," excepting the provisions with respect to  
life-boats and with respect to keeping a tide and weather gauge; and  
the provisions of "The Railways Clauses Consolidation Act, 1845,"  
with respect to the temporary occupation of lands near the Railway,  
during the construction thereof; and the expression "the Railway"  
in the said provisions of the last-mentioned Act shall for the purposes



of this Act mean the several works by this Act authorised to be executed.

2. The expression "Dock Estate" when used in this Act shall mean the Harbour and Docks of the Port of Bristol and all the real and other estate vested in the Corporation under the powers of "The Bristol Dock Act, 1848," the several Works hereby authorised to be made, and the Quays, Wharves, Cranes, and Works appurtenant to the said Harbour and Docks, and also the several Rates, Duties, Tolls, and Fees which the Corporation may lawfully demand and take by virtue of "The Bristol Dock Act, 1848," in respect of the Port and Harbour of Bristol, and the Cuts, Docks, Quays, Wharves, and conveniences connected therewith, and of the Vessels and Goods using the same respectively.

Interpretation—  
"Dock Estate."

3. Subject to the provisions of this Act, it shall be lawful for the Corporation to execute the following Works with relation to the River Avon and the Docks connected therewith :

Description of  
Works.

1. They may alter, widen, straighten, and otherwise improve the bed or channel and banks and course of the river Avon, and the artificial channel thereof known as the "New Cut," between a point about four hundred yards above Rownham Ferry, and another point about one mile and a half below the said Ferry ;
2. They may close the present North Entrance Lock from the river Avon into Cumberland Basin, and may alter and improve the approaches to the South Entrance Lock of the said Basin, and construct a new Entrance Lock between the said river Avon and the lower end or north-west part of Cumberland Basin, instead of the present North Entrance Lock, with all proper gates, sluices, culverts, piers, jetties, quays, wharves, mooring posts, bridges, engines and machinery, roads, approaches and other works and conveniences connected therewith ; which New Entrance Lock will commence at the north-west end of Cumberland Basin, and will terminate in the river Avon at or near the slip to Rownham Ferry ;

Improvement of  
Avon.

Closing of North  
Lock, and Construc-  
tion of New En-  
trance Lock.

*The Bristol Dock Act, 1865.*

**3.** Subject to the Provisions of this Act, it shall be lawful for the Corporation to execute the following Works with relation to the River *Avon* and the Docks connected therewith :

Description  
of Works to  
be executed.

- (1.) They may alter, widen, straighten, and otherwise improve the Bed or Channel and Banks and Course of the River *Avon*, and the artificial Channel thereof known as the "New Cut," between a Point about Four hundred Yards above *Rownham* Ferry, and another Point about One Mile and a Half below the said Ferry :
- (2.) They may close the present North Entrance Lock from the River *Avon* into *Cumberland* Basin, and may alter and improve the Approaches to the South Entrance Lock of the said Basin, and construct a new Entrance Lock between the said River *Avon* and the lower End or North-west Part of *Cumberland* Basin, instead of the present North Entrance Lock, with all proper Gates, Sluices, Culverts, Piers, Jetties, Quays, Wharves, Mooring Posts, Bridges, Engines and Machinery, Roads, Approaches, and other Works and Conveniences connected therewith, which new Entrance Lock will commence at the North-west End of *Cumberland* Basin, and will terminate in the River *Avon* at or near the Slip to *Rownham* Ferry :
- (3.) They may construct a new Junction Lock, with proper Works as aforesaid, to commence at the North-east Corner of *Cumberland* Basin, and to terminate at the West Side of the present Entrance to "the Merchant's Dock :"
- (4.) They may enlarge the Entrance into the Floating Harbour from the said new Junction Lock, by cutting off a Portion of Land situate between the Eastern Side of the said Entrance to "the Merchant's Dock" and a Graving Dock in the Occupation of Messrs. *Stothert* and Co. ; and for such Purpose may interfere with and temporarily close the Entrance into the said "Merchants Dock :"
- (5.) They may deepen, alter, and improve the Northern Part of the Bed of *Cumberland* Basin, and the Walls, Quays, Roads, and Works thereto adjoining :

All the said proposed Improvements and Works will be situate in One or more of the Parishes of *Saint Stephen* and *Clifton* in the City and County of *Bristol*, the Parishes of *Long Ashton* and *Abbot's Leigh* in the County of *Somerset*, and the Parish of *Westbury-upon-Trym* which is partly in the County of *Gloucester* and partly in the City and County of *Bristol* ; and the Corporation may, subject to the Provisions of this Act, enter upon, take, and use such of the Lands shown on the said deposited Plans as they may think requisite for

*The Bristol Dock Act, 1865.*

for the Purposes of the foregoing Works, and may execute the several Works herein-before specified upon the same Lands, and according to the Lines and Levels shown on the said Plans and Sections.

Power to deviate.

4. The Corporation may, subject to the Provisions of this Act, within the Limits of lateral Deviation defined on the said deposited Plans, deviate from the Line or Situation of the Works hereby authorized, and they may also deviate from the Levels shown on the deposited Sections to an Extent not exceeding Seven Feet.

Regulating Inclination of Turnpike Road.

5. It shall be lawful for the Corporation, in diverting the Turnpike Road numbered on the said deposited Plans 106, in the Parish of *Clifton*, to construct the said proposed Diversion with an Inclination not steeper than One in Fourteen.

As to Purchase of Lands for Works and Deposit of Spoil.

6. The Corporation may from Time to Time agree with the Owners of Lands situate within any of the Parishes herein-before mentioned for the Purchase by the Corporation of such Lands, or of any Easement, Right, or Interest therein for the Purposes of the said Works, and especially for the Deposit of Spoil or Refuse dug out in the Construction of the said Works; and they may also construct such Roads, Tramways, and other Works and Conveniences within the Parishes aforesaid, and across the River *Avon* or the New Cut or Channel thereof, as they may find necessary for the Purpose of conveying the said Spoil or Refuse to the Lands so purchased or acquired: Provided always, that it shall not be lawful for the Corporation to take or use any Lands for the Purposes of the Roads and Tramways last aforesaid unless with the Consent of the Owners and Occupiers of such Lands respectively.

Powers for compulsory Purchases limited.

7. The Powers granted by this Act for the compulsory Purchase of Land shall not be exercised after the Expiration of Five Years from the passing of this Act.

As to Interference with Roads, Streams, &c., during Execution of Works;

8. During the Construction of the said Works it shall be lawful for the Corporation to alter, stop up, and divert any Roads, Streams, Springs, Watercourses, Rivers, Drains, and Sewers within the Lands shown upon the said Plans, or immediately adjoining thereto, making, nevertheless, Compensation to the Owners of the Lands and Property injuriously affected by the Exercise of the said Power.

Also, with River, Towing-paths,

9. During the Execution of the Works hereby authorized it shall also be lawful for the Corporation to interfere with and regulate the Navigation



Construction of  
New Junction Lock.

3. They may construct a New Junction Lock, with proper works as aforesaid, at or near as the north-east corner of Cumberland Basin, and as near as the west side of the present entrance to "The Merchants' Dock."

Enlargement of  
Entrance into Floating  
Harbour.

4. They may enlarge the entrance into the Floating Harbour from the said New Junction Lock, by cutting off a portion of land situate between the eastern side of the said entrance to "The Merchants' Dock" and a graving dock in the occupation of Messrs. Stothert and Co.; and for such purpose may interfere with and temporarily close the entrance into the said "Merchants' Dock."

Improvement of  
Cumberland Basin.

5. They may deepen, alter, and improve the northern part of the bed of Cumberland Basin, and the walls, quays, roads, and works thereon adjoining.

All the said proposed Improvements and Works will be situate in one or more of the parishes of Saint Stephen and Clifton, in the city and county of Bristol, the parishes of Long Ashton and Abbot's Leigh, in the county of Somerset, and the parish of Westbury-upon-Trym, which is partly in the county of Gloucester, and partly in the city and county of Bristol: and the Corporation may, subject to the provisions of this Act, enter upon, take, and use such of the lands shown on the said deposited plans as they may think requisite for the purposes of the foregoing works, and may execute the several works hereinbefore specified upon the same lands, and according to the lines and levels shown on the said plans and sections.

Power to Deviate.

4. The Corporation may, subject to the provisions of this Act, within the limits of lateral deviation defined on the said deposited plans, deviate from the line or situation of the works hereby authorised, and they may also deviate from the levels shown on the deposited sections to an extent not exceeding seven feet.

Levelling and  
Diversion of Turnpike-  
road.

5. It shall be lawful for the Corporation, in diverting the Turnpike-road numbered on the said deposited Plans 106, in the parish of Clifton, to construct the said proposed diversion with an inclination not steeper than one in fourteen.

6. The Corporation may from time to time agree with the owners of lands situate within any of the parishes hereinbefore mentioned, for the purchase by the Corporation of such lands, or of any easement, right, or interest therein for the purposes of the said works; and especially for the deposit of spoil or refuse dug out in the construction of the said works; and they may also construct such roads, tramways, and other works and conveniences within the parishes aforesaid, and across the river Avon or the New Cut or channel thereof, as they may find necessary for the purpose of conveying the said spoil or refuse to the lands so purchased or acquired: Provided always, That it shall not be lawful for the Corporation to take or use any lands for the purposes of the roads and tramways last aforesaid unless with the consent of the owners and occupiers of such lands respectively.

As to Purchase of Lands for Works and Deposit of Spoil.

7. The powers granted by this Act for the compulsory purchase of land shall not be exercised after the expiration of five years from the passing of this Act.

Period for Compulsory Purchase of Lands.

8. During the construction of the said works it shall be lawful for the Corporation to alter, stop up, and divert any roads, streams, springs, watercourses, rivers, drains, and sewers within the lands shown upon the said plans, or immediately adjoining thereto, making, nevertheless, compensation to the owners of the lands and property injuriously affected by the exercise of the said power.

As to Interference with Roads, Streams, &c., during execution of Works.

9. During the execution of the Works hereby authorised it shall also be lawful for the Corporation to interfere with and regulate the navigation of the river Avon and of the New Cut or Channel thereof, and the use of the towing-paths thereof respectively; and also the use of Cumberland Basin, and of the locks, wharves, quays, cranes, and works connected with the said basin; and also to interfere with so much of the Floating Harbour, and of the locks, wharves, and works connected therewith, as may be necessary for the works and improvements hereinbefore described; and also to interfere with and regulate the use of the ferry across the river Avon, known as Rownham Ferry, between the parishes of Clifton and Long Ashton; and for these purposes the Corporation may make such rules and bye-laws as they shall think proper; and all persons navigating the said river,

And with River, Towing-paths, Docks, and Ferry.

or using the towing-paths, basins, floating harbour, locks, wharves, quays, cranes, and works connected therewith, or using the said ferry, shall observe and keep such rules and bye-laws under such penalties and forfeitures as shall be respectively fixed for the breaking or non-performance of the same; and the ninetieth section of the 5  
 Act “to provide for the regulation of Municipal Corporations in  
 “England and Wales,” shall apply to such bye-laws.

5 & 6 Wm. IV.,  
 cap. 76.

Corporation may  
 purchase Rownham  
 Ferry.

**10.** It shall be lawful for the Corporation to purchase Rownham Ferry aforesaid, and all the rights, powers, and privileges connected therewith, and among them the right to levy toll; and 10  
 the Corporation may remove the site of the said Ferry when purchased to a distance not exceeding three hundred yards below its present site.

Prohibiting interference with certain  
 Frontage.

**11.** It shall not be lawful for the Corporation to construct any building or other erection on any land acquired by them under 15  
 the powers of this Act abutting on or lying opposite to the frontage of any part of the estate belonging to the Ecclesiastical Commissioners for England, unless with the previous consent in writing of the said Commissioners under their Common Seal.

Custom House  
 Officers may use  
 Ferry.

**12.** After such purchase all officers of Customs, being in the 20  
 execution of their duty, shall at all times be at liberty, free of toll, to use the said ferry, and also any bridge or ferry constructed or formed under the powers of this Act.

As to disused Bed  
 of River.

**13.** It shall be lawful for the Corporation to appropriate for the purposes of the said Works the stone and other materials that 25  
 may be excavated from the river in consequence of the Works, and also so much of the present bed and soil of the river as in consequence of the improvements and alterations of the river may cease to form the channel thereof.

The Corporation  
 may cleanse the  
 River and Works.

**14.** The Corporation shall have full power and authority 30  
 from time to time to dredge, scour, and otherwise cleanse the bed or channel and banks of the River Avon, and the entrance, locks, basin, and other Works hereby authorised to be made, altered, and improved, and they may from time to time provide and fix all such dolphins, mooring-posts, lights, landing-stages, slips, and other such 35  
 Works and conveniences as may be required for the trade of the port.



15. The bed of the river Avon as altered and improved under the powers of this Act from high-water mark to the bottom of the said river, and all land on the sides of the Works hereby authorised for the space of five yards in breadth from high-water mark, shall be  
5 exclusively within and parcel of the city and county of Bristol and the port of Bristol respectively ; and exclusively within the jurisdiction, power, and authority of the Corporation and their officers, and the Sheriff, Coroner, Escheator, Recorder, and other the officers and ministers of the Queen's most Excellent Majesty of such city and  
10 county : Provided always, That this enactment shall not in any manner affect the Act "to Amend the Representation of the People  
" in England and Wales," or the Act "to settle and describe the  
" Divisions of Counties and the limits of Cities and Boroughs," or the election of any knight of the shire or coroner for either of the  
15 counties of Gloucester or Somerset, or of the Mayor, Aldermen, and Burgesses of the city and county of Bristol, or any tax, rate, levy, or assessment, or any matter relative to any ecclesiastical, parochial, or manorial jurisdiction or right.

Extending Jurisdiction of Corporation and its Officers to new Works.

2 Wm. IV., cap. 45 ; 3 Wm. IV., cap. 64.

16. The channel of the river Avon as altered, and the banks  
20 and towing-paths thereof, and the new locks and improvements, quays, and works constructed under the powers of this Act, shall for the purposes of all rates, dues, tolls, and fees, and the collection thereof, and the remedies for the nonpayment thereof, be deemed to be part of the Port and Harbour of Bristol, and of the Docks con-  
25 nected therewith, as fully and effectually as though the said improved channel, locks, improvements, banks, towing paths, quays, and works had formed part of the original Port and Harbour and Docks.

New Works to be deemed part of Harbour and Docks.

17. The total amount of money which the Corporation may  
30 expend for the purposes of this Act, including the sum of two hundred and thirty thousand pounds to be borrowed, as hereinafter mentioned, shall not exceed the sum of three hundred thousand pounds.

Limiting Amounts to be expended on Works.

18. It shall be lawful for the Corporation to apply from  
35 time to time towards the purposes of this Act any surplus revenue derived, or to be derived, from their Dock Estate ; and also from time to time for the same purposes to borrow and take up on

Power to apply Surplus Revenue of Dock Estate, and to borrow Money.

mortgage of the Dock Estate and of the borough rates or fund, or other property of the said city, such a sum of money as shall be required, not exceeding in the whole the sum of two hundred and thirty thousand pounds; and such money may be so raised at any rate of interest not exceeding five pounds per centum per annum; and every such mortgage may be made by an instrument in the form contained in the schedule to this Act, or to that or the like effect, and shall be executed by affixing thereto the Corporate Seal of the said city and county; and every such mortgage shall be effectual for securing to the person advancing the sum of money in such mortgage expressed to be advanced, his executors, administrators, or assigns, the repayment thereof, with interest for the same after such rate, and at such time, and in such manner as shall be provided in such mortgage; and the said mortgages shall be numbered in the order of succession in which they are granted; and copies or extracts of all such mortgages shall be kept by the Secretary to the Docks Committee of the Corporation, in a book to be provided for that purpose; and the persons to whom such mortgages or any transfers thereof shall be made, their executors and administrators, shall be creditors upon the Dock Estate and the Borough Rate or fund or other property of the said city, thereby expressed to be mortgaged in an equal degree one with another, and shall not have any preference or priority other than is provided under the powers of this Act.

Provision for payment of Interest on Mortgages.

**19.** For the purpose of paying and satisfying all principal and interest moneys from time to time due under the provisions of this Act, the Corporation from time to time may, and when necessary shall, pay by and out of the Borough Rate or Borough Fund of the said city, such sums of money as shall be from time to time necessary in that behalf, and shall apply the same accordingly, as if such principal and interest moneys were an expenditure necessarily incurred in carrying into execution, with reference to such city and county, the provisions of the Act for the Regulation of Municipal Corporations in England and Wales.

Persons lending Money on Mortgage not bound to require proof that Notices have been given, &c.

**20.** No person lending money to the Corporation and taking a mortgage for securing repayment of the same, executed in manner directed by this Act and purporting to be made under the authority of this Act, shall be bound to require proof that the several provisions

of this Act have been duly complied with; and if the Corporation shall have executed a mortgage under this Act, then the Corporation shall be deemed to have had full powers to levy the Rates so mortgaged as aforesaid for repayment of the money so borrowed, with interest, notwithstanding any of the provisions of this Act may not have been complied with; and it shall not be competent for any rate-payer or other person to question the validity of any such Rates or Mortgage on the ground that such provisions had not been complied with.

10     **21.** The annual rent-charge of six thousand seven hundred and seventy-three pounds nine shillings and eightpence, created by "The Bristol Dock Act, 1848," and all mortgages granted by the Corporation before the passing of this Act, and which shall be subsisting at the time of the passing thereof, shall, during the continuance or the renewal of such mortgages, have priority over any  
15 mortgages to be created by virtue of this Act.

Rent-charge of 6773*l.* 9*s.* 8*d.* and existing Mortgages to have priority.

22. Provided also, That in every case in which any moneys shall have been borrowed under the powers of this Act, it shall be lawful for the Corporation to pay off the moneys so borrowed, and  
20 from time to time to raise and borrow the moneys necessary for that purpose, and also to repay the said last-mentioned moneys and the interest thereof, under the powers of this Act, as if such moneys were borrowed under the powers firstly hereinbefore contained.

Power to raise Money to pay off Sums borrowed.

23. Nothing in this Act contained shall relieve the Corporation or the Borough Fund of the said City from any debt or payment to which they are now liable; nor shall anything in this Act contained diminish or impair any right, lien, or remedy which the creditors of the Corporation now have or are entitled to by virtue of the recited Acts, or otherwise howsoever.

Saving Creditors of Corporation.

30     **24.** Provided always, That the powers by this Act conferred upon the Corporation with respect to the improvement of the River Avon, being the Works firstly described in the third Section of this Act, shall be subject to the following conditions and restrictions (that is to say) :—

As to Works affecting Clifton Suspension Bridge.

35     1. The Corporation shall not, without the consent of the Clifton Suspension Bridge Company, excavate or disturb

D



any of the rock lying under or adjacent to the pier or abutment belonging to the Clifton Suspension Bridge Company on the Somersetshire side of the river, nearer the said pier or abutment than is shown by a certain Plan signed by Thomas Howard on behalf of the Corporation, and by John Hawkshaw and William Henry Barlow on behalf of the Bridge Company : 5

2. The excavation of the said rock, and all Works connected therewith, shall be done under the superintendence and to the reasonable satisfaction of the said Bridge Company's engineers, or of persons to be appointed by them : 10
3. The Corporation shall, before interfering with the rock, pay to the said Bridge Company the sum of one hundred pounds, as the value of the estate and interest of the said Company in so much of the rock as, subject to the before mentioned restrictions, may be excavated by the Corporation, and the Corporation shall also pay to the said Company all expenses incurred or to be incurred by them by reason of the interference with the Bridge Company's Undertaking, and in superintending the Works affecting the same : 15 20
4. The Corporation shall indemnify the said Bridge Company against all damage and loss which the said Bridge Company may sustain by reason of the execution of the Works of the Corporation under the powers of this Act : 25
5. If any damage or injury shall arise or accrue to the said Bridge, or the piers or abutments thereof, after the commencement of the Works of the Corporation, which in the opinion of the engineers of the said Company shall be attributable to the Works of the Corporation, the Corporation shall, at the election of the said Bridge Company, either forthwith restore and make good all such damage and injury at the expense of the Corporation, or shall on demand pay to the Bridge Company all such sums of money as shall be expended by the 30 35

Bridge Company in restoring and making good such damage and injury, or in any way incidental thereto :

- 5 6. All moneys payable by the Corporation under these provisions shall be paid out of and charged upon the property and estates of the Corporation, and the Borough Fund, and Dock Estate of the said city and county of Bristol :
- 10 7. Any question which may arise between the Corporation and the said Bridge Company under this enactment shall be from time to time at the expense of the Corporation, referred to and determined by an arbitrator to be appointed by the president for the time being of the Institution of Civil Engineers on the application of either the Corporation or the said Bridge Company.

- 15 25. For the purpose of enabling the Bristol United Gas-  
Light Company to light and supply with Gas the several roads, streets, and district, and the inhabitants and occupiers of property in the district lying between the Floating Harbour and the New Cut in the City of Bristol, the Gas-Light Company shall be at liberty to lay down and place under, or adjoining, any Locks to be made and  
20 constructed by authority of this Act, and also under or adjoining the Lock of Bathurst Basin, and also under the Floating Harbour any mains or pipes, and from time to time to repair, renew, and reinstate such mains and pipes; but that every such laying down, placing, repairing, and renewing, shall be with the approval of the Engineer  
25 of the Corporation for the time being, and in case any difference shall arise between the Gas-Light Company and the Corporation, or their Engineer, concerning any matter in this enactment, the same shall from time to time be settled by the arbitration of some person to be mutually nominated by the Gas-Light Company and the Cor-  
30 poration; or if they cannot agree on an Arbitrator, then by some person to be nominated by the Recorder of Bristol.

Protecting Bristol  
United Gas Light  
Company.

26. Nothing in this Act, or in the deposited Plans and Sections or Book of Reference contained, shall authorise the Corporation, without the consent in writing of the Bristol Port, Railway,  
35 and Pier Company to enter upon, take, or occupy any part of the Railway of the Company, or the Banks or Works thereof, except as follows (that is to say) :

Protecting Works  
of Bristol Port and  
Pier Railway Com-  
pany.

First. Except such portion of the said Railway in front of the Merchants' Quarries as is outside a line drawn parallel to the present centre line of the said Railway and twenty-four feet therefrom, and as is delineated by the colour Red in a Map or Plan of the said Railway signed by the Engineers of the Corporation and Company respectively, and deposited with the Clerk of the Peace for the city of Bristol: 5

Second. And except such portion of the said Railway in front of the Black Rock Quarry belonging to the Corporation, as is also delineated on the said Map or Plan, and thereon coloured Blue: Provided that no part of the last-mentioned portion of the Railway to be taken by the Corporation shall be nearer than twenty feet to the present centre line of the Railway: 15

Third. If the Corporation in the execution of the Works authorised by this Act shall find it necessary to alter and widen the accommodation Bridge of the Company at the boundary of the parishes of Clifton and Westbury-upon-Trym, the Corporation shall be at liberty to alter and widen the said Bridge accordingly: Provided that the execution of such Work shall be carried out at their cost, under the control and to the satisfaction of the Engineer of the Company, and without endangering or impeding the traffic on the Railway. 25

For protection of  
Pipes and Mains of  
Bristol Water Works  
Company.

**27.** If by reason of any of the Works authorised by this Act it shall be necessary to remove or to alter the position or level of any main or service water-pipes of the Bristol Water Works Company, or if the access to the said mains and pipes shall be interfered with, the Corporation shall give to the same Company fourteen days' previous notice of the necessity for such removal, alteration, or interference; and the Company shall forthwith make such removal or alterations as may be so rendered necessary as aforesaid, and shall do all works incident thereto or consequent upon such interference, and shall or may substitute fresh mains or pipes in such new direction as may be rendered necessary as aforesaid; and all expenses to be thereby incurred shall be defrayed by the Corporation: Provided 30 35



that if any difference shall arise between the Corporation and the Company, with respect to the necessity or nature of such substitution, or the direction in which such substitution shall be made, every such difference shall be determined by the Engineers of the Corporation and the Company for the time being; or in default of agreement between them, then by an Engineer to be nominated by the President for the time being of the Institution of Civil Engineers.

28. Nothing in this Act contained shall extend, or be deemed or construed to extend, to authorise or enable the Corporation to take or enter upon, or use either temporarily or permanently, any of the lands belonging to the Bristol and Portishead Pier and Railway Company, or any of the lands which the said Company, under and by virtue of "The Bristol and Portishead Pier and Railway Act, 1863," are authorised to purchase without the consent in writing in every instance first had and obtained of the Bristol and Portishead Pier and Railway Company under their Common Seal: And nothing in this Act contained shall exempt the Corporation from liability in case of damage to any of the authorised Works of the Bristol and Portishead Pier and Railway Company, by reason of the execution of any of the Works by this Act authorised.

Corporation not to take Lands of Bristol and Portishead Pier and Railway Company without consent.

Corporation liable for Damage to Works of Bristol and Portishead Pier and Railway Company.

29. The Corporation shall indemnify the Bristol and Portishead Pier and Railway Company against all damage or loss for which they may be liable to the Clifton Suspension Bridge Company, by reason or in consequence of the execution of any of the Works hereby authorised, whereby the Pier or Abutment on the Somersetshire side of the River Avon belonging to the said Clifton Suspension Bridge Company, or any other authorised Work of the said Bridge Company may be injuriously affected.

Corporation to indemnify Bristol and Portishead Pier and Railway Company against liability to Clifton Suspension Bridge Company.

30. If in the course, or by means of the execution of any of the Works by this Act authorised, any part of the shores or bed of the said river Avon which may belong to Her Majesty shall be immed, gained, or reclaimed from the water, the said Corporation shall not have or exercise any right upon the same, or in respect thereof; and shall not enter upon, take, use, or interfere with the lands so immed, gained, or reclaimed, for any purpose whatsoever, without the consent in writing of the Commissioners for the time being of Her Majesty's Woods, Forests, and Land Revenues, or one of them.

Land belonging to the Crown reclaimed by the Works not to be taken without the consent of the Commissioners of Woods and Forests.

Saving Rights of  
the Crown.

**31.** Nothing contained in this Act, or in any of the Acts incorporated herewith, shall authorise the said Corporation to take, use, or in any manner interfere with any land, soil, tenements or hereditaments, or any rights of whatsoever nature, belonging to, or enjoyed, or exercisable by the Queen's Most Excellent Majesty in right of her Crown, without the previous consent in writing of the Commisisoners for the time being of Her Majesty's Woods, Forests, and Land Revenues, or one of them, on behalf of Her Majesty, first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give); neither shall anything in this Act or the said Acts contained, divest, take away, prejudice, diminish, or alter any estate, right, privilege, power, or authority, now or from time to time vested in, or enjoyed, or exercisable by the Queen's Majesty, her heirs or successors. 5 10

Saving General  
Acts.

**32.** Nothing in this Act contained shall exempt the Works hereby authorised from the provisions of any General Acts relating to Docks now in force, or which may hereafter pass during this or any future Session of Parliament. 15

Commencement  
of Act.

**33.** This Act shall take effect on and from the first day of October, one thousand eight hundred and sixty-five. 20

Name of Act.

**34.** This Act may be cited for all purposes as "The Bristol Dock Act, 1865;" and the expenses of applying for, obtaining and passing this Act, and incidental thereto, shall be paid by the Corporation out of the Dock Estate.

SCHEDULE.

## SCHEDULE.

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### THE BRISTOL DOCK ACT, 1865.

#### *Form of Mortgage.*

£

No.

By virtue of "The Bristol Dock Act, 1865," we the Mayor, Aldermen, and Burgesses of the City of Bristol, in consideration of the sum of  
paid to us by  
do assign unto the said  
administrators, and assigns, the Dock Estate, borough rates and fund of the City and County of Bristol, and all the estate, right, title, and interest of the said Mayor, Aldermen, and Burgesses in the same, to hold unto the said  
h executors, administrators, together  
and assigns, until the said sum of  
with interest for the same at the rate of  
pounds by the year be satisfied; and it is hereby stipulated that the said  
sum of  
shall be repaid on the  
day of  
one thousand eight hundred and  
and also that the payment of principal secured by this mortgage shall be made on presentation of this mortgage at the Bank of  
or at such other place in the City of Bristol as the said Mayor, Aldermen, and Burgesses shall, by at least one calendar month's public notice by advertisement in any of the newspapers published in the said city from time to time appoint; and also that on the  
thousand eight hundred and  
day of  
Aldermen, and Burgesses for payment of interest shall cease, no default herein having been previously made by them.

Given under our corporate seal this

day of

one thousand eight hundred and

F



THE  
BRISTOL DOCK ACT, 1865. }

A N A C T

To enable the Corporation of BRISTOL  
to improve the RIVER AVON and the  
DOCKS of BRISTOL.

[ROYAL ASSENT, 26TH MAY, 1865.]

28 & 29 VICT.—SESSION 1865.

BRICE AND BURGESS,  
*Council House, Bristol, Solicitors.*

DYSON AND CO.,  
*24, Parliament Street, Parliamentary Agents.*

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