ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. lix.

An Act for building a new Gaol in the City of *Bristol*, and for other Purposes. [20th *June* 1816.]

WHEREAS the present Common Gaol called *Newgate*, in and for the City of *Bristol* and County of the same City, situate in the Parish of *Saint Peter* in the said City and County, is inconveniently situated, too small, and not properly constructed for the Reception and Confinement of Prisoners; and it would be of great public Utility if a new Common Gaol, with all necessary Conveniences, were erected and built or provided in some other Part of the said City and County of *Bristol*, and if Provision were made for the Separation, Employment, and Regulation of the Prisoners who may be committed to Prison in the said City and County of *Bristol*: And whereas an Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act for building a new Gaol, a Penitentiary House, and House of Correction within the City of* Bristol, *and for regulating, maintaining, and supporting the same; and for disposing of the present Common Gaol of the said City of* Bristol *and County of the same City, and for other Purposes*, which Act has not been carried into Execution; and it is expedient that the same should be repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall be and the same is hereby repealed. 32 G. 3. c. 82. Recited Act repealed.

Commissioners.

II. And be it further enacted, That the Mayor and Aldermen of the said City of *Bristol* for the Time being, Five Members of the Common Council of the said City to be nominated by the Mayor, Aldermen, and Common Council in Common Council assembled, and the following Three Persons, not being Members of the said Common Council, nominated and appointed on behalf of the Inhabitants of the said City, (that is to say,) *John Loudon M'Adam* Esquire, *Robert Bush* Esquire, and *Charles Vaughan* Esquire, and their Successors, to be appointed as herein-after is mentioned, shall be and they are hereby constituted and appointed Commissioners for building a new Gaol for the City and County of *Bristol*, and for executing the several Powers, Intents, and Purposes of this Act.

For electing new Commissioners.

III. And be it further enacted, That when and as often as any Commissioner appointed out of the said Common Council shall die, or by Writing under his Hand delivered to the Clerk or Clerks of the said Commissioners shall refuse to act, or shall neglect to attend the public Meetings of the said Commissioners to be held in pursuance of this Act for putting this Act into Execution, for the Space of One Year at any One Time, without a reasonable Cause, it shall be lawful for the Mayor, Aldermen, and Common Council in Common Council assembled, from Time to Time to elect some other Member of the said Common Council to be a Commissioner in the Place of such Member so dying, refusing, or neglecting to act; and that when and as often as any Commissioner appointed on behalf of the Inhabitants of the said City shall die, or by Writing under his Hand, delivered to the Clerk or Clerks of the said Commissioners, shall refuse to act, or shall neglect to attend the public Meetings of the said Commissioners, to be held in pursuance of this Act for putting this Act into Execution, for the Space of One Year at any One Time, without a reasonable Cause, or shall become a Member of the said Common Council, it shall and may be lawful for the surviving or continuing Commissioners or Commissioner appointed on behalf of the said Inhabitants, from Time to Time, by Writing under their Hands, to elect some other Person to be a Commissioner in the Place of every Commissioner so dying, refusing or neglecting to act as last mentioned; and every Person so elected in manner before mentioned is hereby vested with the same Powers for putting this Act into Execution as if he had been named a Commissioner in and by this Act.

Qualification of Commissioners.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except such as shall be Commissioners, as Mayor, Aldermen, or Common Council Men) unless he shall have or be seised of in Law or Equity, in his own Right or in Right of his Wife, and be in the actual Possession or Receipt of the Rents and Profits of Lands or Tenements within the said City and County of *Bristol*, either in Fee Simple or for Life or Lives, or for a Term of Years determinable on One or more Life or Lives, or for a Term of Years certain, originally created for Twenty-one Years at the least, of the clear yearly Value of Fifty Pounds, over and above what will satisfy or discharge all Incumbrances affecting the same, and over and above all Rents and Charges payable out of or in respect of the same, or be possessed of a Personal Estate to the Amount or Value of One thousand Pounds; and no Person shall be capable of acting as a Commissioner under

under this Act in any Matter in which he shall be interested, or whilst he shall hold any Place of Profit under this Act; nor any Person who is a Victualler, or who shall sell Ale, Wine, Cyder, or Spirituous Liquors by Retail; nor any Person who in his private Capacity shall at the Time of acting be concerned in any Contract or Agreement relative to the Execution of this Act (except lending Money on the Credit and for the Purposes thereof); nor shall any Person be qualified to act as a Commissioner in the Execution of this Act (except such as shall be Commissioners, as Mayor, Aldermen, or Common Council Men, and except in administering the Oath or Affirmation herein-after mentioned) until after he shall have taken and subscribed before any One or more of such Commissioners an Oath or Affirmation in the following Form; (that is to say,)

Commissioner's Oath or Affirmation.

'I *A. B.* do swear [*or, being one of People called Quakers*, do solemnly affirm], That I am truly and *bonâ fide* in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Lands or Tenements within the City and County of *Bristol*, of the clear yearly Value of Fifty Pounds above Reprizes [*or* possessed of a Personal Estate to the Amount or Value of One thousand Pounds, *as the Case may be*]; and that I will truly and faithfully execute the Trusts reposed in me by an Act passed in the Fifty-sixth Year of the Reign of King *George* the Third, intituled *An Act for building a new Gaol in the City of* Bristol, *and for taking down the present Gaol, and for other Purposes*, to the best of my Skill and Knowledge, without Favour or Affection, or Prejudice or Malice, to any Person whomsoever. So help me GOD.'

[*Or, being a Quaker, leave out the Words* 'So help me God.']

Penalty on acting if not qualified.

And if any Person not being qualified as aforesaid (except as aforesaid), or being disqualified by any of the Causes aforesaid, shall act as a Commissioner for putting this Act, or any of the Powers herein contained, into Execution, contrary to the true Intent and Meaning hereof, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered 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 was, at the Time of acting, qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person acted as a Commissioner in the Execution of this Act; and the Money so to be recovered shall, after Payment of the extra Costs and Expences attending the Recovery thereof, be applied towards the Purposes of this Act: Provided always, that all the Acts and Proceedings of any Person as a Commissioner in the Execution of this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been duly qualified according to the Directions of this Act.

Meetings of Commissioners may be adjourned by Commissioners;

V. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet at the Guildhall, or some other convenient Place within the City and County of *Bristol* aforesaid, within Thirty Days next after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon of the same Day, and proceed to the

the Execution of this Act; and the said Commissioners, or any Five or more of them, may then and from Time to Time afterwards adjourn to meet again at the said Guildhall, or some other convenient Place within the said City and County of *Bristol*, for putting this Act into Execution, as they shall think proper, on any Day not exceeding Thirty Days from such Day of Adjournment; and if at any of the Meetings to be held in pursuance of this Act the Commissioners present shall omit or neglect to adjourn any such Meeting as aforesaid, or if there shall not be a sufficient Number of Commissioners then present to adjourn, then and in every such Case the Clerk or Clerks to the said Commissioners shall adjourn the Meeting to such Time and such Place, within the said City and County of *Bristol*, as he or they shall think fit, not exceeding Thirty Days from the Time of such last-mentioned Adjournment, and shall give Notice thereof in some Newspaper circulating in the said City and County of *Bristol*, at least Ten Days before such Meeting; but no Business shall be begun or proceeded in at any Meeting of the said Commissioners before the Hour of Ten in the Forenoon, nor shall any Adjournment be made to a later Hour than Two in the Afternoon.

or, should they omit, by their Clerks.

If Clerks to the Commissioners shall neglect to adjourn Meetings, Commissioners may call a Meeting.

VI. Provided always, and be it further enacted, That in case there shall not be a sufficient Number of Commissioners at any Meeting to proceed in the Execution of this Act, and the Clerk or Clerks to the said Commissioners shall neglect to adjourn such Meeting, then it shall be lawful for any Five or more of the said Commissioners, by Notice published in some Newspaper circulating in the said City and County of *Bristol*, to call a Meeting of the Commissioners for the Purpose of putting this Act into Execution at any Time and Place they shall think proper, not earlier than Ten Days from the Publication of such Notice; and each and every such Meeting shall or may be adjourned, as if the same were held in pursuance of an Adjournment of the original Meeting.

Chairman to be appointed, who shall have the casting Vote.

VII. And be it further enacted, That at every Meeting of the Commissioners to be held in pursuance of this Act, the Mayor or senior Alderman present at such Meeting shall be Chairman or President of the Meeting; but if the Mayor and all the Aldermen shall be absent from any such Meeting, then the Commissioners then present, or the major Part of them, shall name and appoint a Chairman or President of such Meeting; and all Questions proposed or agitated at such Meeting shall be determined by the Majority of the Commissioners then present; and in case of an equal Number of Voices or Votes of the Commissioners so assembled upon any such Question, including the Voice or Vote of the said Chairman or President, then the Chairman or President shall have the casting and decisive Voice or Vote; and all Questions, Orders, and Proceedings so determined shall be as valid and effectual as if the whole Number of Commissioners present had concurred therein.

All Proceedings of Commissioners to be at Meetings.

VIII. And be it further enacted, That all Acts, Orders, Resolutions, Determinations, and Proceedings of the said Commissioners in the Execution of the Powers of this Act, shall be made at Meetings to be held as aforesaid, and not otherwise, and signed by the Chairman of such Meetings; and that no Act, Order, Resolution, Determination, or Proceeding of the said Commissioners, so made and signed as aforesaid, shall afterwards be

be altered, revoked, repealed, or set aside, unless at a Meeting to be called especially for that Purpose, by Notice signed by the Clerk or Clerks to the said Commissioners, to be published in some Newspaper circulating in the said City and County of *Bristol*, at least Ten Days before such Meeting, and unless the Number of Commissioners at such Meeting desiring or voting for such Alteration, Revocation, or Repeal, shall be equal to or greater than the Number of Commissioners who concurred in making such Act, Order, Resolution, Determination, or Proceeding: Provided always, that no Act, Order, Resolution, or Determination shall be made, or other Business done at any Meeting to be held in pursuance of this Act, at which Five at least of the said Commissioners shall not be present, but such Meeting shall be adjourned as herein-before mentioned.

No Business to be done unless Five Commissioners present.

IX. And be it further enacted, That the said Commissioners shall, at all their Meetings to be held in pursuance or by virtue of this Act, bear and pay their own Charges and Expences.

Commissioners to pay their own Expences.

X. Provided always, and be it further enacted, That it shall and may be lawful to and for such of the said Commissioners as shall be Justices of the Peace for the said City and County of *Bristol* to act as Justices in the Execution of this Act, and every Part thereof, notwithstanding their being Commissioners.

Justices being Commissioners may act as such.

XI. And be it further enacted, That all Acts, Orders, Resolutions, Determinations, and Proceedings which shall be made by the said Commissioners at any of their Meetings to be held in pursuance of this Act as aforesaid, shall be entered in a Book to be kept for that Purpose by the Clerk or Clerks to the said Commissioners; which Book shall be signed by the Chairman of such Meeting, and in which Book or Books the said Commissioners, or their Clerk or Clerks, shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, or expended in or towards the Execution of this Act, or for or on account of the Gaol or other Buildings to be erected or provided by virtue of this Act, or in any way relating to the same, and of the several Articles, Matters, and Things for which such Payments or Disbursements shall have been made; and once in every Year One General Account shall be made up and fairly stated, and the Balance annually shewn and entered in such Book or Books, and such Account shall be printed and published by the said Commissioners in some Newspaper or Newspapers usually circulated in the said City of *Bristol*, sometime in the Month of *June* in every Year; and all Entries in such Books, being signed as aforesaid, shall be deemed Originals, and shall be admitted to be read in Evidence in all Causes, Suits, and Actions touching any thing to be done in pursuance and by virtue of this Act; and such Books shall be kept by the Clerk or Clerks to the said Commissioners as they shall from Time to Time direct, and shall at every such Meeting, and at all other seasonable Times, be open and subject to the Inspection of the said Commissioners, and also of all Persons rated and assessed for the Purposes of this Act, or otherwise affected thereby, such Persons last mentioned paying to such Clerk or Clerks One Shilling for each Time of Inspection, and Five Shillings more for every Hour during which such Inspection shall continue after the First Hour; and when the Commission appointed by this Act shall cease, in consequence of the final Execution of all the Powers hereby

Books of Proceedings shall be admitted as Evidence, and may be inspected.

intrusted to the said Commissioners, such Books of Proceedings, and all other Books to be used for the Purposes of this Act, shall be deposited with the Chamberlain of the City and County of *Bristol* aforesaid, and be by him kept and preserved among the Records of the said City and County.

Commissioners may appoint Treasurers, Clerks, &c.

XII. And be it further enacted, That the said Commissioners shall and may appoint a Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Surveyor or Surveyors, and such other Officers for executing the Powers of this Act, and take such Security from them as they the said Commissioners shall think necessary, and shall at their Pleasure remove any such Officer or Officers, and appoint others in the Room of such as shall die or be so removed; and out of the Monies arising by this Act pay such Salaries or Allowances as they shall think proper to their Officers, and all others employed under their Authority.

Officers to account, &c.

XIII. And be it further enacted, That all Clerks, Treasurers, Collectors, and other Officers and Persons employed by the said Commissioners, shall from Time to Time, when thereunto required by the Commissioners, or any Five or more of them, deliver to such Commissioners, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under their respective Hands of all Monies which shall have been by them respectively had, collected, and received, and how and to whom and for what Purposes the same and every Part thereof hath been disposed of, together with proper Vouchers and Receipts for such Payments, and shall pay all such Monies as upon the Balance of such Account or Accounts shall appear to be in their Hands to such Person or Persons as the said Commissioners, or any Five or more of them, shall appoint to receive the same, and if any of the said Officers or Persons shall refuse or neglect to render and give such Accounts, or to produce and deliver up the Vouchers relating thereto, or to pay the Balance remaining in their Hands, when thereunto required as aforesaid; or if such Officers or Persons, or any other Person, shall refuse or neglect to deliver up to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint, within Four Days after being thereunto required, all Books, Accounts, Papers, and Writings in their respective Custody or Power anyways relating to the Execution of this Act, and Complaint shall be made of any such Refusal or Neglect to any Justice of the Peace for the County, City, Town, Borough, or Place where such Officers or Persons respectively so neglecting or refusing shall live and reside, such Justice shall and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Commissioners, or any Five or more of them, might have done; and if upon the Confession of such Officer or Person, or by the Oath or Oaths of any credible Witness or Witnesses (which Oath or Oaths any such Justice is hereby authorized to administer), it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Person, such Justice shall and he is hereby authorized and required, upon Nonpayment thereof,

thereof, by Warrant or Warrants under his Hand and Seal, to cause such Money to be raised by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if it shall in manner aforesaid appear to such Justice that any such Officer or Person shall refuse or neglect to render and give such Account, or to produce the Vouchers relating thereto, or to deliver up or give Satisfaction respecting any Books, Papers, or Writings relating to the Execution of this Act as aforesaid, then it shall and may be lawful for such Justice to commit every such Offender to the Common Gaol or House of Correction of and for the County, City, Town, Borough, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he or they shall give and make a true and perfect Account and Payment as aforesaid, or shall compound with the said Commissioners touching the same, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners, or any Five or more of them, are hereby empowered to make and receive,) and until he or they shall deliver up all such Books, Papers, and Writings as aforesaid; but no Person, who shall be committed on account of his not having sufficient Goods or Chattels as aforesaid, shall be detained in Prison by virtue of this Act for any longer Term than Three Calendar Months.

Commissioners to sue and be sued in the Name of their Clerk or Clerks.

XIV. And be it further enacted, That the said Commissioners shall and may sue or be sued for or concerning any Matter or Thing relative to this Act, in the Name of the Clerk or Clerks to be appointed under this Act as herein-before mentioned for the Time being; and that no Action that may be brought or commenced by or against the said Commissioners, or any of them, by virtue of this Act, in the Name of the said Clerk or Clerks, nor any Proceedings thereon, shall abate or be discontinued by the Death or Removal of such Clerk or Clerks, or by the Act of such Clerk or Clerks, without the Consent of the said Commissioners, or any Five or more of them; but the said Clerk or Clerks for the Time being shall always be deemed Plaintiff or Defendant in such Action, as the Case may be, and the Action or Suit shall and may be proceeded in by or in the Name of his or their Successor or Successors.

Clerks to be reimbursed all their Expences.

XV. Provided always, and be it further enacted, That every such Clerk or Clerks in whose Name such Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding he shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being so made Plaintiff or Defendant as aforesaid.

Commissioners to purchase the Premises.

XVI. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered, to contract for the absolute Purchase in Fee Simple of the Piece or Parcel of Ground, Lands, Tenements, or Hereditaments mentioned or comprised in the First Schedule hereunto annexed, and to take and use the same for the Purposes of this Act, first making or tendering

dering Satisfaction in manner herein-after mentioned to the Owners or Proprietors of such Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments: Provided always, that it shall be lawful for the said Commissioners, or any Five or more of them, to contract for and purchase any Lands, Tenements, or Hereditaments in the said City (not mentioned in the said Schedule), which may appear to them, or any Five or more of them, proper or convenient for the Uses and Purposes of this Act, the Owners or Proprietors whereof shall be willing or desirous to sell the same: Provided also, that the Quantity of Land or Ground to be purchased, taken, or used for the Purposes of this Act, shall not exceed in the whole Five Acres; and such Pieces or Parcels of Land or Ground, and Houses or Buildings respectively, shall be conveyed to the Mayor, Burgesses, and Commonalty of the said City of *Bristol* (in whom the present Gaol at the Time of passing this Act is vested), and their Successors, for the Uses and Purposes of this Act, or to such Person or Persons as the Mayor, Aldermen, and Common Council of the said City in Common Council assembled, or the major Part of them so assembled, shall nominate and appoint, in Trust for the said Mayor, Burgesses, and Commonalty, and their Successors, for the Uses and Purposes of this Act.

All Persons enabled to sell, and Indemnification to Parties conveying.

XVII. And be it further enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Feoffees, Trustees, and Committees, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their respective Wives, Infants, Wards, Cestuique Trusts, Lunatics, Idiots, or Persons of unsound Memory and Understanding, and to and for all Femes Covert who are or shall be seised or interested in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seised or possessed of or interested in the said Piece or Parcel of Ground and Premises mentioned or comprised in the said Schedule, or in any other Lands, Tenements, or Hereditaments which may be deemed convenient for the Purposes of this Act as aforesaid, to contract and agree with the said Commissioners, or any Five or more of them, for the Sale thereof, or of their Interest therein, and to convey the same unto the said Mayor, Burgesses, and Commonalty, their Successors and Assigns, or to such Person or Persons as the said Mayor, Aldermen, and Common Council in Common Council assembled, or the major Part of them so assembled, shall nominate and appoint, in Trust as aforesaid, for the Uses and Purposes, and according to the Intent and Meaning of this Act; and all such Contracts, Agreements, Sales, Abstracts of Title Deeds, Conveyances, and Assurances, shall be made at the Expence of the said Commissioners; and all Sales, Contracts, and Conveyances which shall be so made, shall be valid and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Settlement, Limitation, or other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate

Aggregate or Sole, Tenants for Life or in Tail, or Person or Persons having a qualified or partial Estate or Interest, Guardians, Feoffees, Trustees, Committees, and all other Persons, shall be and are hereby indemnified for making the same, and for what they shall do in pursuance of this Act.

In case Parties disagree, Value to be ascertained by a Jury, &c.

XVIII. And be it further enacted, That in case any such Body Politic, Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenants for Life or in Tail, or Person or Persons having a qualified or partial Estate or Interest, Guardians, Feoffees, Trustees, Committees, or any other Person or Persons interested in the said Piece or Parcel of Ground, Lands, Tenements, or Hereditaments mentioned or described in the said Schedule, or any Part or Parts thereof, upon Notice to him, her, or them given or left in Writing at the Dwelling House or Houses, or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body Politic, Corporate, Ecclesiastical or Civil, or at the House of the Tenants in Possession, shall, for the Space of Fourteen Days next after such Notice given or left, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Commissioners, or any Five or more of them, shall cause the Value of such Lands, Tenements, Hereditaments, and Premises, and what Damages or Injury will be sustained by, and what Recompence and Satisfaction shall be made to, the Person or Persons interested, for and on account of the taking of such Piece or Parcel of Ground or Hereditaments for the Purposes aforesaid, to be inquired into and ascertained by a Special Jury of Twelve indifferent Men of the County of *Somerset*, qualified to serve on Special Juries for the Trial of Issues in His Majesty's Courts of Record at *Westminster*; and in order thereto the said Commissioners, or any Five or more of them, are hereby empowered and required, from Time to Time as Occasion shall be, to summon and call before such Jury, and to examine upon Oath, any Person or Persons whomsoever; and such Commissioners shall, by ordering a View or otherwise, use all Ways and Means as well for their own Information as for the Information of the said Jury in the Premises; and after the said Jury shall have inquired of and assessed the Value of such Lands, Tenements, or Hereditaments respectively, and such Recompence and Satisfaction as aforesaid, they the said Commissioners shall order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners and other Persons interested in such Lands, Tenements, Hereditaments, and Premises respectively, according to the Verdict and Inquisition of such Jury; which said Verdict and Inquisition, and Judgment, Order, or Determination thereupon, shall be final, binding, and conclusive to all Intents and Purposes against all Parties and Persons whomsoever claiming and to claim in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, Lunatics, Idiots, and Persons under any Disability whatsoever, Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for summoning and returning such Juries the said Commissioners are hereby empowered to issue their Warrant or Warrants to the Sheriff of the said County of *Somerset*, requiring the Sheriff to impannel, summon, and return an indifferent Jury of Twenty-four Persons qualified to serve upon Special Juries, to appear before the said Commissioners at such Time and

Place as in such Warrant or Warrants shall be appointed, such Time not being less than Fourteen Days, nor more than Twenty-eight Days after such Warrant shall be served upon the said Sheriff, and Fourteen Days Notice at the least, in Writing under the Hands of the said Commissioners, or any Five or more of them, is hereby required to be given to such Person or Persons interested in the said Piece or Parcel of Ground and Hereditaments, of the Time and Place of the said Jury being so impannelled, summoned, and returned; and such Sheriff is hereby required accordingly to impannel, summon, and return such Number of Persons accordingly; and out of the Persons so summoned, impannelled, and returned, or out of such of them as shall appear upon such Summons, the said Commissioners shall and they are hereby empowered and required to swear or cause to be sworn Twelve Men, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen so returned, such Sheriff or the Under Sheriff or Under Sheriffs, Bailiff or Bailiffs, or the said Commissioners, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to make up the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they shall come to be sworn; and the said Commissioners, or any Five or more of them, shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, Under Sheriff, or Bailiff making Default in the Premises, and on any of the Persons who shall be summoned and returned upon such Jury, and shall not appear, without some sufficient Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or not give a Verdict, or shall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who, being required to give Evidence before the said Jury, shall refuse or neglect to appear, without some sufficient Excuse, or appearing shall refuse to be sworn or examined or to give Evidence; so that no such Fine be more than Twenty Pounds on any such Sheriff or Under Sheriff, nor more than Ten Pounds on any other Person for One Offence.

Persons giving false Evidence may be prosecuted for Perjury.

XIX. And be it further enacted, That all Persons who in any Examination to be taken upon Oath by virtue of this Act shall wilfully and corruptly give false Evidence, or otherwise forswear themselves before any such Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Verdict to be transmitted to and kept by the Clerk of the Peace, and Copies admitted as Evidence.

XX. And be it further enacted, That each and every Verdict so given, and the Order, Adjudgment, and Determination of the said Commissioners thereupon, shall be set down in Writing under the Hands and Seals of the said Commissioners who shall make the same, and shall be transmitted to and kept by the Clerk of the Peace or other Persons having the Custody of the Records of the Quarter Sessions for the said County of *Somerset*, and shall be deposited with and deemed to be Records of such Quarter Sessions to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying

for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Expences of Jury, &c. how to be defrayed.

XXI. And be it further enacted, That in case any such Jury shall give in or deliver a Verdict for more Money as a Recompence or Satisfaction than shall appear to them to have been offered or tendered by the said Commissioners before the summoning or returning such Jury, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses shall be borne and paid by the said Commissioners, out of the Money arising by virtue of this Act; but if any such Jury shall give in and deliver a Verdict for no more or for less Money as a Recompence or Satisfaction than shall so appear to have been offered or tendered by the said Commissioners before the summoning or returning the said Jury or Juries, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the obtaining such Verdict or Determination, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; and which Costs and Expences shall be ascertained and settled by some Justice of the Peace for the County of *Somerset*, not interested in the Matter in question, (who is hereby authorized and required to examine into 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 and Tender of the Remainder of such Monies shall be deemed and taken to all Intents and Purposes to be in Payment and Tender of the whole Sum or Sums so assessed and adjudged; or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so settled and ascertained as aforesaid, may be recovered by the Clerk or Clerks to the said Commissioners, 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 Commissioners, such Costs and Expences shall be borne and paid by the said Commissioners in manner aforesaid.

Limiting the Time for Purchase.

XXII. Provided always, and be it further enacted, That if the said Commissioners shall not agree for and purchase the Piece of Ground, Land, Tenements, and Hereditaments mentioned and comprised in the said First Schedule, or such Part or Parts thereof as may be necessary for the Purposes of this Act, or shall not cause the same to be valued and assessed by a Jury, within the Space of Three Years from the passing of this Act, then and from thenceforth the respective Owners or Proprietors of and Persons interested in such Part or Parts of the said Piece of Ground, Land, Tenements, and Hereditaments as shall then remain unpurchased or unassessed by a Jury as aforesaid, shall not be afterwards obliged to convey, sell, or otherwise dispose of the same, or any Part or Parts thereof, or their, his, or her respective Interest therein, nor shall any Jury or Juries be summoned or meet to settle or ascertain the Value thereof, or any Recompence or other Matter respecting the same; any thing herein-before contained to the contrary thereof notwithstanding.

Application of Compensation Money

XXIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Heredita-

when exceeding 200*l.*

Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any Disability or Incapacity as herein-before mentioned, 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 Commissioners for building a new Gaol in and for the City and County of *Bristol*, together with the Name or Names of such Person or Persons as any Five of the said Commissioners shall by Writing signed by them direct or appoint, 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 a 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 Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, 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, Lands, and 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 meantime, and until such Purchase shall be made, the said Money shall, by Order of the said High Court of Chancery 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 meantime, 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 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 Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less than 200*l.* and exceeding 20*l.*

XXIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, 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 amount 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 Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of

of Infancy 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 be 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 of Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners, or any Five or more of them, (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 and Interest arising therefrom, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the High Court of Chancery.

Where less than 20*l.*

XXV. 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 Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, as the said Commissioners, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, and to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

XXVI. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, or any Five or more of them, or shall refuse to execute such Conveyance or Conveyances; or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered; then and in every such Case it shall and may be lawful for the said Commissioners, or any Five or more of them, to order the said Sum or Sums so awarded to 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 to the Credit of the Parties interested in the said Lands or Tenements (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other 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 such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase, shall be deemed entitled thereto.

XXVII. 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 High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall be in Possession of such Lands, Tenements, 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 Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends or 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 be made 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 Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may order reasonable Expences of Purchases to be paid by the Commissioners.

XXVIII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, 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 said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to enter and take Possession of Lands, &c. on Payment or Tender of Purchase Money.

XXIX. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjusted by any Jury or Juries in manner aforesaid, for the Purchase of any such Lands, Tenements, or Hereditaments, and for such Recompence and Satisfaction as aforesaid, to the Proprietor or Proprietors thereof, or such other Person or Persons as shall be interested therein, or entitled to receive such Sum or Sums of Money, at any Time after the same shall have been so agreed for, determined, or awarded; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, then upon Payment of the said Sum or Sums of Money into the Bank of *England* as herein directed and required (in case the same shall be requisite), for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners, and their Agents, Servants, and Workmen, immediately and at any Time or Times to enter upon such Lands, Tenements, or Hereditaments, and the Fee Simple and Inheritance thereof, together with the

yearly Profits thereof; and all the Estate, Use, Trust, and Interest of any Person or Persons therein shall from thenceforth be vested in and become the sole Property of the said Mayor, Burgesses, and Commonalty of the said City of *Bristol*, and their Successors, to and for the Uses and Purposes of this Act; and such Payment, Tender, or Investiture shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but shall also extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder, of his, her, or their Issue, and of every Person whomsoever therein.

Mortgagees to convey.

XXX. And be it further enacted, That every Mortgagee of any Lands, Tenements, Hereditaments, and Premises mentioned or comprised in the said First Schedule, which shall be so contracted for and purchased as aforesaid in pursuance of this Act, his, her, or their Heirs, Executors, Administrators, and Assigns respectively, on having Two Calendar Months Notice in Writing given to him, her, or them, from the said Commissioners, or any Five or more of them, for paying off the Principal Money and Interest which shall be due on such Mortgages respectively, shall, at the Expiration of the said Two Calendar Months after such Notice, on Payment or Tender of the Principal Money and Interest which shall be then due, convey and assign his, her, and their respective Estates and Interests in and to the said mortgaged Premises to the said Mayor, Burgesses, and Commonalty, and their Successors, for the Uses and Purposes of this Act, or to such Person or Persons as the said Mayor, Aldermen, and Common Council in Common Council assembled, or the major Part of them so assembled, shall nominate or appoint, in Trust for the said Mayor, Burgesses, and Commonalty, and their Successors, for the Uses and Purposes of this Act; and if any such Mortgagee, his, her, or their Heirs, Executors, Administrators, or Assigns, shall refuse so to do, then all Interest on every such Mortgage, from the Expiration of the said Two Calendar Months after any such Notice, shall cease and determine; any Law or Custom to the contrary notwithstanding.

Occupiers at Rack Rent of any Premises purchased, to give up Possession thereof after Three Months Notice.

XXXI. And be it further enacted, That in case the said Commissioners, or any Five or more of them, or any Person authorized by them, shall, after any Lands, Tenements, Hereditaments, or Premises mentioned or comprised in the said First Schedule shall be purchased in pursuance of this Act, give Three Calendar Months Notice in Writing to all or any of the Tenants at Rack Rent, or Occupiers of such Lands, Tenements, Hereditaments, or Premises, to give or deliver up the Possession thereof, then every such Tenant or Occupier shall, at the End of such Three Calendar Months, peaceably and quietly deliver and yield up the Possession of the said Premises so by him, her, or them respectively held or occupied, whether upon Demise, Lease, or otherwise, to the said Commissioners, or the Person or Persons who shall be appointed by them, or any Five or more of them, to take Possession thereof; and all Leases, Demises, or Agreements for renting or holding the same, at Rack Rent or otherwise, theretofore made, shall from the End of the said Three Calendar Months be absolutely void and of none Effect as against the said Commissioners, or any of them; and if any Person or Persons so in Possession, after having received such Satisfaction and Compensation, or Tender made thereof as aforesaid, shall refuse to give up such Possession at the Expiration of such

Three

Three Calendar Months after such Notice, all reasonable Satisfaction being first made or tendered, (such Satisfaction, in case of any Difference or Dispute concerning the same, to be adjusted and settled by a Jury, in like Manner as the Price of any Land to be taken in pursuance of this Act is herein-before directed to be settled in case of Difference or Dispute concerning the Value thereof,) it shall and may be lawful for the said Commissioners, or any Five or more of them, to issue their Precept to the Constables of the said City and County of *Bristol* for the Time being, or to any or either of them, to cause Possession thereof to be delivered up to such Person or Persons who shall be in such Precept or Precepts nominated to receive the same; and the said Constable or Constables is and are hereby respectively required to deliver Possession, according to such Precept or Precepts, of the Premises therein mentioned, and to levy such Costs as shall accrue by means of the issuing and executing of every such Precept or Precepts by Distress and Sale of the Goods and Chattels of any Person or Persons who shall have refused to give up such Possession as aforesaid, and shall neglect or refuse to pay such Costs on Demand, the same to be ascertained and settled by the said Commissioners, or any Three or more of them.

For selling overplus Land.

XXXII. And be it further enacted, That if it shall appear to the said Commissioners, or any Five or more of them, that any Part or Parts of the Lands, Tenements, or Hereditaments so taken or purchased under this Act shall not be wanted or not necessary to be retained for the Purposes of this Act, then it shall and may be lawful to and for the said Mayor, Burgesses, and Commonalty, their Successors and Assigns, and for the said Mayor, Aldermen, and Common Council, and any Person or Persons in whom any Lands, Tenements, or Hereditaments to be taken or purchased under this Act shall be vested, and they and he are hereby authorized and required to sell and dispose of, and by Indenture or Indentures under their Hands and Seals to grant and convey, by way of absolute Sale in Fee Simple, all or any Part or Parts of the said Lands, Tenements, or Hereditaments, as in the Judgment of the said Commissioners, or any Five or more of them, at any of their Meetings to be holden in pursuance of this Act, shall not be wanted or necessary to be retained for the Purposes of this Act as aforesaid, to such Person or Persons as shall be willing to treat for the same, in such Manner and upon such Terms and for such Considerations, as the said Commissioners, or any Five or more of them, shall judge advantageous and convenient; and upon Payment of the Money which shall arise by or from the Sale of such Lands, Tenements, and Hereditaments, or any Part or Parts thereof, it shall and may be lawful for the Treasurer or Treasurers for the Time being under this Act to sign and give Receipts for the Monies for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands, Tenements, or Hereditaments shall be so sold, or for so much thereof as in such Receipts shall be expressed or acknowledged to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Losses, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof; provided that the Monies to arise by the Sale of such Lands, Tenements, and Hereditaments, shall be applied in defraying the Expences of erecting, furnishing, and completing the said Gaol, and other Conveniences by this Act authorized to be built.

XXXIII. Pro-

First Offer, to whom to be made.

XXXIII. Provided always, and be it further enacted, That the said Commissioners, before they shall sell and dispose of any Part of the Lands and Hereditaments mentioned or comprised in the said First Schedule, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same; and if such Person or Persons shall be desirous to repurchase the same, but cannot agree with the said Commissioners as to the Value thereof, the Price at which the same shall be resold shall be adjusted and settled by a Jury, in like Manner as the Price for any Land to be taken in pursuance of this Act is herein-before directed to be settled in case of Difference or Dispute as to the Value thereof; but in case such Person or Persons shall neglect or omit, for the Space of Fourteen Days after such Offer made, to treat with the said Commissioners for the Repurchase thereof, or shall refuse to repurchase the same, then and in every such Case an Affidavit being sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said City and County of *Bristol*, by some Person or Persons noway interested in the said Lands or Hereditaments, stating that such Offer was made by or on behalf of the said Commissioners, and that the Person or Persons to whom the same was so made neglected or omitted for the said Space of Fourteen Days to treat for the Repurchase thereof, or refused to repurchase the same, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and that the Person or Persons to whom it was made neglected or omitted for the said Space of Fourteen Days to treat for the Repurchase thereof, or refused to repurchase the same, as the Case may be.

Commissioners to build a new Gaol, &c.

XXXIV. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and required, with all convenient Speed after the passing of this Act, to build and erect, or cause to be built and erected, on the Lands, Tenements, Hereditaments, and Premises so to be purchased as aforesaid for the Purposes of this Act, a convenient new Common Gaol, and sufficient Out Courts and Outlets thereto, for the Confinement of Criminals, Debtors, and others; and also Infirmaries or Apartments for sick and infirm Prisoners, and a convenient Room for the Accommodation of the Visitors herein-after mentioned, and proper Places for the Residence of the Gaoler or Gaolers, or other Officers of such new Common Gaol; and also all such other proper and convenient Erections and Buildings as the said Commissioners, or any Five or more of them, shall judge necessary to answer the Purposes of this Act, according to the several Uses for which the same are hereby respectively appointed or intended; and also to cause the said new Gaol, and other Buildings as aforesaid, to be fitted up and furnished in a complete and effectual Manner for the Reception, Security, and Health of such Prisoners, as to them the said Commissioners, or any Five or more of them, shall seem best adapted to answer the Purposes of this Act, according to the several Uses for which the same are hereby respectively appointed; for doing of all which the said Commissioners, or any Five or more of them, are hereby authorized to make such Contracts, and to employ such Artificers, Workmen, Labourers, and others, and to do all such Things as shall in their Discretion appear requisite in the Premises.

Materials vested in the Commissioners.

XXXV. And be it further enacted, That all Timber, Stone, and Brick, and other Materials to be made use of, or which shall be collected to be made

made use of by Order of the said Commissioners, or any Five or more of them, for building and completing the said new Gaol, or other Buildings or Work carrying on for the Purposes of this Act, and which may not be the immediate Property of their Agents and Contractors, shall be and the same are hereby vested in the said Commissioners; and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions, in the Name of their Clerk or Clerks, to be appointed under and by virtue of this Act as aforesaid, for the Time being, or to prefer or cause to be preferred any Bill or Bills of Indictment, against and prosecute any Person or Persons who shall steal, take away, or damage any such Materials, or disturb them in the Possession thereof; and every Action so to be brought, and every Indictment wherein any such Materials shall be laid to be the Property of the Commissioners for building a new Gaol for the City and County of *Bristol*, shall be good and valid in the Law to all Intents and Purposes.

For punishing Persons damaging the Buildings.

XXXVI. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break, pull down, or destroy the said new Gaol, or any Boundary Wall thereof, or any other Building to be erected pursuant to the Directions of this Act, or any Part or Parts thereof, every Person so offending shall be guilty of Felony, and, being lawfully convicted thereof at any General Quarter Sessions of the Peace to be holden for the said City and County of *Bristol*, shall be subject and liable to the like Penalties and Punishments as Persons convicted of Felony are by Law subject and liable to; and the Court by and before whom any such Person shall be tried and convicted, or any subsequent Court with the like Authority, shall have Power and Authority to adjudge and order such Person to be punished in like Manner as Persons convicted of Felony are directed to be punished by the Laws and Statutes of this Realm.

New Gaol to be the Common Gaol.

XXXVII. And be it further enacted, That when the said new Gaol shall be finished, it shall be the Common Gaol for the said City and County of *Bristol*, and shall at all Times for ever thereafter be kept in repair and maintained, and the Prisoners therein shall be maintained and supported, by the Means and in Manner herein-after mentioned and directed; and the Sheriffs of the said City and County of *Bristol* shall have the keeping of such new Gaol; and when the said Gaol shall be fit for the Reception of Prisoners, the said Commissioners, or any Five or more of them, shall cause Notice to be given thereof to the said Sheriffs, who shall with all convenient Speed remove all such Prisoners as shall be in their Custody to such new Gaol; which Removal shall not be deemed, construed, or taken to be an Escape.

Old Gaol to be sold.

XXXVIII. And whereas the present Common Gaol of *Newgate* for the said City and County, situate in the Parish of *Saint Peter* in the same City and County, is now vested in and is the Property of the said Mayor, Burgesses, and Commonalty of the said City and County; and it is expedient, in order to carry into Execution the Purposes of this Act, that the said Gaol should be sold or disposed of, and the Monies arising by the Sale thereof applied to the Purposes of this Act; be it therefore further enacted, That after all the Persons in the Custody of the Sheriffs of the said City and County of *Bristol* shall, as herein-before directed, be removed to the said new Gaol, it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby required, to cause the said

present Common Gaol for the said City and County, with the Appurtenances, and the Materials and Site thereof, to be sold and disposed of to such Person or Persons as shall be willing or desirous to contract for or purchase the same, and either in One or more Lot or Lots, and in such Manner as to the said Commissioners, or any Five or more of them, shall seem proper; and also in like Manner to sell and dispose of the Furniture belonging to the said present Gaol, or such Part or Parts thereof as they shall think proper, and to convert such Part thereof as shall not be so sold or disposed of to the Use of the said new Gaol; and a Conveyance or Assignment, or Conveyances or Assignments, by the said Mayor, Burgesses, and Commonalty, under their Corporate Seal, shall be good, valid, and effectual in Law to convey or assign the said Premises, and the Fee Simple and Inheritance thereof, unto the respective Purchaser or Purchasers thereof, and which Conveyance or Assignment, or Conveyances or Assignments, the said Mayor, Aldermen, and Common Council are hereby empowered and required to make and execute, by affixing thereto (when required by the said Commissioners, or any Five or more of them) the Corporate Seal of the said Mayor, Burgesses, and Commonalty; and the Money arising thereby (after paying and discharging the necessary Costs, Charges, and Expences attending and incidental to such Sale) shall be paid to the said Commissioners, or to the Treasurer for the Time being under this Act, in order to be applied in defraying the Expences incurred in erecting, furnishing, and completing the new Gaol, and other Erections by this Act authorized to be built; but the Purchaser or respective Purchasers of the Premises, or any Part thereof, shall not be bound to see to the Application of the Purchase Money, nor be answerable or accountable for the Misapplication or Non-application thereof.

Corporation of Bristol to maintain the Gaol, &c.

XXXIX. And whereas the said Mayor, Burgesses, and Commonalty are willing to maintain and repair and support the said new Gaol and Buildings in manner herein-after provided; be it therefore enacted, That the Expences of repairing, maintaining, and supporting the said new Gaol and other Erections and Buildings by this Act authorized to be erected and built, and all the Salaries and Allowances to be paid to the Gaoler, Governor, or Keeper, and other Officers of the said new Gaol, Erections, and Buildings, and the Expences of maintaining and supporting the Prisoners to be confined in the said new Gaol, and all other the Costs, Charges, and Expences to be incurred in and about the said new Gaol, Erections, and Buildings, after the same shall be erected and built and furnished as by this Act directed, or in anywise relating thereto, shall be borne and defrayed by the Mayor, Aldermen, and Common Council of the said City, by and out of the Estates, Funds, and Revenues belonging to the Mayor, Burgesses, and Commonalty of the said City; provided that nothing herein-before contained shall extend or be construed to operate or extend to oblige the said Mayor, Burgesses, and Commonalty to rebuild or repair the said new Gaol, Erections, or Buildings, or any Part thereof, in case the same shall be destroyed or injured by the King's Enemies, popular Commotions, Fire, Earthquake, Tempest, Inundation, or other similar inevitable Accident, or to enlarge the same Gaol, Erections, or Buildings, should the Jurisdiction of the City at any Time hereafter be extended, or Circumstances arise to render such Enlargement necessary.

XL. And

Further Sums to be raised by a Pound Rate.

XL. And for raising Money for and towards the Purposes of this Act, be it further enacted, That from and after the passing of this Act the said Commissioners, or any Five or more of them, shall and may yearly and every Year ascertain and determine what Sum or Sums of Money they shall judge necessary to be assessed and raised for the Purposes of this Act on the said City and County of *Bristol* for the Year then next following, and shall certify the same by Writing, signed by their Clerk or Clerks for the Time being, to the Justices of the Peace for the said City and County of *Bristol*, at their General Quarter Sessions to be holden in and for the said City and County in every Year; and the said Justices are hereby empowered and required thereupon to order and appoint such Sum or Sums of Money so certified to be raised and levied by Taxation of all Lands, Houses, Buildings, Tenements, and Hereditaments whatsoever, within the said City and County of *Bristol*, (except the Cathedral Church, and all Churches, Chapels, and Burial Grounds, and Places of Religious Worship tolerated by Law,) in equal Proportion, according to their respective Worth and Value; and in order thereto, the said Commissioners, or any Five or more of them, are hereby authorized and required (after the said Certificate and the Order and Appointment made thereupon by the Justices of the said City and County of *Bristol* in Sessions as aforesaid) indifferently to proportion out the said Sum or Sums of Money upon each Parish and Precinct within the said City and County of *Bristol*, in such and the like Manner and Proportion on each such Parish and Precinct as the Money now raised or hereafter to be raised for the Maintenance of the Poor of the said City and County of *Bristol* is or shall be apportioned; and by Warrant under their Hands and Seals, or the Hands and Seals of any Five of them, to authorize and require the Person or Persons under this Act appointed Collector or Collectors for the Time being of the said Rate or Rates, Assessment or Assessments, of each respective Parish and Precinct within the said City and County of *Bristol*, to rate and assess, demand, collect, and receive the same respectively.

Limiting the Sum to be raised.

XLI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to authorize and empower the said Commissioners to have any further or greater Sum of Money raised in the whole by way of Rate than the Sum of Sixty thousand Pounds, for the Purpose of erecting and completing the said Common Gaol, and other Buildings to be erected by virtue of this Act, or any other the Purposes of this Act, including the Costs and Charges of obtaining and passing this Act, and of furnishing the said new Gaol and other Buildings, nor to authorize and empower the said Commissioners to order and appoint any greater Sum or Sums of Money to be raised by such Taxation, in any One Year, than Two Shillings in the Pound on the annual Value of all the Lands, Houses, Buildings, Tenements, and Hereditaments within the said City and County of *Bristol*.

Lands separated from Counties of Somerset and Gloucester, and added to Bristol, not to be taxed for the Gaol.

XLII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Justices to order or appoint any Part of the Sum or Sums of Money to be raised and levied by virtue of this Act, to be raised and levied by Rates or Assessments upon the several Lands, Tenements, or Hereditaments situate and being in the several Districts separated from the Counties of *Somerset* and *Gloucester* respectively, and added to the City and County of *Bristol* by an Act

Act of Parliament passed in the Forty-third Year of the Reign of His present Majesty, intituled *An Act for improving and rendering more commodious the Port and Harbour of* Bristol.

For Recovery of Rates.

XLIII. And be it further enacted, That if any Person or Persons liable to the Payment of any such Rates or Assessments shall refuse or neglect to pay the same by the Space of Fourteen Days next after the same shall become due and payable as aforesaid, after Demand in Writing made thereof, and delivered to or left at the usual Place of Abode of such Person or Persons, signed by any Person or Persons by virtue of this Act appointed Collector or Collectors of such Money so rated or assessed, then and in every such Case it shall be lawful for such Collector and Collectors, and he and they is and are hereby respectively authorized and required, by Warrant under the Hands and Seals of any Two or more Justices of the Peace acting in and for the said City and County of *Bristol*, (which Warrant such Justices are hereby authorized and required to grant, upon Proof being made upon Oath of the Demand and Nonpayment thereof as aforesaid, and which Oath or Oaths the said Justices are hereby authorized and required to administer,) to levy all and every such Rates and Assessments by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the same, which shall be found in the said City and County; but if sufficient Distress cannot be found within the said City and County, then in any other County, City, Liberty, or Place, upon such Warrant being countersigned or backed by One Justice of the Peace of such other County, City, Liberty, or Place, which Warrant such Justice is hereby authorized and required to countersign or back; and if, within Four Days after such Distress or Distresses shall be made, the said respective Rates or Assessments, and all Arrears thereof, shall not be paid, together with the Costs and Charges of taking and keeping the same, the said Collector or Collectors shall cause the said Goods and Chattels, or a sufficient Part thereof, to be appraised and sold, rendering the Overplus (if any there be), after deducting the said Rates or Assessments, and all Arrears thereof, and the reasonable Costs and Charges attending such Distress and Sale; which Costs and Charges, in case of Dispute, shall be settled and ascertained by any Two or more of His Majesty's Justices of the Peace for the said City and County.

Rates to be paid by the Tenants, and a Moiety thereof to be allowed them by their Landlords.

XLIV. And be it further enacted, That the Sum and Sums of Money so to be rated and assessed as aforesaid shall be paid by the Tenants or Occupiers of the Premises respectively which shall be so assessed; and such Tenants and Occupiers respectively shall and may deduct and retain, out of the Rents payable to the Landlords or Owners of such Premises respectively, One Moiety or Half Part of such Money as shall be respectively assessed and paid, when so paid; and the said Landlords mediate or immediate, according to their respective Interests, are hereby required to allow such Tenants or Occupiers respectively such Moiety accordingly; and every such Tenant or Occupier shall be acquitted and discharged for such Moiety in such Manner, and as fully and effectually, as if the same had been actually paid as Rent to such Landlord or Landlords, or other Person or Persons respectively, to whom his, her, or their Rent was or should have been paid or payable: Provided always, that in case any House or Tenement shall be set, let, or occupied in different Apartments, Rooms, or Lodgings, to or by distinct or separate Families, Lodgers, or Inmates, the

Manner of Recovery when Houses are let in Apartments.

the whole House or Tenement so let or occupied shall be charged with the whole Rate so as aforesaid to be assessed and collected for or in respect of the same, and in Cases of Nonpayment shall and may be levied upon and recovered from any of the Inhabitants or Occupiers of any Part or Parts of such House or Tenement, in such and the like Manner as the other Rates and Assessments are hereby appointed to be levied and recovered: Provided always, that no such Tenant or Occupier shall be liable to pay, nor shall his or her Goods or Chattels be liable to be distrained for more Money than the Amount of the Rent actually due from such Tenant or Occupier.

Not to make void any Agreement between Landlord and Tenant.

XLV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to make void any Contract, Covenant, or Agreement between Landlord and Tenant relating to the Payment of any Rates or Assessments within any of the said several Parishes and Precincts of the said City and County of *Bristol*.

Concerning Persons removing out of Parishes.

XLVI. And whereas Persons may remove out of Parishes and Places within the said City and County of *Bristol*, without paying the Rates assessed on them for the Purposes of this Act, and other Persons may enter and occupy their Houses and Tenements Part of the Year, by reason whereof great Sums may be annually lost; be it therefore enacted, That where any Person or Persons shall come into or occupy any House, Land, Tenement, or Hereditament, or other Premises, out of or from which any other Person assessed shall be removed, or which at the Time of making such Rate was empty or unoccupied, then every Person so removing from, and every Person so coming into or occupying the same, shall be liable to pay such Rate, in proportion to the Time that such Person occupied the same respectively, in the same Manner as if such Person so removing had not removed, or such Person so coming in or occupying had been originally rated and assessed in such Rate; which said Proportion, in case of Dispute, shall be ascertained by Two of His Majesty's Justices of the Peace for the said City and County of *Bristol*.

Rates may be mortgaged for Monies borrowed.

XLVII. And whereas it may be necessary to borrow Monies upon the Credit of this Act for the more speedy and effectual carrying into Execution the Purposes thereof; be it therefore enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, from Time to Time, and they are hereby empowered, to borrow and take up on Mortgage of the said Rates and Assessments, by Instruments in the Form contained in the Second Schedule hereunto annexed, such Sum or Sums of Money as to them shall appear necessary and expedient for the Purposes aforesaid, not exceeding in the whole the Sum of Twenty thousand Pounds, at legal or lower Interest; and every such Mortgage for securing the Payment of such Sum and Sums of Money and Interest shall be signed by the said Commissioners, or any Five or more of them, at a Meeting held under and by virtue of this Act; and all such Mortgages shall be clear of all Fees and Expences whatsoever from the Persons respectively so advancing the Money; and Copies of all and every such Mortgages shall be entered in a Book or Books to be kept by the Clerk or Clerks to the said Commissioners; and all Persons to whom such Mortgages shall be given are hereby empowered, by Writing or Writings under his or their Hand or respective Hands, indorsed on the Back of such Mortgages, in

the Form also contained in the said Second Schedule, to sell, assign, or transfer such Mortgages and Securities to any Person or Persons whomsoever, who shall thereupon be entitled to the Benefit thereof and Payment thereon, and he, she, or they may in like Manner sell and assign or transfer the same again, and so *toties quoties*; and all such Transfers and Assignments to be made (previous to any subsequent Payment in respect of the same) shall be entered and copied by the Clerk or Clerks to the said Commissioners in the Book or Books to be kept by him for the Purpose of entering and copying the said Mortgages and Securities; for each of which Entries he shall receive the Sum of Five Shillings, and no more, from the Person or Persons to whom such Assignments shall be made; and all and every Person and Persons to whom such Mortgages or Securities, or Transfer or Assignments thereof, shall be made, shall be Creditors on the said Rates and Assessments equally with one another, without regard to the Priority of Date of such Mortgage or Security.

For the regular Discharge of Interest.

XLVIII. And in order effectually to secure the regular and punctual Discharge of the Interest on the Principal Sums so to be borrowed on Mortgage, be it further enacted, That the Treasurer or Treasurers for the Time being, to be appointed under and by virtue of this Act, shall and he and they is and are hereby required in every Year after the Commencement of this Act, until the whole of the Principal Sums herein-before authorized to be borrowed shall have been repaid, with all Interest for the same, to retain and keep in his and their Hands, out of the Monies arising by the said Rates and Duties, and paid to him or them by the Collectors of the said Rates, such a Sum of Money as will be sufficient to answer, pay, and discharge such yearly Interest; and in order to facilitate the Payment of the Interest on the said Principal Sums to be borrowed, the said Commissioners, or any Five or more of them, are hereby required to appoint a Day or Days in every Year on which such Interest, as the same shall become due, shall from Time to Time be discharged, at such Place or Places within the said City and County of *Bristol* as they, or any Five or more of them, shall from Time to Time think proper, and which the Treasurer or Treasurers for the Time being appointed under this Act is and are hereby required to pay accordingly, without Fee or Reward; and the said Commissioners, or any Five or more of them, shall and they are hereby required, previous to such Day or Days of Payment in every Year, to adjust and settle all Books of Accounts relative to the Execution of this Act, in such Manner that it may easily be seen what Principal Sums have been discharged, and what Interest shall be growing due, and thereupon to make Order for the regular Discharge of the same; and the said Books, when so adjusted and settled, shall be signed by the said Commissioners, or any Five or more of them present, and shall be kept by the Clerk or Clerks to be appointed under this Act as aforesaid for the Time being, and at all convenient Seasons be open to the Inspection of all Persons being Creditors on the said Rates and Assessments, they paying respectively to such Clerk or Clerks One Shilling for each Time of Inspection, and Five Shillings more for every Hour during which such Inspection shall continue after the First Hour.

Mode of discharging Mortgages.

XLIX. And, in order that all the said Mortgages or Securities for the Payment of any Principal Money may be discharged without Partiality or Preference, be it further enacted, That as soon as the said new Gaol and other Buildings and Premises shall be completed, and before any Money shall

shall be applied in discharge of any such Mortgages as herein-after directed, the said Commissioners, or any Five or more of them, shall appoint a Meeting of the Commissioners, of which Ten Days Notice shall be given by the Clerk or Clerks to the Commissioners in some Newspaper circulating in the said City of *Bristol*, and to which Meeting all Mortgagees under this Act shall be admitted; and all the said Mortgages shall then and there be drawn by Lot, by order of the Commissioners then present, and numbered according to the Event of such drawing, and the Mortgages so drawn and numbered shall be regularly discharged in Succession according to Priority of Numbers; and Two Calendar Months Notice shall be given by the Clerk or Clerks to the said Commissioners for the Time being, in some Newspaper circulating in the said City of *Bristol*, of all such Mortgages being so to be paid off.

Application of the Monies granted by this Act.

L. And be it further enacted, That the Monies arising by the said yearly Rates and Assessments, and otherwise, by virtue of this Act, shall from Time to Time be applied in manner following; (that is to say,) a sufficient Part thereof shall, in the first place, be applied in paying all Charges and Expences in and incident to and attending the obtaining and passing of this Act; and in the next place, in keeping down and paying the Interest on the said Principal Sums so to be borrowed, and in paying for the Purchase of the said Lands, Tenements, Hereditaments, and Premises so to be purchased as herein-before directed, and in discharging the Expences of erecting, fitting up, and furnishing the said new Gaol and other Buildings under this Act; and as soon as may be after the erecting, fitting up, finishing, and furnishing of the said new Gaol, and other Buildings as aforesaid, the Surplus shall be applied for the gradual Discharge of the Principal Sums to be borrowed as aforesaid, and the Interest thereof: Provided always, that nothing herein contained shall extend or be construed to extend so as to exempt or exonerate the said Mayor, Aldermen, and Common Council, or the Estates, Funds, and Revenues of the said Mayor, Burgesses, and Commonalty, from any Duties or Liabilities to which they are now subject or liable, or would have been subject or liable if this Act had not been passed; any thing herein contained to the contrary notwithstanding.

Not less than 5,000*l.* per Annum to be paid off.

LI. Provided always, and be it further enacted, That from and after the Completion and furnishing of the said new Gaol and other Buildings to be erected under this Act, and after such Mortgages shall be drawn and numbered as aforesaid for Payment, there shall not in any One Year be less than the Sum of Five thousand Pounds, so secured on such Mortgages and Securities, paid off and discharged; and on such Payment, the original Mortgages and Assignments shall be given up by the respective Mortgagees to the Treasurer or Treasurers for the Time being to be appointed by virtue of this Act as aforesaid, who shall cancel the same respectively; and such original Mortgages and Assignments so cancelled shall be good and sufficient Discharges to the said Treasurer or Treasurers, and on passing his or their Account or Accounts shall be produced by him or them, and allowed as Vouchers for the several and respective Payments made by him or them in respect thereof.

When the Powers and Trusts given

LII. And be it further enacted, That when and so soon as the Trusts, Powers, Intents, and Purposes of this Act, so far as relates to the removing the

the old Gaol, and purchasing Land for erecting the said new Gaol, and other Buildings to be erected under this Act, and the erecting and completing and furnishing the same, and the raising Money by Mortgage as aforesaid, and paying off and discharging the said Mortgages, which may be granted under the Authority or in pursuance of this Act, shall be fully completed, executed, fulfilled, and discharged, then and from thenceforth all and every the Trusts, Powers, Offices, and Authorities herein-before by this Act given to and vested in the said Commissioners shall absolutely cease and determine; and the said new Gaol and Appurtenances, and the Direction, Management, and Controul thereof, shall from thenceforth be vested in the Mayor, Burgesses, and Commonalty of the said City and County, under and subject to the same Liabilities as the present Gaol is now vested.

to Commissioners shall be fully executed, then their Authority, &c. to cease.

LIII. And be it further enacted, That when the Ground shall be laid out for the building of the said new Gaol, there shall be allowed, within the Limits of the Lands or Premises authorized to be taken or purchased by virtue of this Act, a Space on the Outside of the intended Boundary Wall or Walls of the Courts or Outlets of the said Gaol on every Side thereof (which shall not adjoin to a public Street, Lane, or Highway) of Fifteen Feet at the least in Width; which said Space shall for ever thereafter remain unbuilt upon, and be used or employed for no other Purpose whatsoever than either as a Garden, Yard, or Area, for the Use of the said Gaol, or as a public Highway, as the same Space shall be ordered and directed by the said Commissioners, or any Five or more of them, so as at all Times to preserve a free Circulation of Air in or about the said Gaol; and that if there shall be any public Street, Lane, or Highway adjoining to such intended Boundary Wall or Walls, or any Part thereof, and such Street, Lane, or Highway shall not (in the Part thereof so adjoining) be of the Width of Fifteen Feet at the least, then such Boundary Wall or Walls shall be kept in and so built as to make and leave so much of such Street, Lane, or Highway, as shall adjoin such Boundary Wall or Walls of the full Width of Fifteen Feet.

For securing a free Circulation of Air about the Gaol.

LIV. And be it further enacted, That the Sheriffs of the said City of *Bristol*, and County of the same City for the Time being, shall appoint a Gaoler or Gaolers, Keeper or Keepers, Governor, and such other Officers as they shall think proper for the said new Gaol, and shall from Time to Time have Power to remove such Gaolers, Keepers, Governor, and other Officers, or any of them, and to appoint others in their Stead; and such Gaolers, Keepers, Governor, and other Officers, shall give such Security to the Sheriffs of the said City and County of *Bristol*, for the Performance of their respective Duties, as they the said Sheriffs may think reasonable and sufficient; and such Gaolers, Keepers, Governor, or other Officers, for any Negligence or Misbehaviour in their respective Offices, may either be proceeded against on the Security so to be given, or upon Complaint made against any such Officer to the Justices of the Peace for the said City and County at any General Quarter Sessions, and such Justices shall and they are hereby authorized and required to examine into, hear, and determine the Matter of such Complaint; and if it shall appear to them that such Officers, or either of them, shall have been negligent or misbehaved in his or their Office or Duty, then such Justices shall set and impose such Fine or Fines upon such Officer or Officers, not exceeding the Sum of Ten Pounds for each Offence, as in their Discretion they shall think fit;

Gaolers, Governors, and other Officers to be appointed.

which Fine or Fines shall be levied, by Warrant under the Hands and Seals of the said Justices, by Distress and Sale of Goods and Chattels of such Officer or Officers so offending.

Justices in Sessions to make Rules.

LV. And be it further enacted, That the Justices of the Peace for the said City and County of *Bristol* shall and they are hereby authorized and required, at some General or Quarter Sessions, or Adjourned Sessions, for the said City and County, subject to the Provisions of this Act, to make such Rules, Orders, and Regulations for receiving, separating, classing, dieting, clothing, maintaining, employing, reforming, governing, managing, treating, and watching all Offenders, Debtors, and other Prisoners of all Descriptions, during their respective Confinement in the said new Gaol, as to the said Justices shall seem most fit and proper; and also as well for enforcing amongst the Debtors and Prisoners of all Descriptions, Cleanliness, Temperance, and a decent and orderly Behaviour, as for securing a just and humane Treatment of them by the Gaoler or Gaolers, Governors and Keepers of the said new Gaol, and their respective Servants and Assistants; and also for restraining and prohibiting any Person or Persons whom the Visitors herein-after mentioned for the Time being, or any Three of them, or the respective Gaoler or Gaolers, Governors or Keepers of the said new Gaol, shall deem improper to supply any Prisoners therein with Money, Clothing, Provision, Diet, or any other Thing whatsoever, or to have Access to any such Prisoner, or to be admitted into the said Prison; and also for restraining and prohibiting all Persons whatsoever from supplying any such Prisoner with Money, Clothing, Provision, Diet, or with any Spirituous or other Liquors, or any other Thing whatsoever, otherwise or contrary to such Rules, Orders, and Regulations; and also for regulating and fixing at and for what Hours and Time all or any Persons (not being Prisoners in or Officers or Assistants belonging to such Prison) may or shall be admitted into, remain in, or depart from such Prison; and the said Justices are hereby authorized to ascertain and set down in such Rules, Orders, and Regulations, what reasonable Penalties and Forfeitures shall be incurred by Persons who shall break or evade the same Rules, Orders, and Regulations, or any of them, not exceeding Five Pounds for One Offence; all which said Rules, Orders, and Regulations so to be made as aforesaid, all Persons are hereby required to observe and keep, under such Penalties as shall be so ascertained and set down as aforesaid; but no such Rules, Orders, and Regulations shall be made at any such Sessions or Adjourned Sessions, unless Three Justices at least shall be present; and such Rules, Orders, and Regulations so to be made as aforesaid, shall not commence or be in force until they have been submitted to and reviewed and confirmed or altered (if necessary) by the Justices of Oyer and Terminer and General Gaol Delivery for the said City and County, at the Session which shall be holden for the said City and County next after the making of such Rules, Orders, and Regulations, or at some subsequent Session of Oyer and Terminer and General Gaol Delivery; and the said Justices, to whom such Rules, Orders, and Regulations shall have been submitted, shall have subscribed a Certificate or Declaration that they approve of the said Rules, Orders, and Regulations so to be made and confirmed or altered as aforesaid; and all such Rules, Orders, and Regulations shall be afterwards added to or altered from Time to Time, as often as the said Justices of the Peace, at any General or Quarter Sessions or Adjourned Sessions as afore-

said (at which Three at least shall be present), shall think necessary; and such Additions or Alterations shall also in like Manner be submitted to and confirmed or altered (if necessary) by the Justices of Oyer and Terminer and General Gaol Delivery, at any such Session for the said City and County, in manner aforesaid, who shall subscribe such Certificate or Declaration as before mentioned; and such Rules, Orders, and Regulations shall be entered of Record in such Courts respectively, and a Copy thereof shall be hung up in the Court of Oyer and Terminer and General Gaol Delivery and Quarter Sessions for the said City and County, and another Copy thereof shall be transmitted to the said Gaoler or Gaolers, Governors or Keepers respectively, who shall cause the same to be hung up in some conspicuous Place within the said new Prison, as shall from Time to Time be appointed by the Visitors herein-after mentioned, or any Three of them: Provided always, that such Rules, Orders, and Regulations shall not be contrary or repugnant to the Laws of that Part of *Great Britain* and *Ireland* called *England*.

Visitors to be appointed, and Abuses rectified by the Justices in Sessions.

LVI. And for better preventing all Abuses in the said new Gaol, be it further enacted, That the said Mayor, Aldermen, and Common Council in Common Council assembled, or the major Part of them so assembled, shall yearly and every Year after the said new Gaol shall be built, appoint such Five or more of the Members of the Common Council of the said City for the Time being, being Justices of the Peace, together with such Five or more of the Inhabitants of the said City, of whom One shall be a Clergyman of the Established Church, and One other a Doctor in Medicine, as they shall think proper and necessary, to be Visitors of the said new Gaol; and such Visitors so appointed may, either together or singly, personally visit and inspect such Gaol or Prison as often as Occasion shall require, and may examine into the State of the Buildings, the Behaviour and Conduct of the respective Officers, and the Treatment and Condition of the Prisoners, the Amount of their Earnings, and the Expence attending such Prison; and in Matters of pressing Necessity, and within the Powers of their Commission as Justices, such of the said Visitors as are or shall be Justices of the Peace for the said City and County shall take Cognizance thereof, and proceed to regulate and redress the same; and at any General or Quarter Sessions of the Peace for the said City and County, the said Visitors may (if they think it expedient) make a Report in Writing of the State and Condition of the same, and of all Abuses which they may discover or observe therein; and it shall be lawful for every Justice of the Peace for the said City and County, and for every Common Councilman of the said City, of his own Accord and without being appointed a Visitor, to enter into and to examine the same Gaol or Prison at such Time or Times and as often as he shall think fit; and if he shall discover any Abuses therein, such Justice of the Peace and such Common Councilman may report them in Writing at the next General or Quarter Sessions of the Peace or Adjourned Sessions which shall be holden for the said City and County; and when and as often as a Report of any Abuses in the said new Gaol shall be made by the said Visitors, or any of them, or by any Justice of the Peace for the said City and County, or by any other of the said Common Councilmen, the Abuses so reported shall be taken into immediate Consideration by the Justices of the Peace for the said City and County, at the General or Quarter Sessions or Adjourned Sessions at which such Report shall be made; and they are hereby required to adopt

adopt the most effectual Measures for inquiring into and rectifying such Abuses as soon as the Nature of the Case will allow.

Gaolers, &c. to make Returns as herein directed.

LVII. And be it further enacted, That the Gaoler, Governor, or Keeper of the said new Gaol, on the First Day of every Session of Oyer and Terminer and General Gaol Delivery for the said City and County, shall make a just and true Return in Writing to the Clerk of the Peace, or other proper Officer of such Court, specifying the Names or Name of all and every the Persons or Person in his or their Custody, the Offences or Offence of which they, he, or she have or hath been guilty, the Court before which each Person was convicted, the Sentence of the Court if tried and convicted before any Court of Record, or if committed by One or more of His Majesty's Justices of the Peace, then the Name or Names of the Justice or Justices before whom such Persons or Person were or was convicted, and the Offences or Offence of which such Persons or Person were or was convicted, together with the Age, Bodily Estate, and Behaviour of every such Convict.

Visitors to examine Returns, &c.

LVIII. And be it further enacted, That every such Return before it is delivered into Court shall be examined by One or more of the Visitors to be appointed as herein-before directed, who is or are hereby required to sign such Return, and to annex thereto such Observations as he or they shall think fit on every or any Particular therein contained.

Persons under Sentence of Transportation to be kept separate from other Prisoners.

LIX. And be it further enacted, That so long as any Person under Sentence of Transportation shall continue in the said new Common Gaol, the Gaoler or Gaolers, Governor or Governors, having the Custody of such Offenders, shall and he and they is and are hereby required to separate such Person so under Sentence of Transportation, as far as conveniently may be, from every other Person in his or their Custody respectively.

Furniture, &c. in the new Gaol vested in the Mayor, &c.

LX. And be it further enacted, That the Property of all and every the Furniture, Utensils, Chattels, Provisions, Clothing, and Materials whatsoever, to be from Time to Time had, bought, procured, and provided for the Use of the Prisoners in the said new Gaol, and other Buildings to be erected under this Act, and for carrying into Execution the several Purposes of this Act, shall be and the same are hereby vested, for the Uses and Purposes of this Act, in the said Mayor, Burgesses, and Commonalty, and their Successors; and the said Mayor, Aldermen, and Common Council in Common Council assembled, or the major Part of them so assembled, are hereby authorized and empowered to bring or cause to be brought any Action or Actions, or to prefer or cause to be preferred any Bill or Bills of Indictment against and prosecute any Person or Persons who shall steal, purloin, or carry away any Part of such Furniture, Utensils, Chattels, Provisions, Clothing, or Materials whatsoever; and every Action so brought, and every Indictment wherein any such Furniture, Utensils, or other Things as aforesaid, shall be laid to be the Property of the said Mayor, Burgesses, and Commonalty, shall be good and valid in the Law to all Intents and Purposes.

Penalty on Persons buying or secret-

LXI. And be it further enacted, That if any Person or Persons shall knowingly buy, secrete, or receive into pawn any of the Furniture, Utensils,

Utensils, Chattels, Provisions, Clothing, or Materials of the said new Gaol, and other Buildings to be erected under this Act, which shall be provided for the Use of any of the Prisoners therein, or for other the Purposes of this Act, or any Goods or Materials carried or brought into the said new Prison, and there wrought up or manufactured, or in order to be there wrought up, manufactured, or used by the Prisoners, or any of them, then the Person or Persons so offending shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds, at the Discretion of the Justices before whom such Offender shall be convicted.

ing any of the Furniture, &c. belonging to the new Gaol.

LXII. And be it further enacted, That from and after the said new Gaol shall be built and fitted up for the Reception of Prisoners as aforesaid, no Gaoler or Gaolers, Governor or Keeper of the said new Gaol, or any Person or Persons in Trust for or employed by them, or any of them respectively, as Assistant or Assistants, or otherwise, shall suffer Tippling or Gaming in such Gaol, or shall directly or indirectly sell or dispose of, or permit or suffer to be sold or disposed of, or be capable of being licensed to sell or dispose of, any Wine, Beer, Ale, or other Liquors, or have any beneficial Interest or Concern whatsoever in the Sale or Disposal of any Liquors of any Kind, under the Penalty of Ten Pounds for every such Offence.

No Gaoler, &c. to suffer Tippling or Gaming, or to sell Liquors in the new Gaol.

LXIII. And be it further enacted, That in order to recover the Penalties, Forfeitures, and Sums of Money incurred for any Offence against this Act, and all Rules, Orders, and Regulations to be made in pursuance thereof, (where the Manner of recovering the same is not by this Act otherwise directed,) it shall be lawful for any Two Justices of the Peace for the said City of *Bristol*, and County of the same City, to hear and determine any Offence against this Act, or against any Rule, Order, or Regulation made in pursuance thereof; and the said Justices of the Peace are hereby authorized and required, upon Information exhibited or Complaint made in that Behalf, to summon the Party or Parties accused, and also the Witness or Witnesses on either Side, and to examine into the Matter or Matters of Fact, and upon due Proof thereof, either by the voluntary Confession of the said Party or Parties, or by the Oath or Oaths of One or more credible Witness or Witnesses, or by the solemn Affirmation or Affirmations of such Witness or Witnesses, in case he, she, or they be of the People called *Quakers*, (which Oath or Oaths, Affirmation or Affirmations, such Justices of the Peace are hereby empowered and required to administer,) to give Judgment or Sentence for the pecuniary and other Penalty, Forfeiture, and Sum of Money, or either of them, as the Case shall require, according as in and by this Act is directed, or as shall be directed in and by any such Rule, Order, or Regulation made as aforesaid, and to award reasonable Costs to be paid by the Offender or Offenders, and (where the Manner of levying and recovering thereof is not by this Act otherwise particularly directed) to issue their Warrant or Warrants under their Hands and Seals for levying such pecuniary Penalty and Costs so adjudged and awarded by Distress of the Goods and Chattels of such Offender or Offenders, and to cause Sale to be made of such Goods and Chattels, in case the same shall not be redeemed within Four Days after the Distress taken, rendering to the Party or Parties the Overplus (if any) upon Demand; and in case sufficient Goods and Chattels of such Offender or Offenders cannot be found within the said City and County to answer

Two Justices of the Peace to hear and determine Offences against this Act.

and pay such pecuniary Penalty and Costs as aforesaid, and the same shall not be paid, it shall be lawful for such Justices of the Peace, or any other Two Justices of the Peace for the said City and County, and they respectively are hereby required, by a Warrant under their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction of and for the said City and County, there to remain without Bail or Mainprize for any Time, not exceeding Three Calendar Months, as such Justices of the Peace so committing such Offender or Offenders shall judge proper and direct, unless such pecuniary Penalty and all reasonable Costs and Charges shall be sooner paid and satisfied; and all Penalties and Forfeitures imposed by this Act, and which shall be imposed by any Rule, Order, or Regulation to be made in pursuance of this Act, (where the Application of any such Penalties or Forfeitures is not hereby otherwise directed,) shall, when recovered, and until the Powers vested in the Commissioners under this Act shall cease, be paid to the Treasurer to be appointed under this Act for the Time being, and be wholly applied to the Purposes of this Act, and to or for no other Use or Purpose whatsoever; and after the Commission appointed by this Act shall cease, then such Penalties or Forfeitures shall be paid to the said Mayor, Burgesses, and Commonalty.

For compelling the Attendance of Witnesses.

LXIV. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to give Evidence before any Justice of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, or against any Rule, Order, or Regulation to be made in pursuance thereof, either on the Part of the Prosecutor or of the Person or Persons accused, after having been paid or tendered a reasonable Fee for his or her Costs, Charges, and Expences, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Refusal or Neglect, or appearing shall refuse to be examined on Oath, or in case of a Quaker or Quakers on solemn Affirmation, and to give Evidence before such Justices of the Peace, then and in either of the said Cases every such Person shall forfeit for every such Offence any Sum not exceeding the Sum of Five Pounds.

Inhabitants declared competent Witnesses in all Actions, &c.

LXV. And be it further enacted and declared, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, or of any Rule, Order, or Regulation made in pursuance thereof, no Inhabitant of the said City and Liberties thereof, nor any other Person whatsoever, shall be deemed an incompetent Witness by reason of being such Inhabitant, or by reason of being a free Burgess of the said City.

Directing the Manner of serving Notices.

LXVI. And be it further enacted, That in all Notices and Summonses which are directed or required to be given by this Act, or which are or may be directed or required to be given by any Rules, Orders, or Regulations to be made in pursuance thereof, or which shall or may be necessary for carrying into Execution any of the Powers of this Act, or any of such Rules, Orders, or Regulations, (where the Manner of serving such Notices or Summonses is not particularly or otherwise hereby directed,) the Service of such Notices or Summonses, either on the Person to whom the same is or shall be directed to be given, or otherwise ought to be given, or by leaving

leaving the same or a true Copy thereof at his or her Dwelling House, or usual or last Place of his or her Abode, shall be a good and sufficient Service of any such Notices or Summonses; and that in all Cases whatsoever where any such Notices or Summonses is or shall be directed to be given or otherwise ought to be given to Two or more Persons for or respecting the joint Act, or Omission, or Property of any such Persons, whether the said Persons be in Partnership in Trade, or otherwise jointly concerned in such Act, or Omission, or Property, the like Service of any such Notices or Summonses on any One of such Partners or Persons shall be also a good and sufficient Service thereof.

Penalties may be mitigated.

LXVII. Provided always, and be it further enacted, That it shall be lawful for the Justices of the Peace before whom shall be recovered any of the pecuniary Penalties imposed by this Act, or which shall be imposed by any Rules, Orders, or Regulations to be made in pursuance thereof, (where no other Manner of Mitigation of any such Penalties is hereby directed, or shall be directed by any such Rules, Orders, or Regulations,) to mitigate or lessen any of such Penalties as they in their Discretion shall think fit.

LXVIII. And for the more easy Conviction of Offenders, be it further enacted, That the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, or against any Rule, Order, or Regulation to be made in pursuance thereof, shall and may cause the Conviction to be drawn up in the following Form of Words, or in other Words to the same Effect; (*videlicet*,)

Form of Conviction.

'City of Bristol, and County of the same City, to wit.' BE it remembered, That on the Day of in the Year of the Reign of *A. B.* is [*or* are] convicted before us of His Majesty's Justices of the Peace for the City of *Bristol* and County of the same City, by virtue of an Act of Parliament passed in the Fifty-sixth Year of the Reign of King *George* the Third, intituled *An Act* [*here set forth the Title of this Act*], of [*specifying the Offence, and the Time and Place when and where the same was committed, as the Case shall be*], contrary to the said Act [*or, as the Case shall be*, contrary to a certain made on the Day of One thousand eight hundred and pursuant to the said Act]; for which Offence we adjudge the said to have forfeited the Sum of and [*if mitigated*] which we mitigate to the Sum of . Given under our Hands and Seals the Day and Year first above written.'

Allowing an Appeal.

LXIX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Conviction in pursuance of this Act, or of any Rule, Order, or Regulation to be made in virtue thereof, and for which no other Method of Relief is by Law or by this Act otherwise appointed or directed, such Person or Persons shall and may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden in and for the said City of *Bristol* and County of the same City, within Four Calendar Months after the Cause of Complaint shall have arisen, such Appellant first giving or causing to be given Twenty-one Days Notice at least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Justices of the

the Peace before whom such Person or Persons shall have been convicted, and to the Person or Persons who is or are intended to be affected by such Appeal, and within Ten Days after such Notice entering into a Recognizance before some Justice of the Peace for the said City and County, with Two sufficient Sureties, in such reasonable Sum as such Justice shall direct, conditioned to try such Appeal, and to abide by such Order as shall be made, and to pay such Costs as shall be awarded by the Justices at such Quarter Session; and the said Justices at such Session, or at some Adjournment thereof, shall and may summon the Witnesses, both on the Part of the Appellant and Respondent, to come before them, and upon due Proof of Notice having been given, and of entering into Recognizance in manner herein-before mentioned, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and shall award such Restitution, Damages, and Costs, to the Party or Parties appealing or appealed against, as the said Justices shall think proper; and the Determination of the said Justices at such Sessions or Adjournment shall be final, binding, and conclusive.

Distress not to be deemed unlawful for Want of Form.

LXX. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, or of any Rule, Order, or Regulation to be made in pursuance thereof, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on account of any Defect or Want of Form in the 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 which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the Special Damage in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, or other wrongful Proceeding, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity or wrongful Proceeding 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 where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall see fit, whereupon such Proceedings or Orders and Judgments shall be had, made, and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for Want of Form.

R LXXI. And be it further enacted, That no Precept, Verdict, Judgment, Rule, Order, Regulation, or other Proceeding, Matter, or Thing to be had or made in pursuance of this Act, nor any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or against any Rule, Order, or Regulation to be made in pursuance thereof, nor any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, or of any such Rule, Order, or Regulation, shall be made void or quashed for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

LXXII. And

Limitation of Actions.

LXXII. And be it further enacted, That no Action at Law shall be commenced against any Person or Persons for any thing done or omitted to be done by virtue of this Act, or of any Rule, Order, or Regulation to be made in pursuance thereof, until after Twenty-one Days Notice thereof shall have been given to or left at the usual Place of Abode of the Person or Persons against whom such Action is intended to be brought, and to the Clerk to be appointed under this Act for the Time being, signed by the intended Plaintiff or Plaintiffs, thereby setting forth the particular Cause of such Action; nor after Tender of sufficient Amends shall have been made to the Party or Parties aggrieved; nor after Four Calendar Months next after the Cause of such Action shall have arisen; and every such Action shall be brought and laid in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the

General Issue.

Defendant or Defendants in every such Action shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done by virtue and under the Authority of this Act, or of any Rule, Order, or Regulation made in pursuance thereof; and if on the Trial of such Action it shall appear to have been so done, or that such Action be brought before Twenty-one Days Notice thereof shall be given or left as aforesaid, or after Tender of sufficient Amends shall have been made to the Party or Parties aggrieved, or after the End of Four Calendar Months next after the Cause of such Action shall have arisen, or if such Action shall be brought or laid in any other County than as aforesaid, then and in every or any of the said Cases the Jury on the Trial of any such Action shall find a Verdict for the Defendant or Defendants therein; and in all and every Cases and Case where a Verdict shall be found for any Defendant or Defendants in such Action, or the Plaintiff or Plaintiffs therein shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or where, upon Demurrer or otherwise, Judgment shall be given against such Plaintiff or Plaintiffs, then the Defendant or Defendants in such Action shall have Treble Costs, and shall

Treble Costs.

have the like Remedy for recovering the same as Defendants have for recovering their Costs in any other Case by Law.

Public Act.

LXXIII. And be it further enacted, That this Act and every thing herein contained 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.

The First SCHEDULE.

[*Land, &c. to be taken for the Purposes of the Act.*]

ONE Piece or Parcel of Ground situate, lying, and being in that Part of the Parish of Bedminster which lies in the City of Bristol, the Property of Richard Sargent Fowler, Esquire, and now in the several Tenures or Occupations of William Spear of Bishop, and of the said Richard Sargent Fowler, bounded on the Eastward Side or End thereof by a Public Road, on the Southward Side thereof by another Public Road, on the Westward Side thereof by Land the Property of the said Richard Sargent Fowler, and on the Northward Side thereof by divers Messuages, Lands, and Hereditaments, the Property of the Dean and Chapter of Bristol; and which Piece or Parcel of Ground contains Four Acres and a Quarter, or thereabouts.

The Second SCHEDULE.

[*Forms of Mortgage and Transfer.*]

Form of Mortgage of the Rates, &c. to be raised by this Act for securing Money borrowed.

WE of the Commissioners for executing certain Powers in an Act of Parliament passed in the Fifty-sixth Year of the Reign of King *George* the Third, intituled *An Act for building a new Gaol in the City of* Bristol, *and for taking down the present Gaol, and for other Purposes*, being assembled at a Meeting, of which is Chairman, held under the said Act, at in the said City, on the Day of One thousand eight hundred and , do hereby mortgage and charge all the Rates, Assessments, and other Monies to be raised within the said City by virtue of the said Act, with the Payment of the Sum of Pounds, which of hath proposed and agreed to lend, and hath now actually advanced and paid towards defraying the Expence of building a new Gaol, with other Buildings thereto, in the same City; and we do hereby confirm and establish the said Mortgage and Charge hereby made unto the said Executors, Administrators, and Assigns, for securing the Repayment of the said Sum of Pounds, and Interest for the same, after the Rate of *per Centum per Annum*; and do order the Treasurer for the Time being appointed under this Act to pay the Interest of the said Sum of Pounds, as the same shall become due, until the Principal shall be discharged, pursuant to the Directions of this Act.

Witness,

[*One Witness.*]

I [*or*

I [*or* We] do hereby assign and transfer the within-written Security, and all my [*or* our] Right, Title, and Interest in and to the same, and all Benefit and Advantage arising therefrom, unto of Executors, Administrators, and Assigns. Witness my Hand [*or* our Hands] this Day of One thousand eight hundred and

[*One Witness.*]

Form of Assignment or Transfer.

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