ANNO QUADRAGESIMO TERTIO

GEORGII III REGIS.

Cap. 140.

An Act for improving and rendering more commodious the Port and Harbour of *Briſtol*.

[11th *Auguſt* 1803.]

WHEREAS Ships and Veſſels lying at the Quays in the Port and Harbour of *Briſtol* are, by the Reflux of the Tide, left dry Twice in every Twenty-four Hours, which prevents many Foreign Veſſels, and others of a ſharp Conſtruction, from frequenting the ſaid Port and Harbour, and occaſions great Injury and Damage to Veſſels uſing the ſaid Port: And whereas there is not ſufficient Depth of Water at Neap Tides in the ſaid Port and Harbour to take Veſſels from the Quays down the River *Avon* to Sea, or bring them up on their Return from Voyages; whereby favourable Winds are frequently loſt, and great Expences, Delays, Damages, and Loſſes are ſuſtained, to the Hindrance of Commerce, and to the manifeſt Diſadvantage of the Port and City of *Briſtol*: And whereas Ships and Veſſels lying in the ſaid Port and Harbour of *Briſtol* cannot be removed out of Danger in caſe of Fire, owing to their being left dry, and very heavy Loſſes might ariſe therefrom, and in caſe of Fire among the Houſes in the ſaid City of *Briſtol*, great Inconvenience and Loſs would be experienced from want of Water: And whereas the Dangers and Inconveniencies before mentioned may in a conſiderable Degree be remedied by cutting a new Courſe for the River *Avon*, on the *Somerſetſhire* Side of its preſent Courſe, from a certain Place called *The Redcliff*, through Part of the Pariſhes of *Bedminſter* in

the County of *Somerset*, *Saint Mary Redcliff*, and *Temple*, in the City of *Bristol*, into the present Course of the said River below the high Land at a certain Place called *Totterdown*, by erecting a Dam and Overfall across the *Avon*, at or near *The Redcliff* aforesaid, by erecting another Dam across the said River *Avon* at *Temple Meads*, below the Junction of the new and old Course of the River, with a Barge Lock near the said Dam, and by making an Entrance Bason and Locks in *Rownham Meads*, in that Part of the Parish of *Clifton* which lies in the City of *Bristol*, and an Entrance Bason and Locks at *Trim Mills*, between the present and the intended Course for the *Avon*, by erecting a Dam with convenient Barge Locks, and Sluices across the said River *Avon*, at or near the Engine Mills between the Parishes of *Saint George* in the County of *Gloucester*, and *Brislington* in the County of *Somerset*, and by cutting a Canal, Aqueduct, or Feeder, from, at, or near the Engine Mills, through Part of the Parishes of *Saint George*, and *Saint Philip* and *Jacob*, in *Gloucestershire*, into the present Course of the River *Avon* below the intended Dam at *Temple Meads*: And whereas it will be expedient that the before mentioned Canal, Aqueduct, or Feeder should be made navigable for Boats, Barges, and other Vessels, for the Purpose of preserving and facilitating the Navigation between the Cities of *Bristol* and *Bath*: And whereas the several Persons herein-after named have entered into a Subscription towards raising the Sum of Two hundred and fifty thousand Pounds as a joint Stock or Fund for the Purposes herein-after set forth, and for and towards carrying into Execution and compleating the several Works herein mentioned: But inasmuch as the same cannot be carried into Effect without the Aid and Authority of Parliament; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Burgesses, and Commonalty of the City of *Bristol* and their Successors, the Master, Wardens, and Commonalty of Merchant Venturers of the said City of *Bristol* and their Successors, and the several Persons Subscribers towards the said Sum of Two hundred and fifty thousand Pounds; (that is to say), *Charles Anderson*, *Jean Anderson*, *Edward Ash*, *Richard Ash*, *Thomas Andrews*, *Samuel Birch*, *Joseph Bonbonous*, *George Braikenridge*, *Robert Bruce*, *Francis Bull*, the Reverend *John Bull*, *Thomas Bonville*, *Samuel Beord*, *John Britten Bence*, *Mary Brookman*, *Henry Bright*, *John Barrow*, *Benjamin Baugh*, *Henry Brooke*, *Edward Brice* the younger, *John Blake*, *Robert Bush*, *Thomas Brooke* the younger, *Edward Brice*, *Robert Bigg*, *William Broderip*, *John Innys Baker*, *John Cave*, *John Cherry*, *Stephen Cave*, *Anthony Palmer Collings*, *John Chivers*, *Edward Rolle Clayfield*, *John Coulson*, *Thomas Cross*, *John Cornish*, *John Chubb*, *Henry Carter*, *James Curtis*, *Charles Court*, *Thomas Cole*, *Harriet Cross*, *Ann Cross*, *Charlotte Cross*, *Thomas Cross*, *William Dibbin*, *John Dowell*, *Richard Hart Davis*, *Andrew Drummond*, *Robert Dyer*, *Thomas Daniel*, *William Dowell*, *William Danson*, *George Daubeny*, *Mary Ann Davis*, *Joseph Edye*, *Isaac Elton*, *Samuel Edwards*, *Thomas Edwards*, *Thomas Ebsworth*, *William Ebsworth*, *Henry Ebsworth*, *William Elton*, *John Eames*, *Preston Edgar*, *George Franklyn*, *John Franklyn*, *William Fripp*, *Richard Fowler*, *John Farquharson*, *Samuel Fripp*, *Olcher Fedden*, *John Gee*, *Joel Gardiner*, *Joel Gardiner* the younger, *Samuel Gomond*, *Gabriel Goldney*, *Samuel Guppy*, *Charles Granger*, *Joseph Gilbert*, *James George*, *Benjamin Greenwood*, *William Greaves*, *Thomas Griffiths*, *Stephen*

Company.

Stephen George, James Martin Hillhouſe, Cornelius Hackett, Joſeph Hellicar, Thomas Hellicar, Stephen Horſley, James Harvey, Wintour Harris, Charles Joſeph Harford, Charles Harvey, Samuel Lloyd Harford, Richard Honeywell, Peter Holland, Edward Harford, Jeremiah Hill, Jeremiah Hill the younger, *Charles Hill, Thomas Hill, Elizabeth Hill, John Scandrett Harford, Thomas Naſh Haynes, Richard Hale, Thomas Hale, Benjamin Hill, John Harding, Jonathan Hobbs, George Hilhouſe, William Hurle, Samuel Hall, William Holder, Mark Harford, Thomas Haſſell, Samuel Heineken, Benjamin Hooper, Thomas Jones, Thomas Jarman, James Jolly, William Singer Jacques, William Inman, Iſaac Jacobs, Edward Jones, James Joyce, Henry King, Thomas Curtis Leman, Henry Revel Llewellin, James Leman, Robert Lewis, Samuel Lloyd, Adrian Moens, Philip John Miles, Robert Mitchell, John Maxſe, John Metford, Robert Meaby, Ulyſſes Mellor, James Mouncher, Thomas Chapman Miller, John Neilſon, Robert Noyes, Ezekiel Naſh, Richard Nott, James Norton, Richard Neale, Jeremiah Oſborne, Lionel Oliver, Simon Oliver, William Oliver, Thomas Hungerford Powell, Edward Pritchard, John Purnell, William Pine, Joſeph Panting, William Payne, William Perry, Thomas Protheroe, Andrew Pope, John Plura, William Parſons, Charles Payne, John Peters, John Prideaux, Richard Parry, Richard Preſcott, Jacob Wilcox Rickets, George Racſter, Samuel Rowland, Mary Rowland, James Rowland, Thomas Ramsford, Samuel Roertſon, Robert Roe, Richard Robinſon, Robert Ring* the elder, *James Room, Thomas Roberts,* the Reverend *Thomas Roberts, Robert Rankin, George Rogers, John Rudhall, Charles Ridout, John Ryland, Samuel Span, Peregrine Stockdale, Coſsley Saunders, Sarah Saunders, Richard Stratton, Charles Smith, Brooke Smith, Joſeph Smith, Lambert Schimmelpenning, John Smith, Ann Papwell Smith, Edward Stephens, John Charles Stuart, Samuel Seyer, Thomas Sanders, John Sanders, George Sanders, James Sutton, Thomas Stock, William Stock, Daniel Stanton, Charles Sanders, Thomas Tyndale, George Thorne, William Turner, Richard Turner, John Tuckett, William Underwood, Richard Vaughan* the younger, *Richard Vaughan, Hugh Vaughan, Robert Vizer, Richard Vigor, Thomas Llewellin Vining, John Vaughan, Charles Vaughan, John Webb, John Fiſher Weare, William Weare, Henry Weare, John Wirwood, John White,* Sir *Edward Williams* Baronet, *Danvers Ward, Richard Brickdale Ward, Matthew Wright, John Winpenny, Samuel Whitchurch, Thomas Were, Thomas Williams, Thomas Wiltſhire, William Wiltſhire, Mungo Charles Wright, Daniel Wait* the younger, *Robert Withington, Philip John Worſley, Samuel Ford Whittingham, Jean Young,* and all and every Perſon and Perſons, Body or Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, who ſhall according to the Conditions and Reſtrictions herein-after ſet forth, be poſſeſſed of any Part of the joint Stock of Two hundred and fifty thouſand Pounds herein-before mentioned, their ſeveral and reſpective Executors, Adminiſtrators, and Aſſigns (ſo long as they ſhall reſpectively hold the ſame, and no longer), ſhall be and they and their Succeſſors, Executors, Adminiſtrators, and Aſſigns (holding for the Time being Shares in the ſaid Stock as aforeſaid), are hereby declared to be united into a Company of Proprietors of the Works hereby authorized and directed to be made, and of the Cuts, Canal, Wharfs on the Canal, Towing Paths, Hereditaments, and Premiſes which ſhall belong thereto or be held therewith; which Company ſhall be and be known by, and ſhall uſe the Firm or Style of *The Briſtol Dock Company*, and ſhall have ſuch Powers and Authorities as are herein-after given to them.

II. And

Sums ſubſcribed and paid to be a common Stock, and deemed Perſonal Eſtate.

II. And be it further enacted, That the Sum ſo ſubſcribed for, or ſuch Part or Parts of the Money ſo ſubſcribed as ſhall be neceſſary and requiſite, ſhall when paid in be conſidered as a Capital or Joint Stock, and the ſame is and are hereby veſted in the ſaid Company, their Succeſſors, Executors, Adminiſtrators, and Aſſigns, for the Uſe and Behoof of the Members of the ſaid Company holding for the Time being Shares in the ſaid Stock, in Proportion to the Sum he, ſhe, and they, and each and every of them ſhall have ſo ſeverally ſubſcribed thereunto; and all and every Part or Share of the ſaid Stock ſhall be deemed to be Perſonal Eſtate, and paſs by Transfer in the Book or Books of the ſaid Company, ſigned by the Proprietor or Proprietors thereof, his, her, or their Executors or Adminiſtrators, or his, her, or their Attorney or Attornies thereunto duly authorized, and not otherwiſe, and ſhall be tranſmiſſible and paſs by Will as Perſonal Eſtate, and in caſe of no Will, ſhall be diſtributed according to the Nature of Inteſtates Perſonal Eſtates.

Sale and Transfer of Stock.

III. And be it further enacted, That it ſhall be lawful for the ſeveral Proprietors to ſell and diſpoſe of his, her, or their Stock reſpectively, ſubject to the Rules and Conditions herein-after mentioned, and that any Purchaſer or Purchaſers ſhall, for his, her, or their Security as well as that of ſuch Proprietor or Proprietors, cauſe an Entry to be made in the Book or Books to be kept by the Clerk or Clerks to the ſaid Company, of all ſuch Sales or Transfers, and the Clerk or Clerks is and are hereby required to make ſuch Transfers accordingly; and until ſuch Transfers ſhall be ſo entered as above, ſuch Purchaſer or Purchaſers ſhall have no Part, Share, or Intereſt in the Capital Stock or Profits of the ſaid Undertaking, or the Money received by virtue of this Act, or any Vote as Proprietor or Proprietors; any Law or Statute to the contrary notwithſtanding.

No Transfer without the Conſent of the Directors till a Proportion of the Caſh paid.

IV. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend to authorize any Proprietor or Proprietors to transfer his, her, or their Share or Shares until he, ſhe, or they ſhall have paid Thirty Pounds *per Centum* on his, her, or their original Shares, without the Authority and Conſent of the Court of Directors (appointed as after mentioned), for that Purpoſe firſt had and obtained.

No Perſon anſwerable for more than their reſpective Stock.

V. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend to charge or make liable any Perſon or Perſons, Bodies Politick or Corporate, who are or ſhall be Proprietor or Proprietors of the ſaid Stock of the ſaid Company, or of any Part thereof, or his, her, or their Real or Perſonal Eſtate, with any Debt or Demand whatſoever due or become due from the ſaid Company, beyond the Extent of his, her, or their Capital Stock, Share or Shares, in the ſaid Stock of the ſaid Company; any Law, Cuſtom, or Uſage to the contrary thereof in anywiſe notwithſtanding.

Stock not liable to be attached by the Sheriff's Court.

VI. Provided alſo, and be it further enacted, That no Part of the ſaid Capital Stock or Fund of the ſaid Company ſhall be liable to be attached by any Proceſs of the Sheriff's Court of *Briſtol* as or in the Nature of a Foreign Attachment, for any Debt or Demand; any Law, Uſage, or Cuſtom of the ſaid City of *Briſtol* to the contrary notwithſtanding.

Power to audit Receiver's Accounts;

VII. Provided always, and be it enacted, That the Directors for managing the Concerns of the said Company, to be nominated as hereinafter expressed, or any Five or more of them, shall have Power from Time to Time to call for, audit, and settle all Accounts of Monies laid out and disbursed for the Purposes of this Act, by the Receivers and other Officers and Persons employed under the Authority of this Act, and to make such Call or Calls for Money from the said Subscribers, their Executors, Administrators, and Assigns, according to the Amount of their respective Subscriptions, for the Purpose of defraying the Charges and Expences in and about the procuring and passing this Act, and in the next Place the Expences of carrying on the Works authorized or directed by this Act to be done, as by them, or any Five or more of them, shall from Time to Time be found wanting and necessary for those Purposes; so that no Call shall exceed the Sum of Ten Pounds for every One hundred Pounds on the Sum or Sums so subscribed; and so that no Call to that Amount be made but at the Distance of Two Calendar Months at least from the preceding Call; which Money so called for shall be paid to such Person or Persons, and in such Manner, as the said Directors shall from Time to Time appoint or direct, for the Use of the said Undertaking; and the Owner or Owners of such Stock shall pay his, her, or their Proportion or Proportions of the Monies called for as aforesaid, at such Time and Place, and in such Manner, as shall be appointed for that Purpose as aforesaid; and if any Person or Persons, Body or Bodies Politic or Corporate, shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share or Parts or Shares of the said Monies to be called for as aforesaid, at the Time and Place to be appointed by the said Directors, the Person or Persons, Body or Bodies Politick or Corporate so neglecting or refusing to pay the same, shall forfeit the Sum of Five Pounds for every One hundred Pounds of his, her, or their respective Subscription or Stock or Part and Interest in the said Undertaking and Premises; and in every such Case the said Company shall and they are hereby empowered to sue for and recover in any Court or Courts of Law or Equity, every or any such Part or Parts thereof so neglected or refused to be paid; and in case such Person or Persons, Body or Bodies Politick or Corporate, shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share or Parts or Shares of the said Money to be called for as aforesaid, for the Space of Three Calendar Months next after the Time of any of the respective Times of Payment thereof appointed as aforesaid, then and in every such Case the same may be sued for and recovered by the said Company as last herein-before is mentioned; or otherwise, at the Option of the said Directors, or of any Five or more of them, the Person or Persons, Body or Bodies Politick or Corporate, so neglecting to pay the same, shall forfeit all his, her, or their respective Stock or Parts and Interests in the said Undertaking and Premises; all which Forfeitures shall go to and for the Benefit of the rest of the said Proprietors, their Executors, Administrators, and Assigns, holding for the Time being Shares of the said Stock, in Proportion to their respective Shares and Interests.

and to make Calls on Proprietors at limited Periods.

Persons refusing to comply with such Calls to forfeit 5*l.* for every Share;

and if refusing for Three Calendar Months, to forfeit an Interest in the Undertaking,

No Advantage of Forfeiture till after Notice.

VIII. Provided always, and be it further enacted, That no Advantage shall be taken of any Forfeiture of any such Stock, or of any Part thereof, until Notice in Writing of such Forfeiture shall have been previously given or left by some Officer of the said Company, to or with the Owner

or Owners of such Stock, or left at his, her, or their usual or last known Place of Abode, nor unless the same shall be declared to be forfeited at some General Meeting of the said Company, to be held within Six Calendar Months next after such Forfeiture shall happen to be made; and in case of such Forfeiture, the same shall be an Indemnification to and for every Proprietor or Proprietors so forfeiting his or her Stock, Part, and Interest as aforesaid, against all and every Action or Actions, Suits or Prosecutions whatsoever, to be commenced or prosecuted for any Breach of Contract or other Agreement between such Proprietor or Proprietors so forfeiting and the rest of the Proprietors, with regard to carrying on the said Works.

Representatives of Persons before Call (no Provision being made for the same) charged therewith.

IX. And be it further enacted, That in case any Person or Persons subscribing or holding any Stock of the said Company shall die before any such Call or Calls shall have been made for the full Sum to be advanced on the Sum or Sums so subscribed for, or which he, she, or they shall have been possessed of or entitled to at the Time of his, her, or their Decease, without having made Provision by Will or otherwise in Writing how the Money shall be paid upon the future Calls, then and in every such Case the Executors or Administrators of every such Owner or Owners shall be chargeable in respect of such Calls, as for the Debts of such Testator or Intestate; or in case the Executors or Administrators, or Person or Persons entitled to the Personal Estate of such Testator or Intestate, shall refuse or neglect for the Space of Three Calendar Months to answer such Calls and Payments, the said Company shall be at Liberty and are hereby authorized and required to admit any other Person or Persons, or Body or Bodies Politick or Corporate, to be a Proprietor or Proprietors of the Stock of such Owner or Owners deceased, on Condition that he, she, or they so admitted, do and shall on or before such Admission, pay to the Executors or Administrators of such deceased Owner or Owners, the full Sum and Sums of Money which shall have been paid by such Owner or Owners in his, her, or their Life-time, by Notice of any Call or Calls or otherwise, upon such Share or Shares of such Stock, or such other Sum or Sums of Money as the above can be sold for (first deducting the Penalties that may have been incurred).

First Meeting of the Company.

Publick Notice thereof to be given.

X. And be it further enacted, That the Mayor, Aldermen, and the rest of the Common Council of the said City of *Bristol* for the Time being, the Master, Wardens, and Commonalty of Merchant Venturers of the said City of *Bristol* for the Time being, and the several Persons so as aforesaid subscribing towards carrying the said Work into Execution, or any Twenty or more of them, shall meet together at the *Merchants Hall* in the City of *Bristol*, or such other Place within the said City as shall be for that Purpose appointed, within Thirty Days next after the passing of this Act, of which Meeting Ten Days Notice shall be given in Two or more of the *Bristol* Newspapers, and by Writing to be affixed in the Exchange and in the Council House in the City of *Bristol*; and that such Persons so assembled, or any Twenty or more of them, shall proceed to the Execution of all or any of the Powers hereby vested in them, in such Manner as to them and the major Part of them so assembled shall seem meet; and that all subsequent Meetings of the said Company shall consist of Twenty of the said Company at least, and shall be held at such Time and Place, or such Times and Places within the said City of *Bristol*, as

as ſhall from Time to Time be aſcertained at ſome preceding General Meeting, ſo that no ſuch Meeting ſhall be held at leſs than Ten Days from the Appointment thereof; and that Notice of ſuch reſpective ſubſequent Meetings ſhall be in Writing, ſigned by Five or more of the ſaid Company, or their Clerk or Treaſurer, (herein-after directed to be appointed), by their Order, and a Copy or Copies thereof ſhall be affixed in the ſaid Exchange and Council Houſe, and inſerted in Two or more *Briſtol* Newſpapers Seven Days at leaſt, (including both Days) before ſuch intended Meetings reſpectively; and that all ſuch Orders and Determinations of a General Meeting of the ſaid Company as ſhall be authorized by this Act, which ſhall be made at any ſuch Meetings reſpectively held by virtue of this Act, and not otherwiſe, ſhall be binding and concluſive on all the Members of the ſaid Company.

For appointing a Board of Directors to manage the Affairs of the Company.

XI. And be it further enacted, That within Two Calendar Months from the paſſing of this Act, a Board of Directors, conſiſting of Twenty-ſeven Perſons, ſhall be nominated and appointed for conducting and managing the Affairs and Buſineſs of the ſaid Dock Company, which Board of Directors ſhall conſiſt of the Right Worſhipful the Mayor of the ſaid City of *Briſtol* for the Time being, and Eight other Members of the Common Council of the ſaid City, to be elected, appointed, and returned by the Mayor and Common Council of the ſaid City, in Common Council aſſembled; of the Maſter of the ſaid Society of Merchants for the Time being, and Eight Perſons Members of the ſaid Society, to be elected, appointed, and returned by the ſaid Maſter, Wardens, and Commonalty of Merchant Venturers, and of Nine Perſons ſubſcribing towards the ſaid Undertaking, to be choſen by Ballot, by and out of the ſeveral Perſons ſubſcribing towards the ſaid Undertaking aſſembled at ſuch Meeting, ſuch Perſons laſt mentioned to be reſpectively poſſeſſed of at leaſt Ten Shares, (of One hundred Pounds each Share), of the ſaid Capital Stock; and that they the ſaid Directors ſhall and may meet at ſuch Place or Places within the ſaid City of *Briſtol*, and at ſuch Time or Times as the major Part of ſuch Directors preſent, not being leſs than Five, ſhall deem convenient for executing the Powers veſted in them by this Act; and ſuch Directors ſo to be appointed as aforeſaid ſhall continue in Office until others ſhall be choſen in their Stead as herein-after mentioned, or ſuch Perſon or Perſons ſhall reſpectively die, decline to act, or be removed, or any of ſuch Perſons who ſhall have been ſo choſen as Directors from amongſt the Members of the ſaid Company ſubſcribing towards the ſaid Stock ſhall diſpoſe of his, her, or their Shares and Intereſt in the ſaid Stock, ſo as to reduce the ſame to leſs than Ten Shares in the ſaid Stock, or being Mayor or Common Council Man, or Maſter or Member of the ſaid Society of Merchants, and appointed by thoſe Bodies reſpectively, ſhall ceaſe to be Mayor or Common Council Man, Maſter or Member of the ſaid Society, and in the Room and Stead of every ſuch Director or Directors ſo as aforeſaid, appointed by the Subſcribers to the ſaid Undertaking, who ſhall die, decline to act, be removed, or diſpoſed of his or their Stock as aforeſaid, there ſhall be appointed out of the Subſcribers to the ſaid Undertaking by the Majority of the ſaid Subſcribers attending at a Meeting of the ſaid Dock Company, One other Perſon or Perſons to fill up the Vacancy of ſuch Director or Directors; and in the Room and Stead of every ſuch Director or Directors ſo as aforeſaid

appointed by the Mayor and Common Council of the ſaid City, and Maſter, Wardens, and Commonalty of the Society of Merchant Venturers of the ſaid City reſpectively, who ſhall die, decline to act, or be removed, there ſhall be appointed by and out of the ſaid Mayor and Common Council, and Maſter, Wardens, and Commonalty aforeſaid reſpectively, One other Perſon or Perſons to fill the Vacancy or Vacancies occaſioned by the Death or Removal of the Director or Directors ſo as aforeſaid elected, appointed, and returned by ſuch Bodies reſpectively; and that each ſucceeding Mayor and Maſter of the ſaid Society ſhall reſpectively take the Situation and fill the Office of Director of his Predeceſſor; and the ſeveral new Director or Directors ſo as aforeſaid to be elected, appointed, and returned, ſhall continue in Office for ſuch Time or reſpective Times, and no longer, as the ſaid Director or Directors in whoſe Stead he or they ſhall be ſo reſpectively elected, appointed, or returned, ought to have continued in Office if ſuch Death or Deaths, Removal or Diſqualification had not happened.

For appointing Directors in caſes of Death, &c.

XII. And be it further enacted, That the ſaid Directors herein-before mentioned, together with thoſe that ſhall in caſe of Death, declining to act, Removal, or Diſqualification, ſucceed or be choſen as aforeſaid, ſhall continue to be Directors and Managers for conducting and managing the Affairs and Buſineſs of the ſaid Company, until the Works herein-after directed to be carried into Execution ſhall be formed and made fit for the Reception of Shipping; and that within One Year after the ſaid Works ſhall be made and formed, Seven at leaſt of the ſaid Directors, excluſive of the Mayor and Maſter aforeſaid, ſhall go out of Office, and ſo in Rotation on the Firſt of *October* in every ſucceeding Year; *videlicet*, Two Directors appointed by the Mayor and Common Council of the ſaid City, and the Vacancy occaſioned by their going out of Office ſhall be filled up by Two Members of the Common Council of the ſaid City, to be elected in the Manner aforeſaid by the Mayor and Common Council of the ſaid City for the Time being; and Two Directors appointed by the ſaid Maſter, Wardens, and Commonalty, and their Vacancy ſhall be filled up by Two Members of the ſaid Society; and Three Directors out of the Members of the ſaid Company ſubſcribing towards carrying the ſaid Plan into Execution, and the Vacancy occaſioned by their going out of Office ſhall be filled up at a Meeting of the ſaid Dock Company by the Subſcribers towards carrying the ſaid Works into Execution, by Three Subſcribers, who ſhall be reſpectively poſſeſſed of at leaſt Ten Shares of One hundred Pounds each in the ſaid Capital Stock; and in order to aſcertain the Rotation or regular Turn of going out of Office, the Directors who are to go out of Office ſhall be aſcertained and known by drawing Lots for that Purpoſe at any Meeting of the ſaid Directors, in ſuch fair and proper Manner as the ſaid Directors ſhall in their Diſcretion agree to and appove of.

Perſons who have ſerved the Office of Director deemed eligible to be re-elected.

XIII. Provided always, and be it further enacted, That the Perſon or Perſons who hath or have ſerved the Office of Director, ſhall and may, if otherwiſe properly qualified, be eligible to be re-elected into the ſaid Office.

XIV. And

Two General Meetings to be held yearly.

XIV. And be it further enacted, That Two General Meetings of the said *Briſtol* Dock Company at leaſt ſhall be held yearly, whereof One ſhall be on the Third *Thurſday* in the Month of *March*, and the other on the Third *Thurſday* in the Month of *September* in every Year; and ſuch Notices thereof ſhall be reſpectively given and fixed up as aforeſaid.

For calling extraordinary Meetings, if neceſſary.

XV. And be it further enacted, That if any Nine or more of the Members of the ſaid Company, who ſhall ſeverally be Proprietors of Five Shares of One hundred Pounds each of the ſaid Stock, or upwards, or any Five of the ſaid Board of Directors ſhall judge it neceſſary or expedient for carrying into Execution any of the Purpoſes of this Act to have an extraordinary General Meeting of the ſaid Dock Company called, and ſhall requeſt the ſame ſo to be called by Notice in Writing under their reſpective Hands, delivered to the Clerk or Treaſurer of the ſaid Company for the Time being, ſpecifying in every ſuch Notice the Buſineſs intended to be proceeded on at ſuch Meeting, then and in every ſuch Caſe the Directors to be appointed as aforeſaid, or any Five or more of them, may and ſhall within Three Days after the Delivery of ſuch Notice, and they and their Succeſſors are hereby authorized and required to call ſuch extraordinary General Meeting (of which extraordinary Meeting Notice ſhall be given in Manner herein-before directed reſpecting ordinary Meetings), to aſſemble at ſuch Time and Place within the Limits aforeſaid as they ſhall judge expedient, within Fifteen Days from and after ſuch Notice; and ſuch Meeting ſhall be deemed a General Meeting of the ſaid Company; and all Proceedings of ſuch Meetings ſhall be deemed as valid and effectual, to all Intents and Purpoſes whatſoever, as if the ſame had been done at Meetings called and holden in the Manner herein-before appointed.

Qualification of Voters.

XVI. And be it further enacted, That the Mayor, Aldermen, and Common Councilmen of the ſaid City of *Briſtol* for the Time being, and each and every of them; the Maſter, Wardens, and Commonalty of Merchant Venturers for the Time being, and each and every of them; and alſo every Perſon, or Body Politick or Corporate, his, her, or their Succeſſors, Executors, Adminiſtrators, or Aſſigns, who ſhall be a Proprietor or Proprietors of Five Shares of One hundred Pounds each of the ſaid Stock or upwards, ſhall have a Vote at any General Meeting of the ſaid Company; but no Perſon ſhall or may be entitled unto Two Votes at ſuch General Meetings in any Right or Capacity, Rights or Capacities whatſoever, (except in Caſes of Equality of Votes), and every Queſtion, Matter, or Thing which ſhall be propoſed, diſcuſſed, or conſidered in any General Meeting of the ſaid Company, to be held by virtue of this Act, ſhall be finally determined by the Majority of Votes then preſent; and if ſuch Votes ſhall be equal, the Chairman preſiding at ſuch Meeting ſhall have the caſting Vote, although he may have already given his Vote in any Right or Capacity as Member of the Common Council of the ſaid City or Society of Merchants or as Stockholder; and every Queſtion, if required by Five or more Perſons having Votes, ſhall be determined by Ballot to be entered upon and completed forthwith, in which Caſe, the Chairman for the Time being ſhall in like Manner have the caſting Vote or Ballot, if the Numbers ſhould be equal.

Chairman to have the caſting Vote in Caſes of Equality.

Corporate Bodies to vote by Representatives or Attorney duly authorized.

XVII. Provided alſo, and be it further enacted, That any Body or Bodies Politick or Corporate, holding Shares reſpectively in the ſaid Capital Stock to the Amount aforeſaid or upwards, ſhall and may vote at ſuch General Meetings by Repreſentative or Attorney lawfully authorized for that Purpoſe.

Qualification to vote by Twelve Months Poſſeſſion of Stock.

XVIII. And be it further enacted, That no Proprietor or Proprietors of the ſaid Stock ſhall vote either in Perſon or by Attorney, at any General Meeting of the ſaid Company, in any Queſtion whatſoever, unleſs he, ſhe, or they, or the Perſon or Perſons ſo repreſented, ſhall be poſſeſſed of ſuch Stock in his, her, or their own Right, and not in Truſt for any Perſon or Perſons whatſoever, except in Caſes where a Truſtee or Truſtees ſhall be an original Subſcriber or Subſcribers, (and after the Expiration of Twelve Calendar Months from the paſſing of this Act), unleſs ſuch Proprietor or Proprietors ſhall have been legally poſſeſſed of ſuch Stock Twelve Calendar Months previouſly to his, her, or their voting as aforeſaid, except ſuch Stock ſhall come to ſuch Proprietor or Proprietors by Bequeſt, Marriage, or the Inteſtacy of the former Proprietor or Proprietors thereof; and for better proving the Qualification of ſuch Proprietor or Proprietors, the Chairman of the ſaid General Meeting, or any Five or more of the ſaid Directors preſent thereat, is and are hereby empowered to demand from and tender to the Perſon or Perſons offering or deſiring to give ſuch Vote or Votes, an Oath of the Validity thereof in the Words or to the Effect following; (that is to ſay),

Oath.

'I DO ſwear, That the Capital Stock of the *Briſtol* Dock Company ſtanding in my Name, and which now amounts, or did before Payment of the ſaid Dock Company of a Part thereof, amount to [*as the Caſe may be*] Five hundred Pounds or more, doth at this Time belong, and hath for the Space of Twelve Calendar Months actually belonged to me in my own Right [*or*, to any Corporation, Company, or Perſon voting by Attorney, or Body of Perſons, *as the Caſe may require*, in which the Party may ſwear to his Information and Belief only, in their own Right], and not in Truſt for any Perſon or Perſons whomſoever, and that I, [*or*, the ſaid Corporation, Company, Perſon or Body of Perſons, *as the Caſe may require*] have been in the actual Receipt of the Dividends and Profits thereof, for my [*or*, for their] Uſe, for the Space of Twelve Calendar Months, or that the ſame came to me within the Time aforeſaid by Bequeſt or by Marriage, or by Succeſſion to Inteſtates Eſtates, or by Settlement; and that ſuch Stock hath not been transferred or made over to me fraudulently or colluſively, or on Purpoſe to qualify me to give my vote; and that I have not before given my Vote in this Ballot.
So help me GOD.'

For appointing Chairman of Meetings.

XIX. And be it further enacted, That the Mayor of the ſaid City of *Briſtol*, if preſent at the Time of proceeding to Buſineſs, ſhall be Chairman of the General Meetings of the ſaid Dock Company, and alſo of the Meetings of the Directors and that in caſe of Abſence of the Mayor of the ſaid City for the Time being, at the Time of proceeding to Buſineſs, the Maſter of the ſaid Society of Merchant Venturers for he Time being, if preſent, ſhall be Chairman of ſuch Meetings reſpectively; and in caſe neither the Mayor or Maſter of the ſaid Society of Merchants for the Time being ſhall be preſent at ſuch Meetings reſpectively at the Time of proceeding to Buſineſs, then the ſeveral Perſons, Bodies Politick and Corporate,

porate, holding Shares in the said Capital Stock to the Amount aforesaid, shall elect and choose from among themselves a Person to be Chairman of such General Meeting or Meetings of Directors.

In case the sum subscribed is insufficient, Company may borrow a further Sum.

XX. And, inasmuch as the said Sum of Two hundred and fifty thousand Pounds subscribed or to be subscribed as aforesaid, will be insufficient for the making and completing the Cuts, Basons, Docks, Canal, Wharfs on the Canal, Drains, Bridges, and Works hereby authorized to be made, for the Purchase of Lands and Hereditaments and Compensations to Persons whose Property may be injured, and for all necessary Charges and Expences incident thereto; therefore be it enacted, That it shall and may be lawful to and for the said Dock Company at any Time or Times during the Progress or after the Completion of the said Works, to borrow and take up at Interest on the Credit of the Rates and Duties by this Act granted, any further Sum or Sums of Money not exceeding in the Whole the Sum of Fifty thousand Pounds for the Purpose of enabling them to complete the Works aforesaid, and pay such Charge and Compensations as aforesaid; and the said Company are hereby authorized and empowered to assign over the Rates and Duties herein-after granted and made payable as a Security for such Sum or Sums of Money to be borrowed with Interest, to such Person or Persons, or their Trustee or Trustees, as shall advance the same, by Assignment under the Hand of any Treasurer or Clerk appointed for that Purpose, such Assignment to be made in the following Words, or by any other Words to the same Purport and Effect; *videlicet*,

Form of the Assignment.

'BY virtue of an Act, passed in the Forty-third Year of the Reign of His Majesty King *George* the Third, [*here insert the Title of this Act*] We the *Bristol* Dock Company, in Consideration of the Sum of of lawful Money of *Great Britain*, to us in Hand paid by do assign unto the said his, her, or their Executors, Administrators, and Assigns, [*or*, Successors and Assigns, *as the Case may be*] all and singular the Rates and Duties arising by virtue of the said Act, and also all the Estate, Right, Title, and Interest of the said Company of and in and unto the same, to hold unto the said his, her, or their Executors, Administrators, and Assigns, until the said Sum of together with Interest for the same after the Rate of *per Centum per Annum* shall be repaid.'

And all and every Person and Persons, Body or Bodies Politick, Corporate or Collegiate, Aggregate or Sole, to whom such Assignment or Assignments shall be made, shall be equally entitled to their Proportion of the said Rates and Duties, according to the respective Sums in such Assignments mentioned, in order to secure the Repayment thereof, with the Interest aforesaid, without any Preference or Priority by reason of the Time of making such Assignments, or on any other Account whatsoever; and the Money so borrowed as aforesaid shall be applied for making, completing, and maintaining the Works hereby authorized, and in carrying the same and the several Provisions, Powers, and Authorities herein contained into full Execution.

XXI. And

Entries of such Assignments to be made.

XXI. And be it further enacted, That Entries or Memorials of such Assignment or Assignments, containing the Dates, Names of the Parties, and Sums of Money borrowed, shall be made in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Company, which said Book or Books shall and may be perused at all seasonable Times by any of the Proprietors or Creditors of the said Undertaking, or other Person interested therein, without Fee or Reward; and that all and every Person and Persons, Body or Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, to whom any such Assignment or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time personally, or by Attorney thereunto lawfully authorized, assign or transfer his, her, or their Right, Title, Interest, or Benefit to the said Principal and Interest Money thereby secured to any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, Aggregate or Sole whatsoever, by indorsing on the Back of such Security, before One credible Witness who shall subscribe his Name thereto, the following Words, or Words to the like Effect; (that is to say),

Assignment transferrable by Indorsement.

'I DO transfer this Assignment, with all my Right and Title to the Principal Money thereby secured, and to all the Interest Money now due, or hereafter to be due, unto *C. D.* his, her, or their Executors, Administrators, Successors, and Assigns.

'Dated this Day of

'Witness,

'*A. B.* *E. F.*'

Indorsement to be notified and entered.

Which Transfer shall, within Twelve Days after the Date thereof, be produced and notified to the said Clerk or Clerks, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sums of Money therein transferred in the said Book or Books to be kept for entering the said original Assignments; and after such Entry made, but not till then, every such Assignment shall entitle any such Assignee or Assignees, his, her, or their Executors, Administrators, Successors, and Assigns, to the Benefit thereof, and Payment thereon, and such Assignee or Assignees may assign the same again, and so *toties quoties*; and it shall not be in the Power of any such Person or Persons who shall have made any such Assignment to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof: Provided always nevertheless, that the said Dock Company may at all Times pay off and discharge all such Assignments, or any Part or Parts thereof, in Manner herein-after specified and set forth.

Interest on Money borrowed to be paid Half-yearly in Preference to the Dividends.

XXII. And be it further enacted, That the Interest of the Monies which shall be borrowed on Mortgage of the Rates or Duties as aforesaid, shall from the Time that the same or any Part thereof shall have been advanced, be paid Half-yearly to the several Parties entitled thereto, in Preference to any Interest or Dividends due or payable by virtue of this Act to the said Company, or any of the Proprietors of Stock, or any of them, and shall from Time to Time be fully paid and discharged or provided for before the yearly or other Interest or Dividends due to the said Company, or any of the Proprietors shall be paid.

XXIII. And

Rates for Six Years after passing of the Act to be applied in paying the Interest of Monies borrowed thereon.

XXIII. And be it further enacted, That for the Space or Term of Six Years to be computed from the Time fixed for paying in the First Call on the Subscription Shares as aforesaid, all and every the Sum and Sums of Money from Time to Time to be received for the Rates and Duties herein-after made payable, and all other Sum and Sums of Money which shall be received by the said Dock Company under and by virtue of this Act, shall be applied in paying, satisfying, and discharging the Interest of the Monies borrowed on Assignments of the said Rates; and after the said Works hereby authorized to be made shall be completed, and fit for the Reception of Ships and Vessels, then also in paying, satisfying, and discharging the necessary Charges and Expences of attending, maintaining, regulating, repairing, and preserving the Cuts, Canal, Dams, Locks, Bridges, Towing Paths, and other Works and Improvements which are or shall be made, done, or managed under and by virtue of the Powers and Authorities given and reserved to the said Dock Company in and by this Act, and that the Residue or Surplus of such Monies shall from Time to Time, during the said Term of Six Years, be paid and divided annually unto and between the several Proprietors of the Joint Stock or Fund aforesaid, rateably and in Proportion to the several Shares they shall respectively hold in the said Stock: Provided nevertheless, that no Dividend in any One Year during the said Six Years shall exceed the Rate of Four Pounds *per Centum* on the Sum or Sums actually paid on such Shares respectively; and that all Surplus Receipts, Profits, or Gains beyond such Dividends of Four Pounds *per Centum* shall be paid over by the said Dock Company from Time to Time to the Chamberlain of the Corporation of the City of *Bristol*, and the Treasurer of the Society of Merchant Venturers for the Time being, who is and are hereby authorized and empowered to lay out and invest the same in the Government Stocks or Funds, in the joint Names of the said Two Corporations, or to lend the same or any Part thereof to the said *Bristol* Dock Company, on Security of the said Rates and Duties as the General Meetings of the said Dock Company to be held as aforesaid shall direct and appoint.

No Dividend in any One Year during the said Six Years to exceed Four per Cent.

Interest of the Surplus Fund to be added to and invested with the Monies to be paid to the said Chamberlain and Treasurer, and to form Part of the Income of the said Company.

XXIV. And be it further enacted, That the Interest, Dividends, and Profits of the said Surplus Fund so as aforesaid paid to the said Chamberlain of *Bristol*, and Treasurer of the Society of Merchant Venturers for the Time being, shall, during the aforesaid Term of Six Years, be added to, accumulated with, and laid out and invested as herein before is directed touching the said Principal Monies so to be paid over to the said Chamberlain and Treasurer; and that from and after the Expiration of the said Term of Six Years, the Interest, Dividends, and Profits of the said Surplus Fund, and of the Addition thereto as last aforesaid, shall be added to and form Part of the Income of the said Dock Company.

Rates after Six Years to be divided annually among the Subscribers.

XXV. And be it further enacted, That, from and after the Expiration of Six Years to be computed from the Time fixed for paying in the first Call on the Subscription Shares as aforesaid, all and every the Sum and Sums of Money from Time to Time to be received for the Rates and Duties aforesaid, the Interest of the said Surplus Fund last mentioned, and all other Income and Monies to be received by the said Dock Company under and by virtue of this Act, shall, after paying and discharging thereout all Interest on Monies borrowed, the Charges and Expences of attending, maintaining, regulating, repairing, and preserving

ing the Cuts, Drains, Locks, Bridges, Towing Paths, Works, and other Improvements hereby authorized to be made, done, and managed, to be paid and divided annually unto and amongſt the ſeveral Subſcribers to the ſaid Joint Stock or Fund aforeſaid, rateably and in Proportion to their ſeveral Shares in the ſaid Stock; provided that no Dividend in One Year after the paſſing this Act ſhall exceed the Rate of Eight Pounds *per Centum*; and that all Surplus Profits, Income, and Gains, beyond ſuch Dividend of Eight Pounds *per Centum per Annum*, ſhall be by the ſaid Company annually laid out in the Purchaſe of Stock or Funds, or upon Government Securities, in the joint Names of the Mayor, Burgeſſes, and Commonalty of the ſaid City, and the Maſter, Wardens, and Commonalty of the ſaid Society of Merchant Venturers, and One Perſon to be for that Purpoſe from Time to Time appointed at a General Meeting of the ſaid Company, and the Intereſt, Dividends, and Profits ariſing therefrom, ſhall be annually received by the ſaid Company, and applied in Manner herein directed touching the other Income of the ſaid Company; and when and as often as the ſaid laſt mentioned Surplus or accumulated Fund ſhall amount in Value to One-tenth Part of the Money ſo as aforeſaid ſubſcribed for, and for which Calls ſhall be made on the ſaid Proprietors as aforeſaid, then the ſaid Company ſhall at their next or ſubſequent Meeting after ſuch Surplus ſhall amount as aforeſaid, appoint and fix a Time for the Diſcharge of One-tenth Part of each original Subſcription Share, at the Diſtance of Three Calendar Months at the leaſt, and within Six Calendar Months at the moſt from ſuch Meeting, which Time ſo to be appointed as aforeſaid for Diſcharge of One-tenth Part of each Subſcription Share, and the Place where the ſame is to be paid and received, ſhall be notified by Advertiſement in the *London Gazette* and in Two of the *Briſtol* Papers at the leaſt, and by Writing affixed in the Exchange and Council Houſe of *Briſtol* Two Calendar Months or more previous to the Time ſo fixed and appointed; and from and after the Time ſo as aforeſaid fixed and appointed for Payment and Diſcharge of any One-tenth Part of each original Subſcription Share, the Proprietors or Owners of Shares in the ſaid Joint Stock, ſhall receive Dividends in Manner aforeſaid on the Proportions from Time to Time remaining undiſcharged, only ſo and in ſuch Manner that no Dividend or Dividends ſhall exceed the Rate of Eight Pounds *per Centum per Annum* on the Sum or Subſcription Share which ſhall have been actually called for, and ſhall from Time to Time remain undiſcharged: Provided nevertheleſs, that the Holder or Holders of Shares of the ſaid Stock, which Shares originally amounted to One thouſand Pounds, or Five hundred Pounds reſpectively, ſhall, notwithſtanding any Part or Proportion, Parts or Proportions of ſuch Shares in the ſaid Stock ſhall have been paid and diſcharged under the Power herein-before contained, continue eligible to the Office of Director (in caſe ſuch original Share amounted to One thouſand Pounds), or if the ſame amounted to Five hundred Pounds, be entitled to vote at all the General Meetings of the ſaid Company, and act in all other Reſpects (except receiving Dividends only), in ſuch and the ſame Manner as if he, ſhe, or they was or were ſtill the Holder or Holders, Proprietor or Proprietors of Shares in the ſaid Joint Stock to the Amount of One thouſand Pounds, or Five hundred Pounds reſpectively.

No Dividend in any One Year to exceed 8 l. per Cent.

XXVI. And

After Payment of Subscription Shares, Surplus to be applied in discharging of the Monies borrowed on the Rates.

XXVI. And be it further enacted, That, from and after Payment and Discharge of all and every the Subscription Shares of and in the said Capital or Joint Stock, in Manner and by the Ways and Means before mentioned, the said Company shall accumulate and invest the Surplus Money, Profits, and Gains arising and to be received by them as aforesaid, after such Payments and Deductions are made thereout as hereinbefore mentioned, and apply the same when and as often as the same will amount thereto in Discharge of One-tenth Part or Proportion of all Sum and Sums of Money so as aforesaid to be borrowed on Security of the Rates and Duties hereby made payable, rateably and without any Preference or Priority of Payment, first giving and inserting such Notice and Advertisement of the Time and Place fixed and appointed for the Payment and Discharge thereof, as herein-before directed touching the Payment of the Proportions or Parts of the said Shares in the said Capital or Joint Stock; and so from Time to Time until the Whole of the said Sum borrowed upon Assignment of the said Rates and Duties shall be fully and wholly paid off and discharged.

After Payment of the Capital Stock and Money borrowed on the Rates, the Surplus to be laid out on Government Securities.

XXVII. And be it further enacted, That, from and after the Payment and Discharge of the Whole of the said Capital or Joint Stock, and also the Whole of the Sum and Sums of Money so as aforesaid to be borrowed on Security of the said Rates and Duties, the Sum and Sums of Money so as aforesaid directed to be invested on Security or Securities in the joint Names of the Mayor, Burgesses, and Commonalty of the said City of *Bristol*, and the Master, Wardens, and Commonalty of Merchant Venturers, shall be and the same is and are vested in the Mayor, Burgesses, and Commonalty of the said City of *Bristol*, and their Successors; and the Mayor, Aldermen, and Common Council of the said City are hereby authorized and required to lay out and invest such Sum and Sums of Money at Interest in the Government Stocks or Funds.

When the Money borrowed on the Rates is paid off, the Management to be vested in the Mayor, &c.

XXVIII. And it is hereby enacted and declared, That the Dividends and Profits from Time to Time to accrue thereon, shall be by the said Mayor, Aldermen, and Common Council applied in and towards paying and discharging, as far as the same will extend, the necessary Charges and Expences of maintaining, managing, regulating, repairing, and preserving the several Cuts, Canals, Drains, Dams, Bridges, Basons, Towing Paths, Works, and Improvements which are to be made, done, and managed in, by, or under and by virtue of this Act.

And after Payment of the Capital, the Powers of the Acts to be exercised by the Mayor, &c.

XXIX. And be it further enacted, That, from and after the Payment and Discharge of the said Capital or Joint Stock, and all Sum and Sums of Money borrowed on Security of the said Rates and Duties as aforesaid, all and every the Clauses, Powers, Authorities, and Provisions hereby given and contained for the Management and Conduct of the Works and Improvements aforesaid, shall remain and continue, and for ever thereafter shall be exercised and enjoyed by the said Mayor, Burgesses, and Commonalty, and their Successors, in as full and ample a Manner in all Respects as the same are hereby vested in, and can and may be exercised by the said Company, previous to such Payments as aforesaid.

Company empowered to make Canal and other Works.

XXX. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and required, by themselves or

or their Deputies, Agents, Workmen, and Servants, to make, complete, and maintain a Canal or Entrance Baſon in *Rownham Mead*, in that Part of the Pariſh of *Clifton* which lies in the City of *Briſtol*, to contain Six Acres at the leaſt, to be provided with Two Locks at the Weſtward End thereof, the Gates of One Lock to be Forty-five Feet wide, and of the other Thirty-three Feet wide, and the Threſholds of the Tails thereof to be laid at leaſt Three Feet below Low Water Mark at *Rownham Ferry*, ſuch Entrance Canal or Baſon to communicate by ſufficient Gates and Locks with the Floating Harbour, and alſo the Merchants Floating Dock, and the Gates and Locks to be ſo conſtructed as to exclude the Spring Tides, from communicating with the ſaid Floating Harbour, and alſo to retain the Water in the ſaid Canal, Entrance Baſon, and Merchants Floating Dock, whenever it ſhall be neceſſary to draw off the Water from the Floating Harbour; alſo to make, complete, and maintain a Dam and Overfall acroſs the River *Avon*, at or near the *Redcliff* in the Pariſh of *Bedminſter* in the County of *Somerſet*, to keep up the Water in the River *Avon* and *Froome* above the ſaid Dam to the Level of the Sixteen-feet Gauge Mark at the lower End of the Quay of *Briſtol*, ſuch Dam to be furniſhed with pointing Gates for the Purpoſe of excluding the Tide Water from the ſaid Floating Harbour, and permitting the Waſte Water to run down the Overfall, and to be alſo provided with Culverts, Sluices, and Ground Hatches, for the Purpoſe of ſcouring the Floating Harbour, and laying the ſame dry whenever neceſſary for the Purpoſe of Repairs, and for ſuddenly lowering and again raiſing the Water within the ſaid Harbour, and thereby breaking the Ice and paſſing the ſame over the ſaid Dam; and alſo to make, complete, and maintain a Dam acroſs the River *Avon* at *Temple Mead*, in the Pariſh of *Temple*, and County of the City of *Briſtol*, and another Dam and Overfall, with Gates and Sluices therein, acroſs the River *Avon* at or near the Engine Mills, between the Pariſhes of *Saint George*, in the ſaid County of *Glouceſter*, and *Briſlington* in the ſaid County of *Somerſet*; the ſame not to exceed the Height of the Sixteen Feet Level on the Quay Gauge Poſt aforeſaid; and alſo to make, complete, and maintain a new Courſe or Channel for the River *Avon* from or near *The Redcliff* aforeſaid, through Part of the Pariſh of *Bedminſter*, in the County of *Somerſet*, and through Part of the Pariſhes of *Saint Mary Redcliff* and *Temple*, in the ſaid City of *Briſtol*, into the River *Avon*, at or near the High Land called *Totterdown*, the ſame to be of equal Depth and Breadth at the Bottom, and with equal Inclination of the Sides, as the preſent River Courſe now has in thoſe Parts thereof, which have not been excavated or embanked by Quay Walls or other Buildings, or as near as Circumſtances will admit, and except only in ſuch Parts of the ſaid new Courſe as ſhall be cut through Rock or Stone; and alſo to make, complete, and maintain an Entrance Baſon with Locks and Gates, between the preſent Courſe of the River *Avon* and the ſaid intended Courſe or Channel at a Place called *Trim Mills*, partly in the Pariſh of *Saint Mary Redcliff* in the City of *Briſtol*, and partly in the Pariſh of *Bedminſter* in the County of *Somerſet*, the ſame to be ſo conſtructed as to admit Ships of the largeſt Burthen uſually frequenting the Port of *Briſtol*, and to exclude the Tides from the Floating Harbour; and alſo to make, complete, and maintain a Barge Lock near the ſaid intended Dam at *Totterdown*, at leaſt Seventeen Feet in Width, and One hundred and ſixty Feet in Length, for paſſing Boats, Barges, and other Veſſels to and from the Floating Harbour and new Courſe of the River, the ſame to be at leaſt One hundred Yards to the Weſtward of ſuch Dam;

Dam; and alſo Two other Locks at the Engine Mills, of the ſame Dimenſions, the one to lock down from the River at High Tides into the Canal or Feeder, and to be at leaſt One hundred Yards from the Mouth of the ſaid Feeder, and the other to lock down from the Canal or Feeder to the old River, the Tail of ſuch laſt mentioned Lock to be Two hundred Yards below the Dam acroſs the River there; and alſo to make, complete, and maintain, navigable and paſſable for Boats, Barges, and other Veſſels, a Canal or Cut at leaſt Fifty-four Feet wide at the Water Surface, and Thirty-four Feet wide at Six Feet Depth of Water, with a propet Towing Path on the South Side thereof from the River *Avon*, at or near a certain Place called *Avon Buildings* in the Pariſh of *Saint Philip* and *Jacob*, in the County of *Glouceſter*, into the ſaid River *Avon*, near the Braſs Works in the Pariſh of *Saint George*, in the ſame County, at leaſt Two hundred Yards above the intended Dam there, and to make or cut a proper Place in the Bank of the ſaid River there for the greater Safety and Facility of Barges entering the ſaid Cut; and alſo to make a proper Towing Path along the Floating Harbour, from ſuch Cut, and through *Temple Meads* to the Weſt End thereof, and a Towing Path Bridge to croſs the ſaid Canal or Cut at or near the Engine Mills aforeſaid, and to make and render the Towing Path from thence to *Hanham Mills*, as commodious and convenient as the ſame can poſſibly be made, ſo as to render the Navigation of Boats, Barges, and other Veſſels to and from *Hanham Mills* and *Briſtol*, as convenient and inexpenſive as by the preſent Tide Navigation, or as near thereto as Circumſtances will permit; and the ſaid Company are alſo directed and required to make, complete, and maintain ſuch other Woks and Improvements within the Limits after mentioned, as they the ſaid Company ſhall conſider neceſſary for, and which will completely anſwer and effect the Purpoſes aforeſaid.

Company authorized to erect Mills.

XXXI. Provided always, and be it further enacted, That nothing in this Act contained ſhall be conſtrued to prevent the ſaid Dock Company from erecting, building, or conſtructing ſuch and ſo many Mills at *Rownham Meads*, in the Pariſh of *Clifton* and City of *Briſtol* aforeſaid, as they ſhall think fit, or granting Power and Authority to any Perſon or Perſons whomſoever to uſe and employ any Part or Parts of the Waſte Water of the ſaid Floating Harbour for the Purpoſes of Mills, upon ſuch Terms and under ſuch Reſtrictions as they the ſaid Directors ſhall ſee fit and neceſſary; reſerving nevertheleſs in ſuch Grants the entire Controul of the Water of the ſaid Port, whenever neceſſary to ſcour the Harbour: Provided alſo, that nothing herein contained ſhall extend, or be conſtrued to extend to authorize the ſaid Dock Company to keep in their own Poſſeſſion, or work on their own Account, any of the Mills which ſhall be erected or built under the Authority of this Act.

Maps and Plans already left with the Clerk to be authenticated.

XXXII. And whereas Maps or Plans, deſcribing the Line of the ſaid intended new Courſe for the River *Avon*, and the intended Canal and Aqueduct, and other Works, and the Lands and Premiſes intended to be taken and uſed for the Execution thereof, together with a Book of Reference, containing a Liſt of the Owners or reputed Owners and Occupiers of ſuch Lands and Premiſes, have been depoſited in the Office of the Clerk of the Peace for the ſaid County of *Somerſet*, alſo at the Office of the Clerk of the Peace for the ſaid County of *Glouceſter*, and alſo at the Office of the Clerk of the Peace for the City and County of *Briſtol*;

Briſtol; be it therefore enacted, That the ſaid Maps and Plans and Books of Reference ſhall remain in the Cuſtody of the Clerks of the Peace aforeſaid, and all Perſons ſhall and may, at all ſeaſonable Times, have Liberty to inſpect and peruſe the ſame, and to make Copies thereof or Extracts therefrom at their free Will and Pleaſure, paying the ſaid Clerks of the Peace reſpectively the Sum of One Shilling for every ſuch Inſpection, and after the Rate of One Shilling for every Two hundred Words of ſuch Copies or Extracts of the ſaid Books of Reference; and that the ſaid Company ſhall and may have Power and Authority to vary the Line of the ſaid intended Courſe for the ſaid River *Avon*, Canal, Entrance Baſon, and other Works, ſo that they do not exceed or paſs the Limits or Boundaries of Lands and Premiſes by ſuch Maps and Plans and Books of Reference deſcribed and referred to, without the Conſent in Writing of the Perſon or Perſons whoſe Lands and Premiſes ſhall be wanted for ſuch Alteration or Variation: Provided always, that no Advantage ſhall be taken of or againſt the ſaid Company, or any Interruption be given to the making the intended Courſe of the River *Avon*, Docks, Baſon, and other Works, on account of any Error or Omiſſion in the ſaid Books of Reference, in caſe it ſhall appear to any Two or more Juſtices of the Peace acting in and for the City of *Briſtol*, and be certified by Writing under their Hands, that ſuch Error or Omiſſion proceeded from Miſtake.

Towing Paths to be made on the Side of the Avon.

XXXIII. And whereas it will be of great publick Convenience that Towing Paths ſhould be formed and maintained on the Sides of the ſaid River *Avon*: And whereas the greateſt Part of the Length of ſuch Towing Paths may be formed and laid out on or out of Waſte or Common Lands; be it therefore enacted, That it ſhall be lawful for the ſaid Company to form, lay out, make, and maintain a Towing Path or Towing Paths along or by the Sides of the ſaid River *Avon*, from *Chappel Pill* in the County of *Somerſet* and *Sea Mill Dock* in the County of *Glouceſter*, to *Trim Mill* and to the Quays aforeſaid, through, along, and over the Lands and Hereditaments mentioned and expreſſed in the Schedule hereunto annexed, or in the ſaid Books of Reference.

Limiting the Quantity of Lands to be taken for Wharfs, Towing Paths, &c.

XXXIV. And be it further enacted, That the Lands and Hereditaments to be taken or uſed for the ſaid intended Courſe of the ſaid River *Avon*, between the ſaid Places called *The Redcliff* and *Totterdown* aforeſaid, and for Wharfs, Roads, and Towing Paths thereto, and for Fences to ſeparate the ſame from the abjoining Lands, ſhall not exceed One hundred and ſixty Yards in Breadth, meaſured horizontally; the Lands taken or uſed for the ſaid Canal through the Pariſhes of *Saint George* and *Saint Philip* and *Jacob* in the County of *Glouceſter*, and for the Towing Paths, Ditches, Drains, and Fences to ſeparate the ſame from the adjoining Lands, ſhall not exceed Forty Yards in Breadth, meaſured horizontally, except in ſuch Places where it ſhall be judged neceſſary for Boats, Barges, and Veſſels to turn, lie, or paſs each other, or where any Wharf ſhall be made for landing or delivering of Coal, Lime, Lime Stone, Timber, or other Goods, Wares, and Merchandize; and the Lands taken or uſed for the ſaid Towing Paths, between the Mouths of the River *Avon* and the Place called *The Redcliff* aforeſaid, and for Ditches, Drains or Fences to ſeparate the ſame from the adjoining Lands, ſhall not exceed Ten Yards in Breadth.

XXXV. And

Power to supply Course of the River Avon and other Works with Water.

XXXV. And be it further enacted, That it shall be lawful to and for the said Company to supply the Canal, Entrance Bason, and other Works herein-before authorized to be made, and also the present Course of the *Avon* intended to be dammed up, with Water from the River *Avon*, and to make and complete such and so many Soughs, Tunnels, Culverts, Feeders, Aqueducts, and Channels for Water Wheels and Steam Engines for supplying the same with Water, and at such Place or Places as the said Company shall deem and consider necessary or proper; and also to bore, dig, cut, trench, sough, remove, take, and carry away Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel, or any other Matter or Thing which may be dug or got in making the said new Dock, Bason, and Works, or in making any Feeders or Aqueducts, or out of the said Lands of any Person or Persons adjoining or lying convenient thereto, and which may be proper for making, carrying, or continuing, maintaining, or repairing the said Works, or which may hinder, prevent, or obstruct the making, using, or completing, extending, or maintaining any such Trenches, Aqueducts, or Watercourses as aforesaid; and to make, build, erect, and set up, in or upon the said Works, or upon the Lands adjoining or near the same, such and so many Piers, Tunnels, Culverts, Aqueducts, Sluices, Locks, Flood Gates, Weirs, Penns, Water Stanks, Dams, Wharfs on the Canal, Toll Houses, Watch Houses, Landing Places, Weighing Beams, Cranes, Engines, inclined Planes, and other Works, Ways, Roads, and Conveniencies, and such other Buildings, Machines, Works, requisite Matters and Things, and in such Place and Places as the said Dock Company shall consider necessary and convenient for the Purpose of the said Undertaking; and also from Time to Time to alter, repair, and amend, or discontinue or new make the same, or any of them; and also to place, lay, work, or manufacture the Materials to be used in the said Works, on the Grounds near to the Place or Places where the said Works, or any of them, shall be, or are intended to be made, erected, repaired, or done, and to make Bricks (for the Use only of the said Company in the making, completing, and repairing any of the said Works, and not for Sale), upon any Part of the Ground to be purchased by the said Company as herein mentioned; and to do all other Matters and Things which they the said Dock Company shall think convenient and necessary for the complete Execution of the Works so to be made in pursuance of and according to the true Intent and Meaning of this Act, they the said Company, their Deputies, Servants, and Workmen doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making Satisfaction to the Owners and Proprietors of, and all Persons, Bodies Politick, Corporate, or Collegiate interested in the Lands, Tenements, or Hereditaments which shall be taken, used, injured, or prejudiced for all Damages which may be by them sustained in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to the Provisoes and Restrictions herein contained.

Power to make other Works, &c.

XXXVI. And, to the Intent that the said intended Course of the said River, Canal, and other Works to be made, may be carried on and maintained with as little Damage to private Property as possible; be it further

further enacted, That the ſaid Directors ſhall and they are hereby authorized and empowered from Time to Time, and at all Times hereafter, with Monies to be received by the ſaid Company under and by virtue of this Act, to make or cauſe to be made ſuch Arches, Tunnels, Culverts, Drains, and other Paſſages, and lay down ſuch Pipes, over, under, or by the Side of or into the new Courſe of the *Avon*, or any Part of the old Courſe of the ſaid River, or into any or either of the Works hereby authorized to be made, of ſuch Depth, Breadth, or Dimenſions, as ſhall be ſufficient at all Times to convey the Water clear from the Lands, Tenements, or Hereditaments adjoining or lying near to the ſaid Works hereby authorized to be made, or in which the Water ſhall be dammed up as aforeſaid; and alſo from the Dry Docks adjoining ſuch Works, without obſtructing or impeding the ſame, and likewiſe to make or cauſe to be made any Back Drain or Back Drains which may be neceſſary, and ſhall be ſufficient to carry off any Water which may ooze or paſs through any Part of the Banks of the ſaid new Courſe for the River, Canal, and Wharfs, to the Prejudice of any of the Lands, Grounds, Houſes, and Premiſes adjoining or contiguous thereto, making Satisfaction for the Lands taken or uſed for making ſuch Back Drain or Back Drains; and alſo to divide and ſeparate the Towing Paths ſo hereby authorized to be formed and made from the adjoining Lands and Premiſes (if required ſo to do by the Owners or Proprietors of ſuch adjoining Lands and Premiſes, but not otherwiſe), in a good and effectual Manner, with proper and ſufficient Gates, Drop Gates, and Stiles acroſs and over the Hedges, Ditches, and Fences of ſuch Towing Paths, and that all ſuch Arches, Bridges, Tunnels, Culverts, Drains, Paſſages, and Pipes, Towing Paths, and Fences, ſhall from Time to Time be ſupported, maintained, ſcoured, and kept in good and ſufficient Repair by the ſaid Directors; and if at any Time or Times after One Calendar Month's Notice in Writing ſhall have been given to or left for the Clerk, or ſome known Agent of the ſaid Company, by or on Behalf of any Owners or Occupiers of Lands, Tenements, Docks, or Hereditaments adjoining, or near adjoining the ſaid Works, or any of them, that the Arches, Tunnels, Culverts, Drains, Pipes, or Paſſages, Towing Paths, or Fences, or any of them, are not or is not made, cleanſed, and repaired, according to the true Intent and Meaning of this Act, and the ſame ſhall not be forthwith made, cleanſed, and deepened accordingly, it ſhall be lawful for any Perſon or Perſons to appeal to or apply for an Order in Writing from any Two or more of His Majeſty's Juſtices of the Peace for the County or City wherein the Premiſes reſpecting which ſuch Neglect or Offence ſhall have been committed, were ſituated previous to the paſſing of this Act, (who are hereby authorized to give ſuch Order from Time to Time, and as often as there ſhall be Occaſion), enabling ſuch Perſon or Perſons to make, cleanſe, and repair ſuch Arches, Tunnels, Culverts, Drains, Pipes, and other Paſſages accordingly, and the reaſonable Expences thereof ſhall be defrayed by the ſaid Company with Money to ariſe by virtue of this Act; and in caſe of Refuſal or Neglect to ſatisfy and defray ſuch Expences for the Space of Thirty Days after the Demand thereof made upon the ſaid Company or their Clerk, or ſome known Agent, in Writing, ſuch Expences ſhall and may be aſcertained by Two or more of the ſaid Juſtices by Adjudication under their Hands, or the ſame ſhall and may be recovered and levied in ſuch Manner as any other Money is by this Act directed to be recovered from the ſaid Company.

XXXVII. And

Company empowered to make Sewer in Bread Street and alter other Sewers.

XXXVII. And be it further enacted, That it ſhall and may be lawful for the ſaid Directors, at the Charge of the ſaid Company, and they are hereby authorized and required to form and complete a Common Sewer from a certain Place called *Caſtle Pill*, through *Bread Street* and *Avon Street*, or the Streets and Lands adjoining or near adjoining thereto, into the River *Avon*, above the ſaid intended Dam at *Temple Meads*, and alſo to form and complete Collateral Sewers leading thereto, and to alter the preſent Sewers of the ſaid City, ſo and in ſuch Manner that the greater Part of the Sewage now diſcharged into the River *Avon* above *Briſtol Bridge*, may be carried off, and not permitted to mix with the Water in the Floating Harbour; and alſo to alter and reconſtruct all or any the Sewers of the ſaid City at the Mouths thereof, ſo and in ſuch Manner that the Sewers may be diſcharged conſiderably under the Surface of the Water in the ſaid Floating Harbour; and alſo to make ſuch other Alterations and Amendments in the Sewers of the ſaid City as may or ſhall be neceſſary in conſequence of the floating of the ſaid Harbour.

For ſecuring the Supply of Water to certain Pariſhes.

XXXVIII. And whereas the new Courſe of the River *Avon* will interſect the Pipes that convey Water to the ſeveral Pariſhes of *Saint Thomas Temple* and *Saint Mary Redcliff* in the ſaid City of *Briſtol*; be it therefore enacted, That the ſaid Directors ſhall at the Charges of the ſaid Company, place and lay good and ſufficient Pipes under the Bed of the ſaid River, or over the ſaid Bridges to be made acroſs the ſame, to communicate with the preſent Pipes, and in every Reſpect ſufficient for conveying Water to the ſaid Pariſhes of *Saint Thomas Temple* and *Saint Mary Redcliff* reſpectively, in as ample a Manner as the ſaid Pariſhes are now ſupplied.

For deepening the Harbour.

XXXIX. And be it further enacted, That it ſhall and may be lawful for the ſaid Company, and they are hereby authorized and required by their Deputies, Agents, Workmen, and Servants, to lower and deepen the preſent Beds of the Rivers *Avon* and *Froome* in ſuch Part or Parts thereof as ſhall or may be neceſſary for the Accommodation of the Trade of the ſaid Port of *Briſtol*; and ſo and in ſuch Manner as to afford a Depth of Twenty-one Feet of Water at the leaſt, in a ſufficient Number of Births, for the Accomodation of large Shipping frequenting the ſaid Port.

Power to build Stone, Iron, and Drawbridges.

XL. And whereas it will be neceſſary and expedient for the Convenience and Accommodation of the Publick, to make and build Stone or Iron Bridges over the intended Courſe of the *Avon*, where the ſame will divide the Roads called *The Bath and Bridgewater Roads*, and alſo to build and make Drawbridges or Swivel Bridges over the Canal, Cuts, or Entrances to be made by virtue of this Act for Carriages, Horſes, and Paſſengers, and to level, raiſe, or lower the Roads, Grounds, or Avenues, or open new Roads or Avenues leading thereto; be it therefore further enacted, That it ſhall be lawful for the ſaid Directors, and they are hereby required to make and build ſuch good and ſubſtantial Stone or Iron Bridges over the intended Courſe of the *Avon*, where the ſame croſſes the *Bath* and *Bridgewater* Roads, and alſo Drawbridges and Swivel Bridges for Carriages and Paſſengers, at ſuch Places as they ſhall deem neceſſary, and for ever to keep the ſame in good and ſubſtantial Repair (except Bridges acroſs the Floating Harbour, or either of the Entrances thereto, which

which the ſaid Company and their Succeſſors are hereby authorized to alter, vary, or remove from Time to Time at their Diſcretion); and to raiſe, level, or ſink the Ground, Roads, or Avenues, or make new Roads or Avenues adjoining or leading to the Bridges and Works hereby authorized to be made, and to fence the ſame in with Rails, Poſts, and Banks, where neceſſary; and the ſaid Company and their Succeſſors ſhall be liable to be indicted for not making and keeping at all Times in ſubſtantial Repair the ſaid Stone or Iron Bridges, Drawbridges, and Swivel Bridges, (except as aforeſaid), ſo to be made and maintained, and ſhall be further liable to pay the Coſts of every ſuch Proſecution, if upon Conviction at Law it ſhall be proved upon Oath, that there ſhall have been a Requiſition in Writing, (by any Perſon or Perſons intereſted), for ſuch Repairs Thirty Days previous to the Commencement of ſuch Proſecution.

Power to purchaſe Land, and to treat for ſame.

XLI. And be it further enacted, That the ſaid Directors, or any Five or more of them, ſhall have full Power and Authority, and they are hereby authorized and empowered for the Purpoſe in this Act mentioned, to contract and agree, and employ any Perſon or Perſons to contract and agree with the Owner or Owners, Occupier or Occupiers of all ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, of what Nature or Kind ſoever, as are mentioned and referred to or contained in the ſaid Plans and Books of Reference left with the Clerks of the Peace for the ſaid Counties of *Somerſet*, *Glouceſter*, and with the Clerk of the Peace for the ſaid City of *Briſtol*, as herein-before mentioned, for the Purchaſe of ſuch Part or Parts thereof as ſhall be neceſſary or expedient to purchaſe, alter, or make uſe of in and about the ſaid new Courſe for the River *Avon*, the ſaid intended Canal, Entrance Baſon, Locks and Works, Wharfs and Quays, and Roads; or any other Works relating thereto and authorized by this Act; and alſo for the Purchaſe of ſuch Part or Parts of all or any the Lands and Hereditaments mentioned and expreſſed in the ſaid Schedule, as ſhall be neceſſary or expedient to be made uſe of for making or forming any Towing Paths authorized to be made and formed by this Act on the Sides of either the new or old Courſe of the River *Avon*, and for Drains and Fences to ſeparate the ſame from the adjoining Lands.

Limiting the Power of purchaſing to Seven Years.

XLII. Provided always, and be it further enacted, That if the ſaid Company ſhall not within the Space of Seven Years after the paſſing of this Act, agree (or cauſe to be valued as herein-after is mentioned), and purchaſe the Houſes, Buildings, Lands, Tenements, and Hereditaments which they are hereby empowered to purchaſe as aforeſaid, then and from thenceforth the Powers to them hereby granted for ſuch Purpoſe only ſhall ceaſe, determine, and be utterly void and of no Effect; any Thing herein contained to the contrary notwithſtanding.

Enabling Corporate Bodies and incapacitated Perſons to ſell.

XLIII. And be it further enacted, That it ſhall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or others having a partial or qualified Intereſt or Eſtate in any Houſes, Buildings, Lands, Tenements, or Hereditaments, Huſbands, Femes Covert, Guardians, Truſtees, and Feoffees in Truſt for Charities or other Purpoſes, Committees, Executors, or Adminiſtrators, and all other Perſons whomſoever, not only on Behalf of themſelves

and

and their reſpective Heirs, Executors, Adminiſtrators, and Succeſſors; but alſo on Behalf of the Perſons entitled in Reverſion or Remainder expectant or an Eſtate for Life, or other leſs Eſtate, or by way of Executory Deviſe in caſe ſuch Perſons ſhall be incapacitated or decline to treat, and on Behalf of their Wives and *Ceſtui que* Truſts, whether Infants, Iſſue unborn, Lunaticks, Idiots, Femes Covert, or others, and for all and every other Perſon or Perſons whomſoever who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, to treat and agree with the ſaid Directors, or any Five or more of them as aforeſaid, for the abſolute Sale of, and to ſell and convey to them by Feoffment, Leaſe and Releaſe, or Bargain and Sale, or by Deed, indented and enrolled in any of His Majeſty's Courts of Record at *Weſtminſter*, for ſuch valuable Conſideration as ſhall be *bonâ fide* agreed upon for ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, as ſhall be adjudged neceſſary or convenient for the Purpoſes aforeſaid; and that all Contracts, Agreements, Sales, and Conveyances which ſhall be *bonâ fide* made for the Purpoſe aforeſaid, ſhall be good, valid, and effectual in the Law, to all Intents and Purpoſes, any Thing to the contrary thereof in anywiſe notwithſtanding; ſuch Contracts, Agreements, Sales, and Conveyances to be at the Expence of the ſaid Company.

When Parties refuſe or are unable to ſell, *etc.* Directors to iſſue a Precept for impannelling a Jury.

XLIV. And be it further enacted, That if any Body or Bodies Politick, or Corporate or Collegiate, or any other Perſon or Perſons ſeiſed or poſſeſſed of or intereſted in any ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments as aforeſaid, ſhall refuſe to treat or agree, or ſhall not agree, or by reaſon of Abſence or Diſability cannot agree with the ſaid Directors, or with any Perſon or Perſons authorized by them, for the Sale and Conveyance of their reſpective Eſtates and Intereſts therein, or cannot be found or known, or ſhall not produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Directors, or of the Perſon or Perſons ſo authorized by them, then and in every ſuch Caſe it ſhall be lawful for the ſaid Directors, or any Five or more of them, and they are hereby required to iſſue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff or Sheriffs of the County or City wherein the Premiſes ſhall, previous to the paſſing this Act reſpectively lie or be, who is hereby authorized, directed, and required accordingly to impannel, ſummon, and return a competent Number of ſubſtantial and diſintereſted Perſons qualified to ſerve on Juries, not leſs than Forty-eight or more than Seventy-two, and out of ſuch Perſons ſo to be ſummoned, impannelled, and returned, a Jury of Twelve Men ſhall be drawn by ſome Perſon to be by the ſaid Directors appointed, in ſuch Manner as Juries for the Trial of Iſſues joined in His Majeſty's Courts at *Weſtminſter*, are by an Act made in the Third Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for the better Regulation of Juries*, directed to be drawn, which Perſons ſo to be ſummoned, impannelled, and returned as aforeſaid, are hereby required to come and appear before the Juſtices of the County, City, and County or Diviſion wherein the Premiſes ſhall lie or be, before the paſſing of this Act, at ſome Court of General Quarter Seſſions of the Peace to be holden in and for the ſame County, or City and County, or at ſome Adjournment thereof, as in ſuch Warrant or Warrants, Precept or Precepts ſhall be directed and appointed, and

Juries to be drawn as the Act 3 Geo. 3. directs.

to

to attend ſuch Court of General or Quarter Seſſions from Day to Day until diſcharged by the ſaid Court; and all Perſons concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at Liberty to challenge the Array; and the ſaid Juſtices are hereby authorized and empowered, by Precept or Precepts from Time to Time as Occaſion ſhall require, to call before them all and every Perſon and Perſons whomſoever, who ſhall be thought proper and neceſſary to be examined as a Witneſs or Witneſſes, on his or their Oath or Oaths, touching or concerning the Premiſes; and the ſaid Juſtices if they think fit, ſhall and may, on the Application of either Party, likewiſe authorize the ſaid Jury to view the Place or Places, or Premiſes in queſtion, in ſuch Manner as they ſhall direct; and the ſaid Juſtices ſhall have full Power to adjourn ſuch Court from Day to Day as Occaſion ſhall require, and to command ſuch Jury, Witneſſes, and Parties to attend; until all ſuch Affairs for which they are ſummoned ſhall be concluded; and the ſaid Jury upon their Oaths (which Oaths, as alſo the Oaths of ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Juſtices are hereby empowered and required to adminiſter), ſhall enquire of the Value of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, and of the proportionable Value of the reſpective Eſtates and Intereſts of all and every Perſon and Perſons ſeiſed or poſſeſſed thereof or intereſted therein, or of or in any Part or Parts thereof, and ſhall aſſeſs or award the Sum or Sums of Money to be paid to ſuch Perſon or Perſons, Party or Parties reſpectively, for the Purchaſe of ſuch Houſes, Lands, Buildings, and Hereditaments, or of ſuch reſpective Eſtates and Intereſts therein, and alſo for Improvement, or any other Damage that may affect any ſuch Perſon or Perſons, Party or Parties, either as Leaſeholder or Tenant at Will, provided no ſuch Improvements or Damages ſhall be eſtimated according to any Advantage or Increaſe of Value or Amount, by reaſon of any of the Works authorized by this Act being in Contemplation, but ſolely according to the Value and Amount that would have been fairly eſtimated thereon, if the Works authorized by this Act had not been in Contemplation; and the ſaid Juſtices ſhall and may give Judgement for ſuch Sum or Sums of Money ſo to be aſſeſſed by ſuch Verdict or Verdicts; and the Judgement or Judgements, Determination or Determinations thereupon, (Notice in Writing being given to the Perſon or Perſons intereſted, or claiming ſo to be, at leaſt Fourteen Days before the Time of the Meeting of the ſaid Juſtices and Jury as aforeſaid, by leaving ſuch Notice at the Dwelling Houſe of ſuch Perſon or Perſons, or at his, her, or their laſt uſual Place or Places of Abode, or with ſome Tenant or Occupier of the Premiſes reſpectively intended to be valued), ſhall be binding and concluſive to all Intents and Purpoſes whatſoever againſt all Bodies Politick, Corporate, and Collegiate, and all and every Perſon or Perſons claiming any Eſtate, Right, Title, Uſe, or Intereſt, in, to, or out of ſuch Houſes, Buildings, Lands, Hereditaments, and Premiſes, in Poſſeſſion, Reverſion, Remainder, or Expectancy, as well Infants and Iſſue unborn, Lunaticks, Idiots, and Femes Covert, and Perſons under any other legal Incapacity or Diſability, and all other *Ceſtuique* Truſts, their, his, and her Heirs, Executors, Succeſſors, and Adminiſtrators, and againſt all other Perſons whomſoever; and the ſaid Verdicts, Judgements, and Determinations, and all other Proceedings of the ſaid Juſtice and Juſtices ſo to be made, given, and pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned by

Jurymen may be challenged.

Juſtices on the Application of either Party may direct or view.

Jury to aſſeſs the Value on Oath.

Verdict of Jury to be final; previous Notice being given to the Parties intereſted.

by the proper Officer in the County or City wherein the Premiſes ſhall reſpectively lie or be, previous to the paſſing of this Act; and in caſe it ſhall ſo happen that the Sum or Sums of Money ſo to be aſſeſſed and awarded in conſequence of ſuch Refuſal to treat or agree as aforeſaid, as the Value of ſuch Houſes, Buildings, Lands and Hereditaments, or as ſuch proportionable Value as aforeſaid, and as the Recompence and Satisfaction to be made for the Injury or Damage ſuſtained as before mentioned reſpectively, ſhall not exceed the Sum or Sums of Money which the ſaid Directors, or any Perſon or Perſons authorized by them, ſhall have previouſly offered to pay as and for ſuch Recompence, Value, and Satisfaction, then and in every ſuch Caſe all the reaſonable Coſts, Charges, and Expences of cauſing and procuring ſuch Value and Recompence to be aſſeſſed and awarded as aforeſaid, ſhall be borne and paid by the Body or Bodies Politick, Corporate, or Collegiate, or other Perſon or Perſons ſo ſeiſed or poſſeſſed of or intereſted in ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, and ſo refuſing to treat or agree as before mentioned reſpectively; and the ſaid Directors are hereby authorized and empowered to deduct and retain the Coſts, Charges, and Expences out of the Sum or Sums of Money ſo to be aſſeſſed or awarded as aforeſaid, or out of any Part thereof.

If the Sum aſſeſſed ſhall exceed the Sum offered, the Coſts of ſuch Aſſeſſment to be paid by the Perſon going to the Jury.

XLV. And be it further enacted, That in every Caſe in which the Sum awarded as the Recompence and Satisfaction as laſt aforeſaid, ſhall exceed the Sum which ſhall have been previouſly offered as and for ſuch Recompence, Value, and Satisfaction, all the reaſonable Coſts, Charges, and Expences of cauſing and procuring ſuch Value, Recompence, and Satisfaction to be aſſeſſed and awarded as aforeſaid, ſhall be borne by the ſaid Dock Company, and ſhall be added to and paid with the Sum ſo aſſeſſed and awarded as aforeſaid.

Company to pay the Expences of valuing Premiſes.

XLVI. And be it further enacted, That the ſaid Juſtices ſhall have Power from Time to Time to impoſe any reaſonable Fine not exceeding the Sum of Ten Pounds on ſuch Sheriff or Sheriffs, or his Deputy or Deputies, Bailiffs or Agents reſpectively, making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on any ſuch Jury or Juries, and ſhall not appear, or appearing ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſworn ſhall not give his or their Verdict; and alſo on any Perſon or Perſons who ſhall be ſummoned to give Evidence touching any of the Matters aforeſaid, and ſhall not attend, or attending ſhall refuſe to be ſworn or to affirm, or who ſhall refuſe to give his, her, or their Evidence, and on any other Perſon or Perſons who ſhall in any Manner wilfully neglect his, her, or their Duty in the Premiſes, contrary to the true Intent and Meaning of this Act, and from Time to Time to levy ſuch Fine or Fines, by Order of the ſaid Juſtices, by Diſtreſs and Sale of the Offender's Goods and Chattels, together with the reaſonable Charges of ſuch Diſtreſs and Sale, returning the Overplus (if any), upon Demand, to the Owner or Owners, and that a Copy of the Order of the ſaid Juſtices, ſigned by a proper Officer of the ſaid County or City and County, wherein the Premiſes ſhall lie or be, as the Caſe ſhall require, ſhall reſpectively be ſufficient Authority to the Perſon or Perſons therein to be appointed, and to every other Perſon acting, aiding, or aſſiſting therein, to make ſuch Diſtreſs and Sale, and all ſuch Fines ſhall be paid to the Treaſurer of the ſaid

Juſtices at Quarter Seſſions empowered to impoſe Fines for Non-attendance, &c.

Company for the Time being, to be applied to the Purpoſes of this Act.

Money allowed for Lands, &c. purchaſed, how to be charged and indemnified.

XLVII. And be it further enacted, That upon Payment of any ſuch Sum or Sums of Money ſo agreed or aſſeſſed to the Party or Parties to whom the ſame ſhall be ſo awarded, or on Tender thereof made at his, her, or their Dwelling Houſe, or if he, ſhe, or they ſhall have no Dwelling Houſe, then at the Houſe of ſome Tenant or Occupier of ſome Lands or Tenements of ſuch Party or Parties near the ſaid intended Works, he, ſhe, or they ſhall execute a Conveyance or Conveyances of the Premiſes which ſhall be ſo purchaſed to the ſaid Directors, or any Five or more of them, for the Purpoſes of this Act; and in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be awarded as aforeſaid, ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Directors, 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 awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments be not known or diſcovered, then and in every ſuch Caſe as aforeſaid, it ſhall be lawful for the ſaid Directors, or any Five or more of them, to order the ſaid Sum or Sums of Money aſſeſſed and awarded for any Purchaſe Money, or in Recompence for any Damage as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery, which ſaid Court of Chancery, upon 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 Publick Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtates, Title, or Intereſt of the Perſon or Perſons making Claim thereto, and to make ſuch Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England* who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for the ſame, 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 aforeſaid.

In caſe of not making out Titles, &c. Purchaſe Money to be paid into the Bank.

Caſhier to give a Receipt for the Money.

Eſtates purchaſed to veſt abſolutely in the Company.

XLVIII. And be it further enacted, That immediately after paying ſuch Purchaſe Money into the Bank as aforeſaid, the ſaid Houſes, Buildings, Lands, Tenements, and Hereditaments in reſpect whereof the ſame ſhall have been ſo paid, ſhall veſt in the Directors of the ſaid Company in Manner and for the Purpoſes aforeſaid, who ſhall be deemed in Law to be in the actual Poſſeſſion thereof to all Intents and Purpoſes whatſoever, freed and diſcharged from all former and other Eſtates, Rights, Titles, Intereſts, Claims, and Demands whatſoever.

XLIX. And

Application of Compenſation Money for Lands belonging to incapacitated Perſons where exceeding 200l.

XLIX. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Houſes, Buildings, Lands, Tenements, or 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, Lunatick, or Perſon or Perſons under any other Diſability or Incapacity, 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 *Briſtol* Dock Company, together with the Names of ſuch Perſon or Perſons as Five or more of the ſaid Directors ſhall by Writing, ſigned by them, direct and 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 Houſes, Buildings, Lands, Tenements, or Hereditaments, in the Purchaſe of 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 Houſes, Buildings, Lands, Tenements, or Hereditaments, ſtanding ſettled to the ſame or the like Uſes, Intents, and Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the Direction and Approbation of the ſaid Court, in the Purchaſe of other Houſes, Buildings, 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 Houſes, Buildings, Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the ſaid Court upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three *per Centum* Conſolidated or Three *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities, ſhall from Time to 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 Houſes, Buildings, Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation Money does not exceed 200l.

L. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Houſes, Buildings, Lands, Tenements, or Hereditaments, or for any other Matter, Right, or Intereſt, of what Nature or Kind ſoever, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed 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 Hereditaments

Application of Compensation Money for Lands belonging to Incapacitated Persons where exceeding 500*l.*

reditaments and Premiſes, ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands be paid into the Bank in the Name and with the Privity of the ſaid Accountant General, 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 to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Directors (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money, and the Dividends ariſing therefrom, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20*l.*

LII. Provided always, 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 Hereditaments and Premiſes ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner, as the ſaid Directors, 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, to or for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

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

LII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or any Eſtate, Right, or Intereſt, in any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of this Act, 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 have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under 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 Court; and the Dividends and Intereſt of the ſaid 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.

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

LIII. Provided always, and be it further enacted, That where, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Houſes, Buildings, 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

applied in the Purchase of other Houses, Buildings, 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 Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Persons having any Right to enter their Claims within a limited Time.

LIV. And be it further enacted, That all and every Person and Persons whosoever having or claiming any Right, Title, Interest, Use, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, or out of any Houses, Buildings, Lands, Tenements, or Hereditaments, which by virtue and for the Purposes of this Act shall be purchased by and conveyed or mentioned, or intended to be conveyed to the said Directors, or any Five or more of them, or any Person or Persons in Trust for them, by any such Bargain and Sale as aforesaid, shall within the Space of Seven Years, to be computed from the Date of the Inrolment of such Bargain and Sale, enter a Memorandum of such their Right, Title, Interest, Use, Property, Claim, and Demand, in a Book to be for that Purpose kept by the Clerk or Clerks of the Peace for the County or Counties in which the said Premises shall be situated, which Book such Clerk or Clerks of the Peace is and are hereby required to prepare and keep accordingly, and for which Entry he or they shall be entitled to the same Fee as he or they are entitled unto for entering other Memorials of the same Number of Words; and all and every Person and Persons whomsoever not entering such Right, Claim, or Demand, within such Time and in such Manner as aforesaid, or having entered the same and not prosecuted such their Right, Claim, or Demand, with Effect, within the Space of Seven Years, to be computed from the Time of such Entry, shall be for ever barred of all Right, Title, Use, Equity, Property, Claim, and Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, upon, or out of the said Premises, and every Part thereof; and the said Directors, or any Five or more of them, or the said Company, and those claiming by, from, or under them, shall be quieted in the Possession of all such Houses, Buildings, Lands, Tenements, and Hereditaments, any Law, Statute, Usage, Matter, or Thing whatsoever to the contrary notwithstanding.

But may recover the Purchase Money and Interest from Persons receiving the same.

LV. Provided nevertheless, and be it further enacted, That any Person or Persons barred of any Right, Title, Estate, Interest, Claim, or Demand, whatsoever, in, to, or out of the said Houses, Buildings, Lands, Tenements, or Hereditaments, by virtue of this Act, shall be at Liberty to bring any Action or Actions of Debt, or for Money had or received to his, her, or their Use, or when necessary, to file any Bill in Equity against any Person or Persons, or the legal Representatives or Representative of any Person or Persons who shall have received all or any Part of the Purchase Money arising from such Sale of the Houses, Buildings, Lands, Tenements, or Hereditaments aforesaid; and that in every such Case the respective Plaintiffs, on such Proof of Title as would have enabled them to recover such Houses, Buildings, Lands, Tenements, or

Hereditaments, or any Part thereof, or any Eſtate or Intereſt in the ſame, ſhall recover the ſaid Purchaſe Money, or ſo much thereof as ſhall be equivalent to the Intereſt in the ſaid Premiſes, together with ſuch Intereſt as ſhall be equivalent to the Meſne Profits of the ſaid Premiſes, which they would have been entitled to have recovered in caſe this Act had not been made.

Tenants at Will to deliver Poſſeſſion on Three Months Notice.

LVI. And be it further enacted, That every Tenant at Will, or Leſſee for a Year, or any other Perſon or Perſons in Poſſeſſion of any ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments, or any Part thereof, which ſhall be purchaſed by virtue of this Act, and who ſhall have no greater Intereſt in the ſaid Lands and Premiſes than as Tenant at Will, or Leſſee for a Year, or from Year to Year, ſhall deliver up the Poſſeſſion of ſuch Premiſes to the ſaid Directors, or any Five or more of them, or to ſuch Perſon or Perſons as the ſaid Directors, or any Five or more of them, ſhall appoint to take Poſſeſſion of the ſame, having Three Calendar Months Notice to quit ſuch Poſſeſſion from the ſaid Directors, or any Five or more of them, or from the Perſon or Perſons authorized by them; and ſuch Perſon or Perſons ſhall at the End of the ſaid Three Calendar Months, (whether ſuch Notice be given with Reference to the Time or Times of ſuch Tenants holding or not) or ſo ſoon after as he, ſhe, or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Directors, or any Five or more of them, or to the Perſon or Perſons authorized to take Poſſeſſion thereof; and that in caſe any ſuch Perſon or Perſons ſo in Poſſeſſion as aforeſaid ſhall refuſe to give ſuch Poſſeſſion as aforeſaid, it ſhall be lawful for the ſaid Directors to iſſue their Precept or Precepts to the Sheriff or Sheriffs of the County or City wherein the ſaid Premiſes ſhall or may be ſituated, to deliver Poſſeſſion of the ſaid Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Sheriff or Sheriffs is and are hereby required to deliver ſuch Poſſeſſion accordingly, and to levy ſuch Coſts as ſhall accrue from the iſſuing and Execution of ſuch Precept or Precepts on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods.

Mortgagees on Tender of Principal and Intereſt to convey.

LVII. And be it further enacted, That all and every Perſon and Perſons who ſhall have any Mortgage or Mortgages on ſuch Houſes, Buildings, Lands, and Hereditaments, not being in Poſſeſſion thereof by virtue of ſuch Mortgage or Mortgages, ſhall, on Tender of the Principal Money and Intereſt due thereon, together with the Amount of Three Calendar Months Intereſt on the ſaid Principal, by the ſaid Directors, or any Five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint, immediately convey, aſſign, and transfer ſuch Mortgage or Mortgages to the ſaid Directors, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint; or in caſe ſuch Mortgagee or Mortgagees ſhall have Notice in Writing from the ſaid Directors, or any Five or more of them, or from ſuch Perſon or Perſons as they ſhall appoint, that they will pay and diſcharge the ſaid Principal Money and Intereſt which ſhall be due on the ſaid Mortgage or Mortgages, at the End or Expiration of Five Calendar Months, to be computed from the Day of giving ſuch Notice, that then at the End of the ſaid Three Calendar Months,

on

on Payment of the Principal and Intereſt ſo due, ſuch Mortgagee or Mortgagees ſhall convey, aſſign and transfer his, her, or their Intereſt in the ſaid Premiſes to the ſaid Directors, or any Five or more of them, or to ſuch Perſon or Perſons as ſhall be appointed in Truſt for them; and in caſe ſuch Mortgagee or Mortgagees ſhall refuſe to convey and aſſign as aforeſaid on ſuch Tender or Payment, that then all Intereſt on every ſuch Mortgage ſhall from thenceforth ceaſe and determine.

On Refuſal, Intereſt to ceaſe.

LVIII. Provided always, and be further enacted, That in caſe the Sum due upon ſuch Mortgage or Mortgages, with all Intereſt due thereon, ſhall amount to more than the real Value of the Premiſes, to be aſcertained as directed by this Act, then the ſaid Company ſhall not be liable to pay the Mortgagee or Mortgagers more than ſuch real Value of ſuch Premiſes ſo aſcertained as aforeſaid; and on Payment or Tender thereof, the ſaid Directors, or any Five or more of them, or ſuch Perſons as ſhall be by them appointed, ſhall be entitled to the Right and Intereſt of ſuch Mortgagees reſpectively.

The Company not to pay Mortgagees more than the real Value of the Premiſes.

LIX. And be it further enacted, That the Conveyance of any ſuch Eſtate, or Intereſt of any Feme Covert to the ſaid Directors, or their Succeſſors, or any Perſon or Perſons in Truſt for them, by Indenture or Indentures of Bargain and Sale ſealed and delivered by ſuch Feme Covert in the Preſence of and atteſted by Two credible Witneſſes, and duly acknowledged, and to be enrolled in the High Court of Chancery, within Six Calendar Months next after the making thereof, ſhall as effectually and abſolutely convey the Eſtate and Intereſt of ſuch Feme Covert in the Premiſes as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or ſuffered thereof in due Form of Law; and that all Bargains and Sales whatever to be made of any ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments, as ſhall be purchaſed by the ſaid Directors or their Succeſſors, by virtue of and for the Purpoſes of this Act, and enrolled as aforeſaid, ſhall have the like Force, Effect, and Operation in Law to all Intents and Purpoſes, as any Fine or Fines, Recovery or Recoveries whatſoever would have had if levied or ſuffered by the Bargainor or Bargainors, or any Perſon or Perſons ſeiſed of or entitled to any Eſtate or Intereſt in the Premiſes, in Truſt for ſuch Bargainor or Bargainors in any Manner or Form whatſoever.

Bargain and Sales to have the force of Fines and Recoveries.

LX. And be it further enacted, That upon Payment of the Principal Money and Intereſt due on any Mortgage or Mortgages as aforeſaid, into the Bank of *England*, at the End of Three Calendar Months from the Day of giving ſuch Notice as aforeſaid; for the Uſe of the Mortgagee or Mortgagees, the Caſhier or Caſhiers of the Bank ſhall give a Receipt or Receipts for the ſaid Money in like Manner as is herein-before directed in Caſes of other Payments into the Bank, and thereupon all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand of the ſaid Mortgagee and Mortgagees, and of all and every Perſon and Perſons in Truſt for him, her, or them, ſhall veſt in the ſaid Directors, or the ſaid Company, and they ſhall be deemed to be in the actual Poſſeſſion of the Premiſes cemprized in ſuch Mortgage or Mortgages, to all Intents and Purpoſes whatſoever.

Upon Payment of the Principal and Intereſt into the Bank, Premiſes to veſt in the Company.

LXI. And

Monies to be paid or tendered before any use made of the Premises.

LXI. And be it further enacted, That all Sum and Sums of Money, or other Considerations, Recompence, or Satisfaction, to be paid or made pursuant to any such Agreement or Verdict as aforesaid, or in Discharge of any such Mortgage, shall be paid or tendered to the Party or Parties entitled to the same, or paid into the Bank of *England* as aforesaid, before the said Directors, or any Person or Persons authorized by them, shall make Use of such Hereditaments and Premises comprized in or affected by such Agreement, Verdict, or Mortgage respectively.

Penalty on Persons giving false Evidence.

LXII. And be it further enacted, That all and singular the Person or Persons who shall give false Evidence in any Examination to be taken by virtue of this Act, or where an Oath is required shall swear falsely, shall be subject to such Penalties and Disqualifications as Persons guilty of wilful and corrupt Perjury.

Directors may sell, let, or exchange Estates.

LXIII. And be it further enacted, That it shall and may be lawful for the said Directors, or any Five or more of them, from Time to Time, either absolutely to sell and dispose of all or any Part or Parts of the Houses, Buildings, Lands, Tenements, Hereditaments, and Premises, so to be purchased as aforesaid, and hereby vested in the said Directors, in Manner and for the Purposes aforesaid, or which shall be hereafter conveyed to them in pursuance of this Act, as may not be necessary to be retained for and laid into, and made use of in carrying into complete Execution the Purposes of this Act, 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 Directors shall from Time to Time judge proper, and think most advantageous to the Interest of the said Company: Provided always, that the said Houses, Buildings, Lands, Tenements, and Hereditaments, shall be first offered for Sale to the respective Person or Persons (upon the Terms or Conditions aforesaid) of or from whom the same respectively were purchased by or on Behalf of the said Company; any Law, Usage, or Custom, to the contrary notwithstanding.

Company to pay Land and other Taxes after they take Possession of Lands, *etc.*

LXIV. And whereas by the making and using the Entrance Bason, new Course of the River, and other Works hereby authorized to be made certain Lands in the Parish of *Clifton* in the City of *Bristol*, *Bedminster*, *Brislington*, and *Keynsham*, in the County of *Somerset*, *Saint Philip* and *Saint George*, in the County of *Gloucester*, which at present are rated to and pay the Land and Parochial Taxes to the same Parishes, will during the Time the said intended Works and Alterations are carrying on and for many Years afterwards be rendered unproductive, and incapable of being rated in and in Aid of the said Land and Parochial Taxes, by which Means, a greater Burthen must be laid upon other Lands in the same Parishes; be it therefore enacted, That the said Company shall become chargeable from the Time of their entering and taking Possession of such Lands, Tenements, Hereditaments, and Premises, with all such Land and Parochial Taxes as the same Lands and Premises are now or may hereafter be subject to; and that the Fund of the said Company shall become liable to pay such Land and Parochial Taxes now charged or hereafter to be charged on the same Lands and Premises during the Execution of the said Works, and for ever thereafter, and that the former Owners and

Occupiers thereof shall be wholly discharged from the Payment thereof, or of any Part thereof.

Part of the intended Works not now in the City of Bristol made Part of the said City for the Purpose of Jurisdictions only.

LXV. And whereas by an Act, passed in the Eleventh and Twelfth Years of the Reign of King *William* the Third, intituled, *An Act for the better preserving the Navigation of the Rivers* Avon *and* Froome, *and the cleansing, paving, and enlightening the Streets of the City of* Bristol, the Mayor, Burgesses, and Commonalty of the said City of *Bristol*, and their Successors, are made, constituted, and appointed Conservators of the said River *Avon* from *Tower Harratz*, above the Bridge of *Bristol*, to a certain Place called *Hanham Mills*, being about Four Miles Eastward of the said City of *Bristol* upon the said River *Avon*: And whereas the Business which will be carried on between the present and the intended Course of the said River, and on or near the said intended Canal, Basons, Wharfs, Dams, Locks, Towing Paths, and other Works, as well within the said several Counties of *Somerset* and *Gloucester* as within the said City of *Bristol*, and the County of the same City, will be chiefly transacted between Persons engaged in the Trade of the City and Port of *Bristol*; be it therefore enacted and declared, That, from and immediately after the passing of this Act, all that Part of the said River *Avon* from *Tower Harratz* aforesaid to *Hanham Mills* aforesaid, from High Water Mark to the Bottom of the said Part of the said River, and all the present and intended Courses of the said River, and all such of the said intended Canals, Basons, Wharfs, Dams, Docks, Towing Paths, and other Works, and also such Part of the Lands between the old and intended Course of the River *Avon*, as shall be situate in Part of the present Counties of *Somerset* and *Gloucester* respectively; and all the Grounds on the Sides of such of the said intended Canal, Wharfs, Dams, Docks, Towing Paths, and other Works, for the Space of Five Yards in Breadth, and all other Docks and Works upon the Banks of or near the said River Avon, on both Sides of the said River in Part of the present Counties of *Somerset* and *Gloucester* respectively, from *Bristol Bridge* aforesaid to *King Road* or *Avon Road*, for the like Space of Five Yards in Breadth from the High Water Mark; and all the Road, both Footway and Carriageway, in Part of the said Parish of *Clifton* in the said County of *Gloucester*, home to the Houses and Walls and other Boundaries of the said Road on both Sides thereof, from a certain Place called *Lime Kiln Dock* to a certain Ferry called *Rownham Passage*, shall be to all Intents and Purposes (except as herein-after mentioned) wholly exempted and separated from the said Counties of *Somerset* and *Gloucester*, and from all Jurisdiction, Power, and Authority of Sheriffs, except as far as respects the Assessment of Purchase Money and Compensation for Injury under the Powers hereof, and which are to be settled and ascertained by a Jury or Juries of the County or City where such Lands lay before the passing of this Act, except as herein-after is mentioned, Escheators, Coroners, Justices, and other Officers and Ministers of the King's most Excellent Majesty, His Heirs and Successors whomsoever, of the said Counties of *Somerset* and *Gloucester* respectively for ever, and shall be taken and accepted as Member, Part, and Parcel of the aforesaid City of *Bristol* and County of the same City, and of the Port of *Bristol*, and within the Jurisdiction, Power, and Authority of the Mayor, Burgesses, and Commonalty of the said City of *Bristol*, and of the Mayor, Sheriffs, except as aforesaid, Coroners, Escheators, Justices, and other the Officers and Ministers of the King's most Excellent Majesty, His Heirs and Successors,

ceſſors, of the ſaid City of *Briſtol*, and County of the ſame City for ever, as fully and amply as if the ſame had been made Part and Parcel of the ſaid City of *Briſtol* and County of the ſame City, and of the Port of *Briſtol*, before and at the Time of granting the ſeveral Charters under which the Mayor, Burgeſſes, and Commonalty of the ſaid City of *Briſtol*, do now hold and exerciſe Criminal and Civil Juriſdiction within the ſaid City and County of the ſame City, and the Suburbs, Liberties, and Precincts thereof, or have Rights and Franchiſes in any Manner whatſoever within the ſame, or as if the ſeveral Powers and Authorities, Rights and Franchiſes thereby or otherwiſe given, were herein repeated and applied to the ſeveral Diſtricts hereby united to and made Part of the ſaid City of *Briſtol* and County of the ſame City, and of the ſaid Port of *Briſtol*; and that all and every the Powers and Authorities given and granted to the Mayor, Aldermen, and Common Council for the City and County of the City of *Briſtol*, or any of them, and to their Officers in and by an Act of Parliament, made and paſſed in the Firſt Year of the Reign of the late King *William* and Queen *Mary*, intituled, *An Act for certain Courts of Conſcience in the Cities of* Briſtol *and* Glouceſter, *and the Liberties thereof*, ſhall be and are hereby extended to the ſaid ſeveral Diſtricts ſo as aforeſaid united to and made Part of the City of *Briſtol*, and County of the ſame City, and of the Port of *Briſtol*, and exempted and ſeparated from the Counties of *Somerſet* and *Glouceſter* reſpectively.

Reſervation of certain Rights, &c.

LXVI. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend to make any Alteration within the Diſtricts ſo exempted and ſeparated from the ſaid Counties of *Somerſet* and *Glouceſter* reſpectively, and added to the City and County of *Briſtol*, and Port of *Briſtol*, touching any Tax, Rate, Levy, or Aſſeſſment, uſually raiſed within the ſaid City of *Briſtol*, and County of the ſame City, touching any Matter relative to any Eccleſiaſtical, Parochial, or Manerial Juriſdiction or Right; or to the taking away the Right of any Perſon or Perſons having or hereafter to have a Freehold or Freeholds within the Diſtrict aforeſaid, to vote for the Election of any Knight of the Shire for the Counties of *Somerſet* and *Glouceſter* reſpectively, or for the Election of any Coroner or other Officer whatſoever, or to the conferring a Right on any Perſon or Perſons having or hereafter to have a Freehold or Freeholds within the ſaid Diſtricts, of voting at the Election of Citizens for the City and County of *Briſtol*; but that all the ſame Rights, Matters, and Things ſhall be and remain as if this Act had not been made.

Certain Parts of the Counties of Somerſet and Glouceſter to be deemed to be within the City of Briſtol, for the Purpoſe of this Act.

LXVII. Provided alſo, and be it further enacted, That the ſaid Parts of the ſaid reſpective Counties of *Somerſet* and *Glouceſter*, ſhall, as to all Matters and Things not herein-before excepted and ſpecified, be and be deemed and conſtrued to be, to all Intents and Purpoſes whatever, Part and Parcel of the ſaid City of *Briſtol* and County of the ſame City, and within the ſame.

The Town Duties to be payable on the new Courſe of River and Works.

LXVIII. And be it further enacted, That the Duties commonly called *The Town Duties*, now payable to the Mayor, Burgeſſes, and Commonalty of the ſaid City of *Briſtol*, on the Importation and Exportation of Goods, Wares, and Merchandizes to and from the Port of *Briſtol*, ſhall be due and payable to the ſaid Mayor, Burgeſſes, and Commonalty, for all Goods, Wares, and Merchandizes which ſhall be imported into or exported

ported from the ſaid intended Canals, Wharfs, Docks, and other Docks and Places hereby made Part and Parcel of the Port of *Briſtol*, in as full and ample a Manner as the ſame Duties are now payable in the preſent Port of *Briſtol*; and that the Duties now payable to the Mayor of the ſaid City of *Briſtol* for the Time being on the Arrival of Ships and Veſſels at the Quays and Back of *Briſtol*, and other Places within the ſaid Port of *Briſtol*, ſhall be due and payable to the Mayor of the ſaid City for the Time being, for all Ships and Veſſels which ſhall arrive at the ſaid intended Canals, Wharfs, and Docks, and other Docks and Places hereby made Part and Parcel of the Port of *Briſtol*, in as full and ample a Manner as the ſame are now payable for Ships and Veſſels arriving at any other Place within the preſent Port of *Briſtol*; and that the Fees and Duties, now payable to the Quay Warden, Water Bailiff, and Corn Meaſurer of the ſaid City reſpectively for the Time being, or to any other Officer or Officers whatſoever of the ſaid Mayor, Burgeſſes, and Commonalty on the Arrival of certain Ships and Veſſels at the Quays and Back of *Briſtol*, and other Places within the ſaid City and Port of *Briſtol*, and for certain Goods, Wares and Merchandizes, Articles and Things being on board or having been on board the ſame at the Time of their Arrival, and for meaſuring Wheat and other Grain, ſhall be due and payable to the ſaid reſpective Officers for Ships and Veſſels arriving at the ſaid intended Canals, Wharfs, Docks, and other Docks and Places hereby made Part and Parcel of the Port of *Briſtol*; and for Goods, Wares, Merchandizes, Articles, and Things being on board or having been on board the ſame at the Time of their Arrival, and for meaſuring Wheat and other Grain, in as full and ample a Manner as the ſame are now payable at any other Place within the preſent Port of *Briſtol*; and that the Duties for Wharfage, Tonnage, Carriage, Cannage, Cranage, and Plankage, now payable to the ſaid Maſter, Wardens, and Commonalty of Merchant Venturers (as Leſſees and Grantees of the ſaid Mayor, Burgeſſes, and Commonalty), ſhall be due and payable to the ſaid Maſter, Wardens, and Commonalty, during the Continuance of ſuch Leaſe and Grant; and from and after the Determination of ſuch Leaſe or Grant, to the ſaid Mayor, Burgeſſes, and Commonalty, for all Ships and Veſſels which ſhall arrive or lie at the ſaid intended Canals, Wharfs, Docks, and Places hereby made Part and Parcel of the Port of *Briſtol*, in as full and ample a Manner as the ſame are now payable at any other Place within the preſent Port of *Briſtol*.

Wharfage and Cranage Duties alſo payable on the intended Works.

LXIX. And be it further enacted, That the ſaid Company ſhall have full Power and Authority, and they are hereby required at all Times when neceſſary, by their Servants, Agents, and Workmen, to enter in and upon, and ſcour out the Bed and Courſe of the Rivers *Avon* and *Froome*, or any Part or Parts thereof, and ſhall alſo well and effectually puddle the Sides of the ſaid Canal at all Places wherever it ſhall be neceſſary ſo to do, to prevent as much as poſſible the Waters from oozing through ſuch Sides to the Detriment and Injury of the Lands and Grounds adjoining or near the ſaid Canal.

Power of ſcouring the Beds of the Avon and Froome.

LXX. And be it further enacted, That it ſhall be lawful for the ſaid Directors, their Agents, Servants, or Workmen, to remove and take away any Ship or Veſſel that ſhall be ſunk in the Floating Harbour, Baſons, or Canal; or any Wood, Timber, Anchors, or other Obſtructions or Impediments; and in caſe the Owner or Owners of any ſuch Ship or

Power to remove Wrecks, &c.

Veſſel, or other Obſtruction ſo to be removed ſhall refuſe or neglect to pay the Charge of removing the ſame for the Space of Seven Days after Demand thereof made by any Clerk or other Officer of the ſaid Works, the ſame ſhall be recovered and applied in ſuch Manner as any Penalties and Forfeitures are by this Act directed to be recovered and applied.

All Erections, &c made, to be veſted in the Company.

LXXI. And be it further enacted, That the Houſes, Buildings, Lands, Tenements, and Hereditaments, to be purchaſed by virtue of this Act, and all Buildings, Erections, and other Matters and Things thereon or thereunto belonging; and alſo all Docks, Cuts, Canals, Wharfs, or Canal Walls, Gates, Works, Buildings, Drains, Sluices, Matters and Things which ſhall be made, built, provided, or eſtabliſhed by virtue or in purſuance of this Act, ſhall be and the ſame are hereby veſted in the ſaid Company and their Succeſſors from henceforth, for and during ſuch Time and until the Whole of the ſaid Capital or Joint Stock, and the Monies borrowed on Security of the Rates or Duties as aforeſaid ſhall be paid off and diſcharged; and they and their Succeſſors are hereby authorized and empowered to bring any Action or Actions, and to prefer Bills of Indictment againſt any Perſon or Perſons who ſhall cut, damage, or injure, or cauſe to be cut, damaged or injured, any of the Works to be made, erected, eſtabliſhed, or repaired by virtue of this Act, or who ſhall injure or deſtroy the ſame whilſt doing, or impede the doing thereof; or ſhall ſteal, purloin, or wrongfully take away any Stones, Lead, Iron, Timber, Bricks, or other Materials, and Machines, Engines, or Utenſils provided or to be provided from Time to Time, or uſed or intended to be uſed therein, or for any other the Purpoſes of this Act; or who ſhall wilfully do, or ſuffer or conſent to any Thing whereby Damage may accrue to the Meſſuages, Erections, and Hereditaments to be purchaſed, or the Works or Machines to be made or erected by virtue of this Act; and all the Damages which ſhall be ſo recovered by the ſaid Company by any Suit, Proceſs, or Action, after deducting the Coſts of Suit, ſhall be applied as herein after directed.

Empowered to proſecute in caſe of Damage done to ſuch Works.

After Payment of the ſaid Capital Stock, and Monies borrowed, the Works and Premiſes to be veſted in the Mayor and Corporation of Briſtol as Owners of the ſaid Port.

LXXII. And be it further enacted, That, from and after the Payment and Diſcharge of the Whole of the ſaid Capital or Joint Stock, and alſo all Monies borrowed on Security of the Rates and Duties aforeſaid, all and ſingular the Meſſuages, Lands, and Hereditaments purchaſed by virtue of this Act, and all Buildings, Erections, and other Matters and Things thereon or thereunto belonging, and alſo all the Docks, Cuts, Canals, Walls, Gates, Works, Buildings, Sluices, Matters and Things, veſted in the ſaid Dock Company at the Time of ſuch Payment and Diſcharge as aforeſaid, ſhall be and the ſame are hereby veſted in the Mayor, Burgeſſes, and Commonalty of the ſaid City of *Briſtol* as Owners of the ſaid Port of *Briſtol*, and as Conſervators of the Rivers within the ſaid City and Port of *Briſtol*.

Rates to continue to be collected in caſe the Surplus Fund ſhall not amount to 60,000*l*.

LXXIII. And be it further enacted, That in caſe the ſaid Surplus Fund ſhall not amount to the Sum of Sixty thouſand Pounds, the ſaid Dock Company are hereby required and directed to continue the Collection of all and ſingular the Rates and Duties hereby impoſed after the Payment and Diſcharge of the Whole of the ſaid Capital or Joint Stock; and alſo the Whole of the Sum and Sums of Money ſo as aforeſaid to be borrowed on Security of the ſaid Rates and Duties, and all Intereſt due for the ſame until ſuch Surplus Fund ſhall amount unto the Sum of Sixty thouſand

ſand Pounds, which Sum of Sixty thouſand Pounds ſhall be for ever veſted in the ſaid Mayor, Burgeſſes, and Commonalty, and the Intereſts, Dividends, and annual Profits thereof for ever applied as far as the ſame will extend in repairing, amending, and improving the Works hereby authorized to be made within the Port of *Briſtol*.

Authorizing the ſaid Company to take Rates.

LXXIV. And be it further enacted, That, from and after the Expiration of Twelve Calendar Months next after the Works hereby authorized to be made and formed ſhall have been began, and Notice thereof given in *The London Gazette* and Two *Briſtol* Newſpapers, there ſhall be payable and paid to the ſaid Company, or their Collectors or Deputies for their Uſe, for every Ship or Veſſel entering into the Port of *Briſtol*, except Barges or other Veſſels paſſing or going to or from the *Bath* River Navigation, and not diſcharging any Part of their Cargoes at the Quays of *Briſtol*, by the Maſter or Commander, Owner or Owners of every ſuch Ship or other Veſſel, the ſeveral Rates or Duties, according to the Regiſter Tonnage of the ſaid Ship or Veſſel hereinafter particularly rated and deſcribed; (that is to ſay),

Rates:

Firſt Claſs.— For every Ship or other Veſſel trading from *Africa*, *Honduras*, *Surinam*, and other Ports in *South America*, the United States of *America*, the *Eaſt* and *Weſt Indies*, all the Ports within the Streights of *Gibraltar*, and the Southern Whale Fiſhery, Three Shillings for every Ton.

Second Claſs—For every Ship or other Veſſel trading from the *Britiſh* Colonies, *Portugal*, *Pruſſia*, *Ruſſia*, *Spain*, without the Streights, and *Sweden*, Two Shillings for every Ton.

Third Claſs.—For every Ship or other Veſſel trading from *Flanders*, *France* without the Streights, *Germany*, *Guernſey*, *Holland*, *Jerſey*, *Norway*, *Poland*, and *Zealand*, One Shilling for every Ton.

Fourth Claſs.—For every Ship or other Veſſel trading from *Ireland*, the *Iſle of Man*, and *Scotland*, Eight-pence for every Ton.

Fifth Claſs.— For every Ship or other Veſſel employed as a Coaſter, except as aforeſaid, not including Veſſels from *Cardiff*, *Newport*, and other Ports to the Eaſtward of the *Holmes*, at each entering into the ſaid Port Sixpence for every Ton.

For Trows and Veſſels from *Cardiff*, *Newport*, and other Ports to the Eaſtward of the *Holmes*, except as aforeſaid, not exceeding Seventy-five Tons Burthen, Five Shillings each *per* Voyage; and for Trows and other Veſſels from *Cardiff*, *Newport*, and other Ports to the Eaſtward of the *Holmes*, except as aforeſaid, exceeding Seventy-five Tons Burthen, Seven Shillings and Sixpence each for every Voyage.

Which Rates and Duties ſhall be and are hereby veſted in the ſaid Company as their own proper Monies, and to and for their own proper Uſe and Behoof, to be applied by them for the Purpoſes of this Act; and the ſame ſhall be paid at the Time of ſuch Ships or other Veſſels entering Inwards.

Company to take certain Rates on Goods and Merchandize.

LXXV. And be it further enacted, That, from and after the Expiration of Twelve Calendar Months next after the Works hereby authorized to be made and formed ſhall have been began, and Notice thereof given in *The London Gazette* and Two *Briſtol* Newſpapers, there ſhall be payable and paid to the ſaid Company, or their Collectors or Deputies for their Uſe, for all Goods, Wares, Merchandizes, and Commodities whatſoever imported from Parts beyond the Seas, but not brought Coaſtwiſe or by Inland Navigation into the ſaid Port of *Briſtol*, except Corn, Flour, Rice, and other Articles of Proviſion, by the Owner or Owners, Conſignee or Conſignees of ſuch Goods, Wares, Merchandizes, or other Commodities, the ſeveral Rates and Duties particularly rated, ſpecified, and ſet forth in the Schedule of Rates hereunto annexed, as far as ſuch Goods, Wares, Merchandizes, and Commodities, which ſhall or may be imported as aforeſaid, are particularized in the ſaid Schedule of Rates; and that all Goods, Wares, Merchandizes, and Commodities, which are not particularized and ſet forth in the ſaid Schedule of Rates, ſhall be charged and chargeable with, and ſhall pay a Rate or Duty on their being imported into the ſaid Port of *Briſtol* equal to the Rate or Duty rated and affixed on Goods, Wares, and Merchandizes of a ſimilar Nature, Package, and Quality, in and by the ſaid Schedule of Rates.

Reſtraining the Company from taking certain Rates till they have expended 100,000 *l.*

LXXVI. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to authorize the ſaid Dock Company to take or receive any of the Rates or Duties by this Act impoſed on Ships or Veſſels, according to the Tonnage thereof, or to take or receive any Rates on any Goods, Wares, and Merchandizes by this Act impoſed, or to empower the Juſtices of the Peace in Quarter Seſſions aſſembled to order or appoint any Rates to be levied on any Lands, Houſes, Tenements, or Hereditaments, for the Purpoſes of this Act, until the ſaid Company ſhall have expended and laid out under the Proviſions of this Act, or ſome of them, or in carrying the ſame into Execution, the Sum of One hundred thouſand Pounds, if ſuch Sum ſhall not have been expended before the Expiration of the ſeveral Periods of Twelve Calendar Months in this Act mentioned, in relation to ſuch reſpective Rates and Duties.

Diſputes relative to Rates to be determined by the Collector and Comptroller of the Cuſtom of the Port of *Briſtol*.

LXXVII. And be it further enacted, That if the Collector or Collectors of the laſt mentioned Rates or Duties, and the Owner or Owners, Conſignee or Conſignees of any Goods, Wares, and Merchandizes, on which any Rate or Duty is by this Act impoſed, but which are not particularized and deſcribed in the Schedule of Rates hereunto annexed, ſhall differ and diſagree with reſpect to the Rate and Duty payable on or for ſuch Goods, Wares, and Merchandizes reſpectively, then and in ſuch Caſe, ſuch Difference ſhall be referred to His Majeſty's Collector and Comptroller of the Cuſtoms for the Port of *Briſtol* for their Deciſion and Determination, as to what ought, under and by virtue of the Proviſion herein-before contained, to be paid and payable on and for ſuch Goods, Wares, and Merchandizes; and the Rate or Duty fixed by the ſaid Collector and Comptroller as aforeſaid, ſhall be paid and payable on and for ſuch Goods, Wares, and Merchandizes, and ſhall be recovered and recoverable as any other Rates and Duties are recoverable under this Act.

LXXVIII. Provided

Exemption in favour of Lighter discharging or receiving Ballaſt.

LXXVIII. Provided always, That all Lighters and Craft entering into the Docks and Works hereby authorized to be made, to diſcharge or receive Ballaſt or Goods to or from on board any Ship or Veſſel, Ships or Veſſels, ſhall be exempt from the ſaid Rates or Duties.

Manner of recovering the Rates.

LXXIX. And, to the Intent that the Rates or Duties impoſed by this Act may be more effectually collected and levied, be it further enacted, That in caſe any Owner or Owners, or Maſter or other Perſon or Perſons having Charge or Command of any Ship or other Veſſel charged or chargeable with any of the reſpective Rates or Duties granted by this Act, or any Owner or Owners, Conſignee or Conſignees of any Goods, Wares, or Merchandize, ſhall refuſe or neglect to pay the ſame, then and in every ſuch Caſe it ſhall be lawful for the Collector or Collectors duly appointed in purſuance of this Act, to go on board of ſuch Ship or Veſſel, and to demand, collect, and receive the ſaid Rates or Duties, and on Nonpayment thereof, to take and diſtrain ſuch Ship or Veſſel, and all her Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and the ſame to detain until the reſpective Rates or Duties ſhall be ſatisfied and paid; and in caſe of any Neglect or Default in Payment for the Space of Five Days after any Diſtreſs or Diſtreſſes ſo made or taken, that then it ſhall and may be lawful for the ſaid Collector or Collectors to cauſe the ſame to be appraiſed by Two or more Sworn Appraiſers, or other ſufficient Perſons not intereſted therein, and afterwards to ſell the ſaid Diſtreſs or Diſtreſſes, and therewith to ſatisfy himſelf or themſelves as well for or in reſpect of the Rates or Duties ſo neglected or refuſed to be paid, and for which Diſtreſs or Diſtreſſes ſhall have been made or taken as aforeſaid, as alſo for or in reſpect of his or their reaſonable Charges on taking, keeping, appraiſing, and ſelling the ſame, rendering the Overplus (if any) on Demand, to the Maſter, Commander, Owner or Owners of ſuch Ship or Veſſel, or the Owner or Owners, Conſignee or Conſignees of ſuch Goods, Wares, and Merchandize reſpectively.

Perſons eluding the Payments to continue chargeable.

LXXX. And be it further enacted, That if any Maſter, Owner or Owners, or other Perſon or Perſons having the Charge or Command of any Ship or other Veſſel, or any Owner or Owners, Conſignee or Conſignees, or any other Perſon or Perſons owning or having Charge of any Goods, Wares, or Merchandizes imported into the ſaid Port from Parts beyond the Seas, ſhall by any Means whatſoever at any Time or Times elude or evade the Payment of the Rates or Duties hereby made payable, or any Part thereof, each and every Perſon eluding or evading Payment thereof as aforeſaid ſhall ſtand charged with, and forfeit and pay a Sum equal to Double the Rates or Duties ſo eluded and evaded; and ſuch Sum ſhall be recovered from ſuch Maſter, Owner or Owners, Conſignee or Conſignees, or other Perſon or Perſons reſpectively, by the ſame Ways and Means and in ſuch Manner as are herein-after directed for levying and recovering Penalties and Forfeitures by this Act inflicted or authorized to be impoſed.

For aſcertaining the Tonnage or Admeaſurement of Shipping.

LXXXI. And be it further enacted, That the Tonnage and Admeaſurement of all Ships and Veſſels required to be regiſtered by any Act or Acts of Parliament of the Kingdom of *Great Britain*, or of the United Kingdom of *Great Britain* and *Ireland*, and trading or coming to or de-

parting

parting from the ſaid Port of *Briſtol*, and liable to the Payment of any of the Rates or Duties by this Act impoſed, ſhall be aſcertained according to the certified Tonnage in the Ship's Regiſter; and the Maſter or other Perſon having the Command of any ſuch Ship or Veſſel, is hereby required to produce ſuch Certificate of Regiſtry at the Time of Payment of the ſaid Rates or Duties, to the Perſon or Perſons who ſhall be duly authorized to collect and receive ſuch Rates or Duties; and in caſe of any Diſpute in, about, or concerning the ſame, or in caſe of any Diſpute in reſpect of the Tonnage of any Ship or Veſſel not requiring to be regiſtered, or of any Foreign Ship or Veſſel, then the Tonnage of any ſuch Ship or Veſſel ſhall be aſcertained in the Manner and according to the Directions of an Act paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for Encouragement of Shipping and Navigation.*

Collectors to have Acceſs to Regiſters of the Ships at the Cuſtom Houſe.

LXXXII. And be it further enacted, That, for more eaſily aſcertaining the ſaid Rates or Duties, the Collector or Collectors thereof, and ſuch other Perſon or Perſons as the ſaid Directors ſhall from Time to Time duly appoint in this Behalf as herein-after is mentioned, ſhall, at proper and ſeaſonable Times, have at the Cuſtom Houſe of the Port of *Briſtol* free Acceſs to and Inſpection of the reſpective Regiſters and Papers of all and every Ships and Veſſels reſorting to the Port of *Briſtol*, on or after their Entry or Clearance at the Cuſtom Houſe.

Power to meaſure Ships and Veſſels.

LXXXIII. And be it further enacted, That if the Collector or Collectors of any of the ſaid Rates or Duties, and ſuch other Perſon or Perſons as the ſaid Directors ſhall duly nominate and appoint in that Behalf and the Maſter or other Perſon having Charge or Command of any Ship or other Veſſel, cannot agree or otherwiſe aſcertain the Tonnage of ſuch Ship or other Veſſel, then and in every ſuch Caſe it ſhall be lawful for the ſaid Collector or Collectors, or Perſon or Perſons appointed as aforeſaid, from Time to Time, and at all convenient and ſeaſonable Times, to ſtop, detain, enter into, weigh, meaſure, and gauge the ſame; and in caſe the ſame ſhall upon ſuch weighing, meaſuring, or gauging, appear to be of greater Tonnage than ſhall be ſet forth and contained in the Account which ſhall be given thereof, then the Maſter or Perſon giving in ſuch Account ſhall pay the Coſts and Charges of ſuch meaſuring, weighing, or gauging, all which Coſts and Charges, upon Refuſal of Payment thereof on Demand, ſhall and may be recovered and levied by ſuch Ways and Means, and in ſuch Manner as the Rates or Duties are hereby appointed to be recovered and levied; but if any ſuch Ship or other Veſſel ſhall be found to be of the ſame or of leſs Tonnage than the ſame ſhall by ſuch Account appear to be of, then the ſaid Collector or Collectors, or ſuch other Perſon or Perſons reſpectively, ſhall pay the Coſts and Charges of ſuch weighing, meaſuring, or gauging, and ſhall alſo pay ſuch further Damages as ſhall appear to Two or more Juſtices of the Peace in and for the City and County of the City of *Briſtol*, on the Oath of any credible Witneſs, to have ariſen from ſuch Detention; and in Default of immediate Payment thereof by the Collector or Collectors, the ſame ſhall be recovered in any of His Majeſty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoign, Wager of Law, Privilege or Protection, nor more than One Imparlance ſhall be allowed; and if any Maſter, Commander,

or

or other Officer of any Ship or Veſſel, or any other Perſon or Perſons whomſoever, ſhall obſtruct or hinder any Perſon or Perſons ſo employed from weighing, meaſuring, or gauging any Ship or Veſſel in purſuance of this Act, every ſuch Maſter, Commander, or other Perſon, ſhall for every ſuch Offence forfeit any Sum not exceeding Ten Pounds, over and above the ſaid Rates. Penalty on Perſons obſtructing ſuch Meaſurement.

LXXXIV. And to the Intent that the Rates or Duties by this Act impoſed may be duly accounted for and paid, be it further enacted, That, from and after the Expiration of Three Calendar Months after the paſſing of this Act, no Collector of His Majeſty's Cuſtoms Inwards or Coaſtwiſe in the ſaid Port of *Briſtol*, ſhall on any Pretence whatever permit or allow any Ship or Veſſel on which Duties of Tonnage are by this Act impoſed, to be entered Inwards from Foreign Ports or Coaſtwiſe, unleſs and until the Maſter or other Perſon having Charge of any ſuch Ship or Veſſel ſhall have paid the Duties of Tonnage by this Act impoſed, and ſhall have produced to the ſaid Collector a Certificate, under the Hand of the Officer or Perſon appointed under the Authority of this Act, to collect and receive the ſaid Rates or Duties, certifying that the ſaid Rates or Duties due and payable by virtue of this Act on Account of any ſuch Ship or Veſſel have been fully paid; and that from and after the Expiration of the ſaid Three Calendar Months, no ſuch Collector ſhall upon any Pretence whatever permit or allow any Goods or Merchandize on which a Rate or Duty is by this Act impoſed, to be landed from any Ship or Veſſel entered Inwards or Coaſtwiſe, unleſs and until the Owner or Owners, Conſignee or Conſignees of ſuch Goods or Merchandize, ſhall have paid the Rates or Duties hereby impoſed on ſuch Goods or Merchandizes, and ſhall have produced to the ſaid Collector a Certificate under the Hand of the Officer or Perſon appointed under the Authority of this Act to collect and receive the ſaid Rates or Duties, certifying that the ſaid laſt mentioned Rates or Duties have been fully paid, which reſpective Certificates and Signatures ſuch Officers or Perſons appointed under the Authority of this Act to receive the ſaid Tonnage, and alſo the ſaid Duties, are required to ſign and give accordingly, without Fee or Reward, upon Pain of forfeiting any Sum not exceeding Twenty Pounds, together with Coſts of Suit; and which Sum when forfeited, ſhall be recovered in any of His Majeſty's Courts of Record by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoign, Wager of Law, Privilege, or Protection, nor more than One Imparlance ſhall be allowed. Cuſtom Houſe Officers not to diſcharge any Veſſel before Duties paid.

LXXXV. And be it further enacted, That all Goods, Wares, and Merchandizes and Things whatſoever, which ſhall be landed or ſhipped upon or from the Quays or Wharfs of the ſaid intended Floating Harbour, or any of them, except at Wharfs and Landing Places between *Hanham Mills* and the intended Dam at *Engine Mills*, ſhall be ſubject and liable to ſuch and the like Tolls, Duties, Wharfage, Cranage, Porterage Dues, and Cuſtoms, as the ſame are now liable and ſubject to on ſhipping and loading at the preſent Quays. Goods landed or ſhipped to be liable to the like Duties and Charges as before the paſſing of this Act.

LXXXVI. And be it further enacted, That it ſhall be lawful for the ſaid Directors, or any Fourteen or more of them, from Time to Time, and they are hereby required from Time to Time, as there ſhall be Power to appoint a Dock Maſter.

be Occaſion to nominate and appoint a proper Perſon or proper Perſons to be Dock Maſter or Dock Maſters, and from Time to Time, as they ſhall ſee Cauſe, to remove or ſuſpend ſuch Dock Maſter or Dock Maſters.

Not to prejudice the Powers of the Quay Warden or Water Bailiffs.

LXXXVII. Provided always, and be it further enacted, That nothing herein contained ſhall extend to the Prejudice or leſſening the Powers or Privileges of the Quay Warden or Water Bailiff reſpectively for the Time being, of the Port of *Briſtol*, or their reſpective Rights or Authorities in birthing and removing any Ship or Veſſel in the ſaid Port of *Briſtol*.

This Act not to exempt Veſſels from diſcharging at a Place called The Floating Dock.

LXXXVIII. Provided always nevertheleſs, and it is hereby further enacted and declared, That nothing herein contained ſhall extend or be conſtrued to extend to the Exemption of any Veſſels or Ships which, under and by virtue of an Act paſſed in the Sixteenth Year of the Reign of His preſent Majeſty, intituled, *An Act to remove the Danger of Fire amongſt Ships in the Port of* Briſtol, *by preventing the landing certain Commodities on the preſent Quays, and for providing a convenient Quay and proper Places for landing and ſtoring the ſame, and for regulating the ſaid Quay, and the Lighters, Boats, and other Veſſels carrying Goods for Hire within the ſaid Port of* Briſtol; *and for other Purpoſes therein mentioned*, are obliged to diſcharge their Cargoes, or certain Parts thereof, in a certain Dock or Place within the Port of *Briſtol*, called *The Floating Dock*, from ſo diſcharging their ſaid Cargoes, or a Part thereof, at the ſaid Floating Dock.

Duties to be charged on Goods carried along the Canal.

LXXXIX. And be it further enacted, That, from and after the ſaid Company ſhall have made, completed, and finiſhed the ſaid Canal, Cut, or Feeder, with the Dams, Locks, Towing Paths, and Works of the Dimenſions, and agreeable to the Powers herein-before given them for that Purpoſe, it ſhall be lawful to and for the ſaid Dock Company from Time to Time, and at all Times for ever hereafter, except as herein-after is mentioned, to aſk, demand, take, and receive, to and for their own Uſe and Benefit, for the Tonnage and Conveyance of all Goods, Wares, Merchandizes, and Commodities whatſoever, which ſhall be carried or conveyed upon the ſaid Canal ſo as aforeſaid to be cut between the *Engine Mills* and the River *Avon*, oppoſite *Temple Meads* as aforeſaid, or upon any Part or Parcel thereof, the Rates and Duties herein-after mentioned; (that is to ſay),

Duties.

For all Coal, Coke, Culm, Stone, Coal-Cinders, Charcoal, Chalk, Marle, Sand, Lime, Clay, Aſhes, Peat, Limeſtone, Freeſtone, Pitching and Paving-ſtone, and Manure, of all Deſcription, the Sum of One Penny *per* Ton:

For all Iron, Ironſtone, Pig-Iron, Copper, Copper-Ore, Lead, Calamine, Black Jack, Bricks, Tiles, Deal, Timber, Bark, Corn, Grain, Flour, Malt, Meal, Ochre, Fuller's Earth, Kelp, Pitch, Tar, and Turpentine, Beer, Porter, and Salt, the Sum of Two-pence *per* Ton:

And for all other Goods, Wares, Merchandizes, and Commodities whatſoever, the Sum of Four-pence *per* Ton.

XC. And

Penalty on Persons claiming a Right to carry Articles at a lower Rate than is now fixed.

XC. And, for the better and more effectually securing Payment of the Rates last hereby granted, it is hereby further enacted, That if any Person or Persons shall fraudulently and with Intent to evade the Payment of the said Rates, claim any Privilege or Exemption in relation to the using or disposing of any of the Articles liable to the Payment of such lower Rates, Tolls, or Duties for any other Purposes than those in respect of which such Articles are hereby made liable only to such lower Rates or Duties, every such Person or Persons so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds nor less than Forty Shillings.

For ascertaining the Tonnage of Timber and light Goods.

XCI. And, for the better ascertaining the Tonnage of Timber and of light Goods to be charged with the Payment of the Rates, Tolls, or Duties aforesaid, be it further enacted, That Forty Cubic Feet of Square or Fifty Cubic Feet of Round Oak, Ash, Elm, or Beech Timber, and Fifty Cubic Feet of Fir or Deal, Poplar or Birch, not cut into Scantlings, and Sixty Cubic Feet of light Goods, shall be deemed, rated, and estimated as and for One Ton.

For Recovery of Rates on the Canal.

XCII. And be it further enacted, That the Rates and Duties hereby authorized to be taken on the said Canal shall be paid to such Person or Persons, at such Place or Places upon or near the said Canal, and in such Manner and under such Regulations as the said Directors or any Five or more of them, shall in that Behalf direct or appoint; and in case of Neglect or Refusal to pay any such last mentioned Rates or Duties, or any Part thereof, unto the Person or Persons who shall be appointed to receive the same as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*; or it shall be lawful for the Person or Persons to whom such Rates or Duties ought to have been paid, and he and they is and are hereby fully authorized and empowered to seize and distrain any Boat, Barge, or other Vessel, Goods, Wares, or Merchandizes, for or in respect of which any such Rates ought to be paid as aforesaid, and to detain the same respectively until full Payment shall be made of such Rates or Duties, together with the reasonable Costs and Charges of such Distress; and in case such Distress shall not be redeemed within Five Days after the taking thereof, the same shall and may be appraised and sold as the Law directs in Cases of Distresses for Rent.

Owners, &c. of Boats to give Account of Lading, and inflicting a Penalty on giving a false Account.

XCIII. And, for the more easy collecting the Rates or Duties last aforesaid, be it further enacted, That the Master, Owner, or Manager of every Boat, Barge, or other Vessel navigated upon the said intended Canal, or on any Part thereof, shall give a just Account in Writing, signed by him to the Collector or Collectors of the said Rates or Duties at the Place or Places where he or they shall attend for that Purpose, of the several Quantities, Qualities, and Weight of the Goods, Wares, Merchandizes, and Things contained in every such Boat, Barge, or other Vessel; and in case any such Master, Owner, or other Person shall neglect or refuse to give such Account, or refuse to produce his Permit or Bill of Lading to such Collector or Collectors, if demanded, or shall give a false Account thereof, or shall deliver any Part of the Goods, Wares, or Merchandizes before giving in such Account, every Person so offending shall forfeit and

pay

pay any Sum not exceeding Five Pounds nor less than Forty Shillings for every such Offence, over and above the Rates or Duties which shall be payable under and by virtue hereof, which said Forfeiture in case of Refusal to pay the same on Demand, shall and may be recovered in the same Manner as the other Rates or Duties are herein appointed and directed to be recovered and levied.

In case of Difference concerning the Tonnage, &c. Vessels to be measured.

XCVI. And be it further enacted, That if any Difference shall arise between any Collector of the last mentioned Rates or Duties, and the Master, Owner, or other Person having Charge of any Boat, Barge, or other Vessel, or of any Goods, Wares, and Merchandizes concerning the Tonnage, Weight, and Quantity of the same, it shall and may be lawful for any such Collector to seize and detain any such Boat, Barge, or other Vessel, and to weigh, measure, and gauge, or cause to be weighed, measured, and gauged the same, and all such Goods, Wares, and Merchandizes as shall be therein contained; and in case the same shall upon such weighing, measuring, and gauging appear to be of greater Weight or Quantity than such Master, Owner, or other Person having the Care of such Boat, Barge, or other Vessel shall have affirmed or stated the same to be, then such Master, Owner, or other Person, shall pay the Costs and Charges of such weighing, measuring, and gauging; and such Costs and Charges, in case of Refusal of Payment thereof on Demand, shall and may be levied and recovered in the same Manner as the Rates and Duties are hereby appointed to be levied and recovered; but if such Goods, Wares, and Merchandizes shall appear to be of the same Weight or Quantity, or of less Weight or Quantity than the said Master, Owner, or other Person declared the same to be, then the said Collector shall pay the Costs and Charges of such weighing, measuring, and gauging, and shall also pay to such Master, Owner, or Person, or to the Owner or Owners of such Goods, Wares, and Merchandizes, such Damage as shall in the Judgement of any Two or more Justices of the Peace in and for the City and County of the City of *Bristol*, or the Counties of *Somerset* or *Gloucester*, on the Oath of One or more credible Witness or Witnesses, to have arisen from such Detention; and in Default of immediate Payment thereof by such Collector, the same shall be recovered against the said Company by Distress and Sale of their Goods and Chattels, by Warrant under the Hands and Seals of any Two or more Justices of the Peace in and for the City and County of *Bristol*, or Counties of *Somerset* or *Gloucester*, or by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

Canal, Towing Paths, &c to be free on Payment of Rates, &c.

XCV. And be it further enacted, That all and every Person and Persons shall have free Liberty to use with Boats, Barges, and other Vessels the said Canal, Locks, and other Works and Conveniencies, for the Purpose of conveying any Goods, Wares, Merchandizes, or Commodities whatsoever, and the Wharfs, Quays, and landing Places for the loading or unloading of such Goods, Wares, or Merchandizes, and the Towing Paths for the haling or drawing such Boats, Barges, or other Vessels, upon the Payment of the several Tolls, Duties, and Rates aforesaid, (except as aforesaid) and subject to the Rules and Regulations, and Bye Laws, which shall be from Time to Time made by virtue of the Powers herein in that Behalf given,

Penalty on Perſons loading or unloading Boats, &c. at other Places than thoſe directed by the Company.

XCVI. And be it further enacted, That if any Perſon or Perſons navigating or having the Care of any Boat, Barge, or other Veſſel on the ſaid Canal, or any Part thereof, ſhall load, unload, or take into any ſuch Boat, Barge, or other Veſſel, any Goods, Wares, Merchandizes, or Commodities whatſoever, liable to pay any of the Rates or Duties before mentioned, at any other Place or Places than at the Wharfs and Quays to be made and belonging the ſaid Company at or upon the ſaid Canal, without having obtained the Conſent in Writing of the ſaid Directors, or any Five or more of them, or of ſome One of the Agents or Collectors of the ſaid Rates, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay to the ſaid Company any Sum not exceeding Five Pounds nor leſs than Forty Shillings.

Owners and Occupiers to uſe Huſbandry Boats free of Toll, &c.

XCVII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the reſpective Owners or Occupiers of any Lands or Grounds adjoining to the ſaid Float, Canal, or River *Avon*, from *Briſtol* to *Hanham Mills* reſpectively, to uſe upon the ſame or any Part or Parts thereof any Boat or Boats for the Purpoſe of Huſbandry only, or for the conveying of Cattle or Manure to any Farms or Lands of the ſaid Owners or Occupiers, or for the Benefit or Purpoſes of the ſaid Owners or Occupiers, without any Interruption from the ſaid Company, or any Perſon or Perſons acting under them or by their Authority and Direction, and without paying any Rate, Toll, or Duty for the ſame, ſo as ſuch Boat or Boats be not above Twelve Feet in Breadth, and Twenty-five Feet in Length, nor employed in carrying any Goods, Wares, or Merchandize to Market or for Sale, or any Perſon or Perſons for Hire, and ſo as the ſame do not obſtruct or prejudice the Navigation of the ſaid Canal or Cuts, or the Paſſage upon the Towing Paths on the Sides thereof; and ſo that the reſpective Owners or Occcupiers of all ſuch Huſbandry Boats ſhall in their own Lands make convenient Places for ſuch Boats to lie in; and ſhall not ſuffer the ſame to be moored or remain upon the Courſe of the Navigation of the ſaid Canal or Cuts.

Regulations for entering into and going out of the Harbour, and lying therein.

XCVIII. And be it further enacted, That every Perſon neceſſarily opening any Swivel or Drawbridge acroſs or over the Canal hereby authorized to be made, ſhall and is hereby required as ſoon as may be after ſuch Swivelbridge or Drawbridge ſhall be opened, to ſhut and faſten the ſame; and if any Perſon or Perſons ſhall wilfully open any ſuch Drawbridge or Swivelbridge when no Veſſel or Veſſels is or are to paſs the ſame, ſo as to interrupt a free Paſſage for Travellers, Cattle or Carriages, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds nor leſs than Forty Shillings.

Regulations for opening and ſhutting Swivel and Drawbridges, &c.

XCIX. And, for the better making and preſerving of a free and clear Entrance, Navigation, and Paſſage into and within, and alſo a free and clear Paſſage out of the Floating Harbour and Works hereby authorized and empowered to be formed and completed, be it enacted, That no Ship, Lighter, Barge, Boat, or other Veſſel of any Deſcription whatſoever, ſhall lie acroſs, in, or in anywiſe unneceſſarily obſtruct any of the Entrances or Paſſages into or within the aforeſaid Floating Harbour, Canal, or Works, or be permitted to ſtrike or run upon any of the Locks, Floodgates, or Bridges thereof; and that if any Ship, Lighter, Barge, Boat, or other Veſſel entering, navigating, uſing, lying, loading, or unloading,

loading, shall be placed or suffered to remain, so as unnecessarily to obstruct the Navigation as aforesaid, the Master, Owners, or other Person having the Command or Direction of such Vessel shall not immediately, upon Request made, remove the same, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds nor less than Five Pounds, and also a Sum not exceeding Five Pounds nor less than Forty Shillings for every Hour such Obstruction shall continue after such Requisition; and it shall be lawful for the Quay Warden, Water Bailiff, or Dock Master respectively, within whose Jurisdiction such Offence shall be committed, to cause any such Ship, Lighter, Barge, Boat, or other Vessel to be removed in such Manner and to such Place as shall be proper for preventing such Obstruction, or to be unloaded if necessary; and to seize or distrain such Ship, Lighter, Barge, Boat, or other Vessel, and the Lading thereof, or any Part of such Lading, until the Charges occasioned by such Removal shall be paid; and if any Person or Persons shall suffer the loading of any Boat, Barge, or other Vessel navigating in or upon the said Floating Harbour or Works, and shall not immediately, when required, remove such Obstruction; or if any Person shall wantonly, carelessly, or negligently open or cause to be opened any Lock, Gate, or Valve belonging to any Lock to be erected on the said Works, or wantonly or mischievously flush or draw off, or cause to be flushed or drawn off Water from the said Floating Harbour or Canal, or any of the Locks or Cuts leading thereto; or shall suffer any Ship, Lighter, Barge, Boat, or other Vessel, to strike or run upon any of the Bridges or Locks thereof, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on Persons throwing Dirt, &c. into the Harbour, Canal, or Works.

C. And be it further enacted, That if any Owner or Owners, Master, or Commander, Seaman or Servant, of or belonging to any Ship, Boat, or other Vessel, or any other Person or Persons whomsoever, either on Shore or on Shipboard, shall throw, cast, or put any Earth, Dirt, Ashes, Stones, or other Things into or upon any Part of the Floating Harbour, Canal or Works hereby directed to be made, or do any other Annoyance to the same respectively, or any Part thereof, and Complaint being made thereof upon Oath by any Harbour Master, Dock Master, or other Officer, or any other Person, the same shall be examined into and determined by One or more of His Majesty's Justices of the Peace for the City and County of the City of *Bristol*, and he or they is and are hereby authorized and empowered to impose upon the Offender or Offenders such Fine or Fines, not exceeding Twenty Pounds for each Offence, as the said Justice or Justices shall think reasonable; and in case of Nonpayment thereof upon Demand, it shall and may be lawful for any such Justice or Justices, by Warrant under his or their Hand and Seal, or Hands and Seals, to levy the same, together with the Costs and Charges incident thereto, by Distress and Sale of the Goods and Chattels of such Owner or Owners, Master or Commander, Seaman or Servant, or other Person or Persons so offending, or of the Tackle, Apparel, or Furniture of or belonging to such Ship, Boat, Barge, or other Vessel, rendering the Overplus (if any), to such Master or Commander, or to the Person or Persons whose Goods or other Things shall be so distrained; and if sufficient Distress cannot be found, then it shall be lawful for such Justice or Justices, by Warrant under his or their Hand

and

and Seal, or Hands and Seals, to commit such Offender or Offenders to any Prison within his or their Jurisdiction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months nor less than One Calendar Month, unless such Penalty shall be sooner paid.

No Gunpowder to be kept on board Ships.

CI. And be it further enacted, That all such Ships, Lighters, Barges, Boats, or other Vessels, as shall respectively have on board any Gunpowder, shall respectively before they enter the said Floating Harbour, land and discharge the same, and unload and clear their Guns; and that in case the Commander, Master, or Mate of any Ship or Vessel shall make Default herein, every such Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds nor less than Five Pounds.

Persons setting Fire to or damaging the Works guilty of Felony.

CII. And be it further enacted, That if any Person or Persons whatsoever shall wilfully and maliciously set on Fire any of the Works made or to be made by virtue of this Act, or any of the Materials intended for any of the said Works, every such Person or Persons so offending in any of the Cases aforesaid shall be adjudged guilty of Felony; and every such Felon shall be subject to the like Pains and Penalties as in Cases of Felony without Benefit of Clergy; and if any Person or Persons shall knowingly, wilfully, or maliciously demolish, break down, cut, or destroy any of the Works hereby directed to be made, or any Ship, Boat, Barge, or Vessel lying in the said Floating Harbour or Canal, then every such Offender or Offenders, being convicted thereof, shall suffer Punishment by Fine, Imprisonment, or Transportation, at the Discretion of the Judge or Judges before whom such Offender or Offenders shall be tried and convicted.

Penalty for destroying Ropes of Vessels.

CIII. And be it further enacted, That if any Person or Persons whomsoever shall wilfully or maliciously cut, break, or in any Manner destroy any Rope or other Thing by which any Ship, Boat, Barge, or other Vessel lying in the said Floating Harbour and Canal shall be moored or fastened, such Person or Persons shall for every such Offence, forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings: Provided always, that nothing herein contained shall hinder or restrain the Dock Master, Quay Warden, or other proper Officer, or his or their Assistants or Assistant, from exercising, in a due and reasonable Manner, any of the Powers and Authorities vested in them.

Owners of Vessels answerable for Damages done by their own Servants or others on board.

CIV. And be it further enacted, That the Master or Owner of every Ship, or other Vessel, Lighter, Boat, Barge, Raft, or Craft whatsoever lying or being in the said Floating Harbour or Canal, shall be and is and are hereby made answerable to the said Company for the Amount or Value of any Mischief or Damage that shall be done by any of the Servants, Boatmen, Bargemen, or other Person or Persons on board the same, to the Works hereby authorized to be made, each and every, or any or either of them, with full Costs of such Suit; and that such Damage and Costs shall and may be sued for and recovered in Manner herein-after mentioned.

Licences to be granted for using Boats.

CV. And be it further enacted, That the Owner or Owners, Proprietor or Proprietors of every Wherry, Pleasure Boat, and other Boat navigated, used, or employed upon the said Floating Harbour (except Boats

Boats belonging to His Majesty's Customs and Excise, to any Ship or Vessel in the said Harbour used only for carrying Persons to and from such Ship or Vessel, and except Boats belonging to the said Dock Company, and except also Market Boats, Trows, and Barges, and a Tow Boat for each Barge, Trow, or other Vessel, navigating to or from the *Bath* River Navigation, and Wherries and Boats navigating between *Bath* and *Bristol*, and belonging to or licensed by the *Bath* River Proprietors, or the Majority of them, at any Half-yearly Meeting, and carrying Passengers for Hire, and also except Boats belonging to Pilots used in the said Floating Harbour as Tow Boats only), shall previously to using, navigating, or employing the same respectively in the said Floating Harbour, or any Part thereof, apply to the Person or Persons for the Time being appointed by the said Directors, or the Majority of them, at a Meeting at which at least One Half of them shall be present, for granting the same for a Licence or Authority for the navigating and employing the Wherry, Pleasure Boat, or other Boat so belonging to him or them, for the Space of One Year next ensuing; and the Person or Persons for the Time being appointed by the said Directors as aforesaid, is and are hereby authorized and required upon such Application as aforesaid, and upon Receipt of the Sum of Two Pounds for each Licence to be applied for the Purposes of this Act, and the reasonable Charge for such Licence, to grant and sign a Licence and Authority for the navigating and using the Boat or Wherry specified and described by the Person or Persons so applying for the same, such Licence or Authority to be in Writing, and to specify and set forth the Description of the said Boat or Wherry so licensed, the Name of the Owner or Owners, Proprietor or Proprietors, and the Number which the said Boat is to be marked; and to be and continue in force for Twelve Calendar Months from the Date thereof, and no longer.

Names of the Owners and Numbers to be painted on such Boats.

CVI. And be it further enacted, That the Owner, Master, or Person having the Charge or Conduct of any Pleasure Boat, Wherry, or other Boat navigating, passing, or employed on the said Floating Harbour, shall cause the Name of such Owner or Owners, and the Number of such Boat to be painted in large White Capital Letters and Figures on a Black Ground in some conspicuous Part of such Boat, and at all Times preserve the same legible and unobliterated, and in case any Pleasure Boat, Wherry, or other Boat shall be navigated, used, or employed on any Part or Parts of the said Floating Harbour, without having the Name of the Owner or Owners, and Number of such Boat painted legibly thereon in Manner aforesaid; or in case any Pleasure Boat, Wherry, or other Boat (except as aforesaid), shall be navigated, used, or employed, without being at the Time the same shall be so used, navigated, or employed, licensed and authorized as aforesaid, then and in either of such Cases, the Owner or Owners, Proprietor or Proprietors of such Pleasure Boat, Wherry, or other Boat, shall forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings, and the Person or Persons so as aforesaid appointed by the said Company to license Boats as aforesaid, is and are hereby authorized and empowered to distrain, seize, and detain such Pleasure Boat, Wherry, or other Boat; and in case the Penalty and Forfeiture aforesaid is not paid and discharged in Five Days from such Seizure, then it shall be lawful for the said Company, their Agents, Officers, or Servants, to sell and dispose of such Pleasure Boat, Wherry,

or

or other Boat, with the Lading thereof (if any), in such Manner as the Law directs in Cases of Distress for Rent in Arrear, rendering to the Owner or Owners, Proprietor or Proprietors of such Pleasure Boat, Wherry, or other Boat, the Overplus (if any), after deducting the Penalty and Forfeiture aforesaid, and all Costs, Charges, and Expences attending the distraining, detaining, selling, and disposing of such Pleasure Boat, Wherry, or other Boat.

Company to purchase or make Compensation for Mills and other Property injured or rendered less valuable.

CVII. And whereas the several Works and Improvements hereby authorized to be made will render a certain Dock called *The Limekiln Dock*, situate in the Parish of *Clifton*, and County of *Gloucester*, useless as a Dry or Graving Dock, and will also render certain Mills and Premises at *Hanham* in the County of *Gloucester*, a certain Mill and Premises called *Engine* or *Netham Mill*, in the Parish of *Saint George* in the County of *Gloucester*, a certain Mill called *Trim Mill*, in the Parish of *Saint Mary Redcliff* in the City of *Bristol*, and a certain Mill in the Parish of *Saint James* in the City of *Bristol*, called *Bridewell Mill*, useless as Mills, and by Means of such Works and Improvements, or in the Progress and Execution thereof, Injury and Damage may be done to other Hereditaments, Houses, Lands, and Tenements, or the same may be rendered less valuable thereby; be it therefore further enacted, That the said Company shall, and they are hereby directed and required, either to purchase or to make a just and liberal Compensation or Satisfaction to the Owner or Owners, and all other Person or Persons interested in such Docks, Mills, Lands, Houses, Tenements or Hereditaments, so rendered useless, injured, or made less valuable, at the Option of such Owner or Owners, or other Persons as aforesaid, for the Injury, Loss, or Damage which such Owner or Owners, or other Person or Persons interested as aforesaid, shall or may have suffered or sustained by Reason or Means of any Loss, Injury, or Damage which any Dock or Docks, Mills, Messuages, Lands, or Hereditaments, so as aforesaid belonging to such Owner or Owners, or in which such Person or Persons shall or may be interested as aforesaid, shall have received from or by Means of the said Works and Improvements hereby authorized to be made, or in case at any Time or Times hereafter any Person or Persons shall sustain any Damage in his, her, or their Lands, Tenements, Hereditaments, or Property, by reason or Means of the Execution of any of the Powers hereby given, or through or by Means not hereby provided for.

Jury to be called to ascertain the Amount of Compensation due.

CVIII. And be it further enacted, That if any Body or Bodies Politick, Corporate, or Collegiate, or any other Person or Persons who shall require the said Company to make any such Purchase as aforesaid, or who shall claim any Compensation for any Injury, Loss, or Damage as aforesaid, shall not agree with the said Directors, or any Five or more of them, or the Persons they shall appoint to settle the same, whether the same shall be purchased, or only Compensation made in respect thereof, or as to the Amount of any Compensation, or if on Account of Absence or Disability of Parties, or any other Circumstances, such Agreement shall be impracticable, then and in such Case, and so often as it shall so happen, such Dispute, Requisition, or Claim shall be settled, determined, and adjusted by a Jury to be impannelled, summoned, and sworn before the Justices in Quarter Sessions where such Property shall lie or be, before the passing of this Act, in such and the same Manner as is herein-before

directed touching the ſummoning, impannelling, and ſwearing of Juries to aſſeſs the Amount of Monies to be paid for Purchaſe of Houſes, Buildings, Lands, and Premiſes, for making the Works hereby directed to be made: And it is hereby declared, that the ſaid Juſtices ſhall have ſuch and the ſame Powers over the Juries and Perſons ſummoned as Evidence as are herein-before given them in the Caſes aforeſaid.

Bodies Politick, etc. empowered to treat for Compenſation.

CIX. And be it further enacted, That all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Guardians and Committees for Lunaticks and Idiots, Executors, Adminiſtrators, and Guardians whatſoever, and not only for or on Behalf of themſelves, their Heirs and Succeſſors, but for or on Behalf of their *Ceſtuique* Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes Covert, or other Perſons whomſoever, and all Femes Covert who are or ſhall be ſeiſed in their own Right, and all and every other Perſon and Perſons whomſoever who are or ſhall be ſeiſed or poſſeſſed of, or intereſted in any Dock or Docks, Mill or Mills, Meſſuages, Tenements, or Hereditaments ſo rendered uſeleſs or leſs valuable as aforeſaid, or any Part or Parts thereof, ſhall and they are hereby declared to be Perſons by Law capable to enter into ſuch Agreement or Agreements, and to require a Jury or Juries to be ſummoned for aſcertaining ſuch Compenſation as aforeſaid.

Application of ſuch Money where exceeding 200l.

CX. And be it further enacted, That if any Money ſhall be agreed or be awarded to be paid as Compenſation as aforeſaid for any Injury or Damage done to any Hereditaments which ſhall belong to any Corporation, Feme Covert, Lunatick, Infant, or Perſon or Perſons under any other Diſability or Incapacity, 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 *Briſtol* Dock Company, together with the Name or Names of ſuch Perſon or Perſons as Five or more of the ſaid Directors ſhall appoint, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court of Chancery, to be ſignified by an Order made upon a Petition, to be preferred in a ſummary Way by the Perſon or Perſons entitled to the Rents and Profits of the ſaid Hereditaments, ſo injured or damaged as aforeſaid, in the Purchaſe of Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſaid Hereditaments ſo injured or damaged, or other Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or in the Purchaſe of other Meſſuages, Lands, Tenements, or Hereditaments to be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the ſaid Hereditaments ſo injured or damaged ſtand ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the Accountant General in his Name, in the Purchaſe of Three *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities

ties shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce thereof shall from Time to Time be paid by Order of the said Court, to the Person or Persons who shall for the Time being be entitled to the Rents and Profits of the said Hereditaments so injured or damaged as aforesaid.

Application where less than 200*l.*

CXI. Provided always, and be it further enacted, That if any Money agreed or awarded to be paid for Compensation as aforesaid, and belonging to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and more than 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 of the said Hereditaments so injured or damaged as aforesaid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the Accountant General of the High Court of Chancery as aforesaid, or otherwise the same shall be paid to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Directors (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner before directed, without obtaining or being required to obtain the Approbation of the Court of Chancery.

Application where less than 20*l.*

CXII. Provided always, 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 for the Time being entitled to the Rents and Profits of the said Hereditaments so injured or damaged, in such Manner as the said Directors, or any Five or more of them, shall think fit, and in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Claims of Compensation to be made within a limited Time.

CXIII. And be it further enacted, That all Claims for Compensation under or by virtue of this Act, shall be made within Six Calendar Months next after any Injury, Loss, or Damage shall happen; and that all and every Bodies and Body Politick, Corporate, or Collegiate, and other Person or Persons whomsoever claiming such Compensation, shall within the said Six Calendar Months, tender a Memorial of their respective Claims to be entered in a Book to be for that Purpose prepared and kept by the Clerk of the said Company, which Book the said Clerk is hereby required to prepare and keep, and therein to make such Entry accordingly; and that in case any Compensation to be claimed under this Act shall not be claimed, and a Memorial of such Claim tendered within the said Six Calendar Months, and the Ascertainment of such Compensation in Manner aforesaid proceeded in without Delay on the Part of the Claimant or Claimants, then and in every such Case no Compensation shall be allowed for such Loss or Damage; and all and every Person and Persons whosoever who might have claimed such Compensation or Compensations as aforesaid, but who shall have neglected to claim the same, and tender as before directed a Memorial of such Claim, within the said Six Calendar Months,

Months, and proceed without Delay in causing to be ascertained such Compensation or Compensations, shall be barred and excluded from all Right and Title to any such Compensation or Compensations whatsoever under or by virtue of this Act, any Thing herein-before contained to the contrary notwithstanding: Provided always, that if any Person or Persons entitled to, or who ought to claim any such last mentioned Compensation, shall happen to be absent from the United Kingdom of *Great Britain* and *Ireland* during the Whole of the said Six Calendar Months, and there shall not be any Person in this Kingdom duly empowered to act for him, her, or them in that Behalf, then and in every such Case it shall be lawful for the Person or Persons so being or having been absent, to make his, her, or their Claim of such Compensation, and tender a Memorial thereof as aforesaid, and proceed without Delay in the Ascertainment of such Compensation at any Time within Eighteen Calendar Months after such Injury, Loss, or Damage shall happen, or in Default thereof, shall be in like Manner barred and excluded from all Right and Title to any such Compensation.

Persons barred to such Claims of Compensation may bring Actions as for Money had and received against Persons receiving Compensation Money.

CXIV. Provided always, That any Person or Persons so as aforesaid barred of any Right, Title, Claim, or Demand whatsoever, of or to any such Compensation, shall be at Liberty to bring any Action or Actions of Debt, or for Money had and received to his, her, or their Use, against any Person or Persons, or the legal Representative of any Person or Persons who shall have received all or any Part of the Compensation Money to which the Person or Persons so barred might have been entitled if he, she, or they had claimed and proceeded as aforesaid in due Time; and that in every such Case the respective Plaintiffs, on due Proof of his, her, or their Right and Title to any such Money, shall recover such Money, with legal Interest for the same.

Compensation to be made for Tythes.

CXV. And whereas by the making and using the Entrance Bason, new Course for the River, and other Works hereby authorized to be made, certain Lands in the Parish of *Clifton* in the said City of *Bristol*, *Bedminster* in the County of *Somerset*, and *Saint Philip* and *Jacob* and *Saint George* in the County of *Gloucester*, and which are at present tytheable, will be rendered unproductive of Tythes, and it is expedient that proper Compensation should be made to the Owners of the said Tythes, both Great and Small, in lieu thereof; be it therefore enacted, That full Recompence and Satisfaction shall be made by the said Company for all the Tythes, both Great and Small, of the Lands which shall and may be taken or be made use of by the said Company, for the Purposes and in pursuance of the Powers of this Act, to the respective Persons entitled, or who would have been entitled to such Tythes in case such Lands had not been taken or made use of, according to their respective Interests therein, such Tythes to be estimated at the average Value of Seven Years, commencing at Eight Years previous to the passing of this Act, such average Value to be ascertained, in case of any Difference concerning the same, in like Manner as the Value of any Lands or other Hereditaments is herein-before directed to be ascertained: Provided always, that the Recompence or Satisfaction to be given by virtue of this Act for all Glebe Land and Tythes belonging to Spiritual Persons, shall be made to such Persons by an annual Rent, to be paid and payable by equal Half-yearly Payments and Portions, upon the Twenty-fourth Day of *June* and Twenty-fifth Day of *December*

December in every Year, clear of all Parochial Taxes, Rates, Dues, and Assessments whatsoever, the first Payment thereof to become due and be made upon the first of those Days which shall happen next after the Possession of such Lands and Premises respectively shall have been taken by the said Company.

Annual Rents shall keep pace with the Price of Corn.

CXVI. And whereas it will be expedient that the annual Rents or Sums to be paid as Recompence and Satisfaction for Glebe Lands and Tythes belonging to Spiritual Persons, should keep pace with the Price of Corn: And whereas the present average Price of Wheat is calculated at Ten Shillings *per* Bushel; be it therefore further enacted, That it shall be lawful for the Person or Persons for the Time being entitled to any Tythes, either Great or Small, for which an annual Recompence or Satisfaction is to be made as aforesaid, at any Time or Times after the Expiration of Fourteen Years, to be computed from and next ensuing the Day so aforesaid appointed for the first Payment of the said yearly Rents or Sums, by Writing under their or his Hands or Hand, to apply to the Justices of the Peace at any General Quarter Sessions to be holden for the said City and County of the City of *Bristol*, (first giving Notice in Writing to the said Company Three Calendar Months at least before such Application of his or their Intention so to do), to have the average Price of Wheat again enquired of and ascertained; and the said Justices of the Peace shall and may, and they are hereby required at the same or at the next General Quarter Sessions of the Peace to be holden for the said City and County, to enquire into and ascertain, by or from or by means of the Returns of the average Price of Corn in the said City of *Bristol*, or by such other Means as they shall think equitable and proper, the average Price of good marketable Wheat in the Corn Market of *Bristol* for the Term of Fourteen Years next preceding such Application; and after such average Price shall have been so ascertained and fixed, the Amount of all future Payments of the said respective yearly Rents or Sums of Money in lieu of Tythes as herein mentioned, shall be in the same Proportion to the Sum originally fixed and ascertained, as the Price of Wheat so ascertained as last mentioned shall be to Ten Shillings *per* Bushel now fixed, and so from Time to Time as often as any such Application shall be made as aforesaid, provided no such Application shall be made before the Expiration of Fourteen Years from the Time any such average Price shall have been last ascertained and fixed pursuant to this Act.

Remedy given in case yearly Rents in lieu of Tythes shall be in Arrear.

CXVII. Provided also, and be it further enacted, That if Default shall be made in Payment of the said yearly Rents or Sums of Money from Time to Time to be made payable in lieu of Tythes for the Space of Twenty-one Days next after any of the respective Days or Times for Payment thereof, then and in every such Case, the Person or Persons entitled to the same shall and may have and exercise such and the same Powers and Remedies for recovering and receiving the said respective yearly Rents or Sums of Money, or any Part thereof, together with all Costs and Charges which shall be occasioned by the Nonpayment of the same as by Law provided, and given to Landlords for the Recovery of Fee Farm Rents and Rack Rents in Arrear.

In case Land shall be discharged from Tythes on Payment of Modus, Company to pay the Modus according to Quantity taken

CXVIII. Provided also, and be it further enacted, That if any Land or Lands so taken and used for the Purposes aforesaid, shall be discharged from the Payment of Great or Small Tythes, and be liable to be charged with a Modus or Composition in lieu thereof, or with any Part of a Composition or Modus, then and in such Case the said Company shall and they are hereby required to pay such Modus or Composition, or Proportion of Modus or Composition, according to the Quantity of Land taken or used; and they the said Company shall not be bound or obliged, and they are hereby declared not to be bound or obliged to make any other Satisfaction or Compensation for or in lieu of Tythes of the said last-mentioned Lands, than such Composition or Modus, or Part, Share, or Proportion of such Composition or Modus payable in lieu of the said Premises so as aforesaid taken and used for the Purposes of this Act.

A Rate to be laid on Houses and Lands in the City.

CXIX. And, for the further and better carrying into Execution the Works and Improvements aforesaid, be it further enacted, That, from and after the Expiration of Twelve Calendar Months after the Works hereby authorized to be made shall have been began, and Notice thereof given in the *London Gazette* and Two *Bristol* Newspapers, it shall be lawful for the Justices of the Peace in and for the said City and County of the City of *Bristol*, at their General Quarter Sessions after the Feast of the *Holy Trinity* in every Year, and they are hereby empowered and required to order and appoint the further Sum of Two thousand and four hundred Pounds to be raised and levied by a Rate or Payment of all Lands, Houses, Tenements, or Hereditaments within the said City of *Bristol*, in equal Proportion according to their respective Worth and Value, as ascertained in the Rates or Assessments from Time to Time made or allowed for the better maintaining and employing the Poor within the said City; and in order thereto the said Justices shall be and are hereby authorized and required indifferently to proportion out the said Sum of Two thousand and four hundred Pounds so to be ordered and appointed to be raised and levied upon each Parish or Precinct within the said City, and by their Order in Sessions as aforesaid to authorize and require the Churchwardens and Overseers of the Poor of each respective Parish and Precinct, to rate and assess, demand, gather, and receive the same respectively, in like Manner, and with the like Power of Distress and Sale for levying and compelling the Payment thereof, and with the like Remedy over in case of Insolvency of a Churchwarden or Churchwardens as is and are given or provided, directed, and appointed in and by the several Acts made for erecting Hospitals and Workhouses within the said City of *Bristol*, for the better maintaining and employing the Poor thereof; and the said Churchwardens and Overseers respectively shall and they are hereby required to collect, account for, and pay over the Money apportioned on their Parishes and Precincts respectively to the said Directors, or any Five or more of them, or to the Treasurer or Treasurers, Person or Persons appointed to receive the same, in like Manner and under the like Penalties as they are by the said Acts required to collect, account for, and pay over the Money to be raised for the Maintenance of the said Poor.

Tenants to pay the Rates, and deduct a Moiety out of the Rents.

CXX. And be it further enacted, That the Sum and Sums of Money so as aforesaid to be assessed, levied, and received under and by virtue of the Powers and Provisions of this Act, shall be paid by the Tenant or Occupier

Occupier of the Premiſes which ſhall be ſo aſſeſſed, and ſuch Tenant or Occupier ſhall and may deduct and retain out of the Rent payable to the Landlord or Owner of ſuch Premiſes, One Moiety or Half Part of the Sum or Sums of Money ſo as aforeſaid to be aſſeſſed on ſuch Premiſes, when the ſame ſhall have been aſſeſſed and paid; and the Landlords or Owners, mediate or immediate, according to their reſpective Intereſts, are hereby required to allow to ſuch Tenants or Occupiers ſuch Moiety accordingly; and every ſuch Tenant or Occupier, Tenants or Occupiers, ſhall be diſcharged for ſuch Moiety, in ſuch Manner, and as fully and effectually as if the ſame had been actually paid to any ſuch Landlord or Landlords, or other Perſon or Perſons to whom his, her, or their Rent was or ſhould have been paid or payable.

In caſe there are ſeveral Tenants of a Houſe, Rates how to be paid.

CXXI. Provided always, and be it further enacted, 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, Inmates, or Lodgers, 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 caſe of Nonpayment, ſhall and may be levied upon and recovered from any of the Inhabitants and Occupiers of any Part or Parts of ſuch Houſe or Tenement, in ſuch and the like Manner as the other Rates and Aſſeſſments on Houſes, Tenements, Lands, and Hereditaments, for the Purpoſes of this Act, are hereby appointed to be levied and recovered; and it ſhall be lawful for any Inhabitant, Lodger, or Inmate who ſhall be compelled to pay the ſame, to diſtrain on ſuch other Tenants or Inmates for their reſpective Proportions of One Moiety or Half Part thereof, and have, claim, deduct, and receive the remaining Moiety or Half Part thereof, out of the Rent, or from the Landlord or Owner of ſuch Premiſes in Manner aforeſaid.

No Leaſe or Agreement to be impeached.

CXXII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to alter or affect, make void, impeach, or invalidate any Leaſe, Contract, Covenant, or Agreement, either written or parol, between Landlord and Tenant, relating to the Payment of Rates and Taxes.

Rates to ceaſe if the Works are not completed at a certain Period.

CXXIII. Provided always, and be it further enacted, That in caſe the ſeveral Works hereby authorized to be made ſhall not be completed and finiſhed within Four Years next after the Works hereby authorized ſhall have been began, and Notice thereof given in the *London Gazette*, and in Two *Briſtol* Newſpapers as aforeſaid, that then all and every the ſeveral Rates and Duties hereby impoſed and made payable, ſhall ceaſe and be no longer paid or payable until the Expiration of Three Calendar Months after the ſaid Works hereby authorized to be made ſhall have been completed and finiſhed, and Notification ſhall have been given thereof in the *London Gazette* and in Two *Briſtol* Newſpapers, and by Writing affixed in the Exchange and Council Houſe of the City of *Briſtol*; and from and after the Expiration of Three Calendar Months after the ſaid Works ſhall have been completed and finiſhed, and ſuch Notification as aforeſaid ſhall have been thereof given, all and ſingular the Rates and Duties hereby impoſed and made payable ſhall recommence, and be again paid and payable until the ſame ſhall be redeemed in Manner next herein-after mentioned.

CXXIV. And

After Payment of the joint Stock and Money borrowed the Rates to ceaſe.

CXXIV. And be it further enacted, That, from and immediately after Payment and Diſcharge of the ſaid Capital or Joint Stock, and the ſaid ſeveral Sum and Sums of Money borrowed on Security of the Rates and Duties aforeſaid, and alſo the Sum and Sums of Money neceſſary to increaſe the Surplus Fund aforeſaid to the Sum of Sixty thouſand Pounds, all and every the Rates and Duties whatſoever hereby impoſed and made payable ſhall abſolutely ceaſe and determine, and be no longer paid and payable.

Power to appoint Officers.

CXXV. And be it further enacted, That it ſhall and may be lawful for the ſaid Directors, or the major Part of them aſſembled at any Meeting, at which Half or more of them ſhall be aſſembled and not otherwiſe, to appoint a Treaſurer or Treaſurers, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, Watchman or Watchmen, and ſuch other Officers and Servants as they ſhall find neceſſary for the Purpoſes of this Act, taking ſuch Security or Securities for the faithful Execution of their reſpective Offices, as the ſaid Directors, or the Majority of them aſſembled as aforeſaid, ſhall from Time to Time think fit, and out of the Money to be raiſed by virtue of this Act, to pay or allow unto ſuch Perſon or Perſons ſuch Salaries, Allowances, or Recompences yearly, or otherwiſe, for their Time and Trouble, as to them ſhall ſeem meet and reaſonable; and from Time to Time at any Meeting in which more than Half of ſuch Directors ſhall be aſſembled, to remove or ſuſpend them, or any of them, and appoint others in their Stead, or in the Room of ſuch as ſhall die, be removed, or ſuſpended, or become incapable of performing their Office.

Directors empowered to make Regulat ons for Clerks and Officers.

CXXVI. And be it further enacted, That it ſhall be lawful for the ſaid Directors, or any Five or more of them, from Time to Time to act in the Management of the ſaid Concerns to them committed, and to make, ordain, and eſtabliſh ſuch Rules, Orders, and Regulations for the good Government of the ſaid Directors, and of all Clerks, Treaſurers, Collectors, Engineers, Surveyors, Workmen, Labourers, Watchmen, and others appointed and employed under and by virtue of this Act, and alſo from Time to Time as they ſhall ſee Occaſion to repeal, annul, add to, amend, or alter ſuch Rules and Orders as to them the ſaid Directors, or any Five or more of them, ſhall ſeem meet or requiſite, and affix and appoint reaſonable pecuniary Penalties, not exceeding Forty Shillings for any One Offence for Non-obedience, Non-performance, or other Breach of all or any of ſuch Rules, Orders, or Regulations as ſhall be neceſſary or expedient for the due Execution of this Act, which Rules, Orders, and Regulations ſhall be entered in a Book or Books to be for that Purpoſe kept by the Clerks of the ſaid Company.

Rules ſubject to the Controul of the Company, who may inſpect, alter, or annul the ſame.

CXXVII. Provided always, and be it further enacted, That the Rules, Orders, and Regulations ſo to be made by the ſaid Directors, or any Five or more of them, ſhall and are hereby declared to be ſubject to the Inſpection and Controul of the ſaid Company from Time to Time, and at all Times when they ſhall think proper, at a Meeting aſſembled for that Purpoſe, of which Fourteen Days Notice ſhall be previouſly given (in like Manner as Notices of other Meetings are herein directed to be given), to inſpect and conſider the Rules, Orders, and Regulations, or any of them, made by the ſaid Directors as aforeſaid, and if the ſaid Company or the

major Part of them present shall see fit, to revoke, repeal, annul, or alter any of the said Rules, Orders, or Regulations, or to make other Rules, Orders, or Regulations instead thereof, as they or the major Part of them shall think fit; and the said Rules, Orders, and Regulations, shall and may from Time to Time be varied or repealed, and others made in their stead, at a Meeting of the said Company to be held as aforesaid, but not by the said Directors after such Confirmation of a General Meeting; and all such Rules, Orders, and Regulations as shall be made or constituted by the said Company shall, when signed by the Chairman of the said Meeting, and printed, be binding, and observed by all Parties: Provided always, that such Rules, Orders, and Regulations, shall not be inconsistent with or contrary to any Law or Statute of that Part of the United Kingdom of *Great Britain* and *Ireland*, called *England*.

Power to common Council to appoint Pilots.

CXXVIII. And be it further enacted, That it shall and may be lawful to and for the said Mayor, Aldermen, and Common Council of the said City of *Bristol*, in Common Council assembled, from Time to Time, and at all Times hereafter, to nominate, direct, and appoint any Person or Persons duly qualified for that Purpose to be and officiate as a Pilot or Pilots within the Port of *Bristol*, and Jurisdiction of the said Mayor, Aldermen, and Common Council; and from Time to Time at their Discretion, to suspend and discharge such Person or Persons from being a Pilot or Pilots; and all and every Person or Persons not being licensed, nominated, and appointed as a Pilot or Pilots, who shall take or hold the Charge of, or attempt to pilot any Ship or other Vessel within the Jurisdiction aforesaid, except such Ship or Vessel shall be in Distress, and there shall be no Pilot appointed as aforesaid in Sight; and also all and every Person not being a Pilot as aforesaid, who having the Charge or Pilotage of any Ship or Vessel within the Jurisdiction aforesaid, shall not upon the Approach of a Pilot duly appointed as aforesaid, shorten Sail for and take on board such Pilot, and resign the Charge or Command of such Ship or Vessel, shall forfeit and pay for each Offence any Sum not exceeding Ten Pounds nor less than Forty Shillings, to be levied and recovered as other Penalties inflicted by this Act are hereby directed to be levied and recovered.

Regulations respecting Masters of Ships, Pilots, and Watermen.

CXXIX. And be it further enacted, That for the better and more effectual governing and well regulating the Masters of all Ships and Vessels resorting to and abiding in the said Port of *Bristol*, the Dock Master or Dock Masters to be appointed by virtue of this Act, and also all Pilots, Mariners, and Watermen, navigating and using the said Port, and in what Manner such Persons shall conduct and behave themselves, and navigate their respective Ships, Vessels, and small Craft of whatsoever Denomination the same may be called, it shall and may be lawful for the Mayor, Aldermen, and Common Council of the said City of *Bristol*, in Common Council assembled, to make, constitute, ordain, and provide from Time to Time such Bye Laws, Rules, and Orders, as they shall think fit, for the mooring, unmooring, and navigating all Ships and Vessels, and all small Craft whatsoever using and navigating the said Port of *Bristol*, and also in what Manner the Masters and Mariners of all Ships and Vessels, and small Craft whatsoever, shall conduct and behave themselves within the Jurisdiction of the said Mayor, Burgesses, and Commonalty; and also

alſo in what Manner all Pilots and Watermen plying for Hire within the ſaid Port only, and the Juriſdiction of the ſaid Mayor, Burgeſſes, and Commonalty, ſhall conduct and behave themſelves in the taking charge of and piloting all Ships and Veſſels within the ſaid Port, and the Juriſdiction of the ſaid Mayor, Burgeſſes, and Commonalty, and alſo what Rates and Fares ſhall be received and taken by Pilots and Watermen plying for Hire within the ſaid Port only, and generally, for them the ſaid Mayor, Aldermen, and Common Council, in Common Council aſſembled, to make, conſtitute, ordain, and provide all ſuch reaſonable Bye Laws, Rules, and Orders, for the good Rule and Government of the ſaid Port as to them in their Diſcretion ſhall ſeem meet; and alſo from Time to Time as they ſhall think fit, repeal, alter, or amend ſuch Bye Laws, Rules. and Orders, or any of them, ſuch Bye Laws, Rules, and Orders, not to be inconſiſtent with any Thing in this Act contained, or contrary to any Law or Statute of that Part of the United Kingdom of *Great Britain* and *Ireland*, called *England*; and alſo aſcertain and ſet down what pecuniary Penalties or Forfeitures ſhall be incurred by Perſons breaking or evading the ſame, or any of them; provided that no ſuch Penalty or Forfeiture ſhall exceed the Sum of Five Pounds for One Offence.

Common Council to fix Rates to be taken by Watermen.

Penalties to be recovered as other Penalties are to be recovered.

CXXX. And be it further enacted, That all ſuch Penalties to be impoſed by the ſaid Bye Laws, Rules, and Orders, ſhall and may be recovered, levied, and mitigated by ſuch Ways and Means, and in Manner and Form preſcribed by this Act for the Recovery of the Penalties thereby impoſed.

Copy of the Bye Laws to be hung up in ſome conſpicuous Part of Council Houſe and other Places.

CXXXI. Provided always, and it is hereby declared, That a Copy of all the ſeveral Bye Laws, Rules, and Orders, by this Act authorized to be made, ſhall be printed, and ſigned by the Town Clerk of the ſaid City, by Order of the ſaid Mayor, Aldermen, and Common Council, and ſhall be and remain affixed or hung up in ſome conſpicuous Part or Parts of the Council Houſe and Exchange within the ſaid City; and alſo painted in legible Characters on a Board to be erected for that Purpoſe in ſome conſpicuous Part of the Entrance Baſon to the ſaid Float, which ſaid Board and Painting thereon the ſaid Company are hereby required to renew and repair, as often as the ſame ſhall be defaced or injured by Time and the Weather, or otherwiſe, that all Strangers uſing the ſaid Port, and others, may have an Opportunity of knowing the Laws by which they are to be regulated during their Stay within the ſaid Port; and alſo, that at the Time of making ſuch Bye Laws, Rules, and Orders, publick Notice ſhall be given of ſuch Bye Laws, Rules, and Orders, by advertiſing the ſame in ſuch of the Newſpapers publiſhed in the ſaid City as the ſaid Mayor, Aldermen, and Common Council ſhall direct, Fourteen Days at leaſt before any ſuch Bye Laws, Rules, and Orders, ſhall be executed or take effect.

Reſerving the Rights of the Mayor, Burgeſſes, and Commonalty of *Briſtol*.

CXXXII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend (further than as in this Act is mentioned) to abridge or leſſen any of the Rights, Privileges, Franchiſes, Immunities, Powers, or Authorities of the Mayor, Burgeſſes, and Commonalty of the City of *Briſtol*, as Owners of the Port of *Briſtol*, or as Conſervators of the Rivers within the City and Port of *Briſtol*.

CXXXIII. And

Conservancy of the new Course of the Avon vested in the Mayor, &c.

CXXXIII. And be it further enacted and declared, That the Ownership of the said Port of *Bristol*, and the Conservatorship of the new Course of the River *Avon*, and the several Works to be made in pursuance hereof, shall be vested in the Mayor, Burgesses, and Commonalty of the said City of *Bristol*, in as full and ample a Manner in every Respect whatever, as the Ownership of the said Port, and Conservatorship of the Rivers *Avon*, *Froome*, and *Severn*, within the said Port, was or were vested in the said Mayor, Burgesses, and Commonalty, before the passing of this Act.

Reserving the Rights of the Merchant Venturers as Lessees and Grantees of the Corporation.

CXXXIV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges of the Master, Wardens, and Commonalty of Merchant Venturers of the said City of *Bristol*, as Lessees or Grantees of the said Mayor, Burgesses, and Commonalty.

Engineers to be appointed in case of Obstructions at Keynsham Mills, to remedy the same.

CXXXV. And be it further enacted, That if at any Time hereafter the said Dam and Overfall to be erected across the River *Avon*, at or near the Engine Mills aforesaid, shall in any way obstruct or impede the working or use of the said Mills situate at *Keynsham* aforesaid, and the Owners and Proprietors for the Time being of such Mills shall give Notice thereof to the Clerk to the said Company, the said Company shall and they are hereby required, within Three Weeks after such Notice, to appoint One Engineer, and the said Owners and Proprietors shall also within the same Period appoint another Engineer, who together shall, within Two Months after such Notice as aforesaid, survey such Mills and ascertain the Nature and Effect of such Obstruction; and if it shall appear to such Engineers that the same can be obviated and prevented by any Alteration of such Mills, or any of the Buildings, Sluices, Dams, or other Works belonging thereto, or by the erecting and making of any new and other Sluices, Dams, or other Works, and such Engineers shall specify the same in Writing, then and in such Case, on Notice thereof given, and Requisition made for that Purpose in Writing by the Owners and Proprietors of the said Mills to the Clerk to the said Company, the said Company shall, as soon after such Notice as the same can conveniently be done, cause all such necessary Alterations in such Mills, or in any Sluices, Dams, or other Works belonging thereto, to be made, or any such new Sluices, Dams, or other Works, to be made or erected, as may be necessary for the Purposes aforesaid, at the Expence of the said Company, and so from Time to Time until all such Obstructions as aforesaid shall be remedied or removed; and in case any such Obstruction cannot be so remedied or removed, and such Mills shall by Reason thereof be injured or rendered less valuable, then and in such Case, the said Company shall make just and liberal Compensation or Satisfaction to the Owners or Proprietors of the said Mills, to be ascertained according to the Provisions of this Act.

If the Proprietors of the Bath River Navigation shall make a Horse Towing Path from Bath to Hanham Mills, the Dock Company to make a Horse

CXXXVI. And whereas the Proprietors of the said *Bath* River Navigation have it in Contemplation to make a Horse Towing Path from the said City of *Bath* to *Hanham* Mills aforesaid, and in such Case the said *Bristol* Dock Company have agreed to make a Horse Towing Path from *Hanham* Mills, to the West End of *Temple Meads* aforesaid, or in Default thereof pay to the said Proprietors of the said *Bath* River Navigation, the Sum of One thousand Pounds of lawful Money of that Part of the United Kingdom

Towing Path from thence to Temple Meads, or in Default thereof to pay 1000l. to the said Proprietors.

Kingdom called *England*, to and for their own Use, or otherwise to permit Boats, Barges, or other Vessels, to pass and navigate from *Hanham* Mills aforesaid through the said Canal, Cut, or Feeder, to and through *Bristol* Bridge, to the Quays and Landing Places, without paying any Tolls, Rates, or Duties whatsoever; be it therefore enacted, That in case the said Proprietors of the said *Bath* River Navigation shall at any Time hereafter make and complete a Horse Towing Path from the said City of *Bath* to *Hanham* Mills aforesaid, then the said *Bristol* Dock Company shall at their own Expence, within Twelve Calendar Months next after such Horse Towing Path shall be completed, at their own Expence, Costs, and Charges, make and for ever after maintain and keep in good and proper Repair a Horse Towing Path by the Side of the said River *Avon*, from *Hanham* Mills to the West End of *Temple Meads* aforesaid, with all proper and convenient Bridges, Ways, Approaches, Works, and Conveniencies necessary thereto, for the Convenience and Use of the Traders and all other Persons navigating Boats, Barges, or other Vessels, between the said *Bath* River Navigation and the City of *Bristol*, without taking any Toll or Duty for using or travelling on such Towing Path, or in Default thereof, the said *Bristol* Dock Company shall, at the Expiration of such Twelve Calendar Months, pay or cause to be paid to the Treasurer or Treasurers, and for the Use of the said Proprietors of the said *Bath* River Navigation, the Sum of One thousand Pounds of like lawful Money as aforesaid; and in Default of the said *Bristol* Dock Company making and completing such Horse Towing Path from *Hanham* Mills to the West End of *Temple Meads* with all proper and convenient Bridges, Ways, Approaches, Works, and Conveniencies necessary thereto, in the Event of the Proprietors of the said *Bath* River Navigation making such Horse Towing Path from *Bath* to *Hanham* Mills as aforesaid, or paying the said Sum of One thousand Pounds to or for the Use of the Proprietors of the said *Bath* River Navigation, within the Time above specified, then all and singular the Tolls, Rates, and Duties, herein-before granted and made payable to the said *Bristol* Dock Company for the Tonnage or Conveyance of Goods, Wares, Merchandizes, and Commodities to be carried or conveyed upon the said Cut or Canal, or any Part or Parcel thereof, shall from thenceforth cease and be no longer paid or payable; any Thing herein contained to the contrary thereof notwithstanding.

For protecting the Lands and Estates of the Duchess of Chandos, and William Gore Langton Esquire from Damage or Injury.

CXXXVII. And whereas in order to protect the Lands, Grounds, Estates, and Premises of the Most Noble *Anna Eliza* Duchess of *Chandos*, situate, lying, and being in the Parishes of *Brislington* and *Keynsham* in the said County of *Somerset*, and of *William Gore Langton* Esquire, situate, lying, and being in the said Parish of *Brislington*, from any Damage or Injury that they or any Part thereof may hereafter sustain by the Reason or Means of the said Dam and Overfall, so to be erected across the River *Avon* at or near the Engine Mills between the Parish of *Saint George* in the County of *Gloucester*, and *Brislington* in the County of *Somerset*, by penning back, or otherwise obstructing the free Course of the Water in the said River above the said Dam; be it further enacted, That, from and after the passing of this Act, the said Company shall upon a Day named in and by a Notice in Writing to their Clerk for that Purpose (such Notice to be left at the Office or with the Clerk of the Works of the said Company, Seven Days at least previous to the Day named in such Notice) cause to be erected at the Costs and Charges of the said Company at *Saint Ann's*

Ann's Mill in the ſaid Pariſh of *Briſlington*, a proper and ſufficient Level Bench or Stone, containing not leſs than Twenty Cubic Feet; and that a Level, correſponding and agreeing in Height with the Sixteen Feet Mark on the Quay Gauge in the River *Froome* at *Briſtol*, ſhall be marked on the ſaid Stone, and aſcertained by an Engineer on the Part of the ſaid Company, and an Engineer to be appointed by the ſaid Ducheſs of *Chandos*, or her Committee or Committees for the Time being, or by the Perſon or Perſons who ſhall at ſuch Time be poſſeſſed of and intereſted in the ſaid Eſtates and Lands, or his or her Heirs and Aſſigns, and the ſaid *William Gore Langton*, his Heirs or Aſſigns; and in caſe either of the ſaid Engineers ſhall neglect or refuſe to attend for the Purpoſe of aſcertaining and erecting and fixing the ſaid Level or Mark on the ſaid Bench or Stone, within the Time limited by ſuch Notice as aforeſaid, then and in ſuch Caſe the other Engineer who ſhall attend, ſhall have the ſole Power of fixing the ſaid Stone, and aſcertaining and directing the ſaid Level Mark, which ſhall be binding and concluſive on the ſaid Company, and on the ſaid Ducheſs of *Chandos*, or the Perſons ſo as above intereſted, and the ſaid *William Gore Langton*, his Heirs and Aſſigns; and that the ſaid Dam to be erected at or near the Engine Mills, ſhall not at any Time hereafter exceed in Height the Level ſo fixed; and in order to aſcertain whether, after the Erection of the ſaid Dam near the Engine Mills, the Water in the River *Avon* above the ſaid Dam will be impeded in its Diſcharge, and conſequently ſubject the ſaid Eſtates and Lands or any Part of them to be overflowed by the ſaid River *Avon*, and injured by penning back the Water upon the ſaid Eſtates and Lands, and otherwiſe checking the free Courſe of the Water, the ſaid Company ſhall, at their own Coſts and Charges, on or before the Firſt Day of *September* next, cauſe to be erected, and kept in good and ſufficient Repair in the River *Avon*, Two proper and ſufficient Gauge Poſts, One of which Poſts ſhall be erected, and fixed at a Diſtance not more than Four hundred Yards, or leſs than Three hundred Yards above *Hanham Weir*, and the other below the intended Dam near the Engine Mills, at a ſimilar Diſtance from the ſaid Dam, as the firſt ſhall be from *Hanham Weir*, and which ſaid Gauge Poſts ſhall be erected under the Inſpection of Two able Engineers, one to be choſen by the ſaid Company, and the other by the ſaid Ducheſs of *Chandos* or her Committee or Committees for the Time being, or by the Perſon or Perſons intereſted in the ſaid Eſtate and Lands, or his or her Heirs and Aſſigns, and the ſaid *William Gore Langton*, his Heirs and Aſſigns, Fourteen Days Notice to be firſt given by the Agent on the Part of the ſaid Ducheſs of *Chandos* and *William Gore Langton*, to the Clerk of the ſaid Company, to erect ſuch Gauge Poſts upon a Day to be fixed and named in ſuch Notice; and in caſe the Engineer on the Part of the ſaid Company ſhall not attend and erect ſuch Gauge Poſts, then the Engineer on the Part of the ſaid Ducheſs of *Chandos*, or her Committee or Committees for the Time being, and the ſaid *William Gore Langton*, ſhall proceed to erect ſuch Gauge Poſts; and ſuch Gauge Poſts when erected by the Engineer for the ſaid Ducheſs of *Chandos*, or her Committee or Committees for the Time being, and the ſaid *William Gore Langton*, in caſe the Engineer of the ſaid Company ſhall not attend, ſhall be conſidered and taken the ſame as if erected by the Engineers of all the ſaid Parties; and all future Obſervations made therefrom, ſhall be equally binding and concluſive on all the ſaid Parties, as if the Engineer of the ſaid Company had been preſent at the erecting of the ſame.

Penalty on Persons damaging Gauge Posts, &c.

CXXXVIII. And be it further enacted, That after the erecting and fixing of such Gauge Posts as aforesaid, if any Person or Persons shall wilfully deface, alter, remove, or destroy any or either of the said Gauge Posts, every such Person or Persons so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Agents to be appointed to ascertain the Height of Water on the River Avon at the Gauge Posts to be erected, and at Hanham Weir.

CXXXIX. And be it further enacted, That immediately after the Erection of the said Gauge Posts in the said River *Avon*, a Register Book shall be regularly kept by an Agent to be appointed by the said Duchess of *Chandos*, or her Committee or Committees, or by the Person or Persons possessed of and interested in the aforesaid Lands for the Time being, and the said *William Gore Langton*, his Heirs and Assigns, who shall make Entries in the same from Time to Time of the Height of the Water in the said River *Avon* at such Gauges, and on *Hanham* Weir, and the Height of the Banks above the same Water when the Tide is out, as he shall think proper, so that the Observations made on the lower Gauge below the intended Dam shall always be made when the Tide is out of the said River; and the said Agent shall give Notice in Writing to the Clerk of the said Company, at least Two Days before each of the said Observations are made, of the Day and Hour, as nearly as he is able, of which he proposes to make such Observations, in order that the said Company may appoint an Agent on their Part to meet the Agent of the said Parties interested in the said Estates and Lands, and to see that the Register of the Gauge of the said River be correctly taken and observed, and entered in the said Register; and in case the said Company shall neglect to send an Agent after such Notice, or in case such Agent shall neglect or refuse to attend at the Time so fixed, then and in such Case the Entries so made in the said Register by the Agent of the said Parties, shall, notwithstanding such Neglect or Refusal to attend on the Part of the said Agent of the said Company as aforesaid, be binding upon both Parties, and shall be considered as full and sufficient Evidence in any Court of Law or Equity; and if it shall appear, after the Erection of the said intended Dam at the Engine Mills aforesaid, that the Water shall be higher on the said *Hanham* Weir or at the said Gauge Post above the said Weir, at a Time when it shall not be so high at its corresponding Mark on the lower Gauge, then and in such Case the said Company shall erect and make, or cause to be erected and made, within Six Calendar Months after Notice of the same shall be given in Writing to the Clerk of the said Company, a sufficient Water-tight Bank, with proper Culverts and Sluices to take off the said Water, and all the Water then being from the Causes aforesaid, to protect the said Estates, Lands, and Premises of the said Duchess of *Chandos*, or the Person or Persons interested therein, or his or her Heirs and Assigns, and the said Estates, Lands, and Premises of the said *William Gore Langton*, his Heirs and Assigns, or any of them, from Damage or Injury by the overflowing of the said River, or by stagnant Water, and also suitable Hatches and Sluices, for watering the said Meadows, whenever the said Duchess of *Chandos*, or her Committee or Committees, or the Person or Persons then interested in the said Lands and Premises, or his or her Heirs and Assigns, and *William Gore Langton*, his Heirs and Assigns, or either of them, or their Agents thereto named and appointed shall think necessary and convenient, the said Water-tight Bank to be of such Height as the Engineer to be appointed by the said Duchess of *Chandos*, or any of the Persons aforesaid, then being interested in the said Estates, Lands, and

Premises,

Premiſes, and *William Gore Langton*, his Heirs and Aſſigns, ſhall direct, ſo as that the preſent Bank, with the additional new Bank, ſhall not exceed in Height the preſent Bank over the Water when the Tide is out of the ſaid River; and that they the ſaid Company ſhall in all Caſes, as often as they ſhall occur, pay all the Loſs, Coſts, Charges, Damages, and Expences that the ſaid Ducheſs of *Chandos*, or her Committee or Committees for the Time being, or the Perſon or Perſons who ſhall at ſuch Time be poſſeſſed of and intereſted in the ſaid Eſtates and Lands, or his or her Heirs and Aſſigns, and the ſaid *William Gore Langton*, his Heirs or Aſſigns, or the Tenants or Occupiers of ſuch Eſtates and Lands, or of any Part thereof, may ſuſtain by the erecting and making ſuch Banks or other Works on the Side of the ſaid River, for the Purpoſes aforeſaid.

In caſe ſufficient Water at all Times ſhall not be in the Avon at Hanham Mills, the Dock Company to deepen or lower the Lock there.

CXL. And be it further enacted, That in caſe after the Completion of the Dam and Works at Engine Mills, there ſhall not be at all Times a ſufficient Depth of Water in the ſaid River *Avon* at *Hanham* Mills aforeſaid, for Trows and Barges to paſs into and out of the Lock of the *Bath* River Proprietors at *Hanham*, then the ſaid Dock Company are hereby required, at their own proper Coſts and Charges, to deepen or lower the ſaid Lock in a good, effectual, and workmanlike Manner, and to ſuch Depth as ſhall be fully adequate, and ſufficient for the paſſing of Trows and Barges into and out of the ſaid Lock with perfect Convenience, and at all Times, and ſo as not to delay or anywiſe impede the Trade from the *Bath* River Navigation to the ſaid City of *Briſtol*.

Compenſation to be made to the Bath River Proprietors and Traders for Loſſes or Damage.

CXLI. And whereas during the Progreſs and Execution of ſome of the Works hereby authorized to be made, an Interruption or Delay to the Trade between the *Bath* River Navigation and the City of *Briſtol* may be experienced, to the Loſs and Damage as well of the Proprietors of the ſaid *Bath* River Navigation, as of the Traders thereon, and after the ſame Works are completed and finiſhed ſimilar Loſſes or Damages may ariſe or be ſuſtained by Reaſon of ſuch Works, or ſome Part or Parts thereof being out of Repair, or by damming the Water back, on, or preventing the Floods paſſing off from the ſaid *Bath* River Navigation as uſual, or by Means of the ſaid Canal or Cut being frozen or otherwiſe; be it therefore enacted, That the ſaid *Briſtol* Dock Company ſhall and they are hereby directed and required to make a juſt and liberal Allowance, Compenſation, or Satisfaction, as well to the Proprietors of the ſaid *Bath* River Navigation, as alſo to the Traders thereon, for any Loſſes, Coſts, Charges, Damages, or Expences whatſoever, which they, or any, or either of them, ſhall or may ſuffer, ſuſtain, expend, or be put unto, for or by reaſon or means, or on account of any ſuch Loſs, Injury, Delay, Inconvenience, or Damage, which may ariſe or be ſuſtained by them, or any or either of them, by any of the Ways or Means aforeſaid, any ſuch Compenſation or Allowance to be made or paid to the Proprietors of the *Bath* River Navigation to be paid to the Treaſurer or Treaſurers of and for the Uſe of the ſaid Proprietors; and in caſe the ſaid Directors and the Proprietors of the ſaid *Bath* River Navigation, or the Traders on the ſaid River cannot agree as to the Amount of ſuch Allowance, Compenſation, or Satisfaction, then the ſame ſhall be ſettled, determined, and adjuſted by a Jury to be impannelled, ſummoned, and ſworn before the Juſtices in Quarter Seſſions of and for the ſaid County of *Somerſet*, in ſuch and the ſame Manner as

is

is herein-before directed touching the ſummoning, impannelling, and ſwearing of Juries to aſſeſs the Amount of Monies to be paid for Purchaſes of Houſes or other Hereditaments for making the Works hereby directed to be made; and it is hereby declared, that the ſaid Juſtices ſhall have ſuch and the ſame Powers over the Juries and Perſons ſummoned as Evidences, as are herein-before given them in the Caſes aforeſaid.

Hanham Weir to continue at its preſent Height.

CXLII. And whereas the Erection of ſuch Dam at Engine Mills will keep the Water back at all Times up to *Hanham* Weirs, and on the Works belonging to the Proprietors of the ſaid *Bath* River Navigation at or below *Hanham* Mills, and it is expedient that the Weir at *Hanham* ſhould always remain and continue at its preſent Height, and that in Time of Floods, the Gates and Sluices at the ſaid Dam at Engine Mills ſhould be opened to let off ſuch Floods with all poſſible Facility; be it further enacted, That if at any Time hereafter, the Proprietors of the ſaid *Bath* River Navigation ſhall have Occaſion to repair, alter, or improve any of their Works or Conveniencies above, at, or near *Hanham* Mills aforeſaid, or to draw or let off the Water in the Pound above *Hanham* Mills, and of ſuch their Wiſh or Intention, the Clerk or Lock Keeper ſhall give or leave Six Hours Notice in Writing to any Clerk or Agent belonging to the ſaid Dock Company, to draw or open the Hatches or Sluices at the Dam at Engine Mills aforeſaid, for the Purpoſe of letting off the Water in the River, and the ſaid Clerk or Agent of the ſaid Dock Company ſhall neglect or refuſe ſo to do, then and in ſuch Caſe at any Time or Times after the Expiration of the ſaid Six Hours Notice, it ſhall and may be lawful to and for the Clerk or Lock Keeper of the ſaid *Bath* River Navigation Proprietors, to open, and continue open, pending ſuch Repairs, Alterations, or Improvements, or during ſuch Time as ſhall be reaſonably neceſſary to effect ſuch Repairs, Alterations, or Improvements, the ſaid Gates and Sluices at or in the ſaid Dam at Engine Mills aforeſaid; and alſo, that nothing herein contained ſhall enable, authorize, or empower the ſaid Dock Company, or any other Perſon or Perſons whomſoever, to deſtroy, lower, or raiſe the ſaid Weir at *Hanham* Mills aforeſaid, or to interfere with any Part of the ſaid River within One hundred and fifty Yards of the ſaid *Hanham* Mills or Weir aforeſaid.

Power to let off Exceſs of Water in Times of Flood at Engine Mill Dam.

CXLIII. And be it further enacted, That if in Times of Floods in the ſaid *Bath* River Navigation, any Clerk or Agent of the ſaid Dock Company, reſident near *Engine* Mills aforeſaid, ſhall for the Space of Three Hours next after Notice in Writing ſhall be given to or left for him by the Clerk or Lock Keeper of the ſaid Proprietors of the ſaid *Bath* River Navigation, to draw the Hatches or Sluices in or near the ſaid Engine Mill Dam, in order to let off the Exceſs of Water occaſioned by ſuch Floods, ſhall refuſe or neglect ſo to do, then it ſhall and may be lawful to and for the ſaid Clerk or Lock Keeper of the ſaid Proprietors of the ſaid *Bath* River Navigation, to open ſuch Hatches or Sluices, and keep them open a ſufficient Time to paſs off ſuch Exceſs of Water with all convenient Diſpatch.

A good Bridge at Trim Mills to Wapping to be made.

CXLIV. And whereas it will be neceſſary, in order to carry the Plan and Works intended to be made by virtue of this Act into Execution that a certain Mill, called *Trim Mill*, with the Mill Pond thereto belonging, within the

the Pariſh of *Saint Mary Redcliff* aforeſaid, being the Property of the Dean and Chapter of the Cathedral Church of *Briſtol*, ſhould be taken by the ſaid Company, and that the ſame, or Part thereof, ſhould be formed into an Entrance Baſon, by which Means the Road or Way to the Eſtates of the ſaid Dean and Chapter, called *Wapping* and *Adderclift*, will be interſected, and it will be neceſſary that a proper and ſufficient Bridge be made over One of the ſaid Locks; be it therefore enacted, That the ſaid Dock Company do and ſhall, and they are hereby directed and required, at their own proper Coſts and Charges, to make a good, wide, ſtrong, and ſufficient Road for Waggons, Carts, and every Kind of heavy Carriage to communicate between *Guinea Street*, and the ſaid Eſtate and Premiſes called *Wapping* and *Adderclift*, and from Time to Time, and at all Times, to amend, repair, and keep and maintain in good and proper Repair, at the Coſts and Charges of the ſaid Company, the ſaid Bridge, ſo that the ſaid Dean and Chapter, and their Succeſſors, Leſſees, Tenants, Servants, and Aſſigns, may at all Times, have, hold, and enjoy a free and uninterrupted ſufficient Paſſage and Way to and from their ſaid Eſtates and Premiſes for ever hereafter.

For preſerving of Ferries to the Dean and Chapter of Briſtol.

CXLV. And whereas the Ferries and Right of paſſing and repaſſing, and of carrying and tranſporting Perſons, Carriages, and Horſes to and fro acroſs the River *Avon*, at certain Places called *The Gibb Slip*, *Guinea Street Slip*, and *Rownham*, belong excluſively to the ſaid Dean and Chapter in Right of their ſaid Church; be it therefore enacted, That nothing herein contained ſhall authorize or empower the ſaid Dock Company to ſet up or uſe any Ferry or Paſſage acroſs the ſaid Floating Harbour, or any Part thereof, for the Purpoſe of paſſing or repaſſing Perſons, Horſes, or Carriages acroſs the ſaid River for Hire.

Annual Statements of the Company's Accounts to be publiſhed.

CXLVI. Provided alſo, and be it further enacted, That the Directors of the ſaid Dock Company ſhall annually in the Month of *January*, in each Year, publiſh or cauſe to be publiſhed a true and correct Account of all ſuch Sum and Sums of Money as ſhall be expended in the ſaid Works, and of the State of the Funds of the ſaid Dock Company.

Allowing an Appeal to the Juſtices againſt this Act, or any Bye Law, &c.

CXLVII. And be it further enacted, That it ſhall and may be lawful for One or more Juſtice or 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 Bye Law made in purſuance thereof; and the ſaid Juſtice and Juſtices of the Peace is and 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 both Sides, 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, (which Oath or Oaths, ſuch Juſtice or Juſtices of the Peace is or are hereby empowered and required to adminiſter), to give Judgement or Sentence for the pecuniary and other Penalty and Forfeiture, 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 Bye Law 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 hereby otherwiſe parti-

cularly directed, to iſſue his or their Warrant or Warrants, under his or their Hand and Seal or Hands and Seals, for levying ſuch 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 Seven 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 and pay ſuch pecuniary Penalty and Coſts as aforeſaid, and the ſame ſhall not be paid, it ſhall be lawful for ſuch Juſtice or Juſtices of the Peace, or any other Juſtice or Juſtices of the Peace for the ſaid City and County, and he and they reſpectively are hereby required by Warrant under his or their Hand and Seal or 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 nor leſs than One Calendar Month, as ſuch Juſtice or 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.

For ſettling Coſts.

CXLVIII. And be it further enacted, That all Coſts, Charges, and Expences allowed, ordered, or directed to be paid, and which ſhall or may be allowed, ordered, or directed to be paid by or by the Authority of this Act, or any Rules, Orders, or Bye Laws made or to be made in purſuance of this Act (where the Manner of aſcertaining or ſettling the ſame is not particularly or otherwiſe directed), ſhall from Time to Time, as Occaſion ſhall require, be aſcertained and ſettled by any One or more of His Majeſty's Juſtices of the Peace for the ſaid City and County, who is and are hereby authorized and required to aſcertain and ſettle the ſame accordingly, and (where the Manner of recovering the ſame is not particularly or otherwiſe directed), ſhall and may, in caſe the ſame ſhall not be paid on Demand, be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons made ſubject and liable to the Payment thereof by or by Authority of this Act, or any Rules, Orders, and Bye Laws, or any or either of them to be made in purſuance hereof, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices of the Peace, which Warrant ſuch Juſtice or Juſtices of the Peace is and are hereby authorized and required to grant and iſſue; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Coſts, Charges, and Expences, or any of them, ſhall not be paid on Demand, it ſhall be lawful for ſuch Juſtice or Juſtices of the Peace, and he and they is and are hereby authorized and required, by Warrant under his and their Hand and Seal or Hands and Seals, to commit ſuch Perſon or Perſons to the Common Gaol or Houſe of Correction of and for the ſaid County, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months nor leſs than One Calendar Month, unleſs ſuch Coſts, Charges, and Expences ſhall be ſooner paid and ſatisfied.

Limiting the Time for puniſhing Offences againſt the Act.

CXLIX. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be ſubject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue by this Act for any Offence or Offences

fences againſt this Act, or any Rule, Order, or Bye Law to be made in purſuance hereof, unleſs ſome Proceeding ſhall be had according to the Directions of this Act, or of ſuch Rule, Order, or Bye Law reſpecting ſuch Offence or Offences within Six Calendar Months next after the Offence committed.

Proceedings to be commenced within Six Months.

CL. And, for the more eaſy Conviction of Offenders, be it further enacted, That the Juſtice or 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 Bye Law to be made in purſuance hereof, 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 His Majeſty King *A. B.* is [*or*, are], convicted before of His Majeſty's Juſtices of the Peace for the City of *Briſtol* and County of the ſame City, by virtue of an Act, paſſed in the Forty-third Year of the Reign of His Majeſty King *George* the Third, intituled, [*here inſert the Title of this Act, 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 Bye Law made on the Day of One thouſand hundred and , purſuant to the ſaid Act; for which Offence we adjudge the ſaid to have forfeited the Sum of Given under our [*or*, my] Hands and Seals [*or*, Hand and Seal], the Day and Year firſt above-written.'

Allowing an Appeal to the Quarter Seſſions.

CLI. 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 Bye Law to be made by virtue hereof, 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 Three Calendar Months next after the Cauſe of Complaint ſhall have ariſen, ſuch Appellant firſt giving or cauſing to be given Ten Days Notice at the leaſt in Writing of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Juſtices of 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 Six Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid City and County, with Two ſufficient Sureties 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 ſuch Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices at ſuch Seſſions, or at ſome Adjournment thereof, ſhall and may ſummon the Witneſſes on both Sides to come before them, and upon due Proof of Notice having been given, and of the entering into Recognizance in Manner hereinbefore 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, not exceeding the Amount of the Penalty, Charges, and Expences which ſhall have been actually recovered and received by any Perſon

ſon or Perſons in purſuance of this Act, or of any ſuch Rule, Order, or Bye Law, together with the reaſonable Coſts, Charges, and Expences of proſecuting or defending ſuch Appeal, as the ſaid Juſtices ſhall think proper; and the Determination of the ſaid Juſtices at ſuch Seſſions, or Adjournment thereof, ſhall be final, binding, and concluſive.

Orders not to be quaſhed or vacated for want of Form only.

CLII. Provided alſo, and be it further enacted, That no Order or other Proceeding to be had or made before any Juſtice and Juſtices of the Peace, or any of them, in relation to the Premiſes aforeſaid, ſhall be quaſhed or vacated for want of Form only; and where 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 Bye Law 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 on account of any Defect or Want of Form in the Summons, Conviction, or Warrant of Diſtreſs, or other Proceedings relative 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 ſhall and may recover Special Damages in an Action on the Caſe.

For paying the Expences of the Act.

CLIII. And be it further enacted, That the Coſts, Charges, and Expences of obtaining and paſſing this Act, and all incidental Expences attendant thereon, ſhall be paid out of the Monies ſubſcribed, in preference to all other Payments whatſoever.

The Treaſurer to be the nominal Plaintiff or Defendant in Suits.

CLIV. And be it further enacted, That all Actions and Suits to be commenced or inſtituted by or on Behalf of the ſaid *Briſtol* Dock Company, againſt any Perſon or Perſons, Body or Bodies Politick or Corporate, ſhall and lawfully may be commenced or inſtituted and proſecuted in the Name of the Treaſurer for the Time being of the ſaid Company, and ſhall not abate by reaſon of the Death or Change of ſuch Treaſurer; and that all Actions and Suits to be commenced and inſtituted by any Perſon or Perſons, Body or Bodies Politick or Corporate, againſt the ſaid Company, or for Recovery of any Claim or Demand upon, or of any Damage occaſioned by the ſaid Company, or for any other Cauſe or Cauſes of Action or Suit againſt the ſaid Company, ſhall or may be commenced or inſtituted and proſecuted againſt the Treaſurer for the Time being of the ſaid Company, who ſhall be nominal Defendant in ſuch laſt mentioned Actions and Suits reſpectively for and on the Behalf of the ſaid Company; and every ſuch laſt mentioned Action and Suit, and the Proceſs, Verdict, Judgement, and Execution to be had thereon reſpectively, ſhall be as valid and effectual againſt the ſaid Company, and their Capital Stock and Effects, as if all the Members of the ſaid Company had been the Defendants in the ſaid Suit or Action, and actually named as ſuch therein, and had all lived during the Continuance of ſuch Suit until the ſame had been diſcharged and ſatisfied; any Law, Statute, or Cuſtom to the contrary notwithſtanding: Provided nevertheleſs, that the Body, or Goods, Chattels, Lands, or Tenements of ſuch Treaſurer, ſhall not by reaſon of his being Defendant in any ſuch Action or Suit, be liable to be arreſted, ſeized, detained, or taken in Execution.

CLV. And

Act of 24 Geo. 2. rendering Juſtices of the Peace more ſafe in the Execution of their Office, extended to this Act.

CLV. And be it further enacted, That the Statute made in the Twenty-fourth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for the rendering of Juſtices of the Peace more ſafe in the Execution of their Offices, and for indemnifying Conſtables and others acting in Obedience to their Warrants*, ſo far as the ſaid Act relates to rendering Juſtices of the Peace more ſafe in the Execution of their Offices, ſhall extend and be conſtrued to extend to the Juſtices reſpectively acting under the Authority of this Act, or of any Rule, Order, or Bye Law to be made in purſuance hereof; and that no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or of any Rule, Order, or Bye Law to be made in purſuance hereof, until Twenty Days Notice ſhall be given to the Perſon or Perſons againſt whom the ſame is to be brought, or after ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and ſuch Action or Suit ſhall be laid or brought in the City and County of *Briſtol*, and not elſewhere; and the Defendant and Defendants in ſuch Action or Suit 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 in purſuance and by Authority of this Act, or of any Rules, Orders, or Bye Laws to be made in purſuance hereof; and if it ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be commenced after the Time limited for bringing the ſame, or ſhall be brought in any other County, or in any other Manner than as directed by this Act, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his or their Action or Suit after the Defendant or Defendants ſhall have appeared or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Action at Law.

Publick Act.

CLVI. And be it further enacted and declared, That this Act ſhall be taken and allowed in all Courts of Judicature within this Kingdom as a Publick Act, and all Judges and Juſtices are hereby required to take Notice thereof as ſuch without ſpecially pleading the ſame.

FIRST SCHEDULE.

Of LANDS and HEREDITAMENTS along which a Towing Path is propoſed to be made.

LANDLORDS.	TENANTS.	PREMISES.
Jn° Aſhfordby Trenchard	Samuel Bryant	Four Cloſes of Meadow or Paſture, in the Pariſh of Abbot's Leigh, in the County of Somerſet.
D°	Jn° Vowels W^m^ Tucker	Two Cloſes in D°.
D°	In his own Occupation	Woods and Splots unincloſed, on the Side of the River in the ſaid Pariſh.
Sir Hugh Smyth Bart.		Waſte Lands in the Pariſh of Long Aſhton, and County of Somerſet.
D°	Timothy Powell	A Mill and Premiſes in D°.
D°	In his own Occupation	Waſte in D°.
Tho^s^ Stretton	Rob^t^ Crandon	Cloſe of Ground in D°.
Sir Hugh Smyth	Tho^s^ Pountney	Two Cloſes of Land in D°.
The R^t^ Hon. Lord de Clifford	Joſeph Yates	Three Cloſes of Ground in the Pariſh of Weſtbury-upon-Trym in the County of Glouceſter.
Mary Jackſon	R^d^ Green	Unincloſed Lands in D°
Sir Hugh Smyth, R^t^ Hon. Lord Middleton, and Rich^d^ Bignell	Unoccupied	Waſte Lands in the Manor of Weſtbury and Hundred of Henbury.
The Maſter, Wardens, and Commonalty of Merchant Venturers of the City of Briſtol	Unoccupied	Waſte Lands in the Manor and Pariſh of Clifton, and County aforeſaid.

SECOND SCHEDULE.

Of RATES and DUTIES to be taken on Goods and Merchandize Imported.

	s.	*d.*	
Anchovies	0	6	per Score Barrels.
Almonds	0	3	per Cwt.
Argol	0	6	per Ton.
Annatto	0	6	per Cwt.
Anniſeeds	0	1	per Ditto.
Briſtles	0	0¼	per Dozen lb.
Burr Stones	0	1	per Hundred.
Barilla	1	0	per Ton.
Brimſtone	1	0	per Ditto.
Cyder	0	6	per Ditto.
Carraway Seeds	0	1	per Cwt.
Coriander Seeds	0	1	per Ditto.
Clover	0	2	per Bag of Two Cwt.
Cochineal	1	6	per Cwt.
Capers	0	3	per Ditto.
Calves Velves	0	3	per Ditto.
Cod Fiſh	1	0	per Ton.
Copper	2	0	per Ditto.
Copper Ore	0	3	per Ditto.
Cork	2	0	per Ditto.
Currants	1	0	per Butt.
Currants	0	6	per Carrotell.
Coffee and Cocoa	2	0	per Ton.
Cotton	1	0	per Bale.
Cotton	0	6	per Pocket or Seroon.

DRUGS.

Aloes	2	0	per Ton.
Cream Tartar	2	0	per Ditto.
Caſſia Fiſtula	2	0	per Ditto.
Cortex Peruvianus	2	0	per Ditto.
Caſtor Oil	0	1	per Gallon.
Gum Senegal	0	1	per Cwt.

	s.	*d.*	
Gum Arabic	0	1	per Cwt.
Copal	0	6	per Ditto.
Guiacum	0	1	per Ditto.
Guinea Grains	0	1	per Ditto.
Galbanum	0	6	per Ditto.
Manna	0	3	per Ditto.
Oleum Palmæ	0	3	per Ditto.
Orchelia	2	0	per Ton.
Radix Serpentaria	0	1	per Cwt.
Saſſafras	0	1	per Ditto.
Sarſaparilla	0	6	per Ditto.
Sacharum Saturni	0	2	per Ditto.
Turmeric	0	1	per Ditto.
Valonia	0	6	per Ton.
Verdigris	0	6	per Cwt.
Vermicelli	0	6	per Ditto.

Elephants Teeth	0	6	per Ditto.
Figs	0	1	per ditto.
Flax or Linſeed	0	$0\frac{1}{2}$	per Quarter, 8 Buſhels.
Feathers	0	6	per Cwt.
Flint Stones	0	4	per Ton.
Fiſh Oil	1	0	per Ditto.
Flax	2	0	per Ditto.
Glue	1	0	per Ditto.
Gin and Brandy	1	0	per Puncheon.
Ginger and Pimento	1	0	per Ton.
Horns	0	1	per Thouſand.
Hides	0	6	per Score.
Hemp	1	0	per Ton.
Juniper Berries	0	6	per Ditto.
Indigo	0	6	per Cwt.
Junk and Rags	0	3	per Ton.
Iron, old, broken	0	3	per Ditto.
Iron	0	6	per Ditto.
Kelp	0	4	per Ditto.
Liquorice	0	1	per Cwt.
Long Steel	0	6	per Ton.
Lard	1	0	per Ditto.
Lead Ore	0	3	per Ditto.
Linen	1	0	per Pack or Box.
Lemons and Oranges	0	1	per Cheſt, $\frac{1}{2}d.$ per Box.
Madder	0	6	per Caſk of Six Cwt,
Marble	0	2	per Ton.
Matts	0	1	per 100.
Molaſſes	0	3	per Hhd. or Puncheon.
Natron	0	6	per Ton.
Nuts	0	1	per Barrel of 3 Buſhels.
Olive Oil	2	0	per Ton.
Oil Turpentine	1	0	per Ditto.

Prunes

	s.	*d.*	
Prunes	0	1	per Cwt.
Plaiſter of Paris	1	0	per Ton.
Pumice Stone	1	0	Ditto.
Pitch, Tar, and Roſin	0	2	per Barrel.
Pot and Pearl Aſhes	0	2	Ditto.
Quills	0	0¼	per 1000.
Raiſins	0	2	per Barrel, 1 d. per Box, 0½d. perBaſket.
Rum	1	0	per Punch. 6 d. per Hhd.

SKINS.

Calf Skins	0	1	per Bundle of 5 Doz.
Deer Ditto	1	0	per 100.
Kid	0	3	per 120.
Lamb Skins	0	3	Ditto
Seal Ditto	1	0	per 100.

Shumac	1	0	per Ton.
Smalts	0	1	per Cwt.
Sallad Oil	0	2	per Half Cheſt.
Sugar	1	0	per Hhd. 6 d. per Tierce, 2d. perBarrel.
Tarras	0	2	per Quarter, 8 Buſhels.
Tallow	1	0	per Ton.
Tobacco	1	0	per Hhd.
Turpentine	0	2	per Barrel.

TIMBER.

Deals	1	0	per 100 of 120.
Deals of 20 Feet or under 2 to 3 Inches thick	1	0	Ditto.
Ditto 20 Ditto 1¼ to 1½			
Ditto	0	3	per Ditto.
Ditto Half	0	8	per Ditto.
Deck Planks, 2 to 3 Inches thick	2	0	per Ditto.
Battens	0	6	per Ditto.
Lathwood	0	1	per Fathom.
Maſts, 6 to 8 Inches in Diameter	0	2	7d. each Average.
8 to 12 Ditto	0	4	
12 and upwards	0	8	
Paling Boards	0	3	per 100.
Spars	0	1	each.
Ufirs	1	0	per 100.
Oars and Oar Rafters	1	0	Ditto.
Rockers, Boat-hooks, Staves, Putlocks	0	0½	per Dozen.
Handſpikes	1	0	per 100.
Oak Timber	0	6	per Load.
Do. Plank	0	6	Ditto.

	s.	*d.*	
Oak Boards - - -	1	0	per 100.
Wainſcot Logs - - -	0	8	per Load.
Ditto of 14 Feet - -	0	2	each.
Ditto of 7 Ditto - -	0	1	Ditto.
Wainſcot Boards - - -	0	1	per 100 Feet.
Staves - - -	2	0	per 1200.
Ditto Hambro' and Dantzic Pipe -	2	6	per 1200.
Ditto Ditto Hogſhead and Barrel	1	6	Ditto.
Quebec Pipe - - -	2	0	Ditto.
Ditto Hogſhead and Barrel -	1	0	Ditto.
American Pipe - - -	1	0	Ditto.
Ditto Hogſhead and Barrel -	0	6	Ditto.
Fir Timber - - -	0	6	per Load.

Wax - - -	0	3	per Cwt.
Whale Fins - - -	1	6	per Ton.
Wine - - - -	1	0	per Pipe.
Ditto - - - -	1	0	per Butt.
Ditto - - - -	0	6	per Hogſhead.
Wool, Spaniſh - - -	1	0	per Bag or Pack.
—— Scotch - - -	0	6	Ditto.
Wood, Redwood - - -	1	0	per Ton.
Camwood - - -	2	0	Ditto.
Brazil - - -	2	6	Ditto.
Nicaragua - - -	2	0	Ditto.
Mahogany - - -	0	4	per Ton.
Cedar - - -	0	2	Ditto
Logwood, Fuſtic, Ebony, and Lignum Vitæ - - - -	1	0	per Ton.

Yarn, Bay - - -	0	2	per Pack.
Ditto Linen - - -	0	3	Ditto.

All Goods not particularly rated, to pay the ſame as Goods of the like Value and Package.

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