

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

Cap. 35.

An Act to alter and amend an Act, passed in the Forty-third Year of His present Majesty, intituled, *An Act for improving and rendering more commodious the Port and Harbour of* Bristol; and for extending the Powers and Provisions of the said Act. [23d *May* 1806.]

WHEREAS an Act was passed in the Forty-third Year of the Reign of His present Majesty, intituled, *An Act for improving and rendering more commodious the Port and Harbour of* Bristol, whereby the Mayor, Burgesses, and Commonalty of the said 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 Sum of Two hundred and fifty thousand Pounds therein named and described, are incorporated by the Name and Style of *The Bristol Dock Company*, and are empowered and required to make and maintain, among certain other Works therein described, 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 least, and 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 43 G. 3. c. 140.

the other Thirty-three Feet wide; and alſo a Dam or 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 Rivers *Avon* and *Frome* 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 provided with Pointing Gates for the Purpoſe of excluding the Tide Water from the Floating Harbour, and permitting the waſte Water to run down the Overfall, and to be provided with Culverts, Sluices, and Ground Hatches, for the Purpoſe of ſcouring the ſaid Floating Harbour, and laying the ſame dry whenever neceſſary for the Purpoſe of Repairs, and for raiſing and again lowering the Water within the ſaid Harbour, and thereby breaking the Ice and paſſing the ſame over the ſaid Dam; and by the ſaid Act, in addition to the Sum of Two hundred and fifty thouſand Pounds ſubſcribed or to be ſubſcribed, as therein mentioned, the ſaid *Briſtol* Dock Company were empowered to borrow and take up at Intereſt, on the Credit of the Rates and Duties thereby granted, a further Sum of Money not exceeding Fifty thouſand Pounds: And whereas a conſiderable Progreſs hath been made in carrying on the Works, and making the Purchaſes authorized by the ſaid Act, and the ſaid Dock Company are unable to borrow and take up at Intereſt, on the Credit of the ſaid Rates and Duties, the ſaid Sum of Fifty thouſand Pounds, and are alſo unable to fill up a Deficiency, not exceeding Fifteen thouſand Pounds, in the original Subſcription of Two hundred and fifty thouſand Pounds, upon the Terms of the ſaid Act: And whereas it is expedient that the ſaid Dock Company ſhould be authorized to vary and alter the Works by the ſaid recited Act directed to be made, by erecting a ſolid Dam acroſs the River *Avon* at the Redcliff, and a Dam and Overfall with Gates, Sluices, and other Contrivances therein, between the preſent Courſe of the River *Avon* and the new intended Courſe of the ſaid River, and by making each of the Weſtwardmoſt Locks of the ſaid Baſon in *Rownham Mead* of upwards of Thirty-three Feet wide: And whereas, from the Nature of the Soil of *Rownham Mead*, or from other Circumſtances, it may be neceſſary or expedient to wall the Whole of the ſaid Entrance Baſon in *Rownham Meads*, in which Caſe it will not be neceſſary that the ſame ſhould contain Six Acres: And whereas it will be of great publick Utility that a Road ſhould be formed and maintained for Horſes, Carts, and Carriages, and alſo for Foot Paſſengers, along and by the Side of a certain Canal or Feeder, in the Pariſhes of *Saint George*, and *Saint Philip* and *Jacob*, in the County of *Glouceſter*, which the ſaid *Briſtol* Dock Company are authorized and directed to make acroſs and over a ſolid Dam directed to be made acroſs the River *Avon* at *Totterdown*, and along Part of the Pariſhes of *Temple* otherwiſe *Holy Croſs*, and *Saint Mary Redcliff* in the City of *Briſtol*, and that Part of *Bedminſter* which is in the City and County of *Briſtol*, over the Dam at the Redcliff aforeſaid, and through *Rownham Meads* in the ſaid Pariſh of *Clifton*, into the Hotwell Road there: And whereas at a General Meeting of the *Briſtol* Dock Company, held at the Merchants Hall in the ſaid City of *Briſtol*, purſuant to Notice given in the Manner directed by the ſaid recited Act, it was reſolved, that the ſeveral Perſons ſubſcribing towards the ſaid Undertaking ſhould increaſe their Shares Thirty-five Pounds *per Centum*: And whereas it is neceſſary and expedient to alter, amend, and enlarge the Powers and Proviſions of the ſaid recited Act: 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 it ſhall be lawful for the Directors nominated for managing the Affairs and Buſineſs of the *Briſtol* Dock Company, in manner in the ſaid recited Act expreſſed, or any Five or more of them, to make ſuch Call or Calls for Money from the Proprietors of Shares in the ſaid Undertaking, their Executors, Adminiſtrators, and Aſſigns, according to the Amount of the Share or Shares of ſuch Perſons reſpectively, as ſhall or may be neceſſary for carrying into Execution the Powers and Proviſions of the ſaid recited Act and of this preſent Act, ſo nevertheleſs that no Perſon or Perſons, Bodies Politick or Corporate, who hold or ſhall or may hold Shares in the ſaid Undertaking, or his, her, or their Real or Perſonal Eſtate, ſhall or may be charged or chargeable under the Proviſions of the ſaid recited Act or of this Act, with any Call or Calls beyond the Extent of One hundred and thirty-five Pounds *per* Share; and ſo that no one Call ſhall exceed the Sum of Ten Pounds for each Share in the ſaid Undertaking; and no Call or Calls to that Amount ſhall be made at a leſs Diſtance than Two Calendar Months from the preceding Call, which Money ſo to be called for ſhall be paid to ſuch Perſon or Perſons, and in ſuch Manner as the ſaid Directors, or any Five or more of them, ſhall from Time to Time direct or appoint; and all and every Owner or Owners of One or more Share or Shares in the Stock of the ſaid *Briſtol* Dock Company, 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 as aforeſaid; and all Executors, Adminiſtrators, Truſtees, and Committees of Lunatics, ſhall be and are hereby empowered to pay the Call and Calls ſo made in reſpect of the Share or Shares of their Teſtators, Inteſtates, Ceſtuique Truſts, and Lunaticks reſpectively, and charge the ſame to the Accounts of ſuch Perſons' Eſtates and Effects.

Directors empowered to make Calls on Subſcribers not exceeding 5l. per Cent. on their reſpective Shares.

No Call to exceed 10l. per Cent. or to be at a leſs Diſtance than Two Months.

Truſtees and Executors authorized to pay Calls.

II. And be it further enacted, That the ſeveral Regulations, Proviſions, and Clauſes contained in the ſaid recited Act, reſpecting the Recovery of Calls or of Arrears, or the Forfeiture of any Stock, Parts, or Intereſts in the ſaid Undertaking, by reaſon of any Neglect or Refuſal to comply with ſuch Calls, ſhall be applicable to the Call and Calls authorized by this Act, and to the Neglect or Refuſal to comply with ſuch Calls laſt mentioned.

Clauſes reſpecting Calls in the former Act extended to this Act.

III. Provided nevertheleſs, and be it further enacted, That if any Proprietor or Proprietors of any Share or Shares in the ſaid Undertaking, or the Executors, Adminiſtrators, Guardians, Committees, or Truſtees, of any of ſuch Proprietors, ſhall, within Three Calendar Months next after the paſſing of this Act, give Notice in Writing to the Treaſurer or Clerks of the ſaid *Briſtol* Dock Company, or leave the ſame for them or either of them at the *Briſtol* Dock Office in the ſaid City of *Briſtol*, ſtating his, her, or their Intention of relinquiſhing any ſuch Share or Shares, then and in every ſuch Caſe ſuch Share or Shares ſhall not be forfeited or veſted in the ſaid Dock Company, by the Non-payment of any Call made ſubſequent to this Act; but ſuch Shares ſhall, within One Calendar Month after ſuch Notice, be ſold by publick Auction to the beſt Bidder, at ſuch Time and Place as the Directors of the ſaid *Briſtol* Dock Company, or any Five or more of them, ſhall appoint, of which Sale Ten Days Notice

Proprietors of Shares who ſhall within Three Months after paſſing the Act, give Notice of their Intention to relinquiſh, their Shares ſhall not be forfeited for Non-payment of ſubſequent Calls; but ſuch Shares ſhall be ſold by Auction, and the Monies ariſing by the Sale, after deducting

Charges and Arrears, ſhall be paid the Proprietors.

Notice at the leaſt ſhall be given, by Writing fixed up in the Exchange and Council Houſe of the ſaid City of *Briſtol*, and by Advertiſement inſerted in Two or more of the *Briſtol* Newſpapers; and the Monies ariſing from ſuch Sale, after deducting the Charges and Expences attending the ſame, and the Arrears of Calls before that Time made, ſhall be paid to the Perſon or Perſons to whom ſuch Share or Shares ſo ſold ſhall have belonged.

Shares forfeited by the Non-payment of Calls to be ſold,

and the Directors authorized to aſſign ſame to the Purchaſers.

IV. And be it further enacted, That it ſhall be lawful for the ſaid *Briſtol* Dock Company, or the Directors of the ſaid Company, or any Five or more of them, and they are hereby authorized and empowered to ſell or cauſe to be ſold by publick Auction, in Manner aforeſaid, all and every the Shares and Share in the ſaid Undertaking which now are, or at any Time or Times hereafter ſhall or may become veſted in the ſaid Dock Company, under and by virtue of the ſaid recited Act and of this preſent Act, and alſo all Share and Shares originally ſubſcribed for in the ſaid Undertaking, but afterwards abandoned by the Perſon or Perſons ſubſcribing for the ſame; and it ſhall and may be lawful to and for the ſaid Directors, or any Five or more of them, to aſſign and transfer to the Purchaſer or Purchaſers thereof, his, her, or their Executors, Adminiſtrators, or Aſſigns, ſuch Share or Shares, and to receive and give Receipts for the Money agreed to be paid or given for ſuch Share or Shares.

The Clerks within Six Months after paſſing the Act to enter the Names of the Proprietors in a Book, and the Shares to be immediately transferable; and the Perſons accepting Transfers to be liable for future Calls.

V. And be it further enacted, That within Six Calendar Months after paſſing of this Act, the Clerk or Clerks of the ſaid Company ſhall enter in a Book or Books to be kept for that Purpoſe, the Names of the ſeveral Proprietors of Shares in the ſaid Undertaking, with the Number of Shares ſuch Proprietors reſpectively hold or are entitled to; and ſuch Share or Shares, notwithſtanding the whole Amount thereof ſhall not have been paid in, funded, and made Capital or Joint Stock, ſhall 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 the Perſon or Perſons into whoſe Name or Names ſuch Share or Shares ſhall or may be transferred, ſhall, upon Acceptance of ſuch Share or Shares ſigned by him, her, or them, or by his, her, or their Attorney or Attornies thereunto duly authorized, be and ſtand charged with and liable unto all and every the Claims and Demands, Call or Calls whatſoever, due at the Time of ſuch Acceptance, or which ſhall or may at any Time or Times thereafter become or be due for or in reſpect of ſuch Share or Shares ſo transferred, and in ſuch and the ſame Manner, in all Reſpects, as if ſuch Perſon or Perſons ſo accepting ſuch Share or Shares had been originally a Subſcriber or Subſcribers for the ſame.

Perſons holding 1,000*l.* Stock in the Concern qualified to ſerve as Directors.

VI. Provided always, and be it further enacted, That, from and after the paſſing of this Act, all and every Perſons and Perſon whomſoever, who ſhall be poſſeſſed of or entitled to Ten Shares in the ſaid Undertaking, or poſſeſſed of or entitled unto Shares upon which Calls have been made amounting to One thouſand Pounds or upwards, or to One thouſand Pounds Stock in the Capital or Joint Fund of the ſaid Company, ſhall be qualified to ſerve the Office of Director or Directors of the ſaid Company, he and they being thereunto duly elected and appointed by the ſaid Dock Company in Manner directed in the ſaid recited Act;

Act; and that all and every Persons and Person whomsoever, who shall be possessed of or entitled unto Five Shares in the said Undertaking, or to Shares upon which Calls have been paid to the Amount of Five hundred Pounds and upwards, or to Five hundred Pounds Stock in the Funds aforesaid, and who shall have been so possessed for the Space or Term mentioned in the same recited Act (except in the Cases therein mentioned), and who shall, if required, take and subscribe the Oath in the said Act set forth and required, shall be entitled to vote at General Meetings of the said *Bristol* Dock Company; any Thing in the said recited Act to the contrary notwithstanding.

Persons holding 500*l.* Stock entitled to vote at General Meetings.

VII. And be it further enacted, That before any Person or Persons who shall claim any Share or Shares in the said Undertaking, or any Capital or Joint Stock in the said Fund, or any Dividend or Dividends thereon in right of Marriage, shall be entitled to transfer such Shares or Stock, or to receive such Dividend or Dividends, an Affidavit, containing the Copy of the Register of such Marriage, or the Purport of such Register, shall be made and sworn to by some credible Person before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk or Clerks of the said *Bristol* Dock Company, who shall file the same, and make an Entry thereof in the Book or Books kept for the Transfer or Sale of Shares and Stock in the said Undertaking; and that before any Person or Persons, who shall claim any Share or Shares in the said Undertaking, or any Capital or Joint Stock in the said Fund, or any Dividend or Dividends thereon, as Executor or Administrator of any deceased Proprietor or Proprietors, shall be entitled to transfer such Shares or Stock, or to receive such Dividend or Dividends, the Probate of such Will or Letters of Administration, as the Case may be, shall be produced and shewn to the said Clerk or Clerks, who shall enter the same in the Book or Books to be kept as aforesaid, who shall be paid for every such Entry as aforesaid Five Shillings, and no more.

No Person claiming Stock in right of Marriage to be entitled to transfer or receive Dividends, without having produced a Register of the Marriage and an Affidavit.

Persons claiming as Executors or Administrators to produce the Probate of Letters, or Administration under which they claim.

VIII. And be it further enacted, That the Receipt or Receipts of the Person or Persons in whose Name or Names any Share or Shares in the said Undertaking, or any Capital or Joint Stock in the said Funds shall stand in the Books of the said Company, shall from Time to Time be a good and sufficient Discharge to the Treasurer or Treasurers for the Time being to the said Company, for any Dividend or Dividends, Sum or Sums of Money, which shall be paid for or in respect of such Shares, notwithstanding any Uses, Trusts, Intents, or Purposes, upon or to which the same Shares or Stock shall be then settled, limited, conveyed or assured.

Receipts for the Persons in whose Name the Stock stands to be a Discharge, notwithstanding Trusts.

IX. And be it further enacted, That the several Clauses, Powers, and Provisions contained in the said recited Act, for enabling the said *Bristol* Dock Company to borrow and take up at Interest, on Credit of the Rates and Duties thereby imposed, the Sum of Fifty thousand Pounds, and for assigning the said Rates as a Security for the said Sum of Fifty thousand Pounds, and relating to the Assignments of Rates for securing the same, and of Transfers of such Assignments, and of Payment of an Interest on the said Sum of Fifty thousand Pounds, and to the Repayment of the Principal, shall be and the same are hereby repealed.

Powers in the former Act to borrow 50,000*l.* repealed.

So much of the former Act as directs the Application of the Rates and Duties repealed.

X. And be it further enacted, That ſo much of the ſaid recited Act as directs the Manner of applying and dividing the Rates thereby impoſed, and the other Monies received by the ſaid Dock Company, under the Proviſions thereof, in Payment of Intereſt on Monies borrowed among the Subſcribers to the ſaid Undertaking, according to their reſpective Shares, and for raiſing a Fund therein, called a *Surplus Fund*, and applying the Intereſt of ſuch Surplus Fund, and for diſcharging the ſeveral Subſcription Shares, ſhall be and the ſame are hereby repealed.

Rates, after the 20th Day of April until the Works are finiſhed, to be divided among Proprietors.

XI. And be it further enacted, That, from and after the paſſing of this Act, all and every the Sum and Sums of Money, from Time to Time to be received for the Rates and Duties made payable by the ſaid recited Act and this Act, and all and every other Sum and Sums of Money which ſhall be received under and by virtue thereof, until the Works authorized and required by the ſaid recited Act and this Act ſhall be fit for the Reception of Shipping and completed, ſhall be paid and divided annually among the ſeveral Proprietors of Shares in the ſaid Undertaking, rateably and in Proportion to the ſeveral Shares they ſhall reſpectively hold in the ſaid Undertaking; ſo that no Dividend in any One Year ſhall exceed the Rate of Six Pounds *per Centum* on the Sum or Sums actually paid on the Shares reſpectively, until a Surplus Fund, amounting to Twenty-two thouſand Pounds, ſhall be raiſed as herein-after mentioned.

No Dividend during that Period to exceed 6l. per Centum.

The Surplus to be accumulated till it amounts to 22,000l.

XII. And it is hereby further enacted, That the Surplus, Receipts, Profits, and Gains, beyond ſuch Dividend of Six Pounds *per Centum*, ſhall be accumulated during the Execution of the Works authorized by the ſaid recited Act and this Act; and that ſuch Accumulations, and alſo all Annual Receipts, Profits, and Gains, above ſuch Dividend of Six Pounds *per Centum*, ariſing from Time to Time after the Completion of the ſaid Works, ſhall be paid over to the Chamberlain of the Corporation of the ſaid City of *Briſtol*, and to the Treaſurer of the Society of Merchants for the Time being, until the ſame ſhall amount unto the Sum of Twenty-two thouſand Pounds; and the ſaid Chamberlain and Treaſurer are hereby authorized and required to lay out and inveſt the Money from Time to Time paid over to them in the Government Stocks, in their Joint Names, or to lend the ſame or any Part thereof to the ſaid *Briſtol* Dock Company, on Security of the Rates and Duties, as the General Meetings of the ſaid Dock Company ſhall direct or appoint.

After a Fund of 22,000l. is raiſed, the Rates and other Income, to be divided among Proprietors.

XIII. And be it further enacted, That, from and after a Fund of Twenty-two thouſand Pounds ſhall have been raiſed and paid to the Chamberlain of the ſaid City of *Briſtol*, and Treaſurer of the ſaid Society of Merchants, all and every the Sum and Sums of Money, from Time to Time to be received for the Rates and Duties for Intereſt of the ſaid Surplus Fund (which Intereſt it is hereby declared ſhall be conſidered as Part of the Income of the ſaid Dock Company, and applied as ſuch), and all and every other the Income and Monies to be received by the ſaid Dock Company by virtue of this or the ſaid recited Act, ſhall, after paying and ſatisfying the Charges and Expences of maintaining, attending, regulating, repairing, and preſerving the Cuts, Dams, Locks, Bridges, Towing Paths, Works, and Improvements authorized by this and the ſaid recited Act, be paid and divided annually unto and amongſt the ſeveral Perſons holding Shares in the ſaid Undertaking, or Parts of the Joint Stock or Fund

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of the ſaid Company, rateably and in Proportion to their ſeveral Shares in the Stock; provided that no Dividends in any One Year ſhall exceed the Rate of Eight Pounds *per Centum*; and that the Surplus, Profit, Income, and Gains above ſuch Dividend of Eight Pounds *per Centum per Annum*, ſhall be laid out in Government Securities, and the Intereſt and Dividends thereof be applied in Manner directed by the ſaid recited Act; and when and as often as ſuch Surplus ſhall amount to One-tenth Part of the Money ſubſcribed, and for which Calls ſhall be made under the Proviſions of the ſaid recited Act or of this Act, the ſame ſhall be applied in the Payment and Diſcharge of One-tenth Part of each Subſcription Share, and ſo from Time to Time until the Whole of ſuch Shares ſhall be diſcharged, at ſuch Time or Times, with ſuch Notice or Notices, and in ſuch Manner as directed by the ſaid recited Act for diſcharging Shares in the ſaid Undertaking.

No Dividends in One Year to exceed 8 l. per Cent.

XIV. And it is hereby further enacted, That the ſaid Surplus Fund of Twenty-two thouſand Pounds ſhall remain and continue inveſted in the Names of the Chamberlain of the ſaid City of *Briſtol*, and the Treaſurer of the ſaid Society of Merchants for the Time being, and be ſubject to all and every the Clauſes and Proviſions of the ſaid recited Act, reſpecting the Fund thereby directed to be created within Six Years from the firſt Call made on the Subſcribers; and the ſame ſhall, after the Works are redeemed by Diſcharge of the Shares in Manner aforeſaid, be increaſed to Sixty thouſand Pounds, in Manner and for the Purpoſes in the ſaid recited Act declared and enacted.

The Surplus Fund to be ſubject to the Proviſions of the former Act, and to be increaſed to 22,000 l. as therein directed.

XV. And it is hereby further enacted, That ſuch Part and ſo much of the ſaid recited Act as directs that One of the Weſtward Locks at the Entrance Baſon at *Rownham Meads*, in that Part of the ſaid Pariſh of *Clifton* which lies in the ſaid City of *Briſtol*, ſhall be Thirty-three Feet wide, and directs the ſaid Company 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 Rivers *Avon* and *Frome*, above the ſaid Dam to the Level of the Sixteen Feet Gauge Mark at the lower End of the Quay at *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 with Culverts, Sluices, and Ground Hatches for the Purpoſe of ſcouring the ſaid 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, ſhall be and the ſame is hereby repealed.

So much of the former Act as directs the Weſtward Lock at Rownham ſhall be 33 Feet wide, and as directs the Overfall Dam to be in the Body of the preſent River, repealed.

XVI. And it is hereby further enacted, That it ſhall be lawful for the ſaid Dock Company, and they are hereby authorized and required, by themſelves or their Deputies, Agents, Workmen, and Servants, to make, complete, and maintain the ſmalleſt of the Weſtward Locks of the ſaid Entrance Baſon at *Rownham Meads* of any Width exceeding Thirty-three Feet they ſhall deem moſt convenient; and alſo to make, complete, and maintain a ſolid Dam acroſs the River *Avon* at the Redcliff aforeſaid, and an Overfall between the preſent Courſe of the ſaid River *Avon* and the new intended Courſe thereof at or near the ſolid Dam, ſuch Overfall and Dam to keep up

Dock Company authorized to make the ſmalleſt Lock at Rownham upwards of 33 Feet wide, and to make a ſolid Dam in the River, and an Overfall between,

up

the present and the new Course of the River.

up the Water in the Rivers *Avon* and *Frome*, above the said Dam, to the Level of the Sixteen Feet Gauge Mark, at the lower End of the Quay at *Bristol*; such Overfall to be furnished with Pointing or Falling Gates, and other Contrivances for excluding the Tide Water from the said Floating Harbour, and permitting the waste Water to run down the same, and also to be provided with Culverts, Sluices, Ground Hatches, and other Contrivances for the Purpose of scouring the said 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 such Overfall.

If the Entrance Bason at Rownham is walled, the same may be Four Acres instead of Six Acres.

XVII. And be it further enacted, That in case the said *Bristol* Dock Company shall find it necessary and expedient to, and shall accordingly wall round the Whole of the said intended Entrance Bason in *Rownham Meads*, then and in such Case so much and such Part of the said recited Act as directs that such Entrance Bason shall contain Six Acres at the least, shall be and the same is hereby repealed; and it shall and may be lawful to and for the said *Bristol* Dock Company, and they are hereby required, by themselves or their Deputies, Agents, Servants, or Workmen, to make, complete, and maintain the said Entrance Bason of such Dimensions, so that the same do contain at least Four Acres as they the said *Bristol* Dock Company shall deem necessary.

When Ships are afloat in the Harbour, and the Canal fit for passing and repassing Barges, the Duties to be payable.

XVIII. And be it further enacted, That when all the Works required by this and the said recited Act shall be completed, the Justices of the Peace in and for the City and County of the City of *Bristol*, in Quarter Sessions assembled, shall, on due Proof thereof, certify the same by Writing under the Hand of the proper Officer of the said Court, and there shall be inserted a Copy of such Certificate in the *London Gazette*, and Two or more of the *Bristol* Newspapers; and from and after such Certificate and Insertion thereof in the *London Gazette* and Two or more of the *Bristol* Newspapers as aforesaid, all and singular the Rates and Duties imposed and made payable by and under the Provisions of this and the said recited Act, until the same shall be redeemed in Manner in this and the said recited Act mentioned, shall be due and payable; and no Person or Persons shall be at Liberty to give in Evidence at any Trial or Trials respecting any Rates or Duties payable under the Provisions of this or the said recited Act, or respecting the Non-payment or not due Payment thereof, that any Part or Parts of the said Works or Improvements is or are incomplete or unfinished; any Thing herein-before or in the said recited Act contained to the contrary notwithstanding.

The Rate on Houses to be calculated from 25th March annually.

XIX. And whereas it is expedient that the Rate or Sum of Two thousand four hundred Pounds, directed by the said recited Act to be raised annually on Lands, Houses, Tenements, and Hereditaments in the said City of *Bristol*, should be computed from the Twenty-fifth Day of *March* in each Year, from which Time the Poor Rates of the said City are computed; be it therefore further enacted, That, from and after the passing of this Act, it shall and may be lawful for the Justices of the Peace in and for the said City and County of the City of *Bristol*, at the General Quarter Session, after *Easter-Day* in every Year, or at any other General Quarter Sessions, to order and appoint the said Sum of Two thousand four hundred

dred Pounds to be raiſed and levied as an Annual Rate from the Twenty-fifth Day of *March* then next preceding, and to be paid, collected, and received in Manner, and with the ſeveral Powers, Clauſes, Remedies, and Proviſions in the ſaid recited Act contained and declared or referred to, touching and concerning the collecting, receiving, and levying the ſaid Rate or Annual Sum of Two thouſand four hundred Pounds, and that as fully and effectually, to all Intents and Purpoſes whatſoever, as if the ſame Powers, Clauſes, and Proviſions were herein repeated and re-enacted.

An Allowance to be paid the Churchwardens for collecting the Rate.

XX. And be it further enacted, That it ſhall be lawful for the reſpective Senior Churchwardens and Overſeers of the ſeveral Pariſhes and Precincts in the ſaid City of *Briſtol*, to retain, have, and receive for their own Uſe and Benefit reſpectively, the Sum of Three-pence in the Pound on the Sum and Sums from Time to Time rated, aſſeſſed, and made payable on and from their reſpective Pariſhes; any Thing in this or the ſaid recited Act contained to the contrary thereof in anywiſe notwithſtanding.

Mayor, Burgeſſes, and Commonalty to remove Wreck or Nuiſance in the Rivers.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor, Burgeſſes, and Commonalty of the ſaid City of *Briſtol* and their Succeſſors, as Conſervators of the Rivers *Avon*, *Frome*, and *Severn*, and for their Agents, Servants, or Workmen, to remove and take away any Ship or Veſſel that ſhall be ſunk within the Limits of their Juriſdiction, in any or either of the ſaid Rivers, or any Wood, Timbers, Anchors, or other Obſtructions, Nuiſances, Purpreſtures, Accretions, or Impediments to the Navigation of the ſaid Rivers; and in caſe the Owner or Owners of any ſuch Ship or Veſſel, or the Perſon or Perſons who placed or depoſited, or cauſed to be placed or depoſited, or ſuffered to be drifted, ſuch Timber, Wood, Anchors, or other Obſtructions or Impediments ſo to be removed, ſhall refuſe or neglect to pay the Charge of removing the ſame, for the Space of Three Days after Demand thereof made by any Agent or Officer of the ſaid Mayor, Burgeſſes, and Commonalty, 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.

Conſtables to be appointed for preventing Thefts on the Rivers.

XXII. And be it further enacted, That it ſhall be lawful for the Directors of the ſaid *Briſtol* Dock Company, or any Five or more of them, from Time to Time to nominate and return to the Juſtices of the Peace in and for the City and County of *Briſtol* in Seſſions aſſembled, ſuch and ſo many Perſons as they ſhall reſpectively think neceſſary, as Conſtables, for the Purpoſe of preventing Thefts and Frauds on the ſaid Rivers *Avon* and *Frome*, and the ſaid Floating Harbour, Entrance, Baſon, Canals, Locks, and Works; and it ſhall and may be alſo lawful to and for the ſaid Juſtices in Seſſions aſſembled, if they think fit, but not otherwiſe, to elect and appoint, at their Diſcretion, all or any the Perſon or Perſons ſo to them returned; and all and every the Perſon and Perſons ſo appointed Conſtables by the ſaid Juſtices in Seſſions, ſhall reſpectively take an Oath, to be adminiſtered by any One or more Juſtice or Juſtices of the Peace in and for the ſaid City of *Briſtol* and County of the ſame City, duly to execute their reſpective Offices; and each of ſuch Perſons being ſo appointed and ſworn as aforeſaid, ſhall have Power to act as a Conſtable as well on the ſaid Rivers *Avon* and *Frome*, Floating Harbour, Entrance Baſons, Canals, Docks, and Works, as on Land, within the ſaid City and County

of the City of *Bristol*, and ſhall have all ſuch Powers, Authorities, Privileges, and Advantages, as Conſtables duly appointed now have, or ſhall have by the Laws and Statutes of this Kingdom, and ſhall obey all ſuch lawful Commands as they ſhall reſpectively from Time to Time receive from the Juſtices of the ſaid City and County, or any One or more of them; and that the Juſtices of the Peace in and for the ſaid City and County in Quarter Seſſions aſſembled, ſhall and may at any Time ſuſpend or diſmiſs ſuch Conſtable or Conſtables ſo appointed, who may be negligent or remiſs in the Exerciſe of his or their Office, or otherwiſe unfit for the ſame, and appoint any other fit Perſon or Perſons in his or their Room.

Conſtables to be paid by the Dock Company.

XXIII. And be it further enacted, That the ſaid *Bristol* Dock Company ſhall and may pay the ſaid Conſtables nominated and returned as aforeſaid, out of the Income of the ſaid *Bristol* Dock Company, ſuch Salaries and Allowances as the ſaid Company may think fit.

Powers to Conſtables to ſearch Boats, &c.

XXIV. And be it further enacted, That it ſhall be lawful for the ſaid Conſtables to be appointed as aforeſaid, each or either of them, and for all Owners or Maſters of Ships or Veſſels, either in Whole or in Part, to ſtop and detain, and ſearch any Boat or Boats which there ſhall be Reaſon to ſuſpect has or have any Ropes or Cordage, Tackle, Apparel, Furniture, Stores, Materials, or any Part of any Cargo or Lading, ſtolen or unlawfully procured from or out of any Ship or Veſſel, and alſo to apprehend and detain, or cauſe to be apprehended and detained, any Perſon or Perſons who may be reaſonably ſuſpected of having or conveying of any ſuch Goods, Stores, or Things in ſuch Boat or Boats; and ſuch Perſon or Perſons ſhall be (as ſoon as conveniently may be) conveyed before One or more Juſtice or Juſtices of the Peace for the ſaid City of *Bristol* and County of the ſame City; and if ſuch Perſon or Perſons ſhall not give an Account of the Manner of his, her, or their coming by ſuch Goods or Things, which ſhall upon Inveſtigation be ſatisfactory to ſuch Juſtice or Juſtices, or if ſuch Perſon or Perſons ſhall not, upon being required ſo to do, produce the Party or Parties from whom he, ſhe, or they received ſuch Merchandizes; or if ſuch Perſon or Perſons ſhall produce the Party or Parties laſt aforeſaid, and upon the Whole of the Evidence it ſhall appear to the Satisfaction of ſuch Juſtice or Juſtices, that the Perſon or Perſons ſo ſuſpected, did at the Time of his, her, or their receiving ſuch Goods or Things into his, her, or their Poſſeſſion, believe or had reaſonable Cauſe to believe that the ſame were at any Time and by any Perſon unlawfully come by or obtained, ſuch Perſon or Perſons ſo apprehended ſhall be deemed and adjudged guilty of a Miſdemeanor; and ſuch Boat, with her Tackle or Apparel, ſhall, upon ſuch Conviction, be forfeited and diſpoſed of as after mentioned.

Conſtables to ſtop and detain Perſons ſuſpected of having Goods ſtolen from Veſſels in the Harbour, and take them before a Juſtice, &c.

XXV. And be it further enacted, That the ſaid Conſtables to be appointed as aforeſaid, and alſo all and every Conſtables, Petty Conſtables, and Watchmen, of every Pariſh, Precinct, and Place in the ſaid City of *Bristol*, ſhall and may apprehend and detain, or cauſe to be apprehended and detained, all and every Perſon and Perſons who may reaſonably be ſuſpected of having or carrying, or anyways conveying any Ropes, Cordage, Tackle, Apparel, Furniture, Stores, Materials, or any Part of any Cargo or Lading ſtolen or unlawfully procured from any Ship or Veſſel lying or being on the ſaid Rivers *Avon* and *Frome*, the ſaid Floating Harbour,

Entrance Baſons, Canals, Docks, or Works, or from any Wharf, Quay, or other Landing Place adjacent to the ſame, or to or from, or in the Way to or from, any Warehouſe to or from which ſuch Articles have been removing or removed; and alſo ſhall and may ſeize and detain in ſome Place of Safety ſuch Merchandizes, Goods, or other Things aforeſaid, and ſhall (as ſoon as conveniently may be) convey or cauſe the Perſon or Perſons ſo apprehended to be conveyed before One or more Juſtice or Juſtices of the Peace for the ſaid City of *Briſtol* and County of the ſame City; and if ſuch Perſon or Perſons ſhall not give an Account of the Manner of his, her, or their coming by ſuch Goods or Things, which ſhall upon Inveſtigation be ſatisfactory to ſuch Juſtice or Juſtices; or if ſuch Perſon or Perſons ſhall not, upon being required ſo to do, produce the Party or Parties from whom he, ſhe, or they received ſuch Merchandizes, Goods, Stores, or Things; or if ſuch Perſon or Perſons ſhall produce the Party or Parties laſt aforeſaid, and upon the Whole of the Evidence it ſhall appear to the Satisfaction of ſuch Juſtice or Juſtices, that the Perſon or Perſons ſo ſuſpected did, at the Time of his, her, or their receiving ſuch Goods into his, her, or their Poſſeſſion, believe or had reaſonable Cauſe to believe that the ſame were at any Time and by any Perſon unlawfully come by or obtained, ſuch Perſon or Perſons ſo apprehended ſhall be deemed and judged guilty of a Miſdemeanor.

Upon Information on Oath, Juſtices may grant a Warrant to ſearch for Articles ſuſpected to be ſtolen, &c.

XXVI. And be it further enacted, That if on Information given on Oath, it ſhall appear to One or more Juſtice or Juſtices of the Peace in and for the ſaid City of *Briſtol* and County of the ſame City, that there is reaſonable Cauſe for ſuſpecting that any Materials, Furniture, Stores, or any Part of the Cargo of any Ship or Veſſel lying or being in the ſaid Rivers *Avon* and *Frome*, the ſaid Floating Harbour, Entrance Baſon, Canals, Docks, and Works, have been ſtolen or unlawfully obtained from ſuch Ship or Veſſel, or from any Wharf, Quay, or other Landing Place adjacent to the ſame, or from or on the Way to or from any Warehouſe to or from which ſuch Articles have been removing or removed; and that ſuch Articles after having been ſo ſtolen or unlawfully obtained, have been concealed, or depoſited or lodged in any Dwelling Houſe, Warehouſe, Yard, Garden, or other Place, it ſhall be lawful for any One or more Juſtice or Juſtices acting in and for the County or City and County in which ſuch Articles or Things ſhall be ſuſpected to be lodged, by ſpecial Warrant under the Hands and Seals or Hand and Seal of ſuch Juſtices or Juſtice, directed to the Conſtable or Conſtables appointed under the Powers of this Act, or to any Conſtable or Conſtables within their reſpective Juriſdictions, to cauſe ſuch Place to be ſearched at any Time in the Day or by Night, if Power for that Purpoſe be given in ſuch Warrant; and ſuch Juſtice or Juſtices, if it ſhall appear requiſite, are hereby authorized to empower ſuch Conſtable or Conſtables, with ſuch Aſſiſtance as may be neceſſary (having previouſly made known his or their Authority) to uſe Force for effecting ſuch Entry, whether by breaking open Doors or otherwiſe; and if upon Search ſo made, any ſuch ſuſpected Article or Articles ſhall be found, to convey the ſame forthwith before the Juſtice or Juſtices, or to guard the ſame on the Spot while the Offenders are taken before the ſaid Juſtice or Juſtices, or otherwiſe diſpoſe thereof in ſome Place of Safety, and moreover to apprehend and convey before the ſaid Juſtice or Juſtices the Perſon or Perſons in whoſe Houſe, Lodging, or other Place as aforeſaid,

ſaid, the ſame ſhall ſo have been found; and alſo every ſuch other Perſon found in ſuch Houſe, Lodging, or Place, as ſhall appear to have been privy to the depoſiting of ſuch Articles or any of them in ſuch Place, knowing or having Reaſon or Cauſe to ſuſpect the ſame to have been ſtolen or unlawfully obtained; and if ſuch Perſon ſhall not immediately, or within a reaſonable Time, to be aſſigned by the Juſtice or Juſtices, make it appear to the Satisfaction of the ſaid Juſtices, by what lawful Means ſuch Article or Articles came to be depoſited or ſituated in ſuch Place as aforeſaid, without any Default on the Part of ſuch Perſon or Perſons reſpectively, or that they reſpectively did not know the ſame were, or by what Means the ſame were depoſited in ſuch Place, then and in ſuch Caſe the Perſon or Perſons in whoſe Houſe, Lodging, or other Place, ſuch ſuſpected Article or Articles was or were found, as alſo every other Perſon ſo appearing to have been privy to the depoſiting thereof, knowing or having Cauſe to ſuſpect the ſame to have been ſtolen or otherwiſe unlawfully obtained, ſhall be deemed and adjudged guilty of a Miſdemeanor, and ſhall ſuffer as herein-after mentioned.

Upon Conviction of Perſons apprehended, the Goods detained, if cuſtomable or exciſeable Articles, to be depoſited in the Exciſe Office or Cuſtom Houſe, &c.

XXVII. And be it further enacted, That when any Perſon or Perſons ſhall be convicted of either of the Miſdemeanors aforeſaid, it ſhall be lawful for the Juſtice or Juſtices before whom ſuch Perſon or Perſons was or were convicted, and they are hereby required to cauſe ſuch Merchandizes, Goods, Stores, or Things, in caſe the ſame ſhall conſiſt of any Article or Articles which now is or are, or at any Time hereafter ſhall or may be liable or ſubject to a Duty of Cuſtoms or Exciſe, to be carried, conveyed, taken to, and depoſited in the Exciſe Office in the City of *Briſtol*, if liable to a Duty of Exciſe, or the Cuſtom Houſe of the City of *Briſtol*, if liable to a Duty of Cuſtoms, within Twenty-four Hours after the ſame ſhall have been ſtopped or detained, in order that all ſuch Articles and Commodities, and the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion the ſame are found, may be dealt with, proſecuted, or proceeded againſt as the Nature of the Caſe may require: Provided nevertheleſs, that in caſe any ſuch Merchandize, Article, or Thing laſt aforeſaid, ſhall be detained or taken on Suſpicion of having been feloniouſly ſtolen, taken, or received, then it ſhall be lawful to and for the ſaid Juſtices to order the ſame to be lodged and depoſited in ſome Place of Safety, there to remain until and in order to be produced at the Trial of any Perſon or Perſons who ſhall or may be charged with feloniouſly ſtealing, taking, or receiving the ſame as aforeſaid; and in ſuch laſt mentioned caſe the Perſon or Perſons making ſuch Seizure as aforeſaid, ſhall within Twenty-four Hours after he or they ſhall have ſtopped, detained, or taken the ſame, give Notice thereof, in Writing, to the Collector of His Majeſty's Cuſtoms, or the Collector of Exciſe in the ſaid City of *Briſtol* (as the Caſe may be), and ſhall thereupon permit the proper Officer or Officers of Exciſe or Cuſtoms to examine and take an Account of all ſuch Articles and Commodities.

After Trial, the Articles to be conveyed to and left at the Exciſe Office or Cuſtom Houſe.

XXVIII. And be it further enacted, That when and ſo ſoon as any Perſon or Perſons charged with feloniouſly ſtealing, taking, or receiving ſuch Commodities, Articles, and Things as laſt aforeſaid, ſhall have been tried for the Felony, all ſuch Commodities, Articles, and Things ſhall be conveyed to and immediately depoſited in the Cuſtom Houſe or Exciſe Office in the ſaid City of *Briſtol*, according to the Nature thereof, and whether the ſame ſhall be liable to a Duty of Exciſe or Cuſtoms, to be proceeded againſt

against in case of Forfeiture, or to be restored upon Payment of such Duties as may be due in respect of the same, to such Person as may prove himself to be the legal Proprietor, or otherwise to be dealt with in such Manner as the Case may require.

Articles not lodged at the Excise Office or Custom House as aforesaid, to be forfeited, and may be seized.

XXIX. And be it further enacted, That in case any such Goods, Wares, or Merchandizes, Articles or Commodities, which now are or hereafter may be subject to any Duty of Customs or Excise which shall be so taken as aforesaid, shall not be conveyed to, lodged, or deposited in the said Custom House or Excise Office in *Bristol*, within the Time or Times herein-before directed, all such Goods, Wares, Merchandizes, Articles, and Commodities which shall not be so conveyed and actually deposited in the said Custom House or Office of Excise, shall be forfeited, and shall or may be seized or reseized by any Officer or Officers of Excise or Customs respectively, and the Party or Parties so neglecting or refusing to convey and lodge the same in the said Custom House or Excise Office, shall forfeit and lose the Sum of Twenty Pounds; and if any Person or Persons shall molest, disturb, hinder, oppose, or impede any Officer or Officers of Customs or Excise in the Execution of the Powers and Authorities aforesaid, every Person so offending shall forfeit and pay the Sum of Two hundred Pounds; which said Penalties of Twenty Pounds and Two hundred Pounds last-mentioned, shall and may be sued for, recovered, levied, or mitigated, by such Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture may be sued for, recovered, levied, or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*; and that One Moiety of such Fine, Penalties, or Forfeitures shall go to His Majesty, His Heirs and Successors, and the other Moiety thereof to him or them who shall inform, discover, and sue for the same.

On Conviction of Offenders, the Goods to be in Custody for 30 Days, and Notice be given.

XXX. And be it further enacted, That in case of Conviction of any Person or Persons as herein-before is mentioned, it shall be lawful for the Justice or Justices before whom such Person or Persons was or were convicted, to cause all such Goods, Wares, Merchandizes, Articles, and Things as shall not for the Time being be liable or subject to any Duty of Customs or Excise, to be deposited in the Custody of an Officer or Officers, Person or Persons, to be for that Purpose appointed by the said Dock Company, in any convenient Place, for any Time not exceeding Thirty Days, and to give Notice by the publick Cryer, and by Notice in Writing stuck up in the Council House and Exchange of the City of *Bristol*, describing such Merchandizes, Goods, Wares, and Things, and where the same shall have been so deposited, to the End that Persons having lost any such, or any respectable Person on their Behalf, may come and claim the same, within Thirty Days from the Time of giving and affixing such Notice as aforesaid; and in case any such Person or Persons do or shall within such Thirty Days prove his, her, or their Right and Property in the Goods, Wares, Merchandizes, Stores, and Things upon Oath, to the Satisfaction of One or more Justice or Justices of the Peace in and for the said City of *Bristol* and County of the same City, then such Justice or Justices shall order Restitution thereof, after paying the reasonable Charges incurred in seizing, removing, depositing, and giving publick Notice as aforesaid, and also reasonable Compensation to the Person or Persons giving such Information as aforesaid, such Charges and Compensations to be set-

tled by such Justice or Justices as aforesaid; but if at the End of the said Thirty Days (such Notice having been given as aforesaid) no such Proof shall be made as aforesaid, then such Merchandizes, Goods, Stores, Articles and Things shall be sold for the best Price that can be reasonably had; and after deducting the Costs, to be settled as aforesaid, the Remainder of the Money arising from the Sale shall be given, one Moiety thereof to the Person or Persons so apprehending or giving Information, as the Case may be, of the Party or Parties guilty of the Misdemeanors aforesaid or either of them, and the other Moiety to the Corporation for the Relief of the Poor in the said City of *Bristol*.

Persons to whom Goods are offered to be pawned, empowered, in case of Suspicion, to take the Party offering them to pawn before a Justice and detain the Goods.

XXXI. And be it further enacted, That every Person to whom any Goods, Stores, or Merchandizes belonging to or taken from such Ships or Vessels, or stolen as aforesaid, shall be brought and offered to be pawned, sold, and delivered, shall, and he, she, and they hereby is and are empowered and required (there being reasonable Cause to suspect that such Things were stolen or unlawfully come by as aforesaid) to apprehend, secure, and carry before a Justice or Justices of the Peace in and for the said City of *Bristol* and County of the same City, the Person or Persons so bringing or offering the same, and in the mean Time to secure such Goods, Wares, Merchandizes, and Things, and deposit and dispose thereof in safe Custody as aforesaid; and such Person or Persons so apprehended shall be dealt with in such and the same Manner, as if such Person or Persons was or were apprehended by a Constable with such Articles, Goods, Wares, Merchandizes, and Things in his or their Possession.

Penalty on Persons purchasing Articles stolen from any Ship, &c.

XXXII. And be it further enacted, That every Person who shall buy or receive any Rope, Cordage, Tackle, Apparel, Furnitures, Stores, Materials, or any Part of the Cargo, or Lading of any Ship or Vessel lying or being in the said Rivers *Avon* and *Frome*, or in the said intended Float, Entrance, Bason, Canals, Locks, Docks, and Works, or any Part thereof, knowing the same to be stolen or unlawfully come by, or shall privately buy or receive any such Stores, Materials, or Things, by suffering any Door, Window, or Shutter to be left open or unfastened, between Sun-setting and Sun-rising, for that Purpose, or shall buy or receive the same, or any of them, at any Time clandestinely from any Person or Persons whomsoever, shall, being thereof convicted in due Course of Law, be punished, by Transportation, for any Time not exceeding the Term of Fourteen Years, to such Place or Places, Part or Parts, beyond the Seas, as His Majesty shall declare and appoint; or by Fine and Imprisonment, or Whipping, or any or either of them, as the Court of Oyer and Terminer and General Gaol Delivery, holden in and for the said City and County, or as the Court of General Quarter Sessions of the Peace, to be holden in and for the said City and County, shall think fit to inflict, although the principal Offender or Offenders, Felon or Felons, be not before convicted of stealing or unlawfully procuring the same, and whether he, she, or they, is or are amenable to Justice or not; any Law or Statute to the contrary notwithstanding.

Persons conveying away or throwing into the Water Things of apparent

XXXIII. And be it further enacted, That if for the Purpose of preventing the Seizure or Discovery of any Materials, Furniture, Stores, or Merchandizes belonging to or having been Part of the Cargo of any Ship or Vessel lying in the said Rivers *Avon* and *Frome*, or either of them, or

the

the ſaid Float, Entrance, Baſons, Locks, Docks, Canals, and Works, or any Part thereof, or of any other Articles unlawfully obtained from ſuch Ship or Veſſel, any ſuch or any other Articles ſhall be wilfully let fall or thrown over, or in any other Manner wilfully conveyed away or endeavoured to be conveyed away, every Perſon being Party or Acceſſary to ſuch letting fall, throwing, or conveying away, or to any previous Inſtruction or premeditated Deſign to let fall, throw, or convey away any ſuch Article or Articles with any ſuch Purpoſe as aforeſaid, ſhall be deemed and adjudged guilty of a Miſdemeanor; and if any Article or Articles whatever, of apparent Value, ſhall be wilfully let fall, thrown, or conveyed, or endeavoured to be conveyed away from any Ship or Veſſel, into any Boat, Barge, Lighter, or Craft, or from any Boat, Barge, Lighter, or Craft, or from any Wharf, Quay, or other Landing Place, without the Order, Aſſent, or Privity of the Perſon or Perſons, being the Owner or Owners, or having the lawful Charge of ſuch Article or Articles, then and in ſuch Caſe it ſhall be lawful to and for ſuch Conſtables to be appointed as aforeſaid, and all or any other Perſon or Perſons whomſoever, to ſeize, apprehend, and ſecure any ſuch Boat, Barge, Lighter, or other Craft, and the Perſon or Perſons therein, or who by reaſon of his or their Nearneſs to the Place where ſuch Offence ſhall be committed, ſhall be reaſonably ſuſpected of being Party or Acceſſary thereto, and forthwith to convey ſuch Perſon or Perſons before One or more Juſtice or Juſtices of the Peace in and for the ſaid City and County of the City of *Briſtol*; and if upon Examination it ſhall not be made appear to the Satisfaction of the ſaid Juſtice or Juſtices, that ſuch letting fall, throwing, or conveying away, or endeavouring to convey away, proceeded either from mere Accident or from ſome lawful Cauſe, and not from ſuch fraudulent or evaſive Deſign as aforeſaid, every Perſon ſo appearing to be party, privy, or acceſſary as aforeſaid, ſhall be deemed and adjudged guilty of a Miſdemeanor, and ſhall be puniſhed as after mentioned.

Value, that they may not be ſeized, to be taken before a Juſtice and if found guilty, to be puniſhed as if for a Miſdemeanor.

XXXIV. And be it further enacted, That every Perſon who for the Purpoſe of protecting or preventing any Goods, Wares, Merchandizes, or other Articles, whatſoever, from being ſeized on Suſpicion of their being ſtolen or otherwiſe unlawfully obtained, or of preventing the ſame from being produced or made to ſerve as Evidence of or concerning any Felony or Miſdemeanor, or ſhall frame or cauſe to be framed, or be anyways concerning in framing or cauſing to be framed, any Bills of Parcels containing any falſe Statement in regard to the Name or Abode of the alledged Vendor, the Quantity or Quality of ſuch Goods or Valuables, the Place from whence or Conveyance by which the ſame were furniſhed, the Price agreed upon or charged for the ſame, or any other Particular or Particulars, knowing ſuch Statement to be falſe, ſhall be adjudged guilty of a Miſdemeanor, and ſhall ſuffer as after mentioned, and may moreover, at the Diſcretion of ſuch Juſtice or Juſtices before whom ſuch Complaint ſhall be heard, be publiſhed and advertiſed as a Fabricator of falſe Bills of Parcels.

Perſons framing falſe Bills of Parcels to prevent Goods being ſeized, guilty of a Miſdemeanor.

XXXV. And be it further enacted, That it ſhall be lawful for any Conſtable or Conſtables to be from Time to Time appointed under the Authority of this Act, to apprehend all ill-diſpoſed and ſuſpected Perſons and reputed Thieves, frequenting the ſaid Rivers *Avon* and *Frome*, the ſaid Floating Harbour, Entrance, Baſon, Locks, Docks, Canals, Wharfs, and Works,

Perſons of ill Fame, &c. apprehended on the Quay to be deemed Rogues and Vagabonds.

or

or any or either of them, or the Quays, Streets, and Avenues adjoining or leading thereto, and to convey him, her, or them, before any Two or more Juſtices of the Peace in and for the ſaid City of *Briſtol* and County of the ſame City; and if it ſhall appear before the ſaid Juſtices, upon Oath of One or more credible Witneſs or Witneſſes, that ſuch Perſon or Perſons is or are a Perſon or Perſons of evil Fame, and a reputed Thief or Thieves, and ſuch Perſon or Perſons ſhall not be able to give a ſatisfactory Account of himſelf, herſelf, or themſelves, or of his, her, or their way of living; and if it ſhall alſo appear to ſuch Juſtices that there is juſt Ground to believe that ſuch Perſon or Perſons was or were on or in the ſaid Rivers, Floating Harbour, Entrance, Baſon, Docks, Locks, Canals, Wharfs, Quays, or Warehouſes, or in ſuch Avenues or Streets as aforeſaid, with Intent to commit Felony on the Perſons or Property of His Majeſty's Subjects, every ſuch Perſon ſhall be deemed a Rogue and Vagabond within the Intent and Meaning of the Statute, made in the Seventeenth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act to amend and make more effectual the Laws relating to Rogues and Vagabonds, and other idle and diſorderly Perſons, and to the Houſes of Correction:* Provided always, that if any Perſon ſhall feel aggrieved by the Judgement of ſuch Juſtices as aforeſaid, ſuch Perſon may appeal to the Juſtices of the Peace at the next General Quarter Seſſions of the Peace to be holden in and for the ſaid City of *Briſtol* and County of the ſame City, ſuch Perſon at the Time of his Conviction entering into a Recognizance, with Two ſufficient Sureties conditioned perſonally to appear at the ſaid Seſſions to try ſuch Appeal, and to abide the further Judgement of the ſaid Juſtices in Seſſions aſſembled; and in caſe ſuch Conviction ſhall be affirmed at ſuch Seſſions, the ſaid Juſtices may adjudge ſuch Perſon to be a Rogue and a Vagabond, and proceed againſt ſuch Perſon in the ſame Manner as they might have done if ſuch Rogue and Vagabond had been committed to the Houſe of Correction until ſuch General Quarter Seſſions: Provided always, that no Perſon convicted under this Act ſhall thereby become liable to any further Puniſhment than Impriſonment to hard Labour for any Term not exceeding Six Calendar Months, taking into Computation any actual Impriſonment which ſuch Perſon ſhall have ſuffered by his Commitment until ſuch Seſſions.

Appeal to the Quarter Seſſions allowed.

Puniſhment not to exceed Impriſonment for Six Months to hard Labour.

Puniſhment for Offences under the Act declared to be a Miſdemeanor.

XXXVI. And be it further enacted, That in every Caſe of Offences herein-before declared to be a Miſdemeanor, for which no ſpecial pecuniary Penalty is herein-before appointed, the Offender or Offenders ſhall forfeit and pay, at the Diſcretion of the Juſtice or Juſtices before whom any Conviction ſhall take place, any Sum not exceeding Five Pounds, or ſhall ſuffer Impriſonment for any Time not exceeding Eight Weeks, or ſhall forfeit and pay any Sum not exceeding Forty Shillings, and ſhall beſides ſuffer Impriſonment for any Time not exceeding Four Weeks; and if the Payment of ſuch Penalty ſhall not immediately, upon ſuch Conviction, be made or ſecured to the Satisfaction of ſuch Juſtice or Juſtices, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices forthwith, or at any Time or Times within One Calendar Month after ſuch Conviction, to commit any Offender to the Houſe of Correction in the ſaid City of *Briſtol*, for any Time not exceeding Eight Weeks in the whole, determinable upon the making or ſecuring ſuch Payment as aforeſaid; and that One Moiety of the Money received on Account of every ſuch Forfeiture or Penalty ſhall be paid to or for the Benefit of the Poor

of

of the Pariſh where ſuch Offender or Offenders ſhall or may be apprehended, and the other Moiety thereof be employed to the Uſe of the Informer alone, or be diſtributed amongſt all ſuch Perſons as ſhall have contributed to the Conviction of the Offender, in ſuch Shares and Proportions as ſuch Juſtices ſhall in their Diſcretion think fit.

Informers competent Witneſſes.

XXXVII. Provided always, That no Informer or other Perſon or any Inhabitant of the Pariſh where any Offender ſhall be apprehended, ſhall be deemed incompetent to give Evidence touching any ſuch Offence as aforeſaid, on ſuch Informer or other Perſon giving up all Right and Title to ſuch Moiety or Share of the Penalty, and which Moiety or Share ſo given up ſhall be applied in the Manner in which the other Moiety or Share is directed by this Act to be applied.

Conviction to be filed at the Seſſions.

XXXVIII. And be it further enacted, That every Conviction of any Offender in any of the ſaid Miſdemeanors, ſhall be certified by the Juſtice or Juſtices of the Peace making the ſame, to the next General Quarter Seſſions in and for the ſaid City and County of the ſaid City of *Briſtol*; to be filed and entered among the Records of the ſaid Seſſions; and that ſuch Conviction ſhall and may be drawn up on Parchment, and certified as follows; *videlicet*,

Form of Conviction.

‘ Briſtol, to wit, } BE it remembered, That on the Day of *A. B.* was convicted before of the
‘ Juſtices of the Peace for the City and County of the City of *Briſtol*, in a
‘ Miſdemeanor [*ſpecifying the ſame in the Words in which the ſame is or are*
‘ *before deſcribed, or in any other Form of Words to the like Effect.*] Given
‘ under our Hands and Seals the Day and Year aforeſaid.’

Which ſaid Conviction, or any other in the ſame or the like Form of Words, ſhall be good and effectual in Law to all Intents and Purpoſes, and ſhall not be quaſhed, ſet aſide, or be adjudged void or inſufficient for want of any other Form of Words whatſoever, nor be liable to be removed by *Certiorari* into His Majeſty's Court of King's Bench.

On Proof of illegal Practices by Owners of licenſed Boats, Licences to be refuſed.

XXXIX. And it is hereby further enacted, That any Two or more Juſtices of the Peace in and for the City of *Briſtol* and County of the ſame City, ſhall and may and they are hereby authorized and required, on Complaint made to them by any credible Perſon or Perſons, of any Thefts, Robberies, Frauds, or other illegal Practices carried on, or reaſonably ſuſpected to be carried on, in any Boat to be licenſed under the Powers of the ſaid recited Act, to ſummon the Owner or Owners thereof to appear before them at ſuch Time and Place as they ſhall appoint, at which Time and Place the ſaid Juſtices ſhall enquire into the ſaid Complaint in a ſummary Way; and in caſe the ſaid Complaint ſhall be proved to their Satisfaction, they the ſaid Juſtices ſhall certify the ſame to the ſaid *Briſtol* Dock Company, who are hereby required to take away and totally aboliſh the Licence ſo given to ſuch Boat or Boats, and not for the future to enter or licenſe any Boat or Boats belonging to ſuch Owner or Owners, without a Certificate of Two Juſtices authorizing them ſo to do; any Thing in the ſaid Act to the contrary notwithſtanding.

Boats declared to be forfeited to be burned.

XL. And be it further enacted, That where, by the Proviſions of this or the ſaid recited Act, any Boat is declared to be forfeited, but no Proviſion is made as to the Diſpoſition of ſuch Boat, then and in ſuch caſe it ſhall and may be lawful to and for the Juſtice or Juſtices before whom any Conviction ſhall have been made for any Offence or Offences by which ſuch Boat or Boats became forfeited; and they are hereby authorized and required to order ſuch Boat or Boats, with the Tackle and Apparel, to be totally burned and deſtroyed, within Six Days after ſuch Conviction, by Warrant under the Hands and Seals of ſuch Juſtices, to any Conſtable or Conſtables, who ſhall thereupon cauſe ſuch Boat, with her Tackle, Apparel, and Furniture, to be burned and deſtroyed within the Time aforeſaid.

Perſons not ſpecially appointed may apprehend Perſons guilty of Miſdemeanors.

XLI. And be it further enacted, That it ſhall be lawful for any Perſon or Perſons by Authority of this Act, without any other Warrant, to apprehend any Perſon guilty of a Miſdemeanor under the Powers of this Act, and with all convenient Speed to convey and deliver ſuch Offender or Offenders to a Conſtable or other Peace Officer, in order to be conveyed before ſome Juſtice or Juſtices of the Peace for the ſaid City and County of the ſaid City of *Briſtol*, there to be dealt with according to Law.

Directors authorized to make a Road by the Side of the Feeder and new Courſe of the River into the Hotwell Road.

XLII. And it is hereby further enacted, That it ſhall and may be lawful to and for the ſaid *Briſtol* Dock Company, and they are hereby authorized and required, by themſelves or their Deputies, Agents, Workmen, and Servants, to make, complete, and maintain a Road or Way from, at, or near the Engine Mills in the Pariſh of *Saint George*, in the County of *Glouceſter*, along the Side of the Canal, laying out and forming by the ſaid Dock Company, through Part of the ſaid Pariſh of *Saint George*, and Part of the Pariſh of *Saint Philip* and *Jacob*, in the County of *Glouceſter*, over a Dam intended to be made by the ſaid *Briſtol* Dock Company acroſs the River *Avon*, at or near *Totterdown*, along and by the Side of the new Courſe of the River *Avon*, through Part of the Pariſhes of *Temple* otherwiſe *Holy Croſs*, and *Saint Mary Redcliff*, in the City of *Briſtol*, and that Part of the Pariſh of *Bedminſter*, which lies in the City and County of *Briſtol*, over a Bridge and Dam intended to be made acroſs the preſent Courſe of the River *Avon*, at or near *Redcliff*, through *Rownham Meads*, in that Part of the Pariſh of *Cliſton*, which lies in the City of *Briſtol* into a certain Road called *The Hotwell Road*.

To be indicted in caſe they do not keep ſame in Repair.

XLIII. And it is hereby alſo enacted, That the ſaid Dock Company and their Succeſſors ſhall be liable to be indicted in caſe the ſaid Roads, Dams, and Bridges, ſhall not from Time to Time be kept in ſubſtantial Repair, and ſhall be further liable to pay the Coſts of every ſuch Proſecution, if upon Conviction it ſhall be proved upon Oath that there ſhall have been a Requiſition in Writing by any Perſon or Perſons requiring ſuch Repairs to be done, Thirty Days previous to the Commencement of ſuch Proſecution.

The Books of Reference left with the Clerks of the Peace on

XLIV. And whereas the Maps and Books of Reference mentioned in the ſaid recited Act to have been previouſly to the paſſing thereof depoſited at the Office of the Clerk of the Peace for the County of *Somerſet* at the

Office of the Clerk of the Peace for the County of *Gloucester*, and at the Office of the Clerk of the Peace for the City and County of *Briſtol*, contain Liſts of the Owners or reputed Owners and Occupiers of the Lands and Premiſes through or over which the ſaid intended Road will be formed, except that Part thereof in the Pariſh of *Saint Mary Redcliff*, in the ſaid City of *Briſtol*, will be formed and paſs over Part of the Garden Ground of *James Sutton*, now in the Occupation of *John Gee*, and alſo Part of the Garden Ground of *Robert Rankin*, now in his own Occupation; now it is hereby further enacted, That all and every the Powers, Clauſes, and Proviſions of the ſaid recited Act, for enabling the ſaid Directors of the ſaid *Briſtol* Dock Company to purchaſe ſuch Part and Parts of the Houſes, Buildings, Lands, Tenements, and Hereditaments, mentioned in the ſaid Books of Reference, as ſhould be neceſſary for the Works in the ſaid Act ſpecified; for enabling Corporate Bodies and incapacited Perſons to ſell; for aſſeſſing the Value by a Jury, in caſe the Parties refuſe or are unable to ſell; and directing the Application of Purchaſe Money; and for veſting Lands, Tenements, and Hereditaments purchaſed by the ſaid Dock Company, in them and their Succeſſors; and all other the Clauſes and Proviſions in the ſaid recited Act reſpecting Purchaſes and Compenſations, ſhall be and the ſame are hereby extended to the Works hereby authorized to be made, and to the Gardens of the ſaid *James Sutton* and *Robert Rankin* reſpectively, herein-before mentioned, as well as the Houſes, Buildings, Lands, Tenements, and Hereditaments mentioned in the ſaid Books of Reference, and that as fully and effectually as if the ſame were herein repeated and re-enacted.

paſſing the former Act, to contain the Names of the Owners and Occupiers of Lands; except the Land of Perſons named.

Proviſions authoriſing Purchaſers under the former Act extending to this Act.

XLV. And whereas in the ſaid recited Act, in order to protect the Lands, Grounds, Eſtates, and Premiſes of the Moſt Noble *Anna Eliza* Ducheſs Dowager 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*; it is enacted, that the ſaid Dock Company ſhall, at their own Coſts and Charges, cauſe to be erected at *Saint Anns Mill*, in the Pariſh of *Briſlington*, a proper and ſufficient Level Bench or Stone correſponding and agreeing in Height with the Sixteen Feet Mark on the Quay Gauge in the River *Frome* at *Briſtol*, to be aſcertained by an Engineer on the Part of the ſaid Company, and an Engineer to be appointed on the Part of the ſaid Ducheſs Dowager 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 or intereſted in the ſaid Eſtates and Lands, or his or her Heirs and Aſſigns, and of *William Gore Langton*, his Heirs and Aſſigns; and it is by the ſaid recited Act alſo further enacted, for the Purpoſes mentioned in the ſaid Act, that the ſaid Company ſhall, at their own Coſts and Charges, on or before the Firſt Day of *September* One thouſand eight hundred and three, cauſe to be erected and kept in good and ſufficient Repair in the River *Avon*, Two proper and ſufficient Gauge Poſts, and that immediately after the Erection of the ſaid Gauge Poſts a Regiſter Book ſhould be kept in Manner directed by the ſaid recited Act: And whereas an Engineer has been appointed as directed by the ſaid recited Act on the Part of the ſaid Ducheſs Dowager of *Chandos* and the ſaid *William Gore Langton*, and regular Notice has been given to the ſaid Dock Company that he would proceed with the ſaid Works, and a Stone

Gauge at St. Anns Mills.

a Stone Bench corresponding and agreeing in Height with the said Level has been fixed near *Saint Anns Mill* in the said Parish of *Brislington* by the said Engineer on the Part of and at the Expence and Charge of the said Duchess Dowager of *Chandos* and *William Gore Langton*, in Default of the Attendance of the Engineer of the said Dock Company, according to the Power of the said recited Act, which Stone Bench and Level has since been approved by the Engineer of the said Dock Company, and the said Two Gauge Posts have been erected and Register Books have been procured and Entries therein made of the relative Height of the Water in the said River *Avon* at such Times as appeared the most proper and suitable to the Engineer directing the same, which Engineer was appointed as Agent for that Purpose by the said Duchess Dower of *Chandos* and *William Gore Langton*, and made such Entries according to the Directions of the said Act: Be it therefore further enacted, That the said Stone Bench, fixed as the Level near *Saint Anns Mill* in the said Parish of *Brislington*, shall be deemed finally to have settled and determined the Height of the said Sixteen Feet Gauge Mark at the lower End of the Quay at *Bristol*; and that the Dam which the said Dock Company are authorized by the said recited Act to erect and make at or near the Engine Mills, shall not exceed the Height of the said Stone Bench or Level; and that the Entries made as aforesaid and now standing in the said Register Books of the relative Heights of the Water in the said River *Avon*, shall be considered from henceforth as binding on the said Dock Company, but not to preclude any future Entries under the Provisions of the said recited Act.

Regulations to be observed at the Engine Mills.

XLVI. And be it further enacted, That if in Time of Freshes in the said River *Avon* above *Engine Mills*, 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 any Tenant or Tenants, Agent or Agents, of the said Duchess Dowager of *Chandos*, or her Committee or Committees, for the Time being, or such Person or Persons interested as aforesaid, or of the said *William Gore Langton*, his Heirs or Assigns, shall refuse or neglect 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 Freshes, then it shall and may be lawful to and for such Tenant or Tenants, Agent or Agents, to open such Hatches or Sluices, and keep them open a sufficient Time to pass off such Excess of Water with all convenient Dispatch.

Power to erect Toll Horses on the intended Dams.

XLVII. And it is hereby enacted, That it shall be lawful for the Directors of the said *Bristol* Dock Company to erect and build, or cause to be erected and built, on or adjoining each of the said intended Dams at *Totterdown* and the *Redcliff* aforesaid, a Toll House, Bar, or Gate.

Company authorized to take Tolls.

XLVIII. And it is hereby further enacted, That it shall be lawful for such Person or Persons as the said Board of Directors of the said *Bristol* Dock Company shall and may from Time to Time in Manner directed for electing of Officers in the said recited Act appoint for that Purpose, to demand and take, or cause to be demanded and taken, at the several Turnpikes or Toll Gates to be erected by virtue of this Act the Tolls following, before any Person or Persons, Horse or other Cattle, Coach, Wggon, or other

other Carriage, ſhall be permitted to paſs through the ſame, or any of them; (that is to ſay);

For every Coach, Berlin, Chariot, Chaiſe, Calaſh, Hearſe, or Litter, drawn by Six or more Horſes, the Sum of Two Shillings and Three-pence: Tolls.

For every Coach, Berlin, Chariot, Calaſh, Hearſe, or Litter, drawn by Four Horſes, the Sum of One Shilling and Sixpence:

For every Coach, Berlin, Chariot, Chaiſe, Calaſh, Hearſe, or Litter, drawn by leſs than Four Horſes and more than One Horſe, the Sum of Nine-pence:

For every Chaiſe, Chair, or other Carriage, drawn by One Horſe, the Sum of Four-pence Halfpenny:

For every Caravan, Waggon, Cart, Dray, or other Carriage, drawn by Six or more Horſes or other Beaſts, the Sum of One Shilling and Six-pence:

For every Caravan, Waggon, Cart, Dray, or other Carriage drawn by Three, Four, or Five Horſes, or other Beaſts, the Sum of One Shilling; and drawn by Two Horſes, or other Beaſts, the Sum of Six-pence; and drawn by One Horſe, or other Beaſt, the Sum of Three-pence:

For every Horſe, Mule, or Aſs, or other Beaſt of Burthen, laden or not laden, and not drawing, One Penny:

For every Drove of Oxen, Cows, or other neat Cattle, Five-pence *per* Score, and ſo in Proportion for any greater or leſs Number:

For every Drove of Calves, Hogs, Sheep, and Lambs, the Sum of Two-pence Halfpenny *per* Score, and ſo in Proportion for any greater or leſs Number:

For every Foot Paſſenger, other than ſuch as ſhall be *bonâ fide* belonging to any Carriage, Beaſt, or other Cattle, chargeable with the Tolls herein-before made payable, the Sum of One Halfpenny:

Which ſaid Tolls herein-before granted ſhall be and the ſame are hereby veſted in the ſaid *Briſtol* Dock Company as their own proper Monies, and to and for their own proper Uſe and Behoof, to be by them applied for the Purpoſes of this and the ſaid recited Act, and a Table thereof ſhall be put up and continued at each and every Turnpike or Toll Gate erected on or by the Side of the ſaid Road, or any Part or Parts thereof. Tolls veſted in the Dock Company.

XLIX. And be it further enacted, That if any Perſon or Perſons ſubject to the Payment of any of the Tolls hereby made payable in reſpect of any Carriage or Carriages, Horſe or Horſes, or other Beaſt or Cattle, ſhall, after Demand by any Collector of the Tolls to be appointed as herein mentioned, neglect or refuſe to pay the ſame, or any Part thereof, it ſhall be lawful for ſuch Collector and Collectors to ſeize and diſtrain, or cauſe to be ſeized and diſtrained, any Horſe or Horſes, or other Beaſt or Cattle chargeable with the ſame Tolls or any of them, or the Bridles, Saddles, Harneſs, or Accoutrements of ſuch Horſe or Horſes, or other Beaſts, or any Part thereof; and if ſuch Tolls, or any Part or Parts thereof, or the reaſonable Charges of obtaining and keeping the ſame, ſhall not be paid within Five Days next after ſuch Seizure and Diſtreſs made, the Perſons ſubject to the Payment of Tolls refuſing to pay, liable to Diſtreſs,

Collector ſo ſeizing and diſtraining ſhall or may ſell or cauſe to be ſold the Horſe or Horſes, Beaſt or Beaſts, or other Cattle, and their Bridles, Saddles, Harneſs, and Accoutrements ſo ſeized and diſtrained, or any Part or Parts thereof, at or near to the ſaid Turnpikes or Toll Gate where the ſaid Tolls ought to have been paid, rendering the Overplus (if any) upon Demand, to the Owner or Owners thereof, after ſuch Tolls, and all reaſonable Coſts and Charges for diſtraining, keeping, and ſelling the ſame, ſhall be deducted and paid.

Diſputes to be ſettled by a Juſtice.

L. And be it further enacted, That if any Diſpute ſhall ariſe about the Quantity of Tolls due, or the Coſts and Charges of diſtraining, keeping, and ſelling the Diſtreſs, it ſhall and may be lawful to and for the Collector or Perſon ſo diſtraining to detain the Diſtreſs, or the Money ariſing from the Sale thereof, until the Quantity of the Tolls, or the Charge of diſtraining, keeping, and ſelling the Diſtreſs, as the Caſe may be, ſhall be aſcertained by ſome Juſtice of the Peace for the City and County of the ſaid City of *Briſtol*, who, upon Application made to him for that Purpoſe, ſhall examine the ſaid Matter upon the Oath or Oaths of the ſaid Parties, or other Witneſs or Witneſſes, and ſhall determine the Quantity of Tolls due, and ſhall alſo aſſeſs the Charges of ſuch Diſtreſs or Diſtreſſes, and Sale thereof, and all reaſonable Coſts; all which Sum or Sums ſo determined or aſſeſſed ſhall be paid to the Collector before he ſhall be obliged to return the Diſtreſs, or the Overplus after the Sale thereof and Deduction as aforeſaid, or any Part thereof.

If any Foot Paſſenger, after Demand, ſhall refuſe to pay, Collector to take him before a Juſtice.

LI. And be it further enacted, That if any Perſon or Perſons upon Foot, ſubject to the Payment of the Tolls by this Act granted, ſhall, after Demand thereof made, neglect or refuſe to pay the ſame or any Part thereof, it ſhall and may be lawful to and for the Perſon and Perſons appointed to collect the ſaid Tolls, by himſelf, herſelf, and themſelves, or to take ſuch Aſſiſtance as he, ſhe, or they ſhall think neceſſary, to ſtop and prevent the Paſſage of the Perſon or Perſons ſo neglecting or refuſing to pay ſuch Toll, and to take him, her, or them, before any of His Majeſty's Juſtices of the Peace for the City and County of the City of *Briſtol*, who is and are hereby empowered and required immediately to enquire into the ſaid Offence; and on the Offence being proved to the Satisfaction of ſuch Juſtice, to impoſe on the Party offending a Fine not exceeding Forty Shillings, to be paid in the Preſence of ſuch Juſtice to the Perſon or Perſons collecting the ſaid Tolls, and on Non-payment thereof to commit ſuch Party to the Common Goal or Houſe of Correction in the ſaid City of *Briſtol*, there to remain for any Time not exceeding Fourteen Days, unleſs the ſaid Penalty ſhall be ſooner paid and ſatisfied.

Directors empowered to leſſen Tolls, &c.

LII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors, and they are hereby empowered at any Meeting, at which One Half or more of the ſaid Directors ſhall be preſent, to leſſen and reduce all or any Part or Parts of the Tolls payable at ſuch Gates as aforeſaid, or wholly to diſcontinue taking any Toll or Tolls for and during ſuch Time as the ſaid Dock Company ſhall think proper; and afterwards at any ſuch Meeting as aforeſaid, from Time to Time as they ſhall ſee Occaſion, to advance all or any of the Tolls ſo leſſened

leſſened or reduced, to any Sum or Sums of Money not exceeding the ſeveral Rates granted by this Act; and in caſe the ſaid Directors ſhall have diſcontinued taking ſuch Toll or Tolls, again to commence taking ſuch Tolls.

Turnpikes, Toll Houſes, &c. veſted in the Dock Company.

LIII. And be it further enacted, That the Right and Property of the Turnpikes, Toll Houſes, and other Buildings to be erected by virtue of this Act, and of all the Gates, Poſts, Rails, Bars, Tables of Tolls, Lamps, Lamp Poſts, Lamp Irons, Poſts to be erected, and alſo of all Materials, Tools, and Implements, which are or ſhall be provided for making the ſaid Road or Buildings, ſhall be veſted in the ſaid Dock Company and their Succeſſors, for ſuch Time and in ſuch Manner as the other Works authorized by this and the ſaid recited Act are veſted in the ſaid Company, with ſuch and the ſame Powers and Rights of bringing any Action or Actions, or preferring any Bill or Bills of Indictment, againſt any Perſons damaging, injuring, or ſtealing, purloining, or wilfully taking away the ſame as are given or granted by the ſaid recited Act to the ſaid *Briſtol* Dock Company, in reſpect of the Houſes, Buildings, Lands, Tenements, or Hereditaments, Docks, Cuts, Wharfs, Canals, Walls, Gates, Works, Buildings, Matters, and Things, veſted in the ſaid Company by the ſaid recited Act, and that as fully and effectually, to all Intents and Purpoſes, as if the ſame Powers, Clauſes, and Proviſions were herein repeated and re-enacted.

No Tolls to be taken of any Perſon or Perſons aſſiſting in towing, &c.

LIV. Provided always, and be it further enacted, That no Toll or Tolls ſhall be demanded or taken for the Paſſage through any or either of the ſaid Turnpikes or Toll Gates of any Perſon or Perſons whomſoever, who ſhall paſs through the ſame for the Purpoſe of aſſiſting in towing any Veſſel or Veſſels on the new Courſe of the River *Avon*, or on the intended Float, or on the ſaid Canal; and that no Toll or Tolls ſhall be taken or demanded at ſuch Turnpikes or Toll Gates reſpectively, for the Paſſage of any Horſe or Horſes, Cattle, or other Beaſt employed in towing the Ships or Veſſels on the ſaid new intended Courſe of the River *Avon*, or on the ſaid intended Float.

Directors empowered to farm the Tolls.

LV. And be it further enacted, That it ſhall be lawful for the ſaid Directors of the ſaid *Briſtol* Dock Company, and they are hereby empowered at any Meeting, upon Twenty-eight Days Notice affixed on the Toll Gates and Turnpikes that ſhall be erected by virtue of this Act, to let or farm the ſaid Tolls to be collected at ſuch Turnpikes, or either of them, to ſuch Perſon or Perſons, at or for the largeſt yearly Sum that can be reaſonably gotten for the ſame; provided that the Leaſes, Contracts, or Agreements, of or for the ſame be in Writing, and be duly executed by the Perſon or Perſons taking or farming the ſaid Tolls, and alſo by any Five or more of the Directors, but that the ſame ſhall not be let for more than Three Years at any one Time; and the Rent which ſhall be agreed to be paid for ſuch Tolls, ſhall be made payable and ſhall be paid to the Treaſurer of the ſaid Company, ſo that One Calendar Month's Payment of ſuch Rent ſhall be always in advance, or ſufficient Security ſhall be given for the Payment of ſuch Rent to the Satisfaction of the Directors of the

ſaid

said *Briſtol* Dock Company, or in Default thereof every ſuch Leaſe, Contract, and Agreement, ſhall be null and void to all Intents and Purpoſes and Conſtructions whatſoever.

Directors to appoint Collectors of the Tolls.

LVI. And be it further enacted, That it ſhall 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 but not otherwiſe, to appoint a Collector or Collectors of the Tolls and Duties hereby made payable, and a Surveyor or Surveyors of the ſaid Road hereby directed to be made, and to pay or allow ſuch Collector or Collectors, Surveyor or Surveyors, ſuch Allowances, Salaries, or yearly Recompences or otherwiſe, as they the ſaid Directors ſhall think fit; and from Time to Time, at any ſuch Meeting as aforeſaid, to remove or ſuſpend ſuch Collector or Collectors, Surveyor or Surveyors, or any or either of them, and to appoint other or others in his, her, or their Room or Stead, or in the Room or Stead of ſuch as ſhall die, be removed or ſuſpended, or become incapable of performing the Office.

Penalty on Perſons removing Gravel or Materials laid upon Roads.

LVII. And be it further enacted, That if any Perſon or Perſons whomſoever ſhall remove or take away any Stones or Gravel, or any Materials laid upon the ſaid Road, or upon any Part thereof, for the making or repairing thereof, without the Order of the Directors of the ſaid Dock Company, or their Surveyor or Surveyors for that Purpoſe; or if any Perſon or Perſons whomſoever, ſhall take away any Stones, Gravel, or Materials which ſhall have been dug or gathered by or by the Order of the ſaid Directors, or their Surveyor or Surveyors on any Lands, Fields, or Grounds, for the Purpoſe of amending the ſaid Road, every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

Penalty on damaging Fences, or occaſioning Annoyances on the Road.

LVIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or negligently injure, or otherwiſe damage any Poſts or Fences adjoining the ſaid Road, or if any Perſon or Perſons ſhall ſcrape off any Mud, Soil, or other Matter or Thing, which ſhall be or lie upon any Part of the ſaid Road, ſo as to damage the ſame; or if any Perſon or Perſons ſhall leave any Waggon, Wain, or Cart or other Carriage, or Implements of Huſbandry (without ſome reaſonable Excuſe therefore, to be allowed by the Juſtice before whom the Perſon ſo offending ſhall be ſummoned or conveyed in order to his Conviction), or upon or by the Side of the ſaid Road or the Dams or Bridges thereon, either with or without any Horſe or other Beaſt harneſſed or yoked thereto; or ſhall lay any Timber, Wood, or Buſhes, or any Stones, Bricks, or Hay, or any Straw, or Lime, Dung, Manure, or Soil or Rubbiſh, or any other Annoyance whatſoever, upon any Part of the ſaid Road, or the Bridges or Dams thereon, or upon the Sides thereof, to the Prejudice thereof or Annoyance of any Traveller or Perſon paſſing thereon, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other to the ſaid *Briſtol* Dock Company for the Purpoſes of this and the ſaid recited Act.

LIX. And

Proprietors, &c. shall not be disqualified from giving Evidence.

LIX. And be it further enacted, That no Proprietor or Proprietors of the Stock of the said *Bristol* Dock Company, or Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, Officer or Servants of the said *Bristol* Dock Company, or any other Person or Persons acting by or under their Authority, shall be disqualified from giving Evidence in any Dispute, Suit, or Litigation, in which the said *Bristol* Dock Company shall or may be concerned or interested, for or by reason or means of his, her, or their being such Proprietor or Proprietors of the Stock of the said Company, or for or by reason or means of his, her, or their being an Officer or Officers of or employed by the said *Bristol* Dock Company or Board of Directors.

Persons committing Offences may be apprehended without Warrant.

LX. And whereas Persons guilty of Offences against this or the said recited Act may be transient Persons, unknown to the Officer or Officers of the said Dock Company; be it therefore enacted, That it shall be lawful for any Officer or Officers, Agents or Servants of the said Company, to apprehend such unknown Person or Persons guilty of any Offence against this Act, and forthwith to convey him, her, or them, before any One or more Justice or Justices of the Peace for the City and County of the City of *Bristol*, without any other Warrant or Authority than this and the said recited Act for so doing.

Application of Penalties.

LXI. And be it further enacted, That all the Penalty and Penalties, Forfeiture and Forfeitures, which shall be recovered by virtue of this and the said recited Act, not directed by this and the said recited Act to be otherwise applied, shall be paid and divided in Manner following *videlicet*, One Moiety or Half Part thereof to the Informer or Informers against the Person or Persons offending, and the other Moiety thereof to the Treasurer of the *Bristol* Dock Company, to be applied for the Purposes of this and the said recited Act.

Clauses of recited Act applicable to this present Act, &c.

LXII. And it is hereby further enacted, That all and every the Clauses, Powers, and Provisions, Penalties, Forfeitures, Matters, and Things, contained in the said recited Act and applicable to this present Act, and to the Works hereby directed to be made and maintained, and to the several Provisions and Authorities herein contained, except such Part or Parts thereof as is or are hereby altered, varied, or repealed, shall from the passing of this Act, extend to and be executed as well for the Intents and Purposes of the said recited Act as of this present Act, and that as fully and effectually as if such Clauses, Powers, Provisions, Matters, and Things, were repeated and again enacted in the Body of this Act.

Expences of obtaining Act paid in preference to all other Payments.

LXIII. And be it further enacted, That all the Charges and Expences incident to or attending the obtaining or passing of this Act, shall be paid out of the Monies received by the *Bristol* Dock Company for Calls from Proprietors, in preference to all other Payments whatsoever.

Publick Act. LXIV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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