ANNO TERTIO

VICTORIÆ REGINÆ.

Cap. lxxvii.

An Act for regulating the Buildings and Party Walls within the City and County of *Bristol*, and for widening and improving several Streets within the same. [19th *June* 1840.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating Buildings and Party Walls within the City of* Bristol *and the Liberties thereof:* And whereas several of the public Thoroughfares within the City and County of *Bristol* are at present narrow and incommodious for the Passage of Waggons, Carts, and Carriages, and it would be of great public Advantage and Convenience if Power were granted to the Mayor, Aldermen, and Burgesses of the said City to open, widen, and improve the same, and also to form and open new Roads and Streets: And whereas it is also expedient that the said recited Act should be repealed, and further and other Powers granted for the Regulation of Buildings and Party Walls within the said City and County; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That on the Day of the Commencement of this Act the said recited Act shall be and the same is hereby declared

28 G. 3. c. 66.

Recited Act repealed.

declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Contracts, &c. to continue, notwithstanding Act repealed.

II. And be it further enacted, That all Contracts, Bonds, Agreements, and Engagements made and entered into under and by virtue of the said recited Act hereby repealed shall (until the Terms or Conditions thereof are fully satisfied and performed) continue in force in such Manner as the same would have respectively subsisted and continued in force in case the said recited Act had not been repealed.

Monies due under former Act may be recovered under this Act.

III. Provided always, and be it further enacted, That all Monies which shall have become due and payable under and by virtue of the said recited Act hereby repealed, and all Fines and Penalties which have been incurred under the same Act, and which shall respectively remain unpaid or uncollected at the Time of the Commencement of this Act, shall and may be collected, recovered, and enforced by the same Persons, in the same Manner, and by the same Ways and Means, as if such Monies had become due, and as if such Fines and Penalties had been incurred, under or by virtue of this Act.

Officers under former Act to account.

IV. And be it further enacted, That all Officers and Persons who, at the Commencement of this Act, shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or other Effects under or by virtue of any of the Provisions of the said recited Act hereby repealed shall be liable to account for and to deliver up all such Money, Books, Documents, Papers, Writings, or other Effects to the Council of the said City and County, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had become possessed of such Money, Books, Documents, Papers, Writings, or other Effects, under the Provisions of this Act.

Present Officers to continue in Office until removed.

V. Provided always, and be it further enacted, That all Officers and Persons appointed under the said recited Act shall enjoy their respective Offices and Employments according to the Terms of their respective Appointments, or until removed therefrom by the said Council; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages, and shall be liable to the same Penalties, Obligations, Restrictions, and Regulations, in every respect, as if they had been appointed under or by virtue of this Act.

Act to be put in execution by Mayor, Aldermen, and Burgesses, or by the Council.

VI. And be it further enacted, That all Acts, Matters, and Things in and by this Act authorized or directed to be done or performed by the Mayor, Aldermen, and Burgesses, or by the Council of the said City, shall and may be done, executed, or performed, either by and in the Name of the said Mayor, Aldermen, and Burgesses, or by and in the Name of the said Council; and all such Acts, Matters, and Things so done and performed by or in the Name of the said Council shall be deemed and taken to be the Acts of the said Mayor, Aldermen, and Burgesses.

VII. And

An Improvement Committee may be appointed.

VII. And be it further enacted, That it shall be lawful for the said Council from Time to Time to nominate and appoint from their own Body a Committee, to be called the Improvement Committee, and to consist of Seven or more Persons, to investigate, transact, and manage particular Departments of Business in relation to this Act; and such Committee shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever in relation to this Act which the said Council shall from Time to Time intrust to the Management of such Committee; and they shall have Power to meet from Time to Time, and to adjourn their Meetings, as they shall think proper and as Occasion shall require, for effecting the Purposes aforesaid; and all Powers and Authorities by this Act vested in or which shall be by the said Council confided to such Committee shall be executed by the major Part of them present at their respective Meetings, the Number present not being less than Three; and at all Meetings of the said Committee one of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Members present; and the Chairman shall be entitled to vote on all Occasions, and in case of an equal Division of Votes upon any Subject entertained by the said Committee shall have an additional or casting Vote.

Construction of Terms.

VIII. And be it further enacted, That in the Construction of this Act the Words "City and County" shall be deemed and taken to be the City and County of *Bristol* according to its present enlarged Metes and Bounds; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Corporation" shall extend and be applied to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Aggregate or Sole; and the Word "Tenements" shall extend to all Messuages, Buildings, Erections, Lands, Tenements, and Hereditaments of any Tenure or Description; and the Word "Owner" shall extend to and include the Party in Receipt of the Rents or Profits of any Tenement; and the Word "Oath" shall extend to and include the Affirmation of a Quaker, Separatist, or Moravian; unless in any of the Cases aforesaid it may be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Proceedings to be entered.

IX. And be it further enacted, That the said Council shall cause to be provided and kept a proper Book, and fair and regular Entries to be made therein of all the Acts, Orders, and Proceedings of themselves and their Committees relating to the Execution of this Act; and the Chairman of each Meeting shall subscribe his Name at the End of such Proceedings; and all Entries in such Book, being signed as aforesaid, shall be deemed original, and shall be allowed to be read in Evidence in all Causes, Suits, and Actions touching any thing done in pursuance or by virtue of this Act.

X. And

Officers to be appointed.

X. And be it further enacted, That the said Council may from Time to Time appoint and employ such Officers and Persons, as and when, and for such Times or Durations, as they the said Council shall think proper, for carrying this Act into operation; and the said Council shall and may from Time to Time remove them or any of them, and in like Manner appoint others in the Room of those removed, or who shall die, or who shall refuse or decline such Offices, or become incapable of acting therein, and fix and determine what Salaries, Wages, or Allowances shall be paid to the said Officers and Persons, as they the said Council shall think reasonable; and they the said Council are hereby authorized and empowered to take such Security from every such Officer and other Person who shall be intrusted with the Receipt or Collection of any Money under or by virtue of this Act, for the faithful Discharge of his Office, as they the said Council shall think proper.

Same Person not to be Clerk and Treasurer.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Council to appoint any Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Council other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case.

Penalty on Officers taking any Fee or Reward except as prescribed by the Act.

XII. And be it further enacted, That if any Officer or Person who shall be in anywise employed by the said Council in putting this Act or any of the Powers thereof into execution shall exact, take, or accept, by any Way or Means, any Fee, Profit, or Reward whatsoever (other than such as they are respectively empowered to receive or collect under the Authority of this Act, and also such Salaries, Wages, and Allowances as shall be fixed and determined by the said Council)

Council) for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever relative to putting or for abstaining to put the same into execution, or shall in any way be directly or indirectly concerned or interested in any Sale, Purchase, Bargain, or Contract made or to be made by or by Order of the said Council for the Purpose of putting this Act into execution (unless with the Consent and Approbation in Writing of the said Council), every such Person so offending shall be deemed to be disqualified, and shall be for ever incapable of serving or being employed for any of the Purposes of this Act, and shall likewise forfeit and pay any Sum not exceeding Twenty Pounds.

Officers to account.

XIII. And be it further enacted, That all such Officers and Persons as aforesaid shall, under their Hands, at such Time or Times and in such Manner as the said Council shall direct, deliver to the said Council, or to such Person as they shall appoint to receive the same, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively, by virtue or for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers and Receipts for such Payments, and shall pay all such Money as shall remain due from them respectively to the Treasurer of the said City; and if any such Officer or Person shall refuse or wilfully neglect to make and render such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Council, or to such Person as they shall appoint, within Ten Days after being thereunto required by or on behalf of the said Council, by Notice in Writing, to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Council respecting the same, then and in every such Case, upon Complaint made by the said Council, or by any Person whom they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Two Justices of the Peace for the County, City, Town Corporate, or Place wherein such Officer or Person so neglecting or refusing shall reside or be, such Justices may and they are hereby authorized and required to summon the Officer or Person so refusing or neglecting before them, and upon his appearing, or having been summoned (by Notice given to him or left with some Inmate of his last known or usual Place of Abode) and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, it shall appear to such Justices that any of the Money which shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Person, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the

said Money, and the Charges of distraining and selling the same, or if it shall appear to such Justices that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto in his Possession or Power, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justices shall commit such Offender to the Common Gaol or House of Correction for the County, City, Town Corporate, or Place wherein such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Council for such Money, and shall have paid such Composition, in such Manner as they shall appoint, (which Composition the said Council are hereby empowered to make and receive,) and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof, to the said Council: Provided always, that no Person who shall be committed by virtue of this Act on account of his not having sufficient Goods or Chattels, shall be detained in Prison for any longer Term than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person the Commitment of him to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety, but such Surety, and the Estate and Effects of such Officer or Person, shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

Buildings within the City and County divided into Classes.

XIV. And for the Regulation of Buildings, and the better Prevention of Injury by Fire, within the said City and County, be it further enacted, That all the Buildings within the said City and County, not being Buildings under Ground, or Bridges or Walls not being connected with or adjoining to Buildings, but to be used as Fences only, whether upon old or new Foundations, or Foundations partly new and partly old, shall for the Purposes of this Act be divided into and be distinguished by the several Classes of Buildings described in the Second Schedule to this Act annexed; and all external Walls, Party Walls, separate Side Walls, and Chimney Backs of all Buildings to be erected or rebuilt within the said City and County shall be erected or rebuilt according to the Directions specified and contained in the said Classes described in the said Second Schedule: Provided always, that nothing herein contained shall extend or be construed to extend to any Buildings erected or which may hereafter be erected within the said City and County by the respective Companies herein-after mentioned; (that is to say,) "The Great Western Railway Company," "The *Bristol* and *Exeter* Railway Company," and "The *Bristol* and *Gloucester* Railway Company," any or either of them, for Stations, Warehouses, or other Purposes connected with the Working or Use of the respective Railways authorized to be made and maintained by the said Companies under or by virtue of the several Acts of Parliament passed relating to such Railways.

XV. And

Rules as to the Rates of Building to be affixed as Additions to any existing Buildings.

XV. And for determining the Rate to which any additional Building added to any Building of the several Classes contained in the said Second Schedule may fall or belong, be it further enacted, That whenever there are distinct and complete external Walls to the original Building, the said additional Building shall have such external and other Walls as may be required by the said Second Schedule, according to the Class to which such additional Building may belong; but if there are not such distinct and complete external Walls to the original Building, then such additional Building shall have such external and other Walls as are required by the said Second Schedule for the Class of Buildings to which such additional and old Buildings united would belong.

Surveyors to be appointed, and Districts assigned to them.

XVI. And be it further enacted, That the said Council may from Time to Time appoint and employ during Pleasure such and so many Persons, as and when and for such Times or Periods as they the said Council shall think proper, to act as District Surveyors for the Purposes of this Act; and the said Council may from Time to Time remove them or any of them, and in like Manner appoint others in the Room of those removed, or who shall die, or who shall refuse or decline such Offices, or become incapable of acting therein, and fix and determine the Salaries to be paid to the said Persons, as they the said Council shall think reasonable; and the said Council may from Time to Time appoint the several Districts which shall be under the respective Survey of the said District Surveyors; and every such Person, before he shall enter upon his Duties of District Surveyor as aforesaid, shall make and subscribe a Declaration before the Mayor, or before any Two of Her Majesty's Justices of the Peace for the said City and County, in the Form or to the Effect following; (that is to say,)

Surveyor to make a Declaration.

'I do solemnly and sincerely declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Ability, execute and perform the several Trusts, Powers, and Authorities vested and reposed in me as a District Surveyor by virtue of an Act passed in the Year of the Reign of Queen *Victoria*, intituled [*here insert the Title of this Act*], according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality, to any Person whomsoever.'

Fees to be paid to the Surveyor.

XVII. And be it further enacted, That in consideration of the Attendances and Trouble required to be performed by the said District Surveyors in pursuance of this Act there shall be paid to the Surveyor of the District within which any Premises coming within the Provisions of this Act may be situated, by the Master Builder, Master Mason, Master Carpenter, or Master Workman employed in the Building or Alteration of any such Premises, or by the Person causing any such Building or Alteration to be executed or made, or by the Owner of the said Premises, or by some or one of them, within One Calendar Month from the Time when the Party or external Walls of any Buildings are carried up to the Height intended, and within Fourteen Days after any other Work, Addition, or Alteration

Alteration shall have been commenced on any Premises as aforesaid, the following Sums of Money; namely,

	£	s.	d.
For every First Class Building -	3	3	0
For every Second Class Building -	2	10	0
For every Third Class Building -	2	2	0
For every Fourth Class Building -	1	10	0
For every Fifth Class Building -	1	1	0

And for any Building to which any Alteration or Addition shall be made,

	£	s.	d.
First Class Building - - -	1	11	6
Second Class Building - - -	1	5	0
Third Class Building - - -	1	1	0
Fourth Class Building - - -	0	15	0
Fifth Class Building - - -	0	10	6

Penalty for not paying Fees.

And if any such Master Builder, Master Mason, Master Carpenter, or Master Workman, or any Person causing any such Building or Alteration to be executed or made, or the Owners of the said Premises, shall neglect or refuse to pay to the Surveyor of the District within which such Premises may be situate any Sum of Money to which he may be entitled as aforesaid, it shall be lawful for any Two of Her Majesty's Justices of the Peace for the said City and County, and they are hereby authorized and required, by Writing under their Hands, on Complaint made to them by such Surveyor, to summon any such Person who shall have neglected or refused as aforesaid to appear, at a Time and Place to be mentioned in such Summons, before such Justices or before any other Two Justices of the Peace who shall be then and there present, the said Surveyor having previously made Oath that he had applied to such Person, and that he was liable to the Payment of the same; and every such Summons shall be served upon such Person so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person thereby intended to be summoned, or by leaving the same at his last or usual Place of Abode; and if any such Person shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he shall attend and shall not show good or sufficient Cause to the Justices who may be then and there present that he is not chargeable with such Sum of Money, then and in every such Case such Person as aforesaid shall pay the Sum of Money in respect of which such Summons was issued, and also the Costs and Charges of the Information, Summons, and Hearing respecting the same, to be ascertained by such Justices; and in case such Person shall refuse or neglect to pay the same forthwith, then and in every such Case such Sum of Money, Costs, and Charges shall and may be levied and recovered in such and the like Manner as any Penalty on Information is by this Act authorized to be levied and recovered.

Notice to be given to the Surveyor of the Intention

XVIII. And be it further enacted, That before any Building or Wall included in either of the Rates of Buildings mentioned or described in the said Second Schedule shall be begun to be built, or be begun

to be altered, or any Party or Partition Wall be begun to be cut, or any other Work or Alteration coming within any of the Provisions of this Act shall be commenced, the Master Builder, Master Mason, Master Carpenter, or Master Workman employed in the Building or Alteration of the said Premises, or the Person causing the same to be built, altered, or cut into, or the Owner of the said Premises, or some or one of them, shall give to the Surveyor of the District within which the Premises shall be situate Forty-eight Hours Notice in Writing thereof at the least, signed by him, either by personal Service or by leaving such Notice with some Person belonging to such Surveyor at his Dwelling House or Office of Business; and in case the Progress of any such Building or Alteration shall be suspended for any Period exceeding One Calendar Month, a like Notice shall be again given before such Work shall be resumed; and the Surveyor, on the Receipt of any such Notice, shall attend and inspect the Premises, and from Time to Time lay down such Rules and Regulations relative to the proper Construction or Alteration of such Building or Wall, or for the Security of any Party or Partition Wall that may be so cut into, or for the Execution of any other Work within the Provisions of this Act, as he shall think proper or necessary; all which Rules and Regulations the said Master Builder, Master Mason, Master Carpenter, Master Workman, or Person causing such Building or Wall to be built, altered, or cut into, or such Work or Erection to be made, and Owner as aforesaid, shall and they are hereby required respectively to attend to and comply with; and such Master Builder, Master Mason, Master Carpenter, Master Workman, or Person or Owner as aforesaid, or some or One of them, shall in like Manner give Forty-eight Hours Notice, in Writing, at the least, to the said District Surveyor, before any Roof is put on any such Premises, and shall also give Notice to the said Surveyor so soon as any Building, Wall, or Alteration as aforesaid is completed.

to build or repair.

XIX. And be it further enacted, That if any Master Builder, Master Mason, Master Carpenter, Master Workman, Person, or Owner as aforesaid shall commence or cause or suffer to be commenced the Erection of any Building or Wall included in any of the Classes of Building mentioned or described in the said Second Schedule to this Act, or any Alteration in any such Buildings or Walls, or the cutting into of any Party or Partition Wall, or any other Work or Erection coming within any of the Provisions of this Act, without some or one of them giving such Notice to the Surveyor of the District as is herein directed to be given, or if any Master Builder, Master Mason, Master Carpenter, Master Workman, Person, or Owner shall refuse, omit, or neglect to give such Surveyor any other Notice required by this Act to be given to him, any such Master Builder, Master Mason, Master Carpenter, Master Workman, Person, or Owner as aforesaid shall forfeit and pay to the said Surveyor the Sum allowed for the Satisfaction which such Surveyor would have been entitled to receive by virtue of this Act for his Trouble in viewing such Building, Wall, or Work, and seeing the Rules, Directions, and Restrictions of this Act well and truly

Penalty for not giving Notice of Intention to build or repair.

observed and performed, in case such Notice had been given, and shall also for every such Neglect or Refusal forfeit and pay to the said Surveyor any further Sum not exceeding Twenty Pounds; provided nevertheless, that only One Sum of Money as a Satisfaction to the Surveyor, and only One Penalty or Forfeiture for any One Offence, shall be recovered against the said several Persons; and if any Owner or Occupier of any Building, or any other Person, shall refuse any District Surveyor appointed under this Act Admittance from Time to Time, at reasonable Hours in the Day-time, for the Purpose of viewing and examining any such Building or proposed Building or Alteration, or shall in anywise interrupt or prevent any such Surveyor from viewing and examining the same, then such Owner or Occupier or Person so refusing such Admittance, or interrupting or preventing such View and Examination as aforesaid, shall for every such Offence forfeit and pay to the said Surveyor any Sum not exceeding Twenty Pounds.

External Walls to be carried up perpendicularly, or as the Surveyor may determine.

XX. And be it further enacted, That the front or external Wall of all Buildings that shall be erected or built in or adjoining to or within Four Feet Six Inches of the nearest Part of the Carriage or Foot Way or general Line of any Road, Street, Way, Lane, or other public Passage or Place within the said City and County, exclusive of the sunk Area, shall be carried up perpendicularly, except such Projections as are herein-after mentioned, and shall range in the general Line of Building in such Road, Street, Way, Lane, or other public Passage or Place, or shall be erected or built in such other Situation as the Surveyor of the District in which such Building may be situated shall, with the Concurrence of the said Improvement Committee, approve of, or shall determine to be most convenient and expedient for the general Improvement or Advantage of such Road, Street, Way, Lane, or other public Passage or Place; and when any Part of the front or external Wall, Gable End, and exterior Wall, whether of Stone, Timber, or other Materials, or outer Boundary, of any Building situate in or adjoining to or within Four Feet Six Inches of the nearest Part of the Carriage or Foot Way or general Line of any Road, Street, Way, Lane, or other public Passage or Place within the said City and County, exclusive of the sunk Area, shall be taken down to be rebuilt or repaired, the entire of such front or external Wall, Gable, and exterior Wall or outer Boundary, shall be built or rebuilt or repaired, as the Case may be, so that such entire Wall or Boundary shall rise in a perpendicular Line from the ancient Story Post or Foundation of such last-mentioned Building, or shall be erected or built in such other Situation as the said Surveyor shall, with the Concurrence of the said Committee, approve of, or shall determine to be the most convenient and expedient for the general Improvement or Advantage of such Road, Street, Way, Lane, or other public Passage or Place as aforesaid, and whether any such Decision of the said Surveyor may, in Cases where a former Building or Wall has stood on any Portion of the same Ground, cause such Wall or Boundary to be advanced nearer to or thrown back farther from the Carriage or Foot Way of such Road, Street, Way, Lane, or other public Passage or Place:

Provided always, that if the Owner or Proprietor or other Person causing any House or Building to be erected, rebuilt, altered, or repaired shall not be satisfied with the Determination of such Surveyor touching the Situation or proposed Situation thereof, or of any Projection thereto, it shall be lawful for such Owner, Proprietor, or other Person as aforesaid, or for any Agent duly authorized in that Behalf, within Thirty Days next after such Determination shall have been notified in Writing by such Surveyor to such Owner, Proprietor, or other Person as aforesaid, or to the Master Builder, Master Mason, Master Carpenter, Master Workman, or other Person superintending the Erection or Repair of any such House or Building, to appeal to any Two Justices of the Peace for the said City and County, who shall and may and they are hereby authorized and required to examine into the Matter in dispute, and to make such Order therein as to them shall seem expedient, such Party so appealing having first given Seven Days Notice at least to such Surveyor of his Intention to appeal, and having within Three Days after such Notice so given entered into a Recognizance, with sufficient Surety, before any Justice for the said City and County, in such Amount as such Justice may deem reasonable, for the due Prosecution of such Appeal, and for the Payment of such Costs and Expences touching and concerning such Appeal as the Justices before whom the same may be heard may order and direct touching and concerning the same.

Appeal may be made to Justices against the Determination of the Surveyor.

XXI. And be it further enacted, That when any House or Building shall be, in the whole or in part, built, altered, amended, or rebuilt, pursuant to any of the Provisions herein contained, and the front or external Wall thereof shall, at the Request or under the Direction of any such Surveyor as aforesaid, be set back within the external Line of the Land or Ground belonging to the Owner or Proprietor of any such House or Building, then and in any of such Cases it shall be lawful for the said Mayor, Aldermen, and Burgesses, and they are hereby required, by and out of the Borough Fund for the said City and County, to tender and make full Compensation to such Owner or Proprietor for the Value of the Land or Ground which such Owner or Proprietor may be thereby deprived of; and in case the Amount of Compensation tendered by the said Mayor, Aldermen, and Burgesses shall be disputed, then the same shall or may be ascertained, fixed, and determined by such able practical Surveyor as any Two or more Justices of the Peace for the said City and County shall for that Purpose appoint; and such Surveyor shall examine into the Matter in dispute, and determine and settle the Amount of Compensation which shall be payable by the said Mayor, Aldermen, and Burgesses, and shall annex to his Award a Declaration of the Correctness thereof, in the Form (or as near thereto as the Circumstances of the Case will permit) prescribed in the Schedule of an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, for the Suppression of voluntary and extra-judicial Oaths and Affidavits; and the Amount specified in such Award shall be paid by the said Mayor, Aldermen, and Burgesses accordingly.

Compensation to be made for Buildings thrown back.

XXII. And

No Projection to be erected, except in certain Cases.

XXII. And be it further enacted, That no Bay or projecting Window, Portico, Arcade, Verandah, or other Projection shall, without the Consent in Writing of the Surveyor of the District, and the Concurrence of the said Improvement Committee, be erected or rebuilt in or added to any House or other Building the front or external Wall of which is or shall be erected or built in or adjoining to or within Four Feet Six Inches of the nearest Part of the Carriage or Foot Way or general Line of any Road, Street, Way, Lane, or other public Passage or Place, exclusive of the sunk Area as aforesaid, except such Projections as may be necessary for Copings, Cornices, Facias, Door and Window Architraves, or for Steps or Iron Pallisades; and no such Copings, Cornices, Facias, Door or Window Architraves shall, in any Street or Way being not less than Thirty Feet wide, project above Ten Inches on or over the same, nor in any Street or Way being less than Thirty Feet wide, above Five Inches on or over the same; and also except such Windows and their Dressings on the Ground Floor of such Buildings which shall be wholly within the Line determined by the Surveyor for the Situation of the Fronts of such Buildings: Provided always, that nothing herein contained shall preclude the Owner or Proprietor of any House or Building from taking away any Bay Window or other Projection, and inserting in the Place thereof any Wall or Window which shall not project beyond the external Face of the House or Building to which the same shall belong, or from repairing any rough Coat or outer Coat not being Part of the main Wall, or any Window Frame or Door Frame of any Building.

External Walls to be constructed of Bricks or Stone.

XXIII. And be it further enacted, That every external Wall which shall be built to inclose any Building of any of the Classes specified in the said Second Schedule shall be entirely constructed of good, sound, well-burnt Bricks or Stone, properly bonded, except such Wood-work as may be necessary for internal Plates, Joist Ends, or Bond Timber and Lintels, all of which shall be at the Distance of at least Four Inches and a Half from the external Face of such Wall, and also except such Iron or Wood-work as may be set up or fixed, not higher than the Level of the Ceiling of the Ground Story of the Building to which the same belongs, for Bressummers or Story Posts, and also except such Materials as may be necessary for Doors and Windows and Cornices, Shop Fronts, and Dressings for Shop Windows.

Party and separate Side Walls to be constructed of certain Materials.

XXIV. And be it further enacted, That every Party Wall, Party Fence Wall, and separate Side Wall shall be entirely constructed of the like good and sound Materials as are herein-before directed to be provided for external Walls, except such Wood-work as may be necessary for the Ends of Girders, Joists, or Trimming Joists, or the Ends of Bressummers; but no Bressummer End shall be placed nearer than Four Inches and a Half to the End of any other Bressummer built into the other Side of such Wall, nor shall the Ends of any Joist, Beam, or other Timber be nearer than Four Inches and a Half to the End of any Joist, Beam, or other Timber inserted on the other Side of any such Wall.

XXV. And

No Cutting to be made in the rough Party Walls, except for Communication, or for tying in adjoining Building, or erecting Steps, &c.

XXV. And be it further enacted, That no Opening shall be cut or made through any Party Wall, Party Fence Wall, or separate Side Wall, for any Purpose whatever, other than and except for such Cases Communication from one Building to another, and in such Openings shall be properly secured with Iron Doors and Frames, each of which shall be surrounded with a Stone Door Case, into which the Iron Frame shall be inserted; and no Recess or Opening shall be cut or made in any such Party Wall, Party Fence Wall, or separate Side Wall, (except for Chimneys or Flues,) so as to reduce such Party Wall, Party Fence Wall, or separate Side Wall, in any Part thereof, under the Thickness by this Act required, except when any Building shall be erected adjoining any such Party Wall, Party Fence Wall, or separate Side Wall, the front and back Walls of which Building shall be in a Line with the front and back Walls of the Building along with which such Party Wall, Party Fence Wall, or separate Side Wall shall have been built, and in such Case it shall be lawful to cut a Break of not more than Four Inches and a Half wide and deep, to insert or tie in the front or back Wall of such intended Building, and, for the Purpose of inserting into such Party Wall, Party Fence Wall, or separate Side Wall, any Iron or Timber, to cut into such Party Wall, Party Fence Wall, or separate Side Wall, not nearer to the Centre of such Wall than Two Inches and a Quarter where the Wall is not more than Fourteen Inches thick, and Four Inches and a Half where it exceeds Fourteen Inches, or for the Purpose of building in any Stone or Iron Steps or any Stone Corbels, when it shall be lawful to cut into the Centre of such Party Wall, Party Fence Wall, or separate Side Wall for such Purpose; but no Party Wall, Party Fence Wall, or separate Side Wall shall be cut for any of the aforesaid Purposes, if such Cutting will endanger the said Wall, and displace any of the Timbers, Chimneys or Flues, or internal Finishings of the adjoining Buildings; and every Person who shall cut into any Party Wall, Party Fence Wall, or separate Side Wall for any of the Purposes aforesaid shall immediately make good and well and effectually repair the same with Brick, Stone, or Iron, and Cement: Provided always, that adjoining to Walls wherein there are Flues no Trimmer shall be placed within Two Inches of such Wall.

If Party Wall is defective, one Owner may give Notice to the other, requiring an Arbitration of Two Surveyors; and in case of Default, may appoint a Surveyor.

XXVI. And be it further enacted, That for the Purposes of this Act every Party Wall, Party Arch, Party Fence Wall, or Partition between separate Houses, Buildings, or other Premises within the said City and County, shall be deemed to be respectively a Party Wall, Party Arch, Party Fence Wall, or Partition belonging to such Houses, Buildings, or other Premises respectively; and if any Owner or Part Owner of the same or of the adjoining Property shall apprehend that such Party Wall, Party Arch, Party Fence Wall, or Partition is insufficient in Thickness, or that the same, or such House, Building, or other Premises, is defective, or so far out of Repair or insufficient in Thickness as to render it necessary to have the same taken down, or that the same or some Part thereof should be rebuilt, and the Part Owner or Owner of the same or of the adjoining Property is not willing, or is not, by reason of some legal Disability or otherwise, able, to join in such taking down

down and rebuilding, it shall be lawful for such first-mentioned Owner or Part Owner to give Notice in Writing to the Part Owner or Owner of the same or the adjoining Property, either by delivering the same personally, or by leaving the same at his usual or last known Place of Abode, or in case of Infancy or Lunacy, then to his Guardian or Committee, or by delivering the same to the Tenant or Occupier of the Premises, or in case the same shall be unoccupied, then by affixing the same on some conspicuous Part of such Premises, of his Intention to have such Party Wall, Party Arch, Party Fence Wall, or Partition, or such House, Building, or other Premises, surveyed on a Day not earlier than Fifty-six Days from the Day of giving such Notice as aforesaid, with a view to having the same taken down, or that the same or some Part thereof should be rebuilt, which Notice may be in the Form or to the Effect following; (that is to say,)

Form of Notice.

'APPREHENDING the Party Wall, Party Arch, Party Fence Wall, or Partition situate to be insufficient in Thickness, [*or* that the same, or the House, Building, or other Premises situate , *as the Case may be*, to be so far out of Repair, or insufficient in Thickness, as to render it necessary to have the same taken down, or that the same or some Part thereof should be rebuilt,] Take notice, that I intend to have the same surveyed, pursuant to an Act passed in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*], and that I have appointed of to meet at within the said City and County on my Behalf, on the Day of at of the Clock in the noon; and I do hereby require and call upon you to appoint another Surveyor or able Workman on your Part, to meet at the Time and Place aforesaid, to view the Premises, and to certify the State and Condition thereof, and whether the same or some Part thereof ought not to be taken down, and whether the same or some Part thereof ought not to be rebuilt. Dated this Day of One thousand eight hundred and .'

And in case a Surveyor or able Workman shall not attend on behalf of such Part Owner or Owner to whom such Notice shall have been given or addressed as aforesaid within the Space of One Hour after the Time specified in such Notice, the said Owner or Part Owner so giving such Notice shall appoint another Surveyor to act with the Surveyor first appointed; and the Two Surveyors appointed by or on behalf of such Owners or Part Owners as aforesaid, or of one of such Owners as aforesaid, as the Case may be, shall view such Party Wall, Party Arch, Party Fence Wall, or Partition, or the House, Building, or other Premises specified in such Notice, and shall certify the State and Condition thereof, and whether the same or some Part thereof ought to be taken down, and whether the same or some Part thereof ought to be rebuilt, and by such Certificate shall ascertain and determine the Site of every Party Wall or Party Arch necessary or requisite to be built according to the Directions of this Act, and shall, if necessary,

ascertain

ascertain the Quantity of the Soil or Ground or other Part of any Premises necessary to be laid to or taken from the House of the Person desirous to rebuild, permitting such Person to erect a Party Wall or Party Arch, and shall ascertain and award what (if any) Compensation should be made and paid by either or any of the said Parties in lieu of the lessening either of the said Houses or Buildings, or as a Satisfaction for other Injury done or occasioned thereby, and shall also ascertain and award what Proportion of the Expence of building such Party Wall or Party Arch shall, when the same are so rebuilt, be repaid by either or any of the Parties in difference; and in case the Persons appointed to act as Surveyors as aforesaid shall not, within the Space of One Calendar Month next after their Appointment, sign their Certificate in Writing, and deliver a Copy thereof to the Owner or Part Owner giving such Notice as aforesaid, and to the Owner or Part Owner to whom such Notice shall have been given or addressed, either by delivering the same personally, or by leaving the same at his usual or last known Place of Abode, or in case of Infancy or Lunacy, then to his Guardian or Committee, or by delivering the same to the Tenant or Occupier of the Premises, or in case the same shall be unoccupied, then by affixing the same on some conspicuous Part of such Premises, any One of Her Majesty's Justices of the Peace for the said City and County, on the Application of the Person giving such Notice, shall and he is hereby required to nominate and appoint another Surveyor to act in the Premises in conjunction with the Two Persons appointed to act as Surveyors as aforesaid, and the Certificate of the said Umpire shall be of the same Force and Effect as if the same were signed by the Two Persons appointed to act as Surveyors; and in case such Two Persons or such Umpire shall certify that the Party Wall, Party Arch, Party Fence Wall, or Partition, or such House, Building, or other Premises, or any Part thereof, ought to be taken down, the Persons or Person signing such Certificate shall also, within Three Days thereafter, deliver a Copy of such Certificate to the Occupier of the Premises which ought to be so taken down, or leave the same with some Inmate on the said Premises, or in case the same shall be unoccupied, then such Persons or Person shall affix a Copy thereof on some conspicuous Part of the said Premises; and the Owner or Part Owner of the said Party Wall, Party Arch, Party Fence Wall, or Partition, or of such House, Building, or Premises, to whom such Notice shall have been originally given as aforesaid, may, if he thinks fit, appeal against such Certificate to any Two of Her Majesty's Justices of the Peace for the said City and County, at any Time within Thirty Days after such Certificate shall have been delivered as aforesaid, giving to the Owner or Part Owner originally giving such Notice Fourteen Days Notice in Writing of his Intention to appeal; and any Two Justices for the said City and County shall examine the Matter of the said Appeal, and make such Order thereon as they shall think right, together with the Costs, and the Decision and Order of the said Justices thereon shall be final; but in case no such Appeal shall be made, or, if made, the said Justices shall confirm the said Certificate, it shall be lawful for the said Owner or Part Owner intending to take

If the Surveyors so appointed do not certify within One Month after their Appointment, a Justice may appoint another Surveyor to act as Umpire.

Power of Appeal.

take down and rebuild such Party Wall, Party Arch, Party Fence Wall, or Partition, or such House, Building, or other Premises, or some Part thereof, at the Expiration of Fourteen Days after the Period allowed for such Appeal, or at the Expiration of Fourteen Days from the Determination of such Appeal, and having previously paid the Compensation (if any) which shall have been certified in manner herein mentioned to be due to any of the said Parties, to act therein according to the Terms of such Certificate or Appeal, and for that Purpose to enter upon and into any Ground, House, or Premises necessary for the Purpose of such Work, at any Time between the Hours of Six of the Clock in the Morning and Six of the Clock in the Evening, and if the outer Door of any such House or other Building be shut, and the Occupier or any other Person therein refuse to open the same, or if such House or other Building be empty and unoccupied, to break open such outer Door, and remove to any other Place any Goods, Furniture, or other Things obstructing the Work hereby authorized: Provided always, that nothing herein contained shall authorize the said Persons hereby authorized to act as Surveyors as aforesaid, or the said Umpire or the said Justices, to make or sign any Certificate, or to make any Order therein, contrary to any of the Provisions of this Act, or of any Rules or Regulations laid down in pursuance of this Act by the District Surveyors by this Act authorized to be appointed.

Mode of building Party Walls and separate Side Walls.

XXVII. And be it further enacted, That every Party Wall erected upon Land not wholly belonging to the Person building on one Side of such Wall, or not entirely belonging to and being upon the Land belonging to one of the Dwelling Houses or other Buildings on one Side of such Wall, and which Party Wall is intended to be and remain the only Division Wall between the said Dwelling Houses or other Buildings erected on each Side thereof, the same shall be of the Thickness specified in the said Second Schedule, according to the Rate of the Building to be erected on either Side thereof, or the largest of them; but in case the Parties building shall not agree to erect a Party Wall common to both at their joint Expence, then each Building to be erected shall have separate Side Walls on each Side thereof, and every such separate Side Wall, not being an external Wall, shall not be less than Thirteen and a Half Inches in Thickness: Provided always, that after the building of any such separate Side Wall the same shall in no Case be considered or made to form a Part of any Party Wall upon the Erection of any adjoining Building at any Time afterwards, but every such subsequent Building shall have a separate Side Wall of the Thickness required by this Act; and all separate Side Walls or Party Walls shall be well and closely lined up to the under Side of the Slates upon the Roof of the Building, and the Parapets, of the Height and Thickness as specified for Party Walls, shall be built on such Side Walls or Party Walls: Provided also, that nothing herein-before contained shall prevent any Person or Persons building from carrying up any Side or Party Wall above the Slates of the Roof in order to form a Parapet, so that the same does not exceed in Elevation Two Feet above the Slates of the Roof of such Building, doing as little Damage as may be to such

such adjoining Roofs, and immediately repairing and making good, to the Satisfaction of the Surveyor of the District in case of Dispute about the same, all such Damage.

How Owners who have built Partitions or Party Walls are to be reimbursed Part of their Expence, and in what Proportion.

XXVIII. And be it further enacted, That the Person at whose Expence any Party Wall or Party Arch shall be built agaeeably to the Directions of this Act shall be reimbursed by the Owner entitled to the improved Rent of the adjoining Building or Ground, and who shall at any Time make use of such Wall or Arch, a Part of the Expence of building the same, in such Proportion as the Rate or Class of such adjoining Building shall be to the Rate or Class of the Building belonging to the Person at whose Expence the said Wall or Arch shall have been built, according to the Description of such Rates or Classes of Building in the Schedule to this Act, and in such Proportion also as so much of the said Wall or Arch as the Owners of such adjoining Building shall make use of as shall bear to the Whole of such Wall or Arch; and until such proportional Part of such Expence be so paid, the sole Property of such whole Wall or Arch, and of the whole Ground whereon the same shall stand, shall be vested entirely in the Person at whose Expence the same shall be built, and such proportional Part of the Expence of building such Wall or Arch shall be paid to the Person at whose Expence the same shall be built, or in whom the Property thereof shall be vested, at the Times herein-after mentioned; (that is to say,) in respect of every such Wall or Arch to any House or Building whereunto at the Time of building the same no other House or Building was adjoining, then so soon as such Party Wall or Arch shall be first cut into or made use of, and in respect of every such Wall or Arch as shall be built against or adjoining to any other House or Building, then so soon as such Wall or Arch shall be completely built and finished; and in respect of such last-mentioned Wall or Arch, the Owner or Occupier of such adjoining House or Building shall, together with such proportional Part of the Expence of building such Wall or Arch, pay a like proportional Part of all other Expences incurred in pulling down the old Party Wall or Partition, and the whole of the Expences of shoring up such adjoining House or Building, and of removing any Goods, Furniture, or other Things, and of pulling down any Wainscot or Partition; and the Expence of building such Party Wall or Party Arch shall be estimated at the common and usual Rate for such Kind of Buildings within the said City and County, at the Time of building the same, allowing a reasonable Deduction thereout for the Materials (if any) of so much of the old Wall and Arch as did belong to such adjoining Building or Ground; and within Ten Days after such Party Wall or Party Arch shall be so built, or so soon after as conveniently may be, such first Builder shall leave at such adjoining House or Building an Account in Writing of the Number of Perches in such Party Wall or Party Arch for which the Owner of such adjoining Building or Ground is liable to pay, and of the Deduction which such Owner is entitled to make thereout on account of such Materials, and also an Account of such other Expences as aforesaid, whereupon it shall be lawful for the Tenant or Occupier of such adjoining Building or Ground to pay such proportional Part as aforesaid to

Until Payment of the Expence, the Property of the Party Wall, &c. vested in the Person building the same.

When a protionate Part is to be paid.

Rates for building Party Walls, &c.

Ten Days after Party Wall is finished, an Account to be left with the Owner of the adjoining Building which he is to pay.

such first Builder for the same and such other Expences as aforesaid, and to deduct the same out of the Rent which shall become due from him to such Owner under whom he holds the same respectively, until he shall be reimbursed the same; or in case the same be not paid within Twenty-one Days next after Demand thereof, then the same shall and may be recovered, together with full Costs of Suit, from such Owner, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*, in which Action it shall be lawful and sufficient for the Plaintiff to declare for Money by the Plaintiff paid to the Use of the Defendant, without setting forth the Facts specially.

How Expences may be recovered.

When Building erected over a public Way, or divided into separate Tenements, Party Arches or Party Walls to be erected.

XXIX. And be it further enacted, That when any House or other Building shall be erected or rebuilt over any public Way within the said City and County, or when any House or other Building shall be erected, the Floors or Rooms of which are the Property of different Owners, and lie intermixed, there shall be a Party Arch or Party Arches of the Thickness of Nine Inches, or a Party Wall of the Dimensions by this Act required for Party Walls, between such respective Floors or Rooms, and the Owner of any Portion of the Land or Property on which such House or Building shall be erected shall and he is hereby required to allow the Persons holding the upper Portion of such Property to build such Walls or Piers for the Purposes aforesaid as the Surveyor for the District shall deem necessary and determine on.

Owner of Party Wall may raise the same under certain Restrictions.

Adjoining Chimneys and Flues to be raised.

XXX. And be it further enacted, That it shall be lawful for the Owner or Part Owner of any external or Party Wall to raise the same, provided that the Wall, when raised, will be of the Substance by this Act required, according to the increased Height of such Wall when completed, but no such raising shall take place between any existing Gable Ends, or on any Timber Sides or Fronts of Houses; and in case the Buildings so raised shall be of greater Height than the adjoining Buildings, and the Flues or Chimneys of such adjoining Buildings are in the Party Walls or separate Side Wall adjoining such Building so raised, the Party raising such Building shall, at his own Expence, build up such Flues and Chimneys belonging to the adjoining Property, so that the Top thereof may be carried up to the same Height as regards the Buildings so raised as before the same had been raised; but if the Wall between the said Building so raised and the adjoining Buildings shall be a Party Wall common to both Buildings, then, in the Event of the Owner of such adjoining Property making use of any Portion of such Party Wall as shall have been raised, the Party raising such Party Wall shall be paid by the Owner of such adjoining Property a fair Proportion of the Expence of so much of the said Party Wall as he may make use of at any Time after the Erection thereof; but in no Case shall any Demand be made for raising such Wall or such Chimney or Flues if no other Use is made of them than before the same were raised; provided also, that whenever any existing Stone Wall of any Building intended to be raised shall, in the Opinion of the Surveyor of the District, be of sufficient Strength, and so far sound and in good Repair as to be fit to bear additional Walls thereon,

although not of the Thickness by this Act required, it shall be lawful to raise such Wall, provided the same be raised by means of Brickwork, and of the Dimensions mentioned in the Second Schedule to this Act annexed.

Backs of Chimneys to be pargetted with Mortar, and the Openings and Hearth-stones to be clear of Timber.

XXXI. And be it further enacted, That every Breast and Back of every Chimney, and every Breast, Back, or Partition of every Flue to be erected or rebuilt within the said City and County, shall be rendered or pargetted with Mortar properly prepared for such Purpose, except any Outside thereof which shall be next to vacant Ground, and every Back of such Chimney and Flue so being against such vacant Ground shall be rendered or pargetted as aforesaid as soon as any Building shall be erected thereto, and no Chimney or Back or Flue shall be placed nearer to the Centre of any Party Wall than Four Inches and a Half, and no Opening of any Chimney or any Flue to be erected or rebuilt within the said City and County shall have any Timber or Wood placed over such Opening or in or nearer to such Opening or Flue than Nine Inches, but an Arch of Brick or Stone, or Bar or Bars of Iron, shall be placed over every such Opening, and all Hearth-stone Slabs to such Chimney shall be at least Eighteen Inches wide, and shall, where the same is practicable, be laid on Brick Trimmer Arches, or in case the same be impracticable, then Two Slabs of Hearth-stones, each Stone Three Inches thick and Eighteen Inches wide at the least, shall be placed on each other, supported on Iron Bars, and such Slabs shall be bedded on the Ground or Floor, and so that the upper Surface of the Hearth shall be Nine Inches from any Timber; and the Breastwork of all Chimneys or Flues shall be well and sufficiently plaistered before any battening, bracketing, wainscoting, lathing, or flooring shall be fixed thereto, and no Wood or Plugs shall be placed nearer to any such Flue than One Foot, and the Woodwork against such Breastwork or Flue shall be fastened thereon with Iron Nails or Holdfasts.

If Buildings now standing shall hereafter be rebuilt, to be under Regulations of Act.

XXXII. And be it further enacted, That if the fore Front and rear Front of any Building now built shall, after the passing of this Act, be rebuilt as low as the Bressumer or One-pair of Stairs Floor, the Party Walls of every such Building shall from thenceforth be in all respects subject to the several Regulations herein-before contained concerning the Party Walls of Houses to be built in accordance with the Provisions of this Act.

Gutter may be made to carry off Water discharged on the proposed Site of a Buidling.

XXXIII. And be it further enacted, That if any House or Building shall be erected on any Site adjoining any House or Building discharging Water from its Eaves on such Site, or adjoining any Premises having a Gutter upon any Party or separating Wall, the Owner or other Person intending to erect such House or Building shall and he is hereby authorized and required, before he shall commence such House or Building, to make a Gutter and Pipe for the Conveyance of the said Water into a Drain, with full Power to alter any existing Gutter, but without doing any Injury or Damage to such House or Building.

XXXIV. And

Houses to be roofed, but not with Boards or Thatch.

XXXIV. And be it further enacted, That every House or other Building to be erected in the said City and County for the Purpose of Habitation shall be roofed or covered with proper Slates, Tiles, Copper, Lead, or other incombustible Material; and if the same shall not be so roofed or covered, or shall be roofed or covered with Boards, Timber, or Thatch, the Owner or Builder thereof shall for every Offence forfeit a Sum not exceeding Fifty Pounds, and a further Sum for every Week the same shall continue, not exceeding Five Pounds.

Funnel for conveying Smoke not to be erected next to any Road, or nearer to any Timber than Fourteen Inches.

XXXV. And be it further enacted, That no Iron, Tin, Copper, or other Pipe or Funnel for conveying Smoke shall at any Time be fixed next to any Road, Street, Way, Lane, or other public Passage or Place within the said City and County, on the Front or Side of any House or other Building, nor shall any such Pipe or Funnel already so fixed be suffered to remain for a longer Period than Seven Days after the Owner or Occupier of the Premises shall have received Notice from the Surveyor of the District to remove the same, nor shall any such Pipe or Funnel be fixed on the Inside of any such House or other Building nearer than Fourteen Inches to any Timber or other combustible Material whatsoever, nor shall any such Pipe or Funnel already so fixed be suffered to remain for a longer Period than Thirty Days after the Owner or Occupier of the Premises shall have received Notice from the Surveyor of the District to remove the same; and if any such Pipe or Funnel shall be fixed or placed or suffered to remain contrary to this Act, the Owner or Occupier of the Premises shall forfeit and pay the Sum of Ten Pounds, and a further Sum for every Week the same shall continue, not exceeding Ten Shillings.

Names of Streets and Numbers of Houses to be put up.

XXXVI. And be it further enacted, That the said Council shall or may, from Time to Time, when and as often as they shall think proper, cause to be painted, engraved, or otherwise described, and placed on a conspicuous Part of any One or more of the Houses or Buildings at or near each End, Corner, or Entrance of any Road, Street, Square, Way, Lane, or other public Passage or Place within the said City and County, the Name by which such Road, Street, Square, Way, Lane, or other public Passage or Place now is or shall be called or known, and shall and may also from Time to Time, and when and as often as they shall think proper, cause every House, Shop, and Building in the several Roads, Streets, Squares, Ways, Lanes, and other public Passages and Places in the said City and County to be marked and numbered with Figures, either on the Door thereof or otherwise, and in such Manner as they shall think most proper for distinguishing the same; and if any Person shall wilfully destroy, obliterate, deface, remove, or, without the Consent of the said Council first obtained, alter any such Name, Number, or Figure, or any Part thereof, or cause or procure the same to be so done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings.

Penalty for erecting Buildings

XXXVII. And be it further enacted, That if any Master Builder, Master Mason, Master Carpenter, Master Workman, or any other Person

Person whatsoever, shall erect, build, execute, or perform, or assist in the erecting or building, executing or performing, or cause, permit, or suffer to be erected, built, executed, or performed, any Wall, House, or other Erection, Building, or Work, or shall make or cause, permit or suffer, any Alteration to be made in any Wall, House, Erection, Building, or Work, contrary to the Provisions in this Act contained, or to any Rule or Regulation given by the Surveyor of the District with respect to such Wall, House, Erection, Building, or Work, or shall omit to erect, build, execute, or perform any Wall, Erection, Building, or Work according to the Provisions in this Act contained, or to any Rule or Regulation given by such Surveyor with respect to such Wall, House, Erection, Building, or Work, such Master Builder, Master Mason, Master Carpenter, Master Workman, or other Person as aforesaid, or the Owner or Proprietor of the said Premises, any or either of them, shall forfeit and pay any Sum not exceeding Twenty Pounds, to be levied and recovered by the Surveyor of the District in which the said Premises may be situate, in such and the like Manner as any Penalty or Forfeiture is by this Act authorized to be levied and recovered; and such Master Builder, Master Mason, Master Carpenter, Master Workman, or other Person as aforesaid, or the Owner or Proprietor of the Premises, or some or One of them, shall, within the Space of Three Calendar Months next after the Recovery of the aforesaid Penalty, or the Conviction in respect thereof, alter and make good all such Defects and Irregularities for which any such Penalty may have been recovered or Conviction made, and render such Wall, House, Erection, Building, Work, or Alteration conformable to the Directions and true Meaning of this Act, and on failure thereof within the said Space of Three Calendar Months such Master Builder, Master Mason, Master Carpenter, Master Workman, or other Person as aforesaid, or the Owner or Proprietor of the said Premises, any or either or some or One of them, shall forfeit and pay any further Sum not exceeding Ten Pounds for every Calendar Month during which such Defects or Irregularities shall continue, or such Wall, House, Erection, Building, Work, or Alteration shall not be conformable to the Direction and Regulation of this Act; such further Penalties to be from Time to Time recovered in such and the like Manner as herein-before mentioned touching the said Penalty not exceeding Twenty Pounds.

contrary to the Directions of the Act.

Further Penalties for suffering Irregularities to continue.

XXXVIII. And be it further enacted, That if any Surveyor appointed in manner herein-before directed shall at any Time wilfully neglect the Duty in any respect required of him by this Act, or behave himself negligently or unfaithfully in the Discharge thereof, then such Surveyor shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Penalty on Surveyor for Neglect of Duty.

XXXIX. And be it further enacted, That it shall be lawful for the said Council to open and form any new Street, Road, or Way within the said City and County, and also to widen and improve any of the existing Roads, Streets, Ways, Lanes, and other Public Passages and Places within the same, and from Time to Time to contract and agree with any Corporation, Tenant in Fee Simple, or for Life or Years, or in Fee Tail, General or Special, or with any

Power to improve Streets, and purchase Buildings, &c.

Feoffees in Trust for charitable or other Purposes, Husbands, Guardians, Committees for Idiots or Lunatics, Executors, or Administrators, or other Trustees whomsoever, not only for and on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Idiots, Lunatics, Femes Covert, or other Persons under any Disability of acting for themselves, or with any Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any others being the Owners or Proprietors for the Time being of all and every or any Tenements whatsoever situate within the said City and County, or any Part thereof, or of any Estate, Right, or Interest therein for the absolute Purchase of such Tenements, or any of them, or any Part thereof, or of any Estate, Right, or Interest therein, which the said Council shall consider necessary to be purchased for the Purposes herein mentioned, and to take down all or any of such Tenements so to be purchased, or any Part of the same respectively, and to sell and dispose of the Materials thereof for the Purposes of this Act, and erect and build any Tenements on the Site thereof or of any Part thereof, in such Manner as the said Council shall think proper.

Power to enter Lands.

XL. And be it further enacted, That for the Purpose of making, completing, and effecting the Purposes of this Act the said Council for the Time being, their Agents, Servants, Surveyors, and Workmen, shall be and they are hereby empowered accordingly, but subject to the Provisions of this Act, to enter into and upon any Land, Messuage, Shop, Warehouse, and other Buildings and Hereditaments, and to survey and admeasure the same, and to set out and appropriate such Part thereof, as they shall think necessary for making, completing, and effecting the Purposes aforesaid, and to bore, dig, cut, trench, and embank, and also to remove, take, carry away, and use, any Earth, Clay, Stone, Soil, Rubbish, Gravel, or Sand, or any other Materials or Things which may seem necessary or proper in making, completing, and effecting the said Purposes, according to the Intent and Meaning of this Act, and also to make, build, erect, bank, excavate, cut, and set up, and also to repair such and so many Embankments, Mounds, Bridges, Piers, Arches, deep Cuttings, and Tunnels, and other Works, in such Places and in such Manner as the said Council for the Time being shall think necessary or expedient for the Purposes aforesaid, and also from Time to Time to alter, renew, and amend the same, and to construct, make, and do all other Works, Matters, and Things fit or necessary for the making, completing, and effecting the Purposes of this Act, they the said Council, their Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction in manner herein-after mentioned to the Owners of and to all Persons or Corporations interested in any Lands, Messuages, Shops, Warehouses, Buildings, or Hereditaments which shall be taken, used, removed, or injured, for all Damages to 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 Council for the Time being and all other

Persons whomsoever for what they or any of them shall do by virtue of the Powers hereby granted.

Conveyances to the Mayor, &c. to be in the following Form.

XLI. And be it further enacted, That all Sales, Conveyances, and Assurances of any Tenements, or any Estate or Interest therein, to be made to the said Mayor, Aldermen, and Burgesses, may be made in the Form or to the Effect following, or as near thereto as the Circumstances of the Case will reasonably admit; (that is to say,)

'I of in consideration
'of the Sum of to me paid by the Mayor,
'Aldermen, and Burgesses of the City of *Bristol*, under and by
'virtue of an Act passed in the Year of the Reign of
'Her Majesty Queen *Victoria*, intituled [*here set forth the Title of*
'*this Act*], do hereby grant and convey to the said Mayor, Alder-
'men, and Burgesses all [*here describe the Premises to be conveyed*],
'and all my Estate, Right, Title, Term, and Interest to and in the
'same and every Part thereof, to hold to the said Mayor, Aldermen,
'and Burgesses, and their Successors for the Purposes of the said
'Act for ever. In witness whereof I have hereunto set my Hand
'and Seal this Day of in the Year
'of our Lord .'

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, any Law, Usage, or Custom to the contrary thereof notwithstanding.

Corporate Bodies may sell.

XLII. And be it further enacted, That it shall be lawful for all Corporations, Tenants in Fee Simple, or for Life or for Years, or in Fee Tail, General or Special, and all Feoffees in Trust for charitable and other Purposes, Husbands, Guardians, Committees for Lunatics or Idiots, Executors and Administrators, and other Trustees and Persons whomsoever not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right or entitled to Dower or other Interest, and for every other Person whomsoever who is, are, or shall be seised, or possessed of or interested in any of the Tenements situate within the said City and County, which the said Council shall consider necessary to be purchased for the Purposes herein mentioned, or entitled to any Estate, Right, Title, Lien, Charge, or Interest therein whatsoever, to contract and agree with the said Council for the absolute Sale thereof or of any Part thereof, and of all and every Estates, Rights, Titles, Terms, or Interests whatsoever of, in, and to the same, unto the said Mayor, Aldermen, and Burgesses, for the Purposes of this Act, and to convey and assign the same respectively unto the said Mayor, Aldermen, and Burgesses; and all such Contracts, Bargains, Sales, Conveyances, and other Assurances shall be good, valid, and effectual to all Intents and Purposes, not only to convey

convey the Estate and Interest of the Party so conveying, but also to convey all the Estate, Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates; and the same shall be deemed and considered to bar all Dower of the Wife of such Party, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, or of the Issue of the same Party claiming under them, and to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed or aliened; but although Terms should be merged they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the said Mayor, Aldermen, and Burgesses, to attend the Reversion and Inheritance, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding.

Waste Lands to be conveyed by Lords of Manors.

XLIII. And be it further enacted, That in all Cases wherein, in the Execution of the Powers of this Act, there shall be Occasion to take or use any Common or Waste Land, or any other Lands which shall be charged with or be subject or liable to the Exercise of any Right or Privilege of Common thereupon, of what Nature or Kind soever, the Conveyance of such Common or Waste Land or other Lands by any Person or Corporation having such Estate or Interest in the Manor wherein such Common or Waste Land or other Lands shall be situate (or if the same shall not be the Waste of any Manor then having such Estate or Interest in the Soil of the said Lands) as the Persons or Corporations who are by this Act enabled to sell other Lands have in such Lands, (and which Conveyance may be of the like Form as by this Act is directed to be used in the Case of Conveyances of other Lands,) shall be a good and sufficient Conveyance to the said Mayor, Aldermen, and Burgesses, for the Purpose of vesting in them the Fee Simple and Inheritance of such Common or Waste Land or other Lands, as fully and effectually as if every Person or Corporation having Right of Common upon such Common or Waste Land or other Lands were seised thereof in Fee Simple in Possession, and had joined in and executed such Conveyance; and the Compensation to be paid for the Extinguishment of any Right of Common upon any such Common or Waste Land or other Lands as aforesaid (and which shall be determined by a Jury in case the Parties differ about the same, in like Manner as by this Act is directed in other Cases of the like Nature) shall be paid by the said Mayor, Aldermen, and Burgesses to the Churchwarden for the Time being of the Parish wherein such Common or Waste Land or other Lands shall be situate, and shall be by every such Churchwarden received and applied for such general or public Purposes within the said Parish as a Vestry thereof shall direct: Provided always, that in all Cases wherein the said Churchwardens are empowered to receive such Compensation as aforesaid the Notices by this Act required to be served on the Owners or Occupiers of Land required for the Purposes of this Act may be served on the said Church-

Churchwardens, who shall have Power to treat and agree with the said Mayor, Aldermen, and Burgesses, touching the Amount; and in all Cases in which any such Commonable or other Rights shall extend over and be exercised or enjoyed out of any other Lands than such Common or Waste Land or other Lands, the Compensation for the Relinquishment thereof shall be paid to the Party having such Estate or Interest as aforesaid in the said Commonable or other Rights, or in any Lands whereunto the same shall be appendant or appurtenant, or otherwise (as the Case may require) be deposited in the Bank of *England*, in manner by this Act directed in case of other Lands taken by the said Mayor, Aldermen, and Burgesses; provided also, that in all Cases in which any such Manor is vested in the Freeholders or Inhabitants at large, or in any greater Number of Persons than Three, or where the Lord of such Manor (if any) does not usually hold some Court for the same, or where it is not known to what Lord such Manor belongs, or in what Manor such Common or Waste Lands or other Lands are situate, the Conveyance by Three at least of the Freeholders whose Lands (whether vested absolutely in them, or for such Estate as would capacitate them to convey such Lands, if wanted for the Purposes of this Act,) shall entitle such Freeholders to Common Right on or over such Common or Waste Lands or other Lands, and whose said Lands in the Rate for the Relief of the Poor shall amount in yearly Value to Three Fifth Parts at least of the whole of the Lands which have such Common Right, shall also, in like Manner, be a good and sufficient Conveyance to the said Mayor, Aldermen, and Burgesses, for the Purpose of vesting in them the Fee Simple and Inheritance of so much and such Part of such Common or Waste Lands or other Lands as they may from Time to Time require or take, free from all Rights of Common, and other Rights, Estates, Titles, Charges, and Incumbrances whatsoever.

Property belonging to incapacitated Persons to be valued by a Surveyor.

XLIV. Provided always, and be it further enacted, That the Consideration Money to be paid for any Tenement to be purchased from or conveyed by any Corporation or Person under any Disability or Incapacity, and not having Power to sell, except under the Provisions herein contained, and the Consideration Money to be paid to or on behalf of any Person who shall be absent from *England*, or cannot be found, or shall be incapable of treating or agreeing for the same, and the Compensation Money to be paid for any permanent Damage or Injury to such Tenements, shall not be less than shall be determined by the Verdict of a Jury, or by such able practical Surveyor as any Two Justices of the Peace for the said City and County shall for that Purpose nominate; and such Surveyor shall annex to his Survey, Estimate, or Valuation, when complete, a Declaration of the Correctness thereof, in the Form (or as near thereto as the Circumstances of the Case will admit,) prescribed in the Schedule of an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, for the Suppression of voluntary and extra-judicial Oaths and Affidavits.

Compulsory Powers of Act to extend only to Property in Schedule.

XLV. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize the said Mayor, Aldermen, and Burgesses to purchase, take, or use for the Purposes of this Act any Tenement, other than and except such as are specified in the First Schedule to this Act annexed, without the Consent in Writing of the Owner thereof, and other Persons or Parties interested therein, empowered to sell the same, by virtue of this Act or otherwise.

Misnomer in describing the Premises not to retard the Execution of this Act.

XLVI. And be it further enacted, That if any of the Tenements which are mentioned or described in the First Schedule to this Act annexed, or any of the Owners or Lessees thereof, or of the Persons in whose Occupation or Possession the same or any Part thereof are or is stated or described to be, shall happen to be omitted, misnamed or inaccurately described, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased and conveyed, disposed of, and applied to and for the Purposes of this Act, as fully and effectually as if the same were more properly named and described in the said Schedule; provided it shall appear to any Two Justices of the Peace acting within their Jurisdiction, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only.

Power to purchase limited to Five Years.

XLVII. Provided always, and be it further enacted, That if the said Mayor, Aldermen, and Burgesses shall not, within the Space of Five Years next after the passing of this Act, pay for, in manner directed by this Act, the several Tenements mentioned in the said First Schedule to this Act annexed, or so much thereof as shall be necessary for the Purposes of this Act, then and from thenceforth the Powers hereby given to them for such Purpose only shall cease, determine, and be utterly void, except with the Consent in Writing of the Owner thereof, and other Persons and Parties interested therein, empowered to sell the same by virtue of this Act or otherwise.

No Person compellable to sell Part of his House, &c. if willing to sell the Whole.

XLVIII. And be it further enacted, That if any Person or Corporation by this Act authorized to sell and convey any of the Tenements mentioned and described in the said First Schedule to this Act shall be applied to, by or on behalf of the said Council, to treat for, sell, dispose of, or convey any Part of any House, Warehouse, Building, or Manufactory in the actual Occupation of One Person or of several Persons jointly, and shall, by Notice in Writing to be left with the Town Clerk of the said City and County within Twenty-one Days after such Application, signify their or his Inclination or Desire to treat for, sell, dispose of, and convey the whole of such House, Warehouse, Building, or Manufactory, then and in every such Case nothing in this Act contained shall extend or be construed to extend to compel such Person or Corporation interested therein to treat for, sell, dispose of, or convey, or to authorize the said Council to take or use, Part only or less than the

Whole

Whole of such House, Warehouse, Building, or Manufactory, any thing herein contained to the contrary thereof in anywise notwithstanding.

Mortgagees to assign Mortgages.

XLIX. And be it further enacted, That every Person or Corporation who shall have any Mortgage on such Tenements or any Part thereof which may be required for the Purposes of this Act, shall, on Tender of the Mortgage Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the Principal Money, immediately convey, assign, and transfer such Mortgage to the said Mayor, Aldermen, and Burgesses, or to such Person as the said Council shall appoint; or in case such Mortgagee shall have Notice in Writing from the said Council that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months, then, on Payment of the Principal and Interest so due on such Mortgage, such Mortgagee shall convey, assign, and transfer the said Mortgage, and his Interest in the Premises, to the said Mayor, Aldermen, and Burgesses, or to such Person as the said Council shall appoint, in Trust for them; but in case such Mortgagee shall refuse to convey or assign, on such Tender as aforesaid, then, upon Payment of the Principal Money and Six Calendar Months Interest into the Bank of *England*, in manner herein-after directed, all Interest on every such Mortgage shall from the Time of such Payment cease and determine: Provided always, that in case the Sum due upon any such Mortgage, with all Interest due thereon, shall amount to more than the real Value of such Tenements, or the Part thereof which shall be taken for the Purposes of this Act, then the said Mayor, Aldermen, and Burgesses shall not be liable to pay the Mortgagee any more than the real Value of such Premises, which Value in case the Parties cannot agree upon the same, shall be ascertained and settled by a Jury, in like Manner as the Value of any Property wanted for the Purposes of this Act is herein-after directed to be ascertained and settled, before which Jury it shall be lawful for the Party entitled to the Equity of Redemption of and in the Lands to appear and be heard.

On Persons refusing to treat or sell, a Jury to be summoned to assess Value, &c.

L. Provided always, and be it further enacted, That if any such Corporation, Tenant in Fee Simple, or for Life or for Years, or in Fee Tail, General or Special, Feoffee, Husband, Guardian, Committee, Executor, or Administrator, Trustee, or other Person whomsoever in anywise interested in such Tenements hereby authorized to be purchased, and in the First Schedule to this Act particularly mentioned and described, or any Lessee or Occupier thereof sustaining any Loss, Injury, or Damage, shall, for the Space of One Calendar Month next after Notice in Writing given to or left at the Dwelling House of such Person, or of the Principal or Head Officer of such Corporation, neglect or refuse to treat and agree, or shall not agree for the Sale of the said Premises, or of the Interest they respectively have therein, or are hereby capacitated to convey, or shall not produce a clear Title to the Tenements they are in Possession of, or the Interest they claim therein, to the Satisfaction of the said Council, then and in every such Case it shall be lawful for the said

Council

Council to issue a Warrant, under the Common Seal of the said Mayor, Aldermen, and Burgesses, to the Sheriff of the said City and County, or in case the said Sheriff or his Under Sheriff shall be in anywise interested in the Matter in question, then to any Coroner of the said City and County not interested as aforesaid, or if such Coroner shall be so interested, then to some Person who shall have filled the Office of Sheriff or Coroner therein, and be free from personal Disability, and uninterested as aforesaid, (a Person having more recently served either Office being always preferred,) commanding such Sheriff, Coroner, or other Person to impannel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impannel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, Coroner, or other Person, or by some Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in default of a sufficient Number of Jurymen the said Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to make up such Jury to the Number of Twelve and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby also required and empowered from Time to Time, as Occasion shall be and require, to summon and call before the said Jury and examine upon Oath every Person who shall be thought necessary and proper to be examined as a Witness touching or concerning the Premises; and the said Sheriff, Under Sheriff, Coroner, or other Person shall also order and cause the said Jury to view the Places in question, if there be Occasion, and use all lawful Ways and Means, as well for his own as for the said Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, Coroner, or other Person shall think fit, and the said Jury upon their Oaths (which Oaths, as well as the Oaths of all Persons called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered to administer,) shall determine the Purchase Money to be given for the said Tenements, or the Compensation for Damages to any Tenements, according to the respective Interests therein, and shall give in their Verdict thereupon; and the said Sheriff, Under Sheriff, Coroner, or other Person shall give Judgment for such Purchase Money or Compensation according to the Determination of the said Jury: Provided always, that not less than Fourteen Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Council to the Party with whom any

such Controversy shall arise by serving such Notice personally, or by leaving such Notice at the Dwelling House of the Person, or the Clerk, or Agent, or principal Officer of the Corporation, interested in the Premises intended to be valued or respecting which, or any Damage to which, any such Question shall arise: Provided also, that in all such Cases the Party claiming such Compensation shall be treated as the Plaintiff, and shall be entitled to all such Advantages and Privileges as Plaintiffs in Actions at Law are entitled to; and every Verdict and Judgment thereupon as aforesaid, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing such Judgment respectively, shall be transmitted to and fairly entered and kept amongst the Records of the Quarter Sessions of the Peace for the said City and County, and the same, or a true Copy thereof, shall be admitted, received and taken as Evidence and Proof in all Courts of Law and Equity, in all Places whatsoever, and all Persons shall have Liberty to inspect the same, on Payment of the Sum of One Shilling for every such Inspection, and may have Copies thereof, paying Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Verdicts to be recorded.

LI. And be it further enacted, That if any such Sheriff or his Under Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay, for the Benefit of the Party by whom such Jury shall be required to be summoned, the Sum of Fifty Pounds, to be recovered by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or, being a Quaker, to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or, being a Quaker, Moravian, or Separatist, affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse, (such Excuse to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person,) shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; which said last-mentioned Penalty shall and may be levied by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the said City and County, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Penalty on Sheriff or his Substitute, or Jurors or Witnesses making default.

LII. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the

Jurors to be under the same Regulations as

those of the Courts of Westminster.

Persons giving false Evidence may be prosecuted.

the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster* or at Nisi Prius; and all Persons who in any Examination to be taken by virtue of this Act upon their Oath, or being Quakers upon their Affirmation, shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, or Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to the Pains and Penalties to which Persons guilty of wilful and corrupt Perjury shall or may by Law be subject.

By whom Jury shall be paid.

LIII. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for the same or a greater Sum of Money than shall have been previously offered by or on behalf of the said Council as Purchase Money for any Tenements as aforesaid, or for any such Estate, Right, or Interest therein, or as Compensation for Damages sustained by any Person as aforesaid; and in any Case where any Person or Party shall have been prevented by Absence from *Great Britain* from entering into Treaty with the said Council, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incidental to the said Inquisition, and the reasonable Fees which may have been paid to One Counsel for attending such Inquiry before such Jury by the Party requiring the Jury to be summoned, shall be borne by the said Mayor, Aldermen, and Burgesses; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same, within Ten Days next after Demand made thereof from the Treasurer of the said City and County, then the same shall be levied and recovered by Distress and Sale of any Goods or Chattels of the said Mayor, Aldermen, and Burgesses, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said City and County, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for a less Sum of Money than shall have been previously offered by or on behalf of the said Mayor, Aldermen, and Burgesses, as such Purchase Money or Compensation as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party refusing or neglecting to treat or agree, as before mentioned, and by the said Mayor, Aldermen, and Burgesses; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by the said Sheriff or his Under Sheriff, Coroner, or other Person who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party having had any such Disagreement or Dispute with the said Council, such Costs may be deducted by them out of the Monies awarded to be paid to such Party, as so much Money advanced for his Use; and the Payment or Tender of the Balance of such Money shall be deemed and

taken,

taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party; or otherwise, if such Costs and Charges be not paid, upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Mayor, Aldermen, and Burgesses from the Party liable to the Payment thereof, together with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Lessees and Tenants for Years or at Will to deliver Possession on Six Months Notice.

LIV. And be it further enacted, That every Tenant at Will, Lessee for a Year, and Tenant from Year to Year, shall deliver up the Possession of such Premises to the said Mayor, Aldermen, and Burgesses, or to such Person as the said Council shall appoint to take possession of the same, upon having Six Calendar Months Notice from the said Council, or some Person by them authorized for that Purpose, to quit the same at such Time or Times as shall be required by such Notice, they the said Mayor, Aldermen, and Burgesses making such Satisfaction and Compensation to every such Tenant or Lessee, or other Person as aforesaid (except a Mortgagee), in case he shall be required to quit before the Expiration of his Term or Interest in the Premises, as the said Council shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be ascertained and settled by a Jury, in such and the like Manner as the Compensation to be made by the said Mayor, Aldermen, and Burgesses for the Damage done to any Tenements is herein directed to be ascertained and settled in case of any Dispute or Difference about the same; and such Lessee, Tenant, or other Person aforesaid in Possession shall, at such Time as he shall be required by the said Council, peaceably and quietly deliver up the Possession of the said Premises to them, or to the Person authorized by them to take possession thereof; and if any such Lessee, Tenant, or other Person shall refuse or neglect to deliver up such Possession, then and in every such Case it shall be lawful for the said Mayor, Aldermen, and Burgesses to issue their Precept to the said Sheriff to deliver Possession of the said Premises to such Person as shall in such Receipt be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs and Charges as shall accrue from the issuing or Execution of such Precept, on the Person refusing to deliver up Possession as aforesaid, by Distress and Sale of his Goods and Chattels.

Persons holding under Leases to produce the same.

LV. Provided always, and be it further enacted, That in all Cases in which any Party shall claim any Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Tenements intended to be taken or used under the Authority of this Act, under or by virtue of any Lease, or Agreement for Lease, or Grant thereof, in his Possession or Power, the said Council are hereby authorized to require such Party to produce or show the Lease, or Agreement for Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made; and if such Lease, or Agreement for Lease, or Grant, shall

shall not be produced or shown within Twenty-one Days after Demand made by the said Council, or any Person authorized by them, or the Non-production thereof satisfactorily accounted for, the Party claiming such Compensation shall be considered as holding only from Year to Year.

Settling Disputes as to Damages to a small Amount.

LVI. And be it further enacted, That in case any Difference shall arise between the said Council, and the Owner, Lessee, or Occupier of any Tenements taken, used, or injured by reason of the Execution of any of the Powers of this Act, as to the Amount or Value of such Property, or any Damage done or to be done to the same, (other than and except any Compensation for Land which the Owner or Proprietor may be deprived of by reason of Buildings being thrown back, as herein-before provided for,) and such Difference cannot be adjusted and settled between the Parties, the same shall, in case the Amount claimed does not exceed Twenty-five Pounds, be ascertained and determined by some Two or more Justices of the Peace for the said City and County, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and determine and settle the Sum of Money which shall be payable by the said Mayor, Aldermen, and Burgesses.

On Payment of Money, the Property to vest in the Mayor, Aldermen, and Burgesses.

LVII. And be it further enacted, That upon Payment or legal Tender of such Sum of Money as shall have been contracted or agreed for between the Parties, or assessed by such Justices or Jury in manner aforesaid, for the Purchase of any such Tenements, to the Person or Party entitled to receive such Money or Compensation respectively, or his Agent, within Three Calendar Months next after the same shall be so agreed for or assessed, or upon Payment of the said Sum of Money into the Bank of *England*, as herein-after directed and required, for the Use of the Person or Party entitled thereto, it shall be lawful for the said Mayor, Aldermen, and Burgesses, and their Agents, Workmen, and Servants, to enter upon such Tenements respectively, and then and thereupon all the Estate, Use, Trust, and Interest of and in such Tenements as shall have been purchased by such Payment as aforesaid shall, together with the yearly Profits thereof, be absolutely vested in the said Mayor, Aldermen, and Burgesses for the Purposes of this Act, whether such Conveyance as aforesaid shall or shall not be made, and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Party to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person or Party, and all Estates Tail and other Estates in Reversion and Remainder of his Issue, and of every other Person or Party whomsoever therein.

Provision for Deficiencies in the Land Tax.

LVIII. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessments for Land Tax in the several Parishes through or in which the several Works hereby authorized may pass or be situate; be it therefore enacted, That the said Mayor, Aldermen, and Burgesses shall, from and after they shall have become seised and possessed by virtue of this Act of any Premises charged with the Land Tax, and until the Works

Works hereby authorized to be made shall be completed and assessed to such Land Tax (unless the said Mayor, Aldermen, and Burgesses shall think fit to redeem the same under the Powers of the Acts for the Redemption of Land Tax), be subject and liable from Time to Time to pay and make good, to or in aid of such several Parishes as aforesaid, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes by reason of taking down or using for the Purposes of this Act any Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the Treasurer or Collector or Receiver to be appointed under this Act is hereby required to pay all Deficiencies, on Demand thereof, to the Collector of the said Assessments.

Application of Compensation Money if amounting to 200*l.*

LIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any of the Tenements to be purchased, taken, or used by virtue of the Powers aforesaid, or as Compensation for Damages as herein-before mentioned, which any Corporation, Tenant in Tail or for Life, Husband, Guardian, Trustee or Feoffee in Trust, Committee, Executor, or Administrator, Feme Covert, or any other Person whomsoever, for or on behalf of any Wife, Ward, Lunatic, Idiot, or Cestuique Trust, whether Infants, Issue unborn, Feme Covert, or any Person whomsoever, whose Lands are limited in strict or other Settlement, or other Person under any Disability or Incapacity as herein-before is mentioned, shall be entitled unto or interested in, or hereby capacitated to convey, 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 Her Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* "The Mayor, Aldermen, and Burgesses of the City of *Bristol*," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the general Orders of the said Court, and without Fee or Reward; to the Intent that such Money may 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 Party who would have been entitled to the Rents and Profits of the said Tenements, in the Purchase of the Land Tax, or in or towards the Discharge of any Debt, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Tenements, or affecting other Tenements standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; and where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Tenements, which shall be convened and settled to, for, or upon such and the like Uses, Trusts, Intents,

1 G. 4. c. 35.

Intents, and Purposes, and in the same Manner, as the Tenements which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation for Damages shall be made, stood settled or limited, or of such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until the Purchase shall be made, the said Money may, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Party who would for the Time being have been entitled to the Rents and Profits of the Tenements hereby directed to be purchased in case such Purchase or Settlement were made.

When under 200*l.* and exceeding 20*l.*

LX. And be it further enacted, That if any Money agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then the same shall, with the Approbation of the said Mayor, Aldermen, and Burgesses, signified in Writing under their Common Seal, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, upon the Request of the respective Parties for the Time being entitled to the Rents and Profits of the Tenements so taken or used, or of such Interest therein, or of their respective Husbands and Guardians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, and with the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said Council, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and under the Common Seal of the said Mayor, Aldermen, and Burgesses); and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

Application where not more than 20*l.*

LXI. And be it further enacted, That when such Money so agreed or awarded to be paid as aforesaid shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Corporation who would for the Time being have been entitled to the Rents and Profits of the Tene-

ments

ments so purchased or sold, or in respect of which such Compensation shall be paid, or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then the same shall be paid to his Guardian or Committee, to and for the Use and Benefit of such Person so entitled thereto.

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

LXII. And be it further enacted, That in case any Party to whom any Money shall be agreed or awarded to be paid for the Purchase of any Tenements to be taken or used under or by virtue of the Powers of this Act, or for any Interest or for Compensation as aforesaid, shall refuse or neglect to accept the same, or cannot be conveniently found, or shall be absent from *England*, or shall refuse, neglect, or be unable to make a Title to such Tenements, or to such Interest in the Premises, to the Satisfaction of the said Council, or if the Party entitled unto or required by the Council to convey or join in conveying such Tenements, or such Interest therein shall not be known, or be not shown to the Satisfaction of the said Council to be such Party, or shall refuse to convey or to join in conveying the same, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Council to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Tenements, describing them, so far as the said Council can so do, subject ot the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money, or to any Part thereof, by Petition, is hereby empowered, in a summary Way of Proceeding or otherwise, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the Estate, Title, or Interest of the Party making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Mayor, Aldermen, and Burgesses, or to any Party paying any Money into the Bank of *England*, under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received, and in respect of what Purchase the same was so paid in.

Persons in Possession presumptively entitled.

LXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Party to any Tenements, or to any Interest in any Tenements, or to any Money paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Tenements, or of any Estate, Right, Title, or Interest in any Tenements to be taken or said in pursuance of this Act, for the Purposes aforesaid, or for Compensation as aforesaid, or to any Annuities or Securities to be purchased with any such Money, or whereon or wherein the same shall be invested, as herein mentioned, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively

who

who shall have been in Possession or Receipt of the Rents or Profits of such Tenements at the Time of such Purchase, and all Persons and Corporations claiming under such Parties, or under or consistently with the Possession or Receipt of Rents by such Parties, shall be deemed to have been lawfully entitled to such Tenements according to such Possession or Receipt of Rents, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities purchased or to be purchased with such Money, or whereon or wherein the same shall be or shall have been invested, and also the Capital of such Annuities or Securities, shall be paid, applied and disposed of accordingly.

The Court may order reasonable Expences of Purchases to be paid by the Mayor, &c.

LXIV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of any Party entitled to any Tenements to be taken or used under the Authority of this Act, or from any other Cause, except the wilful Refusal of such Person or Corporation to convey the Tenements, or to accept the Purchase Money or Compensation herein mentioned, the Purchase Money for the same, or the Money paid for such Compensation, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court to order all the Costs, Charges, and Expences of or which may be incurred in consequence of the Purchase or taking or using of such Tenements by the said Mayor, Aldermen, and Burgesses, under and by virtue of this Act, and also of the Investment of the Purchase and Compensation Money in Consolidated or Reduced Bank Annuities or other Government Securities, or in the Re-investment of such Purchase and Compensation Money in Tenements, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders, and of all other Proceedings for such Purposes, except such as may be occasioned by Litigation between Claimants, and for the Payment of the Dividends, Interest, and annual Produce of such Consolidated or Reduced Bank Annuities or other Government Securities, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the said Mayor, Aldermen, and Burgesses, and the said Mayor, Aldermen, and Burgesses shall from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court shall direct.

Power for Court of Exchequer to order Compensation to be applied in rebuilding Houses, &c.

LXV. And be it further enacted, That where any Money agreed or awarded to be paid for the Purchase of any Tenements taken or used under the Powers of this Act, or for any Compensation under this Act, shall have been paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The Mayor, Aldermen, and Burgesses of the City of *Bristol*," pursuant to the Directions herein-before contained, it shall be lawful for the said Court of Exchequer, upon Petition for that Purpose by the Party who would have been entitled to or to be in the Receipt of the Rents and Profits of the Tenements in respect of which such Money shall have been paid so in, from Time to Time to order such Part (if any) of the said Purchase or Compensation Monies as the said Court shall

shall think fit to be laid out and applied in the repairing or rebuilding of any Tenement taken down or injured for the Purposes of this Act, in such Manner as to the said Court shall seem fit.

Expences of making out Titles to be paid by the Mayor, &c.

LXVI. And be it further enacted, That all the Costs, Charges, and Expences (on the Part as well of the Seller as of the Purchaser) of all Conveyances and Assurances of any Tenements which shall be purchased or taken by the said Mayor, Aldermen, and Burgesses, for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Council may require, and of making out and furnishing such Abstract and such attested Copies as the said Council may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Mayor, Aldermen, and Burgesses; and the said Mayor, Aldermen, and Burgesses, before entering into Possession of the Premises so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Premises shall be purchased or taken: Provided always, that the said Mayor, Aldermen, and Burgesses shall not be prevented from entering into Possession of the said Premises so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-after mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Tenement shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to him by or on behalf of the said Mayor, Aldermen, and Burgesses, deliver in a Bill of his said Costs, Charges, and Expences to the said Mayor, Aldermen, and Burgesses; provided also, that in case the said Council shall not require the making out or furnishing such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Property purchased or taken, such Seller shall be bound, at the Expence of the said Mayor, Aldermen, and Burgesses, to produce or cause to be produced the Title Deeds relating to the said Tenements, when required by the said Council so to do, without furnishing any Abstract of his Title.

How such Expences are to be ascertained.

LXVII. And be it further enacted, That if the said Council and the Party aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, by Petition to be presented by the said Mayor, Aldermen, and Burgesses, to order and direct that such Costs, Charges, and Expences, shall be referred to one of the Masters of the said Court, to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending

the Taxation thereof, or so much of the same as shall be payable by the said Mayor, Aldermen, and Burgesses to the Party from whom the Premises shall have been purchased or taken, to be paid to the Party aforesaid: Provided always, that the said Mayor, Aldermen, and Burgesses shall not be at liberty to enter into Possession of the Premises so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Mayor, Aldermen, and Burgesses shall have deposited the Sum claimed in respect of the same in the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The Mayor, Aldermen, and Burgesses of the City of *Bristol*," pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His Majesty King *George* the Fourth; which Sum shall be applied, under the Order of the said Court, in Payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Mayor, Aldermen, and Burgesses, unless the Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the said Premises were purchased or taken, and the Amount thereof may then be paid to the said Mayor, Aldermen, and Burgesses out of the said Sum so deposited by them as aforesaid.

Power to sell Messuages, &c. not wanted for the Purposes of this Act.

LXVIII. And whereas some Part of the Tenements purchased for the Purposes of this Act may happen to be more than will be necessary for such Purposes; be it therefore enacted, That it shall be lawful for the said Council and they are hereby authorized to sell or dispose of all and every or such of the said Tenements to be vested in them by virtue or in pursuance of this Act as may not be necessary for Streets, Squares, or public Ways, or for widening or enlarging Streets, Squares, or Public Ways, to any Person willing to contract, agree for, or purchase the same, and by Deed or Deeds under the Common Seal of the said Mayor, Aldermen, and Burgesses to convey the same to the Purchaser or respective Purchasers thereof; and all such Sales, Conveyances, and Assurances to be made by the said Mayor, Aldermen, and Burgesses may be made in the Form or to the Effect following, or as near thereto as the Circumstances of the Case will reasonably admit; (that is to say,)

Form of Conveyance by the Mayor, &c.

'WE, the Mayor, Aldermen, and Burgesses of the City of *Bristol*, in consideration of the Sum of to us paid by *A.B.* of do hereby grant and convey to the said *A.B.*, his Heirs, Executors, Administrators, and Assigns [*here describe the Premises to be conveyed*], and all our Estate, Right, Title, Term, and Interest to and in the same and every Part thereof, to hold the Premises to the said *A.B.*, his Heirs, Executors, Administrators, and Assigns. In witness whereof we have hereunto set our Common Seal the Day of in the Year of our Lord .'

And

And upon Payment of the Money which shall be contracted or agreed for the Purchase of any such Tenements it shall be lawful for the Treasurer for the Time being of the said City and County to give and sign a Receipt for the Sum of Money therein expressed and acknowledged to be received; and every such Sale, Conveyance, Assignment, and Assurance so made shall be good, valid, and effectual, to all Intents and Purposes whatsoever; and no Purchaser of any such Tenements, his Heirs, Executors, Administrators, or Assigns, shall be bound to see to the Application of his Purchase Money, or to inquire into the Necessity or Propriety of such Sale, or be affected by Notice that any such Sale was unnecessary: Provided always, that the said Mayor, Aldermen, and Burgesses may sell or dispose of such Tenements as aforesaid, either absolutely or at reserved Fee Farm Rents, and subject to such Covenants for Buildings or otherwise, as they may deem expedient; provided also, that the said Mayor, Aldermen, and Burgesses shall not hold any Tenement or reserved Fee Farm Rents for a longer Period than Ten Years from the Date of the Conveyance of the Tenements, or in respect of which such Fee Farm Rents are reserved, but the said Mayor, Aldermen, and Burgesses shall and they are hereby required to sell the same Tenements and reserved Fee Farm Rents within such Period in manner herein-before directed.

The Word, "grant" in Conveyances to amount to certain Covenants.

LXIX. And be it further enacted, That in all Conveyances to be made by the said Mayor, Aldermen, and Burgesses under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants to or with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of such Grantees Interest therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Mayor, Aldermen, and Burgesses, for themselves and their Successors, that they the said Mayor, Aldermen, and Burgesses, notwithstanding any Act or Default done by them, were at the Time of the Execution of such Conveyances seised or possessed of the Tenements or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from all Incumbrances done or occasioned by them, and that the Purchaser thereof, his Successors, Heirs, Executors, Administrators, and Assigns, (as the Case shall be,) shall quietly enjoy the same against the said Mayor, Aldermen, and Burgesses, and their Successors, and all claiming under them, and be indemnified and saved harmless by the said Mayor, Aldermen, and Burgesses, and their Successors, from all Incumbrances committed by the said Mayor, Aldermen, and Burgesses, and also for further Assurance, at the Expence of such Grantees respectively, their Successors, Heirs, Executors, Administrators, or Assigns, of such Lands and Premises, by the said Mayor, Aldermen, and Burgesses, or their Successors, and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and all such Grantees, and their several Successors, Heirs, Executors, Administrators, and As-

signs

signs respectively, and according to their respective Quality or Nature, and the Estate or Interest expressed to be conveyed, shall and may, in all Actions to be brought, assign Breach or Breaches of Covenant as they might do in case such Covenants were expressly inserted in such Conveyances.

Power to borrow Money.

LXX. And in order to raise Monies for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Council, and they are hereby empowered, from Time to Time, when and as often as they shall think expedient, to borrow and take up at Interest any Sum of Money they shall judge necessary, not exceeding in the whole the Sum of Fifteen thousand Pounds, upon the Credit of the Borough Rates of the said City and County; and in the event of the same Sum of Money, or any Part thereof, being repaid, to borrow and take up at Interest a Sum of Money equal to the Sum which shall have been so paid off, and so *toties quoties*; and by Writing under the Common Seal of the said Mayor, Aldermen, and Burgesses to assign over the Borough Rates for the said City and County, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payment of the Money so to be borrowed, together with such lawful Interest for the same as the Parties shall agree upon, without any Liability on the Part of the Person lending such Money to inquire whether the same shall be wanting for the Purposes of this Act; and the Charges and Expences of every Assignment to be made by the said Council shall be from Time to Time defrayed by the said Council out of the said Borough Rates; and every such Assignment shall be by Deed duly stamped, in which the Consideration for such Assignment shall be truly stated and specified, and may be in the Words or to the Effect following:

Form of Assignment.

'BY virtue of an Act passed in the Year of the 'Reign of Her Majesty Queen *Victoria*, intituled [*here set forth* '*the Title of this Act*], we, the Mayor, Aldermen, and Burgesses of 'the City of *Bristol*, in consideration of the Sum of 'paid to Treasurer of the said City by *A. B.* 'of for the Purposes of the said Act, do grant and 'assign unto the said *A. B.*, his Executors, Administrators, and 'Assigns, such Proportion of the Borough Rates assessed and to be 'assessed for the said City and County as the said Sum of 'doth or shall bear to the whole Sum which is or shall be borrowed 'on the Credit of the said Rates, to be had and holden from this 'Day until the said Sum of with Interest at '*per Centum per Annum* for the same, shall be fully paid and satisfied. 'In witness whereof we have hereunto set our Common Seal this 'Day of One thousand eight hundred 'and ;'

And that upon Payment of the Money intended to be secured by such Assignment the Treasurer for the Time being of the said City shall give and sign a Receipt for such Money.

Power to transfer Securities.

LXXI. And be it further enacted, That it shall be lawful for the Person entitled to any Security for Money borrowed as aforesaid, or

his Executors, Administrators, or Assigns, by Deed in Writing under his or their Hand and Seal or Hands and Seals, to transfer such Security to any Person whomsoever; which Transfer shall be by Deed duly stamped, in which the Consideration for such Transfer shall be truly stated and specified, and may be in the Words or to the Effect following:

Form of Transfer.

'I being entitled to the Sum of secured to his Executors, Administrators, and 'Assigns, by virtue of an Assignment bearing Date the 'Day of under the Common Seal of the Mayor, Alder- 'men, and Burgesses of the City of *Bristol*, acting in the Execution 'of an Act passed in the Year of the Reign of Queen '*Victoria*, intituled [*here set forth the Title of this Act*], upon the 'Credit of the Borough Rates of the said City and County, do 'hereby transfer all my Right and Title in and to the same Sum, and 'all Interest and other Money due and owing thereon, unto 'his Executors, Administrators, and Assigns. In witness whereof 'I have hereunto set my Hand and Seal the Day 'of One thousand eight hundred and .'

And a Copy of every Security or Assignment which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Town Clerk of the said City and County, or by some Person to be appointed for that Purpose, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall, at all seasonable Times, have Access, and have free Liberty to inspect the same, without Fee or Reward; and for the Entry of any such Transfer the said Mayor, Aldermen, and Burgesses shall be paid, by the Person to whom such Transfer shall be made, the Sum of Five Shillings, and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the same shall be made, and his Executors, Administrators, or Assigns, to the Benefit of the Security thereby transferred; and all Persons to whom such Assignment shall be made, or who shall be entitled to the Monies thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Borough Rates equally one with another, without any Preference in respect of the Priority of advancing such Monies or the Dates of any such Assignments respectively.

Council may borrow Money at a lower Rate to pay off Securities at a higher Rate of Interest.

LXXII. Provided always, and be it further enacted, That in case the said Council shall at any Time borrow any Money for any of the Purposes of this Act at a lower Rate of Interest than any Security which shall be in force shall bear, it shall be lawful for the said Council from Time to Time to charge the said Borough Rates, or any Part thereof, in the Manner aforesaid, with such Sum of Money as they shall think proper, and the Interest thereof, at such lower Rates as aforesaid, to pay off and discharge any Security bearing a higher Rate of Interest, so that the whole Sum to be charged on the said Rates shall not at any One Time exceed the

Sum authorized to be borrowed, raised, and charged thereon by this Act.

Assignments may be redeemed.

LXXIII. And be it further enacted, That every Assignment which shall be made by virtue of this Act shall and may be redeemed by the said Council, at such Time and in such Manner as they shall think fit, Six Calendar Months previous Notice in Writing, under the Hand of the said Town Clerk, or other Person appointed for that Purpose, having been given to the Person entitled to the Sum advanced upon such Assignment, of the Intention of the said Council to redeem the same.

Assignments to be paid off on Notice by the Holder.

LXXIV. And be it further enacted, That if any Person entitled to any Sum advanced upon such Assignment shall be desirous that the same shall be paid off and discharged, and thereof shall give Six Calendar Months Notice in Writing to the Treasurer of the said City and County, it shall be lawful for the said Council and they are hereby required, at the Expiration of such Notice, to pay off and discharge such Sum or Sums of Money, and all Arrears of Interest due thereon, by and out of the Borough Fund or Borough Rate for the said City and County.

Not to mortgage Lands without the Consent of the Lords of the Treasury.

LXXV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable the Mayor, Aldermen, and Burgesses of the said City of *Bristol* to take, appropriate, use, sell, demise, mortgage, or alienate, for the Purposes of this Act, without the Approbation of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, any Messuages, Lands, Tenements, or Hereditaments, except any Messuages, Tenements, or Hereditaments which may be purchased, alienated, or sold under the Provisions of this Act, which they could not have taken, appropriated, used, sold, demised, mortgaged, or alienated without such Approbation before the passing of this Act, any thing in this Act to the contrary notwithstanding.

Prohibition of Nuisance by Persons in the public Streets.

LXXVI. And be it further enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who, within the Limits of the said City and County, shall, in any Road, Street, Way, Lane, or other public Passage or Place, commit any of the following Offences; (that is to say,)

Every Person who shall expose for Show or Sale (except in a Market lawfully appointed for that Purpose), or feed or fodder, any Horse or other Animal, or show any Caravan containing any Animal, or any other Show or public Entertainment, or shoe, bleed, or farry any Horse or Animal (except in Cases of Accident), or clean, dress, exercise, train, or break any Horse or Animal, or clean, make, or repair any Part of any Cart or Carriage, except in Cases of Accident where Repair on the Spot is necessary:

Every Person who shall turn loose any Horse or Cattle, or suffer to be at large any unmuzzled ferocious Dog, or set on or urge any Dog

Dog or other Animal to attack, worry, or put in fear any Person, Horse or other Animal, or permit or suffer any Dog whatsoever to go at large after any public Notice, in Writing, given by any Two Justices of the Peace for the said City and County (and which Notice the Justices are hereby authorized and empowered to give), and affixed on the principal front Doors of the Guildhall and Council House in the said City during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness (and which said Dogs so at large within such Period the said Justices are hereby authorized to order and direct to be destroyed; and it shall be lawful for any Person, in pursuance of such Order, to destroy such Dogs accordingly):

Every Person who, by Negligence or Ill-usage in driving Cattle, shall cause any Mischief to be done by such Cattle, or who shall in anywise misbehave himself in the driving, Care, or Management of such Cattle, and also every Person, not being hired or employed to drive such Cattle, who shall wantonly and unlawfully pelt, drive, or hunt any such Cattle:

Every Person having the Care of any Cart or Carriage who shall ride on any Part thereof, or on the Shafts, or on any Horse or other Animal drawing the same, without having and holding the Reins, or who shall be at such a Distance from such Cart or Carriage as not to have the complete Control over every Horse or other Animal drawing the same:

Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or to the common Danger of the Passengers:

Every Person who shall cause any Cart, public Carriage, Sledge, Truck, or Barrow, with or without Horses, to stand longer than may be necessary for loading or unloading, or for taking up or setting down Passengers, except Hackney Carriages standing for Hire in any Place not forbidden by Law, or who by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Horse or other Animal, shall wilfully interrupt any public Crossing, or wilfully cause any Obstruction:

Every Person who shall lead or ride any Horse or other Animal, or draw or drive any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway or Curbstone, or fasten any Horse or other Animal so that it can stand across or upon any Footway:

Every Person who shall roll or carry any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Showboard, or Placard, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:

Every common Prostitute or Night-walker loitering or being for the Purpose of Prostitution or Solicitation, to the Annoyance of the Inhabitants or Passengers:

Every Person, except the Guards and Postmen belonging to Her Majesty's Post Office in the Performance of their Duty, who shall blow any Horn or Use any other noisy Instrument for the Purpose of calling Persons together, or of announcing any Show or Entertainment, or for the Purpose of hawking, selling, distributing,

tributing, or collecting any Article whatsoever, or of obtaining Money or Alms:

Every Person who shall wantonly discharge any Fire-arm, or throw or discharge any Stone or other Missile, to the Damage or Danger of any Person, or make any Bonfire, or throw or set fire to any Firework:

Every Person who shall fly any Kite, or play at any Game, to the Annoyance of the Inhabitants or Passengers, or who shall make or Use any Slide upon Ice or Snow, to the common Danger of the Passengers:

Every Person who shall burn, dress, or cleanse any Cork, or hoop, cleanse, fire, wash, or scald any Cask or Tub, or hew, saw, or cut any Timber or Stone, or slack, sift, or screen any Lime:

Every Person who shall throw or lay any Coals, Stones, Slates, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials, or Rubbish thereby occasioned, which shall be placed or enclosed so as to prevent any Mischief happening to Passengers):

Every Person who shall beat or shake any Carpet, Rug, or Mat, (except Door Mats before the Hour of Eight in the Morning,) or throw or lay any Dirt, Litter, or Ashes, or any Carrion, Fish, Offal, or Rubbish, or throw or cause any such Thing to fall into any Sewer, Pipe, or Drain, or into any Well, Stream, or Watercourse, Pond, or Reservoir for Water, or cause any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill; but it shall not be deemed an Offence to lay Sand or other Materials in any Thoroughfare in Time of Frost to prevent Accidents, or Litter or other Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things shall cause them to be removed as soon as the Occasion for them shall cease:

Every Person who shall between the Hours of Six in the Morning and Twelve at Night remove any Night Soil, Soap Lees, Ammoniacal Liquor, or other such offensive Matter, or who shall at any Time use for any such Purpose any Cart or Carriage not having a proper Covering, or who shall wilfully or carelessly slop or spill any such offensive Matter in the Removal thereof, or who shall not carefully sweep and clean every Place in which any such offensive Matter shall have been placed, slopped, or spilled; and in default of the Apprehension of the actual Offender the Owner of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender: Provided always, that this Enactment shall not be construed to prevent the Commissioners for paving, pitching, cleansing, and lighting the City of *Bristol*, or any Person acting in their Service or by their Direction, from emptying or removing at any Time the Contents of any Sewer which they are authorized to cleanse or empty:

Every Person who shall expose any thing for Sale upon or so as to hang over any Carriageway or Footway, or on the Outside of any House or Shop, or who shall set up or continue any Pole, Blind, Awning, Line, or any other Projection from any Window, Parapet,

Parapet, or other Part of any House, Shop, or other Building so as to cause any Annoyance or Obstruction:

Every Person who shall leave open any Vault or Cellar, or the Entrance to any Cellar or Room under Ground, without a sufficient Fence or Hand-rail, or leave defective the Door, Window, or other Covering of any Vault or Cellar, or who shall not sufficiently fence any Area, Pit, or Sewer left open in or adjoining to any Road, Street, Way, Lane, or other public Passage or Place, or who shall leave such open Area, Pit, or Sewer without a sufficient Light after Sunset, to warn and prevent Persons from falling thereinto.

Prohibition of other Nuisances.

LXXVII. And be it further enacted, That every Person who, within the said City and County, shall be guilty of any of the following Offences, shall be liable to a Penalty of not more than Forty Shillings for every such Offence; that is to say,

Every Person who, without the Consent of the Owner or Occupier, shall affix any Posting Bill or other Paper against or upon any Building, Wall, Fence, or Pale, or write upon, soil, deface, or mark any such Building, Wall, Fence, or Pale with Chalk or Paint, or in any other Way whatsoever, or wilfully break, destroy, or damage any Part of any such Building, Wall, Fence, or Pale, or any Fixture or Appendage thereunto, or any Tree, Shrub, or Seat in any public Walk, Park, or Garden:

Every Person who shall sell or distribute, or offer for Sale or Distribution, or exhibit to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sing any profane, indecent, or obscene Song or Ballad, or write or draw any indecent or obscene Word, Figure, or Representation, or use any profane, indecent, or obscene Language, to the Annoyance of the Inhabitants or Passengers:

Every Person who shall wilfully and wantonly disturb any Inhabitant by pulling or ringing any Door Bell, or knocking at any Door, without lawful Excuse, or who shall wilfully and unlawfully extinguish the Light of any Lamp.

Not to repeal Local Acts containing Penalties.

LXXVIII. Provided always, and be it further enacted, That nothing herein contained shall be construed to prevent any Person from being indicted for any indictable Offence made punishable on summary Conviction by this Act, or to prevent any Person from being liable under any other Act or Acts to any other or higher Penalty or Punishment than is provided for such Offence by this Act, so nevertheless that no Person be punished twice for the same Offence.

All Monies received to be paid to, and all Monies required to be paid by, the Treasurer of the City.

LXXIX. And be it further enacted, That all Monies collected and received as Rates and Fees or otherwise by the said Surveyors so to be appointed as aforesaid, or by any other Person or Persons under the Powers and Provisions of this Act (unless where the Application thereof shall be otherwise directed), shall, by the Surveyor, Officer, or Person entitled to or appointed or authorized to

to collect or receive the same, be paid to the Treasurer of the said City and County, when and as often as the said Mayor, Aldermen, and Burgesses shall direct; and all Fines and Penalties by this Act imposed, and not directed to be otherwise applied, shall also be paid to the said Treasurer, and such Money, when so paid, shall be by the said Treasurer carried to or in aid of the Borough Fund of the said City and County; and all the Costs, Charges, and Expences incident to or attending the applying for, obtaining, and passing this Act, and all Payments and Compensations hereby directed to be made to any Person or Party for the Value of any Land which they may be deprived of by reason of throwing back Buildings or Premises under the Direction of any Surveyor, as herein-before mentioned, or for any Loss or Damage which may be sustained by them, and all Salaries, Wages, or Allowances fixed and determined by the said Mayor, Aldermen, and Burgesses to be paid to the said Surveyors, Officers, and Persons appointed or employed under or by virtue of this Act, and the Principal and Interest thereon half-yearly of all Monies borrowed on the Credit of the Borough Rates as aforesaid, and all Costs, Charges, Damages, and Expences incurred by or on behalf of the said Mayor, Aldermen, and Burgesses, or by any Surveyor, Officer, or Person appointed by or acting under the Provisions of this Act, for or by reason of Prosecutions for Offences against this Act, or for or by reason of any Action, Suit, or Process which may be had, sued, commenced, or prosecuted against them, or by them, for any Matter or Thing by them legally done in and about the Execution of this Act, and all other Costs, Charges, and Expences incident to the carrying the several Powers and Provisions of this Act into execution (except such Costs, Charges, and Expences as are herein-after enacted to be paid by and out of the Improvement Fund herein-after mentioned), shall be respectively paid by the said Treasurer out of the said Borough Fund of the said City and County, or out of the Monies to be raised by virtue of any Borough Rate or otherwise; provided nevertheless, that all Monies borrowed on the Credit of the Borough Rate, and all Monies advanced out of the Borough Fund for Interest in respect thereof, shall be from Time to Time repaid by and out of the Improvement Fund herein-after mentioned, at such Times and in such Manner as the Council may direct.

Money vested by Mr. Weare to form a Fund for Improvements.

LXXX. And whereas the then Mayor, Burgesses, and Commonalty of the City of *Bristol*, by their Bond or Obligation in Writing bearing Date the Fourth Day of *July* One thousand eight hundred and twenty-nine, became bound unto *William Weare* of the said City of *Bristol*, Esquire, and *Henry Weare* of the Parish of *Clifton* in the County of *Gloucester*, Esquire, in the penal Sum of Twenty thousand Pounds of lawful Money of *Great Britain*, which said Bond, after reciting that the said *William Weare* had on that Day paid to the said Mayor, Burgesses, and Commonalty the Sum of Ten thousand Pounds of lawful Money aforesaid, as the Consideration for the Annuity or Annuities therein secured, was conditioned for the Payment by the said Mayor, Burgesses, and Commonalty, unto the said *William Weare*, of an Annuity of Five hundred

hundred Pounds during his natural Life, and of an Annuity of Five hundred Pounds to the said *Henry Weare* during his natural Life, in case he should survive the said *William Weare*: And whereas by a Deed Poll in Writing, bearing even Date with the said Bond, and made between the said Mayor, Burgesses, and Commonalty and the said *William Weare*, after reciting the said Bond, and that the Inducement to the said *William Weare* to give the said Sum of Ten thousand Pounds as the Consideration of the said Annuity or Annuities was the Hope and Expectation on the Part of the said *William Weare* that the said Mayor, Burgesses, and Commonalty would, after the Decease of the said *William Weare* and *Henry Weare*, or at any Time after the Date of the reciting Deed, if the said Mayor, Burgesses, and Commonalty should think fit, lay out and expend the said Sum of Ten thousand Pounds, and the Interest and Accumulations thereof, in, for, and towards the widening, enlarging, and improving certain Streets and Ways within the said City of *Bristol*, yet nevertheless it was by the said reciting Deed Poll acknowledged and declared by the said *William Weare*, and by the said Mayor, Burgesses, and Commonalty, that no Trust was or was intended to be annexed to or to arise from the said Gift or Advance of the said Sum of Ten thousand Pounds, or any Obligation or Duty to be imposed on the said Mayor, Burgesses, and Commonalty in respect of the said Sum of Ten thousand Pounds, other than and except the Payment of the annual Sums of Five hundred Pounds: And whereas the said *William Weare* and *Henry Weare* have severally departed this Life, and the said Sum of Ten thousand Pounds is now invested in the Purchase of Ten thousand and twenty-five Pounds One Shilling and Three-pence Three and a Half *per Centum* Reduced Annuities, in the Name of the said Mayor, Aldermen, and Burgesses: And whereas it is expedient that Power should be given to the said Mayor, Aldermen, and Burgesses to apply the said Sum in the Three and a Half *per Centum* Reduced Annuities for the Purposes herein-after expressed; be it therefore enacted, That the said Sum of Ten thousand and twenty-five Pounds One Shilling and Three-pence Three and a Half *per Centum* Reduced Annuities shall be sold, and the Dividends thereof henceforth until such Sale to grow due, and the Produce thereof when sold, and the future Interest and Proceeds thereof, and all Monies to be borrowed for the Purposes of this Act, shall form a Fund to be called "The Improvement Fund," and that the same Fund shall be held and applied, and a separate Account thereof shall be kept, by the said Mayor, Aldermen, and Burgesses, and that by and out of the said Fund all the Costs, Charges, and Expences of and incident to the purchasing or selling Lands or Tenements, erecting or taking down Tenements, and forming, widening, and improving Streets and Roads, as herein-before mentioned, (except the Payments and Compensations herein-before directed to be paid out of the Borough Fund,) and also the Monies borrowed on the Credit of the Borough Rates, or advanced out of the Borough Fund, for the Purposes of this Act, and the Interest thereof, shall be from Time to Time paid and borne, and that the Rents and Profits of all Tenements purchased, erected, or built under the Provisions of this Act, until the same shall

shall be so sold as aforesaid, and the Purchase Monies arising therefrom respectively when sold, shall be from Time to Time added to such Fund.

Declaring what shall be good Service of Notice on the Mayor, &c.

LXXXI. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Mayor, Aldermen, and Burgesses, or upon the said Council, in pursuance of this Act, personal Service thereof upon the Mayor, Town Clerk, or Treasurer of the said City and County, or any or either of them, shall be deemed good and sufficient Service of the same respectively on the said Mayor, Aldermen, and Burgesses, or the said Council.

Declaring what shall be good Service of Notice, &c., by the Mayor, &c.

LXXXII. And be it further enacted, That in all Cases in which it may be necessary to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, or otherwise, upon any Person or Corporation, under the Provisions of this Act, Service of such Summons, Demand, Notice, Writ, or other Proceeding respectively, either upon such Person to whom the same ought to be given, or by delivering the same at the last or usual Place of Abode or Business of such Person, or upon the Clerk or principal Officer of such Corporation, or by delivering the same to some Inmate at the House or Office of such Clerk or other Officer, or in case the same respectively shall not be found or known, then Service thereof upon any Agent or other Officer of such Corporation shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be), except in Cases in which any other Mode of Service is by this Act particularly directed: Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Mayor, Aldermen, and Burgesses, or by the said Council, may be signed by the Town Clerk of the said City and County, and need not be under the Common Seal of the said City and County (unless it be otherwise specially directed by this Act), and may be in Writing or in Print, or partly in Writing and partly in Print.

The Mayor, &c. being Justices may act.

LXXXIII. And be it further enacted, That it shall be lawful for any Justice of the Peace in and for the said City and County to act as Justice of the Peace in the Execution of this Act, notwithstanding he may be the Mayor, or an Alderman, or a Councillor or Burgess of the said City and County.

Recovery and Application of Penalties.

LXXXIV. And be it further enacted, That all Offences whatsoever, which, by virtue or under the Authority of this Act, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall in every Case be heard, adjudged, and determined by or before any Two Justices of the Peace for the said City and County in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not, and which shall in every Case be made within Six Calendar Months at furthest

next after the Penalty, Fine, or Forfeiture sought to be recovered shall have been first incurred, and not afterwards, unless otherwise directed by this Act; and upon any such Information or Complaint as aforesaid any Justice of the Peace for the said City and County shall summon the Party accused to appear at a Time and Place to be mentioned in such Summons before any Two Justices of the Peace for the said City and County, who may be then and there present, and any Two Justices of the Peace for the said City and County present at the Time and Place appointed for such Appearance shall examine into the Complaint thereof; and if upon the Confession of the Party accused, or on the Oath of any credible Witness, the Party accused shall be convicted of having committed such Offence, then and in every such Case the Penalty, Fine, or Forfeiture hereby made payable in respect of such Offence, together with the Costs of Conviction, to be ascertained by such Justices, shall be forthwith paid by the Party so convicted as aforesaid; and in case such Party so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided for by this Act) the same shall, by Warrant under the Hands and Seals of any such Justices (which they are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justices, by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus of the Money arising by such Sale (if any) to the Party whose Goods and Chattels shall be distrained; and it shall be lawful for any such Justices to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security, to the Satisfaction of any such Justices, for his Appearance before the said Justices, or before any Two other Justices of the Peace for the said City and County, on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Eight Days from the Time of taking any such Security (and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise); but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had within the said City and County whereupon to levy the said Penalty, Fine, or Forfeiture, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Justices, either upon Confession of the Offender or otherwise, that the Offender hath not sufficient Goods or Chattels within the said City and County whereon such Penalty, Fine, or Forfeiture, and such Costs as aforesaid, can be levied, if such Distress Warrant were issued, such Justices shall not be required to issue the same, and thereupon it shall be lawful for the said Justices, and they are hereby required and empowered, by Warrant under their Hands and Seals, to commit such Offender to the Common Gaol or House of Correction for the said City and County, there to remain without Bail or Mainprize for any Term not exceeding Two Calendar Months, or until such Offender shall have fully paid such Penalty, Fine, or Forfeiture, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justices, or shall otherwise be discharged by due Course of Law.

Form of Conviction.

LXXXV. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following, *mutatis mutandis* (as the Case may be), and altering the same so as to make it applicable to a Conviction before One or Two Justices (as the Case may be), shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case or the Facts or Evidence in any more particular Manner; (that is to say,)

'City and County of *Bristol* to wit.} BE it remembered, That on the Day of in the Year of our Lord , is convicted before us Two of 'Her Majesty's Justices of the Peace for the City and County of '*Bristol*, for that he the said [*here state the Offence, and the Time and Place when and where the same was committed*], 'contrary to the Statute passed in the Year of the Reign of 'Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], for which Offence we the said Justices do adjudge the said 'to have forfeited the Sum of together 'with the Costs of this Conviction, which we do hereby assess at 'the Sum of . Given under our Hands and Seals the 'Day and Year first above written.'

Damages and Charges in case of Dispute to be settled by Justices.

LXXXVI. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered for any Offence in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence, which Justice or Justices is and are hereby authorized and required, on Nonpayment thereof, to order such Damages or Charges to be levied by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

LXXXVII. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture hereby imposed is made recoverable by Information before a Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against, and any Witness the said Justice or Justices may think proper, to appear before him or them, or before any other Justice or Justices of the Peace of the said City and County; and on such Summons it shall be lawful for such Justice or Justices or any other Justice or Justices to hear and determine the Matter of such Complaint, and on Proof of the Offence, and the due Service of the Summons, to convict the Offender, whether he be present or absent, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice or Justices; and all such Proceedings by Summons, without Information, shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing were exhibited.

LXXXVIII. And

Persons paying Rates, &c., may be Witnesses.

LXXXVIII. And be it further enacted, That no Person shall be disqualified from being a competent Witness, or from being admitted to give Evidence in any Action, Information, Prosecution, Appeal, Cause, or Proceeding whatsoever, authorized by or relating to the Execution of this Act, by reason of paying or being charged with or liable to pay the Borough Rate or any other Rate within the said City and County, or being the Mayor or one of the Aldermen or Councillors or Burgesses of the said City and County, or holding any Office under them.

Distress not to be avoided for want of Form.

LXXXIX. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor shall the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in such Distress, or in any Proceeding relating thereto, nor a Trespasser *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person aggrieved by such Irregularity may recover Satisfaction for special Damages in an Action upon the Case.

Proceedings not to be quashed for Want of Form nor removed by Certiorari.

XC. And be it further enacted, That no Order, Verdict, Rule, Judgment, Conviction, or other Proceeding touching or concerning any Offence against this Act shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of Her Majesty's Courts of Record at *Westminster* or elsewhere; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and that there be a good and valid Conviction to sustain the same, any Law or Statute to the contrary thereof in anywise notwithstanding.

Plaintiffs not to recover without Notice, or after Tender of Amends.

XCI. And be it further enacted, That no Plaintiff shall recover in any Action to be commenced against any Person or Party for any thing done in pursuance of this Act if Tender of sufficient Amends shall have been made to him or his Attorney by or on behalf of the Defendant before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Appeal to the General Quarter Sessions.

XCII. Provided always, and be it further enacted, That if any Person shall think himself aggrieved by any Order, Conviction, Judgment, or Determination made, or by any Matter or Thing done, by any Justice or Justices, in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Court at the next General or Quarter Sessions of the Peace to be held for the City, County, or Place wherein the Cause of such Complaint shall arise, such Appellant first giving

giving or causing to be given to such Justice or Justices, by whose Act such Person shall think himself aggrieved, Notice in Writing of his Intention to bring such Appeal, together with a Statement in Writing of the Grounds of such Appeal, within Fourteen Days after such Cause of Complaint shall have arisen, and within Four Days after such Notice entering into a Recognizance before some Justice, with Two sufficient Sureties, conditioned to try such Appeal at, and to abide the Order of, and to pay such Costs as shall be awarded by, the Court at such General or Quarter Sessions; and such Court, upon hearing and finally determining the Matter of such Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever, and shall not be removeable by Certiorari or otherwise into any of Her Majesty's Courts of Record at *Westminster:* Provided nevertheless, that in case there shall not be Time to give such Notice and to enter into such Recognizances as aforesaid before the next Sessions to be holden after such Cause of Complaint shall have arisen, then and in every such Case such Appeal may be made to the next following Sessions, and shall be then heard and determined: Provided also, that it shall not be lawful for the Appellant to be heard in support of such Appeal, unless such Notice and Statement shall have been so given as aforesaid, nor on the Hearing of such Appeal to go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

Providing for Costs of Appeal to be paid to Justice.

XCIII. And be it further enacted, That in every Case where Notice of Appeal against the Judgment of any Justice or Justices in or concerning the Execution of this Act shall have been given, and such Appeal shall have been dismissed, or the Judgment so appealed against shall have been affirmed, or such Appeal shall have been abandoned, it shall be lawful for the Court to whom such Appeal shall have been made or intended to be made, and such Court is hereby required, to adjudge and order that the Party so having appealed, or given Notice of his Intention to appeal, shall pay to the Justice or Justices to whom such Notice shall have been given, or to whomsoever he or they shall appoint, such Sum by way of Costs as shall, in the Opinion of such Court, be sufficient to indemnify such Justice or Justices from all Cost and Charge whatsoever to which such Justice or Justices may have been put in consequence of having had served upon him or them Notice of the Intention of such Party to appeal; and that in every Case in which the Judgment so appealed against shall be reversed, it shall be lawful for such Court, if it shall think fit, to adjudge and order that the Treasurer of the said City and County shall pay to such Justice or Justices, or to whomsoever he or they shall appoint, such Sum as shall, in the Opinion of such Court, be sufficient to indemnify such Justice or Justices from all Costs and Charges whatsoever to which such Justice or Justices may have been so put; and the said Treasurer is hereby authorized to pay the same, which shall be allowed to him in his Accounts.

XCIV. And

Compelling Witnesses to attend.

XCIV. And be it further enacted, That if any Person shall be summoned as a Witness by any Justice or Justices of the Peace for the said City and County, touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a sufficient Excuse being given for such Non-appearance, or appearing, after having been paid or tendered a reasonable Sum of Money for his Costs and Expences (the Amount of such Costs and Expences to be ascertained and determined by the said Justice or Justices), he shall refuse or decline to be examined upon Oath, or upon solemn Affirmation, or to give Evidence touching the Matter in question before such Justice or Justices, then and in every such Case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

General Power to Justices to administer Oaths.

XCV. And be it further enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the solemn Affirmation of any Person before he shall be examined by or before such Justice; and if any Witness who shall be examined by or before any Justice of the Peace under this Act, upon Oath, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he shall be subject to the same Punishment as Persons convicted of Perjury are by Law subject or liable to.

Persons making false Declaration to be guilty of a Misdemeanor.

XCVI. And be it further enacted, That where in this Act a Declaration is directed to be used the same shall be made in the Form prescribed in the Schedule of an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths 'and Affirmations taken and made in various Departments of the 'State, and to substitute Declarations in lieu thereof, and for the 'entire Suppression of voluntary and extra-judicial Oaths and Affi- 'davits;' and to make other Provisions for the Abolition of unnecessary Oaths*, or as near thereto as the Circumstances of the Case will admit, and shall be of the like Force and Effect as if an Affidavit or Affirmation in Writing had been made; and if any Declaration so made shall be false or untrue in any material Particular, the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

Public Act.

XCVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

Parish.	Description of Property.	Owner.	Lessee.	Occupier.
Saint Mary Redcliff in the City and County of Bristol.	House and Shop	The Reverend Martin Richard Whish.	Harriet Gibbs -	James Edmonds.
Ditto -	House and Two Shops.	Ditto - -	Ditto -	James Fuller.
Ditto -	Public House, Yard and Stables.	Ditto - -	Ditto -	Ditto.
Ditto -	Tenement -	Ditto - -	The Representatives of the late John Phillips.	Sarah Gould.
Ditto -	Ditto -	Ditto - -	Ditto -	Thomas Mason.
Ditto -	Ditto -	Ditto - -	Ditto -	Ann Hazell.
Ditto -	Ditto -	Ditto - -	Ditto -	Isaac Clewett.
Ditto -	Ditto -	Ditto - -	Ditto -	Mary Dunn.
Ditto -	Ditto -	Ditto - -	Ditto -	Samuel Parslow.
Ditto -	Ditto and Garden	Ditto - -	Ditto -	William Foxford.
Ditto -	Ditto -	Ditto - -	Ditto -	Michael Moorman.
Ditto -	Ditto -	Ditto - -	Ditto -	John Moorman.
Ditto -	Ditto -	Ditto - -	Ditto -	William Searle.
Ditto -	Ditto -	Ditto - -	Ditto -	William Gosling.
Ditto -	Ditto -	Ditto - -	Ditto -	Edward Rexworthy.
Ditto -	Smith's Shop -	Ditto - -	Ditto -	Francis Fiddes.
Ditto -	Tenement -	Ditto - -	Ditto -	William Claridge.
Ditto -	Ditto -	Ditto - -	Ditto -	William Stuckey.
Ditto -	Ditto -	William Butler -	- - -	Charles Price.
Ditto -	Stable - -	The Mayor, Aldermen, and Burgesses of the City of Bristol, and the Feoffees of Dr. Owen's Lands.	Henry Brigstocke	Void.
Ditto -	Stable and Coach-house.	Ditto - -	Ditto -	John House.
Ditto -	Stable - -	Ditto - -	- - -	Messrs. William Sinnock and Alfred Stiles.
Ditto -	Tenement -	Ditto - -	- - -	William Pascoe.
Ditto -	Ditto -	Ditto - -	Samuel Hopkins	Samuel Hopkins.
Ditto -	Ditto -	Ditto - -	George Corner -	George Harvey.
Ditto -	Ditto -	Ditto - -	John Vaughan -	Cornelius Barden.
Ditto -	House and Shop	John Beadle - -	- - -	John Beadle.
Ditto -	Tenement -	Edward Sampson -	- - -	Sarah Clarke.
Ditto -	Ditto -	George Edward Taylor	- - -	William Badger.
Ditto -	Ditto -	Robert Jarratt -	- - -	William Grimes.
Ditto -	Ditto -	The Trustees of the Will of Henry Wildgoose deceased.	- - -	Michael Withers.
Ditto -	Ditto -	Robert Phippin -	- - -	Luke Matthews.
Ditto -	Ditto -	Ditto - -	- - -	James Gould.

Parish.	Description of Property.	Owner.	Lessee.	Occupier.
Saint Mary Redcliff in the City and County of Bristol.	Tenement -	Ann Tanner -	- - -	Mary Griffiths.
Ditto -	Ditto -	Ditto - -	- - -	Ann Hill.
Ditto -	Ditto -	Ditto - -	- - -	Robert Brend.
Ditto -	Slaughter-house	The Mayor, Aldermen, and Burgesses of the City of Bristol, and the Feoffees of Dr. Owen's Lands.	The Trustees of the Will of Betty Hill deceased.	Robert Hooper.
Ditto -	Tenement and Garden.	The Feoffees of all and singular the Lands, Tenements, and Hereditaments belonging to the Parish of Saint Stephen in the City of Bristol.	Thomas Channon James Andrews, Sub-Lessee.	James Sheppard.
Ditto -	Ditto -	Ditto - -	Ditto -	Edwin Baker.
Ditto -	Ditto -	Ditto - -	Ditto -	Francis Rooks.
Ditto -	Ditto -	Ditto - -	Ditto -	Samuel Hopkins.
Ditto -	Yard, Stables, and Sheds.	Ditto - -	Ditto -	James Andrewes.
Ditto -	Tenement -	Ditto - -	Ditto -	Frederick James Stephens.
Ditto -	Ditto -	Ditto - -	Ditto -	Joseph Hale.
Ditto -	Ditto -	Ditto - -	Ditto -	James Andrews.
Ditto -	Yard, Stables, Smiths Shop, Sheds, &c.	Ditto - -	Ditto -	Ditto.
Ditto -	Tenement -	The Feoffees of Saint Mary Redcliff Church Lands.	Susan Elbury - James Andrews, Sub-Lessee.	William Glanville.
Ditto -	Ditto -	Ditto - -	Ditto -	William Richards.
Ditto -	Ditto -	Ditto - -	Ditto -	Void.
Ditto -	Ditto -	Ditto - -	Ditto -	John Gill.
Ditto -	Ditto -	Ditto - -	Ditto -	John Harris.
Ditto -	Ditto -	Ditto - -	Ditto -	Void.
Ditto -	Garden - -	Ditto - -	Ditto -	James Andrews.
Ditto -	Public House and Garden.	Ditto - -	Elizabeth Baylis	Sarah Topham.
Ditto -	Tenement -	Ditto - -	Robert Cameron	James Cobley.
Ditto -	Ditto -	Ditto - -	Ditto -	Richard Fisher.
Ditto -	Ditto -	Ditto -	Ditto	Henry Price.
Ditto -	Ditto -	Ditto - -	Ditto -	John Critchley.
Ditto -	Ditto -	Ditto - -	Ditto -	John Dudley.
Ditto -	Ditto -	Ditto - -	Ditto -	John Gibbs.
Ditto -	Ditto -	Ditto - -	Ditto -	George Udder
Ditto -	Ditto -	Ditto - -	Ditto -	Mary Hunt.
Ditto -	Garden - -	Ditto - -	Ditto	—
Ditto -	Tenement and Premises.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	- - -	Thomas Holbrook.
Ditto -	Site of Ditch -	The Mayor, Aldermen, and Burgesses of the City of Bristol, and the Feoffees of Alderman Whitson's Charity.	—	—

Parish.	Description of Property.	Owner.	Lessee.	Occupier.
Saint Mary Redcliff in the City and County of Bristol.	Dwelling House	The Mayor, Aldermen, and Burgesses of the City of Bristol, and the Feoffees of Alderman Whitson's Charity.	- - -	Charles Bevan.
Ditto -	Garden - -	Ditto - -	William Jefferies	Ditto.
Ditto -	Yard and Workshops.	Ditto - -	- - -	Ditto.
Ditto -	Counting-house, Yard, and Dwelling House.	James Stallard -	Augustus Bowles	Augustus Bowles and Isaac Delve Noake.
Ditto -	House and Shop	Robert Nation Gillard	- - -	John Drake.
Ditto - -	Ditto -	Ditto - -	- - -	Jesse Champion.
Ditto -	House and Shop	John Frost - -	- - -	John Frost.
Ditto -	Ditto -	John Clarke -	- - -	John Clarke.
Ditto -	Ditto -	Ditto - -	- - -	Henry Edwards.
Ditto -	Ditto -	Catherine Salter -	Thomas Taylor -	Thomas Taylor and John Keats.
Ditto -	Ditto -	James Blannin the elder and John Brown.	- - -	James Blannin the younger.
Ditto -	Ditto -	Jane Lane and Ann Ludford.	- - -	James Fowler.
Ditto -	Ditto -	The Mayor, Aldermen, and Burgesses of the City of Bristol, and the Feoffees of Dr. Owen's Lands.	William Frayne -	William Headford.
Ditto -	Ditto -	Ditto - -	- - -	William Frayne.
Ditto	Ditto -	Ditto - -	Francis Jerrard, James Tregaskes and Mary his Wife, and Edward Jerrard.	William Sampson.
Ditto -	Ditto -	Ditto - -	The Representatives of Benjamin King Palmer deceased, Harriet Richbell, and Mary Richbell.	William Henry Hasell.
Ditto -	Ditto -	Ditto - -	Samuel Lucas -	Ann Prediger.
Ditto -	Ditto -	Ditto - -	William Field -	John George Hughes.
Ditto -	Ditto -	Ditto - -	The Trustees of the Will of Henry Wildgoose deceased.	Thomas Price.
Ditto -	Ditto -	Ditto - -	William Vaughan	William Vaughan.
Ditto -	Ditto -	William Fryer -	- - -	Thomas Clarke.
Ditto -	Ditto -	The Governors of Queen Elizabeth's Hospital in the City of Bristol.	Joseph Brain -	John Reynolds.
Ditto	Warehouse, Counting-house, and Manufactory.	The Mayor, Aldermen, and Burgesses of the City of Bristol, and the Feoffees of Dr. Owen's Lands.	Christopher George	Christopher George and Patent Shot Company.

Parish.	Description of Property.	Owner.	Lessee.	Occupier.
Saint Mary Redcliff in the City and County of Bristol.	Warehouse, Counting-house, and Manufactory.	The Dean and Chapter of Bristol.	Christopher George	Christopher George and Patent Shot Company.
Ditto -	House and Shop	William Williams -	- - -	James Nicholls.
Ditto -	Ditto -	Elizabeth Milsom -	Mary Sargeant -	Mary Sargeant.
Ditto -	Ditto -	Ditto - -	- - -	William Elliott.
Ditto -	Ditto -	The Representatives of Philip Allard Ward deceased.	- - -	Solomon Cooksley.
Ditto -	House - -	John Horton, and the Committee of Mary Durbin Horton, a Lunatic.	- - -	Thomas Fryer.
Ditto -	Part of Steps and Church Path.	The Feoffees of Saint Mary Redcliff Church Lands.	—	—
Saint Michael in the City and County of Bristol.	Brewhouse -	Ann Highman -	- - -	Ann Highman.
Ditto -	Ruinous Tenement and void Ground.	George Strickland -	Benjamin Pilliner	Void.
Saint James in the City and County of Bristol.	Court-yard and Steps in front of Dwelling House.	The Trustees under the Marriage Settlement of William Watson, Esquire, and Wife.	- - -	William Whittington.
Ditto -	Ditto -	Ditto - -	- - -	John Gifford.
Ditto -	Ditto -	Ditto - -	- - -	James Southby.
Ditto -	Ditto -	Ditto - -	- - -	The Committee of the Guardian House.
Ditto -	Ditto -	Ditto - -	- - -	Ditto.
Ditto -	Ditto -	James Green -	- - -	Mary Buckland.
Ditto -	Ditto -	Ditto - -	- - -	Charles Taylor.
Ditto -	Court-yard in front of Dwelling House.	William Brown -	- - -	William Brown.
Ditto -	Ditto -	The Trustees of the Will of William Green deceased and William Pimm.	- - -	William Pimm.
Ditto -	House and Shop	Humphrey Wood Essex.	- - -	James Cannon.
Ditto -	Dwelling House, Court-yard, and Steps in front.	Ditto - -	- - -	Humphrey Wood Essex.
Ditto -	Court-yard in front of Dwelling House.	The Feoffees of the Lands and Hereditaments belonging to the Baptist Church Meeting in Broadmead in the City of Bristol.	Humphrey Wood Essex.	Sophia Parker.
Ditto -	Ditto -	Ditto - -	The Executors of the Will of William Davey deceased, Sarah Davey.	William Hulbert.

Parish.	Description of Property.	Owner.	Lessee.	Occupier.
Saint James in the City and County of Bristol.	Court-yard and Steps in front of Dwelling House.	John Chandler Langdon.	- - -	John Williams.
Ditto -	Ditto -	William Johnson -	- - -	Thomas Walters.
Saint John Baptist in the City and County of Bristol.	Void Ground and Site of late Dwelling Houses.	The Merchant Tailors Company.	Arthur Palmer the elder.	—
		Arthur Palmer the elder.		
		Arthur Palmer the younger.		
		Samuel Birch.		
Ditto - -	Ditto -	The Mayor, Aldermen, and Burgesses of the City of Bristol.	—	—
Saint Leonard in the City and County of Bristol.	House - -	William Emett -	- - -	Henry Brooks.
Ditto -	Ditto -	Thomas Emett and William Emett.	- - -	William Hill.
Ditto -	Ditto -	James Good -	- - -	William Codrington.
Ditto -	Ditto -	The Feoffees of the Lands belonging to the late Church of Saint Leonard in the City of Bristol.	George Strickland	Samuel Broom.
Ditto -	Ditto -	Ditto - -	Ditto -	Henry Revell.
Ditto -	Ditto -	Ditto - -	Ditto -	Thomas James Stewart.
Ditto -	Ditto -	Ditto - -	Ditto -	James Curtis.
Ditto	Ditto -	William Long -	- - -	William Long.
Ditto -	Warehouse -	The Committee of Charles Hill, a Lunatic.	- - -	Sarah Maher.
Ditto -	Ditto -	Ditto - -	- - -	Ann Peacock.
Ditto -	Warehouse and Stable.	Richard Hamlen -	- - -	Richard Hamlen. Timothy Bryant.
Ditto -	House - -	Thomas Fuidge -	- - -	Joseph Coveney.
Ditto -	Warehouse -	The Feoffees of the Lands belonging to the Parish Church of Christchurch, otherwise the Holy Trinity, in the City of Bristol.	Charles Taylor -	Messrs. Lucas, Coathupe, and Company.
Saint Peter in the City and County of Bristol.	Public House -	John Bland -	- - -	John Bland.
Ditto -	Ditto -	Ditto - -	- - -	Ditto.
Ditto -	Dwelling House and Shop.	Ditto - -	- - -	Thomas Stroud the younger.
The Precincts of the Castle in the City and County of Bristol.	House - -	The Executors of the Will of James Harford deceased.	- - -	Richard Ackland.
Ditto -	Ditto -	Ditto - -	- - -	Ditto.
Ditto -	PublicHouse and Shop.	James Williams -	- - -	William Alden. Lettuce Bedford.

Parish.	Description of Property.	Owner.	Lessee.	Occupier.
The Precincts of the Castle in the City and County of Bristol.	Tenement and Workshop.	David Huston -	- - -	Benjamin Dyer.
Ditto -	Warehouse and Workshop.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	George Gane -	Void.
Ditto -	House and Shop	Ditto - -	Ditto -	John James.
Ditto -	Warehouse -	Ditto - -	Ditto -	The Governor, Deputy Governor, Assistants, and Guardians of the Poor of the City of Bristol.
Ditto -	Shop - - -	Ditto - -	George Edward Taylor and Elizabeth his Wife.	William Rogers.
Ditto -	Tenement -	Ditto - -	Ditto -	William Thomas.
Ditto -	Ditto -	Ditto - -	Ditto -	John Skinner.

THE

THE SECOND SCHEDULE.

CLASS of BUILDING.	Height of Front from Pavement to Top of Cornice and the Extreme Frontage.	THICKNESS OF EXTERNAL WALLS.					
		If of Brickwork, or partly Brickwork and partly Freestone.			If of Rubble-wall Stone, or partly Rubble and partly Free stone, or partly Rubble, partly Brick, and partly Freestone.		
		In Cellar Story to under Side of Ground Story Floor.	In Ground Story to top Side of Joint in Floor above Ground Story.	Above to under Side of Cornice.	In Cellar Story to under Side of Ground Story Floor.	In Ground Story to top Side of Joint in Floor above Ground Story.	Above to under of Cornic
First Class: Every Chapel or Place of Worship, Brewery, Distillery, Manufactory, or Warehouse, of whatever Height or Extent of Frontage.	Above Five Squares, or 500 superficial Feet on Plan.	2½ Bricks Length.	2 Bricks Length.	1½ Brick Length.	2 Feet 4 Inches.	2 Feet -	18 Inch
	Under Five Squares - -	2 Ditto -	1½ Ditto	1½ Ditto	2 Feet -	- -	18 Inch
Every Dwelling House or other Building, including all Fence Walls connected with or adjoining the same.	Exceeding 44 Feet in Height, or 27 Feet in Front.	2 Ditto -	2 Ditto -	1½ Ditto	2 Feet 4 Inches.	2 Feet -	18 Inch
Second Class: Every Dwelling House or other Building, including all Fence Walls connected with or adjoining the same.	Not exceeding 44 Feet in Height, and not exceeding 27 Feet in Front.	2 Ditto -	1½ Ditto	1½ Ditto	2 Feet -	18 Inches	18 Inch
Third Class: Every Dwelling House or other Building, including all Fence Walls connected with or adjoining the same.	Not exceeding 36 Feet in Height, and not exceeding 21 Feet in Front.	1½ Ditto	1½ Ditto	1 Ditto -	1 Foot 10 Inches.	18 Inches	18 Inch
Fourth Class: Every Dwelling House or other Building, including all Fence Walls connected with or adjoining the same.	Not exceeding 32 Feet in Height, and not exceeding 15 Feet in Front.	1½ Ditto	1 Ditto -	1 Ditto -	1 Foot 10 Inches.	18 Inches	18 Inch
Fifth Class:	Not exceeding 14 Feet in Height, and of any Frontage.	Buildings detached not less than 3 Yards from public Streets					

THE SECOND SCHEDULE.

THICKNESS OF PARTY WALLS.								Backs of Flues, and Chimney Backs in Party Walls		Chimney Backs in external Walls.
If of Brickwork, or partly Brickwork and partly Freestone.				If of Rubble-wall Stone, or partly Rubble and partly Freestone, or partly Rubble, partly Brick, and partly Freestone.						
In Cellar Story to under Side of Ground Story Floor.	From Ground Story Floor to the top Side of Joint in Floor next above.	From the Floor last mentioned to under Side of Ceiling of top Story.	From the Ceiling of top Story.	In Cellar Story to under Side of Ground Story Floor.	From the Ground Story to the top Side of Joint in Floor next above.	From the Floor last mentioned to under Side of Ceiling of top Story.	From the Ceiling of top Story.	In the Cellar Story.	In Walls above.	
Bricks Length.	2 Bricks Length.	1½ Brick Length.	To be 18 Inches above the Surface or top Side of the Rafters, or taken at a Right Angle of the last-mentioned Thickness.	2 Feet 4 Inches.	2 Feet -	21 Inches	18 Inches	1½ Brick Length.	1 Brick in Length.	1 Brick in Length.
Bricks	1½ Ditto	1½ Ditto		2 Feet -	21 Inches	18 Ditto	18 Ditto	—	—	—
2½ Ditto	2 Ditto -	2 Ditto -		2 Feet 4 Inches.	2 Feet -	21 Ditto	18 Ditto	1½ Brick Length.	1 Brick in Length.	1 Brick in Length.
2 Ditto -	1½ Ditto	1 Ditto -		2 Feet -	21 Inches	18 Ditto	18 Ditto	1 Ditto	1 Ditto	1 Ditto.
1½ Ditto	1½ Ditto	1 Ditto -		1 Foot 10 Inches.	20 Ditto	18 Ditto	18 Ditto	1 Ditto	1 Ditto	1 Ditto.
1½ Ditto	1 Ditto -	1 Ditto -		1 Foot 10 Inches.	18 Ditto	18 Ditto	18 Ditto	1 Ditto	1 Ditto	1 Ditto.

or not less than 10 Yards from other Buildings, not restricted to any Mode of building.

SECOND SCHEDULE — *continued.*

Offices and detached Buildings, or connected with other Premises only by a Fence Wall, or covered Passage open on one or both Sides, to belong to the Rate of Building the same would belong to if entirely unconnected with other Premises.

Dwelling Houses and other Buildings not exceeding 30 Feet in Height, but exceeding 27 Feet in Front, to be considered as belonging to the Second Rate of Buildings.

All front or external Walls to be carried up 12 Inches above the Gutter or Flat, and of the Thickness described for the same Rates of the Walls of the Rooms beneath the same, and to be coped with Stone.

Wherever the Foundations of any Buildings shall not be upon Rock, every external Wall or Party Wall shall at least have Footings below the Level of the Cellar Floor projecting 10 Inches to the 1st and 2d Classes of Buildings, and 5 Inches to the Remainder on each Side the Wall immediately above it, and all internal Walls shall project $4\frac{1}{2}$ Inches wider than the Wall above it.

Thickness of Side Jambs of Chimneys, $7\frac{1}{2}$ Inches; Thickness of Breastwall, $4\frac{1}{2}$ Inches; Thickness of Brickwork between Flues and between Flues and Chimneys, $4\frac{1}{2}$ Inches.

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