



ANNO QUARTO & QUINTO

# VICTORIÆ REGINÆ.

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## Cap. liii.

An Act for making a Pier in the Parish of *Portbury* in the County of *Somerset*, with Works and Approaches connected therewith.

[21st June 1841.]

**W**HEREAS the River *Avon*, from the City of *Bristol* to the *Bristol Channel*, is navigable during certain Periods only of the Tide, and it is desirable that Means should be afforded of enabling Persons passing between *Bristol* and *South Wales*, the South of *Ireland*, *America*, the *West Indies*, and other Parts of the World, to land and embark at all Times with Ease and Safety: And whereas a Pier or Landing Place at or near *Portbury Wharf* in the Parish and Hundred of *Portbury* in the County of *Somerset*, between the Mouth of the *Avon* and *Portishead Point*, with connecting Roads from *Bristol* and other Parts of the adjacent Country, would not only effectually accomplish the Object described, but would also afford a sheltered floating Accommodation at all Times for Vessels trading with *Bristol*: And whereas, to complete the Roads and Approaches and connecting Roads before mentioned, it is expedient that the Ferry at *Pill* should be improved, and certain Parts of the Highways leading from the *Bristol* and *Pill* Turnpike Road, and from the Ferry at *Pill*, through the Village of *St. George's* otherwise *Easton-in-Gordano*, and from *Wraxhall Hill*, and from *Jackland's Bridge* in *Tickenham*, and from the Village of *Weston-in-Gordano*

[Local.]

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Gordano

*Gordano* respectively, to or towards *Portbury Wharf* aforesaid, in the several Parishes of *Portbury*, *St. George's* otherwise *Easton-in-Gordano*, *Abbot's Leigh*, *Wraxhall*, *Clapton* otherwise *Clapton-in-Gordano*, *Tickenham*, *Weston-in-Gordano*, and *Portishead*, or some or One of them, all in the Hundred of *Portbury* in the said County of *Somerset*, should be widened, diverted, altered, and improved: And whereas the Objects aforesaid cannot be carried into effect without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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 *James Adam Gordon* Esquire, *Philip John Miles* Esquire, *Robert Bright* Esquire, the Mayor of *Bristol* for the Time being, the Master of the Society of Merchant Venturers of the City of *Bristol* for the Time being, *Peter Maze* Esquire, *Thomas Kington Bayly* Esquire, *George Hillhouse* Esquire, *Edward Drew* Esquire, *Frederick Richetts* Esquire, and *Christopher Claxton* Esquire, shall be and they are hereby appointed Commissioners for carrying this Act into execution.

First Commissioners.

Power to appoint additional Commissioners.

II. And be it enacted, That the Commissioners herein named, or the major Part of them, shall, at a Meeting to be holden in pursuance of this Act previously to the Commencement of the Works hereby authorized, elect any Number of Persons, not exceeding Ten in the whole, nor less than Two, to be Commissioners for the Purposes of this Act, together with the Commissioners hereby appointed, and such Commissioners so to be elected, and being qualified according to the Directions of this Act, together with the Commissioners hereby appointed, and their Successors, shall be Commissioners for carrying this Act into execution.

Power to appoint new Commissioners.

III. And be it enacted, That if at any Time any Commissioner herein named for executing this Act, or who shall have been appointed under this Act, shall die, resign, refuse, or become incapable of acting, or shall in any other way be disqualified from acting, in the Trusts hereby reposed in him, then the surviving or continuing Commissioners shall and they are hereby required from Time to Time, at any General or Special Meeting after such Death, Resignation, Refusal, Incapacity, or Disqualification, to appoint such Person to be a Commissioner in the Room of him so dying, resigning, refusing, or becoming so incapacitated or disqualified to act as aforesaid, as the Commissioners shall think fit, which Person so to be appointed shall have all such and the same Powers and Authorities as the Commissioner in whose Room he shall succeed.

Qualification of Commissioners.

IV. And be it enacted, That every Commissioner under this Act shall be seised or possessed or in the Enjoyment of the Rents and Profits of Lands and Hereditaments within the Counties of *Somerset* and *Gloucester*, and County of the City of *Bristol*, or some or one of them, of the annual Value of Fifty Pounds, for an Estate not less than a Life in being, for his own Use, or be possessed of a Personal Estate of not less than Two thousand Pounds beyond what will satisfy all his Debts.

V. And

V. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing a Commissioner. No Bankrupt or Insolvent to be a Commissioner.

VI. And be it enacted, That if at any Time subsequently to the Appointment of any Commissioner he shall accept or continue to hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract, or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant. No Person holding Office or concerned in a Contract to be a Commissioner.

VII. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner. Commissioner not incapable of acting as Justice.

VIII. And be it enacted, That no Person shall be capable of acting as a Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made and signed before one of the Commissioners a Declaration to the Effect following : Declaration by Commissioners.

‘ I *A.B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act of Parliament, intituled [*here insert the Title of the Act*], and also that I am seised and possessed or in the Enjoyment of the Rents and Profits of Lands and Hereditaments within the County or Counties of \_\_\_\_\_ of the annual Value of \_\_\_\_\_ Pounds, for an Estate not less than a Life in being, for my own Use, or am in possession of a Personal Estate of not less than \_\_\_\_\_ Pounds Value beyond what will satisfy all my Debts.’

IX. And be it enacted, That any Person who shall falsely or corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Particular, shall be deemed guilty of a Misdemeanor. False Declaration a Misdemeanor.

X. And be it enacted, That at the Meeting of Commissioners at which any Person shall first attend as one of such Commissioners, such Person shall make and subscribe the Declaration herein required, and it shall be lawful for any Person attending as one of such Commissioners, whether he shall himself have made such Declaration or not, to administer such Declaration. Declaration to be taken at the first Meeting.

XI. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act, or not being duly qualified, or before he shall have made or subscribed such Declaration as afore-said, or after having become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds; and such Penalty may be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same, by Action of Debt or on the Case; and in every Action for the Recovery Penalty for acting as Commissioners not being qualified.

Recovery of such Penalty the Person so sued shall prove that he was qualified, and had made and subscribed the Declaration aforesaid, or he shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of this Act; nevertheless all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previous to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Commis-  
sioners neg-  
lecting to act,

XII. And be it enacted, That if any Commissioner fail to act in the Execution of this Act for One Year such Commissioner shall be deemed to have refused to act, and therefore shall cease to be a Commissioner unless he shall be re-appointed as herein-before mentioned.

First and  
other Meet-  
ings.

XIII. And be it enacted, That the Commissioners for executing this Act shall hold their First General Meeting at the *White Lion* Hotel in the City of *Bristol*, or some other convenient Place within the City of *Bristol* or County of *Somerset*, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution; and a General Meeting of the said Commissioners shall be held on the First *Monday* in *July*, at the Place and between the Hours aforesaid, unless some other Place or Day shall be appointed by the said Commissioners; and it shall be lawful for the Commissioners present at such First or any subsequent Meeting from Time to Time to adjourn such Meeting to the same or any other Place within the said City or County; and if at any such Meeting there shall not be Three Commissioners present within One Hour after the Time appointed for such Meeting, then it shall be lawful for the Commissioners present, or any One Commissioner if only One be present, to adjourn such Meeting to another Day, and if the Meeting shall not be adjourned then it shall be lawful for any Two of the Commissioners or the Clerk to appoint a Meeting to be held at any convenient Place within the said City or County, and not less than Seven Days Notice shall be given of such intended Meeting.

Special  
Meetings.

XIV. And be it enacted, That it shall be lawful for the said Commissioners to hold Special Meetings, and any Two or more of the Commissioners may require a Special Meeting to be held, but no such Meeting shall be held unless Seven Days Notice thereof shall be given.

Quorum of  
Commis-  
sioners.

XV. And be it enacted, That all Powers of this Act may be exercised by any Three or more of the Commissioners present at any Meeting holden in pursuance of this Act, and no Business shall be transacted at any Meeting of the Commissioners unless Three or more Commissioners shall be present at such Meeting.

How Notices  
of Meetings  
are to be  
given.

XVI. And be it enacted, That all Notices of any Meeting to be held under the Authority of this Act shall be in Writing, and shall be delivered or sent by the Post to the usual Place of Abode of each  
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of the Commissioners, and advertised in One or more Newspapers circulated within the said City of *Bristol* or County of *Somerset*, Seven Days at least previous to such Meeting; and every Notice shall specify the Time and Place of meeting, and in case of a Special Meeting shall specify the Object thereof, and no Business shall be transacted at any Special Meetings except such as is stated in the Notice thereof.

XVII. And be it enacted, That at all Meetings of the Commissioners they shall defray their own Expences, except for the Use of the Room in which the Meeting is held. Expences at Meetings.

XVIII. And be it enacted, That it shall be lawful for the said Commissioners at any General Meeting to appoint a Committee, consisting of not more than Five of the Commissioners, for carrying into effect any of the Provisions of this Act, and at any General Meeting to continue, alter, or discontinue such Committee. General Meeting may appoint Committees.

XIX. And be it enacted, That no Business shall be transacted at any Meeting of the Committee unless Two Members of the Committee be present. Quorum of Committees.

XX. And be it enacted, That at every Meeting of the Commissioners or Committee one of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting; and all Questions considered at any such Meeting shall be decided by the Votes of the Majority present; and if there be an equal Division of Votes, the Chairman, in addition to his own Vote as a Commissioner or Member of the Committee, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, that one of the Commissioners having equal Numbers of Votes whose Name would stand first if the Names of the Commissioners present were alphabetically arranged shall be Chairman of such Meeting. Order of Business at Meetings of Commissioners and Committees.

XXI. And be it enacted, That no Resolution or other Act of any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be called expressly for such Alteration or Revocation by Notice given Ten Days at least previous to the holding thereof, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Number of the Commissioners present at such subsequent Meeting be not greater than the Number present when such Resolution was made or such Act was done, or if the Number of Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting, then by a simple Majority. No Resolution of Commissioners to be revoked at a subsequent Meeting, unless under certain Circumstances.

XXII. And be it enacted, That it shall be lawful for the Commissioners to enter into Contracts with any Persons for the Execution of any Works directed or authorized by this Act to be done by the said Commissioners, and for furnishing any Materials for the same, For what Contracts may be made.

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or which may be required by the Commissioners; and every such Contract shall be in Writing, and shall specify the Works to be done and the Materials to be furnished, and a Copy thereof shall be entered into a Book to be kept by the Clerk of the Commissioners for that Purpose.

Contracts how to be signed.

XXIII. And be it enacted, That every such Contract shall be signed by any Three of the Commissioners and the other Parties thereto; and such Contracts shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs recovered, by or against the Commissioners, or the other Parties failing in the Execution thereof.

Materials for Works contracted for to be considered the Property of the Commissioners.

XXIV. And be it enacted, That during the Execution of any such Contract the Works in course of being done under such Contracts, and all the Materials, of every Description, brought upon or near such Works for the Purpose of being used in the Execution of such Contracts, shall, for the Purpose of protecting the same from Injury by Indictment as herein-after mentioned, be held to be the Property of such Commissioners.

Indictments how to be preferred.

XXV. And be it enacted, That it shall be lawful for the Commissioners, by their Clerk, to prefer any Bill of Indictment against any Person who shall steal, take or carry away, deface or injure, any Property, Article, or Thing belonging to the said Commissioners; and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Bill of Indictment shall be preferred to be the Property of the Commissioners for executing this Act, without naming the Members thereof.

Commissioners not to be personally liable.

XXVI. And be it enacted, That nothing in any Deed or Contract by this Act authorized to be made by or on the Behalf of the Commissioners for any of the Purposes of this Act shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Instrument; but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit in consequence of any such Instrument, or which any such Commissioner shall otherwise be put to by virtue of this Act, shall respectively be discharged out of the Monies to arise by virtue of this Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect or Default on the Part of the Commissioner incurring the same, or unless such Action or Suit have been defended without the Order or Direction of the Commissioners.

Liability of their Funds.

Actions or Suits to be brought in the Name of any Two Commissioners or their Clerk.

XXVII. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this Act to be brought by or against the Commissioners it shall be sufficient to state the Names of any Two of the Commissioners, or the Name of their Clerk, as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit; and no such Action shall

abate or be discontinued by the Death of any such Commissioner, or by the Death, Suspension, or Removal of such Clerk.

XXVIII. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office. Executions against Goods of Commissioners.

XXIX. And be it enacted, That every such Commissioner or Clerk in whose Name any such legal Proceedings shall be carried on, either as Plaintiff or Defendant, on behalf of the Commissioners, shall be reimbursed, out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office, all Damages, Costs, Charges, and Expences to which any such Commissioner or Clerk may be put, or with which he may become chargeable, by reason of being so made Plaintiff or Defendant; and no such Commissioner or Clerk shall be personally liable for the Payment of the same unless such Action or Suit have arisen in consequence of his own wilful Neglect or Default, or unless, if such Action have been brought by the Clerk or Two Commissioners or more, as aforesaid, it have been so brought without the Order or Direction of the Commissioners. Indemnity to Commissioners and Clerk.

XXX. And be it enacted, That the said Commissioners shall from Time to Time appoint a Treasurer and Clerk, Collector, and such other Officers as they shall think fit, with such Salaries and Allowances as they think reasonable, and may remove such Clerk, Treasurer, Collector, and Officers, and appoint others in their Stead. Commissioners to appoint Treasurer and other Officers.

XXXI. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer, and that neither the Person who shall be the Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,) Offices of Clerk and Treasurer to be separate.

If any Person accept both the Office of Clerk and Treasurer;

If any Person being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer, as the Case may be:

And any Person may sue for such Penalty, either by Action of Debt or on the Case, in any of Her Majesty's Superior Courts of Record at *Westminster*, and shall, on Recovery thereof, be entitled to full Costs of Suit. Penalty.

XXXII. And

Officer taking  
Fees to lose  
his Office.

XXXII. And be it enacted, That if any such Treasurer, Clerk, Collector, or other Officer employed by the Commissioners, exact, take, or accept, on account of any thing done by virtue of his Office, or in relation to the Functions of the Commissioners, any Fee or Reward whatsoever, other than the Salaries, Rewards, or Allowances allowed by the Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, he shall be incapable of being afterwards employed by the Commissioners, and he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid.

Penalty.

Commissioners to take  
Security from  
all Officers  
intrusted  
with Money.

XXXIII. And be it enacted, That the Commissioners shall take from their Treasurer, and also from all other Officers in their Employ intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying, as the Commissioners shall from Time to Time require, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing from Time to Time, when required by the Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received or collected.

Officers to  
account.

XXXIV. And be it enacted, That every Officer appointed or employed by the Commissioners by virtue of this Act shall from Time to Time, when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Commissioners; and such Account shall state how, and to whom, and for what Purpose such Monies have been disposed of; and, together with such Account, such Officers shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy  
against  
Officers fail-  
ing to  
account.

XXXV. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if, for Three Days after being thereunto required, he shall fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to any Justice acting within the Jurisdiction where such Officer may be found, such Justice shall, by Warrant under his Hand and Seal, cause such Officer to be brought before him, or if such Officer cannot be found, then in his Absence such Justice may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it  
appear,



appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justice may order such Officer to pay the same forthwith; and if he shall fail to pay the Amount it shall be lawful for such Justice to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain, without Bail, for any Time not exceeding Three Calendar Months; and in any of the following Cases; (that is to say,) if such Officer do not appear before such Justice at the Time appointed; or if such Officer appear, but fail to make out such Account in Writing; or if such Officer refuse to produce and deliver to the Justice the several Vouchers and Receipts relating to such Account in his Possession or Power; or if such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of the Act, or belonging to the Commissioners, in his Possession or Power, such Justice may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power.

XXXVI. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against any Surety of such Officers. Commitment not to discharge Sureties.

XXXVII. And be it enacted, That the Commissioners shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor on the Rates by this Act authorized to be collected, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Commissioners and Creditors, at seasonable Times, to take Copies of or Extracts from the said Book, without paying any thing for the same; and if, on Request for that Purpose, the Clerk shall fail to permit any of the Commissioners or Creditors aforesaid to inspect such Book, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds. Books of Account to be kept, and to be open to Inspection.

XXXVIII. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at the first Ordinary Meeting of the Commissioners which shall take place in *July* in every Year, or at some Adjournment thereof, at which Meeting it shall be lawful for all Persons interested to be present; and such Accounts shall be examined and settled by the Accounts to be examined and settled at the annual Meeting;

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Commissioners,

to be final,  
unless ap-  
pealed from.

Commissioners, and if the same shall be found just and true they shall be allowed by the Commissioners, and certified accordingly under the Hand of the Chairman of such Meeting; and after such Account shall have been so allowed and signed, the same shall be final in regard to all Persons whomsoever, unless an Appeal be prosecuted against such Accounts at one of the Two then next General Quarter Sessions of the Peace for the County of *Somerset*, which Appeal it shall be lawful for any Person interested in such Account to institute and prosecute, Notice in Writing of such Appeal having been given to the Clerk of the Commissioners Fourteen Days at least before the Hearing of any such Appeal.

Statement of  
Accounts to  
be prepared  
Ten Days  
previous,  
and to be  
open for  
Inspection.

XXXIX. Provided always, and be it enacted, That Ten Days at the least previously to such Examination and Settlement as aforesaid the Commissioners shall cause a full and true Statement and Account to be drawn out of all Rates levied, and of all Contracts entered into, and of all Monies received and expended, by virtue of this Act, during the preceding Year, and also of all Debts then owing by the Commissioners, and they shall allow such Statement and Account to remain for Inspection at the Office of the Commissioners; and every Creditor on the Rates by this Act authorized to be collected, or any Person acting on behalf of any such Creditor, may at all reasonable Times inspect such Statement and Account; and the Clerk shall, on Demand, furnish a Copy of the said Statement and Account, or any Part thereof, to every such Creditor, upon being paid at the Rate of Sixpence for every One hundred Words, and so in proportion for a less Number of Words; and Fourteen Days at the least previously to the Meeting for examining and settling such Accounts the Commissioners shall give public Notice of such intended Meeting, stating in such Notice that the said Statement and Account are at the Office of the Commissioners ready for the Inspection of the Creditors.

Annual Ac-  
count to be  
prepared,  
and a Copy  
thereof  
transmitted  
to the Clerk  
of the Peace.

XL. And be it enacted, That the Commissioners shall every Year cause an annual Account in Abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending the First Day of *December*, or some other convenient Day, in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited, and certified by the Clerk for the Time being of the said Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the City and County of *Bristol* on or before the First Day of *January* then next, which Accounts shall be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Power to  
borrow on  
Mortgage.

XLI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest, on the Credit of the several Rates by this Act granted, and other Property vested

in such Commissioners, any Sum of Money which shall not exceed the Sum of One hundred thousand Pounds, and, in the event of any Part of such Sum of Money being repaid by the Commissioners, to re-borrow the same (subject to the Regulations herein-after contained), and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of One hundred thousand Pounds in the whole at any One Time; and, for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Three of them, may assign over the said Rates and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustees, as a Security for the Repayment of the Money so to be borrowed, together with Interest for the same.

XLII. And be it enacted, That every such Assignment or Mortgage shall be by Deed duly stamped, in which the Consideration shall be duly stated; and every such Deed shall be under the Hands and Seals of Three of the Commissioners, and may be according to the Form in Schedule (A.) to this Act annexed, or to the like Effect. Form of Mortgage.

XLIII. And be it enacted, That all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Assignments respectively. Mortgages to be without Preference.

XLIV. And be it enacted, That the Expences of every Assignment or Mortgage shall from Time to Time be defrayed by the Commissioners out of the Money raised by the same. Expences of Mortgages.

XLV. And be it enacted, That a Register of such Mortgages or Assignments shall be kept by the Clerk to the Commissioners; and within Fourteen Days after the Date of any such Mortgage or Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward. Register of Mortgages to be kept, and to be open to Inspection.

XLVI. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Assignment may transfer his Right and Interest therein to any other Person, by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (B.) to this Act annexed, or to the like Effect. Assignment of Mortgages.

XLVII. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made, in the same Manner as in the Case of Register of Transfers to be kept.

of the original Mortgage or Assignment, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment in all respects; and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage or Assignment so transferred, or any Money thereby secured.

Interest on  
Mortgages to  
be paid half-  
yearly.

XLVIII. And be it enacted, That, unless otherwise provided for by any Mortgage or Assignment, the Interest of the Money borrowed upon every such Mortgage or Assignment shall be paid half-yearly to the several Parties entitled thereto.

Power to  
take up  
Money at a  
less Rate of  
Interest.

XLIX. And be it enacted, That if the Commissioners can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Securities given by them, and which shall then be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper, at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates, Tolls, and Duties, or other Funds or Property payable under this Act, or any Part thereof, with Payment of such Sum and such lower Rate of Interest, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Mortgage.

Mode of  
paying off  
Mortgages.

L. And in order that no undue Preference may be given in paying off any such Mortgages or Assignments, be it enacted, That when and as often as the Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more out of the Number of such Mortgages upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgage, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in similar Form, and put into a Box, and the Clerk to the Commissioners shall, in the Presence of Three or more of the Commissioners, draw separately out of the said Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn, or the Part of the Money due thereon so proposed to be paid off, shall accordingly be paid off by the Commissioners; and after every such Ballot the Commissioners shall cause a Notice, signed by their Clerk, to be given to the Person entitled to the Money to be paid off pursuant to such Ballot, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice, and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid, on Demand, pursuant to such Notice; but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be payable on Demand.

LI. And

LI. And be it enacted, That all the Money which shall be raised on the Credit of the Rates hereby authorized to be levied shall be applied, in the first place, in paying the Expences of obtaining and passing this Act, or preparatory or incident thereto, and afterwards in making the said Pier, Works, and Approaches, and connecting Roads as are hereby authorized or as the Commissioners shall direct to be made.

Application of Monies to be borrowed.

LII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business and the Business of their Committees, and for the Government of the Officers, Servants, or other Persons in their Employ, as they shall think fit, and to repeal or alter any such Bye Laws as they shall think fit, so as no such Bye Law be contrary to the Laws of *England*, or the Provisions of this Act, and so as the same be reduced into Writing, and signed by Three or more of the Commissioners.

Commissioners may make Bye Laws to govern themselves and Servants.

LIII. And be it enacted, That it shall be lawful for the Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon their Officers and Servants or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to order the Whole or a Part only of such Penalty to be paid.

Fines for Breach of such Bye Laws.

LIV. And be it enacted, That any Summons, Notice, or Writ, or other Proceeding, at Law or in Equity, requiring to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the Commissioners, or to some Inmate at his usual Place of Abode, or by leaving the same at the Office of the Commissioners, or in case there be no Clerk, or his Place of Abode shall be unknown, then by delivering the same to any One Commissioner, or to some Inmate of the Place of Abode of any such Commissioner.

Service of Notices on Commissioners.

LV. And be it enacted, That every Summons, Demand, or Notice, or other such Document, under this Act, may be in Writing or Print, or partly in Writing or Print; and if the same require Authentication by the Commissioners, the Signature thereof by One Commissioner, or by the Clerk of the Commissioners, shall be a sufficient Authentication.

Authentication of Notices.

LVI. And be it enacted, That in all legal Proceedings under this Act it shall be lawful for any Three or more of the Commissioners, by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same.

Releases to Witnesses.

[Local.]

11 G

LVII. And

Tender of  
Amends.

LVII. And with respect to Actions brought in respect of any Proceeding under the Provisions of this Act, be it enacted, That if, before an Action be brought, any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, make sufficient Tender of Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Power to  
purchase  
Lands.

LVIII. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Commissioners to agree with the Owners of the Lands which they are hereby authorized to enter into and take for the Purposes of the Pier, Approaches, and connecting Roads, for the absolute Purchase, for a Consideration in Money, of any such Lands, or such Parts thereof as they shall think proper, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all other Estates or Interests in such Lands, of what Kind soever, and also to agree for the Purchase of the Interest of the Lessees in the Ferry at *Pill*.

Parties under  
Disability  
enabled to  
sell and  
convey.

LIX. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed of, or entitled to any such Lands, or any such Estate or Interest therein as aforesaid, to sell and dispose and convey or release the same to the Commissioners, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Married Women seised in their own Right, or entitled to Dower, Guardians, Committees or Lunatics and Idiots, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, and Administrators; and the Power so to sell and convey as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, and also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and as to such Married Women as if they were sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees, Executors, and Administrators, on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femmes Covert, or other Persons, and that to the same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

LX. And

LX. And be it enacted, That the Power herein-after given to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent, Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of or convey and release Lands to the Commissioners.

Parties under Disability to exercise other Powers.

LXI. And be it enacted, That, except as herein-after mentioned, the Consideration to be paid for the Purchase of any such Lands, or for any Damage done thereto, shall be in a gross Sum.

Consideration to be a gross Sum.

LXII. And be it enacted, That the Owners of any such Lands, or of any such Estate or Interest therein as aforesaid, and all Parties by this Act enabled to convey any such Lands, may agree to accept, and, subject to the Restrictions in this Act contained as to the Payment thereof, may accept, Satisfaction for the Value of such Lands, or any Interest therein to which such Party shall be entitled; and in addition to Compensation for the Value of such Lands, or of the Interest therein to be so conveyed, such Parties shall be entitled to and may in like Manner accept Compensation for any Damage by them sustained by reason of the severing or dividing of such Lands, or otherwise owing to the Exercise of the Powers of this Act.

Acceptance of Compensation for Price of or Damage to Lands.

LXIII. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey, except under the Provisions in this Act contained, and the Compensation Money to be paid for any permanent Damage or Injury to any such Lands, be it enacted, That such Consideration Money or Compensation shall not, except where the same shall have been determined by the Verdict of a Jury under the Provision herein-after contained, be less than shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the Commissioners, and the other by the other Party, and if such Two Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not, then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

LXIV. And with respect to the Compensation Money to be paid for any Lands to be purchased from any Party who, by reason of Absence, or from any other Incapacity or Accident, is prevented from treating, or cannot be found, and the Compensation Money to be paid for any permanent Injury to such Lands, be it enacted, That such Consideration or Compensation shall not be less than shall be determined by the Valuation of such able practical Surveyor as Two Justices shall nominate for that Purpose; and such Surveyor shall annex to the Valuation a Declaration of the Correctness thereof.

Compensation to absent Parties to be ascertained by Valuation.

LXV. And be it enacted, That if any Person seised in Fee of, or entitled to dispose of absolutely for his own Benefit, any Lands authorized to be purchased for the Purposes of this Act, shall be willing

Purchase of Lands on Chief Rents.

willing to sell such Lands for a perpetual annual Rent-charge in lieu of a Sum in gross, such Person may lawfully sell and convey such Lands, or any Part thereof, unto the Commissioners, in consideration of an annual Rent-charge payable by the Commissioners to the Person so selling and conveying, and to his Heirs and Assigns.

Payment of  
Rent-charges  
to be charged  
on the Rates.

LXVI. And be it enacted, That the yearly Rent-charges reserved by any such Conveyance shall be charged on the Rates payable under this Act, and shall be paid by the Commissioners as such Rents become payable; and if at any Time any such Rents be not paid within Thirty Days after they so become payable, and after Demand thereof in Writing, the Person to whom any such Rent shall be payable may either recover the same from the Commissioners, with Costs of Suit, by Action of Debt in any of the Superior Courts; or it shall be lawful for him to levy the same by Distress of the Goods and Chattels of the Commissioners.

Form of  
Conveyances.

LXVII. And be it enacted, That all Conveyances so to be purchased as aforesaid may be according to the Form in the Schedules (C.) and (D.) respectively to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be effectual to vest the Lands thereby conveyed in the Commissioners, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and to destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Lands comprised in such Conveyances as shall have been purchased or compensated for by the Consideration therein mentioned, but although Terms of Years be thereby merged they shall in Equity afford the same Protection as if they had been kept on foot and assigned to a Trustee for the Commissioners to attend the Reversion and Inheritance.

Cost of  
Conveyances.

LXVIII. And with respect to the Costs of the Conveyance of any such Lands purchased or taken by the Commissioners, be it enacted, That all such Costs shall be borne by the Commissioners, and such Costs shall include all Charges and Expences incurred, on the Part as well of the Seller as of the Purchaser, of all Conveyances and Assurances of any such Lands, and of any outstanding Terms or Interests therein, and of deducing, evidencing, and verifying the Title to such Lands, Terms, or Interests, and of making out and furnishing such Abstracts and attested Copies as the Commissioners may require, and all other Expences incident to the Investigation, Deduction, and Verification of such Title; and before the Commissioners enter into possession of the Lands so purchased or taken, they shall pay the Amount of such Costs, and if there be any Dispute about the same they shall obtain an Order for the Taxation thereof as herein-after provided; nevertheless, if within Seven Days after Notice in Writing from the Commissioners the Parties from whom such Lands shall have been purchased do not deliver a Bill of their Costs to the Commissioners, then the Commissioners shall not be prevented from entering into the Possession of such Lands by reason of



the Nonpayment of such Costs, or by reason of such Order for Taxation thereof not having been obtained.

LXIX. And be it enacted, That if the Commissioners and the Party entitled to any such Costs shall not agree as to the Amount thereof such Costs shall be ascertained by the Court of Exchequer, and for that Purpose either Party may apply to the Court by Petition, and thereupon the Court shall order such Costs to be referred to one of the Masters, to be taxed in the usual Manner; and upon Proof of such Service the Master shall proceed to tax such Costs accordingly, Notice of such Taxation being given to the other Party; and after the Taxation thereof it shall be lawful for the Court to order the Amount at which the same shall be so taxed, together with the Costs of Taxation, or so much of the same as shall be payable by the Commissioners, to be paid to the Party entitled thereto, and the same shall be paid accordingly; and the Expence of taxing such Costs, and of obtaining the Order referring the same to be taxed, shall be borne by the Commissioners, unless on the Taxation One Sixth Part of the Costs be disallowed, in which Case the Expence shall be borne by the Party from whom the Lands shall have been purchased or taken.

Taxation of  
Costs.

LXX. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Lands, or any Interest therein, which any Corporation, Tenant for Life or for any other partial or qualified Interest, Married Woman seised in her own Right, or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor, or Administrator, or Person under any Disability, shall be entitled to, and shall, under the Powers of this Act, be enabled to convey or dispose of, the same shall, if it amount to or exceed the Sum of Two hundred Pounds, be 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 Commissioners of the *Portbury* Pier and Approaches, pursuant to the Method prescribed by an Act of the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Money 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 Court, and for other Purposes*, and pursuant to the General Orders of the said Court; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,)

Purchase  
Money pay-  
able to Par-  
ties under  
Disability  
amounting  
to 200*l.* to  
be deposited  
in the Bank  
of England.

1 G. 4. c. 35.

Application.

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Land in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of other Lands to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same  
[Local.] 11 H Manner,

Manner, as the Lands in respect of which such Money shall have been paid stood settled; or

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Exchequer shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

Order for Application.

LXXI. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the Court of Exchequer made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold or converted into Money for the Purposes aforesaid, the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands; and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition.

Sums not amounting to 200*l.* but exceeding 20*l.* to be deposited or invested in Trustees.

LXXII. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *England*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees, to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified by Writing under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last-mentioned Application of the Monies shall not be made unless the Commissioners approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under the Hands of any Three or more of them; and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein-before directed with respect to Money paid into the Bank of *England*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

Sums not exceeding 20*l.* to be paid to Parties.

LXXIII. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable, for their own Use and Benefit; or in case of the Coverture, Infancy, Idiocy, Lunacy, or other Incapacity

capacity of any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Person.

LXXIV. And for the Purpose of providing for the Payment and Application, in certain Cases, of the Purchase Money or Compensation to be paid in respect of any such Lands not belonging to Parties under Disability, be it enacted, That in the following Cases, (that is to say,) if the Owner of any such Lands, or of any Interest therein, on Tender of the Purchase Money or Compensation either agreed or awarded to be paid, refuse to accept the same, or if any such Person fail to make out a Title to the Lands in respect whereof such Purchase Money or Compensation shall be payable, or to the Interest therein claimed by him, to the Satisfaction of the Commissioners, or if such Owner be gone out of the Kingdom, or cannot be found, or be not known, or refuse to convey or release such Lands as directed by the Commissioners, it shall be lawful for the Commissioners to deposit the Purchase Money or Compensation payable in respect of such Lands, or any Interest therein, 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 to the Credit of the Parties interested in such Lands, describing them (so far as the Commissioners can do), subject to the Control and Disposition of the said Court; and upon Receipt of such Money the Cashier of such Bank shall give to the Commissioners, or to the Party paying in such Money, a Receipt for such Money, specifying therein for what and for whose Use (described as aforesaid) the same shall have been received, and in respect of what Purchase the same shall have been paid in, and thereupon all the Interest in such Lands in respect whereof such Purchase Money or Compensation shall have been deposited shall vest absolutely in the Commissioners.

Where Parties refuse to convey, or do not show Title, the Purchase Money to be deposited.

LXXV. And be it enacted, That upon the Application by Petition of any Party making claim to the Money so deposited as last aforesaid, or any Part thereof, or to the Land in respect of which such Money shall be paid, or any Interest in the same, the said Court of Exchequer may, in a summary Way, as to such Court shall seem fit, order the same to be laid out or invested in the Public Funds, or may order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim thereunto, and may make such other Order in the Premises as to such Court shall seem fit.

Application of Monies so deposited.

LXXVI. Provided always, and be it enacted, That where any such Purchase Money or Compensation so paid into the Court of Exchequer shall have been paid in respect of any Lease for Lives or Years, or any Estate in Lands less than the whole Fee Simple thereof, or of any Reversion dependent on any such Lease or Estate, it shall be lawful for the Court of Exchequer, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid in such Manner as the said Court may consider will give to the Parties interested in such Money the same

Court of Exchequer may direct Investment or Payment of Money in respect of Leases for Lives, Years, &c. or Reversions.

same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be.

Parties in possession deemed to be the Owner.

LXXVII. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Monies shall have been so paid or deposited as aforesaid, the Parties respectively in possession or receipt of the Rents of such Lands at the Time of such Lands being purchased or taken shall be deemed to have been lawfully entitled to such Lands, until the contrary be shown to the Satisfaction of the Court; and unless the contrary be shown as aforesaid the Parties so in possession, and all Parties claiming under them or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly.

Costs in Cases of Money deposited.

LXXVIII. And with respect to Costs in Cases of Monies deposited in the Bank of *England*, be it enacted, That the Court of Exchequer may in all such Cases, except where Monies shall have been so deposited by reason of the wilful Refusal of any Party entitled thereto to receive the same, or to convey or release the Lands in respect whereof the same shall be payable, order the Costs of the following Matters, including therein all reasonable Charges and Expences incident thereto, to be paid by the Commissioners; (that is to say,) the Costs of the Purchase or of the taking or using of the Lands, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for, and the Costs of the Investment of such Monies in Government or Real Securities, and of the Re-investment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands, and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of the Orders for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Monies shall be invested, and for the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities whereon the same shall be invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants.

Payment of Price to be made previous to Entry, except to Survey, &c.

LXXIX. And be it enacted, That the Commissioners shall not, except by Consent of the Owner and Occupier, enter upon any Lands which shall be required to be purchased or permanently used for the Purposes of this Act until they shall either have paid to every Party having any Interest in such Lands, or deposited in the Bank of *England* in the Manner herein mentioned, the Purchase Money or Compensation agreed or awarded to be paid to such Parties respectively for their respective Interests therein; Provided always, that for the Purpose merely of surveying and taking Levels of such Lands it shall be lawful for the Commissioners to enter upon the same without the previous Consent of the Owners, making Compensation for any Damage thereby occasioned to the Owners or Occupiers of such Lands.

LXXX. And

LXXX. And be it enacted, That if the Commissioners or any of their Contractors shall, except as aforesaid, wilfully enter upon and take possession of any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, without such Consent as aforesaid, or without having made such Payment or Deposit as aforesaid, the Commissioners shall forfeit to the Party in possession of such Lands the Sum of Ten Pounds, over and above the Amount of any Damage done to such Lands by reason of such Entry and taking possession as aforesaid, such Penalty and Damage respectively to be recovered before Two Justices; and if the Commissioners or their Contractors shall, after Conviction in such Penalty as aforesaid, or after Notice from the Party in possession of such Lands, continue in unlawful Possession of any such Lands, the Commissioners shall be liable to forfeit the Sum of Twenty-five Pounds for every Day they or their Contractors shall so remain in possession as aforesaid, such Penalty to be recoverable by the Party in possession of such Lands, with full Costs of Suit, in any of the Superior Courts: Provided always, that nothing herein contained shall be held to subject the Commissioners to the Payment of any such Penalties as aforesaid if they shall *bonâ fide*, and without Collusion, have paid or deposited the Compensation agreed or awarded to be paid in respect of the said Lands to any Person whom the Commissioners may have reasonably believed to be entitled thereto, although such Person may not have been legally entitled thereto.

Penalty on Commissioners entering upon Lands, without Consent, before Payment of the Purchase Money.

LXXXI. And be it enacted, That on the Trial of any Action for any such Penalty as aforesaid the Decision of the Justices under the Provision herein-before contained shall not be held conclusive as to the Right of Entry on any such Lands by the Commissioners.

Decision of Justices not conclusive as to Commissioners Right.

LXXXII. And be it enacted, That when the Commissioners shall require to purchase any of the Lands which by this Act they are authorized to purchase or take, they shall give Notice thereof to all the Parties interested in such Lands, or enabled by this Act to sell and convey or release the same, or such of them as shall be known to the Commissioners, and by such Notice shall demand from such Parties the Particulars of their Estate and Interest in such Lands, and of the Claims made by them in respect thereof; and every such Notice shall be in Writing, and shall state the Particulars of the Lands so required, and shall state the Commissioners are willing to treat for the Purchase of the Interest of such Party in such Lands, and as to the Compensation to be made for the Damage that may be sustained by him by reason of the making of the Works by this Act authorized.

Notice of Intention to take Lands.

LXXXIII. And be it enacted, That if for One Month after the Receipt of such Notice any such Party shall fail to state the Particulars of his Claim in respect of any such Land, or to treat with the Commissioners in respect of his Interest therein, or if such Party and the Commissioners shall differ as to the Amount of the Compensation to be paid to such Party for any such Interest, or for any Damage that may be sustained by him by reason of the Execution

Parties interested in Lands to state their Claims.

of the Act, the Amount of such Compensation shall be settled in the Manner herein-after provided for settling Cases of disputed Compensation.

Proceedings  
in case of Re-  
fusal to de-  
liver Posses-  
sion of Lands.

LXXXIV. And be it enacted, That where, according to the Provisions of this Act, the Commissioners are authorized to enter upon and take possession of any Lands required for the Purposes of the Act, if the Owner or Occupier of any such Lands, or any other Person, refuse to give up the Possession thereof, or hinder the Commissioners from entering upon or taking possession of the same, it shall be lawful for the Commissioners to issue their Precept, under the Hands and Seals of Three or more of them, to the Sheriff, to deliver Possession of the same to the Person appointed in such Precept to receive the same, and upon the Receipt of such Precept the Sheriff shall deliver Possession of any such Lands accordingly; and the Costs accruing by reason of the issuing and Execution of such Precept, to be settled by the Sheriff, shall be paid by the Persons refusing to give Possession, and such Costs, if not paid on Demand, shall be levied by Distress, and the Sheriff shall issue his Warrant accordingly.

Dispute as to  
Compensa-  
tion to be  
settled by a  
Jury.

LXXXV. And for the Purpose of making Provision for settling Cases of disputed Compensation arising under the Act, be it enacted, That if any Difference shall arise, or if no Agreement can be come to, between the Commissioners and the Owners of any Lands, or of any Interest in any such Lands, taken or required for or injuriously affected by the Execution of the Act, (including among such Owners all Parties by this Act enabled to sell or convey Lands,) as to the Value of such Lands, or of any Interest therein, or as to the Compensation to be made in respect thereof, or if, by reason of Absence, any such Owner be prevented from treating, or if any such Owner fail to disclose or prove his Title to any such Lands, or any Interest therein, or if, by reason of any Impediment or Disability, any such Owner be incapable of making any Agreement, Conveyance, or Release necessary for enabling the Commissioners to take such Lands, or to proceed in making the Pier, Approaches, connecting Roads and Works, or if any such Difference arise as to the Amount of the Damages occasioned in exercise of the Powers given by this Act, and for which any Party may be entitled to demand Compensation, according to the Provisions of this Act, the Amount of the Compensation to be paid by the Commissioners in every such Case shall be settled by the Verdict of a Jury in manner herein-after mentioned.

Claims not  
exceeding  
50*l.* to be  
settled by  
Two Justices.

LXXXVI. Provided always, and be it enacted, That if the Compensation claimed in any of the Cases mentioned in the preceding Enactment shall not exceed Fifty Pounds the same shall be settled by Two Justices.

Notice by  
Commission-  
ers of Inten-  
tion to have  
Jury sum-  
moned.

LXXXVII. And be it enacted, That where it shall be necessary to refer any such Question to the Determination of a Jury by reason of any such Difference as aforesaid, then, One Month at the least before issuing their Warrant for summoning a Jury as herein-after provided, the

the Commissioners shall give Notice in Writing to the Party with whom such Difference shall have arisen of their Intention to cause such Jury to be summoned; and in such Notice the Commissioners shall state what Sum of Money they are willing to give such Party for his Interest in such Lands, and for the Damage to be sustained by him by the Execution of the Act.

LXXXVIII. And be it enacted, That if any Party who shall be entitled to any Compensation in respect of any Lands, or of any Interest therein, taken for or injuriously affected by the making of the Pier, Approaches, connecting Roads and Works, shall desire the Amount of such Compensation to be determined by a Jury, it shall be lawful for such Party to give Notice in Writing to the Commissioners of such his Desire, and he shall in such Notice state the Nature of the Interest claimed by him in such Lands, and the Amount of the Compensation claimed by him in respect thereof; unless the Commissioners be willing to pay the Amount of Compensation so claimed, and shall enter into a written Agreement for that Purpose, then, within Twenty-one Days after the Receipt of any such Notice from any Party so entitled, they shall issue their Warrant to the Sheriff to summon a Jury accordingly in the Manner herein mentioned.

Requisition by Party claiming Compensation that Jury be summoned.

LXXXIX. And be it enacted, That in every Case in which any such Question of disputed Compensation shall be required to be determined by the Verdict of a Jury, the Commissioners shall issue their Warrant to the Sheriff, under the Hands and Seals of Three or more of them, requiring him to summon a Jury for that Purpose; and if such Sheriff be interested in the Matter in dispute, by being one of the Commissioners, or otherwise, such Application shall be made to some Coroner of the County in which the Lands in question, or some Part thereof, shall be situate; and if all the Coroners of such County be so interested, such Application may be made to some Person having filled the Office of Sheriff or Coroner in such County, and who shall be then living there, and who shall not be interested in the Matter in dispute; and with respect to the Persons last mentioned, Preference shall be given to one who shall have most recently served either of the said Offices.

Warrant for summoning Jury to be addressed to the Sheriff.

XC. And be it enacted, That throughout the Enactments contained in this Act relating to the Reference to a Jury, where the Term "Sheriff" is used, the Provisions applicable thereto shall be held to apply to every Coroner or other Person lawfully acting in his Place; and in every Case in which any such Warrant shall have been directed to any other Person than the Sheriff, such Sheriff shall, immediately on receiving Notice of the Delivery of the Warrant, deliver over, on Application for that Purpose, to the Person to whom the same shall have been directed, or to any Person appointed by him to receive the same, the Jurors Book and Special Jurors List belonging to the County where the Lands in question shall be situate.

Provisions applicable to Sheriffs to apply to Coroners.

XCI. And

Summoning  
of Jurymen.

XCI. And be it enacted, That upon the Receipt of such Warrant the Sheriff shall summon a Jury of Twenty-four indifferent Persons, duly qualified to act as Common Jurymen in the Superior Courts, to meet at the Time and Place named in the Warrant for that Purpose.

Impannelling  
of Jury.

XCII. And be it enacted, That out of the Jurors appearing upon such Summons a Jury of Twelve Persons shall be drawn by the Sheriff in such Manner as Juries for Trials of Issues joined in the Superior Courts are by Law required to be drawn; and if a sufficient Number of Jurymen do not appear in obedience to such Summons the Sheriff shall return other indifferent Men, duly qualified as aforesaid, of the By-standers or others that can speedily be procured, to make up the Jury to the Number aforesaid; and all Parties concerned may have their lawful Challenges against any of the Jurymen, but no such Party shall challenge the Array.

Notice of  
Inquiry.

XCIII. And be it enacted, That Fourteen Days Notice of the Time and Place of the Inquiry shall be given in Writing by the Commissioners to the other Party.

Sheriff to  
preside.

XCIV. And be it enacted, That the Sheriff shall preside on the said Inquiry, and the Party claiming Compensation shall be deemed the Plaintiff, and shall have all such Rights and Privileges as the Plaintiff is entitled to in the Trial of Actions at Law; and if either Party so request in Writing the Sheriff shall summon before him any Person considered necessary to be examined as a Witness touching the Matters in question; and on the like Request the Sheriff shall order the Jury, or any Six or more of them, to view the Place or Matter in controversy, in like Manner as Views may be had in the Trial of Actions in the Superior Courts.

Witnesses to  
be sum-  
moned.

Oath of Jury-  
men.

XCV. And be it enacted, That before the Jury proceed to inquire of and assess the Compensation or Damage in respect of which their Verdict is to be given, they shall make Oath that they will truly and faithfully inquire of and assess such Compensation or Damage; and the Sheriff shall administer such Oaths, as well as the Oaths of Persons called upon to give Evidence.

Verdict of  
Jury to be for  
Purchase of  
Lands and for  
Damage as-  
sessed sepa-  
rately

XCVI. And be it enacted, That such Jury shall deliver their Verdict for the Sum of Money to be paid for the Purchase of the Lands required for the Pier, Approaches, connecting Roads and Works, or of any Interest therein, belonging to the Party with whom such Questions of disputed Compensation shall so have arisen, and also the Sum of Money to be paid for the Injury done to the Lands of any such Party by the Severance from such Lands of the Lands required by the Commissioners, and also the Sum of Money to be paid by way of Compensation for the Damage occasioned to any such Lands by the Execution of the Works, whether it be for Damage sustained before the Time of the Inquiry, or for future Damage, either temporary or permanent, or for any recurring Damage of which the Cause is then only in part obviated, and which cannot or will not be further obviated by the Commissioners; and the Sums of Money to be



be paid for the Injury done by any such Severance as aforesaid, or by way of Compensation for any such Damage as aforesaid, shall in every Case be assessed separately from the Value of the Lands, or the Sum to be paid for the Purchase thereof, or of any Interest therein.

XCVII. And be it enacted, That in assessing the Sum of Money to be paid for the Purchase of any such Lands the Value of any Interest in such Lands as shall have been heretofore rightfully purchased by the Commissioners shall be first deducted, Value of Interests previously purchased to be deducted.

XCVIII. And be it enacted, That the Sheriff before whom such Inquiry shall be held shall give Judgment for the Purchase Money or Compensation assessed by such Jury; and the said Verdict and Judgment shall be signed by the Sheriff, and, being so signed, shall be kept by the Clerk of the Peace among the Records of the Quarter Sessions of the County in which the Lands, or any Part thereof, shall be situate in respect of which such Purchase Money or Compensation shall have been awarded; and such Verdicts and Judgments shall be deemed Records, and the same, or true Copies thereof, shall be good Evidence in all Courts and elsewhere; and all Persons may inspect the said Verdicts and Judgments, and may have Copies thereof or Extracts therefrom, on paying for each Inspection thereof One Shilling, and for every One hundred Words copied or extracted therefrom Sixpence, Verdict and Judgment to be recorded.

XCIX. And be it enacted, That on every such Inquiry before a Jury, where the Verdict of the Jury shall be given for the same or a greater Sum than the Sum previously offered by the Commissioners, all the Costs of such Inquiry shall be borne by the Commissioners; but if the Verdict of the Jury be given for a less Sum than the Sum previously offered by the Commissioners, one Half of the Costs shall be defrayed by the Owner of the Lands, and one other Half by the Commissioners: Provided always, that in every Case where, by reason of Absence in Foreign Parts, or of any Disability, the Owner of the Land shall have been prevented from treating with the Commissioners, all the Costs shall be borne by the Commissioners, Costs of the Inquiry.

C. And be it enacted, That such Costs shall be settled by the Sheriff, and such Costs shall include all reasonable Costs, Charges, and Expences incurred in summoning, impannelling, and returning the Jury, taking the Inquiry, the Attendance of Witnesses, the Employment of Counsel, recording the Verdict, and Judgment thereon, and otherwise incident to such Inquiry, and also the Expences of the Bond, if any, given by the Party at whose Instance the Inquiry shall have been taken, for prosecuting his Claim and securing the Costs of such Inquiry; and with respect to any such Costs payable by the Commissioners, if within Seven Days after Demand such Costs be not paid to the Party entitled to receive the same, the same shall be recoverable by Distress, and on Application to any Justice he shall give his Warrant accordingly; and with respect to any such Costs payable by the Owner of the Lands, or of any Interest therein, the same may be deducted out of any Money awarded by the Jury to Particulars of the Costs.

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be paid to such Owner as so much Money advanced for his Use, and the Payment of the Remainder of such Money shall be a good Payment and Satisfaction of the whole thereof.

Penalty on Sheriff or Jury for Default.

CI. And be it enacted, That if the Sheriff make default in any of the Matters herein-before required to be done by him in relation to any such Trial or Inquiry, he shall forfeit Fifty Pounds for every such Offence; and if any Person summoned and returned upon any Jury under this Act, whether common or special, do not appear, or appear but refuse to make Oath, or in any other Manner unlawfully neglect his Duty, he shall, unless he show reasonable Excuse to the Satisfaction of the Sheriff, forfeit a Sum not exceeding Ten Pounds; and every such Penalty payable by a Sheriff or Jurymen shall be applied in satisfaction of the Costs of the Inquiry so far as the same will extend; and, in addition to the Penalty hereby imposed, every such Jurymen shall be subject to the same Regulations, Pains, and Penalties as if such Jury had been returned for the Trial of any Issue joined in any of the Superior Courts.

Penalty on Witnesses making Default.

CII. And be it enacted, That if any Person duly summoned to give Evidence upon any such Inquiry, and to whom a Tender of his reasonable Expences shall have been made, fail to appear at the Time and Place specified in the Summons, without sufficient Cause, or if any Person, whether summoned or not, who shall appear as a Witness, refuse to be examined on Oath touching the Subject Matter in question, every Person so offending shall forfeit a Sum not exceeding Ten Pounds.

Special Jury to be summoned at the Request of either Party.

CIII. And be it enacted, That if either Party desire any such Question of disputed Compensation as aforesaid to be tried before a Special Jury, and before the Commissioners have issued their Warrant to the Sheriff give Notice in Writing of such Desire, such Question shall be so tried; and for that Purpose the Commissioners shall, by their Warrant to the Sheriff, require him to nominate a Special Jury for such Trial; and thereupon the Sheriff shall, as soon as conveniently may be after the Receipt by him of such Warrant, summon both the Parties to appear before him, by themselves or their Attornies, at some convenient Time and Place (not being less than Five Days from the Service of such Summons) appointed by him, for the Purpose of nominating a Special Jury; and at the Place and Time so appointed the Sheriff shall proceed to nominate and strike a Special Jury, in the Manner in which such Juries shall be required by the Laws for the Time being in force to be nominated or struck by the proper Officers of the Superior Courts; and the Sheriff shall appoint a Day for the Parties or their Agents to appear before him to reduce the Number of such Jury, and thereof shall give Four Days Notice to the Parties, and on the Day so appointed the Sheriff shall proceed to reduce the said Special Jury to the Number of Twenty, in the Manner used and accustomed by the proper Officers of the Superior Courts.

Deficiency of Jurymen.

CIV. And be it enacted, That the Special Jury on such Inquiry shall consist of Twelve of the said Twenty who shall first appear on  
the

the Names being called over, the Parties having their lawful Challenges against any of the said Jurymen; and if a full Jury do not appear, or if after such Challenges a full Jury do not remain, then, upon the Application of either Party, the Sheriff shall add to the List of such Jury the Names of any other disinterested Persons qualified to act as Special or Common Jurymen, who shall not have been previously struck off the aforesaid List, and who may then be attending the Court, or can speedily be procured, so as to complete such Jury, all Parties having their lawful Challenges against such Persons; and the Sheriff shall proceed to the Trial and Adjudication of the Matters in question by such Jury, and such Trial shall be attended in all respects with the like Incidents and Consequences as herein-before provided in the Case of a Trial by Common Jury.

CV. And be it enacted, That any other Inquiry than that for the Trial of which such Special Jury may have been struck and reduced as aforesaid may be tried by such Jury, provided the Parties thereto respectively shall give their Consent to such Trial.

Other Inquiries before same Special Jury by Consent.

CVI. And be it enacted, That no Special Jurymen shall, without his Consent, be summoned or required to attend any such Proceeding as aforesaid more than once in any Year.

Special Jurymen not to attend more than once.

CVII. And with respect of any Question of disputed Compensation, or other Matter of Difference by this Act authorized to be referred to the Determination of Two Justices, be it enacted, That either Party may apply to such Justices in respect to any such Matter; and thereupon such Justices, in Presence of the Parties, or such of them as shall appear, being duly summoned for that Purpose, shall examine into the Matter in dispute, and shall award such an Amount of Compensation, or shall make such Determination in respect of the Matter so referred to them, as to them shall seem fit; and the Costs of every such Inquiry shall be in the Discretion of such Justices, and they shall settle the Amount thereof; and in default of Payment of such Costs as directed by such Justices the same shall be levied by Distress, and the said Justices shall issue their Warrant accordingly.

Reference of Dispute as to Compensation to Justice or Sheriff.

CVIII. And be it enacted, That if, at any Time after the Commissioners shall have entered upon any Lands which, under the Provisions of this Act, they were authorized to purchase, and which shall be permanently required for the Purposes of the Act, any Party shall appear to be entitled to any Estate, Right, or Interest in or Charge affecting such Lands which the Commissioners shall have failed or omitted duly to purchase or to pay Compensation for, then, whether the Period granted for the Purchase of Lands shall have expired or not, the Commissioners shall remain in the undisturbed Possession of such Lands; provided, within Six Calendar Months after Notice of such Estate, Right, Interest, or Charge, in case the same shall not be disputed by the Commissioners, or in case the same shall be disputed then within Six Calendar Months after the Right thereto shall have been finally established by Law in favour of the Party claiming the same, the Commissioners shall purchase or pay Compensation for the same,

Commissioners empowered to purchase the Interest in Lands, the Purchase whereof may have been omitted by Mistake.

same, and shall also pay to such Party, or to any other Party who may establish a Right thereto, full Compensation for the mesne Profits or Interest which would have accrued to such Parties respectively in respect thereof during the Interval between the Entry of the Commissioners thereon and the Time of the Payment of such Purchase Money or Compensation by the Commissioners, so far as such mesne Profits or Interest may be recoverable in Law or Equity; and such Purchase Money or Compensation shall be agreed on or awarded and paid in like Manner as, according to the Provisions of this Act, the same respectively would have been agreed on or awarded and paid in case the Commissioners had purchased such Estate, Right, Interest, or Charge before their entering upon such Lands, or as near thereto as Circumstances will admit.

How Value of such Lands to be estimated.

CIX. And be it enacted, That in estimating any Compensation to be given for any such last-mentioned Lands, or any Estate or Interest in the same, or for any mesne Profits thereon, the Jury shall assess the same at such Price as they shall find to be the Value of such Lands, Estate or Interest, and Profits, without regard to any Improvements or Works made in the said Lands by the Commissioners, and as though the Pier, Approaches, connecting Roads and Works had not been constructed.

Commissioners to pay the Costs of Litigation as to such Lands.

CX. And be it enacted, That, in addition to the said Purchase Money, Compensation, or Satisfaction, and before the Commissioners shall become absolutely entitled to any such Estate, Interest, or Charge, or to have the same merged or extinguished for their Benefit, they shall, when the Right to any such Estate, Interest, or Charge shall be disputed, pay the full Costs and Expences of any Proceedings at Law or in Equity for the Recovery of the same to the Parties with whom any Litigation in respect thereof shall have taken place; and such Costs and Expences shall, in case the same shall be disputed, be settled by the proper Officer of the Court in which such Litigation took place.

Parties not to be required to sell Part of a House.

CXI. And be it enacted, That no Party shall at any Time be required to sell or convey to the Commissioners a Part only of any House or other Building or Manufactory if such Party be willing to sell and convey the Whole thereof.

Power to redeem Mortgages.

CXII. And with respect to any such Lands which shall be subject to any Mortgage, be it enacted, That the Commissioners may purchase or redeem the Interest of the Mortgage of such Lands, and that whether they shall have previously purchased the Equity of Redemption of such Lands or not, and whether the Mortgagee thereof be entitled thereto in his own Right or in Trust for any other Party, and whether he be in possession of such Lands by virtue of such Mortgage or not, and whether such Mortgage affect such Lands solely, or jointly with any other Lands not required for the Purposes of this Act; and in order thereto the Commissioners may pay or tender to such Mortgagee the Principal and Interest due on such Mortgage, together with his Costs and Charges, if any, and also Six Months additional Interest, and thereupon such Mortgagee shall immediately

immediately convey his Interest in the Lands comprised in such Mortgage to the Commissioners, or as they shall direct, or the Commissioners may give Notice in Writing to such Mortgagee that they will pay off the Principal and Interest due on such Mortgage at the End of Six Months, computed from the Day of giving such Notice; and if they shall have given any such Notice, or if the Party entitled to the Equity of Redemption of any such Lands shall have given Six Months Notice of his Intention to redeem the same, then at the Expiration of either of such Notices, or at any intermediate Period, upon Payment or Tender by the Commissioners to the Mortgagee of the Principal Money due on such Mortgage, and the Interest which would become due at the End of Six Months from the Time of giving either of such Notices, together with his Costs and Expences, if any, such Mortgagee shall convey or release his Interest in the Lands comprised in such Mortgage to the Commissioners, or as they shall direct.

CXIII. And be it enacted, That if in either of the Cases aforesaid upon such Payment or Tender any Mortgagee shall fail to convey or release his Interest in such Mortgage as directed by the Commissioners, or if he fail to adduce a good Title thereto to their Satisfaction, then it shall be lawful for the Commissioners, at any Time after such Failure, to pay into the Bank of *England*, in the Manner provided by this Act in Cases of Money directed to be deposited in such Bank, the Principal and Interest, together with the Costs, if any, due on such Mortgage, and also, if such Payment be made before the Expiration of Six Months Notice as aforesaid, such further Interest as would at that Time become due; and thereupon, as well as upon such Conveyance by the Mortgagee, if any such be made, all the Estate and Interest of such Mortgagee, and of all Persons in Trust for him, or for whom he may be a Trustee in such Lands, shall vest in the Commissioners, and they shall be deemed to be in the actual Possession thereof, in case such Mortgagee were himself entitled to such Possession.

Deposit of Mortgage Money on Refusal to accept Redemption.

CXIV. And with respect to any such mortgaged Lands which shall shall be of less Value than the Principal, Interest, and Costs secured thereon, be it enacted, That the Value of such Lands, or the Compensation to be made by the Commissioners in respect thereof, shall be settled by Agreement between the Mortgagee of such Lands and the Party entitled to the Equity of Redemption thereof on the one Part, and the Commissioners on the other Part; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Commissioners to the Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and upon Payment or Tender thereof the Mortgagee shall convey or release all his Interest in such mortgaged Lands to the Commissioners, or as they shall direct.

Sum to be paid when Mortgage exceeds Value of Lands.

CXV. And be it enacted, That if, upon such Payment or Tender as aforesaid being made, any such Mortgagee fail so to convey his  
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Deposit of Money in case such

Mortgagee  
fails to  
convey, &c.

Interest in such Mortgage, or to adduce a Title thereto to the Satisfaction of the Commissioners, then they may pay the Amount of such Value or Compensation into the Bank of *England* in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and every such Payment or Deposit shall be accepted by the Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and shall be a full Discharge of such mortgaged Lands from all Money due thereon; and thereupon such Lands, as to all such Estate and Interest as were then vested in the Mortgagee or any Person in Trust for him, shall become absolutely vested in the Commissioners, and they shall be deemed to be in the actual Possession thereof, in case such Mortgagee were himself entitled to the Possession thereof; nevertheless, all Rights and Remedies possessed by the Mortgagee against the Mortgagor by virtue of any Bond or Covenant, or other Obligation other than the Right to such Lands, shall remain in force in respect of so much of the Mortgage Debt as shall not have been satisfied by such Payment or Deposit.

Sum to be  
paid where  
Part only of  
mortgaged  
Lands taken.

CXVI. And with respect to any such mortgaged Lands of which only a Part shall be required for the Purposes of this Act, be it enacted, That if the Part so required be of less Value than the Principal Money, Interest, and Costs secured on such Lands, and the Mortgagee shall not consider the remaining Parts of such Lands a sufficient Security for the Money charged thereon, or be not willing to release the Part so required, then the Value of such Part, and also the Compensation (if any) to be paid in respect of the Severance thereof, or otherwise, shall be settled by Agreement between the Mortgagee and the Party entitled to the Equity of Redemption of such Land on the one Part, and the Commissioners on the other, and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Commissioners to such Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and thereupon such Mortgagee shall convey or release to them, or as they shall direct, all his Interest in such mortgaged Lands the Value whereof shall have been so paid; and a Memorandum of what shall have been so paid shall be indorsed on the Deed creating such Mortgage, and shall be signed by the Mortgagee; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the Commissioners, at their Expence, to the Party entitled to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

Deposit of  
the Amount  
so agreed  
upon if  
Mortgagee  
fail to convey,  
&c.

CXVII. And be it enacted, That if, upon Payment or Tender to any such Mortgagee of the Amount of the Value or Compensation so agreed upon or determined, such Mortgagee shall fail to convey or release to the Commissioners, or as they shall direct, his Interest in the Lands in respect of which such Compensation shall so have been paid or tendered, or if he shall fail to adduce a good Title thereto to the Satisfaction of the Commissioners, it shall be lawful for the Commissioners to pay the Amount of such Value or Compensation  
into

into the Bank of *England* in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and such Payment or Deposit shall be accepted by such Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and shall be a full Discharge of the Portion of the mortgaged Lands so required from all Money due thereon; and thereupon such Lands shall become absolutely vested in the Commissioners as to all such Estate and Interest as were then vested in the Mortgagee, or any Person in Trust for him, and in case such Mortgagee were himself entitled to such Possession they shall be deemed to be in the actual Possession thereof; nevertheless, every such Mortgagee shall have the same Powers and Remedies for recovering or compelling Payment of the Mortgage Money, or the Residue thereof, (as the Case may be,) and the Interest thereof respectively, upon and out of the Residue of such mortgaged Lands, or the Portion thereof not required for the Purposes of this Act, as he would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage.

CXVIII. And with respect to any such Lands which shall be charged with any Rent Service or Chief or other Rent, or other Payment or Incumbrance, be it enacted, That if any Difference shall arise between the Commissioners and the Party entitled to any such Charge respecting the Consideration to be paid for the Release of such Lands therefrom, or from the Portion thereof affecting the Lands required for the Purposes of this Act, the same shall be determined as in other Cases of disputed Compensation.

Release of  
Lands from  
Rent-  
charges.

CXIX. And be it enacted, That if Part only of the Lands charged with any such Rent Service, Rent-charge, Chief or other Rent, Payment, or Incumbrance, be required to be taken for the Purposes of this Act, the Apportionment of any such Charge may be settled by Agreement between the Party entitled to such Charge and the Owner of the Lands on the one Part, and the Commissioners on the other Part, and if such Apportionment be not so settled by Agreement the same shall be settled by Two Justices; but if the remaining Part of the Lands so jointly subject be a sufficient Security for such Charge, then, with Consent of the Owner of the Lands so jointly subject, such Owner not being under legal Disability or Incapacity, the Party entitled to such Charge may release therefrom the Lands required, on Condition or in Consideration of such other Lands remaining exclusively subject to the whole thereof.

Release of  
Part of Lands  
from Rent-  
charges.

CXX. And be it enacted, That, upon Payment or Tender of the Compensation so agreed upon or determined to the Party entitled to any such Charge as aforesaid, such Party shall execute to the Commissioners a Release of such Charge, and if he fail so to do, or if he fail to adduce a good Title to such Charge to the Satisfaction of the Commissioners, they shall pay the Amount of such Compensation into the Bank of *England* in the Manner provided by this Act in the like Cases of Monies required to be deposited in such

Deposit in  
case of  
Failure to  
release.

Bank,

Bank; and thereupon the Rent Service, Rent-charge, Chief or other Rent, Payment, or Incumbrance, or the Portion thereof in respect whereof such Compensation shall so have been paid, shall cease and be extinguished.

Charge to  
continue on  
Lands not  
taken.

CXXI. And be it enacted, That if any such Lands be so released from any such Charge or Incumbrance, or Portion thereof, to which they were subject jointly with other Lands, such last-mentioned Lands shall alone be charged with the Whole of such Charge, or with the Remainder thereof, as the Case may be, and the Party entitled to the Charge shall have all the same Rights and Remedies over such last-mentioned Lands, for the Whole or for the Remainder of the Charge, as the Case may be, as he had previously over the Whole of the Lands subject to such Charge; and if upon any such Charge or Portion of Charge being so released the Deed or Instrument creating or transferring such Charge be tendered to the Commissioners for the Purpose, they shall affix their Common Seal to a Memorandum of such Release, indorsed on such Deed or Instrument, declaring what Part of the Lands originally subject to such Charge shall have been purchased by virtue of this Act, and, if the Lands so released form Part of such Charge, what Proportion of such Charge shall have been released, and how much thereof continues payable, or if the Lands so required shall have been released from the whole of such Charge, then that the remaining Lands are thenceforward to remain exclusively charged therewith; and such Memorandum shall be made and executed at the Expence of the Commissioners, and shall be Evidence in all Courts and elsewhere of the Facts therein stated, but not so as to exclude any other Evidence of the same Facts.

Where Part  
only of Lands  
under Lease  
are taken the  
Rent to be  
apportioned.

CXXII. And with respect to any such Lands which shall be comprised in a Lease for a Term of Years unexpired, Part only of which Lands shall be required for the Purposes of this Act, be it enacted, That the Rent payable in respect of the Lands comprised in such Lease shall be apportioned between the Lands so required and the Residue of such Lands, and such Apportionment may be settled by Agreement between the Lessor and Lessee of such Lands on the one Part, and the Commissioners on the other Part, and if such Apportionment be not so settled by Agreement between the Parties such Apportionment shall be settled by Two Justices; and after such Apportionment the Lessee of such Lands shall, as to all future accruing Rent, be liable only to so much of the Rent as shall be so apportioned in respect of the Lands not required for the Purposes of this Act, and the Lessor shall have all the same Rights and Remedies for the Recovery of such Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to that Part of the Land which shall not be required for the Purposes of this Act, in the same Manner as they would have done in case such Part of the Land had been included in the Lease.

CXXIII. And



CXXIII. And be it enacted, That every such Lessee as last aforesaid shall be entitled to receive from the Commissioners Compensation for the Damage done to him in his Tenancy by reason of the Severance of the Lands required from those not required, or otherwise by reason of the Execution of any such Works. Compensation for Tenancy.

CXXIV. And with respect to any such Lands which shall be in the Possession of any Person having no greater Interest therein than as Tenant at Will, or Lessee for a Year or from Year to Year, be it enacted, That at the Expiration of Six Months after receiving Notice to that Effect from the Commissioners, or at any other Time when required, after the Expiration of such Period, all such Persons shall respectively deliver up to the Commissioners, or to the Person appointed by them to take possession thereof, any such Lands in their Possession required for the Purposes of this Act; and any such Notice shall be effectual, whether it be given with reference to the Time of the Commencement of such Tenant's Holding or not, and whether such Notice be given before or after the Purchase of such Lands by the Commissioners. Tenants at Will, or from Year to Year, to cede Possession on Six Months Notice.

CXXV. Provided always, and be it enacted, That if any such Person as last aforesaid be required to give up Possession of any Lands so occupied by him before the Expiration of his Term or Interest therein, he shall be entitled to Compensation for the Value of his unexpired Term or Interest in such Lands, or, if a Part only of such Lands be required, Compensation for the Damage done to him in his Tenancy by the Severance of the Lands required from those not required; and the Amount of such Compensation shall be determined by Two Justices in case the Parties differ about the same. Compensation to such Tenants.

CXXVI. And be it enacted, That if any such Person refuse to give up such Possession it shall be lawful for the Commissioners, after making Payment or Tender of such Compensation as hereinbefore mentioned, but not otherwise, to issue their Precept under their Common Seal to the Sheriff to deliver up Possession of such Lands to the Person in such Precept nominated to receive the same, and upon the Receipt of such Precept the Sheriff shall deliver Possession of such Lands in obedience thereto; and the Party so refusing to give up Possession shall pay the Costs incurred in the issuing or Execution of such Precept, to be settled by the Sheriff, and if, on Demand, he fail to pay the same, they shall be levied by Distress, and the Sheriff shall issue his Warrant accordingly. On Refusal of Tenant to give Possession the Sheriff may do it.

CXXVII. And be it enacted, That if any Party claim Compensation in respect of any unexpired Term or Interest under any Lease or Grant of any such Lands, the Commissioners may require such Party to produce the Lease or Grant in respect of which such Claim shall be made, or the best Evidence thereof in his Power, and if, after Demand made in Writing by the Commissioners, such Lease or Grant, or the best Evidence thereof, be not produced within a reasonable Time, the Party so claiming Compensation shall be considered Production of Leases.

[*Local.*]

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sidered as a Tenant holding only from Year to Year, and be entitled to Compensation accordingly.

Compulsory  
Purchase  
limited to  
Three Years.

CXXXVIII. And be it enacted, That the Powers of the Commissioners for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing thereof.

Lands not  
wanted to be  
sold.

CXXXIX. And for the Purpose of making Provision respecting the Sale of Lands acquired by the Commissioners under the Provisions of this Act, but which shall not be required for the Purposes thereof, be it enacted, That the Commissioners shall sell all such superfluous Lands in such Manner as they may deem most advantageous, and convey the same to the Purchasers thereof by Deed under the Hands and Seals of any Three of the Commissioners; and a Receipt under the Hands of Three of the Commissioners shall be a sufficient Discharge to the Purchaser of such Lands for the Purchase Money in such Receipt expressed to be received; and such Sales and Conveyances shall take place within Ten Years after the passing of this Act.

Lands not so  
sold to vest  
in Owners of  
adjoining  
Lands.

CXXX. And be it enacted, That if the Commissioners do not sell such superfluous Lands within the Period aforesaid, then such Lands remaining unsold at the Expiration of such Period shall thereupon vest in and become the Property of the Owners of the Lands adjoining thereto in proportion to the Extent of their Lands respectively adjoining the same.

Pre-emption  
with respect  
to such  
Lands.

CXXXI. Provided always, and be it enacted, That before the Commissioners dispose of any such superfluous Lands they shall first offer to sell the same to the Persons then entitled to the Lands (if any) from which the same were originally severed; or if such Person refuse to purchase the same, or cannot be found, then the like Offer shall be made to the Person or to the several Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, such Persons being capable of entering into a Contract for the Purchase of such Lands; and where more than One such Person shall be entitled to such Right of Pre-emption, such Offer shall be made to such Persons in succession one after another in such Order as the Commissioners shall think fit.

Right of Pre-emption to be claimed within Sixty Days.

CXXXII. And be it enacted, That if such respective Persons be desirous of purchasing such Land, then, within Sixty Days after such Offer of Sale, they shall signify their Desire in that Behalf to the Commissioners, or if they decline such Offer, or if for Sixty Days they neglect to signify their Desire to purchase such Lands, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer shall cease; and thereupon a Declaration in Writing, made before a Justice by some Person not interested in the Matter in question, stating that the Person or all the Persons entitled to the Right of Pre-emption were out of the Country, or could not be found, or were not capable of entering into a Contract for the Purchase of such Lands; or that such

such Offer was made and was refused, or not accepted within Sixty Days from the Time of making the same, shall, in all Courts whatsoever, be sufficient Evidence of the Facts therein stated.

CXXXIII. And be it enacted, That if any Person entitled to such Pre-emption be desirous of purchasing any such Lands, and such Person and the Commissioners do not agree as to the Price thereof, then such Price shall be ascertained as in other Cases of disputed Compensation; and upon Payment or Tender to the Commissioners of the Purchase Money so agreed upon or determined they shall convey such Lands to the Party so entitled to purchase the same; and every such Conveyance shall be effectual for vesting the Lands comprised therein in the Purchaser thereof for the Estate which shall so have been purchased by him; and the Money produced by the Sale of such Lands shall be applied by the Commissioners for the Purposes of the Works.

Differences as to Price to be settled as in other Cases.

CXXXIV. And be it enacted, That in every Conveyance of Lands to be made by the Commissioners under this Act the Word "grant" shall operate as express Covenants by the Commissioners, for themselves and their Successors, with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, and Assigns of such Grantees, according to the Quality or Nature of such Grants, and of the Estate or Interest therein expressed to be thereby conveyed, as follows, except so far as the same shall be restrained or limited by express Words contained in any such Conveyance; (that is to say,)

Effect of the Word "grant" in Conveyances.

A Covenant that, notwithstanding any Act or Default done by the Commissioners, they were at the Time of the Execution of such Conveyance seised or possessed of the Lands or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them:

A Covenant that the Grantee of such Lands, his Heirs, Successors, Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the Commissioners and their Successors, and all other Persons claiming under them, and be indemnified and saved harmless by the Commissioners and their Successors from all Incumbrances created by the Commissioners:

A Covenant for further Assurance of such Lands, at the Expence of such Grantee, his Heirs, Successors, Executors, Administrators, or Assigns, (as the Case may be,) by the Commissioners, their Successors, and all other Persons claiming under them:

And all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest in such Conveyance expressed to be conveyed, may in all Actions brought by them assign Breaches of Covenants as they might do if such Covenants were expressly inserted in such Conveyances.

CXXXV. And

Plans and Sections deposited with the Clerks of the Peace to be open to Inspection ;

CXXXV. And whereas Plans and Sections describing the Lines, Levels, and Situation of the said Pier, Approaches, and connecting Roads, and of the Lands upon or through which the same are intended to be made, and a Book of Reference containing a List of the Owners, Lessees, and Occupiers of such Land, have been deposited with the Clerks of the Peace of the County of *Somerset* and of the County of the City of *Bristol*; be it enacted, That the Clerks of the Peace of the County of *Somerset* and County of the City of *Bristol* for the Time being shall keep the said Plans, Sections, and Books of Reference, and shall permit all Persons to inspect the same at seasonable Times, and shall take out Copies or Extracts therefrom for all Persons requiring the same, on being paid One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of any such Copy or Extract; and a Copy or Extract from any such Plan, Section, or Book of Reference, certified by the said Clerk of the Peace, shall be received in Evidence in all Courts of Justice.

Certified Copies thereof to be Evidence.

Errors and Omissions to be corrected.

CXXXVI. And for the Purpose of making Provision for correcting any Omission, Mis-statement, or erroneous Description of any Lands, or of the Owners, Lessees, and Occupiers of any Lands, described on the said Plans or in the said Books of Reference, or the Schedule hereto, be it enacted, That the Correction of any such Matter may be referred by the Commissioners to the Determination of Two Justices; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerks of the Peace of the several Counties, and Copies or Extracts thereof with the Clerks of the several Parishes, in which the Lands affected thereby shall be situate; and such Certificate, and such Extracts or Copies respectively, shall be kept by such Clerks of the Peace and Clerks of the Parishes respectively along with the Documents to which they relate, and thereupon such Documents, or the Schedule to this Act, shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Commissioners to make the Pier and Approaches and connecting Roads in accordance with such Certificate.

Certified Copies of Plans, or Corrections thereof, to be Evidence.

CXXXVII. And be it enacted, That true Copies of such Plans and Books of Reference, or of any Correction thereof or Extracts therefrom, certified by any such Clerk of the Peace, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Works to be executed.

CXXXVIII. And be it enacted, That, subject to the Provisions and Restrictions contained in this Act, it shall be lawful for the Commissioners, for the Purpose of constructing the Pier and Approaches, to execute any of the following Works; (that is to say,)

They may make or construct, in, upon, across, under, or over any Lands, Hills, Vallies, Roads, Brooks, Streams, or other Waters described in the said Plan, or mentioned in the said

Book of Reference, or any Correction thereof, such temporary or permanent Embankments, Aqueducts, Bridges, Roads, Ways, Passages, Conduits, Drains, Piers, Arches, Cuttings, and Fences as they may think proper :

They may alter the Course of any Rivers not navigable, Brooks, Streams, or Watercourses, if necessary, for constructing and maintaining Tunnels, Bridges, Passages, or other Works over or under the same, and divert or alter, as well temporarily as permanently, the Course of any such Rivers or Streams of Water, Roads, Streets, or Ways, or raise or sink the Level of any such Rivers or Streams, Roads, Streets, or Ways, in order the more conveniently to carry the same over or under or by the Side of any Approach to the said Pier, as they may think proper :

They may make Drains or Conduits into, through, or under any Lands adjoining the Approaches, for the Purpose of conveying Water from or to the Approaches :

They may erect and construct such Houses, Offices, and other Buildings, Yards, Wharfs, Engines, Machinery, Apparatus, and other Works and Conveniences, as they think proper, and they may plant the Sides of the connecting Roads and Approaches with Trees :

They may from Time to Time alter, repair, or discontinue the before-mentioned Works, or any of them, and substitute others in their Stead :

And they may do all other Acts necessary for making, maintaining, altering, repairing, and using the Pier, Approaches, and Works : Provided always, that in the Exercise of the Powers hereby granted the Commissioners shall do as little Damage as can be, and shall make full Compensation, in manner herein provided, to all Parties interested, for all Damages by them sustained by reason of the Exercise of such Powers.

CXXXIX. And be it enacted, That the Lands to be taken for the Line of the Approaches and connecting Roads shall not exceed the Breadth of Twenty Yards, without the Consent in Writing of the Owners and Occupiers of the Land so required. Breadth of Land for the Approaches.

CXL. And whereas on the said Plans a Deviation in the Line of Road leading from the Village of *Weston-in-Gordano* to and towards the said Pier is laid down, a Part of which Deviation was proposed to be made through certain Lands in the Parish of *Portishead* claimed to belong to *James Tanner*, and it is expedient to make Provision for his Protection ; be it therefore enacted, That the said Commissioners shall not enter upon any Part of the Lands of the said *James Tanner*, numbered Twenty and Twenty-one on the said Plans, without the Consent of the said *James Tanner*, except for the Purpose of making the Deviation in the Line or Course herein-after mentioned ; that is to say, to commence at the South-eastern Corner of an Orchard claimed to belong to the Mayor, Aldermen, and Burgesses of the City of *Bristol*, and to be carried in a curved Line to the Junction of an Occupation Road separating the Land of the said *James Tanner* and the Trustees of *William Cary* in the Line defined upon a certain Plan agreed upon and signed by *Philip William Skinner Miles* As to Land of James Tanner.

[Local.]

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Esquire,

Esquire, and also by *Isambard Kingdom Brunel*, on the Part of the Commissioners, and *Young Sturge* on the Part of the said *James Tanner*; and from and after the Formation of the said Deviation, the Part of the present Road from the said Occupation Road to the Road leading to *Clapton* shall be stopped up and vest in the Owners of the adjoining Lands, and an Occupation Road shall be formed by the said *James Tanner* to the Land late of *Flora Langley Fust*, and now of Sir *Herbert Jenner*.

Not to deviate from Section, nor more than One hundred Yards from Plan.

CXLI. And be it enacted, That the Commissioners, in making the said Pier and Approaches or Works, shall not deviate from the said Section, nor to any greater Extent than One hundred Yards from the Line described in the said Plans as the Site of the Pier, or the Line of any Approach or connecting Road; and no Deviation shall extend beyond the Limits of Deviation marked in the said Plans, nor into the Lands of any Person not mentioned in the Book of Reference, without his previous Consent in Writing, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided.

Houses and inclosed Grounds not to be taken unless specified in the Schedule.

CXLII. And be it enacted, That the Commissioners shall not take or injure any Property of the following Kinds, except such as shall be specified in the Schedule (H.) to this Act, without the Consent in Writing of the Owners and Occupiers thereof; unless the Omission in such Schedule be certified, according to the Provisions herein-before contained, to have proceeded from Mistake; (that is to say,) any House or Building erected on or before the Thirtieth Day of *November* One thousand eight hundred and forty, or any Ground on or before that Day inclosed or set apart and used as a Garden, Orchard, Nursery Ground, Yard, Paddock, Plantation, planted Walk or Avenue to a House.

Land Tax and Poor's Rate to be made good.

CXLIII. And for the Purpose of providing against Deficiencies in the Assessments for Land Tax or Poor's Rate occasioned by the Construction of the Works in the several Parishes wherein the same or any Part thereof may be situate, be it enacted, That if the Commissioners become possessed by virtue of this Act of any Lands charged with the Land Tax, or liable to be assessed to the Poor's Rate, the Commissioners shall from Time to Time, until the Works shall be completed and assessed to such Land Tax and Poor's Rate, be liable to make good the Deficiency in the several Assessments for Land Tax and Poor's Rate arising within such Parishes by reason of such Lands having been taken or used for the Purposes of the Works; and such Deficiency shall be computed according to the Rental at which such Lands, with any Buildings thereon, were valued or rated at the Time of the passing of this Act; and on Demand of such Deficiency the Treasurer of the Commissioners shall pay all such Deficiencies to the Collector of the said Assessments respectively; nevertheless, if at any Time the Commissioners think fit to redeem such Land Tax, they may do so in accordance with the Powers in that Behalf given by the Acts for the Redemption of the Land Tax.

CXLIV. And

CXLIV. And be it enacted, That it shall be lawful for the Commissioners, upon the Lands described in the said Plans and Book of Reference, and according to the Provisions herein contained, to lay out, build, make, alter, repair, and maintain a Pier, and such Quays, Wharfs, Approaches, and connecting Roads and Bridges and other Works, for the Purposes of the same, as they may deem expedient (except as herein provided to the contrary).

Commissioners to construct a Pier, &c.

CXLV. And whereas the several Ports, Harbours, Estuaries, Creeks, and navigable Rivers of the United Kingdom, within the Flux and Reflux of the Tide, are by Law under the Superintendence and Jurisdiction of the Lord High Admiral of the said Kingdom; be it enacted and provided, That nothing herein contained shall extend or be construed to extend to authorize the said Commissioners, or any other Person or Persons, nor shall it be lawful for them, or any of them, to begin to make, build, or construct any Pier, Quay, Jetty, or Wharf, or to carry on any other Work, below the Line of High-water Mark at ordinary Spring Tides, without the previous Consent of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only under such Limitations and Restrictions as the said Lord High Admiral or the Commissioners aforesaid shall deem expedient for the Convenience and Safety of Navigation; and that to enable the said Lord High Admiral or Commissioners to form a due Judgment therein, the said Commissioners shall, at least One Calendar Month before any Work below the ordinary High-water Mark shall be commenced, deposit in the Hydrographer's Office in the Admiralty a Plan describing the Position and Dimensions of all and every such proposed Works, the Materials of which they are to be constructed, and the Extent to which they are in every Part thereof intended to be carried below such High-water Mark, and so from Time to Time as often as it shall be judged fit or necessary to alter or improve any of such Works.

No Works below High-water Mark, without the Consent of the Admiralty.

CXLVI. And be it enacted, That it shall be lawful for the Commissioners to erect or provide such Cranes, Weighing and other Machines, Conveniences, Weights, and Measures, upon the Pier made under this Act, as they may think necessary for loading, unloading, measuring, and weighing any Goods, Articles, or Things shipped or unshipped at the said Pier.

Cranes, Weighing Machines, &c.

CXLVII. And be it enacted, That it shall not be lawful for the said Commissioners to take any Rate at the said Pier until the following Approaches shall have been made and completed; (that is to say,) first, the Approach leading from the *Bristol* and *Pill* Turnpike Road to the Pier; second, the Approach leading from the Ferry at *Pill* into the said first-mentioned Approach; third, the Approach leading along *Cuckoo Lane* in the Parish of *Wraxall*, and thence into the first-mentioned Approach at *Sheepway*; fourth, the Approach leading from the *Bristol* and *Clevedon* Road, at a Point between *Charlton* and *Failand* in the said Parish of *Wraxall*, into the

Certain Approaches to be made before Tolls collected.

the said first-mentioned Approach; fifth, the Approach leading from the *Portishead* Road in the Parish of *Portbury*, over or through the old Sea Bank, into the said first-mentioned Approach; and such Approaches shall be completed to the Satisfaction of the Lord of the Hundred of *Portbury*, and the Lords of the Manors of *Portbury*, *Saint George's* otherwise *Easton-in-Gordano*, and *Abbots Leigh* respectively; and the Width of the first-mentioned Approach shall not be less than Thirty Feet, and the Width of the other said Approaches shall not be less than Twenty Feet, and the Inclinations shall be made, and the Surface of the Road be completed, to the Satisfaction of the Lords of the said Hundred and Manors: Provided always, that nothing in this Act contained shall empower the Commissioners to make an Approach described on the said Plans, commencing at or near *Jackland Bridge* in the Parish of *Tickenham*, and terminating in *Cuckoo Lane* in the Parish of *Wraaxall*.

Certain Approaches to be maintained by the Commissioners; others by the Inhabitants.

CXLVIII. And be it enacted, That the Commissioners shall maintain and keep in good Repair such Portions of the Approaches leading to the Pier as shall be made upon or over *Portbury Wharf* in the said Parish of *Portbury*, and the remaining Portions of such Approaches, and the other Approaches made by the Commissioners, shall be maintained by the Inhabitants of the Parishes in which they shall be situate, in the same Manner as other Highways within the said Parishes,

Pier to be completed in Seven Years.

CXLIX. And be it enacted, That after the Expiration of Seven Years from the passing of this Act all the Powers hereby granted to the Commissioners for executing the Pier, Approaches, and connecting Roads, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed, and except such Powers as shall hereby be declared to be continued for a longer Period,

Certificate of Chairman of Quarter Sessions to be Evidence that Pier is completed, &c.

CL. And be it enacted, That a Certificate under the Hands of any Chairman of the Quarter Sessions of the Peace for the County of *Somerset* shall be conclusive Evidence that the Pier and Approaches are completed and fit for the Accommodation of Vessels to load and unload thereat; and any such Chairman shall sign such Certificate, on proper Proof being adduced to him that the Pier and Approaches are in the State herein-before mentioned,

Limits of the Pier for the Purposes of this Act.

CLI. And be it enacted, That the Limits of the Pier for the Purposes of this Act shall be the Pier, and the Space lying between the Pier and the Shore and a straight Line running due South from a Point One hundred and fifty Yards to the West of the westernmost Extremity of the Pier, and a Line running parallel with such last-mentioned Line from the easternmost Extremity of the Pier,

Rates on Passengers.

CLII. And be it enacted, That when and so soon as the Pier shall be completed, or so far formed that Passengers are able to embark or land from or at the same, every Person who shall land from or embark in any Vessel at or from or within the Limits of the



the Pier, and every Person who shall be on or use the Pier, shall pay to the said Commissioners, in respect of every such Landing or Embarkation, and of every Time of entering or coming upon the Pier, such Sum or Sums as the Commissioners shall appoint, not exceeding the Sum mentioned in the Schedule (G.), and set down in Figures against the Words applicable to such landing, Embarkation, or walking.

CLIII. And be it enacted, That when and so soon as the said Pier shall be completed, or so far formed that Vessels can lade and unlade thereat, it shall be lawful for the Commissioners to demand and receive, for all Articles, Goods, or Things in the Schedule (G.) to this Act mentioned, which shall be shipped or unshipped, received or delivered, from or upon the said Pier, or within the Limits thereof, any Sums not exceeding the several Rates in the said Schedule (G.) specified.

Rates on Goods shipped or unshipped at the Pier.

CLIV. And be it enacted, That when and so soon as the said Pier shall be completed, or so far formed that Vessels can lade or unlade thereat, or lie under the Protection thereof, it shall be lawful for the Commissioners to demand and receive, for every Vessel coming within the Limits of or using the said Pier, any Sum not exceeding the several Rates specified in the said Schedule (G.)

Rates on Vessels.

CLV. And be it enacted, That nothing in this Act contained shall authorize the Commissioners to collect any Rate for or in respect of any Vessel anchoring or being at any Place West of a Line drawn due North and South at a Distance of One hundred and fifty Yards from the easternmost Point at High-water Mark of the Rock at *Portishead*.

No Rate to be collected within certain Limits,

CLVI. And be it enacted, That it shall be lawful for the Commissioners to demand and take, for the Use of any Cranes and Weighing Machine erected by the Commissioners, of and from the Owner or Person having the Charge of any thing loaded or unloaded, weighed or measured, by means of the same, such reasonable Rates as the Commissioners shall from Time to Time appoint.

Rates for Cranes and Weighing Machines.

CLVII. Provided always, and be it enacted, That if any Vessel having shipped a Cargo at the Pier, for which the Rates herein-before mentioned shall have been paid, shall, after leaving the said Pier, be obliged from Stress of Weather or other Cause to return with the same Cargo within the Limits of the said Pier, the Rates so paid shall not again be payable in respect of such Vessel.

Exemption for Vessels returning from Stress of Weather, &c.

CLVIII. And be it enacted, That the Tonnage of every *British* Vessel liable to the Payment of any Tonnage Rate under this Act, and duly registered according to Law, shall be ascertained according to the certified Tonnage in the Register; and the Tonnage of all other Vessels shall be ascertained according to the Rules of Admeasurement established by an Act of Parliament passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Admeasure-*

Tonnage of British registered Vessels to be ascertained by the Register, and that of other Vessels by Admeasurement accord-

ing to 5 & 6  
W. 4. c. 56.

ment of the Tonnage and Burden of the Merchant Shipping of the United Kingdom, or by any Law for the Time being regulating such Admeasurement.

Lords of the  
Treasury,  
&c. may re-  
duce Rates  
on Foreign  
Vessels.

CLIX. And be it enacted, That it shall be lawful for Her Majesty, by an Order in Council, or for the Commissioners of Her Majesty's Treasury, or any Three or more of them, or the Lord High Treasurer, for the Time being, by any Order in Writing, from Time to Time to reduce any of the Rates hereby made payable on Foreign Vessels or Goods to the same Rates as shall be payable in respect of British Vessels or Goods.

Rates to be  
charged  
equally.

CLX. Provided always, and be it enacted, That the several Rates authorized to be taken by this Act shall at all Times be charged equally and after the same Rate in respect of the same Description of Vessels and Goods.

Collection  
of Rates.

CLXI. And be it enacted, That all Rates shall be paid to such Persons and in such Manner as the Commissioners shall appoint; and the Money payable by or in respect of Passengers shall, if the Commissioners shall so direct, be collected and received by the Master or other Person having the Command of the Vessel carrying such Passengers, before the Departure of such Passengers from on board such Vessel, and shall be by such Master or other Person, with all convenient Speed, paid over to the Collector or other Person to be appointed for that Purpose.

Masters to  
report Arrival  
of Vessels.

CLXII. And be it enacted, That the Master or Commander of any Vessel liable to any of the said Rates shall, within Six Hours after the Arrival of such Vessel at the said Pier, or within the Limits thereof, report to the Pier Master for the Time being the Arrival of such Vessel, and the Place from whence it came; and any Master or Commander of any such Vessel who shall fail to make such Reports within the Time aforesaid shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Master of  
Vessel to  
produce Cer-  
tificate of  
Registry.

Penalty.

CLXIII. And be it enacted, That the Master or Commander of every registered Vessel shall, on Demand, produce the Certificate of the Registry of such Vessel to any Person authorized by the Commissioners to collect the Rate in respect of such Vessel; and if any such Master or Commander shall refuse or neglect to produce such Certificate to any such Person, on Demand, he shall forfeit any Sum not exceeding Ten Pounds.

Recovery of  
Rates by Dis-  
tress of Ship  
and Tackle.

CLXIV. And be it enacted, That if any Master or other Person having Command of any Vessel in respect of which any Rates shall be payable to the Commissioners shall refuse or neglect to pay the same, then it shall be lawful for the Person appointed by the Commissioners to collect such Rates, with such Assistance as he may deem necessary, to go on board of such Vessel, and demand such Rates, and on Nonpayment thereof, or any Part thereof, to take and distrain such Vessel, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and to detain such Distress until the Rates

Rates shall be paid; and in case any of the said Rates shall remain unpaid for the Space of Fourteen Days next after any Distress so made, then it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more Sworn Appraisers, and afterwards to sell the Distress, and therewith to satisfy the Rates so unpaid, and all the Expences of taking, keeping, appraising, and selling such Distress, rendering the Overplus (if any) to the Master or other Person having the Command of such Vessel, upon Demand.

CLXV. And be it enacted, That when the Cargo of any Vessel arriving at the said Pier or within the Limits thereof, or any Part of such Cargo, shall be intended to be unshipped at the said Pier or within the Limits thereof, the Master or Commander of such Vessel shall, within Three Hours after the Arrival of such Vessel, deliver to the Person for the Time being appointed to collect the last-mentioned Rates mentioned in the Schedule the following Particulars; (that is to say,)

Masters of Vessels to give Accounts of Goods intended to be unshipped.

The Name of the Consignee of the Cargo or Part of the Cargo of such Vessel intended to be unshipped:

And if the whole Cargo of such Vessel shall be intended to be unshipped, a Copy of the Bill of Lading or Manifest of the Cargo of such Vessel:

Or if Part only of the Cargo of such Vessel is intended to be so unshipped, a true Account in Writing of the Kinds, Weights, and Quantities of the several Goods, Articles, and Things intended to be so unshipped:

And every such Master or Commander shall, if required by the Person appointed to collect the Rates aforesaid, give to such Person One Hour's Notice of the Time at which the Cargo of such Vessel, or any Part of the same, is intended to be unshipped.

CLXVI. And be it enacted, That any Master or Commander of any Vessel, the Cargo or Part of the Cargo of which shall be intended to be unshipped within the Limits aforesaid, who shall fail to deliver or give any of the Particulars or the Notice herein-before required to be delivered or given by such Master or Commander, or shall deliver or give any false Particular or Notice, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty on Masters giving no Account or a false Account.

CLXVII. And be it enacted, That the Master or Commander of any Vessel on board of which any Goods, Articles, or Things shall be shipped from the said Pier or within the Limits thereof shall give to the Person for the Time being appointed by the Commissioners to collect the last-mentioned Rates a true Account, signed by the Consignor, of the Kinds, Quantities, and Weights of such Goods, Articles, or Things, before the same shall be shipped in such Vessel; and any Master or Commander who shall fail to give such Account, or shall give a false Account, and any Consignor who shall sign a false Account, of any such Goods, Articles, or Things, shall respectively for every such Offence be liable to a Penalty not exceeding Twenty Pounds.

Master of Vessel to give an Account of Goods intended to be unshipped.

CLXVIII. And be it enacted, That if any Difference shall arise between the Person for the Time being appointed by the Commissioners

In case of Dispute, Goods to be

weighed or measured.

sioners to collect the last-mentioned Rates, and the Master or Commander of any Vessel, or the Owner, Consignor, or Consignee of any Goods, concerning the Weight or Quantities of any Goods, Articles, or Things in respect of which any Rates are payable by this Act, it shall be lawful for such Collector to cause all such Goods, Articles, or Things to be weighed or measured, as the Case may require, and, if necessary, to detain the Vessel in which such Goods, Articles, or Things may be, until the same shall have been weighed or measured.

Expences of weighing or measuring Goods.

CLXIX. And be it enacted, That if the Goods, Articles, or Things so weighed or measured shall be of greater Weight or Measure than shown from the Manifest, Account, or Statement delivered or made by the Master or Commander of the Vessel in which the same may be, or by the Owner, Consignor, or Consignee thereof, the Expences of such weighing or measuring shall be paid to the Commissioners or their Collector, and shall be recovered by the Commissioners or their Collector by the same Means as herein provided for the Recovery of Rates due in respect of such Goods, Articles, and Things; but if such Goods, Articles, and Things shall be of the same or less Weight or Quantity than shown by the Manifest, Account, or Statement so delivered or made as aforesaid, the Commissioners shall pay all the Expences of such weighing or measuring, and shall also pay to the Master, or Commander of the Vessel, or to the Owner, Consignor, or Consignee of such Goods, Articles, or Things, all Expences which may be occasioned to any such Person by reason of such weighing or measuring.

Rates on Goods, by whom and when payable.

CLXX. And be it enacted, That the Rates payable to the Commissioners in respect of any Goods, Articles, or Things shipped or unshipped from or at or within the Limits of the said Pier shall be paid as follows; (that is to say), if such Goods, Articles, or Things shall be shipped, such Rates shall be paid by the Owner or Consignor of such Goods, Articles, or Things previous to the Shipment of the same; if such Goods, Articles, or Things shall be unshipped, such Rates shall be paid by the Owner or Consignee of such Goods, either before the Expiration of Two Calendar Months next after the same shall have been unshipped, or previous to the Removal of the same from the Premises of the Commissioners, which shall first happen.

Recovery of Rates on Goods.

CLXXI. And be it enacted, That if Default be made in the Payment of any Rates payable under this Act in respect of any Goods, Articles, or Things, it shall be lawful for the Person for the Time being appointed by the Commissioners to collect such Rates to distrain any such Goods, Articles, or Things, or, if the same shall be removed from the Pier and Premises of the Commissioners, to distrain any other Goods, Articles, or Things on the Pier or Premises of the Commissioners belonging to the Person liable to pay such Rates, and to sell any such Distress, and out of the Proceeds of such Sale to pay the Rates due to the Commissioners; provided that the Person collecting any such Rates shall, before making any such Distress as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Goods, Articles, or Things so distrained, and may retain

retain the Amount of Duties so paid out of the Proceeds arising from the Sale of such Distress; or it shall be lawful for the Commissioners to recover such Rates upon Goods, Articles, or Things, and also the Rates upon any Vessel coming within the Limits of the said Pier, by Action in any of the Superior Courts.

CLXXII. And to the end that the Rates by this Act imposed may be effectually levied, be it enacted, That it shall be lawful for any Person appointed to collect any such Rates to enter, either alone or with any other Person, into any Vessel loading or unloading at the said Pier, and to ascertain the Rates payable in respect of any Goods, Articles, or Things therein.

Collector of Rates may enter Vessels.

CLXXIII. And be it enacted, That if any Master or Commander of any Vessel shall evade the Payment of any Rates payable to the Commissioners, he shall pay to them Three Times the Amount of such Rates, and the same shall be recovered from such Master or Commander in the same Manner as Penalties imposed by this Act are directed to be recovered, or by Action in any of the Superior Courts.

Penalty on evading Payment of Rates.

CLXXIV. And be it enacted, That if any Dispute shall arise concerning the Amount of any Rates due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Person distraining to detain such Distress until the Amount of the Rates due, or the Charges of such Distress, (as the Case may be,) shall be ascertained by some Justice of the Peace, who, upon Application made to him for that Purpose, shall determine the Amounts of the Rates due, and award such Costs to be paid by either of the Parties to the other of them as he shall think reasonable; and such Costs, if not paid, on Demand, shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Disputes concerning Rates or Charges of Distress to be settled by a Justice.

CLXXV. And be it enacted, That the Commissioners shall from Time to Time cause to be painted on Boards, in large and legible Characters, and affixed on some conspicuous Part of the Pier, a List of the several Rates which shall be from Time to Time payable in respect of the said Pier; and no Rate shall be payable in respect of the said Pier during such Time as such Lists shall not continue so affixed, or for any Matter or Thing not specified in such List: Provided always, that if any such List shall be removed, stolen, destroyed, injured, or obliterated, the Rates shall continue to be payable during such Time as may be reasonably required for the Restoration or Reparation of such List, in the same Manner as if such Lists had continued affixed, and in the State required by this Act.

Lists of Rates to be set up.

CLXXVI. And be it enacted, That the Commissioners shall keep Books of Account, in which shall be entered the several Sums received by and payable to them for Rates, the Tonnage of the Vessel for which such Rates shall be received, the Name of the Master or Commander thereof, the Port to which such Vessel shall belong, the Place from which such Vessel shall have arrived, and

Account of Rates and Vessels to be kept.

the Place to which such Vessel shall be bound, and also the several Sums received by and payable to them for all Goods, Wares, Merchandize, Matters, and other Things landed or taken on board by such Vessel at the Pier or other Works, or within the Limits thereof; and such Books of Account shall at all reasonable Times be open to the Inspection of the Collector of the *Bristol Dock Company*, and of any Person appointed by him, without any Fee being payable for such Inspection.

Application  
of Rates.

CLXXVII. And be it enacted, That the Rates by this Act authorized to be taken shall be applied, first, in paying the Expences of applying for, obtaining, and passing this Act; secondly, in paying the Interest of any Money borrowed under the Authority of the same; thirdly, in paying the Salaries of Officers appointed by virtue of this Act; fourthly, in repairing, maintaining, and altering the said Pier and other Works, and in repairing and maintaining the Quays, Wharfs, Cranes, and other Works connected therewith, and the Approaches herein-before required to be repaired by the Commissioners, and in otherwise discharging the necessary current Expences incidental to the Provisions of this Act, and then in Repayment of the Principal Monies borrowed under the Authority of this Act, and for no other Use or Purpose whatsoever.

Tolls may be  
reduced, and  
again risen.

CLXXVIII. And be it enacted, That if at any annual Meeting it shall be found and certified by Two of the Commissioners that the Sum of One thousand Pounds remains unappropriated, after Payment of the Principal Monies to be borrowed under and by virtue of the Provisions of this Act, and of the Interest thereon, and of all the Expences then due in carrying into execution the Provisions of this Act, the Commissioners shall, within Two Calendar Months next after such Meeting, cause an Average to be made for the Three preceding Years of the Receipts from the Rates by this Act granted, and of the Disbursements in carrying the Provisions of this Act into execution, and the Commissioners shall then reduce the said Rates so that such Sum only may be collected as shall appear from the Average of the Disbursements herein-before directed to be made to be sufficient for the Payment of the Expences to be incurred in the Year following such annual Meeting; and the said Rates shall be reduced in manner aforesaid as often as it shall be found certified, after all such Payments as aforesaid, that a clear Sum of One thousand Pounds remains in hand: Provided always, that in case, at any Time after any such Reduction as aforesaid, the Receipts accruing from the Rates so reduced shall be insufficient to discharge all lawful Demands, whether in respect of Money borrowed for the Repair and Maintenance of the said Pier, or of the current Expences of repairing and maintaining the same, then it shall be lawful for the Commissioners again to raise the said Rates in manner herein mentioned, so that the same do not exceed the Rates by this Act granted.

Recital of  
43 G. 3. c. 140.  
46 G. 3. c. 35.  
48 G. 3. c. 11.  
49 G. 3. c. 17.

CLXXIX. And whereas under and by virtue of an Act passed in the Forty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act for improving and rendering more commodious the Port and Harbour of Bristol*, and of another Act passed in the  
Forty-

Forty-sixth Year of the Reign of His said Majesty, intituled *An Act to alter and amend an Act passed in the Forty-third Year of His present Majesty, intituled 'An Act for improving and rendering more commodious the Port and Harbour of Bristol,' and for extending the Powers and Provisions of the said Act,* and of another Act passed in the Forty-eighth Year of the Reign of His said late Majesty, intituled *An Act for completing the Improvement of the Port of Bristol,* and of another Act passed in the Forty-ninth Year of the Reign of His said Majesty, intituled *An Act to enable the Bristol Dock Company to borrow a further Sum of Money for completing the Improvements of the Port and Harbour of Bristol,* and of another Act passed in the Third Year of the Reign of His Majesty King George the Fourth, intituled *An Act to alter, amend, and explain the several Acts passed for improving and rendering more commodious the Port and Harbour of Bristol,* or under or by virtue of some or One or more of the said several Acts, certain Rates or Duties in the said several Acts, or some or One of them, particularly mentioned, described, specified, and set forth, are payable to the *Bristol Dock Company* for every Ship or Vessel entering into the Port of *Bristol*, (except as in the said Acts, or some or One of them, excepted,) by the Master or Commander, Owner or Owners of every such Ship or Vessel, according to the Register Tonnage of the said Ship or Vessel, and for all Goods, Wares, Merchandizes, and Commodities whatsoever imported into the said Port of *Bristol*, except as therein excepted, by the Owner or Owners, Consignee or Consignees of such Goods, Wares, Merchandizes, or other Commodities: And whereas the said Pier will be situated within the said Port of *Bristol*, and it is expedient that Powers should be granted to reduce or relinquish all or any of such Rates and Duties in the Cases herein-after specified; be it therefore enacted, That it shall be lawful for the Directors of the said Dock Company, with the Authority and Approbation of Two Thirds a least of the Votes of the Proprietors of Stock in the said Company, at any Meeting to be called as herein-after mentioned, to contract with the Commissioners for executing this Act for the permanent or temporary, total or partial, Remission, Reduction, Alteration, Grant, or other Disposition of all or any of the Rates, Tolls, or Duties payable to the said Dock Company for or in respect of such Ships or Vessels as shall enter the Port of *Bristol*, and shall use the said Pier, and shall quit the said Port without having entered or used any of the Locks, Basins, or other Works of or belonging to the said Dock Company, and for or in respect of Goods, Wares, Merchandizes, or Commodities liable to such Rates and Duties which may be imported in such last-mentioned Ships or Vessels which shall be landed at the said Pier; and every such Contract may contain such Covenants, Clauses, Provisoos, and Conditions as may be agreed upon between the said contracting Parties; but no such Contract shall be valid, or have any Force or Effect, unless and until the same shall have been submitted to and authorized and approved by the Proprietors of Stock at such Meeting to be called as herein-after mentioned, and shall have been signed and sealed at such Meeting by the Chairman thereof, whose Signature thereto shall be conclusive Evidence that the same Contract had been so authorized and approved.

3 G. 4. c. 21.  
relating to  
Bristol  
Docks,  
whereby  
Rates are  
payable on  
entering the  
Port of  
Bristol.

Empowering  
Dock Com-  
pany to con-  
tract with  
the Commis-  
sioners in  
respect of  
Rates, &c.

Notice of Meeting for the Purpose of consenting to Contract to be given by Advertisement.

CLXXX. And be it enacted, That any Meeting of the Proprietors of Stock of the said Company for the Purposes aforesaid shall be convened by Advertisement signed by the Clerk or Clerks of the said Dock Company, and published for Two successive Weeks in Two *Bristol* Newspapers at least, and such Meeting shall be held at some convenient Place in the said City of *Bristol* not earlier than Twenty-one Days after the Publication of the first Advertisement.

Quorum for such Meeting.

CLXXXI. And be it enacted, That in order to constitute a Meeting of the Proprietors of Stock as aforesaid (except for the Purpose of adjourning in the Event of the Non-attendance of a sufficient Number of Proprietors as herein-after provided) there shall be present at least Fifteen Persons entitled to vote as herein-after provided, and the Persons present at such Meeting and so entitled shall hold or represent in the Aggregate, in their own Right, or as Proxies, Stock of the said Dock Company equal in Amount to One Fourth Part of the then existing Stock of the said Company (exclusive of all Stock vested in the Trustees of the Sinking Fund created under the Authority of the said Acts, or some or One of them); and at every such Meeting one of such Proprietors then present, and entitled to vote as herein-after provided, shall be elected to preside as Chairman; and such Meetings may adjourn from Time to Time, and from Place to Place, as they may think proper; and the Decision of Two Thirds of the Votes at such Meetings, or Adjournment or Adjournments thereof, upon any Question, Matter, or Thing, shall be deemed and taken to be the Decision of the said Proprietors of Stock of the said Company: Provided always, that if the Number of Persons present within One Hour after the Time appointed for any such Meeting shall be insufficient to form such Meeting, or the Persons present shall not hold Stock to the Amount herein-before required, such Meeting shall be adjourned to such Time and Place as shall be appointed by the Majority of the Persons then present, if amounting to Ten, or if not, the same shall stand adjourned to that Day Fortnight, at the same Time and Place, of which said several Adjournments herein-before provided for Notice shall be given once at least in Two or more *Bristol* Newspapers.

Votes of Proprietors.

CLXXXII. And be it enacted, That at such Meetings all Persons and Corporations who shall be Proprietors of any Stock of the said Dock Company, and whether beneficially entitled to or holding the same as Trustees for any other Party or Parties, shall have One Vote for every One hundred and forty-seven Pounds Nine Shillings represented by the Stock so held by them, up to the Sum of Seven hundred and thirty-seven Pounds Five Shillings represented by such Stock so held by them, and for every further Sum of Seven hundred and thirty-seven Pounds Five Shillings represented by such Stock so held by them beyond such first-mentioned Sum of Seven hundred and thirty-seven Pounds Five Shillings, One additional Vote; and such Vote or Votes may be given by such respective Parties, or in their Absence by their respective Proxies, constituted under the Seals of such Bodies, or under the Hands of the other Proprietors appointing such Proxies, all such Proxies being Proprietors of Stock of the said Company entitled to vote at such Meetings,



Meetings, and every such Vote by Proxy shall be good and sufficient to all Intents and Purposes as if the Principal had voted in Person ; and the Appointment of every such Proxy may be made according to the Form in the Schedule (F.) to this Act annexed, or as near thereto as the Quality, Nature, and Number of the Appointer or Appointers of the Proxy thereby constituted, and other Circumstances, will admit : Provided always, that nothing herein contained shall extend to authorize any Trustee of the said Sinking Fund, in respect of any Stock vested in him as such Trustee, to vote at any such Meeting either as Principal or Proxy, or to authorize any other Person to vote for him, in respect of any Stock standing in his Name in that Capacity, nor shall it be lawful for any Commissioner for executing this Act to vote either as Principal or Proxy, or to authorize any Person to vote for him, at any such Meeting.

CLXXXIII. And be it enacted, That if Two or more Persons be jointly entitled to any Stock of the said Dock Company, any one of such Persons shall have the Right of voting at any such Meeting, either personally or by Proxy, in respect of such Stock, and for such Purpose shall be deemed the sole Proprietor thereof ; and in the event of any Dispute between any Two or more Persons so jointly entitled as to which of such Persons shall so vote, the Person whose Name stands first in the Books of the said Company as Proprietor of such Share shall, for the Purpose of voting at any Meeting, be deemed the sole Proprietor thereof, and on all such Occasions of Dispute the Vote of such first-named Person, either personally or by Proxy, shall be allowed as the Vote in respect of such Stock, without Proof of the Concurrence of the other Person or Persons jointly interested therein. Votes of joint Holders.

CLXXXIV. And be it enacted, That in case any Proprietor of Stock entitled to vote at such Meetings shall be a Lunatic or Idiot or Minor, such Lunatic or Idiot may vote at such Meeting by his Committee or by any One of his Committee, and such Minor shall and may vote by his Guardian or by any One of his Guardians ; and such respective Committees and Guardians, or any of them, may vote in respect of the Interest of such Lunatics, Idiots, or Minors, either in Person or by Proxy, in the same Manner as if such Stock were held by them respectively in their own Right. Votes of Committees of Lunatics and Idiots, and Guardians of Minors.

CLXXXV. Provided always, and be it enacted, That nothing in this Act contained shall extend to abridge, lessen, alter, or affect any of the Rights, Powers, or Privileges of the *Bristol Dock Company*, or the Directors or Proprietors thereof, further than is herein enacted. Saving Rights of Bristol Dock Company.

CLXXXVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to appoint a Pier Master, and at Pleasure to remove such Pier Master. Power to appoint a Pier Master.

CLXXXVII. And be it enacted, That the Powers by this Act given to the Pier Master shall extend to every Vessel within the Limits of the Pier, and within a Line drawn due North and South Limits of Pier Master's Jurisdiction.

[Local.]

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at

at a Distance of Four hundred Yards of the East Side or End of the Pier or Bridge of Communication, and within Three hundred Yards of any other Part of the Pier or Bridge.

Powers of  
Pier Masters.

CLXXXVIII. And be it enacted, That it shall be lawful for the Pier Master for the Time being to give Directions for all or any of the following Purposes; (that is to say,)

For regulating the Manner in which any Vessel shall lie in the Limits aforesaid, and the Position, mooring or unmooring, placing or removing, of any Vessel within the said Limits:

For regulating the Manner in which Passengers shall land from or embark on any Vessel, and the Manner in which any Vessel shall take in or discharge its Cargo, or any Part thereof, or shall take in or deliver Ballast at the said Pier or within the said Limits:

For regulating the Government of any Vessel within the said Limits, and the Use of the Pier:

Provided always, that it shall be lawful for such Pier Master to direct that any Vessel shall not lie or anchor beyond the Limits of the Pier within a Line drawn due North and South at a Distance of Four hundred Yards of the East Side or End of the Pier or Bridge of Communication, nor within Three hundred Yards of any other Part of the Pier or Bridge.

Penalty on  
Pier Master  
exercising  
Powers with-  
out reason-  
able Cause.

CLXXXIX. And be it enacted, That in case any Pier Master appointed under this Act shall, without reasonable Cause, exercise any of the Powers or Authorities vested in him by this Act, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on  
Master or  
Commander  
for obstruct-  
ing Pier  
Master.

CXC. And be it enacted, That if any Master or Commander of any Vessel within the said Limits, or any Person on board the same, shall hinder the said Pier Master, or any Person employed by him, in mooring, unmooring, placing, or removing such Vessel in manner aforesaid, such Master or Commander or other Person shall forfeit for every such Offence a Sum not exceeding Ten Pounds.

Power of  
Pier Master  
to remove  
Vessels.

CXCI. And be it enacted, That if the Master or Commander of any Vessel within any Part of the said Limits shall not moor, unmoor, place, or remove such Vessel according to the Directions of the said Pier Master for the Time being in Writing given to the said Master or Commander, it shall be lawful for any such Pier Master to cause such Vessel to be moored, unmoored, placed, or removed according to the Directions aforesaid, and to employ a sufficient Number of Persons for that Purpose; and the Expences attending such mooring, unmooring, placing, or removing shall be paid by such Master or Commander, and shall, together with the Costs of ascertaining and recovering the same, be ascertained and recovered from any such Master or Commander in the same Manner as any Damages for the ascertaining and recovering of which no special Provision is contained in this Act are hereby directed to be ascertained and recovered.

CXCII. And

CXCII. And be it enacted, That the Master or Commander of every Vessel within any Part of the said Limits shall regulate such Vessel according to the Directions of the Pier Master for the Time being made in conformity with this Act; and any Master or Commander of any Vessel who, after Notice in Writing signed by the said Pier Master of any such Direction served upon him, shall not forthwith regulate such Vessel according to such Direction, shall be liable to a Penalty not exceeding Ten Pounds.

Penalty on not complying with Directions of the Pier Master.

CXCIII. And be it enacted, That if any Master or Commander or other Person on board of any Vessel which shall be moored or fastened within the said Limits shall not, upon Demand of the said Pier Master, unloose or slacken the Rope or Chain by which such Vessel shall be moored or fastened, or if there shall be no Person on board of any such Vessel so moored or fastened, it shall be lawful for the said Pier Master to cut the Rope or slacken the Chain by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Pier Master shall cut any Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened, he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel, and all Expences thereby incurred shall be paid by the Master or Commander of such Vessel.

Pier Master may cut Ropes.

CXCIV. And be it enacted, That it shall be lawful for the said Pier Master for the Time being to remove any Wreck and other Obstruction within the aforesaid Limits of his Jurisdiction, and the Expence of removing any such Wreck or Obstruction shall be repaid by the Owner of the same.

Pier Master may remove Wrecks, &c.

CXCV. And be it enacted, That every Master, Pilot, or other Person having the Charge of any Vessel or Float of Timber, through whose wilful Act or Negligence any Damage shall be done to the said Pier, Machinery, or other Works or Property of the Commissioners, by means of such Vessel or Float of Timber, shall pay for and repair all such Damage; and all such Damage, if the Amount claimed does not exceed Fifty Pounds, shall be ascertained and recovered in the same Manner as any Damages for the Recovery of which no special Provision is contained in this Act are hereby directed to be recovered; and, in addition to the Remedies hereby provided for the Recovery of the same, it shall be lawful for the Justice before whom the same is recovered to cause the Vessel or Float of Timber causing such Damage, and any Tackle and Furniture thereof, to be distrained and detained until the Amount of Damage and Costs awarded by him shall be paid, and if the same shall not be paid within Seven Days after the taking of such Distress, to cause the Property so distrained, or any Part thereof, to be sold, and out of the Proceeds of such Sale to pay the Amount of Damage and Costs awarded by such Justice, and all the Charges incurred by the Distress, Detention, and Sale of such Property.

Remedies for Damage to Pier, &c.

CXCVI. And be it enacted, That the Owner or Master or Commander of every Vessel or Float of Timber shall be answerable to the

Owner or Master of Vessel

answerable  
for Servants.

the Commissioners for any Damage done by such Vessel or Float of Timber, or any Person employed about the same, to the said Pier, Machinery, or other Works or Property of the Commissioners; and all such Damage, in case the Amount claimed in respect thereof shall not exceed Fifty Pounds, shall be ascertained and be recovered before any Justice; and it shall be lawful for any Person appointed by the Commissioners to regulate the landing or embarking of Passengers and Goods at the said Pier to detain any such Vessel until sufficient Security shall have been given for the Amount of the Damage done by the same, or by any Person employed therein.

Masters may  
recover from  
Servants.

CXCVII. And be it enacted, That if the Owner, Master, or Commander of any Vessel shall make Satisfaction for any such Damage as aforesaid done by any Person employed in such Vessel, the Person doing such Damage shall repay to the said Owner, Master, or Commander the Amount of the Damage so paid, together with the Costs (if any) incurred by him in respect of such Damage; and the Amount of such Damage, together with the Costs, shall, if such Damage does not exceed Fifty Pounds, be ascertained by and recovered before any Justice.

Provision for  
Damages not  
otherwise  
provided for.

CXCVIII. And be it enacted, That in all Cases where any Damages or Charges or Compensation are by this Act directed or authorized to be paid, and the Method of ascertaining the Amount thereof is not provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by Two or more Justices; and when by this Act any Damage or Charges are directed to be paid in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Justices by whom the Offender shall be convicted of such Offence; and on Nonpayment of the Damages or Charges in any of the Cases aforesaid, on Demand, the same shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

Justices to  
examine Par-  
ties and Wit-  
nesses.

CXCIX. And be it enacted, That where in this Act any Question of Compensation or Damages is referred to the Determination of any Justice or Justices, it shall be lawful for such Justice or Justices to examine the Parties to such Question, and their Witnesses, on Oath, and to administer the Oaths necessary for that Purpose; and the Costs of every such Inquiry shall be in the Discretion of such Justice; and if either Party to any such Question fail to appear at the Time and Place appointed by the Justice for going into any such Question, without reasonable Excuse to the Satisfaction of such Justice, due Notice of such Appointment having been given to such defaulting Party, it shall be lawful for such Justice to proceed *ex parte*.

Distress  
against Com-  
missioners.

CC. And with respect to any Sum of Money under the Provisions of this Act adjudged by any Justice to be paid by the Commissioners, for which no other Mode of proceeding is provided by this Act, be it enacted, That if such Money be not paid by the Commissioners

missioners to the Party entitled to receive the same, within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justice for the Payment of such Money, the Amount may be recovered by Distress, and the Justice by whom such Sum of Money shall have been ordered to be paid, or any other Justice, on Application, shall issue his Warrant accordingly; and if sufficient Goods or Effects of the Commissioners cannot be found whereon to levy such Sum of Money, the same may be recovered by Distress of the Goods of the Treasurer of the Commissioners; and the Justice aforesaid, or any other Justice, on Application, shall issue his Warrant accordingly; but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, have been given to such Treasurer, or left at his Residence.

Distress  
against Treas-  
urer.

CCI. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid, he may retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Commissioners coming into his Custody or Control, or he may sue for the same against the Commissioners by Process of Law.

Reimburse-  
ment of  
Treasurer.

CCII. And for the Purpose of providing for the due Publication of all Penalties and Forfeitures exigible under this Act, or any Bye Law of the Commissioners affecting other Persons than the Officers or Servants of the Commissioners, be it enacted, That from Time to Time the Commissioners shall publish the short Particulars of the several Offences for which any such Penalty is imposed by this Act, and of the Amount of every such Penalty, and shall cause such Particulars to be painted on a Board, or printed upon Paper and pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal Place of Business of the Commissioners, and, where any such Penalties are of local Application, shall cause such Boards to be affixed in some conspicuous Place in the immediate Neighbourhood to which such Penalties are applicable or have reference; and such Particulars shall be renewed as often as the same, or any Part thereof, is obliterated or destroyed, and no such Penalty shall be recoverable unless it shall have been published and kept published in the Manner herein before required.

Publication  
of Penalties.

CCIII. And be it enacted, That if any Person pull down or break or deface any such Board put up or affixed, as required by this Act, for the Purposes of publishing any Bye Law or Penalty, or shall obliterate any of the Letters or Figures thereon, he shall forfeit for every such Offence a Sum not exceeding Five Pounds, and he shall also defray the Expences attending the Restoration of such Board, and such Expences shall be recoverable as any Penalty by this Act imposed may be recovered.

Defacing  
Boards put  
up for pub-  
lishing Pen-  
alties or Bye  
Laws.

CCIV. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance thereof, the Recovery of which is not otherwise

Penalties may  
be summa-  
rily recovered  
before Two  
Justices.

[*Local.*]

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provided

provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before Two or more Justices; and on the Complaint being made to any such Justice he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons, and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance, or upon the Default to appear, of the Party offending, it shall be lawful for any Two or more Justices to proceed to the Hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any Two or more Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices shall think fit.

Penalties may  
be levied by  
Distress.

CCV. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture and of such Costs as aforesaid be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any One Justice shall issue his Warrant of Distress accordingly.

Imprison-  
ment in de-  
fault of Dis-  
tress.

CCVI. And be it enacted, That it shall be lawful for the Justice to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justice, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if, before issuing such Warrant of Distress, it shall appear to the Justice, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, he may, if he think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justice, then such Justice shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Application  
of Penalties.

CCVII. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Commissioners, and the other Half thereof to the Informer, or any Person suing for the same, or, if the Commissioners be the offending Party, shall award one Half thereof to  
the

the Informer, and the other Half to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish.

CCVIII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalties to be sued for within Six Months.

CCIX. And be it enacted, That it shall be lawful for any Justice or Justices to summon any Person whom it may be thought necessary to examine as a Witness touching any Matter in question or Offence herein-before made cognizable before a Justice; and if any Person who shall be so summoned shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath, or to give Evidence before such Justice, or any other Justice or Justices, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalty on Witnesses making Default.

CCX. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Commissioners, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Transient Offenders.

CCXI. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (E.) to this Act annexed.

Form of Conviction.

CCXII. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed, by Certiorari or otherwise, into any of the Superior Courts.

Informalities.

CCXIII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress how to be levied.

CCXIV. And

Distress not  
unlawful for  
Want of  
Form.

CCXIV. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Parties may  
appeal to  
Quarter Ses-  
sions on giv-  
ing Security.

CCXV. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice under the Provisions of this Act he may appeal to the General Quarter Sessions for the County in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon,

Court to  
make such  
Order as they  
think rea-  
sonable.

CCXVI. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or may confirm or quash the Adjudication, and order any Money paid by the Appellant or levied by Distress upon his Goods to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Costs,

General  
Exemptions,

CCXVII. And be it enacted, That nothing in this Act contained shall extend to charge with the Payment of any of the Rates hereby imposed in respect of the said Pier or other Works any Person whilst on Duty and actually employed in Her Majesty's Service, or any Ship, Vessel, or Boat belonging to Her Majesty, or engaged solely in Her Service or Employ, or in the Service or Employ of Her Majesty's Customs or Excise, or of the Board of Ordnance, or in the Service or Employ of the Corporation of *Trinity House of Deptford Strond*, or which may be seized by the Officers of Her Majesty's Revenues, nor in respect of any Goods or Merchandize the Property of the Crown or under Seizure, nor of any Articles shipped or landed for the Public Service: Provided always, that if any Person or Persons shall claim and take the Benefit of any Exemption as aforesaid, without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Forty Shillings, over and above the Tolls imposed by this Act.



CCXVIII. Provided also, and be it enacted, That nothing herein contained shall extend to abridge or lessen, or in anywise prejudice or interfere with, any of the Rights, Powers, Immunities, Privileges, or Authorities of the Mayor, Aldermen, and Burgesses of the City of *Bristol*, as Conservators of the Port and Harbour of *Bristol*, further than is herein enacted, nor with any of the Rights, Powers, Immunities, Privileges, or Authorities of the Master, Wardens, and Commonalty of the Society of Merchant Venturers of the City of *Bristol*.

Saving Rights of Corporation of Bristol and Society of Merchant Venturers.

CCXIX. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,)

Interpretation Clause.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

Words importing the Masculine Gender shall include Females :

The Word "Month" shall mean Calendar Month :

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster* :

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of other Persons exempted by Law from the Necessity of taking an Oath :

The Word "Secretary" to include the Word "Clerk" :

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure :

The Word "Sheriff" shall include Under Sheriff, or other legally competent Deputy ; and where any Matter in relation to any Lands is required to be done by any Sheriff, or by any Clerk of the Peace, the Expression "the Sheriff," or the Expression "the Clerk of the Peace," shall in such Case be construed to mean the Sheriff, or the Clerk of the Peace of the County, City, Liberty, or Place where such Lands shall be situated :

The Word "Rate" shall include any Rate or Charge or other Payment payable under this Act for any Passenger, Animal, Carriage, Goods, Merchandize, Articles, Matters, or Things landing on or embarking from the Pier, and passing along any of the Approaches or connecting Roads, or for any Vessel chargeable with Rate, Toll, or Duty :

The Expression "the Pier" shall mean the Pier and Approaches, and connecting Roads and other Works, by this Act authorized to be made :

The Expression "the Commissioners" shall mean the Commissioners appointed or to be appointed by this Act :

The Word "Justice" shall mean Justice of the Peace for the County, City, Liberty, or Place where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter.

CCXX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

Public Act.

SCHEDULES referred to by the foregoing Act.

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SCHEDULE (A.)

*Form of Mortgage Deed.*

Portbury Pier and Approaches.

Mortgage, Number

By virtue of an Act passed, &c., intituled, &c., we, "The Commissioners for the Portbury Pier and Approaches," in consideration of the Sum of <sup>£</sup> Pounds paid to us by *A. B.* of do assign unto the said *A. B.*, his Executors, Administrators, and Assigns, the said Undertaking, and all the Rates and Sums of Money arising by virtue of the said Act, and all the Estate, Right, Tolls, and Interest of the Commissioners in the same, to hold unto the said *A. B.*, his Executors, Administrators, and Assigns, until the said Sum of Pounds, together with Interest for the same at the Rate of for every One hundred Pounds by the Year, be satisfied, the Principal Sum to be repaid at the End of Years from the Date hereof (*in case any Period be agreed upon for that Purpose*). Given under our Hands and Seals this Day of in the Year of our Lord

SCHEDULE (B.)

*Form of Transfer of Mortgage.*

I *A. B.* of in consideration of the Sum of paid to me by *G. H.* of do hereby transfer to the said *G. H.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number made by "The Commissioners of the Portbury Pier and Approaches" to bearing Date the Day of for securing the Sum of and Interest [*or, if such Transfer be by Endorsement, the within Security*], and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Rate, Money, and Property thereby assigned. In witness whereof I have hereunto set my Hand and Seal this Day of One thousand eight hundred and



SCHEDULE (F.)

*Form of Proxy.*

*A.B.* of \_\_\_\_\_ one of the Proprietors of Stock of "The Bristol Dock Company," doth appoint *C.D.* of \_\_\_\_\_ to be the Proxy of the said *A.B.*, in his Absence to vote in his Name upon any Matter proposed at the Meeting of the said Proprietors of Stock to be held under and by virtue and in pursuance of an Act of Parliament passed in the \_\_\_\_\_ Year of the Reign of Her Majesty Queen Victoria, intituled "An Act," &c., on the \_\_\_\_\_ Day of \_\_\_\_\_ next, or at any Adjournment or Adjournments thereof, in such Manner as he the said *C.D.* doth think proper. In witness whereof the said *A.B.* hath hereunto set his Hand [or, if a Corporation, say, the Common Seal of the Corporation] the \_\_\_\_\_ Day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_

SCHEDULE (G.)

*Of Rates on Vessels, Passengers, Goods, Wares, and Merchandize.*

	£	s.	d.
For every Vessel propelled or moved by Steam or Machinery, the following Sums:			
For any Time such Vessel shall remain, not exceeding One Hour, per Ton	0	0	0½
Exceeding 1 Hour and not exceeding 2 Hours, per Ton	0	0	1
2 Hours	0	0	1½
3	0	0	2
4	0	0	2½
5	0	0	3
6	0	0	4
And for any further Time such Vessel shall remain a further Sum at and after the Rate of 4d. per Ton for every 12 Hours.			
For every other Vessel for any Time it shall remain, not exceeding 24 Hours, the Sum of 1s. per Ton.			
And for any further Time, after the Rate of 1s. per Ton for every 24 Hours.			
For every Passenger or other Person any Sum not exceeding the Sums following:			
From or to any Vessel passing to or from any Port or Place Eastward of the Holmes	0	0	3
From or to any Vessel passing to or from any Port in the Bristol Channel Westward of the Holmes	0	0	6
From or to any Vessel passing to or from any other Port in Great Britain and Ireland	0	1	0
From or to any Vessel passing to or from any British Possession, Colony, or Foreign Port	0	10	0
For every Person who shall use the Pier or other Works for the Purpose of Pleasure, Exercise, or otherwise, for every Time, not exceeding	0	0	2
Or per Day, not exceeding	0	0	6

For

For Horses, Mules, Asses, Cattle, Sheep, Lambs, Pigs, Calves, and Carriages, any Sum not exceeding the Sums following :

	Horses and Mules, each.	Cattle, per Head.	Sheep, Lambs, and Pigs, per Head.	Calves, per Head.	One Horse Carriages, each.	Two Horse Carriages, each.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
From or to any Vessel passing to or from any Port or Place Eastward of the Holmes	2 0	1 0	0 1	0 2	1 6	4 0
From or to any Vessel passing to or from any Port in the Bristol Channel Westward of the Holmes	2 6	1 6	0 1	0 2	2 0	6 0
From or to any Vessel passing to or from any other Port in Great Britain and Ireland	3 0	2 0	0 2	0 4	3 0	8 0
From or to any Vessel passing to or from any British Possession, Colony, or Foreign Port	10 0	5 0	0 4	1 0	5 0	10 0

And for every Ass Half the Rate chargeable for a Horse and Mule.

For all Goods, Wares, and Merchandize shipped or unshipped within the Limits of the Pier, any Sums not exceeding the Sums following :

	£	s.	d.
For every Quarter of Wheat, Oats, Rye, Barley, Malt, Beans, Peas, Tares, Mustard Seed, Canary and Seeds of every Denomination, not exceeding	0	0	2
Anchor, per Hundred Weight	0	0	3
Ashes, per Barrel	0	0	1
Alum, per Hundred Weight	0	0	1
Anchovies, per Barrel	0	0	1
Ale, Porter, Cider, or Perry, per Cask	0	0	1
Ditto, in Bottles - per 12 Dozen	0	0	1
Anchor Stock, per Foot, run	0	0	1
Apples and Pears, per Sack of Three Bushels	0	0	2
Asparagus, per Basket	0	0	2
Beer, per Butt	0	0	4
— per Hogshead	0	0	2
— per Half Hogshead	0	0	1
Bran or Pollard, per Eight Bushels	0	0	1
Beer, Table, per Nine Gallons	0	0	1
Beef or Pork contained in any Cask, per Hundred Weight	0	0	1
Barrel Boards or Staves, per Thousand	0	0	9
Butts, Staves, per Hundred	0	1	0
And all other Staves in proportion.			
Battens, Petersburgh, per Hundred	0	0	6
Boards or Battens, close, per Hundred	0	0	4½
Billiard Table	0	2	6
Bedstead, Mahogany	0	0	3
— every other	0	0	2
Bricks, per Thousand	0	0	4½
Barilla, per Ton	0	1	0

[Local.]

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	£	s.	d.
Barilla, per Sewn	0	0	2
Bolt of Canvas, No. 1. 2. 3.	0	0	1
—— every other	0	0	1
Butt, Pipe, or Puncheon, entire or in Staves, each	0	0	1
Bottles, empty, per Dozen	0	0	1
Bale, every, Box, Truss, Trunk, Case, Chest, Bundle, or Parcel, containing Goods not enumerated in Schedule, per Cubic Foot	0	0	0½
Ditto, per Hundred Weight	0	0	1
Basket or Maund containing Goods not enumerated in Schedule	0	0	4
Ditto, smaller, each	0	0	3
Ditto, empty, per Dozen	0	0	1
Beef or Pork, per Tierce	0	0	1
—— per Barrel	0	0	1
Butter, per Barrel	0	0	1
—— or Cheese, per Hundred Weight	0	0	1
Biscuit, per Bag	0	0	1½
Beans and Pease, per Sack	0	0	1
Bottles, full, in Hampers, per Dozen	0	0	2
Brooms, Hair, and Mops, per Dozen	0	0	0½
Bacon, per Side	0	0	1
Beef, per Hundred Weight	0	0	1
Bedding, Seaman's	0	0	1
Currants or Raisins, per Hundred Weight	0	0	1
Coffee, per Hundred Weight	0	0	1
Copper or Brass, wrought or unwrought, per Hundred Weight	0	0	1
Chalk Stones, rough or hewn, per Ton	0	0	4
Corpses, each	1	0	0
Cordage, per Hundred Weight	0	0	1½
Cod Fish, per Hundred Weight	0	0	1
Clover Seed, per Sack	0	0	1
Calves Skins, per Dozen	0	0	3
Colours, per Firkin	0	0	1
Carboys, each	0	0	2
Coals, Culm, Splint, Coke, or Cinder, per Ton	0	0	6
Chest of Drawers, Double	0	0	8
Single	0	0	5
Chairs, per Dozen	0	0	6
each	0	0	1
Chimney Pots, each	0	0	1
Cabbages, per Dozen	0	0	1
Carrots, per Hundred	0	0	1
Deals, per Load containing Fifty Cube Feet	0	0	9
Dogs, each	0	0	6
Earthenware, per large Crate	0	0	6
per small Crate	0	0	3
Fish, per Pot, Prickle, or Pad	0	0	1
per Trunk	0	0	1
per Bushel or Sieve	0	0	1
Fruit, per Bushel or Sieve	0	0	1
Flour, per Sack of Five Bushels	0	0	1
Faggot, per Hundred	0	0	3
Fire-wood, per Cord	0	0	3
Feathers, per Hundred Weight	0	0	1
Foxes, each	0	1	3
Fowls, and every other Sort of Poultry, per Head	0	0	1
Flint Stones, per Ton	0	0	1
Glass Ware, per large Crate	0	0	6

	£	s.	d.
Glass Ware, per small Crate	0	0	3
—— Window, per Crate	0	0	4
Grindstones, each	0	0	1
Grate or Range, large	0	0	6
—— small	0	0	3
Gunpowder, per Barrel	0	0	6
Garden Stuff, per Bushel or Sieve	0	0	1
Hay, per Load of Thirty-six Trusses	0	0	6
Hops, per Bag	0	0	3
—— per Pocket	0	0	2
Hams, Bacon, or Tongues, per Hundred Weight	0	0	1
Herrings, Red, per Barrel	0	0	2
Hogshead packed with Goods not enumerated in Schedule	0	0	6
Hoops, per Bundle	0	0	1
Hurdles, per Hundred	0	0	10
Harpsichord	0	1	0
Harps, each	0	0	8
Hemp, per Hundred Weight	0	0	1
Hares, Pheasants, and all other Game, per Head	0	0	1
Hides, raw or tanned	0	0	1
Iron, per Hundred Weight	0	0	1
—— per Ton	0	1	0
—— Pots, each	0	0	1
Kelp, per Ton	0	0	6
Laths, per Twenty Bundles	0	0	3
Lath Wood, Six Feet per Fathom	0	0	6
—— Five Feet ditto	0	0	4
Lead, per Hundred Weight	0	0	1
—— per Ton	0	1	0
Lime, per Load of Twenty-eight Bushels	0	0	1
Leather, per Hide	0	0	3
Leeks, per Dozen Bundles	0	0	1
Lumber, and every other Article not specified before in this Table, per Foot Cube	0	0	1
—— Dosser, Hundred Weight	0	0	1
Meal or Middlings, per Hundred Weight	0	0	1
Mahogany, in Logs or Planks, per Foot Cube	0	0	1
Masts, Ten Inches in Diameter or upwards, each	0	2	0
—— under Ten Inches, each	0	0	9
Millstones, large, each	0	0	6
—— small, each	0	0	6
Molasses, per Puncheon	0	0	3
Mustard, per Thirty Pound Barrel	0	0	1
Marble, per Ton	0	1	0
Nuts, per Bag	0	0	1
Nails, per Bag	0	0	1
Oil Cakes, per Thousand	0	0	9
Oranges and Lemons, per Chest	0	0	3
—— per Half Chest	0	0	2
Oil, Train or Fish, per Barrel, and so in proportion for any greater or smaller Quantity	0	0	6
Oak or Elm Planks, per Load containing Thirty Cube Feet	0	0	6
Oysters, per Bushel	0	0	1
—— per Firkin or smaller Barrel	0	0	1
Ovens, each	0	0	3
Ordnance, Pieces of, Brass or Iron, per Hundred Weight	0	0	2
Onions, per Bushel	0	0	1

	£	s.	d.
Oatmeal, per Sack	0	0	1
Oil, per Pipe	0	0	6
— per Hogshead	0	0	2
— per Half Hogshead	0	0	1
— per Jar	0	0	1
— per Chest	0	0	1
— per Half Chest	0	0	1
Potatoes, per Barrel	0	0	1
— per Ton	0	0	9
Plums, per Box	0	0	1
Potatoes, per Sack of Three Bushels	0	0	1
Pale Cleft, per Thousand	0	0	9
Posts and Rails, per Load of Fifty Cube Feet	0	0	6
Pewter, wrought, per Hundred Weight	0	0	1
— old	0	0	1
Pianofortes, each	0	2	0
Pitch and Tar, per Barrel	0	0	2
Parcels, none to be charged less than	0	0	2
Straw, per Load	0	0	6
Sugar, Loaf, per Hundred Weight	0	0	1
— raw, per Hundred Weight	0	0	1
Salt, per Hundred Weight	0	0	1
Spars, per Score	0	0	3
Solder, per Hundred Weight	0	0	1
Sophas, each	0	0	6
Stone, per Ton	0	0	6
Ditto, Paving, per Ton	0	0	6
Slate, per Ton, containing Twenty-four Feet Cube	0	0	6
Stove, Register	0	0	4
— other	0	0	3
Sedan Chairs, each	0	0	6
Salmon, per Kit	0	0	1
Skins, Goat, Dog, Calf, Sheep, or Lamb, per Dozen	0	0	4
Soap, per Hundred Weight	0	0	1
Starch, per Hundred Weight	0	0	1
Staves, Pipe, per Hundred	0	0	1
— Hogshead, per Hundred	0	0	1
— Barrel, per Hundred	0	0	1
— Ends, per Hundred	0	0	1
Shot, per Bag	0	0	1
Salt Fish, per Hundred Weight	0	0	1
Shrimp Baskets, each	0	0	0½
Tallow, Soap, or Candles, per Hundred Weight	0	0	1
Tea, per Quarter Chest	0	0	2
And so on in proportion for any greater or less Quantity than a Half Chest.			
Treacle, per Hundred Weight	0	0	1
Timber, per Load containing Fifty Cubic Feet	0	0	6
Tables, Dining, per Set	0	1	1
— other Dining Tables, each	0	0	6
— Card or Pembroke, each	0	0	3
— every other, each	0	0	3
Tombstones, each	0	2	0
— Marble	0	5	0
Tiles, plain, per Thousand	0	0	3
— Hip or Gutter, per Thousand	0	0	4
— Ridge or Pantiles, per Thousand	0	0	6



	£	s.	d.
Tiles, Mathematical, per Thousand	0	0	9
—— Paving, per Thousand	0	0	3
Turtle, each	0	0	10
Tobacco and Snuff, per Hundred Weight	0	0	1
Tallow, per Hundred Weight	0	0	1
Turbot, per Score	0	0	1
Trunk, Portmanteau, or Bundle, each	0	0	1
Vats packed with Goods not enumerated in Schedule, each per Foot Cube	0	0	1
Ditto, per Hundred Weight	0	0	1
Violins or Bass Viols, each	0	0	2
Vinegar, per Hogshead	0	0	1
Wool, Yarn, or Cotton, per Hundred Weight	0	0	4
Wine (not British), Sweet Oil, or Spirits, for every Gallon contained in any Butt, Pipe, Puncheon, or Piece, or any Cask whatsoever	0	0	1
Wine or Vinegar (British) per Gallon	0	0	1
Oil or Spirits in Bottles, per Dozen	0	0	2
—— per Pipe	0	0	6
—— per Hogshead	0	0	3
—— per Half Hogshead	0	0	2

All Goods not enumerated in this Table to pay at the Rate of 1*d.* per Cube Foot, or Three-pence per Hundred Weight.

## SCHEDULE (H.)

*Of Property to be taken.*

Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
COUNTY OF SOMERSET.			
<i>Parish of Portbury.</i>			
Old Sea Wall - -	James Adam Gordon - -	- - -	Joseph Cox.
Sheep Lane Drove - -	Owners of adjoining Lands - -	- - -	Occupiers of adjoining Lands.
Outbuildings - -	James Adam Gordon - -	- - -	Joseph Cox.
Farmhouse, Garden, and Frontage.	Ditto - -	- - -	Ditto.
Cottage and Garden - -	Ditto - -	- - -	Elizabeth Gold.
Garden - -	Ditto - -	- - -	John Parnell.
Inclosure from the Waste	Ditto - -	- - -	Ditto.
Ditto - -	Ditto - -	- - -	Joseph Cox.
Barton and Buildings - -	Ditto - -	- - -	William Allarton.
Garden - -	Ditto - -	- - -	Ditto.
Orchard - -	Ditto - -	- - -	William Simmons.
House and Garden - -	Ditto - -	- - -	Ditto.
Ditto - -	Ditto - -	- - -	Thomas Feltham.
Orchard - -	Ditto - -	- - -	William Simmons.
Ditto - -	Ditto - -	- - -	Ditto.
House and Garden - -	Ditto - -	- - -	James Loscombe.
House and Orchard - -	John Parnell and John Yeeles, Trustees for James Wilde and Wife. - -	- - -	James Wilde and John Bearce.
House, Garden, and Build- ings.	John Parnell - -	- - -	Austin Atherton.
Droeway - -	Owners of adjoining Lands - -	- - -	Occupiers of adjoining Lands.
Barn and Barton - -	James Adam Gordon - -	- - -	John Yeeles.
Orchard - -	Ditto - -	- - -	Ditto.
Ditto - -	John Parnell - -	- - -	Austin Atherton.
Garden - -	John Parnell and John Yeeles, Trustees for James Wilde and Wife. - -	- - -	John Bearce.
House and Garden - -	John Yeeles - -	- - -	John Yeeles.
Orchard and Bartons - -	James Adam Gordon, Esq. - -	- - -	Ditto.
Orchard - -	Joseph Rowles - -	- - -	Joseph Rowles.
Orchard and Garden - -	James Adam Gordon - -	- - -	Robert Dunn.
House in Two Tenements	Ditto - -	- - -	Do. and Benjamin Crane
Orchard and Garden - -	Ditto - -	- - -	Benjamin Crane.
House, Barton, and Pool	William Bayley - -	- - -	John Bryant.
House and Garden - -	John Cox - -	- - -	Cornelius Haskins.
Orchard - -	James Adam Gordon - -	- - -	William Hardwick.
House, Garden, and Build- ings.	Ditto - -	- - -	Ditto.
Garden - -	Ditto - -	- - -	Ditto.
Cottage and Garden - -	William Bayley - -	- - -	John White.
Orchard - -	James Adam Gordon - -	- - -	William Stone.
Ditto and Garden - -	Ditto - -	- - -	Ditto.
House and Garden - -	Ditto - -	- - -	John Davis.
Ditto - -	Ditto - -	- - -	Mark Holliday.

Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
House and Garden	James Adam Gordon	-	James Edington.
Garden	Ditto	-	John Davis.
Field Gardens	Ditto	-	J. A. Gordon, Esq.
House and Garden	Ditto	-	John Newton.
Orchard and Garden	Ditto	-	Ditto.
Orchard	Ditto	-	James Hunt.
House and Garden	Ditto	-	Ditto.
Ditto	Mary Leech	-	Benjamin Weaver.
Cottage and Two Tenements.	James Adam Gordon	-	Charity Doggett and Anne Russell.
Orchard and Garden	Ditto	-	Charity Doggett.
Garden and Yard	Ditto	-	William Stone.
Orchard	Ditto	-	Ditto.
House and Garden	Ditto	-	Elizabeth Leech.
Ditto	Ditto	-	Joseph Stokes.
Poor-house and Garden	Ditto	-	John Milsom.
Orchard	James Cockburn and Mrs. Ann Lovell, Trustees for Miss Norman (Minor).	-	Benjamin Pilliner.
Ditto	Ditto	-	Ditto.
Brake	James Adam Gordon	-	James Adam Gordon.
Ditto	Trustees of Alderman Whitson's Charity.	-	William Hodges.
Ditto	James Adam Gordon	-	James Adam Gordon.
Cottage, Garden, and Workshop.	Thomas Leech	-	Thomas Leech.
Cottage and Garden.	James Adam Gordon, Esq.	-	Thomas Stokes.
House, Garden, and Buildings.	Ditto	-	Samuel Porter.
Orchard	Ditto	-	Ditto.
Cottage, Garden, and Orchard.	Ditto	-	John Stokes.
House in Two Tenements and Garden.	Executors of Rich. Bright (deceased.)	-	George Hunt and James Broad.
Orchard	James Adam Gordon	-	John Parnell and William Hall.
Cottage in Two Tenements	Ditto	-	Thomas Morgan and Sarah Sheddick.
Pasture and Barton	Ditto	-	James Stokes.
Barn and Yard	Ditto	-	J. A. Gordon, Esq.
Orchard	Ditto	-	Thomas Leech.
Brake	Ditto	-	John Davis.
Orchard	Ditto	-	James Stokes.
Ditto	Executors of Rich. Bright (deceased.)	-	John Parnell and William Hall.
House, Garden, Barton, and Buildings.	James Adam Gordon	-	James Stokes.
Orchard	Ditto	-	Ditto.
Wood	Ditto	-	J. A. Gordon.
Brake	Ditto	-	Samuel Newton.
Cottage, Garden, and Orchard.	Ditto	-	Ditto.
Orchard	Ditto	-	Ditto.
Ditto	Ditto	-	John Carter.
Ditto	Ditto	-	Ditto.
House, Garden, and Buildings.	Ditto	-	Ditto.
Two Cottages and Gardens	Ditto	-	James Corner and Joseph Stevens.

Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Blue Anchor Inn, Garden, and Tenement.	William Dickens, Eliza Ray, John Dickens, and Thomas Dickens.	- - -	James Vowles and Thomas Cox.
Barton and Sheds	Philip John Miles	- - -	Joseph Lawrence.
Garden	Ditto	- - -	Edward Harford.
Ditto	Ditto	- - -	Hannah Maria Rawle.

*Parish of Saint George (otherwise Easton-in-Gordano).*

Cottage	James Adam Gordon	George Prosser	William Doggett.
Barton and Building	Ditto	William Hellin	William Stone.
House, Garden, and Orchard	Ditto	Ditto	Ditto.
Orchard and Garden	Reverend John Gordon, Prebendary of Easton-in-Gordano in the Cathedral Church of Saint Andrew in Wells.	George Wilkins de Winton.	John Hodges.
Quarry	Ditto	Ditto	Edward Young.
Barn and Barton	Ditto	Ditto	Ditto.
House, Garden, and Buildings.	Ditto	Ditto	Ditto.
Orchard	Ditto	Ditto	Ditto.
Ditto	Reverend Henry Mirehouse (Glebe).	- - -	George Derrick.
House and Garden	Ditto	- - -	Ditto.
House, Tenement, and Garden.	James Adam Gordon, Esq.	Henry Smith	Henry Smith.
House and Garden	Ditto	William Morgan	John Bryant.
House, Garden, and Orchard	Ditto	Ditto	Ann Wade.
Six Cottages and Gardens	Henry Bryant sen.	- - -	Henry Bryant, William Selby, Thomas Davis, John Mason, George Martin, Augustus Bryant.
Two Cottages and Garden	Ditto	- - -	Henry Bryant senior and Henry Bryant junior.
Ditto	James Adam Gordon	Joseph Hailstone	James Wyson and James Hodges.
Orchard	Ditto	George Prosser	George Kitchen.
Orchard and Ox-pen	Ditto	Ditto	William Doggett.
Garden and Plantation	Reverend Hen. Mirehouse	- - -	Reverend Hen. Mirehouse.
Plantation	James Adam Gordon	Reverend Hen. Mirehouse.	Ditto.
Orchard	Ditto	George Prosser	George Kitchen.
House and Garden	Ditto	Ditto	Ditto.
Ditto	Ditto	Ditto	William Wade.
House in Three Tenements	Ditto	Samuel Hodges	Samuel Hodges, John Hunt, and James Mattocks.
King's Arms Inn, Garden, and Premises.	Ditto	John Hill	George Derrick.
House and Garden	Ditto	John Newton	Samuel Rowley.
Orchard	Ditto	Ditto	Ditto.
Seven Tenements, Garden, and Roadway.	Reverend Hen. Mirehouse	- - -	Thomas Delve, William Wade, Samuel West, Thomas Poole, Thomas Newton, Joseph Light, and John Phippen.
Orchard	Ditto	- - -	Thomas Delve.

Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Saint George's Poor-house and Garden.	Parish Officers of St. George's.	- - -	James Collier.
Orchard - - -	Reverend Hen. Mirehouse	- - -	George Derrick.
House, Garden, and Tenement.	James Adam Gordon	John Hodges, Ann Blew.	John Hodges and Elizabeth Yeeles.
House, Garden, & Workshop.	Ditto - - -	- - -	George Porter and Robert Porter.
Four Tenements and Garden.	Ditto - - -	Hester Porter -	Hester Porter, Jacob Croker, John Humphries, and John Garrett.
Cottage and Garden -	Ditto - - -	George Derrick -	Samuel Bryant.
Garden - - -	Ditto - - -	Hester Porter -	John Garrett.
House and Garden -	Ditto - - -	Ann Hook -	Ann Hook.
Orchard and Garden -	William Bayley -	- - -	Thomas Porter.
Orchard - - -	William Bayley -	- - -	Ditto.
House and Garden -	James Adam Gordon	Sarah Hellin -	James Parsons.
Orchard - - -	Ditto - - -	Ditto -	James Drew.
House and Garden -	Sarah Hellin -	- - -	Ditto.
Orchard - - -	Ditto - - -	- - -	Ditto.
Cottage and Garden -	James Adam Gordon	James Wilde -	James Currel.
Ditto - - -	Ditto - - -	Ditto -	Mary Sulley.
Ditto - - -	Ditto - - -	Ditto -	James Powell.
Four Tenements -	Ditto - - -	Samuel Bryant -	Samuel Bryant, George Brick, Giles Porter, Elizabeth Crew.
House and Garden -	Ditto - - -	Edward Johnson	Edward Johnson.
Orchard - - -	William Bayley -	- - -	Thomas Porter.
Garden - - -	James Adam Gordon	- - -	Joseph Tyler.
Orchard - - -	George Windham	- - -	George Windham.
Ditto - - -	James Adam Gordon	Nicholas Lovell -	Nicholas Lovell.
House, Garden, and Premises.	Ditto - - -	Ditto -	Ditto.
House, Garden, Orchard, and Plantation.	Ditto - - -	William Stiffe -	William Stiffe.
House and Garden -	Ditto - - -	George Windham	James Wilde.
House and Stable -	Ditto - - -	Samuel Hodges -	George Prescott.
House - - -	Ditto - - -	George Prosser -	Robert Jones.
New Inn, Garden, and Workshop.	Ditto - - -	Ditto -	Himself.
House, Garden, Brewery, and Malt-house.	Ditto - - -	Joseph Stacey -	William Hall.
House, Garden, and Cart-house.	Ditto - - -	George Windham	William Bryant, and Part unoccupied.
Plantation and Lawn -	Ditto - - -	George Wilkins de Winton.	Edward Gore Langton.
Orchard - - -	Ditto - - -	Ditto -	Ditto.
Plantation - - -	Ditto - - -	- - -	James Adam Gordon.
Garden - - -	Ditto - - -	Ditto -	Edward Gore Langton.
Two Houses, Tenement, and Garden.	Ditto - - -	William Morgan	John Case and William Wilton.
House and Garden -	Ditto - - -	Charles Walter Denford.	Thomas Tucker.
Four Tenements and Gardens.	Ditto - - -	Ditto -	Joseph Bailey, James Parsons, Samuel Williams, Thomas Rowles.
House and Garden -	Ditto - - -	George Windham	Benjamin Brown.
Two Houses and Gardens	Ditto - - -	Ann Rogers -	John Adams and Thomas Good.
Three Tenements and Courts.	Ditto - - -	Ditto -	Ann Rogers, John Bayley, Charles Davis.
House and Post Office -	Ditto - - -	Ann Harris -	Ann Harris.

[Local.]

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Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Two Houses - - -	James Adam Gordon - - -	Mrs. Ann Thayer	James Pain and Anna Cary.
Three Houses and Gardens. - - -	Ditto - - -	George Windham	George Windham junior and Sarah Hall.
House and Baker's Shop - - -	Ditto - - -	George Windham, Trustee for Elizabeth Windham.	George Windham junior.
House - - - - -	Ditto - - - - -	- - - - -	Sarah Sharp.
Ditto - - - - -	Ditto - - - - -	Joseph Tippet -	Joseph Tippet.
Ditto - - - - -	Ditto - - - - -	James Parker -	James Parker.
House and Butcher's Shop - - -	Ditto - - - - -	John Barnabas Young.	John Davis.
Two Tenements and Garden. - - -	Ditto - - - - -	Sarah Weaver -	Sarah Weaver and John Watkins.
Five Tenements and Garden. - - -	Ditto - - - - -	Jane Bull -	Samuel Buck; Sarah Parker, and William Pain.
Six Tenements and Gardens. - - -	Ditto - - - - -	Ditto -	William Geirish, John Charles, Richard Hazell, Thomas Dickens, William Parfitt, William Bennett, and Jane Bull.
Three Tenements - - -	Ditto - - - - -	George Windham	Thomas Vowles, John Vowles, and Samuel Brooks.
House, Garden, and Orchard. - - -	Ditto - - - - -	John Harford -	Thomas Baker.
House and Garden - - -	Ditto - - - - -	Trustees of Baptist Chapel.	John Adams.
Chapel and Garden - - -	Ditto - - - - -	Ditto.	
Five Tenements and Gardens. - - -	Ditto - - - - -	Charles Walter Denford.	Andrew Lawley, Thomas Williams, John Thomas, William Reed, Edward Cato, Joseph Porter.
Duke of Cumberland Inn, Three Tenements, and Garden. - - -	Ditto - - - - -	George Windham, Trustee for Elizabeth Windham.	William Cary, Elizabeth Bailey, John Athersuch, and Thomas Harris.
Two Tenements - - -	Ditto - - - - -	Charles Walter Denford.	Ann Raw and void.
Ditto - - - - -	Ditto - - - - -	Sarah Sage -	Samuel Stokes and Thomas Taylor.
Tenement - - - - -	Ditto - - - - -	Representatives of William Dickens.	John Kitto.
Ditto - - - - -	Ditto - - - - -	John Slade -	John Slade.
Ditto - - - - -	Ditto - - - - -	George Turner -	George Turner.
Ditto - - - - -	Ditto - - - - -	Sarah Parker -	Void.
Duke of Cornwall Inn - - -	Ditto - - - - -	Richard Hazell -	Joseph Taylor.
Royal George Inn and Tenement. - - -	Ditto - - - - -	Susan Marshall -	Susan Marshall and William Sulley.
House in Two Tenements - - -	Ditto - - - - -	James Edington	Edward Villiers and Charlotte Colborn.
House - - - - -	Ditto - - - - -	Edward Andrews	Mary Russell.
Ditto - - - - -	Ditto - - - - -	John Chafey -	John Chafey.
Ditto - - - - -	Ditto - - - - -	James Hobbs Brown.	James Hobbs Brown.
Waterloo Inn - - - - -	Ditto - - - - -	Elizabeth Evans	George Jones.
Pill Ferry and Slip - - -	Ditto - - - - -	Elizabeth Gilmore	Elizabeth Gilmore.
Red Lion Inn - - - - -	Ditto - - - - -	- - - - -	Ann Raw.
Tenement - - - - -	Ditto - - - - -	- - - - -	Void.

Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Three Tenements -	James Adam Gordon -	- - -	Void, Charles Rumley, and Sarah Adams.
Ditto - - -	Ditto - - -	- - -	Joseph Gold, William Buck, and John Cox.
Ditto - - -	Ditto - - -	Ann Rogers -	John Hall, William Dyer, James Rowles.
Tenement - - -	Ditto - - -	Samuel Bailey -	Edward Seville.
Four Houses and Tenement.	Ditto - - -	Elizabeth Gilmore.	Elizabeth Athersuch, John Barnabas Young, William Preston, Elizabeth Thomas, and Joseph Bull.
Five Tenements - -	Ditto - - -	Ditto -	Jane Duncan, Elizabeth Parker, George Thayer, Richard Light, John Lawless.
Coal-yard and Building -	Ditto - - -	Henry Clutsan -	Henry Clutsan.
Ship-yard, Dock, Sheds, and Premises.	Ditto - - -	George Wilkins de Winton.	William Morgan.
Open Yard - - -	Ditto - - -	Ditto -	Ditto.
House - - -	Ditto - - -	Ann Thayer -	Alfred Chiswell.
Three Tenements -	Ditto - - -	Samuel Hodges -	James Mitchell, William Lewis, and George Thomas.
Star Inn Yard, Garden, and Sheds.	Ditto - - -	- - -	William Morgan.
Four Houses and Garden	Ditto - - -	Robert Locke -	Uriah Holder, James Harris, Edward Bullock, Jonah Sage.
Ancient Mill Site -	Ditto - - -	- - -	William Morgan.
House - - -	Ditto - - -	John Hodges -	Henry Ware.
Ditto - - -	Ditto - - -	Samuel Vowles -	Samuel Vowles.
Two Houses - - -	Ditto - - -	Sarah Weaver -	Thomas Pain and Jane Jefferies.
King's Head Inn and Court.	Ditto - - -	Mary Porter -	Joseph Jukes.
House - - -	Ditto - - -	Thomas Press -	Thomas Press.
Two Houses - - -	Ditto - - -	Charles Walter Denford.	Elizabeth Gilmore and Henry Dyer.
Tenement - - -	Ditto - - -	Edward Hamlyn -	James Poole.
Wash-house - - -	Ditto - - -	George Lewis -	William Priston.
Ditto - - -	Ditto - - -	John Gilling -	Prudence Buck.
Two Houses - - -	Ditto - - -	Ditto -	Joseph Jefferson and William Harris.
Orchard and Garden -	Ditto - - -	George Wilkins de Winton.	James Wilde.
Garden - - -	Ditto - - -	Charles Walter Denford.	William Morgan.
Ditto - - -	Ditto - - -	Ditto -	Richard Johnson.
Ditto - - -	Ditto - - -	Robert Johnson -	William Baker.
Ditto - - -	Ditto - - -	Edward Andrews -	George Johnson.
House and Garden -	Ditto - - -	Ditto -	Edward Andrews.
Three Tenements and Gardens.	Ditto - - -	Richard Durbin -	John Hayman, Mary Sheppard, Anthony Harris.
House - - -	Ditto - - -	George Ray -	George Pains.
Three Tenements and Garden.	Ditto - - -	Ann Rogers -	Emanuel Cappin, James Reed, William Parseley.
Four Houses, Tenement, and Garden.	Ditto - - -	Joseph Poole -	Sarah Hodges, Richard Porter, Joseph Brown.

Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Two Houses and Garden	James Adam Gordon	Charles Walter Denford.	Thomas Wilton and William Hunt.
Garden - - -	Ditto - - -	William Hodges	Joseph Bull.
House and Garden -	Ditto - - -	George Wilkins de Winton.	John Cross.
Four Tenements and Gardens.	Ditto - - -	William Dickins	John Sage, Alfred Chiswell, George Milward, and John Dickens.
Three Tenements -	Ditto - - -	Samuel Fear -	William Sheppard, Robert Bishop, and William Rowles.
House and Garden -	Ditto - - -	George Wilkins de Winton.	William Smalldridge.
Yard and Sheds -	Ditto - - -	Ditto -	William Morgan.
House, Shop, and Tenement.	Ditto - - -	Samuel Fear -	Samuel Fear and Charles Flower.
Infant School and Garden	Ditto.	Samuel Ware -	Samuel Ware.
House and Garden -	Ditto - - -	Dinah Bailey -	Dinah Bailey.
Ditto - - -	Ditto - - -	Richard Durbin	Richard Durbin, James Porter, Richard Case, William Hunt, Ann Porter, John Wade, Sarah Hellin.
Nine Tenements and Gardens.	Ditto - - -	Richard Durbin	Samuel Bryant.
Orchard and Stall -	Ditto - - -	George Wilkins de Winton.	Edward Daniel.
Lawn, Garden, and Plantation.	George Windham	- - -	Ditto.
Stable and Coach-house -	Ditto - - -	- - -	Robert Weadon and William Garrett.
House and Garden -	James Adam Gordon	Joseph Brown -	Thomas Prescott.
Ditto - - -	Ditto - - -	Thomas Prescott	Edward Young.
Orchard - - -	Rev. John Gordon, as Prebendary aforesaid.	George Wilkins de Winton.	Ditto.
Barton and Sheds -	Ditto - - -	Ditto -	George Alvis.
Orchard - - -	James Adam Gordon	- - -	Ditto.
Ditto - - -	Ditto - - -	- - -	Ditto.
Barton, Garden, and Buildings.	Ditto - - -	- - -	Ditto.
Orchard and Barton -	Ditto - - -	- - -	Ditto.
House, Barton, and Premises.	Ditto - - -	- - -	Ditto.
Orchard and Garden -	Ditto - - -	- - -	Ditto.
Barton - - -	Ditto - - -	- - -	Ditto.
Plantation - - -	Ditto - - -	- - -	Ditto.
Wood and Stream -	Ditto - - -	- - -	Ditto.

*Parish of Abbots Leigh.*

Pasture and Brake -	Philip John Miles	- - -	James Vowles.
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*Parish of Portishead.*

Frontage - - -	James Adam Gordon	- - -	William Tuck.
Ditto - - -	Corporation of Bristol	- - -	Unoccupied.
House and Garden -	William Gale	- - -	William Gale.
Garden and Building -	Corporation of Bristol	- - -	Ditto.
Orchard - - -	Ditto - - -	- - -	Edward Jones.
House and Garden -	Ditto - - -	- - -	Ditto.



Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
House and Garden	William Rowles	- - -	William Rowles.
Ditto	John Biss	- - -	James Morgan.
Ditto	William Durban	- - -	William Durban.
Garden	Corporation of Bristol	- - -	John May.
Orchard	Ditto	- - -	John Harris.
Ditto	James Tanner	- - -	James Tanner.
Two Cottages and Gardens	Joseph Williams	- - -	Richard Gregory and Samuel Youde.
Garden and Roadway	Samuel Mitchell	- - -	Samuel Mitchell.
Orchard	John Lyons	- - -	Augustus Wilmot.
House and Garden	Ditto	- - -	Ditto.
Shed	James Adam Gordon	- - -	Abraham Player.
Orchard	Ditto	- - -	Ditto.
House and Garden	Ditto	- - -	Ditto.
Ditto	Joseph Player	- - -	Joseph Player.
Ditto	James Adam Gordon	- - -	John Walker.
Two Tenements and Garden.	Ditto	William Hewlett	Thomas Jones and void.
House and Garden	Ditto	Augustus Wilmot and John Parnell.	Augustus Wilmot and Daniel Bezant.
Ditto	John Parnell	- - -	John Shepard.
Barton and Sheds	James Adam Gordon	- - -	James Mitchell.
House and Garden	George Richards	- - -	Samuel Blake.
Ditto	Ditto	- - -	John Palmer.

*Parish of Weston-in-Gordano (or Portishead, or one of them).*

House, Garden, and Barton.	Reverend David Stuart Moncrief, as Rector of Weston-in-Gordano.	- - -	Joseph Youde.
Manor Pound	James Adam Gordon, Esq.	- - -	
House, Garden, and Barton.	Philip John Miles	- - -	William Chilcott.
Old Poor-house and Garden.	Ditto	- - -	Walter Bezant and James Coollen.
Four Houses and Gardens	William Wilmot	- - -	Thomas Stock, James Wyatt, Peter Bezant, Charles Hack.
Orchard	Ditto	- - -	Charles Hack.
House, Garden, and Orchard.	Philip John Miles	- - -	James Bezant.

*Parish of Wraxall.*

Plantation	Charlotte Kington	- - -	Thomas Kington.
Garden	Ditto	- - -	John Syston and William Bunch.
Plantation	Ditto	- - -	Thomas Kington.
Ditto	Ditto	- - -	Ditto.
Ditto	Ditto	- - -	Ditto.

*Parish of Tickenham.*

Orchard	James Adam Gordon	- - -	Richard Vowles.
Cottage and Garden	Thomas Price	- - -	Thomas Price.
Ditto	Trustees of William Papwell Brigstock.	- - -	William Warful.

[Local.]

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Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Three Cottages and Gardens.	Moses Bailey jun.	- - -	Moses Bailey jun., Moses Bailey sen., and Mary Tucker.
Cottage and Garden	John Hamlin	- - -	James Perrott.
Orchard	James Adam Gordon	- - -	Richard Vowles.
Garden	James Adam Gordon	- - -	Ditto.
House, Garden, and Building.	Ditto	- - -	Ditto.
Cottage and Garden	Ditto	- - -	Ditto.
Barton and Buildings	Trustees of William Papwell Brigstock.	- - -	James Hayman.
Smith's Shop	Ditto	- - -	Isaac Bryant.
Garden	Ditto	- - -	Samuel Baker.
Ditto	Ditto	- - -	James Rogers.
Cottage and Garden	James Adam Gordon	- - -	Charles Wilmot.
Lawn and Plantation	Ditto	- - -	William Cannicott.
Garden	Ditto	- - -	Ditto.
Wood	Ditto	- - -	James Adam Gordon, Esq.

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