Anno ſexto

Georgii III. Regis.

CAP. XXXIV.

An Act for widening ſeveral Streets, Lanes, Ways, and Paſſages, within the City of *Briſtol*, and for opening ſeveral new Streets and Paſſages within the ſame; and for explaining, amending, and enlarging, the Powers of the ſeveral Acts paſſed for paving, cleanſing, lighting, watching, and regulating, the Streets, and other Places, within the ſaid City, and Liberties thereof.

WHEREAS ſeveral Streets, Lanes, Paſſages, and Places, within the City of Briſtol, and Liberties thereof, are too narrow, and are incommodious for the paſſing of Perſons and Carriages, to the Prejudice and Inconvenience of the Owners and Inhabitants of Houſes in and near the ſame; and to the great Hindrance of Buſineſs, Trade, and Commerce: And whereas there are ſeveral Buildings ſtanding upon the Banks of the River Froome, within the ſaid City, which are a great Hindrance to the free Navigation of the ſaid River, and may be hazardous to Preamble.

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the Shipping there in Case of Fire: For Remedy whereof, May it please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after passing this Act, the Mayor, Burgesses, and Commonalty, of the said City, for the time being, in Common Council assembled, or their Assigns, shall have full Power and Authority, and they are hereby authorized and impowered to widen, enlarge, and render more convenient, such and so much of the several Streets, Lanes, Passages, and Places, mentioned and described in a Schedule to this Act annexed, intituled, the First Schedule; and also to design, make, open, and lay out, such new Streets, Lanes, and Passages, in the Parts and Places particularly mentioned and described in another Schedule to this Act also annexed, intituled, the Second Schedule; and also to remove and take away certain Sheds, Houses, Buildings, and Erections, standing upon a Piece of Ground, called the Butts, and thereunto adjoining, in the Parish of Saint Augustine within the said City, from the void Ground and Way on Saint Augustine's Back, opposite Denmark Street, to the Draw-bridge, now belonging to a Dock and Yard in the Possession of William Tombs, Shipwright, in the said Parish, and are bounded on the Westward Side thereof by the pitched Road Way the whole Length thereof, and on the Eastward Side by the River Froome; in order to lay and continue the same open to prevent any Accidents by Fire to the Shipping lying in the said River, and for the more freely navigating Ships, Vessels, or Troughs within the said River.

Corporation impowered to widen certain Streets,

and lay out others;

And be it further enacted by the Authority aforesaid, That the Mayor, Burgesses, and Commonalty, of the said City, in Common Council assembled, and their Assigns, shall have full Power and Authority to treat and agree with the Owners and Occupiers of, and all other Persons interested in such Houses, Buildings, Grounds, and Estates, as shall be necessary to be purchased, for the more effectual Performance of the Purposes aforesaid, and to purchase and become seized or possessed of the same; and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchases, to cause such Houses and Buildings, or so much thereof as shall be necessary, to be pulled down, and such Grounds, or so much thereof as shall be necessary, to be laid

and to treat for Purchase of Premisses.

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laid into new Streets, Lanes, Passages, and Places, or otherwise laid out for or towards the widening, enlarging, or improving, any of the present Streets, Lanes, Passages, and Places, described in the Two Schedules hereunto annexed, or for other the Purposes herein before-mentioned.

And whereas it may happen that some Persons, or Bodies Politick, Corporate, or Ecclesiastical, Feoffees in Trust, Femes Covert, or others, who are seised or possessed of, intitled unto, or interested in, some Houses, Edifices, Tenements, Sheds, Erections, or Ground, or some Part or Share thereof, which may be necessary to be pulled down or purchased for any of the Purposes aforesaid, may be willing to treat and agree to sell such Houses, Edifices, and Premisses, but are incapable of selling, granting, or conveying the same; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Ecclesiastical, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, or other Trustees whomsoever, and for all Femes Covert, and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Houses, Edifices, Tenements, Ground, and Premisses, or any Part thereof, to sell and convey all or any such Houses, Edifices, Tenements, Ground, and Premisses, or any Part thereof, and all their Estate, Right, Title, and Interest whatsoever, of, in, or to the same, to the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, or to such Persons and their Heirs for ever, as the said Mayor, Burgesses, and Commonalty, in Common Council assembled, shall direct, in Trust for them the said Mayor, Burgesses, and Commonalty, in Common Council assembled, and their Assigns, for the Purposes in this Act contained; and that all Contracts, Agreements, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, as aforesaid, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in any wise notwithstanding; and that all such Persons are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Bodies Politick, &c. impowered to sell and convey.

If any refuſe to treat and ſell,

And be it further enacted by the Authority aforeſaid, That if any Body Politick, Corporate, or Eccleſiaſtical, Corporations Aggregate or Sole, Femes Covert, or other Perſon or Perſons whatſoever, in and by this Act impowered and qualified to contract for, ſell, convey, and diſpoſe of, any Part of the Premiſſes herein before mentioned, ſhall refuſe to treat and agree as aforeſaid, or, by reaſon of Abſence, or otherwiſe, ſhall be prevented from treating and agreeing, or ſhall decline or refuſe to ſell, convey, and diſpoſe of, the Premiſſes, whereof, or wherein, or whereunto, they reſpectively ſhall be ſo ſeized, poſſeſſed, intereſted, or intitled, as aforeſaid, or their reſpective Rights, Titles, Claims, or Intereſts, in, to, or upon, the ſame, or any Part thereof, unto the ſaid Mayor, Burgeſſes, and Commonalty, in Common Council aſſembled, or their Aſſigns, or to ſuch Perſon or Perſons as they ſhall nominate or appoint for the Purpoſes, and according to the Tenor, true Intent, and Meaning, of this Act, or ſhall not produce, or make out, a clear Title to the Premiſſes they are in Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Mayor, Burgeſſes, and Commonalty, in Common Council aſſembled, or their Aſſigns; it ſhall and may be lawful to and for the Juſtices of the ſaid City, at ſome General Quarter Seſſions of the Peace to be holden for the ſaid City, or Adjournment thereof, and they are hereby impowered and authorized to iſſue a Precept or Precepts to the Sheriffs of the ſaid City, who are hereby authorized, directed, and required, accordingly to impanel and return a competent Number of ſubſtantial and diſintereſted Perſons, qualified to ſerve on Juries, and not leſs than Twenty four; and out of ſuch Perſons ſo to be impanelled, ſummoned, and returned, a Jury of Twelve Perſons ſhall be drawn in ſuch Manner as Juries for the Trial of Iſſues joined in his Majeſty's Courts at Weſtminſter, by an Act made in the Third Year of the Reign of his late Majeſty King George the Second, intituled, An Act for the better Regulation of Juries, are directed to be drawn; which Perſons, ſo to be impanelled, ſummoned, and returned, as aforeſaid, are hereby required to come and appear before the ſaid Juſtices, at the ſaid General Quarter Seſſions, or ſome Adjournment thereof, at ſuch Time and Place as in ſuch Precept or Precepts ſhall be directed and appointed, and to attend there, from Day to Day, until diſcharged by the ſaid Court; and all Perſons concerned ſhall have their lawful Challenges (but not challenge the Array of the Pannel) againſt any of the ſaid Jurymen

or cannot make a Title;

the ſame to be ſettled by a Jury.

Jurors may be challenged.

Jurymen when they come to be ſworn: And the ſaid Juſtices as aforeſaid are hereby reſpectively authorized and impowered, by Precept or Order, from time to time, as Occaſion ſhall require, to call before them all and every Perſon and Perſons whomſoever, who ſhall be thought neceſſary to be examined as Witneſſes before them, and to examine them on their Oath or Oaths touching the Premiſſes; and the ſaid Juſtices as aforeſaid, if they think fit, ſhall and may likewiſe authorize the ſaid Jury to view the Place or Places, or Matters, in Queſtion, in ſuch Manner as they ſhall direct; and the ſaid Juſtices as aforeſaid ſhall have Power to adjourn ſuch Meeting from Day to Day, as Occaſion ſhall require; and ſuch Jury, Witneſſes, and Parties, ſhall attend until all ſuch Affairs, for which they ſhall be ſo ſummoned, ſhall be concluded: And the ſaid Jury, upon their Oaths, ſhall enquire of the Value of ſuch Houſes, Ground, Tenements, Edifices, Erections, Buildings, and Premiſſes, which ſhall be neceſſary to be purchaſed, and of the reſpective Eſtate and Intereſt of every Perſon ſeized or poſſeſſed of, or intereſted therein, or in any Part thereof; and ſuch Jury ſhall aſſeſs the Sum or Sums to be paid to every ſuch Perſon or Perſons for the Purchaſe of ſuch their Eſtates and Intereſts, which ſhall be neceſſary to be ſo purchaſed; and the ſaid Juſtices as aforeſaid ſhall and may give Judgement for ſuch Sum and Sums of Money ſo to be aſſeſſed; which ſaid Verdict or Verdicts, and the ſaid Judgement, Decree, and Determination thereon, Notice in Writing being given to the Perſon or Perſons intereſted, at leaſt Fourteen Days before the Time of ſuch Aſſeſſment, declaring the Time and Place of the Meeting of the ſaid Juſtices as aforeſaid, and Jury, by leaving ſuch Notice at the Dwelling-houſe of ſuch Perſon or Perſons, or at his, her, or their uſual or laſt Place or Places of Abode, or with ſome Tenant or Occupier of ſome of the ſaid Houſes, Grounds, Tenements, Edifices, Erections, Buildings, or Premiſſes, intended to be valued and aſſeſſed, ſhall be binding and concluſive, to all Intents and Purpoſes whatſoever, againſt all and every Perſon and Perſons, Bodies Politick and Corporate, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to, or out of, the ſame, either in Poſſeſſion, Remainder, or Expectancy, as well Infants and Iſſue unborn, Lunaticks, Ideots, and Femes Covert, and Perſons under any other legal Incapacity or Diſability, and all Ceſtuique Truſts, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, as againſt all other Perſons whomſoever; and

Witneſſes may be examined on Oath.

and the said Verdicts, Judgements, and Decrees, and all other Proceedings of the said Justices as aforesaid, and Juries, so to be made, given, and pronounced, as aforesaid, shall be fairly written or engrossed, and kept and entered amongst the Records of the said Quarter Sessions in the Town Clerk's Office of the said City; and the said Verdicts, Judgements, and Decrees, and all other such Proceedings, shall be deemed and taken to be Records to all Intents and Purposes whatsoever; and the same, or some Copy thereof, shall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever; and all Persons may have Recourse to the same gratis, and take Copies thereof, paying for every Copy, not exceeding Two hundred Words, Six Pence, and so proportionably for any greater Number of Words.

Proceedings to be void, in case Corporation omit to pay Sums awarded within 3 Months,

Provided always, and be it enacted by the Authority aforesaid, That if the said Mayor, Burgesses, and Commonalty, or their Assigns, shall not within Three Months after such Judgement, Decree, or Determination, as aforesaid, pay, or cause to be paid, all such Sum or Sums of Money as shall be so assessed or awarded for the Purchase of the respective Estates and Interests in any Lands, Tenements, or Hereditaments, as aforesaid, to such Person or Persons as shall be seized or possessed of the Premisses, or interested therein; that then such Judgement, Decree, or Determination, and all Deeds, Contracts, Agreements, or Proceedings, to be had, made, or done, in consequence thereof, shall be utterly void and of no Effect; any thing herein contained to the contrary thereof notwithstanding.

or Justices neglect to summon a Jury.

Provided also, That if after Fourteen Days Notice shall have been given as aforesaid, the Justices of the said City, at some General Quarter Sessions of the Peace, or Adjournment thereof, shall not issue their Precept, and cause a Jury to be summoned accordingly; or if the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, shall neglect or omit to make Payment aforesaid; that then, and in every such Case, such Justices shall not at any future Time issue any Precept for that Purpose; and no Person or Persons, to whom such Notice shall have been given, shall, on the Failure of summoning such Jury, be obliged at any Time after, to contract for, sell, or otherwise dispose of, any Premisses which he, she, or they, may be seized or possessed of, or interested in.

And

And it is hereby further enacted and declared, That upon Payment of such Sum or Sums of Money, so to be assessed and decreed as aforesaid, the Person or Persons to whom the same shall be so assessed and decreed, for the Purchase of the Houses, Tenements, and Hereditaments, or for the Purchase of any Estate or Interest therein, shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances and Assurances in the Law, to the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, or to such Person or Persons as they shall nominate or appoint, in Trust for the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, of such Houses, Ground, Tenements, Edifices, Erections, Buildings, and Premisses, or any Part thereof, or of such Estate or Interest for which such Sum or Sums of Money shall be so awarded, and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances; and shall do all Acts, Matters, and Things, requisite and necessary to make a clear, good, and perfect Title to such Premisses, to the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, or such Person or Persons as they shall appoint as aforesaid; and such Conveyances, Assignments, and Assurances, shall contain all such reasonable and usual Covenants, as shall, on the Part of the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, be required; and in case such Person or Persons, to whom any such Sum or Sums shall be so awarded or due as aforesaid, shall not be able to evidence their Title to the Premisses to the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, and to make, or procure to be made, good, valid, and legal Conveyances thereof to the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, or to such Person or Persons as they shall appoint, or shall refuse so to do, being thereto required; and such Sum or Sums, so assessed and awarded, and due as aforesaid, being produced and tendered to be paid to them, on their making such Title, and executing, and procuring to be executed, such Conveyances, Assignments, or Assurances, as aforesaid; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so assessed or due, as aforesaid, cannot be found in the said City or Liberties, or if by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, or otherwise, it

On Payment of Purchase-money, Premisses to be conveyed.

it shall not appear to the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, what Person or Persons is or are intitled; or if any Mortgagee or Mortgagees shall refuse to take in his, her, or their Mortgage-money, due on the Premisses, after Notice given to him, her, or them, for that Purpose, as herein after is provided; then, and in all and every such Case and Cases, it shall and may be lawful to and for the said Justices, at their Sessions as aforesaid, to order the Sum or Sums so assessed and awarded as aforesaid, as the Value or Purchase-money for such Houses, Ground, Tenements, Edifices, Erections, Buildings, and Premisses, or as shall be due on such Mortgage, to be paid into the Chamber of the said City of Bristol, for the Use of the Parties interested in the said Premisses, to be paid to them, and every of them, according to their respective Estates and Interests in the said Premisses, as the said Justices in their said Sessions shall, by any Order to be made by them, direct; and the Chamberlain of the said City, who shall receive such Sum and Sums, is hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what Premisses, and for what Use the same is or are received, to such Person as shall pay such Sum or Sums into the said Chamber as aforesaid; which Receipt or Receipts shall be entered on Record, and registered in such Place, and in such Manner, as such Verdicts, Judgements, and other Proceedings, as aforesaid, are herein before required to be kept; and immediately on such Payment and Registry, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons respectively, for whose Use the same was paid, in, to, or out of, such Houses, Ground, Tenements, Edifices, Erections, Buildings, and Premisses, shall vest in the said Mayor, Burgesses, and Commonalty, in Common Council assembled, and their Assigns, for the only Uses and Purposes of this Act, and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes, as fully and effectually, as if every Person having any Estate in the said Premisses, had actually conveyed the same by Lease and Release, Bargain and Sale, inrolled Feoffment with Livery and Seizin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to, and be deemed

Mortgagees refusing to take in their Mortgage-money, the same to be paid into the Chamber of the City of Bristol.

Receipts to be registered.

Premisses thereupon vested in the Corporation.

deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail, in Reversion, or Remainder, against the Issue and Issues of such Person and Persons, and every Person claiming under them, to all Intents and Purposes whatsoever.

On Application of Persons interested, Purchase-money to be placed out at Interest.

Provided always, That it shall and may be lawful to and for the said Justices in their said Sessions, or some Adjournment thereof, after such Payment into the said Chamber and Registry as aforesaid, on the Application of any Person or Persons interested in any or any Part of such Houses, Ground, Tenements, Edifices, Erections, Buildings, or Premisses, or the Monies so paid into the said Chamber for the Purchase thereof, or in respect of any Right or Interest therein, to place out and invest, or cause to be placed out and invested, such Sum or Sums of Money, or any Part thereof, in some of the publick Funds, or on Government Securities, or in the said Chamber of Bristol, at Interest, in the Name of any Person or Persons authorized and appointed by the said Justices for that Purpose, in Trust, to transfer and assign the same to such Person or Persons to whom the Money so paid shall belong, on their executing proper Conveyances as aforesaid; and in the mean Time, in Trust, to pay the Interest and Dividends arising therefrom to such Person or Persons who shall be, from time to time, intitled to receive the same.

Mesne Profits recoverable.

Provided also, and it is hereby enacted, That all and every Person and Persons who would be intitled to recover the Mesne Profits of the Premisses, against the Person or Persons in Possession, in case the same had not been so conveyed as aforesaid, shall be intitled to recover the Sum or Sums to arise from such Interest and Dividends as aforesaid, by Action of Debt against the Person or Persons who shall receive the same; and the said Justices, in their said Sessions, or at some Adjournment thereof, are hereby impowered and authorized to make such Order as aforesaid, on the Chamberlain of the said City, for the Payment of such Sum or Sums of Money, or any Part thereof, as shall be necessary, in order to their being invested in the Funds, or Government Securities, or in the said Chamber of Bristol; and the said Mayor, Burgesses, and Commonalty, in Common Council assembled, and their Assigns, shall be quieted in the Possession of the Houses, Ground, Tenements, Edifices, Erections, Buildings, and Premisses, for which such Monies shall be so paid as aforesaid, and shall not be answerable or accountable in

in any Court of Law or Equity for the Money to be so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport, and true Meaning, of this Act.

Mortgagees, on Payment or Tender of Mortgage-money and Interest, to convey.

And be it further enacted by the Authority aforesaid, That every Mortgagee or Mortgagees of any Houses, Lands, Tenements, and Hereditaments, which shall be purchased in pursuance of this Act, his, her, or their Heirs, Executors, Administrators, and Assigns respectively, on having Six Months Notice in Writing given to him, her, or them, from the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, or any Person authorized by them, that they will pay off and discharge the Principal and Interest Money, which, at the Expiration of the said Six Months, shall be due on such Mortgage, shall, at the End of the said Six Months after every such Notice or Payment, or Tender of the Principal and Interest Money which shall be then due, convey and assign his, her, and their respective Estates and Interests in and to the said mortgaged Premisses, to the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, or to such Person or Persons as they shall nominate or appoint, in Trust, for the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, to the Uses and Purposes of this Act; and if any such Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, shall refuse so to do, then all Interest on every such Mortgage, from the Expiration of the said Six Months after any such Notice given as aforesaid, shall cease and determine.

Tenants to quit on Notice given:

And be it further enacted by the Authority aforesaid, That in case the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, or any Person authorized by them, shall, after any Houses, Edifices, or Premisses, shall be purchased in pursuance of this Act, give Six Calendar Months Notice in Writing to all and every the Tenants or Occupiers of any such Houses, Edifices, or Premisses, which shall be so purchased, to quit or deliver up the Possession of such Houses, Edifices, or Premisses, at the Expiration of such Six Months; then all and every such Tenants or Occupiers shall, at the End of such Six Months after every such Notice, peaceably and quietly deliver up the Possession of the Premisses so by him, her, or them, respectively occupied, whether upon Lease or otherwise, to the Person or Persons who shall be appointed

pointed by the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, to take Possession thereof; and if any Person or Persons so in Possession, shall refuse to give up such Possession at the Expiration of such Six Months after every such Notice as aforesaid, it shall and may be lawful for the said Justices in Sessions as aforesaid, from time to time, to issue a Precept or Precepts to the Sheriffs of the said City, to cause Possession thereof to be delivered to such Person or Persons who shall be in such Precept or Precepts nominated to receive the same; and the Sheriffs of the said City are hereby respectively required to deliver Possession according to such Precept or Precepts of the Premisses therein mentioned, and to levy such Costs as shall accrue by Means of the Issuing and Execution of every such Precept or Precepts, by Distress and Sale of the Goods and Chattles of any Person or Persons who shall have refused to give up such Possession as aforesaid, and shall refuse or neglect to pay the same Costs.

On Refusal, Sheriffs to deliver Possession.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Justices in Sessions as aforesaid, from time to time, to impose any reasonable Fine, not exceeding the Sum of Five Pounds, on any Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs or Agents, respectively, who shall make any Default in the Premisses, and on any Person or Persons who, after being duly summoned and returned on any such Jury or Juries, who shall not appear; and also on any Witness or Witnesses who, on due Summons, shall not attend, or attending, shall refuse to be sworn, or who, being sworn, shall refuse to give Evidence; and on any Persons summoned and returned on such Jury or Juries, who shall refuse to be sworn on any such Jury or Juries, or, being sworn thereon, shall not give his or their Verdict, or shall in any other Manner wilfully neglect his or their Duty in or touching the Premisses, contrary to the true Intent and Meaning of this Act; and, from time to time, to levy such Fine or Fines, by Order of the said Justices as aforesaid, as the Case may require, by Distress and Sale of the Defender's Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus, if any, to the Owner.

Penalty on Sheriffs, &c. not doing their Duty.

And it is hereby further enacted, That the principal Money to arise from the Sale of any Houses, Edifices, Lands, Tenements, or Hereditaments, which shall be purchased, for the Purposes intended by this Act, of any

Money payable to Bodies Corporate, &c. to be reinvested in Purchase of other Estates.

Body Corporate or Ecclesiastical, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Feme or Feme Covert, shall be paid to such Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed, to be re-invested in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to and upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Houses, Edifices, Lands, Tenements, and Hereditaments, which shall be purchased from them respectively by the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns as aforesaid, were respectively settled, limited, or assured, at the Time of such the purchasing of the same, or so many thereof, as at the Time of making such Conveyances and Settlements shall be existing and capable of taking Effect.

And whereas, for enlarging, opening, and rendering more commodius the Way or Passage leading from the lower End of Corn Street to the Key, it is necessary that the Parish Church of Saint Leonard's, now standing and being over the said Way, and the Vicarage House thereunto belonging, which adjoins to the said Church, should be taken down and removed: And whereas the Vicarage of Saint Leonard's, whereunto the said Church belongs, became void by the Cession of the last Incumbent, and is as well and by virtue of the Power Ordinary and Episcopal as of an Act of Parliament made in the Seventeenth Year of the Reign of King Charles the Second, intituled, An Act for uniting Churches in Cities and Towns Corporated, ordered, decreed, and declared, with all its Rights, Members, and Appurtenances, to be united and consolidated to and in the Parish of Saint Nicholas, within the said City of Bristol, to all Effects in Law whatsoever, and that the same be now held, and in all future Times presented to, held, and enjoyed as One Vicarage and Ecclesiastical Benefice, by the Name, Stile, and Description, of The Vicarage of Saint *Nicholas* with Saint *Leonard's* united, and that Divine Service and Sermons shall in all future Times be had and celebrated in the said Parish Church of Saint Nicholas only, and that the Parishioners and Inhabitants of the said Parish of Saint Leonard shall have the free Liberty to resort to, and have the free Use of, the Parish Church of Saint Nicholas aforesaid at the Times of Divine Service therein; and

that

that the Church of Saint Nicholas shall be the sole Parish Church of both the said Parishes; be it therefore further enacted by the Authority aforesaid, That the said Church of Saint Leonard, together with the Vicarage House, and the several Hereditaments thereunto belonging, shall be, and the same are hereby, vested in the said Mayor, Burgesses, and Commonalty, of the said City of Bristol, and is and are hereby declared to be to their Use and Benefit, for the Intent and Purpose that the said Mayor, Burgesses, and Commonalty, do, and they are hereby authorized and impowered to take down the said Church and Vicarage House, and to remove, carry away, and dispose of, the Materials, so that the Way and Passage as aforesaid may be opened, widened, and enlarged, and rendered more safe and commodious, and for no other Intent or Purpose whatsoever. St. *Leonard's* Church, &c. to be taken down.

Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor, Burgesses, and Commonalty, in Common Council assembled, or their Assigns, or any Person or Persons in whom any House or Ground shall be vested by virtue of this Act, to let, sell, or dispose of, so much or such Parts thereof as shall not be necessary for the opening or widening of any of the said Streets, Lanes, Passages, or Places, for the Purposes of this Act, to any Person or Persons, to and for such Use or Uses as they shall think proper, except the said Ground called the Butts, in the said Parish of Saint Augustine. Corporation may sell Overplus Lands.

And whereas it is found necessary that the several Houses, Tenements, Edifices, or some Part or Parts thereof, specified and set forth, in the said First Schedule to this Act annexed, to be on the North Side of a certain Street called or known by the Name of the Shambles, otherwise Worshipful Street, and extending from the Lower End of High Street, to a Street or Lane called Bull Lane, in the said City; and the several Tenements, Edifices, Erections, Buildings, and Ground, or some Part or Parts thereof, situate between the Houses standing on the South Side of Saint Mary Port Street, in the said City, and the North Side of the Shambles aforesaid; and also the said Houses, Tenements, Edifices, Erections, Buildings, and Ground, on both Sids of the said Street or Lane called Bull Lane, or by what other Name the Street or Lane between the Shambles aforesaid and Peter Street, in the said City, is called or known; and likewise the

Two several Houses in Peter Street, next unto Bull Lane, and now or late in the several Occupations of James Williams and Joseph Hill; and also One House on the North Side of Peter Street, next Dolphin Lane, in the Occupation of the said James Williams; and likewise Three Houses in Narrow Wine Street, next Dolphin Lane, in the several Occupations of Robert Bell, John Evans, and Robert Bitton; should be vested in the Trustees nominated and appointed by an Act made in the Thirty third Year of His late Majesty King George the Second, for rebuilding, widening, and enlarging, the Bridge over the River Avon in the City of Bristol; and for widening the Streets, Lanes, Ways, and Passages, leading thereto; and for other Purposes in the said Act mentioned, for the better and more effectual carrying their Trust into Execution; and that the Street or Passage leading from the Lower End of High Street through the Shambles, Bull Lane aforesaid, and Dolphin Lane, in the said City, should be enlarged; be it therefore further enacted by the Authority aforesaid, That all Contracts and Agreements entered into by the said Mayor, Burgesses, and Commonalty, in Common Council assembled, for the Purchase of the said last-mentioned Premisses, or any Part or Parts thereof, by virtue of this Act; and all Verdicts, Judgements, Orders, and other Proceedings, before the said Justices, as shall relate to or concern any of the said last-mentioned Houses, Buildings, Ground, and Premisses, be, and are hereby declared to be, to and for the Use and Benefit of the said Trustees, for the Intents and Purposes aforesaid; and which Contracts the said Mayor, Burgesses, and Commonalty, are hereby authorized to make; And the said Trustees, or any Twenty one or more of them, at any General Meeting, or some Adjournment thereof, are hereby authorized and required, out of the Tolls, Rates, and Duties, granted by the said Act, to pay the several Sum or Sums of Money as shall be agreed for the Purchase of the said several Houses and Premisses, or shall be assessed by a Jury, to be paid to any Body Politick, Corporate, or Ecclesiastical, or other Person or Persons whatsoever, for the Purchase of their several Estates and Interests in the last-mentioned Premisses, necessary for the Purposes aforesaid: And that upon Payment of such Sum or Sums of Money, by the said Trustees, as shall be agreed to be paid for such respective Houses, Edifices, Ground, and Premisses, to be contracted for as aforesaid; or, where no Agreement or Contract shall be

Corporation may contract for Purchase of the Premisses here mentioned.

be made, on making Satisfaction to all Bodies Politick, Corporate, or Ecclesiastical, and all Owners of, and Persons interested in, such Houses, Edifices, Ground, and Premisses, in pursuance of any Verdict, Judgement, Order, or other Proceeding, of the said Justices and Juries; all the Estate, Right, Title, Interest, Property, Claim, and Demand, of the Bodies Politick, Corporate, or Ecclesiastical, or other Person or Persons, for whose Use such Money shall be paid, shall vest in the said Trustees, or the Person or Persons to whom the said Trustees, or any Twenty one or more of them, at any General Meeting, or some Adjournment thereof, shall order, direct, and appoint; and they shall respectively be deemed in Law to be in the actual Seizin or Possession thereof, to all Intents and Purposes whatsoever, as fully as if every Body Politick, Corporate, or Ecclesiastical, or other Person having any Estate in the Premisses, had actually conveyed the same to them by Lease and Release, Bargain and Sale, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to, and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and likewise to bar all Estates Tail, in Reversion, and Remainder, against the Issue and Issues of such Person or Persons, and every Person claiming under them; and the said Trustees are hereby authorized and required, with all convenient Speed afterwards, to cause to be taken down all the said last-mentioned Houses, Tenements, Edifices, Erections, and Buildings, or any Part or Parts thereof, for the Purposes aforesaid, and to cause the Materials thereof to be removed and taken away in such Manner as they the said Trustees, or any Twenty one or more of them, shall, from time to time, at any of their General Meetings or Adjournments thereof, judge necessary and direct; and this Act shall be a sufficient Authority to indemnify them, and all Persons to be authorized by them, for so doing, against all and every the Owners of, and all other Persons interested in, any such Houses, Buildings, Ground, and Premisses, or any Part thereof, and the Lessees and Occupiers thereof, their Heirs, Executors, Administrators, and Assigns.

Width of the *Shambles*, &c.

Provided nevertheless, That the said Street called the Shambles, and the Ground already purchased on the South Side of the same Street, and also the Ground hereafter to be purchased by virtue of this present Act, shall not exceed One hundred and forty Feet in Width from the Outside or Front of the Key Wall, built on the South Side of the Shambles aforesaid, so far as the said Wall extends, and from the Bank of the River Avon there, above the said Key Wall, on a strait Line with the same Key Wall; nor shall the Street or Passage from the lower End of High Street through the Shambles, Bull Lane aforesaid, and Dolphin Lane, be made to exceed Forty Feet in Width.

Trustees to sell Overplus Ground.

Provided also, and be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Twenty one or more of them, at any General Meeting, or Adjournment thereof, to let, sell, or dispose of, so much of such Parts of the said Premisses, as shall not be necessary for enlarging the Width of the before-mentioned Streets and Passages, in Manner aforesaid; and that the said Trustees, or any Twenty one or more of them, at any of their General Meetings, or Adjournments thereof, shall and are hereby impowered to design, assign, and lay out, in what Manner the new Houses or Edifices shall be erected upon the said Overplus Ground and Premisses; and shall likewise, and they are hereby directed and required to design, assign, lay out, leave, and reserve, so much of the said Ground for Ways and Passages to and from such Houses, Tenements, and Premisses, in Mary Port Street, and between Mary Port Street and the North Side of the Shambles aforesaid, and in as commodious a Manner, and as near to the present Ways and Passages there as the Circumstances of the Cases respectively (due Regard being had to the Purpose of this present Act) will admit.

St. *Peter's* Cross and Pump to be removed:

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Twenty one or more of them, at some General Meeting, or Adjournment thereof, to cause to be taken down and removed a certain Erection or Building in Peter Street aforesaid, called Saint Peter's Cross, and the publick Pump belonging to a Well or Spring of Water within the said Building or Cross, so as the Way and Passage through Peter Street into Dolphin Lane aforesaid may be more easy and commodious; and that all the Stones, Wood, Iron, Lead, and other Materials, belonging or appertaining to the said Cross and

and Pump, shall be, and the same are hereby, vested in the said Trustees; and they, or any Twenty one or more of them, are hereby authorized and required to sell and dispose of the same for as much Money as can be had or gotten for the same; and the Money arising by the Sale thereof, shall and may be applied for and towards the Purposes for providing another Well, Pump, or Pipes, as herein after-mentioned; and that the said Trustees shall, and they are hereby required, before the Removal of the said Cross and Pump, to cause to be fixed and placed some Leaden or other Feather or Pipe in some other Part of Peter Street aforesaid, for the Purpose of drawing and conveying Water from the said Well or Spring, or cause some other Well to be sunk elsewhere, or such other Method to be had and taken for the publick Supply of Water in and about Peter Street aforesaid, as the said Trustees, or any Twenty one or more of them, at any General Meeting, or Adjournment thereof, shall judge necessary, fit, and expedient; the reasonable Charges and Expences whereof, over and above what the Stone, Lead, Iron, and other Materials, directed to be sold as aforesaid, Twenty one of the said Trustees are hereby impowered and required to pay out of the Monies arising by virtue of the said former Act.

Persons liable to repair the same, are to repair the new.

Provided always, and be it enacted by the Authority aforesaid, That all and every Person and Persons, Bodies Politick or Corporate, who, by any Prescription, Custom, Usage, Tenure, or Agreement, is or are obliged or liable to repair the said Cross and Pump, or either of them, shall, by virtue of this Act, be liable to keep in Repair such Pump, Feather, Pipe, Well, or other Conveniency for drawing and supplying the Publick with Water, as the said Trustees shall cause to be fixed, placed, or made, in the Stead of the said Pump as aforesaid; and all Gifts and Legacies by Will or otherwise given or left towards the Repair of the said old Pump, is and are hereby directed to be applied towards the Repair of the same new Pump, or other Conveniency; any thing herein, or in any other Law, contained to the contrary notwithstanding.

And whereas an Act was made in the Eleventh and Twelfth Years of the Reign of King William the Third, for cleansing, paving, and enlightening, the Streets of the said City of Bristol, and other Purposes therein mentioned: And whereas an Act was made in the Twenty second Year of the Reign of King George the Second,

to render the said former Act more effectual, so far as relates to paving and enlightening the said Streets, and also for the regulating Hackney Coachmen, Haliers, Draymen, and Carters, and other Purposes therein mentioned: And whereas an Act was made in the Twenty eighth Year of His said Majesty King George the Second, for establishing, maintaining, and well-governing, a Nightly Watch within the said City of Bristol: And whereas an Act was made in the next Session of Parliament to explain, amend, and render more effectual, the last-mentioned Act: And whereas some of the Provisions in the said Acts have been found insufficient to answer the good Purposes thereby intended: And whereas it would be of great Convenience and Safety to the Inhabitants of the said City, and to all Persons resorting thereto, or trading therein, if proper Powers were given for removing and preventing Nuisances and Annoyances within the said City and Liberties, and on the Banks of the Rivers there; Wherefore, and in order that the said City may be more effectually regulated, and the Intention of the said Acts more easily executed; be it further enacted by the Authority aforesaid,

Lamps to be kept lighted from Sun Setting to Sun Rising.

That from and after the Twenty fifth Day of December next, all such Lamps as are or shall be provided or contracted for, in Manner in the said former Act mentioned and prescribed, shall be lighted and kept burning from Sun Setting to Sun Rising every Night in the Year, under the same Directions, Regulations, and Provisions, as are contained in the said Act of the Twenty second Year of His said late Majesty.

Contracts to be made yearly for lighting;

And be it further enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March next, the Churchwardens, Overseers of the Poor, and Surveyor or Surveyors of the Highways, in every Parish and Precinct respectively within the said City, or the major Part of them, shall and may, and they are hereby required, authorized, and impowered, to enter into good and sufficient Contracts in Writing, with some Person or Persons, for the well and sufficiently lighting, trimming, snuffing, cleansing, supplying, maintaining, and repairing, the Number of Lamps which, by the said Mayor and Justices, have been, or shall, from time to time, be, deemed necessary to be erected and set up in their respective Parishes and Precincts; which Contracts shall be made for One whole Year, and no longer, and shall not exceed such Sum for each Lamp as shall be directed and ordered by the Mayor

and

and Justices of the said City, at their General Quarter Sessions, in case they shall think fit to settle and direct the same; which Contract and Contracts shall be signed by the said Churchwardens, Overseers of the Poor, and Surveyors of the Highways, or the major Part of them, and by the Person or Persons so contracting: And that it shall and may be lawful for the Surveyor or Surveyors of the Highways, within the several Parishes and Precincts of the said City and Liberties, for the time being, and he and they are hereby impowered and required (subject always to such Orders and Directions thereupon as he and they shall, from time to time, receive from the Mayor and Justices of the said City, in their Sessions assembled) yearly, and every Year, to enter into a Contract, in Writing, with some fit Person or Persons, for well and sufficiently sweeping and cleansing the several Streets, Lanes, and publick Places, within the respective Parishes and Precincts of the said City and Liberties, and carrying off and removing the Dirt, Ashes, and Filth, Twice at the least in every Week; which Contract and Contracts shall be signed by the Surveyor or Surveyors, and by the Person or Persons so contracting; but previous to the making of any such Contract, Seven Days Notice shall be given in some News Paper published at Bristol, expressing the Intention of the intended Contract, in order that any Persons willing to undertake the same may make Proposals for that Purpose: And if any Person or Persons entering into or engaging in any Contract, for any the Purposes before mentioned, shall not perform, execute, and fulfil the several Covenants, Agreements, and Conditions, of each Contract respectively, according to the true Tenor and Meaning thereof, and of the said Acts, and this present Act; every such Person shall, for every such Neglect or Omission, unless the same appears to the Satisfaction of the Mayor and any One Alderman of the said City, or any Three Aldermen without the Mayor, to have happened by some unforeseen or unavoidable Accident, forfeit and pay the Sum of Forty Shillings; and that the like Rates and Assessments shall be made for the several Purposes aforementioned, as are authorized by the said recited Acts to be made, for the several Purposes of lighting and cleansing the several Streets, and other Places, within the said City, as aforesaid, and shall be assessed, allowed of, levied, collected, and accounted for, at such Times, and in such Manner, and under the like Penalties,

and cleansing the Streets, &c.

Majesty, as in and by the said several Acts of the Eleventh and Twelfth of King William the Third, and the Twenty second Year of His late Majesty King George the Second, are respectively directed and appointed, for and concerning the several Rates and Assessments therein made, for the lighting and cleansing the several Streets, Ways, and Passages, of the said City.

Parish Officers may prosecute for Breach of Contract; except, &c.

Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to hinder or prevent any of the said Parish Officers from commencing and prosecuting Actions at Law against any Contractor for the Lamps, or for cleansing the Streets, and other Places, of the said City, for Breach of Contract or Covenant; but it is hereby declared, That the like Remedy shall and may be had and taken in the Premisses, against any such Contractor, as if this Act had not been made; so as such Action be not brought or commenced for any particular Breach of Contract or Covenant for which any Contractor as aforesaid shall have been proceeded against before the said Mayor and Justice or Justices as aforesaid.

Contracts not liable to Stamp Duty.

Provided always, and be it further enacted by the Authority aforesaid, That no such Contract shall be chargeable with any Stamp Duty whatsoever.

Parish Officers not to have any Concern in Contracts.

Provided always, and be it further enacted by the Authority aforesaid, That no Churchwarden, Overseer of the Poor, or Surveyor of the Highways, within the said City, during his Continuance in such Office, or any Person or Persons in Trust for him, them, or any of them, shall be concerned or interested in any or either of such Contract or Contracts.

On Death of Collectors, Executors to account.

And be it further enacted by the Authority aforesaid, That if any Surveyor, Constable, or other Persons, appointed, employed, or authorized, to receive, collect, or recover, any or either of the Rates, Taxes, or Sums of Money, granted by the said former Acts, any or either of them, or by this Act, or any Part or Parts of such Rates, Taxes, or Sums of Money, shall die before the Expiration of his Office, or before he shall have fully accounted for, paid, and satisfied, all the Money by him received by virtue of the said Acts, or either of them; then, and in every such Case, his Executors or Administrators, or other legal Representative or Representatives, shall, within Thirty Days after his Decease, deliver over all Things concerning his Office to such Person or Persons as the Mayor of the said City; and

One other Justice of the Peace of the said City, or Three Justices without the Mayor, shall appoint for that Purpose; and shall pay out of the Assets left by such Surveyor, Constable, Collector, or Receiver, all Sums of Money remaining due, which he had received by virtue of his said Office, before any of his other Debts are paid and satisfied; and in case there shall not be Assets sufficient found to satisfy all Arrears due from such Surveyor, Constable, Collector, or Receiver, the Deficiency shall be made good by Reassessment (to be made and allowed in such Manner as the original Rate is to be made and allowed) upon the respective Parishes and Places wherein such Deficiencies shall happen.

Distress may be followed.

And be it further enacted by the Authority aforesaid, That when any Person or Persons shall refuse or omit to pay, within the Time limited by the said Acts respectively, the Sum or Sums rated or assessed upon him, her, or them, by virtue of the said Acts, any or either of them, or this Act, the same may be levied and recovered as directed by the said Acts respectively, not only in the Parish or Place for which such Assessment shall be made, but in any other Parish or Place within the said City or Liberties thereof.

Rates may be apportioned.

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

Arrears may be levied;

And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall refuse or neglect to pay any such Surveyors, Chief Constables, or Collectors, any of the Rates, Cares, or Sums of Money, granted by the said former Acts, any or either of them, or by this present Act; it shall and may be lawful to and for the succeeding or any future Surveyors, Chief Constables, or Collectors, to collect and levy such Arrears.

but former Collector, &c. not thereby indemnified.

Provided always, That nothing herein contained shall extend, or be construed to extend, to excuse or discharge any such former Surveyor, Chief Constable, or Collector, from any Penalty or Punishment he or they is or are liable to for Neglect of Duty by the said former Acts, or either of them, or by this present Act.

Limitation of Appeal.

And be it further enacted by the Authority aforesaid, That in all Cases where any Appeal shall be made against any Rate made, or to be made, by virtue of the said former Acts, any or either of them, or this Act, the said Appeal shall and may be made to the said Justices of the said City, in their General or Quarter Sessions of the Peace, or Adjournment thereof, as the Case may be, next after such Rate shall have been demanded, and not otherwise.

Paving to be under the Inspection of the Surveyors of the Highways;

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, the Order and Manner of paving and pitching all and every Part of the several Streets, Lanes, and Ways, within the said City and Liberties; and the Number, Sort, and Situation, of Common Sewers, Gouts, Drains, and Gutters, therein; shall, from time to time, be designed, laid out, executed and performed, altered, removed, and repaired, under the Inspection and with the Approbation of the Surveyors of the Highways for the respective Parishes and Precincts; subject always, nevertheless, to the Order and Direction of the Mayor and any One Justice of the said City, or any Three Justices without the Mayor: And if any Paviour, Pitcher, or other Person or Persons, shall pave or pitch any Part or Parts of any or either of the said Streets, Lanes, or Ways, in an uneven, irregular, or unworkman-like Manner, or use any bad or improper Materials in doing the same, or any Part thereof, or shall execute any Part of such Work contrary to the Order and Direction of such Surveyor or Surveyors, or Mayor and Justice or Justices, respectively; or if any Paviour or Paviours belonging to or employed by any Proprietor or

subject to the Direction of the Mayor, &c.

Proprietors

Proprietors of Water Works, supplying any of the Inhabitants of the said City or Liberties with Water, shall, after taking up, laying down, altering, or repairing, any Pipe or Pipes belonging to such Water Works, neglect to pitch or pave such Part or Parts of the Streets, Lanes, or Ways, which shall be broke up for any of the said Purposes, or shall do the same in an uneven or unworkman-like Manner, or shall make use of any bad or improper Materials, and being thereof convicted before the Mayor and any One Justice of the Peace for the said City, or any Three Justices without the Mayor, by the Oath of any credible Witness or Witnesses, which Oath such Justices are hereby impowered and required to administer without Fee or Reward; every such Person shall, for every Offence, forfeit and pay the Sum of Twenty Shillings; to be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hands and Seals of any such Justices of the Peace of the said City; and in case sufficient Distress cannot be found, then it shall and may be lawful for such Justices, and they are hereby required, to commit the Offender to the House of Correction, for any Time not exceeding Ten Days, or until such Penalty and all Charges relating thereto shall be satisfied and paid; And that the Person or Persons liable by the said former Acts, or either of them, to pitch or pave any Part or Parts of such Streets, Lanes, or Ways, shall forthwith cause such Work to be altered and effectually amended, according to the Order and Direction of such Surveyor or Surveyors, or Justices, as aforesaid, under the like Penalty and Penalties as is and are contained in the said Acts, or either of them, for not pitching or paving the Streets and other Places of the said City.

Surveyors may cause Gouts or Sewers to be altered, &c.

And be it further enacted by the Authority aforesaid, That, for the future, it shall and may be lawful for the Surveyor or Surveyors of the Highways, within the respective Parishes and Precincts of the said City and Liberties, upon Presentment of any Grand Jury at the General Quarter Session of the Peace held in the aforesaid City, and by virtue of an Order signed by the Justices of the said City, in Sessions assembled, from time to time, to cause the Gouts, Sinks, Drains, and Common Sewers, and the Grates over the same, within their respective Parishes and Precincts, to be new made, altered, repaired, enlarged, contracted, cleansed, scoured, and otherwise sufficiently provided and maintained; for the effecting whereof, it shall be lawful for

Expence the cost how to be defrayed.

the Surveyor or Surveyors, and he and they is and are hereby required to make a Rate or Assessment, as often as the same shall be necessary, upon the Houses and other Tenements within the respective Parishes and Places which have any Benefit from, or Use of, any such Gout, Sink, Drain, or Sewer, in such competent Sum and Sums as shall be wanting, in proportion to the yearly Rent or Value of such House, Houses, and other Tenements respectively; which Rates or Assessments shall be allowed and signed by the Mayor and One Alderman of the said City, or Three Aldermen without the Mayor, and shall be paid by One or more of the Tenants or Occupiers of such Houses or other Tenements respectively; and such Tenant or Tenants, Occupier or Occupiers, of any such House or Houses, or other Tenements, respectively, is and are hereby required and authorized to pay such Sum and Sums of Money as shall be so rated or assessed on such House or Houses, or other Tenements, respectively, and to deduct the same out of the Rent thereof; and the Owner and Owners, Proprietor or Proprietors thereof, are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of their Rents; and every such Tenant or Occupier paying any such Rate or Assessment, shall be acquitted and discharged for so much Money as the said Rate or Assessment shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent should have been due and payable: And in case any such Tenant or Tenants, Occupier or Occupiers, of such House, Houses, or other Tenements, shall neglect or refuse to pay such Rate or Assessment; then the same shall be levied by Distress of the Goods and Chattles of him, her, or them, so refusing or neglecting to pay, by Warrant under the Hands and Seals of the Mayor and any One Alderman of the said City, or any Three Aldermen without the Mayor.

Houses unoccupied, how to be charged.

And be it further enacted by the Authority aforesaid, That in case it shall happen that any of the Houses or other Tenements, or any Part or Parts thereof, within the said City and Liberties, liable to the said last-mentioned Rate or Rates, shall at any Time at or after the making of the said Rate or Rates, Assessment or Assessments, be empty, untenanted, or unoccupied; that then, and in every such Case, the said Rate or Rates, Assessment or Assessments, shall be paid by the Owners or Proprietors of such Houses or other Tenements; and, in case of Non-payment thereof, such Houses or other Tenements shall be, and the same are hereby made a

Security

Security for, and chargeable with, such Arrears; and the Person or Persons who shall, at any Time then after, occupy any such House, Houses, or Tenements, or the Ground whereon the same stood, is and are hereby required and authorized to pay the same, and to deduct the same out of the Rent thereof; and if he, she, or they, shall neglect or refuse to pay such Rate or Assessment, then the same shall, by Warrant under the Hands and Seals of the Mayor, and any One Justice of the said City, or any Three Justices without the Mayor, be levied by Distress and Sale of the Goods and Chattles of any such Occupier or Occupiers, in manner as other Rates or Assessments are by this Act, or the said former Acts, directed to be made, together with the Costs of every such Distress and the Sale thereof; and the Landlord and Landlords of the Premisses is and are hereby required to allow every such Occupier and Occupiers all such Charges which he, she, or they, shall so pay, or which shall be recovered by or from him, her, or them, as aforesaid, upon Receipt of the respective Rent; and any Occupier paying any such Charges, shall be acquitted and discharged for so much Money as he, she, or they, shall so pay, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent should have been due or payable.

Regulation respecting Streets made since 22 *Geo.* II.

And be it further enacted by the Authority aforesaid, That every Occupier or Owner of any House or Houses, Lands, or Tenements, Churchwardens, and Keepers of Halls or publick Places next adjoining to any new Street made or laid out since the Twenty second Year of the Reign of His late Majesty King George the Second, or which hereafter shall be made or laid out, shall pitch or pave such new Street before his or their Houses, Habitations, Lands, and Tenements, Churches, Churchyards, Halls, and publick Places respectively, into the Middle of the same Street, although the same may be found to exceed the Breadth of Thirty Feet at a Medium; any thing in the said Act of the Twenty second Year of His said late Majesty to the contrary notwithstanding.

Carriage of Goods limited.

And, for the more effectually preserving the Pavements within the said City and Liberties, be it further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June next, it shall not be lawful for any Waggon, or other Four Wheel Carriage, belonging to any of the Inhabitants of the said City or Liberties thereof, and loaden with, or having therein or thereon, above the Number of Fourteen Sacks of Corn,

Meal,

Meal, or Grain, not for any Wain, Cart, or other Carriage, with Two Wheels, belonging to any of the Inhabitants of the said City or Liberties, and loaden with, or having thereon, above the Number of Eight Sacks of Corn, Meal, or Grain, to pass or be drawn, upon any Account whatsoever, through, or into, or upon, any or either or any Part of any of the Streets, Lanes, or Ways, within the said City or Liberties; nor for any Waggon, Wain, Cart, or other Carriage, to pass or be drawn, within the said City or Liberties, from any Place out of the same, with a greater Number of Horses or other Beasts than they are respectively allowed by Law to pass or be drawn with upon the publick Turnpike Roads within the Counties of Gloucester and Somerset; and that the Owner or Owners of every Waggon, Wain, Cart, or other Wheel Carriage, used in conveying Goods, Wares, or Merchandize, or any other Loading whatsoever, within the said City or Liberties, shall cause their Name and Place of Residence respectively to be painted or placed, in legible and plain Characters, upon the Front of such Carriages respectively; and the Owner or Owners of such Waggon, Wain, Cart, or other Carriage, which shall be loaden or drawn contrary to the Direction and Intention of this Act, or shall not be so marked as aforesaid, and being thereof convicted, either upon his, her, or their own Confession, or by the Oath of One or more Witness or Witnesses, before the Mayor or any other Justice or Justices of the Peace of the said City, or upon the View of the Mayor or any other Justice or Justices of the Peace of the said City, shall, for every Offence, forfeit and pay the Sum of Twenty Shillings.

Exceptions. Provided nevertheless, That this Act shall not extend to any Waggon, Wain, Cart, or other Carriage, that shall carry any One Stone or Block of Marble, or any single Package, or other Thing, that of Necessity is required to be carried or hawled at One Time.

Power to prevent Annoyances. And be it further enacted by the Authority aforesaid, That if, for the future, any Goods, Timber, Wares, Merchandize, or Commodities, shall be or remain upon any or either of the publick Wharfs, Backs, or Quays, within the said City or Liberties, above the Space of Twenty four Hours, without Licence had from the Mayor and One of the Aldermen of the said City; or if any Person or Persons shall, for the future, place, or cause to be placed, in any Street, Lane, or publick Way, within the said City or Liberties (the same not being a publick Wharf, Back, or Quay) any Coach, Cart,

Cart, Dray, Waggon, or other Carriage, other than and except such Carriages as may stand for the immediate loading or unloading thereof, or any Timber, Stones, or any other Materials or Thing which may obstruct or incommode the free Passage through such Street, Lane, or publick Way, or occasion any other Annoyance; then, and in every such Case, it shall and may be lawful for the said Mayor and any One Justice of the Peace of the said City, or any Three Justices without the Mayor, upon Oath being made of the Premisses, to cause such Goods, Timber, Wares, Merchandize, Commodities, Carriages, or other Things, to be immediately removed and conveyed to some Pound or other Place within the said City; and in case the Owner or Owners thereof shall not, within the Space of Ten Days next after Notice to him, her, or them, thereof given, or if such Owner or Owners, in case he or they is or are not known or cannot be found, so as to be conveniently served with such Notice, shall not, within Thirty Days after Notice given for that Purpose in some publick News Papers usually circulated in the said City, pay the Penalty or Penalties he, she, or they, shall be liable to by any of the aforementioned Acts, or any other Law now in Force relating thereto, and such reasonable Costs and Charges as the said Mayor, and any other Justice of the said City, or any Three Justices without the Mayor, shall ascertain, for removing, conveying, and detaining, such Timber, Goods, Merchandize, Carriages, or other Things, as aforesaid; that then, and in every such Case, such Timber, Goods, Wares, Commodities, Carriages, or Things, respectively, shall and may, by Order and under the Direction of the Mayor and One Alderman of the said City, or Three Aldermen without the Mayor, be publickly sold for the most that can be got for the same; and the Money arising therefrom, after deducting the Penalty or Penalties, together with the Costs and Charges attending such Sale, and of conveying the same to the Pound or other Place as aforesaid, shall be returned to the Owner or Owners of such Timber, Goods, Wares, Commodities, Carriage, or Thing respectively, on Demand.

And be it further enacted by the Authority aforesaid, That in all Cases where any Conviction shall be had for any Offence or Offences committed against the said former Acts, any or either of them, or this Act, or against any Order of Session, or By-law made in pursuance of the said former Acts, any or either of them, or this Act;

the Form of Conviction shall be in the Words, or to the Effect, following; that is to say,

Form of Conviction.

City and County of Bristol, *to wit.*

BE it remembered, That on this Day of in the Year of the Reign of *A. B.* is convicted before Esquire, Mayor, or of His Majesty's Justices of the Peace for the said City and County *(as the Case shall require)* of having *(as the Offence shall be)* and the said doth *(or do)* adjudge him *(her, or them)* to pay and forfeit for the same the Sum of

Given under his Hand and Seal (or their Hands and Seals) the Day and Year aforesaid.

Penalty on Persons interrupting the Passage through the Streets, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, for the future, place in, or bring out upon, any Street, Lane, or Passage, within the said City or Liberties, any Goods, Commodities, Provisions, or other Matter or Thing whatsoever, from any Shop, Bulk, Cellar, or other Place, and expose the same to Sale in any such Streets, Lanes, or Passages; every such Person shall, for every such Offence, forfeit and pay the Sum of Five Shillings: And if the said Penalty be not immediately paid on Demand, it shall and may be lawful for the Mayor, and any One Justice of the said City, to cause the said Goods, Commodities, or other Things, as aforesaid, to be removed, taken, and carried away, and deposited in such Place or Places as the said Mayor or Justice shall direct and appoint, there to remain until the Offender or Offenders shall have paid the said Penalty, and all Charges and Expences attending the carrying away and depositing the same as aforesaid.

No Materials to be worked up on the Banks of the *Froome*, without Leave.

And be it further enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons to work up any Stone, Timber, or other Materials, upon any Part of the Banks of the said River Froome, within the said City or Liberties, or in any Street, Lane, Way, or Passage therein, without first obtaining Leave from the Mayor and any One Alderman of the said City, or any Three Aldermen without the Mayor, under their Hands for that Purpose, upon Pain of forfeiting, for every Offence, the Sum of Twenty Shillings.

And

And be it further enacted by the Authority aforesaid, That all Sign Irons, Sign Posts, Boards, Smiths or Farriers Sheds, projecting or hanging over into any of the said Streets, Lanes, Ways, or Passages, shall, within Three Calendar Months after the passing of this Act, be taken down and removed by the Owners of such Signs, Sign Irons, Sign Posts, Boards, and Sheds respectively, or by the respective Tenants or Occupiers of the Houses or other Buildings whereunto they are or shall be placed, hung, or be a Part of, or belong: And if any such Owners or Occupiers shall neglect or refuse so to do, within the Time herein before limited; every such Owner or Occupier shall, for every such Neglect or Refusal, forfeit and pay the Sum of Twenty Shillings for every Week such Projection or Annoyance shall remain after the Time herein before limited: And that for the future all Signs, and Sign Boards, shall be placed or fixed close or flat to the Walls, or on the Fronts of the Houses, Shops, Warehouses, or Buildings, whereunto they respectively belong, and not otherwise: And if any Person or Persons shall, at any Time hereafter, hang, place, or erect, any Sign, Sign Iron, Sign Post, Board, Shed, or any other Projection, Obstruction, or Annoyance whatsoever, or cause the same to be done, contrary to the true Meaning of this Act; every such Person shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings for every Week such Projection, Obstruction, or Annoyance, shall remain. Power to regulate Signs, &c.

And be it further enacted by the Authority aforesaid, That all Spouts and Gutters belonging to, and which convey Water from, the Tops of the Houses, Warehouses, Balconies, or other Buildings, directly into the Streets, Lanes, or other publick Passages, within the said City or Liberties, shall, within Three Calendar Months after the passing of this Act, be removed, and the Water conveyed by Pipes to be brought down by the Sides or Fronts of such Houses, Warehouses, Balconies, or other Buildings, into some Under-ground Gout, Sewer, Cistern, Reservoir, or to the Ground, at the joint Costs and Charges of the respective Owners and Occupiers thereof; and in case the same shall not be done within the Time aforesaid, the Occupier of every such House, Warehouse, Balcony, or other Building, shall forfeit and pay the Sum of Twenty Shillings for each and every Week any such Spout or Gutter shall remain, and the Water not conveyed down as aforesaid, after the Time herein before limited; and in all Cases where the and alter Spouts, &c.

the Occupiers of any such Houses or Buildings shall have been at any Expence in the Premisses, they may, and are hereby authorized and impowered, to apply the ol Lead or other Materials, or the Produce thereof, towards such Expences; and shall have Power, and are hereby authorized, to deduct One half of the Remainder of such Costs, Charges, and Expences, out of the next Rent due to his or their Landlord or Landlords, who are hereby directed and required to allow the same in such Rent: and in case any Difference or Dispute shall arise between any such Landlord and Occupier relating to the removing such Spouts and Gutters, and bringing down the Water, in Manner aforesaid, or the Costs and Charges attending the same; it shall be lawful for the Mayor and any One Alderman of the said City, or any Three Aldermen without the Mayor, to inquire into the Matter in Dispute, and, upon Examination of Witnesses upon Oath, and upon other sufficient Evidence, to settle and determine the same; which Determination shall be final, and binding and conclusive unto and upon all Parties; and that if any Person or Persons shall hereafter erect, or cause to be erected, any Spout or Gutter for conveying Water from any old or new House, Warehouse, Balcony, or other Building, in any Manner contrary to the Directions and true Meaning of this Act as aforesaid, every such Person shall forfeit and pay the Sum of Twenty Shillings for every Week such Spout or Gutter shall remain.

Spouts, &c. of publick Buildings, by whom to be regulated.

And be it further enacted by the Authority aforesaid, That the Chamberlain of the said City for the time being, the Treasurer of the Dean and Chapter of the Cathedral Church of The Holy and Undivided Trinity of *Bristol* for the time being, and all and every the respective Churchwarden or Churchwardens of the several Parish Churches, and the Treasurer of the respective Congregations of the several Meeting Houses, and the Masters of the respective Companies of the several Halls, for the time being, and the Owners and Occupiers of all other publick Buildings within the said City and Liberties thereof respectively, shall, and they respectively are hereby charged and required to remove all and every the Spouts and Gutters belonging to, and which convey Water from, the Tops of the said respective publick Buildings and Places to which they respectively belong, and to convey such Water in Manner herein before directed, under the Penalty of Twenty Shillings for each and every Week any such Spout or Gutter shall remain, and the Water not conveyed down as

as aforesaid, after the Time herein before limited, to be forfeited and paid by every Person or Persons so neglecting to remove such Spout or Gutter in Manner directed by this Act.

Upon Presentment of Houses, &c. being in a ruinous Condition,

And whereas Houses and Tenements in several Parts of the City of Bristol, and the Liberties thereof, are often, from litigated Titles thereto, or the Obstinacy or Poverty of the Owners or Proprietors thereof, or of Parties interested therein, in so ruinous a Condition, that Passengers passing thereby are in Danger of their Lives, or some bodily Harm, from the falling thereof, or of Bricks, Stones, or Timber, therefrom; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, if any Presentment shall be made by any Inquest or Grand Jury at any General Quarter Sessions to be held in and for the said City of Bristol, that any House, Houses, or Tenements, in the said City or the Liberties thereof, is, are, or shall be, in such ruinous Condition as aforesaid, it shall be lawful for the Court of Mayor and Aldermen, and the said Court is hereby required, on Notice of any such Presentment being made, and on a Copy thereof being laid before them, to cause, with all convenient Speed then afterwards, a proper and sufficient Hoard or Fence to be put up to guard all such ruinous Houses and Tenements from the publick Street; and to cause Notice in Writing to be given to the Owner or Owners, or other Person or Persons interested therein, if he, she, or they, can be found in the said City of Bristol, or the Liberties thereof, and if not, to cause such Notice in Writing to be left at the said Premisses, to repair the same, or to take down such Buildings, as the Case shall require, within the Space of Thirty Days then next ensuing: And if such Owner or Owners, or other Person or Persons interested in any such House, Houses, or Tenements, shall not repair or take down the same, within the said Space of Thirty Days after any such Notice as aforesaid shall be given or left as aforesaid; then, on Proof on Oath being made of any such Notice being so given or left, the said Court is hereby authorized and required, with all convenient Speed then afterwards, to order and cause all or so much of such House, Houses, or Tenements, as are or shall be in such ruinous Condition, and likely to be dangerous to Passengers passing thereby, to be taken down and secured in such Manner as shall from time to time be thought requisite; and all the Charges of putting up every such Hoard

Corporation to order them to be inclosed;

Owners to pay the Charges.

or Fence, and taking down and securing all or so much of such ruinous House, Houses, or Tenements, as shall be necessary to be taken down or made secure for the Safety of Passengers passing that Way, shall, from time to time, be paid by the Owner or Owners of such House, Houses, or Tenements, if known, and he, she, or they, can be met with within the said City of Bristol, or the Liberties thereof: And if such Owner or Owners shall, on Demand thereof, neglect or refuse to pay the same; then such Charges may, by Warrant under the Hands and Seals of the Mayor and any Justice or Justices of the Peace of the said City, or any Three Justices without the Mayor, be levied by Distress and Sale of the Goods and Chattles of such Owner or Owners, if any such can be found in the said City of Bristol: And if no such Owner or Owners can be met with in the said City of Bristol, or the Liberties thereof, or sufficient Distress of his, her, or their Goods or Chattles cannot be met with, wherefrom such Costs and Charges may be levied; then, and in every such Case, the Person or Persons who shall at any Time thereafter occupy any such House, Houses, or Tenements, or the Ground whereon the same stood, is and are hereby required and authorized to pay the same, and to deduct the same out of the Rent thereof; and if he, she, or they, shall neglect or refuse to pay such Charges, then the same shall, by Warrant under the Hands and Seals of any such Justices as aforesaid, be levied by Distress and Sale of the Goods and Chattles of any such Occupier or Occupiers, in Manner as other Penalties are by this Act directed to be made, together with the Costs of every such Distress and Sale; and the Landlord and Landlords of the Premisses is and are hereby required to allow every such Occupier and Occupiers all such Charges which he, she, or they, shall so pay, or which shall be levied by Distress from him, her, or them, as aforesaid, upon Receipt of the respective Rent; and every Occupier paying any such Charges shall be acquitted and discharged for so much Money as he, she, or they, shall so pay, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent should have been due or payable; and such Money, as the same shall from time to time be received or levied, shall be paid to the Chamberlain of the said City, and be by him from time to time placed to the Credit of the Cash of the said City of Bristol, to reim-

third the Costs and Charges of making the said Hoyd or Fence.

Houses rebuilt, not to project beyond the Story Posts;

And be it further enacted by the Authority aforesaid, That no Head Builder, Master Carpenter, Mason, or Workman, shall, in re-building or new fronting any old Building, situate in or near any Street, Lane, or publick Way, bring the Foundation thereof forward beyond the old Foundations, or the ancient Story Posts supporting the Fronts thereof, so as to obstruct or narrow the Passage through the same, upon Pain of forfeiting, for every such Offence, the Sum of Twenty Pounds; and the Owner of such Building shall forfeit and pay the Sum of Five Pounds for every Month such Obstruction or Encroachment shall remain, by the Foundation of such Building being brought forwards as aforesaid.

and to have Party Walls.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, the Fronts and Sides of all and every House and Houses, Building and Buildings, that shall be erected and built, either upon old or new Foundations, in any Place or Places within the said City of Bristol, and Liberties thereof, shall be of Brick or Stone; and if any such new House or Houses, Building or Buildings, shall, from and after the said Time, be erected and built within the said City, contrary to the true Intent and Meaning of this Act, the same is and are hereby declared to be a Common Nuisance, and that the Offender or Offenders in the Premisses shall and may be proceeded against by Indictment for the erecting or continuing such Nuisance, at the Court of General Quarter Sessions of the Peace to be holden for the said City and County of Bristol; which Court is hereby authorized to have and take Cognizance of, and to punish such Offender or Offenders in a due Course of Law.

Application of Penalties and Forfeitures.

And be it further enacted by the Authority aforesaid, That where any Forfeitures or Penalties shall be incurred, for Offences committed against the said former Acts or this Act, it shall be lawful for the Mayor and any One Justice of the Peace of the said City, or any Three Justices without the Mayor, upon Complaint or Information exhibited before them respectively, to summon the Party or Parties accused; and upon due Proof made thereof, either by the voluntary Confession of the Party, or by the Oath of One or more credible Witness or Witnesses (which Oaths the said Mayor and Justices respectively have hereby Power to administer) to give Judgement or Sentence thereupon, and to award and

issue

issue out Warrants under their Hands and Seals respectively, for the levying of such Forfeitures and Penalties as are by this Act imposed upon the Goods and Chattles of such Person or Persons, and to cause Sale to be made of such Goods and Chattles if they shall not be redeemed within Five Days, rendering to such Person or Persons the Overplus (if any be) and the Monies from time to time arising by such Penalties and Forfeitures, shall be paid and applied in Aid or Diminution of the Rates or Assessments made by virtue of this or any of the before recited Acts, for the pitching, paving, cleansing, enlightning, or watching, of the Streets of such Parish, Ward, or Precinct, wherein the Offence shall be committed, in such Manner as the Mayor and any One Alderman of the said City, or any Three Aldermen without the Mayor, shall, from time to time, direct and appoint.

Orders not to be quashed for want of Form,

And be it further enacted, That no Order which shall be made by the said Mayor, or any other Justice or Justices of the Peace, by virtue or in pursuance of this Act, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only; or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster.

nor removable by *Certiorari.*

Persons aggrieved may appeal to the Quarter Sessions.

Provided always, and it is hereby further enacted by the Authority aforesaid, That in case any Person or Persons shall think himself or themselves aggrieved by any Judgement, Order, or Proceedings, of any Mayor and Justice or Justices of the Peace, which shall be made or had under this Act; it shall and may be lawful for such Person or Persons to appeal to the Justices of the Peace, at the next General Quarter Sessions of the Peace to be held for the said City and County of the same, who are hereby impowered to summon and examine Witnesses upon Oath, and to hear and finally determine every such Appeal and Appeals; and shall award to the Party or Parties, for whom Judgement shall be given on every or any such Appeal, such Costs as to the Court shall appear reasonable.

Penalties may be mitigated.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor and Justice or Justices, from time to time, to mitigate, compound, or lessen, any of the Forfeitures incurred under this Act, so as such Mitigation do not extend

tend to remit above One Moiety or half part of the said Forfeitures respectively.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any thing done or to be done in pursuance of the said recited Acts, or this present Act; then, and in every such Case, the Action or Suit shall be brought within Six Calendar Months next after the Fact committed, and shall be laid in the City of Bristol, and not elsewhere: And the Defendant or Defendants in such Action or Suit so to be brought, shall and may plead the General Issue, and give the said recited Acts, or this present Act, as the Case shall require, and the Special Matter, in Evidence, at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, Suit or Suits, or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants shall or may have in any Cases by Law.

General Issue.

Treble Costs.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be allowed in all Courts whatsoever, as a Publick Act; and all Judges, Justices, and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

First SCHEDULE

To which this Act refers.

To open the Passage through Lawford's Gate. Seven Houses on the South Side thereof, now or late in the Possession of Simon Welton, Samuel Potter, Robert Read, John Davis, and Samuel Fuller, respectively; and on the North Side of the said Passage, Three Houses in the Possession of George Davis, John Alding, and William Gayner, respectively.

In Key Lane, and Part of Christmas Street. A House in the Occupation of Francis Prime, Wine Merchant; and a small Tenement adjoining, in the Possession of Charles Bowen, Labourer.

Castle Street. A House in the Occupation of Edward Stone, Tinman.

Baldwin Street. Eleven old Houses, and a Brew-house, on the South Side thereof, extending to Back Street, now in Possession of James Parry, Samuel Hughes, Mary Williams, Rebecca George, Stephen Cumley, John Carter, Martha Morris, William Robertson, William Walters, Sarah Hern, Austin Sellard, and Mr. Fitzgerald, respectively; and likewise a Tenement on the South Side of Back Street, next to Baldwin Street, in the Occupation of John Cooper.

Silver Street. Two old Houses next to Lewin's Mead, in the Tenure or Possession of Joseph Bagg, Butcher, and Ann Arnold, Widow; and likewise Two small Tenements in Lewin's Mead aforesaid, in the several Occupations of Robert Tucker, Labourer, and Mary Price, Widow.

Small Street Gate. A House in the Occupation of Joseph Flower, on the West Side thereof, and a House in the Occupation of Thomas Barrow, on the East Side of the said Gate, together with a Flight of Steps belonging to, or occupied by, the said Joseph Flower.

Wine Street. An old Tenement adjoining to the Goal of Newgate, in the Occupation of Thomas Griffin; Two small Pieces of Ground adjoining, in the Occupation of Thomas Lucas; Two ruinous old Tenements in the several Occupations of Gabriel Lockyer and Francis Style; and Part of a Yard behind the last mentioned Tenement, containing in Breadth Fourteen Feet,

Feet, and in Depth backwards towards the River Thirty Feet; and all the old Houſes now or late in the ſeveral Occupations of Peter Norton, Abraham Granger, John Williams, Joſeph Hulbert, and John Gittoe, extending from a Tenement in the Occupation of Robert Bitton, into Checquer Lane, in the ſaid Street; and likewiſe Three Houſes next Dolphin Lane, in the Poſſeſſion of Robert Bell, John Evans, and Robert Bitton, reſpectively.

Shambles. All the Houſes and Buildings on the North Side of the ſaid Shambles, extending from the lower End of High Street to Bull Lane; and alſo the Out-buildings lying between the North Side of the ſaid Shambles, and the back Part of the Houſes in Mary Port Street; and likewiſe all the Houſes on both Sides of Bull Lane.

Peter Street. Two Houſes next to Bull Lane, now or late in the ſeveral Occupations of James Williams and Joſeph Hill; One Houſe on the North Side of the ſaid Street next Dolphin Lane, in the Occupation of the ſaid James Williams.

Temple Street. Three Houſes next to Tucker Street, and Three Houſes in Tucker Street adjoining, now or late in the ſeveral Poſſeſſions of William Aſhcroft, John Bell, William Courtly, John Roſewell, John Shoreway, and Mary Hill.

Lime Kiln Lane, or Cow Lane. So much of a Garden, extending from College Green to the ſaid Lane, belonging to and occupied by Charles Smith, Merchant, as ſhall contain in Breadth at the South Eaſt End Seven Feet, and at the North Weſt End Fourteen Feet, and not to exceed the Length of Seventy nine Feet; ſo much of a Garden or Gardens ſituate on the South Side of the ſaid Lanes, in the Occupation of James Philips, Gardener; and alſo ſo much of another Garden next adjoining, in the Occupation of William Child, Glaſs Maker, ſo as the ſaid Lane, next to the ſaid Gardens, may be there widened and enlarged Twenty Feet more than at preſent; and alſo ſo much of a Piece of Ground in the Occupation of William Joiner, Shipwright, ranging along the ſaid Lane towards the Hott Well Road, that the Way there may be widened Thirty Feet more than at preſent.

Second

Second SCHEDULE

To which this Act refers.

To open and lay out a new Street, Forty Feet wide, from *Dolphin Lane*, into *Broad Mead*;

Three Houses in Wine Street, in the several Possessions of John Barlow, Joseph Hawkswell, and Richard Herring; and also Nine old Tenements in a certain Place called The New Buildings, behind the said last-mentioned Three Houses, in the several Occupations of Charles White, Thomas Grant, John James, Charles Gething, Thomas Walters, Jane King, Reece Price, Margaret Morgan, and Daniel Ross; Part of a Warehouse or Workshop, and Yard, behind Saint James's Back, in the Possession of Richard Beverstone Soap Boiler; a Court of Three old Tenements near to the said Warehouse of Richard Beverstone, and now or late in the several Occupations of Margaret Sweeting, John Gwillam, and Joshua Patfield; and Five ruinous Houses in Broad Mead, nearly opposite to the Lamb Inn, and now or late in the Possession of Joseph Castle, George Andrews, Thomas Davies, John Davies, and John Fowler respectively.

To lay open and make a New Street, Thirty Feet wide at the least, from the lower End of *Corn Street*, through Part of *Marsh Street*, to the *Key*, nearly opposite to the *Draw Bridge*;

Three Houses or Tenements in Baldwin Street, near Saint Leonard's Church, in the several Occupations of Jacob Strickland, Daniel Hicks, and James Betham; Thirteen old Houses or Tenements on the South Side of Marsh Street, extending from the said Church, to nearly opposite Swan Lane, in the several Occupations of Elizabeth Smith, Sarah Hurditch, Richard Page, Anna Viner, John Smith, Hester Mackey, Catharine Mahaney, Joseph Llewellin, and others; Thomas Hailstone, John Roach, Edward Grumley, Francis Baugh, and William Franks; and Two Cellars and Back Buildings in the Occupation of Joseph Llewellin; and a Tenement called The Joiner's Hall, in the Occupation of Thomas Owen; Fourteen Houses or Tenements on the North Side of Marsh Street, extending from Springer's Entry, to Swan Lane aforesaid, in the several Occupations of William Barrow, John Donovan, and others; John Prosser, John Lewis, Thomas Williams, William Thrall, Hannah Walters,

ters, Barnaby Dwyer, John White, Patrick Baldwin, William Lowe, Thomas Day, Alexander Dixon, and John Evelyn; and One Back Tenement in the Occupation of James Day, and others; Ten ruinous Houſes or Tenements, with ſeveral Cellars thereto belonging, in Roſe Lane, now or late in the ſeveral Occupations of Jane Walters, Richard Whittington, John Gardener, Matthew Murphy Taylor, Matthew Murphy Mariner, Alexander Gray, John Morgan, John Humphries, Mr. Chivers, and William Cox; Six Houſes or Tenements on the Key, now or late in the ſeveral Occupations of John White, George Pigg, George Benniſon, John Holbrook, Richard Roth Jones, and James Williams; and Four Houſes or Tenements in Swan Lane aforeſaid, in the ſeveral Occupations of Joſeph Gregory, Edward Swanſbury, William Gibbons, and Sarah Hillhall.

To widen *Halliers Lane*, and make a new Street from thence into *Broad Mead*, Thirty Feet wide at the leaſt;

Two Houſes in Chriſtmas Street, in the ſeveral Occupations of Abraham Brown and Roger Proſſer; a ſmall Part of a Warehouſe behind the laſt mentioned Houſes, in the Occupation of Joſeph Farrell and Company; Seven old Houſes or Tenements on the North Side of Halliers Lane aforeſaid, in the ſeveral Occupations of Jane Treſcott, William Watts, Matthew Summers, and others, Ann Stallaway, James Parry, and Martin Lawrence; and a Stable in the Occupation of Oneſiphorus Norman; Fourteen old Houſes or Tenements on the South Side of the ſaid Lane, now or late in the ſeveral Occupations of Robert Downers, Thomas Samuel, Mary Davies, Henry Jones, Abraham Leach, Robert Cook, William Powell, Thomas James, Iſaac Lewis, Cadogan Keen, Sarah Haines, Mary Manderville, Mary Bennett, and John Clarke, and others; a Yard in the Occupation of the ſaid Oneſiphorus Norman; a Stable in the Occupation of Sarah Brice; and Part of a Stable and Warehouſe in the Occupation of George Dawbeny and Company; Three Houſes and a Stable in or near the South Side of the ſaid Lane, in the ſeveral Occupations of Grace Powell, Rebecca Bright, and James Cadwallader; One Houſe in Bridewell Lane; and old Warehouſes extending from thence towards Needleſs Bridge, in the Occupation of William Andrews; and an old Houſe adjoining to the laſt mentioned Warehouſes, late in the Occupation of John Townly; One old Houſe, Two Stables, Two Warehouſes, and a Shop, extending from All Saints

Almſhouſe, towards Needleſs Bridge, in the ſeveral Occupations of Elizabeth Baxter, Edward Gravenor, William Brown, James Cadwallador, Abraham Blatchley, and William Edmunds; Part of a Piece of void Ground, now in the Poſſeſſion of Morgan Smith Eſquire, and Company, behind the laſt mentioned Premiſſes; and Part of another Piece of Ground, known by the Name of The Old Bowling Green, and adjoining to the ſaid laſt mentioned Ground; One ruinous Warehouſe or Workſhop in or near Duck Lane, late in the Occupation of Robert Hervey, and One Houſe and Stable adjoining, in the Occupation of Hannah Thompſon; Two old Houſes, and a Stable, between Duck Lane and Needleſs Bridge, in the ſeveral Occupations of Jacob Bowker, Hannah Thompſon, and Simon Baker; and Four old Houſes on Saint James's Back, fronting Broad Mead, in the ſeveral Occupations of Daniel Scammell, John Ryan, John Morris, and Jacob Williams.

Alſo, to open a Way to a new intended Square in the Pariſh of *Saint James*;

A Houſe ſituate in Stokes Croft, belonging to Lydiatt, now in the joint Poſſeſſion of Broom and Thornhill, bounded on One Side by a Houſe in the Poſſeſſion of Symonds, and on the other, by a Garden late in the Poſſeſſion of William Barnes Eſquire; likewiſe a Houſe in Milk Street, belonging to William Owen, Grocer, in the Poſſeſſion of William Sperring, bounded on One Side by a Houſe in the Poſſeſſion of Evans, Carpenter, and on the other by a Road leading to an intended Square.

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FINIS.