



ANNO NONO

GEORGII IV. REGIS.

Cap. xli.

An Act for removing the present Cattle Market now held in *Saint Thomas Street* in the City of *Bristol*, for providing a better and more convenient Market instead thereof, and for rebuilding and enlarging the Wool Hall in *Saint Thomas Street*. [13th May 1828.]

WHEREAS by Letters Patent, bearing Date the Eleventh Day of *December* in the Thirteenth Year of the Reign of Queen *Elizabeth*, after reciting that the said Queen had been given to understand by the Mayor and Commonalty of the City of *Bristol*, that not only a certain Street commonly called *Saint Thomas Street*, situate in the Parish of *Saint Thomas*, within the City aforesaid, but also the Houses, Structures, and Edifices in the same Street, were fallen much into Ruin and Decay, to the great Deformity of the same Part of the said City; and that the late Inhabitants of the same Street, compelled by Poverty, in consequence of the Decline of the Woollen Cloth Manufacture, had suffered them to become and fall thus in Ruin; and that a certain Almshouse for the Support of many poor Persons, situate near the said Street, and a certain Canal or Aqueduct, situate in the same Street, which beyond the Memory of Man were sustained and maintained chiefly by the Inhabitants of the said Street, were then, on account of the Poverty of the same Inhabitants, in such a State that it did appear

[*Local.*] 10 M probable

Letters
Patent, dated
11th Dec.
13 Eliz.

probable they would in a short Time fall into extreme Ruin, if a Remedy for the same were not provided ; whereupon the said Mayor and Commonalty had humbly supplicated Her said Majesty to extend Her Munificence and Grace and Favour in this respect ; Her said Majesty, therefore, considering the Premises, and graciously acceding to the Petition aforesaid, and also that the said Mayor and Commonalty and Inhabitants of the said Street might be enabled the better to support and maintain, as well the Houses and Edifices being in the said Street, as the said Almshouse and Aqueduct, granted to the said Mayor and Commonalty of the said City of *Bristol*, and their Successors, that they might have, hold, and enjoy thereafter, to them and their Successors for ever, one Market, to be held on each *Thursday* in every Week, for the whole of such *Thursday*, at the City aforesaid, in the Street aforesaid called *Saint Thomas Street*, within the said Parish of *Saint Thomas* in the said City of *Bristol*, for Yarn, Wool, Cattle, and other Things whatsoever, to be there bought and sold ; and Her said Majesty further granted to the said Mayor and Commonalty, and their Successors, all Stallage, Pickage, Tolls, and Customs of the same Market, or which to the same Market belonged or ought to belong ; and also all and all Manner of Profits and Rents, and Tolls and Tolnets, and weighing of Yarn and Wool, and of other Things to be sold or weighed in the aforesaid Market ; as also all Tolls, Pickage, Stallage, and other Jurisdictions, Commodities, Profits, and Emoluments whatsoever, in and from the said Market, which to a Market belonged or ought to belong ; and that the said Mayor and Commonalty, and their Successors, should have and take, and might be authorized and empowered to have and take, from all and every Persons coming and resorting to the said Market, as many, as great, such and such like Tolls, Pickages, Stallages, and other Profits, as to the said Market belonged, and as had been accustomed, and ought to be taken and paid, by reason of a Market, from Buyers and Sellers, in a Market of such kind or in that Market ; and also all and singular Fines, Amercements, Issues, and Profits of and in the aforesaid Market thereby granted, from Time to Time happening, falling, arising, or growing ; to hold all and singular the Premises to the said Mayor and Commonalty of the City of *Bristol* and their Successors, to the proper Behoof, Use, and Benefit of the same Mayor and Commonalty, and their Successors for ever, without any Account or any other Thing thereof or therefrom in any Manner to be rendered, paid, or done to Her said Majesty and Her Successors : And whereas by Deed indented, bearing Date the Twentieth Day of *August* in the said Thirteenth Year of the Reign of the said Queen *Elizabeth*, under the Common Seal of the said Corporation, *William Tucker*, Mayor of the City of *Bristowe*, and the Commonalty of the same City, after reciting the foregoing Letters Patent, made known to all Christian People to whom the said indented Writing should come, that they the said Mayor and Commonalty, as well in Consideration that *Michael Sowdley*, *Nicholas Blake*, *William Gibbes* senior, *Richard Bluett*, *Henry Slye*, *Robert Burgin*, *John Palmer*, *Robert Alflatt*, *John Alkyn*, *John Slye*, and *Richard Belshere*, Feoffees of the Lands and Tenements commonly called the Church Lands of the Parish Church of *Saint Thomas* of *Bristowe*, had given and granted to the said Mayor and Commonalty, and to their Successors,

Grant of
Lands, dated
20th August
13 Eliz.

in Fee Farm for ever, One void Ground lying in *Bristowe* aforesaid, in a Street called *Wine Street*, to be used for a Market Place for Corn and Meal, for the common Wealth as well of the City as also of the Country thither repairing, for the yearly Rent of Forty Shillings, at Four the most usual Feasts or Terms of the Year, by even Portions; and for that the said Feoffees had theretofore granted to the said Mayor and Commonalty, and their Successors, One Annuity or yearly Rent of Twenty Shillings of lawful Money of *England*, issuing and going out of all those the Lands, Tenements, and Hereditaments whereof the said Feoffees stood seised in their Demesne as of Fee, which were called *Saint Thomas Church Lands*, situate, lying, and being in the said City of *Bristowe*, as also for divers other good and reasonable Causes and Considerations, gave, granted, and confirmed, for them and their Successors, to the said Feoffees, and to all other the Parishioners then being of the said Parish, or that thereafter should be, their Heirs and Assigns for ever, as well the said Market, together with all Tolls, Customs, Pickage, Stallage, weighing of Yarn and Wool, Jurisdictions, Fines, Amercements, Issues, and all other Profits, Emoluments, and Commodities to them in the said Letters Patent granted, as also the said Letters Patent, to hold and enjoy the said Market, Tolls, Customs, Pickage, Stallage, Letters Patent, and all other the Premises, to the said Feoffees, their Heirs and Assigns for ever, in as large and ample a Manner as the said Mayor and Commonalty of Right ought to have and enjoy the same by force of the said Letters Patent, upon Condition that they the said Feoffees, and the Parishioners of the said Parish of *Saint Thomas* that then were, or that from Time to Time thereafter should be for evermore, should yearly employ and bestow the Profits and Commodities to them the said Mayor and Commonalty granted by the said Letters Patent, arising and growing in and by reason of the Market aforesaid, in relieving the poor People of the Almshouse founded in the same Parish of *Saint Thomas*, in the Maintenance of the Conduit with Water there, and in doing other good Deeds of Charity within the said Parish, according to the Meaning of the said Letters Patent, and upon Condition that they the said Feoffees, or any of them, should not at any Time or Times thereafter let, set to farm, alien, or grant the said Market, or any Commodity or Profit belonging to the same, or any Part thereof, to any Person or Persons, but that the said Feoffees and other the Parishioners of the said Parish of *Saint Thomas* for the Time being should retain and keep the same in their own Possession, to the good Uses before expressed, and for the necessary Stipends and Wages of such as should take pains as Officers in the said Market, and other necessary Charges and Duties concerning the said Market; and it was covenanted and granted, concluded and agreed between the Parties aforesaid, for them, their Heirs and Successors, by those Presents, that at all Times thereafter, and from Time to Time for ever, as long as the said Market should be holden and kept as aforesaid, the Mayor of the said City for the Time being, and the Aldermen of the same, should have full Power and Authority to ordain, establish, and make good and reasonable Orders, Constitutions, and Provisions for the better Use, ordering, and Government of the said Market, and of the People frequenting the
the

Indentures
of Lease and
Release, 20th
and 21st Feb.
1822.

the same; and also to reform, alter, and redress from Time to Time, for ever, all and every such Thing and Things which should be needful to be reformed and amended, which might or should arise, grow, or be determined for or touching the said Market at any Time thereafter, so that the said Orders, Constitutions, and Provisions to be made by the said Mayor and Aldermen should not take away any Manner of Benefit, Commodity, or Profit before granted by the said Letters Patent: And whereas by virtue of certain Indentures of Lease and Release, bearing Date the Twentieth and Twenty-first Days of *February* in the Year of our Lord One thousand eight hundred and twenty-two, the said Market was vested in *John Brent* Cross Druggist, *Benjamin Purnell* Tobacconist, *Thomas Gee* Tobacconist, *Thomas Richard Sanders* Seedsman, *William Sanders* Seedsman, *Richard Hasell* Soapboiler, *Thomas Hassall* Grocer, *Josias Hassall* Grocer, *James Dunbar* Brazier, *John Locke Panter* Distiller, *Thomas Daniel Doddrell* Salt Refiner, *Henry Bush* Merchant, *Henry Fothergill* Brazier, *Samuel Crady Edwards* Distiller, *George Taylor* Brandy Merchant, *Richard Powell* Surgeon, *Sampson Pinkney* the younger, Cutler, and *William Arnold* Vintner, all of the City of *Bristol* aforesaid, as the Feoffees of the Church Lands in the said Parish of *Saint Thomas*: And whereas the present Feoffees of the said Church Lands of the said Parish of *Saint Thomas* are now in the Possession of the said Market, together with all Tolls, Customs, Pickage, Stallage, and all other Profits, Emoluments, and Commodities thereunto belonging, and the said Market hath been and continues to be held in the said Street called *Saint Thomas Street*; but in consequence of the great Increase which has taken place in the Number of Persons resorting to the same, as well as of the Horses, Cattle, and other Beasts sent thereto for Sale, the Space allotted to the said Market is become very inadequate for the Business required to be transacted thereat; and the Building at present appropriated to the warehousing and Sale of Yarn, Wool, and other Goods and commodities, called the Wool Hall, situate in *Saint Thomas Street* aforesaid, is now fallen greatly into Decay, and not sufficiently commodious for the Business required to be transacted there; and it would be of great Advantage and Convenience, not only to the Inhabitants of the said Street, but to all Persons frequenting and using the said Market, and engaged in buying and selling Yarn, Wool, and other Goods and Commodities at the said Building called the Wool Hall, if the said Market were removed, and a better and more convenient Market provided instead thereof within the said City, and the said Building called the Wool Hall taken down and rebuilt, with further, better, and more appropriate Accommodations for the Purposes thereby intended; and it would also be of great Advantage and Convenience, as well to the Inhabitants of the said City as to Persons travelling to and from the same, if a new Carriage Road or Street was opened and made from the South End of the said Street called *Saint Thomas Street*, into a certain Street called *Pile Street*, in the Parish of *Saint Mary Redcliff*, and also various other Improvements effected within the said Parish of *Saint Thomas*, and otherwise within the said City: And whereas the Mayor, Burgesses, and Commonalty of the said City of *Bristol*, are willing to provide a Site for a new Market, and also (including the Value of the said Site)

to

to provide a Moiety of the Expence of establishing the same, and of rebuilding the said Wool Hall; and the said Feoffees are also willing to provide (including the Value of the said Building called the Wool Hall aforesaid,) the other Moiety of the said Expence; and it will be of great Benefit to the said Feoffees, so far as relates to the Trusts contained in the said recited Indenture of the Twentieth Day of *August* in the Thirteenth Year of the Reign of Queen *Elizabeth*, if the Purposes aforesaid be carried into Effect upon the Terms and Conditions respectively herein-after mentioned; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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 immediately after the passing of this Act the said Market now held in *Saint Thomas Street* in the City and County of the City of *Bristol*, and all and singular the several Tolls, Customs, Pickage, Stallage, weighing of the Yarn and Wool, Jurisdctions, Fines, Amercements, and all other Profits, Emoluments, and Commodities thereunto belonging, shall be and are hereby vested in the Right Worshipful *Gabriel Goldney* Esquire, Mayor of the said City of *Bristol*, *Thomas Daniel*, One of the Aldermen of the said City, *John Cave*, One of the Common Council of the said City, *Henry Wood*, *Henry Bush*, and *Samuel Crady Edwards*, all of the Parish of *Saint Thomas* in the said City of *Bristol*, and their Successors, to be elected in manner herein-after mentioned, as Trustees, for ever freed and absolutely discharged and exonerated of and from all and every the Conditions, Uses, and Trusts contained in the said herein-before recited Indenture of the Twentieth Day of *August* in the Thirteenth Year of the Reign of Queen *Elizabeth*, created, limited, expressed, or provided of and concerning the same, but nevertheless upon the several Trusts, and to and for the several Ends, Intents, and Purposes herein-after expressed and declared of and concerning the same.

The Market with the Tolls, Jurisdctions, &c. vested in Trustees.

II. And be it further enacted, That it shall be lawful for the said Mayor, Burgesses, and Commonalty of the said City of *Bristol*, and they are hereby authorized and required, within Two Calendar Months next after the passing of this Act, to elect any Number of Persons, not exceeding Sixteen in the whole, out of their own Body, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so elected, and being qualified according to the Directions of this Act, shall be added to and are hereby invested with the same Powers and Authorities for executing this Act, as if they had been hereby appointed.

For electing additional Trustees by the Mayor, Burgesses, and Commonalty of the City of *Bristol*.

III. And be it further enacted, That it shall be lawful for the said Feoffees of the said Church Lands of the said Parish of *Saint Thomas*, and they are hereby authorized and required, within Two Calendar Months next after the passing of this Act, to elect any Number of Persons, not exceeding Sixteen in the whole, from amongst and out of them the said Feoffees, or if there shall not be a sufficient Number of such Feoffees duly qualified, then the Deficiency shall be elected out of or from the Persons owning or occupying Houses, Buildings,

For electing additional Trustees by the Feoffees of the Church Lands of *St. Thomas*.

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Lands,

Lands, Tenements, or Hereditaments within the said Parish of *Saint Thomas*, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed and hereby directed to be appointed; and such Trustees, so elected, and being qualified according to the Directions of this Act, shall be added to and are hereby invested with the same Powers and Authorities for executing this Act, as if they had been hereby appointed.

For filling up
Vacancies of
Trustees
appointed by
the Corpora-
tion.

IV. And be it further enacted, That when and so often as any of them the said *Gabriel Goldney*, *Thomas Daniel*, and *John Cave*, or any Trustee to be elected and appointed by the said Mayor, Burgesses, and Commonalty, in manner herein-before mentioned, or any Trustee to be elected in their or any of their Stead, shall die, or shall refuse or neglect to act, or by Bankruptcy, Insolvency, or otherwise, shall be incapable of acting, or shall cease to be qualified, or become disqualified in manner herein-after mentioned, then and in every such Case it shall be lawful for the said Mayor, Burgesses, and Commonalty, from Time to Time to elect and appoint, out of their own Body, another fit and proper Person, or other fit and proper Persons, to be Trustee or Trustees in the Place and Stead of such Trustee or Trustees as shall have died, refused, or neglected to act, or become incapable of acting; and every Trustee who shall be so elected and appointed as aforesaid (having taken and subscribed the Oath or Affirmation herein-after directed, and being qualified, and not disqualified in manner herein-after mentioned,) shall have the same Power and Authority to act in the Execution of this Act as the Trustee in whose Place or Stead he shall have been elected and appointed as aforesaid was by this Act invested with.

For filling up
Vacancies of
Trustees
appointed by
the Feoffees
of the Church
Lands of
St. Thomas.

V. And be it further enacted, That when and so often as any of them the said *Henry Wood*, *Henry Bush*, and *Samuel Crady Edwards*, or any Trustee to be elected and appointed by the said Feoffees in manner herein-before mentioned, or any Trustee to be elected in their or any of their Stead, shall die, or shall refuse or neglect to act, or by Bankruptcy, Insolvency, or otherwise, shall be incapable of acting, or shall cease to be qualified, or become disqualified in manner herein-after mentioned, then and in every such Case it shall be lawful for the said Feoffees from Time to Time to elect and appoint, from amongst and out of them the said Feoffees, another fit and proper Person, or other fit and proper Persons, to be Trustee or Trustees in the Place and Stead of such Trustee or Trustees as shall have died, refused, or neglected to act, or become incapable of acting; and if there shall not be a sufficient Number of such Feoffees duly qualified, then the Deficiency shall be elected out of or from the Persons owning or occupying Houses, Buildings, Lands, Tenements, or Hereditaments within the said Parish of *Saint Thomas*; and every Trustee who shall be so elected and appointed as aforesaid (having taken and subscribed the Oath or Affirmation herein-after directed, and being qualified, and not disqualified in manner herein-after mentioned,) shall have the same Power and Authority to act in the Execution of this Act as the Trustee in whose Place or Stead he shall have been elected and appointed as aforesaid was by this Act invested with.

VI. Provided always, and be it further enacted, That in case the said Mayor, Burgesses, and Commonalty, or the said Feoffees, shall omit or neglect, for the Space of Twelve Calendar Months, to supply any such Vacancy as aforesaid in the Number of Trustees herein directed to be appointed, then and in every such Case it shall be lawful for the said Trustees, and particularly when and so often as the said Trustees for the Time being acting under this Act shall by any of the Ways or Means aforesaid be reduced to Ten in Number, the then surviving or remaining Trustees shall and they are hereby forthwith required to nominate and elect fit and proper Persons (not less than Twenty-one), from amongst and out of the said Mayor, Burgesses, and Commonalty, and such Feoffees and Persons owning and occupying Houses, Buildings, Lands, Tenements, or Hereditaments within the said Parish of *Saint Thomas* respectively as aforesaid, according to the Class in which such Vacancies shall from Time to Time have occurred; and the Persons so elected by the said Trustees to supply such Vacancies as aforesaid shall have the same Power and Authority to act in the Execution of this Act as if they had been appointed Trustees in the Manner herein-before otherwise directed.

For electing Trustees in case the Corporation and Feoffees should omit to do so.

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VII. Provided always, and be it further enacted, That no Person shall be capable of being elected or appointed a Trustee, or of acting under this Act, unless at the Time of his acting he shall be seised or possessed, either in his own Right or in the Right of his Wife, of an Estate in Fee Simple, or for a Term of Life, or for a Term of Years whereof Fifty Years at least shall be then unexpired, of and in Lands, Tenements, or Hereditaments, situate within the said City and County of the City of *Bristol*, of the clear and net yearly Value of Forty Pounds, over and above all Incumbrances, or unless he shall be so possessed of a Lease or Leases of Lands, Tenements, or Hereditaments, situate within the said City and County, of the clear and net yearly Value of Seventy Pounds, and held for any Term or Terms whereof less than Fifty Years and more than Ten Years shall be then to come and unexpired therein, or unless he shall be possessed of a Real or Personal Estate of the Amount or Value of One thousand Pounds, over and above what will be sufficient to satisfy all his just Debts; and if any such Person hereby appointed, or who shall be elected a Trustee under this Act, shall act as such without being qualified as aforesaid, or without taking the Oath or Affirmation herein-after mentioned, or shall act as a Trustee relating to any Matter or Thing in which he shall be personally concerned or interested either directly or indirectly, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same; to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified, and not disqualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Trustee under or by virtue of this Act: Provided

Qualification of Trustees.

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Acts of Trustees not duly qualified to be good till Conviction.

Provided always, that all Acts and Proceedings of any Person or Persons acting as a Trustee or Trustees in the Execution of this Act, though not duly qualified, or being disqualified as aforesaid, previous to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person or Persons had been duly qualified and not disqualified to act as a Trustee or Trustees according to the Directions of this Act.

Trustees to take an Oath before acting.

VIII. Provided also, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except in administering the following Oath or Affirmation, which any of the Trustees hereby appointed or hereafter to be appointed are empowered to administer,) until he shall have taken and subscribed an Oath or Affirmation in the Form or to the Effect following; (that is to say,)

Oath.

I A. B. do swear [or, as the Case may be, being one of the People called Quakers, do solemnly affirm], That I will faithfully, impartially, and honestly, according to the best of my Skill, Knowledge, and Judgment, execute the several Trusts and Powers reposed in me as a Trustee by virtue of, an Act passed in the Ninth Year of the Reign of His Majesty King George the Fourth, intituled [here insert the Title of this Act], without Favour or Affection, Prejudice or Malice, to any Person or Persons whatsoever.

‘ So help me GOD.’

[Or, being a Quaker, omitting the Words ‘ So help me God.’]

Which Oath or Affirmation it shall be lawful for any one of the said Trustees to administer, and he is hereby required to administer the same to any other of the said Trustees; and the said Oath or Affirmation, so taken and subscribed by each such Trustee, shall be entered in the Book of Proceedings of the said Trustees to be kept by their Clerk for the Time being.

First and other Meetings of the Trustees.

IX. And be it further enacted, That the First Meeting of the said Trustees for putting this Act into Execution shall be held at the Guildhall of the said City of Bristol, or at some other convenient Place within the said City, within Three Calendar Months next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon; and the Trustees then and there present shall and may take and adopt such Measures for putting this Act into Execution, as may appear suitable and requisite in that Behalf, and shall then and from Time to Time afterwards adjourn their Meetings, and meet again at the same Place, or in such other convenient Place within the said City, and at such Time or Times, as the said Trustees shall from Time to Time think proper and convenient for the due Execution of this Act: Provided always, that the said Trustees shall at all their Meetings to be holden in pursuance of this Act pay and defray their own Expences, except any Sum, not exceeding Ten Shillings *per Diem*, for the Use of the Room wherein they shall meet.

X. And

X. And be it further enacted, That if it shall at any Time or Times be thought necessary that a Meeting of the said Trustees should be holden, after any Adjournment, on an earlier Day than the Day to which such Meeting shall have been adjourned, or if, for want of a proper Adjournment at any Meeting of the said Trustees, the said Meetings shall have been discontinued, then and in every such Case the Clerk or Clerks to the said Trustees (on an Order signed by Five or more of them, mentioning the Time, Place, and Purpose of such Meeting, being given to him or them, or left at his or their last or usual Place of Abode,) shall forthwith give Notice of a Meeting to be holden on such Day, in Writing, to be given to or left at the last or usual Place of Abode of each of the said Trustees, or by inserting a Copy thereof in some one of the *Bristol* Newspapers Eight Days at least before every such Meeting, and of the Time, Place, and Purpose which shall be mentioned in the Order of the said Trustees (such Time not being less than Eight Days after such Notice); and all the Proceedings of the said Trustees at such Meeting, so far as the same relate to the Business specified in such Notice, shall be as good and valid as they would have been in case such Trustees had met in pursuance of an Adjournment.

Meetings on
Emergencies.

XI. And be it further enacted, That no Acts of the said Trustees shall be deemed to be good and valid, unless made and done at a Meeting to be holden as aforesaid by virtue of this Act, except as to the Notices or Orders for Notices which may be given or made by them as herein in that Behalf is mentioned; and all Acts, Orders, and Proceedings hereby directed or authorized to be done by the said Trustees, shall and may be had and done by and before any Five or more of them; and all such Acts, Orders, and Proceedings, being done or determined on by a Majority of the said Trustees then present, shall be of as full Force and Effect as if executed and done by or before all the said Trustees; and at every such Meeting one of the said Trustees, to be appointed by a Majority of them present, shall act as Chairman.

No Acts valid
unless done
at a Meet-
ing, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees to nominate and appoint One or more Committee or Committees (every such Committee to consist of Five or more Persons) out of the said Trustees, to investigate, transact, and manage particular Departments of Business; and such Committee or Committees shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever which the said Trustees shall from Time to Time entrust to the Management of such Committees; and such Committees shall meet at such Times and Places within the said City as they shall think proper, and all Powers which shall be vested in the said Committees by the said Trustees shall be exercised by the major Part of them present at their respective Meetings; and such Committees shall from Time to Time make Reports of their Proceedings to the said Trustees, as the said Trustees shall direct, but the Acts of the said Committees shall not be valid unless the same shall be adopted, ratified, and confirmed by the said Trustees, at some of their Meetings to be held under or by virtue of this Act.

Committees
may be ap-
pointed.

[*Local.*]

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XIII. And

Proceedings
to be entered
in a Book,
which shall
be open to
Inspection.

XIII. And be it further enacted, That there shall be provided and kept a proper Book or Books, in which fair and regular Entries shall be made of all Acts and Proceedings relative to the Execution of this Act, and of the Names of the Trustees who shall be present at the respective Meetings to be holden in pursuance of this Act; and such Entries, being signed by the Chairman of each respective Meeting, shall be deemed Originals, and shall be allowed to be read as Evidence in all Courts whatsoever, and in all Causes, Prosecutions, Suits, and Actions touching or concerning any thing done in pursuance of this Act; and such Book or Books shall at all convenient Times be open to the Inspection of all Persons affected by this Act, on Payment of the Sum of Two Shillings and Sixpence to the Clerk or Clerks to the said Trustees, and such Persons may have or take Copies of or Extracts from the said Book or Books, paying Sixpence for every One hundred Words of such Copies or Extracts.

Accounts to
be kept of
Receipts and
Disburse-
ments, which
shall be open
to the Inspec-
tion of the
Trustees and
Creditors.

XIV. And be it further enacted, That the said Trustees shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk or Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of and under this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been received, paid, disbursed, laid out, and expended; and such Book or Books shall, at all seasonable Times, be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Monies to be raised by virtue of this Act, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case any Clerk shall refuse to permit or shall not permit any of the said Trustees or any such Creditor to inspect any such Book or Books, or to take such Copies or Extracts aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied, recovered, paid, and applied in the same Manner as other Penalties are hereby directed to be levied, recovered, paid, and applied.

No Order to
be revoked,
unless by a
greater Num-
ber of Trus-
tees than
were present
when such
Order was
made.

XV. And be it further enacted, That no Order made by any Five or more of the said Trustees shall be revoked or altered, unless at a Meeting to be held for that Purpose, of which proposed Revocation or Alteration Ten Days Notice at least shall be given at a previous Meeting of the said Trustees, and entered into their Book of Proceedings, and the said Notice (stating also the Time and Place of the Meeting when the Subject will be taken into Consideration) shall be given by the said Clerk or Clerks in Writing, to be given to or left at the last or usual Place of Abode of each of the said Trustees, or by inserting a Copy thereof in Two at least of the *Bristol* Newspapers Eight Days before the said Meeting; nor shall any such Order be revoked or altered unless a Majority of the Trustees present at such Meeting shall concur therein, and unless the Number of Trustees who shall come to such Meeting shall constitute a Majority of the whole of the then existing Trustees.

XVI. And

XVI. And be it further enacted, That the said Trustees shall and may from Time to Time, whenever they shall think necessary, appoint and employ a Treasurer or Treasurers, Clerk or Clerks, Surveyor or Surveyors, and such other Officer or Officers, Person or Persons, for the Execution of this Act, or for any other Matter or Thing relating to the Powers hereby vested in the said Trustees, as they the said Trustees shall think proper; and the said Trustees shall and may from Time to Time remove them or any of them, and in like Manner appoint others in the Room of those removed, and out of the Tolls and other Monies to be raised and received by virtue of this Act pay such Salaries, Wages, or Allowances to the said Officers and other Persons as they the said Trustees shall think reasonable; and all such Officers so to be appointed shall under their Hands (at such Time or Times and in such Manner as the said Trustees shall direct,) deliver to the said Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Tolls and other Monies which shall have been received by such Officers and Persons respectively by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Trustees or their Treasurer, or to such other Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Trustees, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by Notice in Writing signed by the Clerk or Clerks of the said Trustees, to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Trustees respecting the same, then and in every such Case, upon Complaint made by the said Trustees, or by their Clerk or Clerks, or by any Person or Persons whom the said Trustees shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, Division, City, Town Corporate, or Place wherein such Officer or Person so neglecting or refusing shall be or reside, such Justice may and he is hereby authorized and required to summon the Officer or Person so refusing or neglecting before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, or Affirmation if a Quaker (which Oath or Affirmation such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies which have been collected and raised by virtue of this Act shall be in the Hands of such Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods and Chattels of such Officer or Person shall be found sufficient to answer and satisfy the said Money,

and

Power to
appoint and
remove Offi-
cers, &c.

Officers to
account.

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

Treasurer and
Clerk not to
be the same
Person.

XVII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person or Persons who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to appoint any Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner of such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person or Persons shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy or Deputies of such Treasurer or Treasurers, or shall in any Manner officiate for such Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers,

or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy or Deputies of such Clerk or Clerks, or shall in any Manner officiate for such Clerk or Clerks, or if any such Treasurer shall hold any Place of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same; to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

XVIII. And be it further enacted, That the said Trustees shall and may sue and be sued, and order and direct any Indictment, Prosecution, or other Proceeding at Law or in Equity, to be commenced, prosecuted, or defended, for any Offence against this Act, or any Matter or Thing in anywise relating thereto, in the Name or Names of any One or more of them, or in the Name or Names of their Clerk or Clerks for the Time being; and all Actions and Suits, Indictments, Prosecutions, or other Proceedings, which may be necessary or expedient to be brought for the Recovery of any Penalty or Sum or Sums of Money due or payable by virtue of this Act, or for prosecuting or defending any Person or Persons for any Offence, or in any Proceeding against this Act, or for or in respect of any other Matter or Thing in anywise relating thereto, may be brought, commenced, prosecuted, or defended in the Name or Names of any One or more of the said Trustees, or in the Name or Names of their Clerk or Clerks for the Time being; and no Action or Suit, Indictment, Prosecution, or other Proceeding which may be brought, commenced, prosecuted, or defended by or against the said Trustees, or any of them, by virtue or on account of this Act, in the Name or Names of any One or more of them, or in the Name or Names of their Clerk or Clerks, shall abate or be discontinued by reason of the Death of such Trustee or Trustees, or by such Trustee or Trustees in whose Name or Names any such Action or Suit, Indictment, Prosecution, or other Proceeding shall be brought, commenced, prosecuted, or defended, ceasing to be a Trustee or Trustees, or by the Death, Resignation, Suspension, or Removal of such Clerk or Clerks, or by any Act or Default of such Trustee or Trustees, Clerk or Clerks, done or suffered without the Consent or Direction of the said Trustees, but any One of the said Trustees, or their Clerk or Clerks for the Time being, shall be always deemed Plaintiff or Defendant in every such Action or Suit, Indictment, Prosecution, or other Proceeding (as the Case may be), except in such Actions, Indictments, Prosecutions, or other Proceedings as shall be prosecuted between the said Trustees and their Clerk or Clerks for the Time being, in which Actions, Indictments, Prosecutions, or other Proceedings any One of the said Trustees shall always be Plaintiff or Defendant (as the Case may be); and in all such Actions, Indictments, Prosecutions, or other Proceedings, it shall be

Trustees may sue and be sued in the Name of any One or more of them, or in the Name of their Clerk.

[*Local.*]

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sufficient

sufficient to state, generally, that the said Market and Wool Hall, together with the several Houses, Buildings, Lands, Tenements, and Hereditaments, and all Materials, Articles, Matters, and Things whatsoever, which shall be provided or purchased for the Purposes of this Act, is or are the Property of the Trustees of the Cattle and Wool Market in the City of *Bristol*: Provided always, that every such Trustee or Clerk in whose Name any Action or Suit, Indictment, Prosecution, or other Proceeding shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Damages, Costs, Charges, and Expences as such Trustee or Clerk shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein; and no such Trustee or Clerk shall be personally answerable or liable for the Payment of the same, or any Part thereof, unless such Action or Suit, Indictment, Prosecution, or other Proceeding shall arise in consequence of his own wilful Neglect or Default, or shall have been brought, commenced, prosecuted, or defended without the Order or Direction of the said Trustees.

Power to
purchase
Houses,
Lands, &c.
for Site, and
to lay out a
Market, with
Approaches
thereto.

XIX. And be it further enacted, That it shall be lawful for the said Trustees to purchase and take the several Houses, Buildings, Lands, Tenements, and Hereditaments within the said City, mentioned, specified, and described in the First Schedule to this Act annexed, or so many and such Part or Parts thereof as they shall think necessary and proper to be taken and used for the Purposes of this Act, and to take down or alter all or any of the said Houses, Buildings, Lands, Tenements, and Hereditaments so to be purchased, or any Part or Parts thereof respectively, and to sell and dispose of the Materials thereof, or appropriate the same, and all or any of the Ground or Site thereof, as and for a public Market and Repository for Cattle, for exposing to Sale and selling therein Horses, Cattle, Sheep, Pigs, and other live Beasts, and to fence and inclose the same with proper and sufficient Fences, and make Gateways and Entrances into and from the same, and to make, erect, and build thereon such public and other Buildings as the said Trustees shall think proper; and make and erect proper and sufficient Pens and other Accommodations for the Horses, Cattle, Sheep, Pigs, and other Beasts which may be exposed to Sale in the said Market, or taken in to stand, or be kept and maintained therein previous to the Days appointed for holding the said Market; and appropriate and set apart certain and particular Portions of the said Ground and Places, and also certain and particular Pens and Places therein, for exposing to Sale the different Sorts of Cattle and Beasts therein; and from Time to Time to enlarge, diminish, vary, and alter the Form, Situation, and Extent of the said Market, and of the Pens and Accommodations aforesaid, as the said Trustees shall think expedient, and open and make all such Roads, Avenues, and Approaches to the said Market and Wool Hall, as they the said Trustees shall think fit; and on and adjoining the Site or Ground whereon the present Wool Hall in *Saint Thomas Street* aforesaid is situate, to erect and build a commodious and convenient Building for the buying, selling, housing, and weighing of Yarn and Wool, and other Goods and Commodities,

in such Manner as to the said Trustees shall seem meet and proper; and also to do and perform all such other Acts, Matters, and Things as shall be deemed necessary or proper for the making, preserving, maintaining, and using the said Market, Wool Hall, Buildings, Erections, and Things, according to the true Intent and Meaning of this Act.

XX. And be it further enacted, That if the said Trustees, or any other Person or Persons whomsoever, shall convey or cause to be carried and conveyed or thrown into the Floating Harbour of *Bristol*, any Sewage, Offal, Dung, Filth, Earth, Dirt, Ashes, Stones, Rubble, or other Things which shall arise or be produced by reason of the Erection, Establishment, or carrying on the said Market, or otherwise in carrying into Execution the Powers and Authorities of this Act, they or he shall forfeit and pay the Sum of Five Pounds for every such Offence: Provided always, that nothing herein contained shall be construed to prevent the said Trustees from opening such Sewers as may be necessary for carrying off the Sewage arising from the said Market into the new Cut or Course of the River *Avon*.

Trustees not to convey Rubbish into the Floating Harbour.

XXI. Provided always, and be it further enacted, That in case any House or Building, Lands, Tenements, or Hereditaments shall be damaged or injured by or in the taking down of any of the Houses or Buildings to be taken or used for the Purposes aforesaid, or otherwise in the Execution of this Act, the said Trustees are hereby authorized and required, out of the Money to be raised by virtue of this Act, to make the Owners and Occupiers of such House, Building, Lands, Tenements, or Hereditaments so damaged or injured, such Compensation and Satisfaction for such Damage as the said Trustees shall think reasonable, by Payment of a Sum of Money in gross; and in case the Owners or Occupiers shall think the Satisfaction offered to them by the said Trustees not sufficient, then the same shall be settled by a Jury in the Manner herein-after provided for ascertaining the Value of the Houses, Buildings, Lands, Tenements, and Hereditaments to be taken and used for the Purposes of this Act.

Compensation to be made for Damage done to Houses, &c.

XXII. Provided always, and be it further enacted, That in every Case where any Messuage, House, Building, Wall, Land, Tenement, or Hereditament, with the Appurtenances thereto belonging, is authorized by this Act to be purchased for the Purpose of forming and making the said Market, or for rebuilding the said Wool Hall, or for effecting any Improvement to be made within the said City as herein is mentioned, it shall be found that Part only of such entire connected Property will be required, it shall be lawful for the said Trustees, or for the said Mayor, Burgesses, and Commonalty, or for the said Feoffees, as the Case may be, to purchase such Part only of the said Premises respectively as shall be proper and necessary for such Purposes; but in case the Owner or Owners of such Property (either having an absolute Interest, or having an Interest in Trust for others as aforesaid,) shall be desirous of disposing of the Whole thereof, then the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be, shall and they are hereby directed and required to purchase the Whole thereof accordingly; and

Trustees to purchase Part only of the Premises in certain Cases, unless required by the Owners to purchase the Whole.

and upon Payment or other Disposition of the Money contracted or agreed for the same, in manner herein-after directed, all the Estate, Use, Trust, and Interest of any Person or Persons therein shall thenceforth vest in the said Trustees, for the Uses and Purposes of this Act, or in the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be.

Directing the Form in which Conveyances are to be made.

XXIII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, to be made to the said Trustees, or to the said Mayor, Burgesses, and Commonalty, or to the said Feoffees, by virtue of the Powers herein contained, shall be made in the Form or to the Effect following, *mutatis mutandis*; (that is to say,)

‘ I [or We] in consideration of the Sum of
 ‘ to me [or us] paid by the Trustees acting under or by virtue of
 ‘ an Act passed in the Ninth Year of the Reign of His Majesty
 ‘ King George the Fourth, intituled [*here insert the Title of this Act,*
 ‘ *or otherwise, as the Case may be*], do hereby grant and convey to
 ‘ the said Trustees for the Time being [or to the , *as the*
 ‘ *Case may be,*] all [*here describe the Premises to be conveyed*], and all
 ‘ my [or our] Estate, Right, Title, Term, and Interest to and in the
 ‘ same and every Part thereof, to hold to the said Trustees and
 ‘ their Successors [or to the , *as the Case may be,*] from
 ‘ henceforth for ever. In witness whereof I [or we] have here-
 ‘ unto set my Hand and Seal [or our Hands and Seals, or our
 ‘ Common Seal], this Day of in the Year
 ‘ of our Lord

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

Limiting the Power of purchasing Lands, &c. contained in the Schedule, to Five Years.

XXIV. And be it further enacted, That nothing herein contained shall authorize or empower the said Trustees to take or purchase any Houses, Buildings, Lands, Tenements, or Hereditaments, for the Purposes of this Act, without the Consent in Writing of the Owners and Occupiers thereof, other than and except those which are particularly mentioned, specified, and described in the said First Schedule to this Act annexed; and if the said Trustees shall not, within the Space of Five Years (to be computed from the passing of this Act), agree for, or cause to be valued and paid for in manner herein-after directed, the several Houses, Buildings, Lands, Tenements, and Hereditaments which they are hereby empowered to purchase, take, and use, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers which are hereby given them for such Purpose shall cease, determine, and be utterly void, save and except with the Consent in Writing of the Owners and Occupiers thereof.

Misnomers in describing the Premises

XXV. Provided always, and be it further enacted, That if any of the Houses, Buildings, Lands, Tenements, or Hereditaments which are

are mentioned, specified, or described in the said First Schedule to this Act annexed, or any of the Owners thereof, or of the Persons in whose Occupation or Possession the same or any Part thereof are or is stated or described to be, shall happen to be misnamed or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act ; but the same Premises and every Part thereof shall and may be purchased and conveyed, disposed of and applied to and for the Purposes of this Act, as fully and effectually as if the same were more properly named and described in the said First Schedule, provided it shall appear to any Two Justices of the Peace for the said City and County of the City of *Bristol*, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real Owners and Occupiers of such Houses, Buildings, Lands, Tenements, or Hereditaments had previous Notice that the same respectively would be wanted for the Purposes of this Act.

not to retard
the Execu-
tion of this
Act.

XXVI. And be it further enacted, That all and every Persons and Person, Bodies and Body Politic, Corporate, or Collegiate, who shall have any Mortgage or Mortgages on such Houses, Buildings, Lands, Tenements, or Hereditaments, (not being in Possession of the said Premises by virtue of such Mortgage or Mortgages,) shall, on Tender of the Mortgage Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the Principal Money, by the said Trustees or their Clerk, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Trustees, or to such Person or Persons as they shall appoint ; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Trustees or their Clerk, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, then on Payment of the Principal Money and Interest so due on such Mortgage or Mortgages at the Expiration of such Six Calendar Months, such Mortgagee or Mortgagees shall convey, assign, and transfer the said Mortgage or Mortgages, and his, her, or their Interest in the Premises, to the said Trustees, or such Person or Persons as they shall appoint in Trust for them ; but in case such Mortgagee or Mortgagees shall refuse to convey or assign, on such Tender or Payment as aforesaid, then all Interest on every such Mortgage shall from the Time of such Tender or Expiration of such Notice cease and determine : Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, or the Part or Parts thereof which shall be taken for the Purposes of this Act, then the said Trustees shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises ; which Value, in case the Parties cannot agree upon the same, shall be ascertained and settled by a Jury, in like Manner as other Values are herein-after directed to be ascertained and settled.

Mortgagees
not in Pos-
session to
assign Mort-
gages to
Trustees.

XXVII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Fee Simple or for Life, or for Years, or

Incapacitated
Persons em-
powered to
sell.

[*Local.*]

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in Fee Tail, General or Special, and all Feoffees in Trust for charitable and other Purposes, Husbands, Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and other Trustees and Persons whomsoever, not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for all and every other Persons and Person whomsoever who are, is, or shall be seised or possessed of or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments, or entitled to any Estate, Right, Title, Lien, Charge, or Interest whatsoever in or to any Houses, Buildings, Lands, Tenements, or Hereditaments situated within the said City and County of the City of *Bristol*, whether the same shall be specified in the said First Schedule to this Act annexed or not, which the said Trustees shall consider proper and necessary to be purchased for the Purposes of this Act, or which the said Mayor, Burgesses, and Commonalty, and their Successors, shall consider proper and necessary to be purchased for effecting any Improvement to be made by the said Mayor, Burgesses, and Commonalty, in any Part or Parts of the said City and County of the City of *Bristol*, or which the said Feoffees for the Time being of the said Church Lands of the Parish of *Saint Thomas* shall consider proper to be purchased for effecting any Improvement to be made by the said Feoffees in the said Parish of *Saint Thomas*, to contract and agree with the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees respectively, as the Case may require, for a Lease or Leases, or for the absolute Sale thereof, or of any Part or Parts thereof, and of all and every Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, and to convey and assign the same respectively unto the said Trustees for the Purposes of this Act, or to the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may require; and all such Contracts, Assignments, Bargains, Sales, Conveyances, and other Assurances shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Inrolment or Registry, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, but also to convey all the Estate, Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be deemed and considered to bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and of the Issue and Issues of the same Party or Parties claiming under them or any of them respectively; any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding.

XXVIII. And

XXVIII. And be it further enacted, That if any such Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Fee Simple, or for Life or for Years, or in Fee Tail, General or Special, Feoffees, Husbands, Guardians, Committees, Executors, or Administrators, Trustees, and other Person or Persons whomsoever in anywise interested in such Houses, Buildings, Lands, Tenements, or Hereditaments required to be purchased and taken for the Purposes of this Act, and mentioned, specified, or described in the said First Schedule to this Act annexed, or any Occupier or Occupiers thereof sustaining any Loss, Injury, or Damage, (upon Notice to him, her, or them given or left in Writing at the Dwelling House or Houses or usual or last Place or Places of Abode of the principal or Head Officer or Officers of such Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Fee Simple, or for Life or for Years, or in Fee Tail, General or Special, Feoffees, Husbands, Guardians, Committees, Executors, or Administrators, Trustees, and other Person or Persons, or at the House of the Tenant or Tenants in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments intended to be purchased and taken for the Purposes of this Act,) shall, for the Space of Fourteen Days next after such Notice given or left as aforesaid, neglect or refuse to treat and agree, or shall not agree, for the Sale of the said Premises, or by reason of Absence or Disability shall be prevented from treating and agreeing, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in Possession of, or the Interest they claim therein, to the Satisfaction of the said Trustees, then and in every such Case the said Trustees shall cause the Value and Recompence to be made for such Houses, Buildings, Lands, Tenements, or Hereditaments to be inquired into and ascertained by a Jury of Twelve indifferent Men of the said City and County of the City of *Bristol*; and for the summoning and returning such Jury the said Trustees are hereby empowered from Time to Time to issue out their Warrant or Warrants to the Sheriffs of the said City and County of the City of *Bristol*, thereby commanding and requiring them to impanel, summon, and return an indifferent Jury of Twenty-four Persons qualified to serve upon Juries at the Sessions of the said City; and the said Sheriffs are hereby required to impanel, summon, and return such Number accordingly to attend at the Time and Place so appointed; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriffs are hereby empowered to swear Twelve to be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriffs shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriffs are hereby also required and empowered from Time to Time, as Occasion shall be and require, to summon and call before the said Jury, and examine upon Oath (which Oath the said Sheriffs or their Under Sheriff are and is hereby empowered to administer), all and every Persons and Person who shall be thought necessary and proper to be examined

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

as

as Witnesses or a Witness touching or concerning the Premises; and the said Sheriffs shall also order and cause the said Jury to view the Places in question, if there be Occasion, and use all lawful Ways and Means, as well for their own as for the said Jury's better Information in the Premises, as the said Sheriffs shall think fit; and the said Jury shall assess the Damages and Recompence to be given for the said Houses, Buildings, Lands, Tenements, or Hereditaments, to the respective Owner or Owners, Occupier or Occupiers thereof, or Persons interested therein, according to their respective Interests, and shall give in their Verdict thereupon; and after the said Jury shall have inquired of and assessed such Damage and Recompence, and given in their Verdict, the said Sheriffs shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the Person or Persons interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments, according to such Verdict or Inquisition of the said Jury.

Verdict of
the Jury to
be final.

XXIX. And be it further enacted, That such Verdict or Inquisition of the said Jury, and the Judgment, Order, or Determination thereupon so had and made, shall be final, binding, and conclusive to all Intents and Purposes against all Tenants in Fee Simple, or for Life or for Years, Tenants in Tail, and all Infants, Issue unborn, Idiots, Lunatics, Femes Covert, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, as well absent as present, claiming in Possession, Reversion, Remainder, or Expectancy, or otherwise, and against their several and respective Heirs, Successors, Executors, or Administrators, and against all other Persons whomsoever; and all and every such Owners and other Persons in anywise interested in such Houses, Buildings, Lands, Tenements, or Hereditaments, shall thereby be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Remainder, Reversion, Interest, or Property of, in, to, or out of the same; and on Payment of the Money so assessed to the respective Persons entitled thereto, or their Agents, or upon paying the same into the Bank of *England* in manner by this Act directed, and after such Payment, it shall be lawful for the said Sheriffs, and they are hereby authorized and required, to cause the Premises in respect whereof such Money shall be assessed to be disposed of, and such Acts to be done thereto, as if the Purchase thereof had been agreed upon and completed, and the said respective Premises were untenanted, and the Purchase or Consideration Money had been received by the Person or Persons entitled thereto; and thereupon the Premises shall absolutely vest in the said Trustees, and they shall be and be deemed to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever; and every Verdict and Judgment thereupon as aforesaid shall be transmitted to and fairly entered and kept amongst the Records of the Quarter Sessions of the Peace of the said City and County of the City of *Bristol*, and a Duplicate of such Verdict and Judgment shall be kept by the Clerk to the said Trustees for the Time being, and the same or true Copies thereof shall be admitted, received, and taken as Evidence and Proofs in all Courts of Law and Equity in all Places whatsoever, and all Persons shall have recourse to them on Payment of the Sum

of One Shilling for every such Inspection, and may have or take Copies thereof, paying Sixpence for every One hundred Words, and so in proportion for any less Number of Words; and the said Sheriffs acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, without some sufficient Excuse, or who shall refuse to be sworn on such Jury, or being so sworn, shall refuse to give or shall not join in giving his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, and on any Person or Persons who, being summoned to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, without some sufficient Excuse, or appearing shall refuse to be sworn or give Evidence, so as such Fine to be imposed on any Jurymen or Witnesses shall not exceed the Sum of Ten Pounds for any One Offence.

XXX. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Trustees, as a Recompence or Satisfaction for any such Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damage that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Trustees out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Persons entitled to receive the same, within Ten Days after Demand made thereof from the said Trustees, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Trustees, or of any Goods or Chattels of the Treasurer or Treasurers of the said Trustees, (unless such Treasurer or Treasurers shall pay such Costs and Charges out of any Monies received by him by virtue of this Act, which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said City and County of the City of *Bristol*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Persons entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Trustees as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Trustees; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Trustees, the Costs and Charges so incurred shall be borne by the said

By whom
Expences of
Jury shall be
paid.

[*Local.*]

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Trustees

Trustees in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said City and County of the City of *Bristol*, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Trustees as aforesaid, the Amount thereof, having been first paid by the said Trustees, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Trustees from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

Lessees and
Tenants for
Years or at
Will, to de-
liver Posses-
sion on Six
Months
Notice.

XXXI. And be it further enacted, That every Lessee or Tenant for Years, from Year to Year, or at Will, Mortgagee, and every other Person in Possession of any Houses, Buildings, Lands, Tenements, or other Hereditaments which shall be purchased or taken by virtue and for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Trustees, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Six Calendar Months Notice from the said Trustees or their Clerk to quit the same, at such Time or Times as shall be required by such Notice, they the said Trustees making such Satisfaction and Compensation to every such Tenant or Lessee or other Person aforesaid (except a Mortgagee) in case he, she, or they shall be required to quit before the Expiration of his, her, or their Term or Interest in the Premises, as the said Trustees shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be ascertained and settled by a Jury, in such and the like Manner as the Satisfaction and Compensation to be made by the said Trustees for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments is and are herein directed to be ascertained and settled in case of any Dispute or Difference about the same; and such Lessee, Tenant, or other Person aforesaid in Possession shall, at such Time or Times as he, she, or they shall be required by the said Trustees, peaceably and quietly deliver up the Possession of the said Premises to them, or to the Person or Persons authorized by them to take Possession thereof; and if any such Lessee, Tenant, or other Person aforesaid so in Possession as aforesaid shall refuse or neglect to deliver up such Possession, then and in every such Case it shall be lawful for the said Trustees to issue their Precept or Precepts to the said Sheriffs, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriffs

Sheriffs are hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs and Charges as shall accrue from the issuing or Execution of such Precept or Precepts on the Person or Persons so refusing to deliver up Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

XXXII. And be it further enacted, That when and so soon as the Value of the said Wool Hall shall be agreed upon and determined by and between the said Feoffees of the said Church Lands of *Saint Thomas* and by the said Trustees respectively, or assessed and determined by the Verdict of a Jury in manner herein-before directed, the said Premises shall thereupon vest in the said Trustees, and the Amount of the Price or Value thereof shall be deemed and considered to be so much Money advanced towards and for the Purposes of this Act by the said Feoffees; and when and so soon as the Value of the Site of the said intended Market shall be agreed upon and determined by and between the said Mayor, Burgesses, and Commonalty, and by the said Trustees respectively, or assessed and determined by the Verdict of a Jury in manner herein-before directed, the said Premises shall thereupon vest in the said Trustees, and the Amount of the Price or Value thereof shall be deemed and considered to be so much Money advanced towards and for the Purposes of this Act by the said Mayor, Burgesses, and Commonalty.

Directing when certain Premises required by the Act shall vest in the Trustees.

XXXIII. And be it further enacted, That upon Payment or legal Tender of any other Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in manner aforesaid, for the Purchase of any such other Houses, Buildings, Lands, Tenements, or Hereditaments, or as a Compensation for Damages as herein mentioned, to the Proprietor or Proprietors of such Houses, Buildings, Lands, Tenements, or other Hereditaments, and to such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, within One Calendar Month next after the same shall be so agreed for or assessed, or upon Payment of the said Sum or Sums of Money within the said One Calendar Month into the Bank of *England* as herein-after directed and required, for the Use of the Person or Persons entitled thereto, it shall be lawful for the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be, and for their respective Agents, Workmen, and Servants, to enter upon such Houses, Buildings, Lands, Tenements, and other Hereditaments respectively, and then and thereupon such Houses, Buildings, Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Trustees to and for the Purposes of this Act, or be vested in and become the sole Property of the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be, for any such public Improvement as aforesaid, as Freehold of Inheritance for ever; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and

After Tender of Purchase or Compensation Money, or Payment of same into the Bank, Trustees, &c. may enter and take Possession.

and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder, of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that in case any Person or Persons shall enter upon any such Premises for any of the Purposes of this Act, before such Payment or Deposit as aforesaid shall have been made, every Person or Persons so offending shall forfeit and pay the Sum of Ten Pounds for every Day he, she, or they shall remain on the said Premises.

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

XXXIV. And whereas some Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments to be so purchased, taken, or used for the Purposes of this Act, or of any public Improvement or Improvements, may happen to be more than will be necessary for the Purposes of this Act or of such public Improvements respectively; be it therefore further enacted, That it shall be lawful for the said Trustees, and also for the said Mayor, Burgesses, and Commonalty, and the said Feoffees respectively, and they are hereby authorized and empowered, to sell or dispose of and to convey, or cause to be sold or disposed of and conveyed, such Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments to be vested in them by virtue or in pursuance of this Act, to any Person or Persons willing to contract, agree for, or purchase the same; and the Money arising therefrom, and payable to the said Trustees, shall be paid and applied for the Purposes of this Act; and the Monies payable to the said Mayor, Burgesses, and Commonalty, and to the said Feoffees, shall be by them respectively applied in the same Manner as the Funds out of which such Houses, Buildings, Lands, Tenements, or Hereditaments were originally purchased, are to be applied.

First Offer to be made to the Person from whom the same shall have been purchased.

XXXV. Provided always, and be it further enacted, That in case the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees, shall think proper to sell or dispose of all or any of the said Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, to be vested in them respectively as aforesaid, as may not be necessary to be made use of for the Purposes thereby intended, they shall first offer the same for Sale to the Person or Persons of whom the same shall have been purchased; and if such Person or Persons shall then and thereupon refuse or shall not agree (except with respect to or on account of the Price thereof) to purchase the same respectively, within Fifteen Days after such Offer shall have been made, on an Affidavit being made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said City and County of the City of *Bristol* (who are hereby respectively empowered to take such Affidavit), by some Person or Persons no way interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments, stating that such Offer was made by or on behalf of the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees respectively, as the Case may be, and that such Offer was then and there refused, or was not agreed to by the Person or Persons to whom the same was made, within such Fifteen Days as aforesaid, such Affidavit shall in all Courts

Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was refused, or was not agreed to by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Houses, Buildings, Lands, Tenements, or Hereditaments, and he, she, or they, and the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees respectively, as the Case may be, shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be settled and ascertained by a Jury in such and the like Manner as any Sum or Sums of Money to be paid by the said Trustees for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments comprised in the First Schedule to this Act is and are herein directed to be settled and ascertained in case of any Difference or Dispute; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in and by this Act is directed with respect to Purchases made by the said Trustees, *mutatis mutandis*.

XXXVI. Provided always, and be it further enacted, That in all Cases where, by reason of Absence or otherwise, the Person or Persons to whom the said Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, are herein-before directed to be resold, cannot be found, it shall be lawful for the said Trustees, by public Advertisement inserted Three successive Weeks in some Newspaper published in the City and County of the City of *Bristol*, or in case there shall be no such Newspaper, then in the *London Gazette*, to offer to sell such Houses, Buildings, Lands, Tenements, or Hereditaments to the said Person or Persons; and if no Application shall be made to the said Trustees, signed by or on behalf of the said Person or Persons accepting such Offer, within Three Calendar Months from the Date of the said Advertisement, such Omission or Neglect shall be considered, deemed, and taken as a Refusal on the Part of such Person or Persons to purchase the same.

Mode of Proceeding where Persons having the preferable Right to purchase shall be absent.

XXXVII. Provided always, and be it further enacted, That upon Payment of the Money which shall arise by the Sale or Sales of such Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid, or any Part or Parts thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Trustees, and for the Chamberlain of the said City and County of the City of *Bristol*, in respect of any Sales made by the said Mayor, Burgesses, and Commonalty, and the said Feoffees, in respect of any Sales made by them, to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, as shall be sold, or for so much thereof as in such Receipts respectively shall be expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or of any Part thereof.

Receipt of Treasurer, &c. for Money received from the Sale of Land, sufficient.

[*Local.*]

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XXXVIII. And

Application
of Compens-
ation
Money, if
amounting
to 200l.

XXXVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of this Act; or for any public Improvement or public Improvements as aforesaid, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as herein-before is mentioned, such Money shall, (except as herein-before is directed with respect to the Value of the said Wool Hall, and of the Value of the Site of the said intended Market,) in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* the Trustees of the Cattle and Wool Market in the City of *Bristol*, or the Mayor, Burgesses, and Commonalty, or the Feoffees of the Church Lands of the Parish of *Saint Thomas* in the City of *Bristol*, (as the Case may be,) pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, or affecting other Houses, Buildings, Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Houses, Buildings, Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined, and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the

Purposes

Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXXIX. And be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, or for any such public Improvement or public Improvements, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid at the like Option to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the said Trustees for executing this Act, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When less than 200*l.* and exceeding 20*l.*

XL. And be it further enacted, That when such Money so agreed or awarded to be paid as aforesaid shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be, shall think fit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then the same shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

When not more than 20*l.*

XLI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, or of any Estate or Interest therein,

In case of not making out Titles, or if Persons, cannot be found, Pur-

chase Money
to be paid
into the
Bank.

therein, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be; or in case such Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall be lawful for the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting
disputed
Titles to
Money.

XLII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities, or Government or Real Securities, to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied,

applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XLIII. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest therein, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, or the said Mayor, Burgesses, and Commonalty, or the said Feoffees, as the Case may be, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchase to be paid by Trustees, &c.

XLIV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time to enter into any Contract or Contracts, as well for the forming, erecting, and building the said Market, and the several Works and Conveniences herein-before directed to be made and done, as for any other of the Purposes of this Act, with any Person or Persons who shall be willing to undertake and engage in the same: Provided always, that no such Contract shall be made before Ten Days Notice at the least shall be given in Two at least of the *Bristol* Newspapers, or in such other Manner as the said Trustees shall direct, expressing the Purpose or Purposes of the Contract or Contracts intended to be made, in order that Persons willing to undertake the same may make Proposals to the said Trustees at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works are to be completed; together with the Penalties to be incurred in Cases of Non-performance of such Contracts respectively; and the same shall be signed by the said Trustees, and also by the Person or Persons contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees.

Trustees may enter into Contracts.

XLV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to compound and agree with any Person or Persons who shall have entered into any Contract or Contracts with them in pursuance or under the Authority of this Act, for any Penalty or Penalties contained in any such Contract or Contracts, or in any Bond or Bonds, or other Security or Securities, for

Trustees may compound for Breach of Contract.

[Local.]

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such

such Sum or Sums of Money, or other Recompence, as the said Trustees shall think proper.

Trustees ex-
empted from
personal
Respon-
sibility in Con-
tracts, &c.

XLVI. And be it further enacted, That nothing in this Act, or in any Deed, Contract, Lease, or other Instrument hereby authorized to be entered into or made by the said Trustees for executing this Act, or any of them, shall extend to charge the Person or Persons of all or any of the Trustees executing any such Deed, Contract, Lease, or other Instrument, or the Heirs, Executors, or Administrators of the same Trustees or any of them, or their or any of their own proper Lands and Tenements, Goods and Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Deed, Contract, Lease, or other Instrument contained on the Part of the same Trustees or any of them; but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or Equity against them the said Trustees or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Deed, Contract, Lease, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Trustees shall bear, pay, expend, or be put unto, or which shall be occasioned to them, for or by reason or means of any such Deed, Contract, Lease, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall be respectively paid and discharged by and out of the Monies to be raised or to arise or be received by virtue of this Act.

For remov-
ing the pre-
sent Market
from St. Tho-
mas Street
to the new
Market,
when com-
pleted.

XLVII. And be it further enacted, That from and after the said new Market shall be formed, erected, and built, and opened for public Use as a Market, the Market now held in the said Street called *Saint Thomas Street*, for the Sale of Horses, Cattle, Sheep, Pigs, and other Beasts, shall be removed to and holden in the same new Market; and if any Person or Persons shall, on any Market Day or on any other Day, after the said Market shall be removed, sell or expose to Sale at any Time in any of the public Roads, Streets, or Squares within the said City (except in the said new Market or in any Fair or Fairs now lawfully established and held within the said City and County of the City of *Bristol*), any live Horses, Cattle, Sheep, Pigs, or other Beasts whatsoever, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as herein-after mentioned; and from and after the said Market shall be completed and opened for public Use as a Market as aforesaid, it shall be lawful for the said Trustees and their Successors to have, hold, and keep the said Market thenceforth for ever upon such Days and at such Times as to them in their Discretion shall appear proper and convenient, and from Time to Time to alter the Days and Times for holding the said Market, as to them shall seem meet; and also, by themselves or their Collectors, Farmers, Officers, or Servants, to ask, demand, recover, receive, and take, of and from all and every Persons and Person exposing or offering for Sale,

Sale, or selling, or placing to stand in the said Repository, any live Cattle or Beasts, the several Tolls or Sums of Money which shall at any Time or from Time to Time be fixed and appointed by the said Trustees or their Successors to be paid for the same, not exceeding the several Tolls or Sum or Sums of Money mentioned and specified in the Second Schedule to this Act annexed; any Charter, Usage, or Custom to the contrary thereof in anywise notwithstanding.

XLVIII. And be it further enacted, That when the said Wool Hall shall have been rebuilt, with proper and commodious Accommodations in manner herein-before directed, it shall be lawful for the said Trustees to direct and appoint how and in what Manner the same shall be occupied and used, as well with regard to the warehousing, buying, and selling of Yarn and Wool, and of all other Goods and Commodities warehoused, bought, or sold therein, as of the weighing the same, and also to fix the Days and Times when the said Wool Hall shall be opened and shut, and from Time to Time to alter such Days and Times, as to them shall seem meet; and also, by themselves, or their Collectors, Farmers, Officers, or Servants, to ask, demand, recover, receive, and take, of and from all and every Persons and Person warehousing, buying, and selling or weighing of Yarn or Wool or other Goods or Commodities whatsoever within the said Wool Hall, the several Rents, Tolls, or Sums of Money which shall at any Time or from Time to Time be fixed and appointed by the said Trustees or their Successors to be paid for the same, not exceeding the several Rents, Tolls, or Sums of Money following; (that is to say,) for the taking in, warehousing, and turning out of any Package or Quantity of Yarn or Wool or other Goods or Commodities, and which shall not remain in the said Wool Hall for a longer Space of Time than Ten Days, inclusive of the Days of Reception and Delivery, not exceeding the Weight of Three hundred Pounds, the Sum of One Shilling and Eight-pence, and if exceeding Three hundred Pounds, the further Sum of Sixpence for every additional Hundred Pounds over and above the said Weight of Three hundred Pounds, and so in proportion for any less Quantity than a Hundred Pounds; and in case the said Articles or any of them shall be left and remain in the said Wool Hall over and above or beyond the said Space of Ten Days, then the Owner or Owners of such Articles shall pay to the said Trustees the further Sum of One Penny *per* Hundred Pounds, and so in proportion for any less Weight, for the next and every succeeding Week or Fraction of a Week, after the Expiration of the said Ten Days, such Articles shall remain in the said Wool Hall; and it shall be lawful for the said Trustees from Time to Time to ask, demand, receive, and take, for the weighing of such Yarn or Wool, or other Goods or Commodities, such Sum or Sums of Money as shall at any Time or from Time to Time be fixed and appointed by the said Trustees or their Successors for the weighing of the same, not exceeding the Sums following; (that is to say,) for weighing any Package or Quantity of Yarn, Wool, or other Goods or Commodities, not exceeding the Weight of Three hundred Pounds, the Sum of Fourpence, and if exceeding Three hundred Pounds, the further Sum of One Penny for every additional Hundred Pounds over and above the said

Trustees to direct how the Wool Hall is to be used, &c.

Charges for warehousing, &c.

Charges for weighing.

said Weight of Three hundred Pounds, and so in proportion for any less Quantity than a Hundred Pounds.

Fractional
Part of a
Halfpenny in
Tolls.

XLIX. And be it further enacted, That if in the Calculation of the Amount of the Rents, Tolls, and Sums of Money hereby granted, there shall be a fractional Part of a Halfpenny, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Penalty on
the Ware-
housekeeper
of the Wool
Hall acting
as Broker, or
buying or
selling Wool,
&c. on his
own Account.

L. And be it further enacted, That it shall not be lawful for any Person who shall be appointed or employed by the said Trustees as Warehouse Keeper of the said Wool Hall, or any Person acting by or under their or his Authority at the said Wool Hall, (in case he shall on his own Account or for his own Profit or Emolument act as a Broker for the Purpose of buying or selling any Yarn or Wool whatsoever, or any other Goods or Commodities brought to the said Wool Hall,) to buy or sell any Yarn or Wool whatsoever, or to buy or sell any other Goods or Commodities whatsoever brought to the said Wool Hall, on his own Account; and in case any Person whomsoever as aforesaid shall act as a Broker for the Purpose of buying or selling any Yarn or Wool whatsoever, or any other Goods or Commodities brought to the said Wool Hall, and shall also buy or sell any Yarn or Wool whatsoever, or any other Goods or Commodities brought to the said Wool Hall, on his own Account, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Trustees may
erect a
Weighing
Engine for
weighing
Cattle.

LI. And be it further enacted, That it shall be lawful for the said Trustees to erect and appoint a public Weighing Machine, with such other Conveniences as they may think proper, at, in, or near to the said Market, for weighing live Cattle and Beasts; and to appoint some Person or Persons to attend the said Weighing Machine on every Market Day; and in case the said Trustees shall deem it expedient, and shall erect any such Weighing Machine as aforesaid, then it shall be lawful for them to fix and appoint Tolls and Sums of Money to be paid for the weighing of Cattle and Beasts thereat, as they shall judge proper, provided such Tolls and Sums of Money shall not exceed the several and respective Tolls and Sums of Money mentioned and specified in the said Second Schedule to this Act annexed.

Tolls of the
Market when
to be paid.

LII. And be it further enacted, That it shall be lawful for the said Trustees and their Successors from Time to Time, as they shall deem expedient, to appoint, appropriate, and limit the particular Time or Times during which any particular Kind or Description of live Cattle or Beasts shall be exposed to Sale in the said Market, and for the Removal after Sale; and all the Tolls of the said Market shall become and be due when and as soon as the several Cattle or Beasts in respect whereof the same are by this Act respectively made payable shall be brought into the said Market, and before the same shall be driven or permitted to go into any Pen or Pens, or be tied up in the said Market;

Market; and in case of any Sale thereof in the said Market, and the Cattle or Beasts shall not be removed within the Time appointed for the Removal thereof after Sale, then another Toll shall become due for such Cattle or Beasts immediately after the Expiration of the Time allowed for the Removal of such Cattle or Beasts after the Sale thereof, and shall be immediately paid to the said Trustees or their Successors, or to their Collector, Farmer, Officer, or Servant authorized to receive the same, by the several Owner or Owners of the said Cattle or Beasts in respect whereof the same shall be respectively payable, or by the Person or Persons accompanying such Cattle or Beasts; and the said Trustees may also from Time to Time, as they shall deem expedient, make such Rules and Regulations with respect to the bringing in, remaining, and removal, as well as of the weighing, of all Yarn and Wool and of all Goods and Commodities brought into the said Wool Hall, as they shall think fit, and determine when the several Rents, Tolls, and Sums of Money in respect thereof shall become due and payable; and if such Owner or Owners, or other Person or Persons accompanying such Cattle or Beasts, or the Owner or Owners or other Person or Persons liable to the Payment of any Rent, Toll, or Sum of Money in respect of any Yarn, Wool, or other Goods or Commodities warehoused, bought, sold, or weighed in or at the said Wool Hall, shall, upon Demand thereof made by the Collector, Farmer, or other Person authorized to receive the same, neglect or refuse to make Payment of the said Tolls, Rents, or Sums of Money, or of any Part or Parts thereof, it shall be lawful for the said Collector, Farmer, or other Person so authorized to receive the same, either by himself or with Assistants, to detain, seize, and distrain the Cattle or Beasts in respect whereof such Tolls shall become due and payable, or any of them, or of the said Yarn, Wool, or other Goods or Commodities, or any of the Goods or Chattels of the Person or Persons so neglecting or refusing to pay the same as aforesaid; and if such Tolls, Rents, or Sums of Money, and the reasonable Charges of such Detention and Distress, and of the keeping and retaining the said Cattle or Beasts, Yarn, Wool, or other Goods or Commodities or Chattels distrained, shall not be paid, such Collector, Farmer, or other Person authorized as aforesaid shall and may, at the Expiration of Five Days thereafter, sell and dispose of the said Cattle or Beasts, Yarn, Wool, Goods, Commodities, or Chattels so distrained, or any Part thereof, and out of the Monies which shall arise by such Sale shall and may pay or retain such Tolls, and all reasonable Charges incurred by such Detention, Distress, and Sale, paying and returning the Overplus (if any) of the said Monies, and such of the said Things distrained as shall remain unsold (if any there shall be), upon Demand, to the Owner or Owners thereof, or the Person or Persons in whose Possession the same shall have been when so detained and distrained as aforesaid, or as he, she, or they shall direct.

LIII. And be it further enacted, That if any Dispute shall happen respecting the demanding or taking or the Payment of any Toll or Sum of Money, or the Amount thereof due, or the Charges of keeping or selling any Distress, such Dispute shall be heard and determined by some Justice of the Peace for the said City and County of the City of *Bristol*, who, upon Application made to him for that Purpose,

Disputes
concerning
Tolls to be
settled by
a Justice.

[*Local.*]

10 U

shall

shall examine the Matter on Oath of the Parties or other Witness or Witnesses, (which Oath the said Justice is hereby authorized and empowered to administer,) and shall determine the Amount of the Toll or Sum of Money due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other, as to such Justice may seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, (which Warrant every such Justice is hereby empowered to issue); and the Overplus (if any), after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained.

Power to
lease the
Market and
Wool Hall.

LIV. And be it further enacted, That it shall be lawful for the said Trustees and their Successors, at any Time or Times, or from Time to Time, to demise and let the said Market, together with the Tolls or Sums of Money to be collected or to arise from or in respect thereof, or any of them, by virtue of this Act, the said Wool Hall, and the several Tolls, Rents, or Sums of Money to be collected there, and also such public and other Buildings and Erections to be erected in or near the said new Market as aforesaid, for any Term or Number of Years not exceeding Seven Years, in Possession and not in Reversion, either together or separate, and in such Lot or Lots as they shall deem proper, to any Person or Persons who shall be willing to take and farm the same respectively, by public Auction or private Contract, upon such Terms and Conditions, and with such Securities for the Payment of the Rent or Rents agreed upon for the same, as shall be agreed upon and contracted for by the said Trustees or their Successors and the Person or Persons respectively to whom such Letting or Lettings shall be made.

For making
and estab-
lishing Bye
Laws.

LV. And be it further enacted, That it shall be lawful for the said Mayor and Aldermen of the said City and County of the City of *Bristol*, and their Successors, and they are hereby authorized from Time to Time to make, provide, constitute, and ordain such Rules, Orders, and Bye Laws as they shall think fit and necessary for the better regulating, cleansing, occupying, and using the said Market or any Part or Parts thereof, and also for regulating, ordering, and governing all Persons coming and resorting thereto, in all Matters and Things which do or may concern or relate to the said Market or to the said Wool Hall; and the said Mayor and Aldermen, and their Successors, may from Time to Time, as they shall think fit, repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or any of them, and shall ascertain and therein set down what pecuniary and other Penalties and Forfeitures shall be incurred by Persons breaking or evading the same or any of them: Provided always, that no such pecuniary Penalty or Forfeiture shall exceed the Sum of Five Pounds for any One Offence: Provided also, that the said Rules, Orders, and Bye Laws so to be made as aforesaid shall not be repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the Provisions herein contained;

and all Persons coming and resorting to the said Market are hereby required to observe and keep the same, under such Penalties and Forfeitures respectively as shall be ascertained and set down as aforesaid; and all such Rules, Orders, and Bye Laws, so far as the same may relate to the said Cattle Market, shall, at the Costs and Charges of the said Trustees, be painted on Boards, and put up or affixed in some conspicuous Places in the said Market; and all Rules, Orders, Bye Laws, and Regulations made by virtue of this Act, so far as the same may relate to the said Wool Hall, shall, at the like Costs and Charges of the said Trustees, be painted on Boards, and put up or affixed in some conspicuous Place in the said Wool Hall, which from Time to Time shall be renewed and replaced when and as often as the same shall be altered, obliterated, or defaced; but no Rule, Order, or Bye Law shall have any Force or Effect until Ten Days next after the same shall have been affixed as aforesaid; and the said Rules, Orders, and Bye Laws, and any Alteration thereof, shall be subject to Appeal in manner herein-after mentioned.

LVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, when and so often as they shall think expedient, to borrow and take up at Interest any Sum or Sums of Money, in Sums of not less than Fifty Pounds each, (not exceeding in the whole, including the Value of the present Wool Hall situate in *Saint Thomas Street*, a Sum equal to defray One Moiety of the Expences of and attending the obtaining and passing of this Act, the Erection and Establishment of the said new Market, and the rebuilding and enlarging the said Wool Hall,) upon the Credit of the Tolls and Sums of Money granted or arising and authorized to be levied and collected by virtue of this Act, and of the said Market, Erections, and other Buildings, and by any Writing or Writings under the Hands and Seals of the said Trustees to mortgage, grant, or assign the said Tolls and Sums of Money, Market, Erections, and Buildings, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with such Interest as the said Trustees and the Parties lending such Money shall agree upon, without any Liability on the Part of the Person or Persons lending such Money to inquire whether the same will be wanting for the Purposes of this Act; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Trustees out of the Money advanced upon such respective Security; and every such Mortgage or Security may be in the Words or to the Effect following; (that is to say,)

Power to borrow Money on Mortgage of the Tolls.

‘ BY virtue of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*], we, whose Names and Seals are hereunto subscribed and set (being _____ of the Trustees acting under and by virtue of the said Act), in consideration of the Sum of _____ advanced and lent by _____ upon the Credit _____ and for the Purposes of the said Act, and paid by him [*or her, or them, as the Case may be*] to the Treasurer to the said Trustees, do hereby grant and assign unto the said

Form of Mortgage.

‘ [*or*

‘ [or to his, her, or their Trustee or Trustees, *as the Case may be*],
 ‘ his [or her or their] Executors, Administrators, and Assigns, such
 ‘ Proportion of the Tolls and Sums of Money authorized to be levied
 ‘ and collected by virtue of the said Act, and also of the said
 ‘ Market, Erections, and Buildings thereby vested in the said Trus-
 ‘ tees, as the said Sum of doth or shall bear
 ‘ to the whole Sum to be borrowed upon the Credit of the said
 ‘ Tolls and Sums of Money and Premises; to be had and holden
 ‘ from the Day of the Date of these Presents until the said Sum
 ‘ of with Interest for the same after the Rate
 ‘ of *per Centum per Annum*, to be paid Half-
 ‘ yearly, shall be fully paid and satisfied. In witness whereof we
 ‘ have hereunto set our Hands and Seals, the
 ‘ Day of in the Year of our Lord .’

And every such Mortgage or Security shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever.

Money may
be raised by
Annuities.

LVII. Provided always, and be it further enacted, That in case the said Trustees shall think it more advisable to raise all or any Part of the said Sum hereby authorized to be raised as aforesaid by the granting of Annuities for the Life or Lives of any Person or Persons, then it shall be lawful for the said Trustees, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant One or more Annuity or Annuities to any Person or Persons, being a Subject or Subjects of this Realm, who shall advance and pay into the Hands of the Treasurer to the said Trustees any Sum or Sums of Money for the absolute Purchase of an Annuity or Annuities, to be paid and payable during the natural Life of such Purchaser or Purchasers, or the natural Life of such Person or Persons as shall be nominated by or on the Behalf of such Purchaser or Purchasers at the Time of paying his, her, or their Purchase Money; and the Grant of every such Annuity may be in the Form or to the Effect following; (that is to say,)

Form of the
Grant of
Annuity.

‘ **B**Y virtue of an Act passed in the Ninth Year of the Reign of
 ‘ King *George the Fourth*, intituled: [*here insert the Title of this*
 ‘ *Act*], we, whose Names and Seals are hereunto subscribed and
 ‘ set (being of the Trustees acting under
 ‘ and by virtue of the said Act), in consideration of the Sum of
 ‘ advanced and lent by
 ‘ upon the Credit and for the Purposes of the said Act, and paid
 ‘ by him [or her or them, *as the Case may be*,] to the Treasurer to
 ‘ the said Trustees, do hereby grant unto the said
 ‘ his Executors, Administrators, and Assigns, One Annuity or yearly
 ‘ Sum of out of the Tolls and Sums of
 ‘ Money authorized to be levied and collected by virtue of the said
 ‘ Act, and also the said Market, Erections, and Buildings thereby
 ‘ vested in the said Trustees; which Annuity or yearly Sum of
 ‘ shall be paid to the said
 ‘ Executors, Administrators, and Assigns, at the House or Office of
 ‘ the Clerk to the said Trustees, by Payments,
 ‘ upon the Day of and the
 ‘ Day of in every Year, during the natural Life
 ‘ of of

' of the said [or during the natural Life or
 ' Lives of , as the Case may be], the first
 ' Payment thereof to be made upon the Day
 ' of next ensuing the Date hereof. In
 ' witness whereof we have hereunto set our Hands and Seals, this
 ' Day of in the Year of our
 ' Lord

And every such Grant shall be a good, valid, and effectual Security in the Law for the Payment of such Annuity; and the several Annuities to be granted as aforesaid shall be and are hereby charged upon, and shall be paid and payable, free from all Charges and Deductions, out of the said Tolls and Sums of Money, according to the Grant of such Annuity; and a proportionate Part of every such Annuity shall be paid from the last Half-yearly Payment to the Day of the Death of the Annuitant or Annuitants, or his, her, or their Cestuique Vie or Cestuique Vies.

LVIII. And for preventing improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Two several Acts, one passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*, and the other passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for amending Two Acts passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

For prevent-
ing im-
provident
Grants of
Annuities.

48 G.3.c.142.

52 G.3.c.129.

LIX. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed or the Annuities to be granted as aforesaid, and their respective Executors, Administrators, and Assigns, (as the Case may be,) at any Time or Times, by Writing under their respective Hands and Seals, to transfer the same respectively to any Person or Persons whomsoever, in the Form or to the Effect following; (that is to say,)

Power to
transfer
Securities.

' I A. B. of [or I C. D. of Form of
 ' Executor or Administrator of Transfer.
 ' A. B. late of , or otherwise, as the Case may
 ' happen to be], in consideration of the Sum of
 ' to be paid by E. F. of , do hereby assign
 ' and transfer unto the said E. F., his Executors, Administrators,
 ' and Assigns, a certain Security, bearing Date the
 ' Day of in the Year of our Lord
 ' under the Hands and Seals of of the Trustees
 ' acting under and by virtue of an Act passed in the Ninth Year of
 ' the Reign of King George the Fourth, intituled [here insert the
 ' Title of this Act], and the Principal Sum of
 ' thereby secured, and all Interest now due and hereafter to grow
 [Local.] 10 X due

due thereon, [or the Annuity or yearly Sum of
thereby secured, and all Arrears due thereon,] with all my Right,
Title, and Interest in and to the same. Dated this
Day of in the Year of our Lord

No Prefer-
ence in Pay-
ment of
Mortgages or
Annuities.

LX. And be it further enacted, That the several Persons to whom any such Mortgages or Grants of Annuity shall have been made shall be severally entitled to their respective Quota of the said Tolls and Sums of Money respectively, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, and to the Amount of Annuities granted, without any Preference by reason of the Priority in Date of any such Mortgage or Grant of Annuity, or on any other Account whatsoever.

Register
Book to be
kept.

LXI. And be it further enacted, That a Book shall be provided by the said Trustees, and kept by their Clerk, in which Book shall be entered and registered Copies of all Mortgages and other Securities made in pursuance of this Act, and of every Transfer thereof, which Book shall be open to the Inspection of the several Holders of Mortgages and Securities made by virtue of this Act, and their respective Executors, Administrators, and Assigns, at all reasonable Times, without Fee or Reward; and for the Entry of every such Transfer the Clerk shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more; and every such Transfer, after such Entry as aforesaid, but not before, shall entitle the Person to whom the same shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred; and the Person or Persons to whom such Transfer shall or may be made, his, her, or their Executors, Administrators, or Assigns, may from Time to Time transfer such Security for Money or Annuity to any other Person or Persons whomsoever, in a similar Way.

Provision for
Payment of
Mortgages
by Ballot.

LXII. And be it further enacted, That when and so often as the said Trustees shall be enabled and think it expedient to pay off One or more of the said Mortgages, they shall cause the several Numbers of all the Mortgages granted and then in force to be written on distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled or folded up in the same Form, and be put into a Box, and the Clerk to the said Trustees shall, in the Presence of the said Trustees, draw separately out of the said Box One of the said Numbers for each Mortgage then intended to be paid off by the said Trustees, and thereupon the Mortgage or Mortgages corresponding with the Number or Numbers which shall be so drawn shall be accordingly paid off by the said Trustees; and after every such Ballot the said Trustees shall cause Notice, signed by their Clerk, to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall, from and after the End of the said

Three Calendar Months, cease and be no longer paid or payable, unless the Money shall be demanded, pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

LXIII. And be it further enacted, That all and every Bodies and Body Politic, Corporate, or Collegiate, Persons and Person, who have already subscribed or agreed, or who have or hath signed their Names, or signified their Consent in Writing, to advance any Money, or who shall or may hereafter subscribe or agree to advance any Money for the Purposes of this Act, shall and they are hereby required to pay the Amount of such Sum or Sums of Money by them respectively subscribed or agreed to be advanced, or such Part or Proportion of the Amount thereof as shall from Time to Time be called for by the said Trustees, at such Times and Places and in such Manner as shall be directed by the said Trustees by Notice in Writing under their Hands or under the Hand of their Clerk; and in case any or either of such Subscribers, their Executors or Administrators, shall refuse or neglect to pay the Amount of such Sum or Sums so called for, at the Time and Place and in Manner required for that Purpose, within Fourteen Days next following, the said Trustees are hereby empowered to recover the same in an Action of Debt or on the Case, or by Bill, Complaint, or Suit, in the Name or Names of any One or more of the said Trustees, or of their Clerk for the Time being, against the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons so neglecting or refusing as aforesaid, his, her, or their Executors or Administrators, in any of His Majesty's Courts of Record at *Westminster*; and after Proof of such Body or Bodies Politic, Corporate, or Collegiate, Person or Persons having subscribed or agreed to subscribe, and that such Notice was given as aforesaid, a Verdict shall pass and be given for the Plaintiff, with full Costs of Suit, and Execution shall issue thereupon, as the Case may require.

For compelling Payment of Subscriptions.

LXIV. And be it further enacted, That the said Trustees shall and they are hereby authorized and directed to apply the Monies to be advanced by the said Mayor, Burgesses, and Commonalty, and the Monies to be borrowed by the said Trustees as aforesaid, in the Manner following; that is to say, in the first place, in paying and defraying the Costs, Charges, and Expences of applying for and incident to the obtaining and passing of this Act, together with Interest for the same from the Time of advancing or disbursing the same, then in paying the Costs, Charges, and Expences incident to and attending the forming, erecting, building, and completing the said new Market and other Buildings and Conveniences connected therewith, and in erecting, rebuilding, and completing the said Warehouse called the Wool Hall, for the buying, selling, housing, and weighing of Yarn and Wool; and after the said new Market shall be completed and open to the Public, as well as the said Wool Hall as aforesaid, all and singular the Tolls, Rents, Issues, and Profits of the said Market and of the said Wool Hall respectively, shall be applied by the said Trustees to the Purposes and in Manner following; (that is to

Directing Application of the Money to be raised.

to say,) in the first place, in the Payment and Discharge of the Costs, Charges, and Expences attending the Maintenance and Repair of the said Market and of the said Wool Hall respectively, and all Taxes, Salaries of Officers, and other incidental Expences in anywise relating to the due Execution of this Act; and after Payment thereof, secondly, in the Payment of all Interest on the Monies borrowed by the said Trustees by way of Mortgage or Annuity, by virtue of the Powers for that Purpose hereby given; thirdly, in the Payment to the said Feoffees of the said Church Lands of *Saint Thomas*, of a clear annual Sum of Three hundred Pounds of lawful Money of *Great Britain*, to commence from the Day on which such new Market shall be opened, and to be payable and paid (if the Tolls, Rents, Issues, and Profits of the said Market and the said Wool Hall respectively shall be sufficient for that Purpose,) by equal Half-yearly Payments, free from any Deductions whatsoever; and after Payment thereof, fourthly, in Payment of Interest, at the like Rate as shall be paid in respect of the major Part of the Monies to be borrowed by the said Trustees as aforesaid, on all such Sum and Sums of Money as shall have been awarded or agreed to be paid to the said Mayor, Burgesses, and Commonalty, and the said Feoffees respectively, for the Purchase of any Houses, Buildings, Lands, Tenements, and Hereditaments used or taken for the Purposes of this Act, and also on all such Sum and Sums of Money as the said Mayor, Burgesses, and Commonalty, and their Successors, shall from Time to Time contribute towards the Expences of passing this Act, and in the forming, erecting, building, rebuilding, and completing the said Market and the said Wool Hall respectively, to be computed from the Day or several Days on which such Sum or Sums of Money shall be advanced, until the same shall be repaid *pari passu*, so far as the same shall extend, and all Arrears of such Interest, without any Preference or Priority; and after Payment thereof, then, fifthly, in Payment to the said Feoffees of the further clear annual Sum of Two hundred Pounds of like lawful Money of *Great Britain*, to commence from the said Day when the said new Market shall be opened, and be payable and paid (if the Tolls, Rents, Issues, and Profits of the said Market and of the said Wool Hall respectively shall be sufficient for that Purpose,) on the same several Days and Times as are hereinbefore appointed with respect to the said annual Sum of Three hundred Pounds; which said Two several annual Sums of Three hundred Pounds and Two hundred Pounds shall be by the said Feoffees applied upon the Trusts declared by the said recited Indenture of the Twentieth Day of *August* in the Thirteenth Year of the Reign of Queen *Elizabeth*, and for such other public Purposes connected with the Improvement of the Parish of *Saint Thomas*, or otherwise for the Benefit of its Inhabitants, or any Class or Classes of such Inhabitants who shall deserve the same, as they the said Feoffees shall from Time to Time in their Discretion deem expedient; and subject to the said Costs, Charges, and Expences and Payments aforesaid, the surplus Tolls, Rents, Issues, and Profits shall be by the said Trustees applied in the first place in and towards the Payment and Discharge of the Monies which shall have been borrowed under the Authority hereinbefore contained; and after Payment thereof, then, secondly, in and towards Payment of the Monies

Monies which shall have been awarded or agreed to be paid to the said Mayor, Burgesses, and Commonalty, and the said Feoffees respectively, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments used or taken for the Purposes of this Act, and also of all other Monies which shall at any Time or Times have been contributed by the said Mayor, Burgesses, and Commonalty as aforesaid, *pari passu*, so far as the same will extend, and without any Preference or Priority; and after full Payment and Satisfaction of all such Monies, and of all Interest and Arrears of Interest due in respect thereof, the said surplus Rents, Issues, and Profits shall at the End of each and every Year, to be computed from the Day on which the said new Market shall be opened as aforesaid, be divided into Two equal Portions, one of which shall be paid to the Chamberlain of the said City and County of the City of *Bristol* for the Time being, for the Use of the said Mayor, Burgesses, and Commonalty of the said City, and their Successors, to be applied by the said Mayor, Burgesses, and Commonalty, or any Committee appointed by them, in, for, or towards such public Purposes connected with the Improvement of the said City, or otherwise for the Benefit of the Inhabitants of the said City, or any Class or Classes of such Inhabitants who shall deserve the same, as they the said Mayor, Burgesses, and Commonalty shall in their Discretion deem expedient; and the other equal Portion thereof shall be paid to the said Feoffees for the Time being, upon such and the same Trusts as are herein-before declared of the said Two several annual Sums of Three hundred Pounds and Two hundred Pounds.

LXV. Provided always, and be it further enacted, That in case it shall happen at any Time or Times hereafter that the Tolls, Rents, Issues, and Profits of the said new Market and of the said Wool Hall shall in any one Year prove insufficient to pay and discharge the said Two several annual Sums of Three hundred Pounds and Two hundred Pounds hereby made payable thereout to the said Feoffees, the Deficiency or Deficiencies, subject to the Limitation hereafter mentioned, shall be supplied and made good by and out of the Tolls, Rents, Issues, and Profits which shall arise in any succeeding Year or Years, according to the Order and with the same Benefit of Priority as is herein-before directed: Provided also, that as to the said Sum of Two hundred Pounds, in case the same shall at any Time be in arrear to the Amount of One thousand four hundred Pounds, and whilst the same shall continue in arrear to that Amount, no subsequent Arrears shall remain charged on the said Tolls, Rents, Issues, and Profits, so as and to the Intent that the said annual Sum of Three hundred Pounds, and all Arrears thereof, shall be fully paid off and discharged before any Part of the said Tolls, Rents, Issues, and Profits shall be applied towards the Payment of the Interest hereby made payable to the said Mayor, Burgesses, and Commonalty, and Feoffees respectively, and so as and to the Intent that the said annual Sum of Two hundred Pounds, and all Arrears thereof, shall be fully paid and discharged before any Part of the said Tolls, Rents, Issues, and Profits shall be applied towards the Repayment of the Principal Monies which shall have been contributed by the said Mayor, Burgesses, and Commonalty, and Feoffees respectively, as aforesaid;

Limiting the Application of the Money in certain Cases.

[*Local.*]

10 Y

provided

provided that no greater Amount than One thousand four hundred Pounds shall at any one Time remain a Charge on the said Tolls, Rents, Issues, and Profits, in respect of the said annual Sum of Two hundred Pounds.

Treasurer
not to pay
Money with-
out an Order.

LXVI. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the said Trustees by or from any of the aforesaid Tolls or Sums of Money hereby authorized to be levied, collected, and received, or which shall be by them borrowed on Mortgage or raised by way of Annuity for the Purposes of this Act, or which shall be otherwise payable to them under any of the Provisions of this Act, shall from Time to Time be paid into the Hands of the Treasurer or Treasurers to the said Trustees; and no Sum or Sums of Money shall be disbursed or paid by such Treasurer or Treasurers to the said Trustees, on behalf or on account of the said Trustees, without an Order in Writing, signed, at a Meeting of the said Trustees to be held in pursuance of this Act, by the Chairman of the said Meeting for the Time being, and countersigned by their Clerk or Clerks.

In case of
Nonpay-
ment of any
Compensa-
tion for
Damages,
&c. the same
may be levied
by Distress.

LXVII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice of the Peace, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made from the said Trustees in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice, and which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Trustees, or their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

LXVIII. And be it further enacted, That if any Person or Persons shall obstruct, hinder, or molest any of the said Trustees, or any Treasurer, Clerk, Collector, Surveyor, or other Officer or Officers, Workman or Agent, or Person or Persons whomsoever, who is, are, or shall be employed by virtue of this Act, or any Rule, Order, or Bye Law made in pursuance thereof, in the Performance of his or their Duty, or in the Execution of any of the Works, Matters, or Things to be done by virtue or under the Authority of the same respectively, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty for obstructing the Execution of this Act.

LXIX. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture imposed by this Act, or by any Rule, Order, or Bye Law made in pursuance thereof, is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom such Complaint shall be made to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

LXX. And be it further enacted, That all such of the said Trustees and their Successors as are or shall be Justices of the Peace, may act as Justices in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be individually and personally interested, and no Person possessed of or entitled to any Mortgage or other Security upon the Tolls granted by this Act, shall on such Account be disqualified from acting as a Trustee.

Trustees may act as Justices, and Mortgagees may act as Trustees.

LXXI. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act, or by or under any Rule, Order, or Bye Law to be made in pursuance thereof, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any One or more Justice or Justices of the Peace for the said City and County of the City of *Bristol*, in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not, (and which shall in every Case be made within Six Calendar Months at furthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice or Justices shall summon the Party or Parties accused, and examine into the Matter thereof, and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine

Recovery and Application of Penalties.

Fine or Fines, Forfeiture or Forfeitures hereby, or by any such Rule, Order, or Bye Law is or are made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided by this Act) the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he and they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus of the Money arising by such Sale (if any), upon Demand, to the Party or Parties whose Goods and Chattels shall be distrained, one Moiety of which Penalties, not herein directed to be otherwise applied, shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer or Treasurers to the said Trustees, to be applied to the Purposes of this Act; and it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Five Days from the taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to such Justice or Justices, either upon the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods or Chattels whereon such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue the same, and thereupon it shall be lawful for the said Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol for the said City and County of the said City, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Offender or Offenders shall have sooner fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

For securing
transient
Offenders.

LXXII. And be it further enacted, That it shall be lawful for any of the said Trustees, or for any of their Surveyors, Collectors, or other Officers,

Officers, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Trustees, Surveyors, Collectors, or Officers) who shall commit any Offence or Offences against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said City and County of the City of *Bristol*; and such Justice and Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

LXXIII. And for the more easy and speedy Conviction of Offenders against this Act, or against any Rule, Order, or Bye Law made in pursuance or by the Authority thereof; be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; (that is to say,) Convictions to be drawn up in the following Form.

‘ (to wit.) } **BE** it remembered, That on the _____ Day
 ‘ of _____ in the Year of our Lord
 ‘ is [or are, as the Case may be] convicted before me [or us, as the
 ‘ Case may be] _____ of His Majesty’s Justices of the Peace for the
 ‘ _____ of having [here state the Offence, and the Time and Place
 ‘ when and where the same was committed], contrary to the Statute
 ‘ made [or contrary to a Rule, Order, or Bye Law duly made in
 ‘ pursuance of the Statute made] in the Ninth Year of the Reign of
 ‘ His Majesty King George the Fourth, intituled [here insert the
 ‘ Title of this Act], for which Offence I [or we, as the Case may be,]
 ‘ do adjudge the said _____ to have forfeited the Sum
 ‘ of _____ . Given under my Hand and Seal [or our
 ‘ Hands and Seals, as the Case may be], the Day and Year first above
 ‘ written.’

LXXIV. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, or against any such Rule, Order, or Bye Law as aforesaid, either on the Part of the Prosecution or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Non-appearance, or appearing shall refuse to be examined upon Oath or Affirmation, or to give Evidence touching or concerning the Matter in question before such Justice or Justices, then and in every such Case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, to be recovered as other Fines and Penalties are by this Act recoverable. Penalty on Persons not appearing, or refusing to be examined, as Witnesses.

LXXV. And be it further enacted, That no Person shall be disqualified from being a competent Witness, or from being admitted to Persons paying Tolls, &c. may be give Witnesses.
 [Local.] 10 Z

give Evidence in any Action, Indictment, Prosecution, or other Proceeding whatsoever, authorized by or relating to the Execution of this Act, or any Rule, Order, or Bye Law made in pursuance thereof, by reason of paying or being charged with or liable to pay any of the Tolls or Sums of Money hereby authorized to be levied, collected, or received, or by reason of being one of the Trustees acting in the Execution of this Act, or holding any Office or Employment under them, or by reason of being entitled to any Mortgage or other Security upon the Tolls granted by this Act.

Distress not
to be avoided
for Want of
Form.

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

Proceedings
not to be
quashed for
Want of
Form, or
removed by
Certiorari.

LXXVII. And be it further enacted, That no Order, Verdict, Judgment, Conviction, or other Proceeding touching or concerning any Offence against this Act, or against any Rule, Order, or Bye Law made by Authority thereof, 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*; any Law or Statute to the contrary thereof in anywise notwithstanding.

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

LXXVIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of
Actions.

LXXIX. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons, for any thing done in pursuance or under the Authority of this Act, after the Expiration of Three Calendar Months next after the Fact committed, or the Cause of Action has ceased and determined (except as may be herein

herein otherwise directed); and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as herein-before authorized, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited; or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Treble Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law: Provided nevertheless, that in case of paying Money into Court as aforesaid, the Defendant or Defendants shall be entitled to Treble Costs from the Time of such Payment only.

LXXX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Rule, Order, or Bye Law made by virtue of this Act, or by any other Matter or Thing made or done in pursuance of this Act, (except in Cases where the Verdicts or Inquisitions of Juries are directed to be taken,) he, she, or they may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace for the said City and County of the City of *Bristol*, at their General or Quarter Sessions of the Peace, or at some Adjournment thereof, to be held for the said City and County of the said City of *Bristol* respectively, such Appellant or Appellants having given at least Ten clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any Matter or Thing made or done by the said Trustees, or by any Justice or Justices of the Peace, in which Case such Notice shall be given to any One of the said Trustees, or to their Clerk, and within Two Days next after such Notice causing a Recognizance to be entered into before some Justice of the Peace for the said City and County of the City of *Bristol*, with Two sufficient Sureties, in the Sum of Twenty Pounds each, conditioned to try such Appeal, and abide the Order and Award of the Justices at such Sessions

Appeal to
the General
or Quarter
Sessions.

Séssions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the Justices present at such Sessions, upon due Proof upon Oath of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever, and not be removable by Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster*.

General
Saving of
Rights.

LXXXI. Saving always to the King's most Excellent Majesty, His Heirs and Successors; to the Mayor, Aldermen, Burgesses, and Commonalty of the City of *Bristol*, and their Successors; to the Commissioners for paving, pitching, cleansing, and lighting the said City, and their Successors; to the Trustees for making, altering, amending, maintaining, and repairing the Roads, Highways, Passages, and Places within the said City, and their Successors; to the Dean and Chapter of the Holy and Undivided *Trinity* of the Cathedral Church of *Bristol*, and their Successors; to the Master, Warden, and Society of Merchant Venturers in the said City, and their Successors; to the Governor, Deputy Governor, and Guardians of the Poor in the said City, and their Successors; to the *Bristol* Dock Company, and their Successors; and to the said Feoffees of the said Church Lands of the said Parish of *Saint Thomas* within the said City for the Time being; all such Estate, Right, Title, Interest, Property, Claim, and Demand whatsoever (other than and except such as are hereby meant and intended to be barred, destroyed, and extinguished), in as full, large, ample, and beneficial a Manner; to all Intents and Purposes, as they enjoyed the same before the passing of this Act, or could or might have enjoyed in case the same had not been passed.

Public Act.

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

The First SCHEDULE to which the foregoing Act refers,

CONTAINING

The LANDS and PREMISES required for the new MARKET and WOOL HALL.

Description of Premises.	Owners or reputed Owners.	Occupiers.
Such Part of a certain Piece of Land called Temple Mead, situate in the Parish of Temple in the City and County of the City of Bristol, not exceeding Ten Acres, as the Trustees shall fix on.	The Corporation of Bristol	William Ilsley, or his Undertenants.
Two Cottages, with Gardens, Outhouses, and Premises, situate in Temple Meads aforesaid.	John Hare	Himself, or of his Tenants, and of William Bush.
A Cottage, Garden, and Premises, lying at the North-west End of Ground belonging to John Hare, situate on the North-east Side of the Street or Road leading from Temple Gate to the Iron Bridge.	Ditto	Charles Watkins.
A Garden or Piece of Ground belonging to the George Inn, situate at the North-west End of Temple Meads.	Sidenham Teast, Esq.	William Ilsley.
Two Messuages or Tenements, with Outlets and Premises thereto belonging, lying at the North-west End of the Entrance Gate leading from the aforesaid Street or Road to Temple Meads, and situate on the North-east Side of the same Street or Road.	William Ilsley	Samuel Sage and John Russ.
A certain Building situate in St. Thomas Street in the said City and County, known by the Name of the Wool Hall, with the Yard and Appurtenances thereto belonging.	The Feoffees of the Church Lands of the Parish of Saint Thomas in Bristol.	Philip Debell Tuckett.
The Site of a late Dwelling House adjoining the Wool Hall.	The Dean and Chapter of the Cathedral Church of the Holy and Undivided Trinity in Bristol.	Henry Wood.
A Dwelling House, and Yard behind the same, adjoining the last-mentioned Premises.	Rebecca Pratten, Widow.	Rebecca Pratten, Widow.

The Second SCHEDULE to which the foregoing Act refers.

<i>Tolls to be taken in the Cattle Market.</i>		£	s.	d.
For every Horse, Gelding, or Mare, brought, for Sale, or shown, any Sum not exceeding - - - - -		0	1	0
For every Colt, Filly, Foal, Mule, or Ass, any Sum not exceeding - - - - -		0	0	6
For every Bull, Ox, Cow, Steer, or Heifer, any Sum not exceeding - - - - -		0	0	3
For every Calf, any Sum not exceeding - - - - -		0	0	1
For every Head of Swine (except sucking Pigs), any Sum not exceeding - - - - -		0	0	1½
And for every Sucking Pig, the Sum of - - - - -		0	0	0½
For every Pen, Division, or Compartment for Sheep or Lambs, not exceeding the several Sums following; that is to say, If of the Size or Dimensions of Sixteen Square Feet Superficial Measure, the Sum of - - - - -		0	1	0
And if of any Size or Dimensions larger than the said Size or Dimensions of Sixteen Square Feet, for every additional Eight Feet Superficial Measure in Size of such Pen or Compartment, the Sum of - - - - -		0	0	6
For weighing any Bull, Ox, Cow, Steer, or Heifer, the Sum of - - - - -		0	0	6
For weighing any Calf, Sheep, Lamb, or Pig, the Sum of - - - - -		0	0	2
<i>Tolls to be taken in the Repository.</i>				
For every Horse, Gelding, or Male, Colt, Filly, Foal, Mule, Ass, Bull, Ox, Cow, Steer, Heifer, or Calf, taken into Stand, for every Day (except Market Days) the same shall remain, any Sum not exceeding - - - - -		0	0	1
For every Sheep or Lamb, and for every Head of Swine, taken into Stand, for each Day (except as aforesaid), any Sum not exceeding - - - - -		0	0	0½

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