



ANNO QUINTO

GEORGIIV. REGIS.

Cap. xcii.

An Act for taking down *Burrow* Bridge, over the River *Parrett*, in the County of *Somerset*, and erecting another in lieu thereof.

[3d June 1824.]

WHEREAS the Bridge over the River *Parrett*, in the Parishes of *Stoke Saint Gregory* and *Lyng*, in the County of *Somerset*, called *Burrow* Bridge, (and which is situate on the Line of Turnpike from the Town of *Taunton* to the Town of *Glastonbury* in the said County, and called the *Taunton* Turnpike Road,) is very ancient and narrow, and is inconvenient and dangerous to Travellers, Carriages, and Cattle passing over, and to Persons and Boats passing under the same; and the Piers of the said Bridge are so constructed as to impede the Current of the River in Times of Flood, to the great Injury of the Turnpike Road near the said Bridge; and in order to render it more safe and convenient to such Travellers, Carriages, Cattle, and Boats, and to facilitate the Passage of the Water in Times of Flood, it is necessary that the said Bridge should be taken down and rebuilt, and considerably enlarged; but the same cannot be done without the 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 all His Majesty's Jus-

Commissioners.

[Local.]

23 Y

Robert

Robert Beadon Junior, William Beadon, Downing Blake, John Bluett, John Hayne Bovet, William Burridge Clerk, George Budden, Nicholas Broadmead, James Bunter, William Blatch Cox, William Cox, Isaac Deacon Coles, Edward Coles, Edward Combe Clerk, George Cox, James Blatch Cox, Hill Dawe Junior, Henry Draper, Aaron Foster Clerk, Robert Franklin, George Gristock, Francis Freke Gunston, Thomas Horsey, Edmund Trowbridge Halliday Clerk, John Hillard, James Hyde, William Hyde Clerk, Joseph Hitchcock, James Jeboult, Robert Kinglake M. D., John Louch, Clitsome Musgrave, Robert England Merrick, John Michell, Charles Michell, Joseph Mends Clerk, Richard Meade, William Norman of Upstreet Langport, William Norman of Bow Street Langport, Samuel Norman, Robert Newberry, William Oliver, William Pyne Clerk, Thomas Paul, James Penny, John Perring, Francis Richardson, William Reynolds, Joseph Stuckey, Robert Hooper Scott, Thomas Southwood, Robert Tucker, Henry James Townsend, Richard Turle, Francis Townsend, Thomas Bamfield Uttermare, William Uttermare, John Woolcott Warren, John Warren, John Samuel Warren, John Williams, John Ellis Westlake, Charles Westlake, Charles Welch, Thomas Welman, Robert Beck Willey, Frederick White, Henry Warr, and their Successors, to be elected and appointed, and being duly qualified in Manner herein-after directed, shall be and they are hereby appointed and declared to be Commissioners for taking down the said Bridge over the said River Parrett, within the Parishes of Stoke Saint Gregory and Lyng in the said County of Somerset, and erecting another instead thereof, and for carrying the several Purposes of this Act into Execution.

Power to
appoint
additional
Commis-
sioners.

II. And be it further enacted, That it shall be lawful for the Commissioners hereby appointed, or any Three or more of them, and they are hereby authorised and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Ten in the Whole; to be Commissioners for the Purposes of this Act in addition to the Commissioners hereby appointed; and such Commissioners so elected, and being duly qualified, shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

Appoint-
ment of new
Commission-
ers.

III. And be it further enacted, That when and so often as any of the Commissioners named in or appointed by virtue of this Act, (save and except the Justices of the Peace,) or hereafter to be appointed under or by virtue hereof, shall die, resign, or refuse to act, or by Bankruptcy, Insolvency, or otherwise, become incapable of acting in the Execution of this Act, then and in every such Case it shall be lawful for the surviving or continuing Commissioners, or any Three or more of them, from Time to Time, at any Meeting to be holden in pursuance of this Act, by Writing under their respective Hands, to elect and appoint some Person to be a Commissioner in the Room of every Commissioner so dying, resigning, or refusing to act, or becoming incapable of acting as aforesaid; Fourteen Days previous Notice of the Time and Place of Meeting of the said Commissioners for every such Election being given by the Clerk or Treasurer of the said Commissioners for the Time being, by Notice inserted in the *Taunton Courier*, or some other Newspaper generally circulated in the said County of Somerset, and affixed on some conspicuous Part of the present, or temporary, or new Bridge, to be erected in pursuance of this Act; and every Person who shall be so elected and appointed a Commissioner shall

and

and may act with the surviving and continuing Commissioners in the Execution of this Act in the same Manner as if he had been originally appointed a Commissioner in and by this Act.

IV. Provided always, and be it enacted, That no Person shall act as a Commissioner in the Execution of this Act unless he shall, either in his own Right or in the Right of his Wife, be seised or possessed of and in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, Tenements, or Hereditaments, of the clear Yearly Value of One hundred Pounds above Reprises, or shall be Heir Apparent of a Person so seised or possessed of Freehold or Copyhold Messuages, Lands, Tenements, or Hereditaments, of the clear Yearly Value of Two hundred Pounds above Reprises; and if any Person not being so qualified, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath herein-after mentioned, or, being a *Quaker*, not having made and subscribed the Affirmation herein-after mentioned, shall nevertheless presume to act as a Commissioner in the Execution of this Act, 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 by Action of Debt, or on the Case, or by Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit; and every such Person so prosecuted for acting as such Commissioner shall prove that he is so qualified, or not disqualified, or not incapable of acting as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Commissioner in the Execution of this Act: Provided always, that all the Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been duly qualified according to the Directions of this Act.

V. Provided also, and be it enacted, That every Commissioner (except the said Justices of the Peace) before he shall act as such (except in administering the following Oath or Affirmation at the First or Second Meeting after the Commencement of this Act) shall take an Oath. (or, being a *Quaker*, shall make solemn Affirmation) before One or more of the said Commissioners (who is and are hereby empowered to administer the same) in the Form following; that is to say,

‘ I do swear, [or, being One of the
 ‘ People called *Quakers*, do solemnly affirm, as the Case may be,]
 ‘ That I am truly and *bonâ fide* in my own Right [or in Right of my
 ‘ Wife] seised of and in the actual Possession or Receipt of the Rents
 ‘ and Profits of Freehold or Copyhold Messuages, Lands, Tenements,
 ‘ or Hereditaments, of an Estate for Life or Inheritance of the Value of
 ‘ One hundred Pounds above Reprises, or am Heir Apparent of
 ‘ , who to the best of my Knowledge is seised
 ‘ of Freehold or Copyhold Messuages, Lands, Tenements, or Heredita-
 ‘ ments, of the clear Yearly Value of Two hundred Pounds above
 ‘ Reprises; and that I will faithfully and impartially, according to the
 ‘ best of my Judgment, execute and perform the several Powers, Au-
 ‘ thorities, and Trusts reposed in me as a Commissioner under and by
 ‘ virtue

‘ virtue of an Act passed in the Fifth Year of the Reign of His Majesty
 ‘ King George the Fourth, intituled *An Act* [*here set forth the Title of*
 ‘ *this Act*].’ ‘ So help me GOD.’

Commissioners may act as Justices.

VI. And be it further enacted, That such of the said Commissioners as are or shall be in the Commission of the Peace for the said County of *Somerset* may nevertheless act as Justices of the Peace in Execution of this Act, except only in such Cases where they shall be personally interested.

No Commissioner concerned in any Contract, &c. to act.

VII. And be it further enacted, That no Commissioner appointed or to be appointed under or by virtue and for the Purposes of this Act, who shall hold any Contract, or be beneficially employed, or in any Manner interested or concerned directly or indirectly in supplying any Articles or Materials for the Use of the said Commissioners, shall act as a Commissioner for the Purposes of this Act during the Time he shall be so employed, concerned, or interested as aforesaid; and in case any Person shall act as a Commissioner under this Act during the Time he shall hold any Contract, or shall be beneficially employed, or in any Manner interested or concerned directly or indirectly in supplying any Articles or Materials, except any Gravel, Stone, or such other Materials from his own Lands and Grounds for building the said Bridge, or making and repairing the Road over the same for the Use of the said Commissioners; then and in every such Case every such Person so acting as a Commissioner shall forfeit and pay for every such Offence 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 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; and One Moiety of such Penalty, when recovered, shall be paid to the Person or Persons who shall sue for the same, and the other Moiety shall be paid to the said Commissioners to be applied to the Purposes of this Act; and the Person or Persons so convicted shall be absolutely disqualified from acting any longer as a Commissioner under or for the Purposes of this Act.

Commissioners First and other Meetings.

VIII. And be it further enacted, That the said Commissioners shall meet together at the House known by the Name or Sign of the *King Alfred* at *Burrow*, within the Parish of *Lyng* aforesaid, or at some other convenient Place within Eight Miles thereof, on the Third *Tuesday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and proceed in the Execution hereof; and the said Commissioners shall then and from Time to Time afterwards, during the Continuance of this Act, adjourn themselves to meet at the same Place, or at such other Place or Places not exceeding the Distance of Six Miles from the said Bridge, and at such Time or Times as the said Commissioners, or the major Part of them present at such Meetings, shall appoint; and if there shall not appear at any Meetings a sufficient Number of Commissioners to act or to adjourn to another Day, (for the Purpose of which Adjournments only Two Commissioners shall be sufficient,) or in case the Commissioners at any Time assembled shall omit to adjourn, or in case it shall at any Time be thought necessary by any Two or more of the Commissioners to hold a Meeting of the said Commissioners on an earlier Day than the Day to which any Meeting

Manner of adjourning.

Meeting shall have been adjourned, then and as often as it shall so happen any Two or more of the said Commissioners (or the Clerk to the said Commissioners, being authorized by an Order in Writing signed by Two or more of the said Commissioners) shall and may call a Meeting of the said Commissioners, by Notice to be inserted in the *Taunton Courier* or some other Newspaper generally circulated in the said County of *Somerset*, and affixed on some conspicuous Part of the present, or temporary, or new Bridge, Ten Days previous to the Time of such Meeting, at such Time and Place, not exceeding Six Miles from the said Bridge, as such Commissioners shall think proper and order, direct, or appoint; and at all the several Meetings the Commissioners shall 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; and all Orders and Determinations of the Commissioners in the Execution of this Act shall be made at Meetings to be held in pursuance of this Act, and not elsewhere (except in the Cases hereby otherwise particularly provided for); and that no Order or Determination shall be made unless the major Part of the Commissioners present shall concur therein.

Commissioners to pay their own Expences, except for the Room.

IX. And be it further enacted, That all Acts, Orders, and Proceedings relating to this Act, which are directed to be had, made, done, or exercised by or before the said Commissioners, and all the Powers and Authorities hereby in them vested generally, shall and may be had, made, done, and exercised by the major Part of the Commissioners who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number present not being less than Three (except in such Cases where any other Number is herein named); and that all Acts, Orders, or Proceedings had, made, or done, by or before such Three Commissioners, shall have the same Force and Effect, and be binding and conclusive on all Persons and to all Intents and Purposes whatsoever as fully and effectually as if the same were had, made, done, or executed by or before all of the said Commissioners; and that a Chairman shall and may, in the first Place, be appointed at every Meeting to be held by virtue and for the Purposes of this Act, who, in case of an equal Number of Votes upon any Occasion, (including such Chairman's Vote,) shall have the casting or decisive Vote.

Orders to be made at Meetings only, and Majority to concur. General Quorum of Commissioners.

Chairman to be appointed, who shall have a casting Vote.

X. Provided always, and be it enacted, That no Order or Determination at any Meeting of the said Commissioners, once made, agreed upon, or entered into, shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to make such Revocation or Alteration shall have been given at a previous Meeting holden and entered in the Book of Proceedings of such Meeting, and also by Notice inserted in the *Taunton Courier* or some other Newspaper generally circulated in the said County of *Somerset*, and affixed on some conspicuous Part of the present, or temporary, or new Bridge, Fourteen Days at least before such Meeting, nor unless such Revocation or Alteration shall be agreed to be made by a greater Number of Commissioners than concurred in the making of any such Order or Determination.

No Order to be revoked without Notice.

XI. And be it further enacted, That the said Commissioners, by Writing under their Hands, shall and may appoint a Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, and Receiver or Receivers, of the Tolls and Ton-

Commissioners may appoint Officers.

nage Duties hereby granted, and such other Officers as they shall think necessary for the Purposes of this Act; and shall and may from Time to Time remove any such Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, and other Officers as they shall see Occasion, and appoint new Ones in case of Death, Resignation, or Removal; and shall and may, out of the Money arising by virtue of this Act, make such Allowances to the Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, and other Officers, and to such other Persons as shall be employed in the Execution of this Act, as the said Commissioners shall think reasonable; and every Officer shall, as often as required by the said Commissioners, render and give to them, or to such Person as they shall appoint, a true and perfect Account in Writing under his Hand, with proper Vouchers, of all Monies which he shall to such Time have received, paid, or disbursed by virtue of this Act, or by reason of his Office; and in case any Money so received shall remain in his Hands, the same shall be paid to the said Commissioners, or to such Person as they shall, by any Writing under their Hands, authorize to receive the same, to be laid out in the Execution of this Act, and not otherwise; and in case any such Officer shall not give in and make such Account and Payment as aforesaid, or shall, for the Space of Ten Days next after being thereunto required by the said Commissioners, refuse or neglect to render and give up to the said Commissioners, or to such Person as they shall direct, all Books and other Things in their Hands, Custody, or Power relating to the Execution of this Act, that then any Justice of the Peace for the County where such Officer shall dwell shall and may make Enquiry concerning such Default in a summary Way, as well by the Confession of the Party as by the Testimony of One or more credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered and required to administer without Fee or Reward); and if such Officer shall be convicted of any such Offence, such Justice shall, upon such Conviction, commit the Party to the common Gaol of the County where such Officer shall reside, there to remain without Bail or Mainprize until he shall have made a perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Commissioners, and have paid such Composition Money, (which Composition the said Commissioners are hereby authorized and empowered to make and receive,) and shall also have rendered and given up all such Books and other Things as aforesaid, or given Satisfaction in respect thereof to the said Commissioners, but no Person so committed shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months; provided always, that no Person shall be appointed or capable of holding any or either of the said Offices, or any Place of Profit under this Act, who shall sell any Wine, Cider, Beer, Ale, or Spirituous Liquors by Retail.

Security to
be taken
from the
Treasurer
and other
Officers.

XII. Provided also, That the said Commissioners shall, and they are hereby required to take such Security from the Treasurer, Clerk, and other Officers to be appointed for the Purposes of this Act, for the due Execution of their respective Offices, as they shall think proper.

Proceedings
to be en-

XIII. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries

to

to be made therein of all their Acts, Orders, and Proceedings, relative to the Execution of this Act, and of the Names of all such Commissioners as shall be present at their several Meetings; and all Entries in such Book, or Books, being signed by the Chairman who shall have been then present, or by any Three or more of the Commissioners present at such Meeting, shall be deemed Originals; which Book or Books, and also the Book or Books herein-after directed to be kept for registering Mortgages and Assignments or Transfers thereof, shall be allowed to be read as Evidence in all Cases, Suits, Actions, Prosecutions, and Proceedings touching or concerning any Thing done in pursuance of this Act; and such Book or Books shall at all seasonable Times be open to the Inspection of all and every the said Commissioners herein-before mentioned, and the Creditors on the Tolls and Tonnage Duties hereby granted and made payable; and that any of the said Commissioners and Creditors shall and may take Copies thereof, without paying any Thing for the same.

tered in a Book.

XIV. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk 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 the Bridge to be erected and made in pursuance of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor on the Tolls or Tonnage Duties hereby granted, without Fee or Reward; and the said Commissioners and Creditors, or any of them, shall and 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 the said Clerk shall refuse to permit or shall not permit the said Trustees or Creditors, or any or either of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in Manner herein-after mentioned.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Commissioners and Creditors.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, to be the Clerk to the said Commissioners; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Office or Place of Trust under the said Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred

Clerk not to act as Treasurer, and vice versa.

hundred Pounds to any Person or Persons who shall sue for the same, to be recovered 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, nor more than one Imparlance, shall be allowed.

Commissioners may remove Collectors, and appoint temporary Ones.

Collectors refusing to give up Toll Houses, &c.

Justices empowered to grant Warrants, and Constable to enter and remove such Collectors, &c.

How Commissioners may be sued.

XVI. And be it further enacted, That when and so often as any Collector or Receiver of the Tolls or Tonnage Duties shall die, or neglect or refuse to perform, or become incapable of performing, his Duty, or shall abscond or absent himself, it shall be lawful for any Three or more of the said Commissioners, although not assembled at a Meeting, to discharge such Collector or Receiver so neglecting or refusing to perform, or become incapable of performing, his Duty, or absconding or absenting himself, and to nominate and appoint some other Person or Persons to be a Collector or Receiver of the said Tolls and Tonnage Duties until the then next Meeting of the said Commissioners, in the Stead of such Collector or Receiver who shall so die or be discharged; and such Person or Persons so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the like Manner in all respects as the Collector or Receiver who shall so die or be discharged would have had or been subject to; and that if any Collector or Receiver of the said Tolls or Tonnage Duties who shall be discharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person or Persons who may have the Possession of the Toll House or Building, or any Appurtenances thereto, to be erected, set up, or used by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Three Days next after Demand thereof made, by Notice in Writing signed by any Two or more of the said Commissioners, (although not assembled at a Meeting,) or by their Clerk or Clerks, Treasurer or Treasurers, for that Purpose, given to such Collector or Receiver or other Person or Persons, or left at such Toll House, Building, or Premises; then and in any of the said Cases it shall be lawful for any One or more Justice or Justices of the Peace for the said County of *Somerset*, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer for the said County, with such Assistance as may be necessary, to enter such Toll House, or other Buildings or Premises, in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and put the said Commissioners or such new-appointed Collector or Receiver as aforesaid into the Possession thereof.

XVII. And be it further enacted, That the said Commissioners shall and may sue and be sued in the Name of any One of the said Commissioners, or of their Treasurer or Clerk for the Time being; and that no Action or Suit which may be brought by or against the said Commissioners or any of them, in relation to this Act, in the Name of any One of the said Commissioners, or of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of such Commissioner, Treasurer, or Clerk, or by the Act of such Commissioner, Treasurer, or Clerk, without the Consent of the said Commissioners; but One of the said Commissioners, or the Treasurer or Clerk for the Time being, shall always be deemed

deemed Plaintiff or Plaintiffs, Defendant or Defendants, in every such Action or Suit, as the Case may be : Provided always, that all and every such Commissioner, Treasurer, or Clerk, shall be reimbursed, out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences as he or they shall be put unto, or become charged or chargeable with, by reason of his or their being so made Plaintiff or Defendant, or Plaintiffs or Defendants as aforesaid ; and no such Commissioner, Treasurer, or Clerk shall be personally accountable or liable to the Payment of the same, unless such Action or Suit shall arise in consequence of his or their own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Commissioners.

XVIII. And be it further enacted, That it shall not be necessary, in any Action or Suit to be brought or commenced by or against any of the said Commissioners, or their Treasurer or Clerk, to prove the Appointment of such Commissioner, Treasurer, or Clerk.

In Actions; not necessary to prove Appointments of Officers.

XIX. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered, from Time to Time at any of their Meetings, to contract and agree with any Person or Persons, Artificers, Workmen, and others, for the making and doing of all and every or any Part or Parts of the Works by this Act authorized or directed to be done and performed, or for supplying any of the Materials for the same ; which Contract or 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 shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by Three or more of the said Commissioners, and also by the Person or Persons contracting or agreeing to perform such Works respectively ; but previous to making any such Contract or Contracts Fourteen Days Notice at least shall be given in the *Taunton Courier* or some other Newspaper generally circulated in the said County of *Somerset*, and affixed on some conspicuous Part of the present, or temporary, or new Bridge, expressing the Intention of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in such Notice to be mentioned.

Commissioners may contract for performing Works.

XX. And be it further enacted, That from and after the passing of this Act it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to take down the present Bridge, or so much and such Parts of the same, and in such Manner as they the said Commissioners shall think proper, and to carry away, sell, and dispose of the Materials thereof, and to erect and build, or cause to be erected and built, with Iron or Stone, a good and substantial new Bridge of One Arch across the said River *Parrett*, not less than Sixty-five Feet in the Span, upon or near the Site of the said Bridge so intended to be taken down as they the said Commissioners shall think fit, and to make proper and uniform Balustrades on each Side of the said Bridge ; and for the Purposes aforesaid the said Commissioners shall have full Power and Authority to dig and make proper Foundations in the said River and on the Lands on each Side thereof, for the Abutments of the said Bridge, which Abutments shall be built with Stone ; and to remove or cause to be removed any Shoals or Obstructions in the said River, and also to

Power to take down the present Bridge, &c.

cut, remove, dig up, take, and carry away any Trees or Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatsoever, and to deepen and widen the said River at or within One thousand Yards of the Place at which such Bridge is to be erected and built, unless the Owner or Occupier of the adjoining Lands shall so remove or cause to be removed, cut, dig up, take, and carry away, deepen and widen the same respectively, within Thirty Days after Notice shall be given to him or her by the said Commissioners for that Purpose; and also to dig, cut, and level the Banks of the said River in such Manner as shall be necessary and proper for building the said Bridge and preserving the same, and for amending and improving the Navigation and Passage of the Water under the said Bridge; and also to turn, widen, and alter the present Highways leading to the said Bridge, as far as may be necessary, not exceeding Twenty Yards from the present Line; and from Time to Time and at all Times hereafter to do, perform, and execute all other Acts, Matters, and Things, as the said Commissioners or any Three or more of them shall think requisite and necessary, useful and convenient, for effectually taking down and rebuilding and making more commodious, completing, maintaining, or supporting the said Bridge, and other Works and Conveniences, according to the true Intent and Meaning of this Act; and the said Commissioners shall have full Power and Authority to lay on each Side of the said River all Materials and other Things to be used in and about the said Bridge, and there to work and use the same accordingly.

Bridge not to be deemed a County Bridge, unless built under the Direction and to the Satisfaction of the County Surveyor.

XXI. And be it further enacted, That the said new intended Bridge, when erected or built, shall not be deemed or taken to be a County Bridge, or a Bridge which the Inhabitants of the said County of *Somerset* shall be compellable or liable to maintain or repair, until after the Tonnage Duties authorized and required to be demanded and levied, and also the Tolls to be demanded and taken under this Act, shall have ceased, and unless such Bridge shall be erected in a substantial and commodious Manner under the Direction and to the Satisfaction of the County Surveyor or other Person appointed or to be appointed by the Justices of the Peace for the said County of *Somerset* at their General Quarter Sessions assembled, and which Surveyor or other Person such Justices are hereby required to appoint at the next General or Quarter Sessions which shall be held after the passing of this Act; and such Surveyor or other Person so to be appointed is hereby required to superintend and inspect the Erection of such Bridge whenever it may be necessary, and for his Trouble and Expences shall be paid by the said Commissioners; and in case the said Commissioners, or the County Surveyor, or other Person so appointed, shall be dissatisfied, the Matter in dispute shall be determined by the said Justices of the Peace for the said County at their next or some subsequent General Quarter Session for the said County, to be holden within Four Months after such Dissatisfaction shall arise.

Road at each End of the Bridge not to be repaired by the County.

XXII. Provided always, and be it further enacted, That the said Inhabitants of the said County of *Somerset*, notwithstanding any Law to the contrary, shall not be liable to repair Three hundred or any other Number of Feet of the Road at each End of the said Bridge, when erected, during the Existence of this Act.

Passage not to be stop-

XXIII. And be it further enacted, That before the said Commissioners shall begin to take down and remove the present Bridge, they the said Commis-

Commissioners shall and may, and they are hereby authorized, empowered, and required, to erect and build a temporary Bridge over the said River, until such new Bridge shall be constructed and built, and made safe and commodious for Carriages and Passengers, or continue to keep the said present Bridge in such a State that the Passage over and under the same shall not be stopped or destroyed during the Time the said new Bridge may be building.

ped till temporary or new Bridge built.

XXIV. And be it further enacted, That the Right and Property of and in the said Bridge, and of and in the Toll House, Gate, and Bars, and all Posts, Rails, and Fences to be erected, set up, and provided, in, upon, or near the said Bridge or any of them, under and by virtue of this Act, and of the Materials which shall be from Time to Time gotten or provided for erecting, building, making, maintaining, and repairing the same, and all other Materials, Articles, and Things which shall be purchased, collected, or provided for the Purposes of this Act, shall be and the same are hereby respectively vested in the said Commissioners and their Successors, during such Time only as the said Commissioners shall be in receipt of the Tolls and Tonnage Duties hereby authorized to be collected, received, and taken, or of any or either of them; and they are hereby empowered and authorized to bring or cause to be brought any Action or Actions, and to prefer and prosecute one or more Indictment or Indictments against any Person or Persons who shall steal, take, carry away, or damage the same, or any of them, or any Part thereof, or disturb them in the Possession thereof; and in such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or concerning which such Action or Actions shall be brought, or Bill or Bills of Indictment be preferred, is or are the Property of the "Commissioners for rebuilding *Burrow* Bridge across the *River Parrett* in the County of *Somerset*," without particularly naming or specifying the Name or Names of all or any of the said Commissioners.

Bridge, &c. vested in the Commissioners.

XXV. And be it further enacted, That if any Person shall wilfully or maliciously pull down, destroy, or damage the said Bridge or any Part thereof, or any Toll House or Gate to be erected by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to the like Pains and Penalties as in Cases of Felony, and the Court by and before whom any such Person shall be tried shall and have hereby Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or, in Mitigation of such Punishment, such Court may, if they think fit, award such Sentence as the Law directs in Cases of petty Larceny.

For punishing Persons wilfully damaging the Bridge.

XXVI. And for raising and levying the Sum of One thousand Pounds, towards defraying the Charges and Expences relating to the preparing for and obtaining and passing this Act, and carrying the same into Execution, be it further enacted, That from and after the said Bridge shall be erected by virtue of this Act, the said Commissioners, or any Person or Persons by them appointed for the Purpose, shall have full Power and Authority, and he and they is and are hereby authorised and required to demand and levy on every Barge or Boat passing under the said new Bridge, laden with or carrying Stone Coal or other Coal, the Sum of

Power to raise Money on Tonnage of Boats, &c.

One

One Shilling and Sixpence; and on every Barge or Boat passing under the said Bridge, laden with or carrying Culm, the Sum of One Shilling as Tonnage Duty for every Ton Weight of such Coal and Culm respectively; and so in proportion after those Rates for any greater or less Quantity than a Ton; such Loading to be deemed to be the Weight of Eleven Tons, unless the Persons navigating such Barge or Boat shall produce satisfactory Evidence to the Collector of the said Tonnage Duties of the Weight of the Loading of such Barge or Boat, in which Case the Tonnage Duty shall be demanded and paid according to the actual Weight of such Loading: Provided always, that when the Sum of One thousand Pounds shall have been raised from the Tonnage Duties as herein-before directed, all Barges and Boats navigating on the said River shall be permitted and be at liberty to pass under the said Bridge, without Payment of any other Duty or Sum of Money for passing thereunder.

Power to detain Barges until Tolls paid.

XXVII. And be it further enacted, That it shall be lawful for the Person or Persons, who shall be appointed to collect the said Tonnage Duties, to detain every Barge or Boat passing under the said Bridge, at or near the same, until such Tonnage Duties as aforesaid shall be paid: Provided always, that the said Commissioners shall cause at least Six Days Notice to be given of the Time when they intend to begin to demand such Tonnage Duties, by Notice inserted in the *Taunton Courier* or some other Newspaper generally circulated in the said County of *Somerset*, and also affixed against some conspicuous Part of the said new Bridge.

Commissioners to appoint Officers at Bridgewater to inspect Boats and take Tonnage Duties.

XXVIII. Provided always, and be it further enacted, That notwithstanding any Thing herein contained, the said Commissioners shall and they are hereby required to appoint an Officer or Officers, to be stationed at *Bridgewater* in the said County of *Somerset*, to inspect the Loading of all such Barges and Boats as he or they shall be called upon to inspect by the Persons navigating the same or the Owners thereof respectively, and to receive and take the Tonnage Duties payable on such Loadings for passing under the said Bridge, of all such Persons as may be desirous of paying the same at *Bridgewater* aforesaid; and the Person or Persons so to be appointed to inspect such Loadings, and take such Tonnage Duties as aforesaid, is and are hereby required to inspect such Loadings, and to take such Tonnage Duties as aforesaid, and thereupon deliver to the Person or Persons navigating such Barge or Boat a Ticket or Tickets denoting his or their having inspected the Loading of such Barge or Boat, and the Amount of Tonnage Duties received as aforesaid, and on the Delivery of such Ticket to the Collector or Collectors of Tonnage Duties stationed at the said Bridge, the Person navigating such Barge or Boat shall be permitted and be at liberty to pass with his Barge or Boat under the said Bridge without any other Payment.

Accounts to be kept by Collectors, and open to the Inspection of Owners of Boats, &c.

XXIX. And be it further enacted, That every such Collector and Officer stationed at *Bridgewater* aforesaid shall and he is hereby required to enter from Time to Time, in a Book or Books to be kept by him for that Purpose, an Account of every Barge or Boat which he shall inspect, and of the Loading thereof, and of the Sum of Money received by him for the passing of the same under the said Bridge, and of the Ticket or Tickets delivered to him, together with the Number and the Name of the Owner of such Barge or Boat, and of the Person navigating the same or passing therewith; and that every Collector or other Officer stationed

stationed at the said Bridge, shall and he is hereby required to enter from Time to Time, in a Book or Books to be kept for that Purpose, an Account of every Barge or Boat liable to the Payment of Tonnage Duty as aforesaid, which shall pass under the said Bridge, and also of all Sums of Money and Tickets received by him on account thereof, together with the Name of the Owner of such Barge or Boat, and the Person navigating the same or passing therewith; and that every such Book shall, from Time to Time and at all Times during the Collection of such Tonnage Duties as aforesaid, be open at the respective Places where kept for the Inspection of the Owners of every or any Barge or Boat navigating or passing on the said River.

XXX. And be it further enacted, That if any Person or Persons shall forcibly or fraudulently pass under the said Bridge with any Barge or Boat hereby made liable to the Payment of Tonnage Duty with Intent to evade Payment of such Tonnage Duty, or if any Person shall give any Note or Ticket directed by this Act to be given, or shall receive such Note or Ticket from any other Person than the Officer stationed at *Bridgewater* aforesaid for this Purpose, or shall forge, counterfeit, or alter any such Note or Ticket with Intent to evade the Payment of the Tonnage Duties hereby granted, or either of them, or any Part thereof, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds.

Penalty for passing without Payment of Duty.

XXXI. And be it further enacted, That the Tonnage Duties respectively hereby made payable shall and may in all Cases be recoverable before any One of His Majesty's Justices of the Peace for the Place where the Person or Persons who is or shall be liable to pay the same shall reside, in the same Manner as any Forfeiture or Penalty hereby made payable is herein directed to be recovered.

Tonnage Duties to be recovered before a Justice of the Peace.

XXXII. And for raising the Remainder of the Money to answer and defray the Charges and Expences of preparing for and obtaining and passing this Act, and carrying the same into Execution, be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to erect and set up, or cause to be erected and set up, a Toll Gate in, upon, and across or near to the said Bridge, and also may erect and set up a Toll House, and proper necessary Buildings and Conveniences near to such Gate; and that the respective Tolls following shall be demanded and taken, by such Person or Persons as the said Commissioners shall from Time to Time appoint, of the Person or Persons passing with or attending any Horse or Horses, Beast or Beasts, Cattle, or Carriage or Carriages, before the same shall be permitted to pass through such Gate; *videlicet*,

Power to erect Toll Gates, &c.

For every Horse, Mule, or Ass drawing, the Sum of Three-pence:

For every Horse, Mule, or Ass not drawing, the Sum of One Penny:

For every Ox, Cow, or neat Cattle drawing, the Sum of One Penny Halfpenny:

For every Ox, Cow, or neat Cattle not drawing, the Sum of One Halfpenny:

For every Calf, Swine, Sheep, or Lamb, the Sum of One Farthing.

Tolls to be taken.

Provided always, That no Person or Persons shall be subject or liable to the Payment of the Tolls herein-before granted more than once in any

Tolls payable but once a Day.

any one Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, for passing with any Horse, Beast, Cattle, or Carriage over the said new intended Bridge.

Exemption
from Toll.

XXXIII. Provided always, and it is hereby further enacted and declared That no Toll shall be demanded or taken for the passing of any Horses accompanying, or going to for the Purpose of accompanying, or returning from after accompanying any Barge, Boat, or Vessel on the said River, nor of any Horses, Mules, Asses, or other Cattle, or of any Carriages which are now exempted from Toll on passing through any Turnpike Gate or Gates erected or set up on any Part of the said Turnpike Road called the *Taunton* Turnpike; but the Exemption for not passing One Hundred Yards shall not be allowed.

Tolls to
cease when
all the Ex-
pences are
paid; and the
Money aris-
ing from
Sale of the
Gate, House,
&c. to be
laid out in
improving
the Naviga-
tion.

XXXIV. And be it further enacted, That as soon as all the Expences relating to the preparing for and obtaining and passing this Act, and of carrying the same into Execution, shall have been raised by the Means aforesaid, the said Commissioners shall cease to collect and receive the Tolls lastly herein-before granted, and that all Persons, Horses, Cattle, and Carriages, shall pass freely over the said Bridge without Payment of any Toll or Tolls; and that the said Commissioners shall cause the Toll Gate and House which shall be erected by virtue of this Act to be taken down, and the Materials thereof sold and removed, and shall cause the Money to arise by Sale of such Gate and House to be applied in such Manner as they shall think proper about the said Bridge, or the Roads leading to the same, or the improving the Navigation of the said River *Parrett*.

To enforce
Payment of
Tolls.

XXXV. And be it further enacted, That it shall be lawful for the Collector or Collectors of the said Tolls, or any of them, to stop and prevent the Passage of any Person or Persons neglecting or refusing to pay the said Tolls, or any of them, or of the Horse, Beast, Cattle, Carriage, or other Thing for or in respect whereof the said Tolls ought to be paid; or it shall be lawful for the said Collector or Collectors to seize and detain the Goods and Chattels of such Person or Persons, or such Horse, Beast, Cattle, Carriage, or other Thing, together with their respective Bridles, Saddles, Gears, or Harness; and in case the said Tolls shall not be fully paid and satisfied, together with all reasonable Costs and Charges of making, detaining, and keeping such Distress, within the Space of Four Days, the said Collector or Collectors shall and may sell the same, rendering the Overplus, if any, on Demand, after deducting such Costs and Charges of making, detaining, keeping, and selling such Distress, to the Owner or Owners thereof.

Table of
Tolls to be
affixed at
Turnpikes.

XXXVI. And be it further enacted, That the said Commissioners shall, and they are hereby required to put up, or cause to be put up, previous to the Collection or Receipt of any of the Tolls hereby granted, and afterwards to be continued at the Toll Gate to be erected by virtue of this Act, a Table painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at such Gate, distinguishing the several Tolls and the different Sorts of Carriages for which they are to be paid where there shall be any Variation therein.

XXXVII. And

XXXVII. And be it further enacted, That all and every Toll Collector being Lessee of the said Tolls, or appointed either by the said Commissioners or by any such Lessee or Lessees to collect the Tolls by this Act granted, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters in the Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and every such Collector shall place or cause to be placed on the Front of the Toll House the Board herein directed to be provided by the Commissioners, containing the usual Name of the Turnpike Gate, and also the List of the Tolls payable at such Gate; and if any Collector of the said Tolls shall not place such Boards respectively as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act or of the Orders and Resolutions of the Commissioners made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Boards respectively, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls, or any of them, or shall in Answer to such Demand give a false Name or Names, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through the said Toll Gate, or shall make use of any scurrilous or abusive Language to any Commissioner, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, to be recovered and applied as herein-after mentioned.

For preventing Toll Collectors from taking any undue Tolls.

XXXVIII. And be it further enacted, That in case any Dispute or Disputes shall happen respecting the demanding, or taking, or the Payment of Toll or Tonnage Duty, or about the Amount of Toll or Tonnage Duty due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined by any Justice of the Peace for the County or Place in which the Cause of Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter upon Oath of the Parties, or other Witness or Witnesses, (which Oath every such Justice is hereby authorized and empowered to administer,) and shall determine the Amount of the Toll or Tonnage Duty 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 shall 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

Disputes concerning Toll or Tonnage Duty may be settled by a Justice.

such Distress and Sale, shall be returned upon Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Toll-Bar
Keepers not
to be deemed
incompetent
Witnesses.

XXXIX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls or Tonnage Duties, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Commissioners, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being so appointed, or interested under such Appointment, or being paid to collect the Tolls or Tonnage Duties, or acting or being paid to act under the Authority of the said Commissioners.

Owners or
Drivers of
Waggons
employed in
the Service
of His Ma-
jesty's
Forces not
to be subject
to Penalties
for Over-
weight.

XL. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

Post Horses
having pass-
ed through
any Gate
may return
Toll-free
before Nine
in the Morn-
ing of the
following
Day.

XLI. And be it further enacted, That all Horses travelling for Hire under the Post Horse Duties Act, having passed through the Turnpike Gate on the said Bridge, drawing any Carriage in respect of which any Toll shall have been paid, on returning through the said Turnpike Gate either without such Carriage or drawing such Carriage, the same being empty and without a fresh Hiring, shall be permitted to repass Toll-free, although such Horses or Carriage shall not have passed through such Turnpike Gate on the same Day, provided that such Horses so travelling shall return before Nine of the Clock of the Morning succeeding the Day on which they first passed the Turnpike Gate at which the Toll shall have been paid.

Penalty on
evading
Tolls.

XLII. And be it further enacted, That if any Person or Persons shall forcibly or fraudulently pass through the said Toll Gate with any Horse, Carriage, Cattle, or Beast without Payment of Toll, or shall take off or cause to be taken off any Horse, Beast, or Cattle from any Carriage, or after having passed through such Toll Gate shall put on an additional Horse or Beast to any such Carriage with Intent to evade Payment of any of the said Tolls, all and every such Person or Persons so offending in any of the Cases aforesaid shall, for each and every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Power for
Commission-
ers to let the
Tolls.

XLIII. And be it further enacted, That it shall and may be lawful for the said Commissioners, at a Public Meeting, to let to farm the Tolls of the Gate erected upon the said Bridge in the Manner herein-after mentioned; that

that is to say, the said Commissioners shall cause Notice to be given of the Time and Place for letting the same, at least One Month before the Day to be appointed for that Purpose, in the *Taunton Courier* or some other Newspaper generally circulated in the said County of *Somerset*, and affixed on some conspicuous Part of the Bridge, and specifying in every such Notice the Sum which the said Tolls produced in the preceding Year, clear of the Salary for collecting the same, in case any hired Collector was appointed, and that they will let such Tolls by Auction to the best Bidder, on his producing sufficient Sureties for Payment of the Money monthly, or otherwise, (as in such Notice shall be specified,) and that they will be put up at the Sum which they were let for or produced in the preceding Year, clear of the Salary of the Collector; and to prevent Fraud or any undue Preference in the Letting thereof, the said Commissioners are hereby required to provide a Glass with as much Sand in it as will run from One End of it to the other in One Minute; which Glass, at the Time of letting such Tolls, shall be set upon a Table, and immediately after every Bidding the Glass shall be turned, and as soon as the Sand is run out it shall be turned again, and so for Three Times, unless some other Bidding intervenes; and if no other Person shall bid until the Sand shall have run through the Glass Three Times, the last Bidder shall be the Farmer or Renter of the said Tolls, and shall forthwith enter into a proper Agreement for the taking thereof, and paying the Money at the Times specified in such Notice, with such Surety or Sureties for Payment thereof, and under such Conditions and in such Manner as the said Commissioners shall think fit; and if the Person being the last Bidder shall not forthwith enter into such Agreement, it shall and may be lawful to put up the said Tolls again immediately for another Bidder, and in like Manner to continue putting up the same until a Bidder shall be found who shall enter into such Agreement; and in case no Bidder shall offer, or in case the same shall not be let at such Auction, it shall be lawful for the said Commissioners to accept a private Tender for the same, and to demise or let to farm, or agree to demise or let to farm, all or any of such Tolls at any Sum not less than the Sum at or for which they shall have been last let; or the said Commissioners may appoint a Collector of such Tolls, or fix some future Day for the Letting thereof, as they shall judge most proper, upon giving such Notice thereof as aforesaid, and shall and may in that case put them up at such Sum as they shall think fit: Provided always, that at all such Lettings the said Commissioners shall be entitled to bid for the Tolls so to be let, either by themselves or their Clerk or Treasurer, or any other Person by them respectively authorized: Provided also, that no such Tolls shall be demised or leased for any longer Term than Three Years at any one Time: Provided also, that the Power hereby given of demising or letting to farm the said Tolls at any Sum not less than the Sum at which the same shall have been last let, shall only be applicable to Demises of the said Tolls after the first Lease thereof.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered from Time to Time to lessen or reduce all or any of the Tolls by this Act granted, and for such Time or Times as they the said Commissioners shall think proper, and from Time to Time afterwards to advance any of the Tolls so lessened or reduced to any Amount not exceeding the respective Tolls granted by this Act: Provided always, that it shall not be lawful for the said Commissioners to lessen or reduce the said Tolls, or any of them,

Power to
lessen the
Tolls;
but not
without Con-
sent of Four-
fifths in
Value of
Creditors.

without the Consent of Four-fifths in Value of the Creditors on the said Tolls respectively; and no Toll shall be lessened, reduced, or advanced, unless at a Meeting of the said Commissioners, of which Twenty-one Days Notice shall be given in the same Manner as is herein-before directed relative to Notices of Meetings of the Commissioners under this Act.

Compelling
Payment of
Subscription.

XLV. And be it further enacted, That the several Persons who have subscribed or shall subscribe for the advancing and paying of any Money towards carrying this Act into Execution, shall and are hereby required to pay the respective Sums so subscribed to the Treasurer to the said Commissioners at such Time and Times and in such Parts and Proportions as the said Commissioners shall order and direct; and if any Person shall neglect or refuse to pay the same as aforesaid, it shall and may be lawful for the said Commissioners to sue for and recover the same in the Name of their Treasurer in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

Power of
borrowing
Money, and
to demise or
mortgage
the Tolls.

XLVI. And be it further enacted, That it shall and may be lawful for the said Commissioners to borrow and take up at Interest on the Credit of the Tolls and Tonnage Duties arising by virtue of this Act such Sum or Sums of Money as they shall from Time to Time think fit, and they may and are hereby empowered to demise or mortgage the said Tolls and Tonnage Duties, or any Part or Parts thereof, and the Turnpike and Toll House for collecting the same, (the Costs and Charges of such Mortgages to be paid out of such Tolls and Tonnage Duties,) as a Security to any Person or Persons, or their Trustees, who shall advance such Sum or Sums of Money; which Mortgage shall be in the Words or to the Effect following; that is to say,

Form of
Mortgage.

‘ BY virtue of an Act passed in the Fifth Year of the Reign of His
‘ Majesty King *George* the Fourth, intituled [*here set forth the Title*
‘ *of this Act*]. We whose Hands and Seals are hereunto subscribed and
‘ set, being _____ of the Commissioners for executing the
‘ said Act, in consideration of the Sum of _____ to the
‘ Treasurer of the said Bridge in hand paid by _____, do grant,
‘ bargain, sell, and demise unto the said _____ Executors,
‘ Administrators, and Assigns, such Proportion of the Tolls and Ton-
‘ nage Duties arising by virtue of the said Act, and of the Toll Gate and
‘ Toll House for collecting the same, as the said Sum of _____
‘ _____ doth or shall bear to the whole Sum now due and owing,
‘ or hereafter to be advanced on the Credit thereof; to be had and holden
‘ from this _____ Day of _____ in the Year of our
‘ Lord _____ during the Continuance of this Act, un-
‘ less the said Sum of _____, with Interest at the Rate
‘ of _____ *per Centum per Annum*, shall be sooner paid and satisfied.
‘ Given under our Hands and Seals this _____ Day of _____
‘ in the Year of our Lord _____

Mortgages
to be entered
in Books,
&c.

And Copies of all such Mortgages shall be numbered, beginning with Number One, and so proceeding in an arithmetical Progression ascending, whereof the common Excess or Difference shall always be One, and entered in a Book or Books to be kept and provided for that Purpose

pose by the Clerk to the said Commissioners; and all Persons to whom any Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby respectively secured, may from Time to Time transfer his, her, or their Right, Title, Interest, or Benefit in and to the said Mortgages or Securities respectively, and the Principal Money and Interest thereby secured, to any Person or Persons whomsoever by Indorsement on the Back of such Mortgages and Securities, in the Words or to the Effect following; that is to say,

‘ I A. B. do transfer this Mortgage, with all my Right and Title to
 ‘ the Principal Monies thereby secured, and all the Interest now due
 ‘ or hereafter to grow due upon or in respect thereof, unto
 ‘ Executors, Administrators, and Assigns. Dated this
 ‘ Day of _____ in the Year of our Lord
 ‘ Witness, C. D. A. B.’

Which said Transfer shall be produced and notified to the said Clerk, who shall cause an Entry and Memorial to be made thereof in the before-mentioned Book or Books, containing the Number, Date, Names of the Parties, and Sum of Money therein transferred, for which the said Clerk shall be paid the Sum of Two Shillings and Sixpence and no more, and such Book or Books shall and may at all reasonable Times be perused and inspected without Fee or Reward; and after such Entry made, but not till then, every such Transfer shall entitle such Assignee, his, her, or their Executors, Administrators, or Assigns, to the Benefit thereof and Payment thereon, and such Assignee may in like Manner transfer the same again, and so *toties quoties*; and it shall not be lawful for any Person or Persons making such Transfer to make void, release, or discharge the original Security, or any Monies due thereon, or any Part thereof; and all Persons who shall be possessed of or entitled to any such Mortgage or other Security as aforesaid shall, in Proportion to the Sum or Sums thereby secured, respectively be Creditors on the Tolls and Tonnage Duty by this Act granted, in equal Degree one with another, and shall have no Preference in respect to the Priority of advancing their Money or of the Dates of the Securities.

Memorial of Transfer to be registered.

XLVII. Provided always, and be it further enacted, That notwithstanding any Thing herein contained to the contrary, it shall and may be lawful for the said Commissioners, if they think proper, to make all or any of the Demises or Mortgages of the Tolls and Tonnage Duties, hereby authorized to be made as a Security for Monies to be advanced as herein mentioned, payable to the Bearer of such Demises or Mortgages respectively; but nevertheless the Person or Persons claiming to be Owner or Bearer of such Demises or Mortgages respectively shall cause an Entry of such his Claim to be made in the Book or Books kept by the Clerk or Treasurer of the said Commissioners, at least Two Calendar Months before any Suit shall be brought by the Bearer for Recovery of the Money thereby respectively secured, and for which Entry the said Clerk or Treasurer shall be paid the Sum of Five Shillings and no more.

Power to make Mortgages payable to Bearer.

XLVIII. And be it further enacted, That the Interest of the Monies to be borrowed by the said Commissioners for paying the Costs, Charges, and Expences of and relating to this Act, and carrying the same into Execution, shall be payable and paid by the Treasurer or Treasurers for the Time being, out of the Monies to arise by or from the said Tolls and Tonnage

Interest of Money to be paid Half-yearly.

Tonnage Duties, by equal Half-yearly Payments, the First Payment thereof respectively to be made to the respective Mortgagees or their respective Executors, Administrators, or Assigns, at the Expiration of Six Calendar Months next after Payment of their respective Mortgage Monies.

Application of the Tolls, &c., and Money borrowed.

XLIX. And be it further enacted, That out of the first Money arising or to arise by the Tolls and Tonnage Duties which shall be collected by virtue of this Act, or out of the first Money which shall be borrowed upon the Credit thereof, the said Commissioners shall in the First Place pay and defray the Costs, Charges, and Expences relating to the preparing for, obtaining and passing this Act, and in repaying all and every Sum and Sums of Money which shall have been or shall be advanced by any Person or Persons for the Payment of any such Costs, Charges, or Expences, with lawful Interest for the same, and also all Costs, Charges, and Expences in making the Surveys, Plans, and Estimates of the said Bridge; and after Payment thereof, all the Money which shall arise or come to the Hands, Custody, or Power of the said Commissioners or their Treasurer or Treasurers by virtue or for the Purposes of this Act, shall from Time to Time be applied in defraying the Expences of erecting the said temporary Bridge, or in repairing the present Bridge for the Purposes of a temporary Bridge; and in taking down and removing the said present Bridge, or such Parts thereof as may be thought proper to be taken down, and in constructing and building the said intended new Bridge, and in upholding, repairing, and keeping the same in Repair during the Time the said Commissioners shall be in Receipt or Collection of the Tolls and Tonnage Duties hereby granted; or of any or either of them; and in defraying all other necessary Charges and Expences attending the Execution of this Act; and in paying the Interest of the Principal Money to be borrowed on the Credit of the said Tolls and Tonnage Duties, and in paying off the said Principal Monies, and of carrying this Act into Execution.

Power for the County and the Trustees of the Taunton Turnpike to give Money.

L. And be it further enacted, That it shall and may be lawful to and for the Justices of the Peace assembled at any General Quarter Session of the Peace in and for the said County of *Somerset*, to order and direct the Treasurer of the said County to pay out of the County Stock, and also to and for the Trustees acting under an Act made in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing and amending Two Acts of His present Majesty, for repairing several Roads leading from the Town of Taunton in the County of Somerset*, to vote and order, or to adopt any Order heretofore made by them, and direct their Treasurer to pay out of the Turnpike Funds, unto the Commissioners for carrying this Act into Execution, any Sum or Sums of Money respectively, as they shall think right and proper, (the Sum or Sums to be paid out of such County Stock not exceeding Five hundred Pounds, and the Sum or Sums to be paid out of such Turnpike Funds not exceeding the Sum of Five hundred Pounds,) to be laid out and applied by them the said Commissioners in and towards carrying this Act into Execution; and such Treasurers respectively shall be allowed on passing their respective Accounts such Sum or Sums of Money as they shall pay under the Authority and Orders and Directions aforesaid respectively, as a Disbursement or Disbursements.

LI. Provided always, and be it further enacted, That it shall not be lawful for such Justices to order and direct any Sum of Money authorized by this Act to be paid to the said Commissioners for carrying this Act into Execution out of the County Stock as aforesaid, until the County Surveyor, or other Person so to be appointed as aforesaid, shall have first certified to them that such Bridge has been erected in a substantial and commodious Manner, under his Direction and Inspection, and to his Satisfaction; nor until the Subject of such proposed Order hath been considered by such Justices at Two successive General Quarter Sessions of the Peace for the said County, of which intended Consideration Notice shall have been given Three Times in some of the Newspapers printed or circulated in the said County of *Somerset*; and therein stating when and where such Sessions will be holden; but such Surveyor or other Person so to be appointed as aforesaid is hereby required to certify to the said Justices the Manner in which such Bridge has been erected, and his Satisfaction or Dissatisfaction therewith, at the next or at some subsequent General Quarter Sessions of the Peace to be holden for the said County, within Four Months after the Erection of the said Bridge shall be completed.

The Justices not to direct Money to be paid until the proposed Order shall have been considered at Two Quarter Sessions.

LII. And be it further enacted, That the Treasurer or Treasurers to the said Commissioners for the Time being shall and may, and he and they is and are hereby authorized and required, out of the Monies to be collected and received by him or them by virtue of this Act, to pay all Sums of Money which the said Commissioners shall from Time to Time at any Meeting to be held in pursuance of this Act draw upon him or them for, or order him or them to pay; and the said Treasurer or Treasurers for the Time being shall, and he and they is and are hereby required to keep regular and clear Entries in a Book or Books to be for that Purpose by him or them provided and kept, of all and singular his and their Receipts and Payments on account or in pursuance of this Act; and shall once at least in every Year, or oftener if thereunto required, have the said Accounts audited, passed, and allowed by the said Commissioners or any Three or more of them, at a Meeting to be holden for that Purpose.

Treasurer to pay all Sums of Money by Order of the Commissioners, and make Entries.

LIII. And be it further enacted, That once in every Year at least during the Operation of this Act, or during the Time the said Commissioners shall be in Receipt of the Tolls and Tonnage Duties, or either of them, between the Twenty-ninth Day of *September* and the last Day of *December*, the said Commissioners shall cause a General Meeting of the Commissioners to be called, at which a general Statement shall be made of the Money received and paid by them or by their Order during the preceding Year, by virtue and in pursuance of this Act, setting forth for what Purposes the same shall have been paid or received; and which Account shall be signed by the Chairman of the said Meeting, and filed with the Clerk of the Peace of the said County of *Somerset*, within Twenty Days after the same shall be made up and signed as aforesaid; and shall within Three Calendar Months after they shall have ceased to collect Tolls as hereinbefore mentioned make up and sign a like Account from the End of the preceding Account to the Time of such ceasing to collect, and file the same in Manner aforesaid, to the End that all Persons at all seasonable Times may have liberty to inspect and peruse the same Accounts, and to take Copies and Extracts therefrom at their Will and Pleasure, paying the Clerk of the Peace One Shilling for every such In-

An Account to be stated annually, and filed with the Clerk of the Peace.

spection, and after the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts; and that the said Commissioners shall cause a sufficient Number of Copies of such Statement to be printed, and One of such Copies to be sent to every acting Commissioner, and also to every Creditor on the Tolls to be collected by virtue of this Act.

Paying Creditors by Lot.

LIV. And be it further enacted, That in case the said Commissioners shall at any Time be desirous of paying off any Portion of the Principal Monies due and owing on the said Bridge, it shall and may be lawful for them at any Meeting, (Notice of such intended Meeting and of the Purpose thereof being first given at least Ten Days preceding the same by Advertisement in some Newspaper published in the said County of *Somerset*;) if they shall think fit, instead of paying the same rateably amongst all the Creditors, to determine by Lot to which of such Creditors the Whole or any Portion thereof shall be so paid, and to pay the same to such Creditor or Creditors only, or to any of the Creditors with the Consent of all the other Creditors.

Penalty for tying Boats, &c. to the Bridge.

LV. And be it further enacted, That if any Person or Persons shall lash, tie, or make fast, or cause to be lashed, tied, or made fast, any Cord, Rope, Cable, or Chain to the Balustrades, Cornice, or any other Part of the Bridge to be built or erected as aforesaid, or to any Post, Pale, or Rail belonging thereto, for the Purpose of mooring or staying any Boat, Barge, or other Vessel, every Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings.

Masters and Owners of Boats liable for Damage done to the Bridge.

LVI. And be it further enacted, That the Master or Owner of every Boat, Barge, Vessel, or Raft navigating or passing upon the said River, shall be and he is hereby made answerable for all Damage, Spoil, or Mischief as shall be done by his Boat, Barge, Vessel, or Raft, or the Horses used in drawing the same, or by any of the Boatmen, Watermen, or others belonging to or employed in or about the same respectively, unto the said Bridge or any of the Works thereof; and every such Master or Owner shall, upon Conviction before any one Justice of the Peace, either upon Confession, or upon the Oath or Oaths of One or more credible Witness or Witnesses, (which Oath or Oaths such Justice is hereby empowered and required to administer,) pay the Treasurer of the said Commissioners the Damages to be ascertained by such Justice, provided such Damages do not exceed the Sum of Twenty Pounds; and upon Non-payment upon Demand, the same shall be levied by Distress and Sale of the Goods and Chattels of such Master or Owner, in like Manner as any other Penalties or Forfeitures are by this Act directed to be levied; or if the Damages shall exceed the Sum of Twenty Pounds, then the same may be sued for and recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*: Provided always nevertheless, that no Person or Persons who is or are the Owner or Owners of any Barge, Boat, Vessel, or Raft, navigating on the said River, or any Person or Persons employed in the same, shall be liable to any Action or Prosecution for any Damage that may accidentally happen to the said Bridge, by running against the same.

Masters to recover from their Boat-

LVII. And be it further enacted, That in case the Master or Masters, Owner or Owners, of any Boat, Barge, or other Vessel as aforesaid employed on the said River *Parrett*, shall be compelled to pay any Penalty,

Penalty, or to make any Satisfaction for any Damage or Trespass, by reason of any Neglect or Default done or committed by his, her, or their Boatmen or Bargemen, or other Persons navigating the same respectively, or any of them, such Boatmen, Bargemen, or other Persons, and each and every of them, shall be liable to repay such Penalty or Damage (with the Costs thereof) to such Master or Masters, Owner or Owners; and in case of Non-payment thereof upon Demand, and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him, her, or them, of such Penalty or Satisfaction for Damages, and that the same and the Costs thereof have or hath not been repaid to him, her, or them, by such Boatmen, Bargemen, or other Persons, or any of them, although demanded, (such Oath to be made before any One Justice of the Peace for the County or Place where such Penalty or Satisfaction shall have been incurred or paid, or such Boatmen, Bargemen, or other Person shall reside,) the Amount thereof shall be recovered from such Boatmen, Bargemen, or other Person, in like Manner as any Penalty is hereby directed to be recovered.

men any Sums of Money for their Default.

LVIII. And be it further enacted, That every Person who shall float, or cause or permit to be floated, on the said River *Parrett* any Tree or Piece of Timber, or any Boat which shall pass under such Bridge when erected, without some Person or Persons attending and guiding the same, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds besides the Damage or Injury to be done to such Bridge, or the Walls, Buttresses, Posts, Rails, or Fences belonging thereto, by any such Tree or Piece of Timber or Boat coming in contact with the said Bridge, Walls, Buttresses, Posts, Rails, or Fences.

Penalty for floating Timber.

LIX. And be it further enacted, That it shall be lawful for the Surveyor of the said Bridge, and such Person as he shall appoint, to remove and prevent all Annoyances on any Part of such Bridge, by Filth, Dung, Ashes, Rubbish, or any other Matter or Thing whatsoever being laid or thrown upon the said Bridge, or on or by the Sides of any Part thereof, or the Roads immediately leading thereto, by any Erection whatsoever within Fifty Feet of the said Bridge, or by Timber, Stone, or Carriages, or by any Water-troughs, Tubs; or other Things for watering Horses or Cattle, or for any other Purpose, or by Saw-pits, Hovels, Ashes, Rubbish, Lime, Sand, or otherwise, or by laying or placing Goods, Wares, or Merchandize; or other Matters or Things in or upon the said Bridge; and the Charges thereof, to be settled by any One or more Justices of the Peace of the said County of *Somerset*, shall be reimbursed to the said Surveyor by such Owners or Occupiers, and the same shall be recovered in such Manner as the Penalties and Forfeitures are herein directed to be recovered; and if, after the Removal of any of the said Annoyances, any Person shall again offend in the like Kind, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For removing and preventing Annoyances.

LX. And be it further enacted, That if any Person or Persons shall wilfully damage, or obliterate, deface, spoil, or destroy all or any of the Letters, Figures, or Marks which shall be inscribed or painted on any Board erected by virtue of this Act, and be thereof convicted before any Justice of the Peace for the said County of *Somerset*, by the Confession of the Party, or by the Oath of One credible Witness, such Person or Persons shall

Penalty on damaging Board.

shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty on
Persons
committing
Nuisances.

LXI. And be it further enacted, That if any Person or Persons shall ride upon any Footpath or Causeway on the said Bridge, made or set apart for the Use or Accommodation of Foot Passengers, or shall lead or drive any Horse, Ass, Mule, Swine, or Cattle or Carriage of any Description, or any Wheelbarrow, Truck, or Sledge, or any single Wheel of any Waggon, Cart, or Carriage apart therefrom, upon any such Footpath or Causeway, or shall cause any Injury or Damage to be done to the same, or the Posts or Rails thereof, or shall wilfully pull down or damage any Wall, or other Building or Erection made by the said Commissioners under the Authority of this Act, or repaired or repairable by them, or shall haul or draw, or cause to be hauled or drawn upon any Part of the said Bridge any Timber, Stone, or other Thing otherwise than upon Wheel Carriages, or shall suffer any Timber, Stone, or other Thing which shall be carried principally or in part upon Wheeled Carriages to drag or trail upon the said Bridge to the Prejudice thereof; or if any Person driving any Horse or other Beast on the said Bridge carrying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, Matter or Thing, so that the same or any of them shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage travelling along the said Bridge; or shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to, or wantonly let off or throw any Squib, Rocket, Serpent, or Fire-work whatever upon the said Bridge, or play at Football, or any other Game or Games thereon; or if any Person shall wilfully obstruct or prevent the free Passage thereof, or annoy any Person or Persons passing or going thereon; or if any Person shall leave any Waggon, Wain or Cart (except in case of Accident) upon the said Bridge, without any proper Person in the sole Custody or Care thereof, longer than may be necessary, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or if any Person shall, after having blocked or stopped any Cart, Waggon, or other Carriage in going upon the said Bridge, cause or suffer to be or remain on such Bridge the Stone or other Thing with which such Cart or other Carriage shall have been blocked or stopped; or if any Person or Persons shall pull down, damage, injure, or destroy any Lamp or Lamp-post put up, erected or placed on or near the Side of the said Bridge, or Toll-house erected thereon, or shall extinguish the Light of any such Lamp; he, she, or they shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings over and above such Damages occasioned thereby.

In case of
Nonpayment
of Compensation
for
Materials,
&c. the same
to be levied
on the Goods
of such
Commissioners
or their
Treasurer.

LXII. Provided always, 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 or Justices of the Peace as or by Way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Commissioners 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 Commissioners to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made, stating the Order of Justice or Justices, from the Clerk to the said Commissioners

missioners or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, 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 of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them 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 Commissioners or to their Treasurer for the Time being, as the Case may be: Provided always, that the said Treasurer shall and may retain out of any Monies which may come into his Hands, in pursuance of this Act, all such Costs, Charges, and Expences as he shall be put unto by virtue of such Order or Orders as aforesaid.

LXIII. And whereas the probable Expences of building the said Bridge will, according to an Estimate thereof, amount to the Sum of One thousand six hundred and twenty-eight Pounds, and the Whole of the said Sum has already been subscribed for defraying such Expences, be it therefore further enacted, That the said Commissioners shall and may proceed to put this Act into Execution on the Commencement thereof. The Whole of the Estimate subscribed.

LXIV. And be it further enacted, That if the said Commissioners shall not within Three Years from and after the passing of this Act complete the said Bridge, so as to make the same passable for Horses and Carriages, that then and from thenceforth all and singular the Powers and Authorities vested in them by this Act shall cease and determine to all Intents and Purposes whatsoever. The Bridge to be completed in Three Years.

LXV. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not herein otherwise directed) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County, Liberty, or Place where the Offence shall have been committed, (as the Case may require,) either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justice is in every Case hereby fully authorized to administer,) be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant); and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody Recovery of Penalties and Forfeitures.

tody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by Way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied, where a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the common Gaol or House of Correction of the County, Liberty, or Place where the Offender shall be or reside, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers to the said Commissioners, and applied and disposed of for the Purposes of this Act.

If Penalties, &c. cannot be levied, the Offenders to be committed for any Time not exceeding Six Months.

For securing transient Offenders.

LXVI. And be it further enacted, That it shall and may be lawful for any of the said Commissioners, or their Collectors, Lessees, or Farmers of the Tolls, Surveyors or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, (and which all Bye-standers and other Persons on Demand are hereby required to give,) without any Warrant or Authority than this Act, to seize or detain any Person or Persons being unknown to such Commissioners, Collectors, Lessees, Farmers, Surveyors, or other Officers, who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the County, Liberty, or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized and apprehended, and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of Conviction of Offenders.

LXVII. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form, or to the like Effect; (that is to say,)

Somersetshire } ' BE it remembered, That on the
to wit. } ' Day of in the Year of the Reign
' of His present Majesty, *A. B.* is convicted before me One of His Ma-
' jesty's Justices of the Peace for the said County of *Somerset*, by virtue
' of an Act of Parliament made in the Fifth Year of the Reign of His
' Majesty King *George* the Fourth [*here set forth the Title of the Act, and*
' specify

‘specify the Offence, and the Time and Place when and where the same was committed, and the Penalty, as the Case may be]. Given under my Hand and Seal the Day and Year aforesaid.’

LXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, if they see cause, to pay and apply such Part of the said pecuniary Penalties and Forfeitures hereby made payable, or any of them, as they shall think proper, not exceeding One Half thereof respectively, or any Sum of Money out of the Tolls and Tonnage Duties to be received by virtue of this Act, to and for the Use of the Informer or Informers of any Offence or Offences against this Act; any thing herein contained to the contrary notwithstanding.

For reward-
ing Inform-
ers.

LXIX. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity or for any Trespass or other wrongful Proceeding, unless a Notice in Writing shall be given Two Calendar Months 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, and the Residence of the said Plaintiff and his Attorney respectively, nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of sufficient Amends hath been made to him, her, or them, or 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 and may be lawful to and 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 or they shall think fit, whereupon such Proceedings, Orders, and Judgments, shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Satisfaction
for special
Damages.

LXX. And be it further enacted, That if any Person or Persons shall think himself or herself aggrieved by any Thing done in pursuance of this Act, (except in such Cases where the final Determination is directed by this Act,) and for which no particular Method of Relief hath been hereby appointed, such Person may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden in and for the said County of *Somerset*, within Six Calendar Months after such Cause of Complaint shall have arisen, the Person appealing first giving or causing to be given Thirty Days Notice in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Collectors for the Time being of the Tolls and Tonnage Duties, and also to the Treasurer and Clerk to the said Commissioners; and within Ten Days after such Notice entering into a Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such General or Quarter Session; and the said Justices at the said General or Quarter Session, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as the said Justices shall think proper; and the Determination of the said Justices in their said Quarter Sessions shall be binding and conclusive to all Intents and Purposes.

Persons ag-
grieved may
appeal to the
Quarter
Sessions.

LXXI. Pro-

Proceedings
not to be
quashed for
Want of
Form.

LXXI. Provided always, and be it further enacted, That no Order Verdict, Judgment, or other Proceedings made touching or concerning any Matter aforesaid, or touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage in an Action upon the Case; provided that no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity if sufficient Tender of Amends had been made to him, her, or them, by or on Behalf of the Defendant or Defendants, before such Action brought.

Limitation
of Actions.

LXXII. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed and not afterwards, and shall be laid and tried in the County where the Cause of Action shall have arisen and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit, in any other Cases at Law.

Costs.

Saving
Clause to
the Commis-
sioners of
Sewers.

LXXIII. And be it further enacted, That nothing in this Act contained shall prejudice or lessen the Rights or Powers of the Commissioners of Sewers for the said County of *Somerset*.

Public Act.

LXXIV. 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.