



ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. vii.

An Act for enlarging the Market House and regulating the Markets within the Borough of *Bridgwater*, in the County of *Somerset*; for paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the said Borough or adjacent thereto, and for the Improvement thereof.

[22d March 1826.]

WHEREAS an Act was passed in the Nineteenth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for erecting a Market House and regulating the Markets within the Borough of Bridgwater, in the County of Somerset; and for paving, cleansing, lighting, and watching the Streets, Lanes, and other Public Passages and Places within the said Borough*: And whereas in the Execution of the said Act a Market House hath been built, and a considerable Sum of Money hath been borrowed and taken up at Interest on the Credit or on Account of the Tolls thereby granted, and which Sum still remains due and owing: And whereas the Population and Buildings within the said Borough have considerably increased since the passing of the said Act, and it is therefore become expedient that the said Market House should be enlarged, and that the Streets, Lanes, and other Public Passages and Places within the said Borough should be better paved, cleansed, lighted, and watched, and that certain of the

19G.3. c. 36.

[Local.]

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same

Recited Act
repealed.

same Streets and other Places which are narrow and incommodious should be widened and improved, and certain Encroachments and Projections removed and prevented for the future: And whereas the Fairs and Markets for the Sale of Cattle, Horses, Cloth, and Shoes, and certain other Commodities and Things, are at present holden in certain Streets of the said Borough which are great Thoroughfares, and it is expedient that Powers should be given to make Orders and Directions for holding such Fairs and Markets in other Streets or more convenient Places within the said Borough, or adjacent thereto: And whereas the Powers and Provisions of the hereinbefore recited Act have been found defective and insufficient, as well for the Purposes thereof as for effectuating the several Objects and Purposes hereinbefore mentioned; and it is therefore expedient that the same should be repealed, and that other, further, better, and more effectual Powers and Provisions instead thereof should be granted, for better Regulation of the said Markets, and for fixing, varying, or increasing the Tolls thereof, and for the levying of a certain Rate or Assessment on the Inhabitants of the said Borough in aid of the said Tolls; but as the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said recited Act of the Nineteenth Year of the Reign of His late Majesty King *George* the Third shall be declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Officers, &c.
under former
Act to ac-
count to
Trustees
under this
Act.

II. Provided always, and be it enacted, That each and every Treasurer, Collector, Surety, or other Person, in whose Hands, Custody, or Controul, any Money shall have been received or collected under or by virtue of the said recited Act, or who shall be indebted in any Sum or Sums of Money to the said Trustees under the said recited Act, shall be and remain liable to pay, deliver up, and account for the same to the Trustees for executing this Act, as if the said recited Act had not been repealed, or as if such Money had come to their or any of their Hands by virtue of this Act; and that all Leases, and Counterparts of Leases, and the Covenants therein contained, and all Contracts, Stipulations, or Agreements, Orders, Matters, and Things, entered into, directed, made, or done by the Trustees acting by or under the said recited Act, or by any Person or Persons acting under their Direction or Controul, with any Person or Persons whomsoever, shall, notwithstanding the Repeal of the said recited Act, subsist and continue in Force, in such Manner as according to the Tenor thereof respectively the same would have subsisted and continued in case the said recited Act had not been repealed; and it shall be lawful for the said Trustees appointed by this Act to sue and be sued upon the same respectively, in such Manner and under the same Regulations as the said Trustees are hereinafter authorized to sue and be sued; and that all Actions which have already been commenced and are now pending under the Authority of the said recited Act, either by the said Trustees or against them, shall and may be continued and enforced respectively, as if the said recited Act had not been repealed.

III. And

III. And be it further enacted, That the Market House and other Buildings erected and built, or which are now being built under the said recited Act, shall be and the same are hereby vested in the Trustees hereinafter named, for the Purposes of this Act, subject nevertheless, together with the Rents, Tolls, Piccage, Stallage, and Free Customs, and other Profits hereby granted, and the same shall be and are hereby respectively made liable to the Payment as well of all Monies which at the Time of the passing of this Act were due and owing on the Credit or on Account of the said Market House, Buildings, Rents, Tolls, Piccage, Stallage, and other Free Customs and Profits vested in and authorized to be received by the said Trustees named by or by virtue of the said recited Act, together with all Interest due or to grow due thereon, as also of all Monies which may be borrowed on the Credit or on Account of the said Market House, Buildings, and Rents thereof, and also the Tolls, Piccage, Stallage, and other Free Customs and Profits hereby granted to, vested in, or authorized to be received by the Trustees hereinafter named, under the Authority of this Act, together with all Interest to become due in respect thereof, as fully and effectually to all Intents and Purposes whatsoever as if such Monies respectively had been wholly borrowed and become due and owing under and by virtue of the Powers contained in this Act.

Present and future Market House vested in Trustees, subject to existing Incumbrances.

IV. And be it further enacted, That the said recited Act hereby repealed, and all and every Book and Books, containing the Accounts and Proceedings of the Trustees for executing the said recited Act hereby repealed, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Act had not been repealed.

Books used under former Acts to be Evidence.

V. And be it further enacted, That *Jefferys Allen, Robert Anstiee, Charles Axford, William Baker, Richard Ball the Younger, John Bowen, William Boys, Richard Carver, Morley Chubb, Robert Codrington, Robert Evered, Thomas Withey Inman, Stephen Macmullen* Doctor of Medicine, *John Nicholls, George Parker, Joseph Ruscombe Poole, James Poole, Thomas Pyke the Elder, John Reed, Edward Sealy the Elder, Joseph Thompson, John William Trevor, Richard Woodland, and William Wollen* Clerk, Doctor of Laws, and their Successors, to be elected and appointed in Manner hereinafter directed, together with every Person who shall, on or before the Eleventh Day of *October* next after the passing of this Act, advance and pay the Sum of Fifty Pounds or more, as a free Gift towards the Purposes of this Act, and also the Mayor, Recorder or his Deputy, the Aldermen, Receivers, and Bailiffs of the said Borough of *Bridgwater* for the Time being, shall be and they are hereby appointed Trustees for carrying this Act into Execution; and all Money so to be advanced and paid by any Person or Persons for the Purposes aforesaid shall be paid into the Hands of the Treasurer for the Time being, or such other Person as the said Trustees shall appoint to receive the same, for the Purposes of this Act.

Trustees.

VI. Provided always, and be it further enacted, That no Person (other than and except the Mayor, Recorder or his Deputy, the Aldermen, Receiver, and Bailiffs of the said Borough for the Time being,) shall be capable

Qualification of Trustees.

capable of acting as a Trustee in the Execution of this Act who shall become bankrupt or insolvent, or shall hold any Place of Trust or Profit under this Act, or shall be concerned or interested in any Contract under the said Trustees, or in any Case in which he shall be in anywise personally or beneficially interested in the Matter in Question, (except a Creditor on the Tolls or Rents to be imposed or made payable by virtue of this Act,) nor unless he shall be in his own Right, or in the Right of his late or present Wife, in the actual Receipt, Possession, and Enjoyment of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments of an Estate of Inheritance, or for Life or Lives, or for any Term of Years of Ninety-nine Years or upwards, either absolute or determinable on any Life or Lives, of the Yearly Value of Fifty Pounds above Reprises, or be possessed of such Estate or Estates as last mentioned and a Personal Estate jointly, or a Personal Estate alone, to the Amount or Value of Two thousand Pounds above Reprises, or shall be Heir Apparent of a Person seised of Messuages, Lands, Tenements, or Hereditaments, of an Estate of Inheritance, of the clear Yearly Value of One hundred Pounds above Reprises; nor unless he shall be an Owner or Occupier of Lands, Tenements, and Hereditaments within the said Borough or Parish of *Bridgwater*; nor until he shall have taken and subscribed an Oath, or being a Quaker, an Affirmation, in the Words or to the Effect following; (that is to say,)

Oath.

‘ I *A. B.* do swear, [*or, being One of the People called Quakers, do solemnly declare and affirm,*] That I am really and *bona fide* in my own Right, [*or in the Right of my Wife, late or present, as the Case may be,*] now in the actual Receipt and Enjoyment of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, within the Borough of *Bridgwater*, of an Estate of Inheritance, [*or for Life or Lives, or for a Term or Terms for Ninety-nine Years or upwards, either absolutely, or determinable on a Life or Lives, as the Case may be,*] of the clear Yearly Value of Fifty Pounds above Reprises and Incumbrances, [*or am Heir Apparent of a Person seised of such Messuages, Lands, Tenements, or Hereditaments, of an Estate of Inheritance, of the clear Annual Value of One hundred Pounds above Reprises, or are seised or possessed of Real or Personal Estate, or of both together, of the full Value of Two thousand Pounds above the Payment of all my just Debts*]; and that I will faithfully and impartially, according to the best of my Skill and Judgment, execute and perform all the Powers and Authorities reposed in me as a Trustee, by virtue of an Act passed in the Seventh 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.’

[*Or, being a Quaker, omit the Words, So help me God.*]

Which Oath or Affirmation any One of the said Trustees is hereby empowered to administer: Provided always, that no Justice of the Peace shall be required to take the Oath of Qualification by this Act directed to be taken by the Trustees before they act in the Execution thereof.

Election of new Trustees on Vacancies.

VII. And be it further enacted, That when and as often as any One or more of the Trustees herein named, or to be elected by virtue of this Act, (other than and except such as are or shall be Trustees by virtue of their respective Offices,) shall die, or by any of the Causes aforesaid be disqualified, it shall be lawful for the surviving or remaining Trustees,

tees, and they are hereby required and empowered from Time to Time, as often as the same shall occur, to elect and appoint a fit and proper Person or Persons, residing within the said Parish of *Bridgwater*, to be a Trustee or Trustees in the Place or Stead of every such Trustee so dying, or refusing or neglecting to act, or becoming incapable of acting; but no such Election or Appointment shall be made or proceeded in unless at some Meeting of the said Trustees to be holden in pursuance of the Enactments and Provisions expressed and contained in this present Act, nor unless Notice in Writing of such Intention and Time shall have been affixed to some conspicuous Place on or within the said Market House Eight Days at the least previous to such Election; and every such Person or Persons so from Time to Time elected shall have the same Powers and Authorities to act in the Execution of this Act, to all Intents and Purposes whatsoever, as if such Person or Persons had been particularly named and appointed a Trustee in and by this Act.

VIII. And be it further enacted, That if any Person, being elected or becoming a Trustee as aforesaid, shall presume to act or vote as a Trustee in the Execution of this Act without having first taken and subscribed such Oath as aforesaid, or being a Quaker, made and subscribed such solemn Affirmation as aforesaid, (except in administering the Oath hereinbefore mentioned in the first Instance,) every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and if upon the Trial of such Action it shall be proved that such Person acted or voted as a Trustee in the Execution of this Act, a Verdict shall be given for the Plaintiff in such Action, unless the Defendant therein shall at such Trial prove to the Satisfaction of the Jury that before he acted as such Trustee he took and subscribed the Oath, or made and subscribed the solemn Affirmation hereinbefore provided, according to the Directions of this Act: Provided always, that all Acts and Proceedings of any Person acting as a Trustee in the Execution of this Act, though not duly qualified, done previous to his being so convicted, shall be as valid and effectual as if such Person had been duly qualified as aforesaid.

Penalty on Trustees acting not qualified.

IX. And be it further enacted, That the said Trustees shall meet at the Town Hall, in *Bridgwater* aforesaid, on the Second *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon; and if there shall be Five Trustees present at such Meeting, shall then proceed to carry this Act into Execution; and in case there shall not be Five Trustees present at such Meeting, then such Meeting shall be adjourned by the said Trustees or Trustee who shall be present, and so from Time to Time until there shall be Five Trustees at the least present at a Meeting for carrying this Act into Execution; and when there shall be a Meeting at which Five Trustees shall be present, then the Trustees who shall be so present, or the Majority of them, shall or may proceed to carry this

First and other Meetings of the Trustees.

[Local.]

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Act

Act into Execution, and may adjourn, to meet at such other Time and at the same or such other Place as they shall think proper and appoint, for executing all the Purposes of this Act; and it shall be lawful for the Trustees for the Time being acting under the Authority of this Act from Time to Time to adjourn any subsequent Meeting for carrying this Act into Execution to such Time and Place or Times and Places as they shall think proper and appoint; and if at any Meeting appointed to be held by virtue of this Act there shall not be Five Trustees present, then the Trustees or Trustee who shall or may be present at any such Meeting shall and may adjourn such Meeting to such other Time, and the same or such other Place, as they or he shall think proper; and if at any such intended Meeting there shall not be present One Trustee, or in case the Trustees or Trustee present at any such Meeting shall omit to adjourn such Meeting or intended Meeting, the Clerk to the said Trustees shall and may from Time to Time, as often as any such Case shall happen, adjourn any such Meeting to the Place where the last Meeting was appointed to be held, at such Time as he shall think fit, not exceeding Fourteen Days from the Day on which such last Meeting was intended to be held; and at all their Meetings the said Trustees shall pay and defray their own Expences, except any Sum not exceeding Ten Shillings a Day for the Use of the Room wherein they shall meet for the Purposes of this Act.

Meetings on
Emergen-
cies.

X. And be it further enacted, That if after any Adjournment of any Meeting of the said Trustees it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, or if for want of proper Adjournment or otherwise it shall at any Time or Times be thought necessary to call a Meeting of the said Trustees, it shall and may be lawful for any Two or more of the said Trustees, or for the Clerk to the said Trustees, upon an Order in Writing delivered to him signed by any Two or more of the said Trustees (although not assembled at a Meeting,) authorizing him to call a Meeting, and to appoint the Time, Place, and Purpose of such Meeting, and to give Notice thereof in the Manner hereinafter directed respecting the Meetings of the Trustees (such Meeting not being less than Eight Days after such Notice), and every such Meeting shall and may be held accordingly; and all Proceedings of the said Trustees at any such Meeting shall be as valid as they would have been in case the said Trustees had met in pursuance of an Adjournment.

Annual
Meeting for
auditing Ac-
counts.

XI. And be it further enacted, That an Annual Meeting of the said Trustees shall be held at the Town Hall in *Bridgwater* aforesaid, or at such other Place as the said Trustees shall from Time to Time appoint, on the Eleventh Day of *October* yearly, unless such Day shall happen to be on a *Sunday*, and then on the Day following, which shall be called the Annual General Meeting of the Trustees; and at such Annual General Meetings, or some Adjournment thereof, the Accounts of all Monies received and paid in pursuance of the Powers and Provisions of this Act, by or for or on the Account of the said Trustees, shall be produced, stated, examined, audited, and settled.

Notices of
Meetings.

XII. And be it further enacted, That in all Cases where Notice is by this Act directed to be given of any Meeting of the said Trustees subse-

quent to the First Meeting as aforesaid, Notice thereof in Writing signed by Five or more of the said Trustees, or their Clerk, of the Time and Place of every such intended Meeting, shall be affixed upon the Outer Gate or Door or some other conspicuous Place of the Market House in *Bridgwater* aforesaid, or upon such other Place or Building as the said Trustees shall from Time to Time direct and appoint, at least Eight Days before every such Meeting (except when it shall be herein otherwise directed), or such other Notice thereof shall be given and published in such Manner as the said Trustees at their said First Meeting, or at any Annual Meeting to be held by virtue of this Act, shall order and direct; and if any Person shall pull down, obliterate, or deface such Notice, previous to the Time of Meeting therein specified, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XIII. And be it further enacted, That the Powers and Authorities by this Act given to, and all the Provisions, Matters, and Things by this Act directed and authorized to be done by the Trustees for executing the same, shall and may be executed and done by and before any Five or more of the said Trustees assembled at any Meeting to be held in pursuance of this Act, and shall be of as full Force and Effect as if executed or done by or before all the Trustees (except in such Cases where any such Power, Authority, Provision, Matter, or Thing is by this Act particularly directed or authorized to be executed or done by any other Number of Trustees, or in any other Manner); and all Acts, Orders, Proceedings, and Determinations of the Trustees acting in the Execution of this Act, made at any such Meeting consisting of Five or more Trustees, wherein the major Part of the Trustees present at such Meeting shall concur, shall be as valid and effectual as if all the Trustees were present at such Meeting, and had concurred therein; and at all such Meetings One of the Trustees then present shall be appointed Chairman by the Majority of the Trustees then present; and in all Cases where there shall be an Equality of Votes upon any Question (including the Vote of the Chairman), such Chairman shall have the decisive or casting Vote.

Proceedings by Five or more Trustees to be as valid as if all the Trustees had acted.

Power to appoint a Chairman. Chairman to have casting Vote.

XIV. Provided always, and be it further enacted, That all and every the Trustees hereinbefore named or referred to, and hereafter to be elected and appointed, shall from Time to Time, and at all Times hereafter, be fully indemnified, from and out of the Monies to be raised under and by virtue of this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them, or their Clerk or Treasurer for the Time being, shall or may pay, sustain, or be put unto, for or by reason of any Action, Suit, or Proceedings which may be had; sued, commenced, or prosecuted against them, or any or either of them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of this Act and the Trusts reposed in them under the same.

Trustees indemnified when acting legally.

XV. And be it further enacted, That the said Trustees may sue and be sued for any thing done by them in the Execution of this Act, or for or on account or in respect of any Orders, Acts, or other Proceedings of the said Trustees at any of their Meetings, in the Name of

Trustees may sue in Name of their Clerk.

of One of the said Trustees; or of their Clerk for the Time being; and no Action or Suit so to be brought or commenced by or against any such Trustee or Clerk shall abate or be discontinued by the Death, Resignation, Removal, or Default of any such Trustee or Clerk, but shall be continued and carried on in the Name of the Trustee or Clerk in whose Name the same shall have been originally brought; and the said Trustee or Clerk shall always be deemed to be Plaintiff or Defendant in such Action or Suit, as the Case may be: Provided always, that such Trustee or Clerk shall be reimbursed and paid forthwith, out of the Monies to be received by virtue of this Act, by the Treasurer or Treasurers for the Time being of the said Trustees, all such Costs, Charges, and Expences as he shall be put unto, or become chargeable with or liable to, by reason of his being made Plaintiff or Defendant: Provided also, that every such Trustee or Clerk shall not, by reason of his being so made Plaintiff or Defendant, be deemed an inadmissible Witness in any such Action or Suit, unless it be on his own personal Account.

How Orders
of Trustees
are to be
made and re-
voked.

XVI. And be it further enacted, That it shall be lawful for the said Trustees at all their Meetings to be held in pursuance of this Act, and they are hereby empowered, from Time to Time to make such Orders, Rules, and Regulations as they shall think proper for effectually carrying this Act into Execution; but no such Orders, Rules, or Regulations shall be valid, unless the Majority of the Trustees present at every such Meeting shall concur therein; nor shall any such Orders, Rules, and Regulations be revoked or altered at any subsequent Meeting, unless Notice of any such Revocation or Alteration being intended shall have been given at a previous Meeting, and entered in the Book of Proceedings of such Meeting, nor unless Notice of the Meeting at which any such Revocation or Alteration is intended to be made, and the Object of the Meeting, shall have been affixed upon the outer Gate or Door, or some other conspicuous Place of the said Market House, or upon such other Place or Building as the said Trustees shall from Time to Time appoint, at least Eight Days before such Meeting.

Orders to be
entered in a
Book, and
signed by
the Chair-
man;

and the
same, or Co-
pies thereof,
admitted as
Evidence.

XVII. And be it further enacted, That all Acts, Orders, Resolutions, and Proceedings of the said Trustees shall from Time to Time be fairly written or entered by the Clerk for the Time being to the said Trustees in a proper Book or Books to be kept for those Purposes, with the Names of the Trustees who shall be present at the respective Meetings; and in case of a Division upon any Question, the Number constituting the Majority shall be stated, and be signed by the Chairman of such Meeting; and all such Entries therein, being so signed and subscribed, shall be deemed and taken to be Originals, and the same or true Copies thereof shall be admitted to be read in Evidence in all Courts whatsoever, in all Causes, Suits, and Actions touching any thing to be done in pursuance of and under the Authority of this Act; and the said Book or Books shall be open to the Inspection of the said Trustees, or any of them, at all seasonable Times, without Fee or Reward.

Trustees
may make
Bye Laws
and Regula-
tions, &c.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to direct and appoint what particular and respective Parts of the said Market House and other Place or Places in

in which the said Markets shall be holden in pursuance of this Act, shall be occupied and made use of for exposing to Sale any particular Commodities, Matters, and Things therein, and to direct the Order and Arrangement thereof; and also from Time to Time to make, constitute, provide, and ordain such Rules, Orders, and Bye Laws, not repugnant to any thing in this Act contained, or contrary to any Law or Statute in that Part of the United Kingdom of *Great Britain and Ireland* called *England*, and to alter, vary, add to, revoke, or make void the same or any of them at their Discretion, for the good Government and Conduct of the Officers, Servants, and other Persons employed in the Execution of this Act, and for the better Regulation and Government of the said Markets, and preventing unwholesome Provisions being sold or offered or exposed to Sale therein, and deficient Weights and Measures being used, and for preventing any other Nuisances or Obstructions therein, or the Approaches to the same, during the Times of holding the Markets, and all such other Regulations touching the said Markets as the said Trustees shall deem expedient, and with such Penalty for disobeying the same, not exceeding Five Pounds for any One Offence, as they shall think fit; and also to fix and ascertain the Time or Times at which all or any Goods, Articles, Wares, or Commodities shall begin to be offered or exposed to Sale therein, and how long the same shall continue exposed to Sale, and to cause the Time and Times of beginning and concluding every Market to be announced by the ringing of a Bell or otherwise, as they shall think proper; and the said Trustees shall and may from Time to Time, as they shall think fit, repeal, alter, add to, or amend any such Rules, Orders, Regulations, and Bye Laws; which Rules, Orders, Regulations, and Bye Laws so as aforesaid to be from Time to Time made, shall be fairly written out or printed or painted on Boards, and signed by the Clerk to the said Trustees, and affixed on some conspicuous Place or Places in the said Market House, and shall be valid and effectual to all Intents and Purposes; and such Boards or written or printed Papers shall be renewed from Time to Time when and so often as the same shall or may be defaced, destroyed, or obliterated; but no such Rules, Orders, Regulations, or Bye Laws shall have any force until Fourteen Days after the same shall have been so fairly written out or printed or painted on Boards, and set up or affixed on some conspicuous Place as aforesaid; and if any Person shall pull down any such Boards, or obliterate or deface any Writing thereon, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings: Provided, that such Rules, Orders, Regulations, or Bye Laws shall be subject to Appeal in Manner hereinafter mentioned.

XIX. And be it further enacted, That the said Trustees shall and they are hereby required 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 the Purposes of this Act, and of the several Articles, Matters, and Things for which any Sum 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 Trustees, and of any Creditor or Creditors on the said Market House, Rents, and Tolls hereby granted, and of any Person or Persons who shall have been assessed to and who shall have paid the last Rate

Accounts to be kept of Receipts and Disbursements.

[*Local.*]

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and

and Assessment made in pursuance of this Act, without Fee or Reward; and the said Trustees, Creditors, and other Persons as aforesaid, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall wilfully refuse to permit or shall not permit the said Trustees, Creditors, or other Persons as aforesaid, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, every such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in Manner hereinafter mentioned.

Officers to be
appointed.

Salaries.

Security.

Officers to
account.

XX. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, at any of their Meetings to be held under or by virtue of this Act, by Writing signed by the Chairman for the Time being and entered in the said Book or Books of Proceedings, to nominate and appoint fit and proper Persons to be Treasurer or Treasurers, Clerk or Clerks, Scavenger or Scavengers, Collector or Collectors, Receiver or Receivers of the Monies to be collected and received by virtue of this Act, and such other Officers as the said Trustees shall think proper, and from Time to Time to remove and displace all or any of such Treasurer or Treasurers, Clerk or Clerks, and other Officers, as Occasion shall require, and to elect and appoint others in the Room or Place of such of them as shall be so removed or shall die or resign their Offices; and also from Time to Time, by and out of the Monies to be raised or received by virtue of this Act, to pay such Salaries and Wages, and to make such Allowances to the said Officers, and to all other Persons to be employed in or about the Execution of this Act, as they the said Trustees shall think reasonable and proper; and they may require and take such Security from every such Treasurer, Collector, and other Officer so to be appointed, for the Execution of their respective Offices, as the said Trustees shall think necessary and appoint; and every Officer and Person so to be appointed by virtue of this Act, or who shall be employed in the Execution thereof, and his, her, and their respective Executors and Administrators, shall under his Hand, and at such Time or Times and in such Manner as the said Trustees shall direct, deliver to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, a true and perfect Account in Writing of all Monies which shall have been by such Officers respectively received by virtue or for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Trustees, or to such Person or Persons as they shall appoint; and if any such Treasurer, Collector, Clerk, Officer, or Person shall not make and render any such Account, or shall neglect or refuse to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver up to the said Trustees, or to such Person or Persons as they shall appoint, within Ten Days next after being thereunto required, by Notice in Writing signed by the Chairman, or by the Clerk to the said Trustees, and given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Trustees respecting the same, and if Complaint shall be made thereof, by or on Behalf of the said Trustees, to any Justice of the Peace for the said Borough of *Bridgwater*, or County

County of *Somerset*, such Justice is hereby authorized and required to summon such Officer or Officers, Person or Persons, to appear before him, or before any other Justice of the Peace for the said Borough or County; and in case of his or their not appearing upon such Summons, the same having been served on him or them personally, or left at his or their last or usual Place or Places of Abode, (no reasonable Cause or Causes being shown for such Nonappearance,) to issue a Warrant or Warrants for his or their Apprehension; and upon his or their appearing upon such Summons, or being apprehended or brought before him or such other Justice of the Peace as aforesaid by virtue of such Warrant, or having absconded or not being to be found, it shall be lawful for such Justice to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts if produced, and in the same Manner as the Trustees might have done; and if upon the Confession of the Party, or by the Testimony of One credible Witness upon Oath, it shall appear to such Justice that any of the Money that shall have been collected and received by virtue of this Act shall be in the Hands of such Treasurer, Collector, Clerk, Officer, or Person, such Justice may, and he is hereby authorized and required to order the Payment thereof, and upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Collector, Clerk, Officer, or Person, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice, and which he is hereby authorized and empowered to settle and ascertain, rendering the Overplus (if any), upon Demand, to the Person or Persons so distrained upon, or leaving the same at the Place where the Distress shall be made; and if no Goods or Chattels shall be found sufficient to satisfy the said Money and Charges of levying the same, or if it shall in Manner aforesaid appear to such Justice that any such Treasurer, Collector, Clerk, Officer, or Person shall refuse or neglect to render up and give such Account, or to produce the Vouchers relating thereto, or any Books, Papers, or Writings relating to the Execution of this Act, which shall be in the Custody or Power of such Treasurer, Collector, Clerk, Officer, or other Person, and that he hath refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then such Justice may, and he is hereby authorized and required by Warrant under his Hand and Seal to commit such Treasurer, Collector, Clerk, Officer, or Person to the Common Gaol of the said Borough of *Bridgwater* or County of *Somerset*, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his or their Accounts, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his or their respective Hands, and the reasonable Charges for such Distress and Sale which shall in that respect have been made, or until he or they shall have compounded with the said Trustees for the same, and have paid such Composition Money in such Manner as they shall appoint, (and which Composition the said Trustees are hereby empowered to take and receive,) or until he or they shall deliver up such Books, Accounts, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees as aforesaid; but no such Officer or other Person who shall be committed for default of Distress only, shall be detained in Prison by virtue of this Act for any longer Space

Space of Time than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Person, Officers or Persons, and his and their Surety and Sureties, shall remain liable to the Payment thereof, in the same Manner as if such Officer or Person had not been committed to Prison.

Old Officers
to continue
until re-
moved by
Trustees.

XXI. Provided always, and be it further enacted, That each and every Clerk, Collector, and other Officer (other than the Treasurer) appointed under or by virtue of the said recited Act, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Collector, and other Officer shall have the like Power and Authority for the Purposes of this Act and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all Respects whatsoever, as if he or they had been appointed by virtue of this Act.

Treasurer
and Clerk
not to be
the same
Person.

XXII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk, or the Partner of any such Clerk, or any Person in the Service and Employ of any such Clerk or the Partner of any such Clerk, to be and act as the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or 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, or the Partner of any such Clerk, to be and act as the Clerk to the said Trustees; and if any Person shall accept both the said Offices of Clerk and Treasurer at one and the same Time, 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 or the Partner of any such Clerk, shall accept the Office of Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Partner of any such Clerk, shall accept the Office of Clerk to the said Trustees, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Clerk, Treasurer, or other Person so offending as aforesaid, shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Pavement,
&c. to be
vested in the
Trustees.

XXIII. And be it further enacted, That all the present and future Pavements, Flag Stones, Curb Stones, and Curbings, Drains, Sewers, and Watercourses, in, through, or under the several Streets, Lanes, and other Public Passages and Places within the said Borough, and all Footways or Passages which now are or shall hereafter be made under or by virtue of this Act, and the Stones, Gravel, and other Materials of,

in, about, or belonging thereto respectively; and all Lamps, Lamp Irons, Lamp Posts, Pipes, Conductors, Watch Boxes, and Watch Houses, Stalls, Standings, and Benches, heretofore erected or fixed up by the Trustees for executing the said recited Act, or belonging to them, or hereafter to be erected or fixed up by virtue of this Act, or which shall belong to them; and also all Messuages, Buildings, Lands, Tenements, and Hereditaments already purchased under the said recited Act or to be purchased by the said Trustees under this Act; and all other Buildings and Conveniences already erected under the Powers of the said recited Act, or which shall be erected and made by the said Trustees for the Purposes of this Act; and all Materials, Articles, Matters, and Things whatsoever, provided or purchased for the Purposes of the said recited Act, or to be provided or purchased for the Purposes of this Act, shall belong to and be the Property of, and the same are hereby vested in the Trustees for executing this Act; and the said Trustees shall and may and are hereby empowered to cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Case may require) against any Person or Persons who shall steal, take, carry away, detain, spoil, injure, or destroy any of the several Articles, Matters, and Things, or Property hereby vested in them the said Trustees as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively, it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Trustees for paving, cleansing, lighting, and watching, and otherwise improving the Borough of *Bridgwater*, without particularly mentioning or specifying the Name or Names of all or any of such Trustees.

XXIV. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break, injure, damage, or destroy any of the Articles, Matters, or Things, and Property hereby vested in the said Trustees or any of them, or any Part or Parts thereof, or any of the Works done or to be done in pursuance of this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds; and also such further Sum of Money as any Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset* shall deem a sufficient Compensation for the Damage occasioned by such Offence, and shall in that behalf award.

Penalty for
damaging
Property of
Trustees un-
der this Act.

XXV. And be it further enacted, That the said Trustees shall have full Power and Authority to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part or Parts of the same respectively, which shall not be wanted for the Purposes of this Act, to such Person or Persons, at such Time or Times, and in such Manner as they the said Trustees shall think proper; and that the Monies arising from such Sale or Sales shall be applied for the Purposes of this Act.

Trustees
may sell Ma-
terials not
wanted for
the Purposes
of this Act.

XXVI. Provided always, and be it further enacted, That in case the said Trustees shall, under the Powers and Provisions contained in this Act, think it expedient to purchase the several Buildings and Premises
[Local.]

Power to the
Corporation
to repay to
Trustees the

Costs of purchasing Premises on Quay out of the Port Duties.

mentioned and particularized in the Second Schedule to this Act annexed; or any Part or Parts thereof, for the Purpose of widening and improving the Quay of the said Borough, on which the said several Buildings and Premises are now situate, it shall be lawful for the said Mayor and Aldermen and Burgesses of the said Borough, and they are hereby authorized and empowered, out of any of the Monies which may come to their Hands arising from the Moorage and Tonnage or other Duties or Tolls so collected by them within the said Port of *Bridgwater* as aforesaid, to repay or cause to be repaid to the said Trustees as well all and every the Sum or Sums of Money which they the said Trustees shall lay out and expend in the purchasing of the said several Buildings and Premises or any Part or Parts thereof, as also all Costs, Charges, and Expences which they may incur in taking down and removing such Buildings and Premises, and in widening and improving the Quay on which the said Buildings and Premises had been situate, or in anywise relating thereto.

Trustees empowered to purchase Buildings.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at any Time or Times hereafter, and they are hereby authorized and empowered, to contract and agree for, and to purchase, take, and use for the Purposes herein mentioned, the several Messuages, Houses, Buildings, Walls, Lands, Tenements, and Hereditaments, mentioned and specified in the First and Second Schedules to this Act annexed; and also any other Houses, Buildings, Walls, Lands, Tenements, and Hereditaments whatsoever, situate or being within the said Borough, or so many or such Part or Parts thereof, or any Interest therein, as the said Trustees shall think necessary and proper to be purchased, taken, and used for the Purposes herein mentioned; and upon Payment, Tender, or Deposit of such Sum or Sums of Money or Compensation as shall have been contracted for or agreed to be paid between the Parties, or assessed by a Jury in Manner hereinafter directed, to enter, with their Agents, Servants, and Workmen, into and upon all or any of the Messuages, Houses, Buildings, Walls, Lands, Tenements, and Hereditaments so to be purchased, or in respect whereof such Payment, Tender, or Deposit shall be made, and to take down or alter all or any Part or Parts thereof respectively, and to sell the Materials of such Messuages, Houses, Buildings, and Walls which shall be so taken down as aforesaid, and to appropriate all or any of the Ground or Sites of such of the said Messuages, Houses, Buildings, and Walls, so to be purchased and pulled down, and all or any of the Land or Ground so to be purchased as aforesaid, or any Part or Parts thereof respectively which is or are described in the said First Schedule to this Act annexed, either for the Purpose of enlarging or improving the said Market House, or of erecting any new or additional Market House, or of setting out any new or additional Market Place, and also any other of the Messuages, Houses, Buildings, and Walls, and all or any of the Land or Ground situate as aforesaid, and to be purchased as aforesaid, as are comprised in the said First Schedule, for the Purpose of improving and widening any of the Streets, Lanes, and other Public Passages and Places within the said Borough, as the said Trustees shall think fit; and to appropriate all or any of the Ground or Sites of the said Messuages, Houses, Buildings, and Walls, so to be purchased as aforesaid, or any Part or Parts thereof respectively which is or are described in the said Second Schedule to this Act annexed,

nexed, for the sole and exclusive Purpose of widening and improving the Quay whereon the same are situate : Provided always, that it shall not be lawful for the said Trustees, or any of them, to purchase or take any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, for the Purposes of this Act, without the Consent in Writing of the Owners and Occupiers thereof respectively, except such as are mentioned or described in the First and Second Schedules annexed to this Act, and except the Ground or Sites of such of the said Messuages, Houses, Buildings, and Walls, as shall be pulled down wholly or in part for the Purpose of being rebuilt or new-fronted, or shall be burnt down ; and Compensation shall be made to the Owners or Proprietors thereof as hereinafter mentioned.

XXVIII. Provided always, and be it further enacted, That in any Case in which any Messuage, House, Building, Wall, Land, Tenement, or Hereditament, with the Appurtenances thereto belonging, is or are authorized by this Act to be purchased, if it shall be found that Part only thereof will be required for the Purposes of this Act, it shall be lawful for the said Trustees to purchase such Part only of the said Messuage, House, Building, Wall, Land, Tenement, or Hereditament respectively as shall be proper and necessary for such Purposes ; but in case the Owner or Owners of such last-mentioned Messuage, House, Building, Wall, Land, Tenement, or Hereditament shall be desirous of disposing of the whole thereof, or his, her, or their Interest therein respectively, then the said Trustees shall and they are hereby directed and required to purchase the whole thereof accordingly ; provided, that in all Cases where the said Trustees and the said Owner or Owners cannot agree upon the Value and Price of such Messuage, House, Building, Wall, Land, Tenement, or Hereditament, or of such Part thereof as the said Trustees may require, then and in such Case a Jury shall enquire into and assess and ascertain the Sum or Sums of Money to be paid for the whole of such Messuage, House, Building, Wall, Land, Tenement, or Hereditament and Premises, or any Estate or Interest therein, or of so much or such Part thereof as shall be required by the said Trustees for the Purposes of this Act (as the Case may be), and shall thereupon give their Verdict accordingly.

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

XXIX. Provided always, and be it further enacted, That if any of the Messuages, Houses, Buildings, Walls, Lands, Tenements or Hereditaments mentioned and described in the said First and Second Schedules hereunto annexed, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Owners, Lessee or Lessees thereof, or any other Person or Persons interested therein, or any Part thereof, shall happen by Mistake to be misnamed or incorrectly described ; then and in such Case, and on such Misnomer or incorrect Description being certified by Two of His Majesty's Justices of the Peace for the said Borough of *Bridgwater*, or County of *Somerset*, to have occurred by Mistake, such Misnomer or incorrect Description shall not prevent or retard the Execution of this Act in any respect ; and such Messuages, Houses, Buildings, Walls, Lands, Tenements, and Hereditaments, which shall be so certified to have been intended to be described in either of the said Schedules to this Act, shall and may be purchased, sold, assessed, and valued in Manner as in this

Misnomers or wrong Description in Schedule not to prevent the Execution of the Act.

this Act provided in respect of the Hereditaments correctly described in either of the same Schedules, and shall and may be afterwards conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same was or were properly and correctly named and described in this Act or in the said First and Second Schedules hereunto annexed.

Power to
purchase
limited to
Five Years.

XXX. Provided always, and be it further enacted, That in case the said Trustees shall not purchase or agree for the Purchase of the Messuages, Buildings, Walls, Lands, Tenements, or Hereditaments mentioned in the Schedules hereunto annexed within Five Years after the passing of this Act, then and in such Case all the Powers and Authorities hereby given to the said Trustees for purchasing such Messuages, Buildings, Walls, Lands, Tenements, or Hereditaments, shall cease and determine, except by and with the Consent of the Owners and Proprietors thereof.

Corporate
Bodies, &c.
may sell.

XXXI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Tail, or for Life, or for Years, Guardians, Trustees, Committees for Lunatics or Idiots, Executors and Administrators, not only for and on Behalf of themselves, but also for and on Behalf of their respective Cestuique Trusts, whether Femes Covert, Wards, Infants, Issue unborn, Lunatics, Idiots, or other Persons, and also for all and every Femes Covert, and other Persons and Person whomsoever, who are, or is, or shall be seised or possessed of or interested in any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, situated within the said Borough of *Bridgwater*, whether the same shall be specified in the said First and Second Schedules to this Act annexed or not, and which the said Trustees for the Time being shall deem requisite and necessary to be purchased for the Purposes of this Act, to contract and agree for the Sale, and to sell and convey, assign, or otherwise assure unto the said Trustees, all such Messuages, Houses, Buildings, Walls, Lands, Tenements, and Hereditaments, or any Part or Parts thereof, and all Estates, Rights, Titles, Terms, and Interest whatsoever, of, in, and to the same; and all such Contracts, Agreements, Bargains, Sales, Assignments, and other Conveyances and Assurances, which shall be so made as aforesaid, shall be good and valid in the Law to all Intents and Purposes whatsoever, and that without any Fine, Recovery, or other Assurances, Enrolment, or Registry, not only to convey the Estate, Term, and Interest of the Party or Parties conveying, but also to convey all the Estate, Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Femes Covert, Infants unborn, Lunatics, Idiots, or other Persons whomsoever claiming, or having Title to claim by, from, through, or under them, or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates; and the same Conveyances and Assurances shall be deemed and considered to have barred all Estates Tail and other Estates in Reversion, Remainder, or Expectancy, and either at Law or in Equity, and the Issue and Issues in Tail, and the Successors of the same Party or Parties; any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in any wise notwithstanding.

XXXII. And

XXXII. And be it further enacted, That all Sales, Conveyances, and Assurances to be made to the said Trustees for the Time being, of any of the Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or any Estate, Term, or Interest therein, by virtue of this Act, may be in the Form or Effect following, *mutatis mutandis*; (that is to say,)

‘ I [*or we, as the Case may be,*]
‘ of in Consideration of the Sum of
‘ of lawful *British* Money to me [*or to us, or into the Bank of England,*
‘ *as the Case may be,*] paid by the Trustees acting under the Authority of
‘ an Act passed in the Seventh Year of the Reign of King *George* the
‘ Fourth, intituled *An Act, &c.* [*here insert the Title of this Act*], do hereby
‘ grant and convey unto the said Trustees all, &c. [*here describe the Premises*
‘ *to be conveyed,*] and all my [*or our*] Right, Title, and Interest in and to
‘ the same Estate, to hold the same unto the said Trustees and their Suc-
‘ cessors henceforth, [*for ever, or as the Case may be,*] for such Uses and
‘ Purposes as by the said Acts they are enabled to take and hold the same.
‘ In Witness whereof, I [*or we*] have hereunto set my Hand and Seal,
‘ [*or, our Hands and Seals, or, our Common Seal, as the Case may be,*] this
‘ Day of in the Year of our Lord

Form of
Conveyance.

And that every such Sale, Conveyance, and Assurance, made in Manner aforesaid, shall be valid and effectual to all Intents and Purposes whatsoever, and shall be sufficient in Law to vest the Property of and in any such Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, Estate or Interest, so purchased or conveyed as aforesaid, in the said Trustees for the Time being, for the Uses and Purposes for which the said Trustees are authorized to take and hold the same by this Act; any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding.

XXXIII. Provided always, and be it further enacted, That in case any Body or Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporation or Corporations Aggregate or Sole, Tenant or Tenants in Fee Simple, or for Life, or for Years, or in Fee Tail General or Special, Guardian or Guardians, Committee or Committees for Lunatics and Idiots, Executor or Executors, Administrator or Administrators, or any other Person or Persons whomsoever, seised, possessed, or interested as aforesaid, of, in, or to any or either of the Messuages, Buildings, Walls, Lands, Tenements, or Hereditaments mentioned and specified in either of the Schedules hereunto annexed, or any Part or Parts thereof which may be required by the said Trustees to be purchased, taken, or used for the Purposes of this Act, or any Occupier or Occupiers thereof, sustaining or who may be apprehensive of sustaining any Loss, Injury, or Damage by Removal therefrom, Notice in Writing being given to or left at the Dwelling House or Houses, or usual or last Place or Places of Abode of such Person or Persons, or the principal Officer or Officers of such Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, or left at the House of the Tenant or Tenants in Possession of such Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments as last aforesaid, signifying the Intention or Desire of the said Trustees to contract for the Purchase of such Messuages, Houses, Build-

Differences
as to Prices
of Houses
and Lands
to be settled
by a Jury.

[*Local.*]

3 G

ings,

ings, Walls, Lands, Tenements, or Hereditaments, as last aforesaid, shall for the Space of Twenty-four Days next after such Notice given or left as aforesaid, neglect or refuse to treat or agree, or shall not agree for the Sale of any such Hereditaments and Premises as last aforesaid, or by reason of Absence or Disability shall be prevented from treating or agreeing, or cannot be found or known, or shall not produce and evince a clear Title to the Hereditaments and Premises which he, she, or they is or are in Possession of, or to the Interest they claim therein, to the Satisfaction of the said Trustees, or of any Person or Persons authorized by them; then and in every such Case it shall and may be lawful for the said Trustees, and they are respectively empowered and required from Time to Time to issue a Warrant or Warrants under the Hands of any Seven or more of them, to the Sheriff of the County of *Somerset*, requiring such Sheriff to impanel, summon, and return a Jury, and such Sheriff is hereby required to impanel, summon, and return, or cause to be impanelled, summoned, and returned, a Jury accordingly of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff at such Place or Places within the said Borough and at such Time or Times as the said Sheriff shall appoint; and in case a sufficient Number of Jurymen shall not appear at the Time and Place or Times and Places so to be appointed as aforesaid, the said Sheriff shall return, or cause to be returned, other honest and indifferent Men of the Standers by, or who can be speedily procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff is hereby also required and empowered from Time to Time, as occasion shall be or require, to summon and call before the said Jury, and examine upon Oath (which Oath the said Sheriff is hereby empowered to administer) all and every Person and Persons who shall be thought necessary and proper by either of the said Parties to be examined as a Witness or Witnesses touching or concerning the Matter in Question; and the said Sheriff at the Request of either Party may order and authorize the said Jury, or any Six or more of them, to view the Places, Hereditaments, or Premises in Question (if there be occasion), and use all lawful Ways and Means, as well for his own as the said Jury's better Information in the Premises, as the said Sheriff shall think fit; and the said Jury shall upon their Oaths (which Oaths, as well as the Oaths administered to any Person or Persons who may be called upon to give Evidence, the said Sheriff is hereby empowered to administer) enquire of, assess, and ascertain the Sum or Sums of Money to be paid, or Compensation to be made to the respective Owner or Owners, or Occupier or Occupiers of such Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments as last aforesaid, for the Purchase thereof, or any Part or Parts thereof, or any Estate or Interest therein, or for the Loss, Injury, or Damage which shall or may be sustained as aforesaid, and then give in their Verdict thereupon; and after the said Jury shall have enquired of and assessed such Damage and Recompence, and given in their Verdict, the said Sheriff shall thereupon order, adjudge, and determine the Sum or Sums of Money or Compensation so assessed by the said Jury to be paid

paid to the Person or Persons interested in the said Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, according to such Verdict or Inquisition of the said Jury.

XXXIV. And be it further enacted, That such Verdict or Inquisition of the said Jury, and the Judgment, Order, or Determination thereon so had and made, shall be final, binding, and conclusive to all Intents and Purposes against all Tenants in Fee Simple or for Life or for Years, Tenants in Tail, and all Infants; Issue unborn, Idiots, Lunatics, Femes Covert, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, as well absent as present, claiming in Possession, Reversion, Remainder, or Expectancy, or otherwise, and against their several and respective Heirs, Successors, Executors, or Administrators, and against all other Person or Persons whomsoever, and all and every such Owners and other Persons in any wise interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments, shall thereby be from thenceforth divested of all Right, Title, Claim, Remainder, Reversion, Interest, or Property of, in, to, or out of the same; and on Payment or Tender of the Money so assessed to the respective Persons entitled thereto or their Agents, or on paying the same into the Bank of *England* in the Manner directed by this Act, and after such Payment or Tender, it shall be lawful for the said Sheriff to cause the Premises in respect whereof such Money shall be assessed to be disposed of, and such Acts to be done thereto, as if the Purchase thereof had been agreed to and completed, and the said respective Premises were untenanted, and the Purchase or Consideration Money had been actually received by the Person or Persons entitled thereto, and thereupon the Premises shall absolutely vest in the said Trustees, and they shall be, and be deemed to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever; and every Verdict and Judgment thereupon as aforesaid, shall be transmitted to, and fairly entered and kept amongst the Records of the Quarter Sessions of the Peace for the said Borough of *Bridgwater*, and a Duplicate of such Verdict and Judgment shall be kept by the Clerk to the said Trustees for the Time being, and the same or true Copies thereof shall be admitted, received, and taken as Evidence and Proof in all Courts of Law or Equity in all Places whatsoever, and all Persons shall have recourse to them gratis, and may take Copies thereof, paying Sixpence for every Hundred Words, and so in proportion for any less Number of Words; and the said Trustees acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiff or Bailiffs, Agent or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who without sufficient Excuse, or appearing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein contrary to the true Intent and Meaning of this Act; and any of the Persons who being required to give Evidence before the said Jury shall, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, without sufficient Excuse, refuse or neglect to appear, or appearing shall refuse to be sworn and examined, or to give Evidence; so that no One Fine be more than Ten Pounds on any such Sheriff,

Sheriff, Deputy, Bailiff, or Agent, nor more than Five Pounds on any other Person for One Offence.

Expences of
Jury how to
be defrayed.

XXXV. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money for Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons unknown, or as Compensation for any Damages done or to be done to any Lands, Tenements, or Hereditaments, or other Property, than had been previously offered by or on Behalf of the said Trustees; or where any Verdict shall be found for any Damages, where the Dispute is for Damages only, or where no Compensation or a smaller Sum than shall be given by such Verdict had been previously offered or tendered in respect thereof by or on Behalf of the said Trustees; or where by reason of Absence in foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at Hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compensation from the said Trustees, as hereinbefore mentioned; then and in all such Cases all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled by any Two Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, and be defrayed by the said Trustees; and in case such Costs shall not be paid by the said Trustees within Ten Days after the same shall be demanded, the same shall and may be levied by virtue of any Warrant under the Hand and Seal of any Justice of the Peace acting in and for the said Borough of *Bridgwater* or County of *Somerset*, by Distress and Sale of the Goods and Chattels vested in the said Trustees, or their Treasurer or Treasurers (unless the Treasurer or Treasurers of the said Trustees shall pay such Costs and Expences out of any Monies received by him or them by virtue of this Act, which he is hereby empowered to do); but if any Verdict shall be given for the same Sum or Rent as had been previously offered by or on Behalf of the said Trustees, or for a less Sum than had been so previously offered, or in case of such Refusal or Neglect to enter into Treaty with, or make Conveyances to, or receive Compensation from the said Trustees by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act or otherwise legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Trustees) the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Justices, and be borne and paid in the Manner following; (that is to say,) One Moiety or Half Part of such said Costs and Expences shall be borne and paid by the said Trustees, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons with whom the said Trustees shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged,

as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict, where the Dispute is for Compensation only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Trustees by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeitures incurred by this Act.

XXXVI. And be it further enacted, That every Lessee or Tenant for Years or from Year to Year or at Will, and every other Person or Persons in Possession of any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments which shall or may be purchased or taken in pursuance of this Act by the said Trustees, or vested in them by the Enactments and Provisions thereof, shall quit and relinquish the said Premises so in their respective Possessions unto the said Trustees for the Time being, or unto such Person or Persons as shall be appointed by them to receive the Possession of the same, at the End of Six Calendar Months next after Notice in Writing, signed by the Clerk of the said Trustees, shall have been given to him, her, or them, or left at his, her, or their last known or usual Place or Places of Abode, or at or upon the Buildings or Premises which shall be the Subject of such Notice, to quit the same; and upon Payment or Tender made to him, her, or them of such Sum or Sums of Money as Recompence or Satisfaction for his, her, or their Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or in Default of such Agreement as shall be settled, ascertained, and awarded in respect of the said Term, Estate, and Interest by the Verdict or Inquisition of a Jury in Manner aforesaid, and all Leases, Demises, Contracts, and Agreements whatsoever under or by virtue whereof any such Persons shall hold the said Hereditaments and Premises, shall, at and from the End and Expiration of such Six Calendar Months be absolutely void and of none Effect as against the said Trustees and their Successors; and if any such Person or Persons as aforesaid shall refuse or neglect to or shall not deliver up the Hereditaments and Premises in his, her, or their Possession at the Expiration of such Six Calendar Months, and Payment of such Recompence and Satisfaction as aforesaid, or if the Lessee or Tenant, Lessees or Tenants of any such Hereditaments as aforesaid is, or are, or shall be absent, or shall not be known or cannot be found, such Notice as aforesaid to quit the Possession of such Hereditaments and Premises having been left at or upon the same Hereditaments and Premises or some Part thereof, then and in either of such Cases it shall and may be lawful for any One of the Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, and he is hereby authorized and required to issue his Precept or Warrant to the Constables of the said Borough for the Time being, or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that special Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken, and afterwards full and exclusive Possession thereof

Tenants to
deliver Possession after
Notice.

[Local.]

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to be delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same on the Behalf of the said Trustees; and the said Constables and every of them are thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly, and the Costs and Charges which shall accrue for the issuing or Execution of such Precept or Precepts shall be levied on the Person or Persons so refusing to deliver up Possession as aforesaid, by Distress or Sale of his, her, or their Goods and Chattels, in such and the same Manner as may be practised in Cases of Rent in arrear.

Directions
for Applica-
tion of Pur-
chase Mo-
ney when
amounting
to 200*l.* and
upwards.

XXXVII. And be it further enacted, That if any Money shall be contracted or agreed or awarded to be paid for any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or for any Estate, Right, or Interest therein, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Tenant in Tail, or for Life, or for Years, Feme Covert, Infant, Guardian, Trustee, Cestuique Trust, Committee, Lunatic, Idiot, or to any Person or Persons whose Messuages, Lands, and Hereditaments are limited in strict or other Settlements, or to any Person or Persons under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer at *Westminster*, to be placed to his Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Directions and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or affecting other Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, standing and being settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same may be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, which shall be purchased, taken, or used to the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such

Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean time and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Houses, Buildings, Walls, Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXXVIII. Provided always, and be it further enacted, That if any Money contracted and agreed or awarded to be paid as aforesaid for any Messuages, Houses, Buildings, Walls, Lands, Tenements, and Hereditaments, or for any Estate, Right, or Interest therein, purchased, taken, or used for the Purposes of this Act, which shall belong to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases, the same shall, at the Option of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Lunacy, or Idiotcy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Party or Parties making such Option, and be approved by the Trustees for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends and Interest arising thereon, may be applied in Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

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

XXXIX. Provided also, and be it further enacted, That where such Money so contracted or agreed or awarded to be paid as aforesaid shall not exceed the Sum of Twenty Pounds, then, and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the same Hereditaments and Premises, in such Manner as the said Trustees shall think fit; or in Cases of Infancy, Lunacy, Idiotcy, or other Incapacity, then such Monies shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees,

When not exceeding 20*l.*

Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

Compensation Money to be paid into the Bank in certain Cases.

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

Persons in Possession to be deemed presumptively entitled to Money.

XLI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in Manner aforesaid, in pursuance of this Act, for the Purchase of any of the Premises or any Part thereof, or of any Estate, Right, or Interest therein to be purchased, used, or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Premises at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Premises according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities, and also the Capital of the same Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Premises, or to some Estate or Interest therein.

XLII. Pro-

XLII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporations entitled to any of the Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or any Estate, Right, or Interest therein, which shall be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, to be applied in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Exchequer to order the Expences of all such last-mentioned Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time, out of the Monies to be raised by virtue of this Act, and made applicable thereto, pay such Sums of Money for the Purposes aforesaid as the said Court shall direct.

Costs of Purchases of incapacitated Persons to be paid by the Trustees.

XLIII. And be it further enacted, That upon Payment or Tender being made of the Monies contracted or agreed to be paid, or otherwise awarded or assessed in Manner aforesaid, for the Purchase of any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest of or in the same, which shall be purchased or taken by virtue and in pursuance of this Act, either to the Person or Persons, Party or Parties, respectively entitled to receive the same Monies, or where the Provisions of this Act shall so require or allow, on the Payment or Deposit into the Bank of *England*, for the Purpose of being disposed of in the Manner in this Act directed, within One Calendar Month after the same shall have been so contracted or agreed for, all and every Person or Persons, Party or Parties, in any wise interested in the Hereditaments and Premises in respect whereof such Monies shall have been so paid or tendered, shall be thenceforth to all Intents and Purposes divested of all Estate, Right, Title, Claim, Interest, or Property of, in, to, or out of the same; and such Payment, Tender, or Deposit shall not only bar all Right, Title, and Claim, Remainder or Reversion, Interest and Demand, of the Person or Persons to whom such Payment shall or ought to have been made, but also shall extend and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion, Remainder, Expectancy, or otherwise, of his, her, or their Issue, and of all and every other Person and Persons interested therein; and further, that such Payment, Tender, or Deposit shall absolutely vest the Hereditaments and Premises in the Trustees paying or tendering or depositing such Purchase Money, and their Successors, for the Purposes for which they are by this Act authorized to purchase or take the same; and such Trustees shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Titles, Interest, Claims, and Demands whatsoever; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Property to vest on Payment or Tender of Purchase Money.

XLIV. And whereas some Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments to be so taken, purchased, or used for the Purposes of this Act, may happen to be more than will be necessary for the Purposes of this Act; be it therefore further enacted,

Power to resell Premises not wanted.

[*Local.*]

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That

That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to sell and dispose of, and to convey or cause to be sold and disposed of and conveyed, such Part or Parts of the said Houses, Buildings, Lands, Tenements, and Hereditaments to be vested in them by virtue or in pursuance of this Act, to any Person or Persons willing to contract, agree for, or purchase the same, and the Money arising therefrom shall be paid and applied for the Purposes of this Act.

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

XLV. Provided always, and be it further enacted, That in case the said Trustees shall think proper to sell or dispose of all or any of the same Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, as may not be necessary to be made use of for the Purposes of this Act, they shall first offer the same (except any Space of Land which may be wanted for widening the Streets, Lanes, and other Public Passages and Places in the said Borough of *Bridgwater*) for Sale to the Person or Persons from whom the same shall have been purchased; and if such Person or Persons shall then and thereupon refuse, or shall not agree (except with respect to or on account of the Price thereof) to purchase the same respectively, on an Affidavit being made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset* (who are hereby respectively empowered to take such Affidavit), by some Person or Persons no way interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments, stating that such Offer was made by or on Behalf of the said Trustees, and that such Offer was then and there refused, or was not agreed to by the Person or Persons to whom the same was made, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused or not agreed to by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Houses, Buildings, Lands, Tenements, or Hereditaments, and he, she, or they and the said Trustees shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be settled and ascertained by a Jury, in such and the like Manner as any Sum or Sums of Money to be paid by the said Trustees for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, is and are herein directed to be settled and ascertained, in case of any Difference or Dispute about the same; and the same shall be recovered, levied, and applied in such and the like Manner, and the Costs and Expences of hearing and determining such Differences shall be borne and paid in like Manner as hereinbefore directed, *mutatis mutandis*; and all the Money to arise by such Sale shall be applied to the Purposes of this Act as hereby directed; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Purchase Money.

Mortgagees not in Possession to assign Mortgages to Trustees.

XLVI. And be it further enacted, That all and every Person or Persons, or Body or Bodies Politic, Corporate, Collegiate, or Ecclesiastical, having any Mortgage or Mortgages on any of the said Messuages, Buildings, Lands, Tenements, or Hereditaments aforesaid (not being in Possession of the said Hereditaments and Premises by virtue of such Mortgage or Mortgages), shall, on Tender of the Principal Money and

Interest due thereon, together with the Amount of Three Calendar Months' Interest on the said Principal Money, by or on Behalf of the said Trustees for the Time being, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Trustees or their Clerk that they will pay off and discharge the Principal Money and Interest due on the said Mortgage or Mortgages at the End or Expiration of Three Calendar Months, then, on Payment of the Principal and Interest so due on such Mortgage or Mortgages, such Mortgagee or Mortgagees shall convey, assign, and transfer such Mortgage or Mortgages, and his, her, or their Interest in the said Premises, to the said Trustees; but in case such Mortgagee or Mortgagees shall refuse to convey or assign on such Tender or Payment as aforesaid, then all Interest in such Mortgage shall from the Time of such Tender or Expiration of such Notice cease and determine: Provided always, that in case the Sum due upon each of such Mortgage or respective Mortgages, with the Interest due upon the same respectively, shall amount to more than the real Value of such Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or the Part or Parts thereof which shall be taken for the Purposes of this Act, then the said Trustees for the Time being shall not be liable to pay unto the Mortgagee or Mortgagees any more than the real Value of such Hereditaments and Premises; which Value, in case the Parties cannot agree upon the same, shall be ascertained and settled by a Jury in like Manner as other Values are herein directed to be ascertained and settled.

XLVII. And be it further enacted, That the said Trustees may and they are hereby authorized and empowered at any Time or Times hereafter to treat, contract, and agree with the Owner or Proprietor and the Lessee or Lessees of the Fish Market within the said Borough, for the Purchase of the same, and of all and singular his, her, and their Right, Title, Tenure, and Interest respectively of, in, and to the same, and every Part and Parcel thereof, either by paying unto such Lessee or Lessees respectively his, her, or their Executors, Administrators, or Assigns, One or more gross Sum or Sums of Money in full for the absolute Purchase of the same at the Time of making and executing the Assignment and Conveyance thereof, or by Payment of One or more Yearly Sum or Sums of Money out of the Tolls, Profits, and Income of the said Market in lieu of the same, for and during his, her, or their respective Term or Terms therein; and that all Contracts, Agreements, Assignments, and other Conveyances so to be made and executed between the Parties thereto respectively shall be good and valid in Law to all Intents and Purposes whatsoever.

Trustees authorized to contract for the Purchase of the Fish Market.

XLVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to cause all or any of the Streets, Lanes, Ways, Roads, and other Public Passages and Places within the said Borough to be watered at such Seasons and Times and in such Manner as the said Trustees shall direct.

Streets may be watered.

XLIX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby required from Time to Time to appoint and employ or to contract with any proper Person or Persons to be and act

Trustees to contract for cleansing Streets.

as

as a Scavenger or Scavengers for sweeping and cleansing all the Streets, Lanes, Ways, Roads, and other Public Passages and Places within the said Borough, and for carrying all Dirt, Dust, Dung, Filth and Soil, Snow and Ice, away from the same, and from Time to Time to order and direct on what Days in every Week and at what Times the particular Streets, Lanes, Roads, and other Public Passages and Places within the said Borough shall be swept and cleansed, and the Dirt, Dust, Dung, Filth and Soil, Snow and Ice, carried away therefrom, and how and in what Manner the same shall be carried away, and where the same shall be deposited, and to give such Orders and Directions to any such Scavenger or Scavengers as shall appear necessary for those Purposes : Provided always, that the Person or Persons so to be employed by or contracting with the said Trustees as aforesaid shall, besides sweeping and cleansing the said Streets, Lanes, Ways, Roads, and other Public Passages and Places, and collecting together therein and removing therefrom all such Dirt, Dust, Dung, Filth and Soil, Snow and Ice, as aforesaid, Twice in every Week, or at such other Time or Times as the said Trustees shall appoint, bring, or cause to be brought, some proper and convenient Cart or Carts, or other Carriages, into and through the said Streets, Lanes, Ways, Roads, and other Public Passages and Places where such Carts or Carriages can pass, and shall at his or their Approach with such Cart or Carts or other Carriages, and not before, by Sound of Bell, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Passage, or Place into which such Carts and Carriages cannot pass, and shall abide and stay a reasonable Time in or near the said Places respectively, to the Intent that all Persons concerned may bring forth their Dirt, Dust, Ashes, Rubbish, Dung, and Filth, except Filth from any Privy or Necessary House, to the Doors of their respective Houses and Premises; from whence such Person or Persons so employed by or contracting with the said Trustees shall immediately, and before leaving the Street, Lane, Way, or other Public Passage or Place in which such Dirt, Dust, Ashes, Rubbish, Dung, and Filth shall be brought as aforesaid, take and put the same into such Carts and Carriages, and forthwith remove and carry away the same to the Place or Places appointed by the said Trustees for the depositing thereof, upon Pain of forfeiting any Sum not exceeding Twenty Shillings for every Offence or Neglect therein; and the Person or Persons so employed or contracting as aforesaid, shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters of not less than Three Inches in Length, on the Sides of every Cart or Carriage used for the Purposes aforesaid, on the Pain of forfeiting and paying any Sum not exceeding Twenty Shillings for every Neglect therein; and the Dirt, Dust, Ashes, Rubbish, Dung, and Filth so deposited is hereby declared to be the Property of the said Trustees, and shall or may be sold or otherwise disposed of by them to such Person or Persons and in such Manner as they shall think proper; provided also, that when and so often as any Dirt, Dust, Dung, Filth or Soil, Snow or Ice, shall be swept up and collected together, or otherwise deposited in any of the said Streets, Lanes, Ways, Roads, and other Public Passages and Places, by the Person so to be employed by or contracting with the said Trustees as aforesaid, the same shall forthwith or within One Hour be removed and carried away on such Carts and Carriages as aforesaid; and in Default thereof,

thereof, the Person or Persons whose Duty it may be to remove and carry away the same shall forfeit and pay any Sum not exceeding Five Shillings for every Hour the said Dirt, Dust, Dung, Filth or Soil, Snow or Ice, shall be suffered to remain in such Street, Lane, Way, Road, or other Public Passage or Place, after the same ought to be removed as aforesaid.

L. And be it further enacted, That no Person or Persons shall take or carry away any Dirt, Dust, Ashes, Rubbish, Dung, or Filth (except Rubbish or Dirt occasioned by building), out of or from any of the said Streets, Lanes, or other Public Passages or Places, other than the Person or Persons so to be employed by or contracting with the said Trustees, upon pain of forfeiting and paying any Sum not exceeding Forty Shillings for every such Offence.

Dirt to be removed by none but Scavengers.

LI. Provided also, and be it further enacted, That if any Person or Persons shall keep any Dirt, Dust, Manure Heap, Dung, Offal, Rubbish, Ashes, or other Filth within or upon their respective Houses, Buildings, Yards, or Premises, within the said Borough, and shall suffer the same to remain there so as to become a Nuisance, Annoyance, or in any way offensive to any of the Inhabitants of the said Borough, and shall not remove the same within Twenty-four Hours after Notice in Writing shall have been given to him, her, or them, by the said Trustees to remove the same; or if any such Person or Persons in removing any such Nuisance or Annoyance shall put or place the same in any Street, Lane, or other Public Passage or Place, within the said Borough, and shall permit or suffer the same to remain there for any longer Time than Three Hours, then and in either of the said Cases every Person so offending shall for every such Offence forfeit and pay the Sum of Five Shillings for every Hour that such Nuisance or Annoyance shall remain after the respective Times so limited as aforesaid; and it shall also be lawful for any Person or Persons employed by the said Trustees at any Time after the Expiration of the said Three Hours to remove the Matter or Filth occasioning such Nuisance or Annoyance, and to sell or dispose of the same, rendering to the Owner the Overplus (if any), after deducting the Expence of such Removal and Sale.

Persons suffering Dirt, &c. to become a Nuisance.

LII. And be it further enacted, That the Occupier of every House, Tenement, Warehouse, Shop, Shed, Coach House, Stable, Chapel, Meeting House, Wall, or other Public or Private Building, Gardens and other Premises within the said Borough, shall once in every Day between the Hours of Seven and Nine of the Clock in the Forenoon, or at such other Times as the said Trustees shall require, scrape, sweep, wash, and otherwise effectually cleanse the Pavements or Footways all along the Front of their respective Houses, Tenements, Warehouses, Shops, Sheds, Coach Houses, Stables, Chapels, Meeting Houses, Walls, or other Public or Private Buildings, Gardens and other Premises, or cause the same to be scraped, swept, washed, and cleansed, and in Default thereof for every such Offence shall forfeit and pay a Sum not exceeding Five Shillings.

Footways, &c. to be swept.

LIII. And be it further enacted, That during such Time as any House, Wall, or other Building in any of the Streets, Lanes, Ways, Roads, or other

The Ground of Houses taken or tak-

[Local.]

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ing down or
building to
be inclosed.

other Public Passages and Places shall at any Time hereafter be taking down, altering, repairing, erecting, or building, the Ground or Site thereof, and any Area, Vault, or Hole thereto belonging or adjoining, and all Materials, Timber, Bricks, Stones, Things, or Rubbish thereby occasioned or brought to be used, shall be kept fenced in and inclosed at the Expence of the Owners or Occupiers thereof respectively, in such Manner as the said Trustees shall think proper or necessary and appoint, in order to keep the Footways and Carriageways before, behind, or on the Sides of or belonging to the same, as open and free from Impediment as the Nature of the Case will admit of, and effectually to guard and protect all Persons passing by or near the same, or any Part thereof, from Danger and Accident, and so as the Course of any of the Gutters be not choked up or impeded, or turned or varied thereby; and all such Fences and Inclosures shall be put up and placed as aforesaid before any such House, Wall, or Building shall be begun to be taken down, altered, repaired, erected, or built, or any Materials, Bricks, Stones, or Things shall be brought for any such Purpose; and all the Fences and Inclosures hereby directed to be made for all or any of the Purposes aforesaid shall be continued standing and kept in good Condition during such Time as the said Trustees shall order and direct and no longer; and no Lime shall be sifted, screened, or slacked, or Lime or Sand deposited, or Mortar made or deposited, in any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, unless the same shall be inclosed in some such Fence or Inclosure as aforesaid; and if the Owner or Occupier of any such Ground, Place, House, Wall, or Building as aforesaid shall refuse or neglect to erect and set up any such Fences or Inclosures as aforesaid, or shall not continue the same standing and kept in good Condition as aforesaid, or shall keep or continue the same any longer than the said Trustees shall direct, or shall sift, screen, or slack any Lime, or deposit any Sand, or make or deposit any Mortar otherwise than as aforesaid, or cause or permit the same respectively to be done, then and in either or any of the said Cases every such Owner or Occupier shall for every Day such Offence shall be continued forfeit and pay any Sum not exceeding Twenty Shillings; and in case of such Refusal or Neglect it shall be lawful for the said Trustees to cause such Ground, Place, House, Wall, or Building to be well and sufficiently fenced in and inclosed as aforesaid, or the Fence and Inclosure then erected and set up to be again removed, as the Case shall require; and the Person or Persons so refusing or neglecting or otherwise offending as aforesaid, shall, over and above the said Penalty, pay all the Charges and Expences of making such Fences and Inclosures or removing the same, upon Demand made by the said Trustees or by their Clerk; and upon Refusal or Neglect for the Space of Fourteen Days after such Demand, such Charges and Expences (having been first ascertained by some One or more Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*) shall or may be recovered, levied, and applied, together with the Costs of such Recovery, in such Manner as any Penalty or Forfeiture is by this Act directed or authorized to be recovered, levied, and applied.

Lights to be
fixed against
Fences,
Heaps of

LIV. And be it further enacted, That if at any Time hereafter any such Fences or Inclosures shall be put up and placed for the Purposes aforesaid, or if any Stones, Timber, Mortar, Rubbish, Materials, or other Things

Things shall be laid or placed in, or any Hole or Opening shall be made in, adjoining, or near any of the Streets, Lanes, Ways, Roads, or other Public Passages and Places already made or built, or which shall hereafter be made or built within the said Borough, for any Purpose whatsoever not prohibited by or not contrary to the Intent and Meaning of this Act, the Owners of such Fences or Inclosures, Stones, Materials, or other Things, or the Person or Persons causing such Hole or Opening as aforesaid to be made, shall, at his, her, or their Expence, cause a sufficient Light to be affixed in or near the same respectively, for securing Passengers and Cattle from Accident, every Night from Sunset to Sunrise during the Time such Fences or Inclosures, Stones or other Materials, Hole or Opening shall remain; and also, if the said Trustees shall think proper and direct, shall, at his, her, or their own Expence, cause such Stones, Materials, and other Things, Holes or Openings respectively (as the Case may be) to be fenced and inclosed in such Manner as the said Trustees shall think proper, and continue the same so fenced, inclosed, and lighted until the Stones, Materials, or other Things shall be removed, or Hole or Opening shall be filled up, and in Default thereof shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day or Night such Neglect or Default shall happen or continue; and the said Trustees, on such Default being made, are hereby empowered to cause such Light to be affixed, and to fence, inclose, and light such Stones, Materials, and Things, Holes and Openings, and continue the same so fenced, inclosed, and lighted, and charge such Owners or other Person or Persons as aforesaid with the Expences thereof respectively, and to recover such Expences, on Refusal to pay the same to the said Trustees, (the same having been first ascertained by some Justice or Justices of the Peace for the said Borough of *Bridgwater*, or County of *Somerset*,) and the Expences attending such Recovery, in the same Manner as any Penalty or Forfeiture is by this Act directed or authorized to be recovered.

Timber, &c.
in the Night-
time, to
prevent Ac-
cidents.

LV. And be it further enacted, That all Houses and Buildings in or adjoining to any of the present or future Streets, Lanes, Ways, Roads, or other Public Passages or Places within the said Borough, which hereafter shall be erected or built, or new-fronted, or rebuilt, shall be made to rise perpendicularly from the Foundations thereof; and no Part of the Front of any ancient House or Building within or adjoining to any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places which shall hereafter be new-fronted, nor any Part of the Front of any new House or Building which shall hereafter be rebuilt upon the Site of any ancient House or Building in or adjoining to any of the said present or future Streets, Lanes, Ways, Roads, or other Public Passages and Places, shall on any Pretence whatsoever be brought forward beyond the old Foundation, without the Consent of the said Trustees, and in such Case as hereinafter mentioned; and if any Person or Persons shall at any Time hereafter erect or build, or new-front or rebuild, or cause to be erected or built, or new-fronted or rebuilt, wholly or in Part, any House or other Building in or adjoining to the said present or future Streets, Lanes, Ways, Roads, and other Public Passages and Places, or any of them, in any other Manner than in a straight Line, and without any Projection into the Street of any Sort or Kind whatsoever, or so as to rise in any other Manner than perpendicularly from the Foundation

Regulations
as to Fronts
of Houses.

and a plan
of the front
of the house
to be erected

ation thereof, or so that any Part of the Front thereof shall be brought forward beyond the old Foundation of any such ancient House or Building without such Consent, and in such Case as hereinafter mentioned, then and in every such Case such House or Building shall be deemed an Encroachment, Nuisance, and Annoyance, within the Intent and Meaning of this Act; and it shall be lawful for the said Trustees to cause the same House or Building so erected, new-fronted, or rebuilt, or so much of the Front thereof as shall have been so erected, new-fronted, or rebuilt contrary to the Directions of this Act, to be taken down and removed by any Person or Persons who shall be directed so to do by an Order of the said Trustees; and the Costs and Charges of taking down and removing the same shall be paid and reimbursed to the said Trustees by the Owner or Owners of such House or Building; and in Default of Payment thereof within Fourteen Days next after Demand in Writing made in that Behalf by the Clerk to the said Trustees, (the same having been ascertained or settled by some Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*), shall and may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; and when received, the same shall be paid to the Treasurer or Treasurers of the said Trustees, to be applied to the Purposes of this Act.

Compensation may be made to the Owners of Buildings pulled down, or burnt down, on their being rebuilt in such Manner as shall be an Improvement to the Town.

LVI. Provided also, and be it further enacted, That for the Purposes of improving the said Borough of *Bridgwater*, and widening the Streets, Lanes, and other Public Passages and Places therein, it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, in all Cases where any Houses or Buildings fronting or adjoining or near any of the present or future Streets or Lanes and other Public Passages and Places within the said Borough, shall be pulled down wholly or in Part for the Purpose of rebuilding or new-fronting the same, or shall be burnt down, to make such Order or Orders relative to the new-building or new-fronting thereof, to the End that the same when so new-built or new-fronted may range with the general Line of the Street, Lane, or other Public Passage or Place in which such Houses or other Buildings shall stand or be situate, as the said Trustees shall think fit, and for that Purpose to give to or take from the Owners or Proprietors of such Houses or other Buildings so much Land as may be necessary to effectuate the Object aforesaid, making Compensation or Satisfaction for any Injury, Loss, or Damage which any such Owners or Proprietors may sustain thereby; the same to be paid out of any Monies to be raised under the Authority of this Act, (except the Monies to be raised by virtue of the Rate hereby directed to be made); and if any such Owners or Proprietors shall refuse to accept such Compensation or Satisfaction on Tender thereof, the same shall be settled, ascertained, and awarded by the Verdict or Inquisition of a Jury in Manner herein directed, and to which all the Provisions in this Act contained as to other Inquisitions, and the vesting of Land or Ground in the said Trustees, and taking and using the same by virtue of such Inquisitions, shall be held to apply.

Projections and Annoyances to be removed.

LVII. And be it further enacted, That every Owner and Occupier of every House, Shop, Warehouse, or other Building within the said Borough, shall at his, her, or their own Costs and Charges, within Fourteen Days after Notice in Writing shall be given to them respectively, or left at their respective

respective Dwelling Houses, signed by the said Trustees, or any Seven or more of them, remove or otherwise alter all Signs and other Emblems used to denote any Trade, Occupation, or Calling, Sign Posts, Sign Irons, Stone and other Steps, Walls, Penthouses, Balconies, Barber's Poles, Windows, Window Shutters, Porches, Sheds, Stalls, Scrapers, Butcher's Hooks, Bulks, Blocks or Pieces of Timber, Watering Tubs or Troughs, Posts, Rails, Stumps, Show Glasses and Show Boards, and all Steps and Doors opening or leading into any Vault or Cellar, and also all Pipes, Spouts, and Gutters belonging to their said respective Houses, Shops, Warehouses, or other Buildings, and projecting or running into or encroaching upon any of the said Streets, Ways, and Passages, and all other Nuisances, Annoyances, and Encroachments whatsoever, in such Manner as in such Notice shall be expressed or directed; and in case any such Owner or Occupier shall neglect or refuse to remove or alter the same, within Fourteen Days after such Notice shall be given as aforesaid, it shall be lawful for the said Trustees to cause the same to be removed or altered, and the Charges and Expences attending the same shall be borne and paid by such Owner or Occupier; and in Default of Payment thereof upon Demand, the same shall and may be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier, by Warrant under the Hands and Seals of any One or more Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset* (which Warrant such Justices are hereby empowered and required to grant), rendering the Overplus (if any be), when demanded, to the Person or Persons whose Goods and Chattels shall be so distrained and sold, the Charges and Expences of such Distress and Sale being first deducted; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Trustees, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in case where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear and pay the Expence of altering or removing the same.

LVIII. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Borough, and every of them, are hereby respectively required at their own Costs and Charges, from Time to Time, within Seven Days next after their respectively receiving Notice in Writing from the said Trustees in that Behalf, to cause all the Doors and Gates leading into the several Houses, Buildings, Coach Houses, Yards, Gardens, and Land in their respective Occupations, which now do or shall hereafter open outwards, and when open project over any of the Streets, Lanes, Ways, Roads, and other Public Passages and Places within the said Borough, to be altered so as that the same Doors or Gates shall thenceforward open inward and into their respective Premises; or if opening outwards shall be so hung as that the same shall be fastened close back against the Wall of such House, Building, Coach House, Yard, Garden, or Land, so as not to project more than Four Inches into or upon any of the said

Doors and
Gates to
open in-
ward.

[*Local.*]

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Streets,

Streets, Lanes, Ways, Roads, or other Public Passages and Places within the said Borough; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by the said Trustees in or respecting any such Door or Gate within the Time specified in such Notice, such Occupier making Default therein shall forfeit and pay the Sum of Ten Shillings for every Day during which any such Gate or Door shall be suffered to remain opening outwards or unaltered after the Expiration of the Time specified in such Notice: Provided nevertheless, that when the Occupier of any such House, Building, Coach House, Yard, Garden, or Land, being a Tenant at Rack Rent, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him or her to deduct and retain out of his or her Rent the reasonable Charges of altering the same; and the Proprietor or Landlord of every such House, Building, Coach House, Yard, Garden, or Land, so held at such Rack Rent, is hereby required to allow the same accordingly, except only in Cases where such Door or Gate opening outwards, and so altered, shall have been originally put up by or under the Authority of such Occupier, in which Case such Occupier shall bear and pay the Expence of altering the same; provided also, that it shall be lawful for the said Trustees to allow to such Occupier or such Proprietor all or any Part of the Expence of making any such Alteration, if the said Trustees shall think it reasonable so to do.

Regulations
as to Privies.

LIX. And be it further enacted, That if any Person or Persons shall hereafter empty or cause to be emptied any Privy or Necessary House within the said Borough, or carry or cause to be carried any of the Soil thereof through any of the Streets, Lanes, Ways, Roads, or other Public Passages or Places within the said Borough, at any Time of the Year between *Ladyday* and *Michaelmas*, except between the Hours of Eleven of the Clock in the Evening and Four of the Clock in the Morning, or at any Time of the Year between *Michaelmas* and *Ladyday*, except between the Hours of Eleven of the Clock in the Evening and Five of the Clock in the Morning; or shall at any Time lay, cast, or empty, or cause to be laid, cast, or emptied, any of the Soil from any Privy or Necessary House, or any Night Soil, either by itself, or mixed with any Ashes, Muck, Dung, or other Material, in or near any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, or shall erect or continue any Privy or Necessary House so as to annoy the Passengers passing along the same, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and if any Person or Persons shall wilfully or negligently spill, strew, or scatter any of the Soil of any Privy or Necessary House, or any Ashes, Muck, Dung, or other offensive Material, either alone or mixed therewith, in or on any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Slaughter
Houses,
Hogsties,
and other
Erections to

LX. And be it further enacted, That in case any Slaughter House, Hogsty, Necessary House, Manure Heap, or other noisome or offensive Building, Place, Matter, or Thing whatsoever in or near any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places within the said

said Borough, shall in the Judgment of the said Trustees be a Nuisance to any of the Inhabitants thereof, it shall be lawful for the said Trustees upon Complaint thereof to them made by any such Inhabitant, and after due Investigation of such Complaint, by Notice in Writing to order that every or any such Slaughter House, Hogsty, Necessary House, or other Nuisance or Offence, be remedied or removed; and in case the same shall not be remedied or removed within Seven Days next after such Notice given to the Owner or Owners, Occupier or Occupiers, of the Premises wherein such Nuisance or Annoyance shall be situate or arise, or to the Person or Persons on whose Behalf the same is carried on, kept, or made, or left at his or their last or usual Place or Places of Abode, or on the said Premises; or in case such Notice shall not be appealed against at any General or Quarter Sessions of the Peace to be holden for the said Borough of *Bridgwater* or County of *Somerset*, within Four Calendar Months after such Notice shall have been given as aforesaid, then every such Owner or Occupier or other Person so neglecting to remedy or remove such Nuisance or Annoyance pursuant to such Notice, and to the Satisfaction of the said Trustees, shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremedied or unremoved after the Expiration of the said Four Calendar Months from the Time of giving such Notice as aforesaid.

LXI. And be it further enacted, That the Owner or Owners, Occupier or Occupiers, for the Time being, of each House or Building fronting or next adjoining any Street, Lane, Road, or other Public Passage or Place in the said Borough, which hath not already a Pipe or Trunk of the Description hereinafter mentioned, shall within Three Calendar Months after the passing of this Act put up and place, and for ever afterwards keep in Repair and in good Condition, a Gutter or Water Shoot of the whole Length of such Front or next adjoining Part, with a Pipe or Trunk to be fixed to the Front or Side of such House or Building from the Roof down to the Ground, so and in such Manner that the said Pipe or Trunk shall not project beyond the Front or Face of such House or Building, and shall be so constructed as to carry off or conduct all the Water from the Roof of such House or Building in such a Manner and so that such Water shall pass under the Surface of the adjoining Street into the common Sewer, and not drop from the Eaves of such House or Building upon or incommode the Persons passing over or along the Footpath or Way adjoining such House or Building; and every Tenant or Occupier of such House or Building (except Houses or Buildings held on Lease granted for any Term of Twenty-one Years or upwards, of which Seven Years shall be unexpired), who shall put up or place any such Gutter, Water Shoot, Pipe, or Trunk, or keep the same in Repair, in Default of the same being done by his, her, or their Landlord or Landlords, shall be entitled to deduct and retain out of the Rent payable to the Owner or Owners of such House or Building, so much Money as such Tenant or Occupier shall have expended in putting up, or placing, or in keeping in Repair any such Gutter, Water Shoot, Pipe, or Trunk; and the Payment of such Expences by any such Tenant or Occupier shall be a sufficient Discharge to him, her, or them for so much of his, her, or their Rent as the Amount of such Expences shall be equal to, and shall be abated and allowed to him, her, or them by the Owner or Owners of such House or Building out of such Rent; and if any such

be removed
if deemed a
Nuisance.

Water from
Roofs of
Buildings to
be carried off
by Trunks
or Pipes.

Owner

Owner or Owners, Occupier or Occupiers, shall at the Expiration of the said Three Calendar Months before mentioned neglect to put up or place or neglect to repair any Gutter, Water Shoot, Pipe, or Trunk, or shall neglect to prevent the Water from dripping from the Eaves of such House or Building as aforesaid, then and in any and every such Case such Owner or Owners, Occupier or Occupiers, so neglecting, shall forfeit and pay the Sum of Five Shillings for each and every Week during the Continuance of such Neglect: Provided always, that the Person or Persons who for the Time being shall be entitled to any Term of Years in any such House or Building originally granted for Twenty-one Years or upwards, and having an unexpired Term of Seven Years, shall as to the Payment of such aforesaid Expences be considered the Owner or Owners of such House or Building.

To prevent
Annoyances
and Nui-
sances.

LXII. And be it further enacted, That if any Person or Persons shall, in any of the present or future Streets, Lanes, Ways, Roads, or other Public Passages or Places within the said Borough, expose to sale or sell any Horse, Cattle, Swine, or other Beast (except in any Public Market or Fair within the said Borough, to be holden in the proper Streets or Places to be for that Purpose ordered and provided by the said Trustees), or shall bring or show any Stallion or Stone Horse (except in such Place as the said Trustees shall for that Purpose appoint), or fodder any Cattle, or shall shoe, bleed, or farry any Horse or Beast (except in Cases of Accident), or clean, or dress, or exercise any Horse or Beast, or bait or cause to be baited any Bull, Badger, or other Animal, or fight or set on to fight any Dogs or Cocks, or fight or set on to fight any pitched or other Battle, or turn loose or suffer to be at large any Horse or Beast, or any Bull Dog, Mastiff, or other ferocious Dog of any other Species, not being closely muzzled, or permit or suffer any Dog whatsoever to go at large after any Public Notice given by the Town Crier or Bellman by Order of the Mayor or any other Justice or Justices of the Peace of and for the said Borough of *Bridgwater*; during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of canine Madness, or being or acting as the Driver of any Waggon, Dray, Cart, or other such like Carriage, shall ride on the Shafts or any other Part thereof, or on any of the Horses or Cattle drawing the same, without holding the Reins, or drive the same faster than a Walk, or be at such a Distance from the same as not to possess the complete Direction over the Horses or Cattle drawing the same, or when driving any empty or unloaded Waggon, Dray, Cart, Sledge, or other such like Carriage, shall refuse or neglect to turn the same aside to make Way for any Coach, Chaise, or loaded Carriage of any Description; or if any Person on Horseback, or driving any Coach, Waggon, Wain, Dray, Cart, Sledge, or other Carriage, and meeting another Horse, Coach, Waggon, Wain, Dray, Cart, Sledge, or other Carriage, shall not keep on the Left or Near Side of the said Streets or other Public Passages or Places, so as to leave proper and sufficient Quarter for such Horses and Carriages; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, or when riding or driving any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or drive the same against

and injure or damage any Curb Stone or Foot Pavement or Causeway, or suffer any Waggon, Wain, Dray, Cart, Sledge, or other Carriage, with or without Horses, to stand or remain longer than may be necessary for loading or unloading thereof, or suffer the same, during such Time of loading or unloading, to be placed or remain so as to interrupt or obstruct the Public Passage, or suffer to stand or remain any Waggon or other Carriage with Hay, Straw, or Vegetables therein for Sale, or any Waggon, Cart, Coach, Postchaise, or other Carriage intended to be let out or worked for Hire, or suffer any Stage Coach, Diligence, Chaise, or other Carriage to remain longer than may be necessary for the taking up or setting down any Passenger or Passengers, or for loading or unloading their Baggage, or draw or haul any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials, or Wheel of any Cart or Carriage separated therefrom (except in or on or suspended under some Carriage), or suffer any Part of any Tree or other Piece of Timber to drag upon any Part of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, to the Prejudice thereof, or wantonly let off or fire any Musket, Gun, Pistol, or other Fire Arms, or make or assist in making any Bonfire, or set fire to, let off, or throw any Crackers, Squibs, Rockets, or other Fireworks, or play at Football or any other Game, or trundle or beat any Hoop or Hoops, or fly any Kite or Kites, or blow any Horn or Horns, to the Annoyance of any Inhabitants or Passengers, or having a Smith's Shop with a Window or Windows fronting any of the said Streets, Lanes, or other Public Passages or Places, shall not by good and close Shutters, every Evening after it becomes Twilight, and every Morning until it becomes Daylight, bar and prevent the Light from shining into or upon the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, or break, or assist, aid, or abet in breaking any Glass or Window Panes or Windows, or hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or beat or shake any Carpet in or over any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, or put down or empty out of any Waggon, Cart, or other Carriage, or otherwise throw, cast, or lay any Coals, Coke, Stones, Slates, Lime, Bricks, Sand, Gravel, Timber, Boards, Iron, or other Materials or Substances in or upon any of the said Footways or Pavements for any Time or on any Pretence whatever, or shall throw, cast, or lay any of the said Matters or Things in or upon any other Part or Parts of the said Streets, Lanes, Ways, Roads, and other Public Passages and Places, and continue the same for any longer Time than may be necessary for the removing or housing thereof (except Materials used for Buildings, or Dirt or Rubbish thereby occasioned, which shall be placed or inclosed in the Manner mentioned in this Act, so as to prevent any Mischief happening to Passengers), or sift, throw, cast, or lay any Ashes (except in Times of Frost, so as to prevent Accidents), or any Dust, Dirt, Dung, Soil, or other Filth, Carrion, Fish, or Parts of Fish, Blood, Offal, or any Sort of Rubbish or Nuisance, into or upon any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, or into any Common Sewer, Drain, Sink, or Watercourse, or throw any Animal or Carcase, or Part of any Animal or Carcase, or any noxious or offensive Materials, Ingredients, Offal, or Filth, into any Pump, Well, Watercourse, or Reservoir for Water, Leat or Stream within the said Borough, or

[*Local.*]

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shall

shall for any Purpose whatsoever stop up or impede the Passage of any Common Sewer, Drain, or Watercourse, or sell, assist in selling by Auction or public Sale any Goods, Wares, or Merchandize, or Thing or Things whatsoever, in any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, or hang out, place, or expose to Sale or otherwise therein, the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Linen, Cloth, Wearing Apparel, Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or other Matter or Thing, in or upon, or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of any House or Shop against or at which the same shall be so hung out, placed, or exposed to Sale, without the Leave of the said Trustees for that Purpose first had and obtained, or kill or slaughter, or singe, scald, or dress any Beast, Swine, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in Part, in any such Streets, Lanes, Ways, Roads, or other Public Passages or Places, or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter House, Butcher's Shop, Pigsty, or Dunghill, into any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, or fix up or place any Flower Pot, Basket, or Box at any Window or Windows without sufficiently guarding the same so as to prevent their falling, or place or erect any Pole or Poles, Line or Lines, projecting from any Window or Windows, Parapet, or other Part of any Dwelling House or other Place, and extended into, over, or across any or any Part of any of the said Streets, Lanes, Ways, Roads, Footways, Causeways, or other Public Passages or Places within the said Borough, or shall suspend or hang thereon or therefrom, or from or upon any Window, Parapet, or other Part of any Dwelling House or other Place, any Bed Clothes, Linen, Woollen, Wearing Apparel, or any other Thing, or leave open (after Sunset), or leave defective or without being properly secured the Door, Hatchway, or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to or securing any Cellar, Coal Hole, Vault, Office, or other underground Room or Apartment, or of any Area or Cellar, without having placed a sufficient Guard, and kept a sufficient Light from Sunset to Sunrise to warn and prevent Persons from falling into such Cellars, Coal Holes, Vaults, Offices, or other underground Rooms or Apartments, or Areas or Cellars, or run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, or Handbarrow, or other Carriage whatsoever, or any Furniture, Goods, Coal, or other Merchandize, or carry or assist in carrying any Sedan Chair, or roll any Cask or Tub, upon any Footway or Foot Pavement, except only for the Purpose of crossing such Footway or Foot Pavement, or set or place thereon any Furniture, Goods, or Merchandize, or any Cask, Tub, Box, Barrel, Basket, Bucket, Bench, or Stall, or erect, set up, or place, or cause to be erected, set up, or placed, any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any way to cause any Obstruction or Annoyance in any such Footway or Foot Pavement, or erect, or use, or permit to continue any Scraper or Step which shall project into or over any such Footway or Foot Pavement, or in any other Manner obstruct or prevent the free Passage of any such Footway or Foot Pavement, to the Annoyance of any Person or Persons passing or going thereon, or wilfully ride, lead,

lead, or drive on any Footway or Foot Pavement any Horse, Beast, or Cattle of any Kind whatsoever, or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon or project over any Footway or Foot Pavement, or in frosty or snowy Weather shall slide or make any Slides upon any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places, or shall in any other Manner commit or do any Act to the Annoyance of the Inhabitants of the said Borough, or to the Obstruction, Interruption, or personal Danger of any of His Majesty's Subjects, or the free Passage in or through any of the said Streets, Lanes, Ways, Roads, or other Public Passages or Places within the said Borough, or shall do or commit any public Nuisance or Annoyance whatsoever within the said Borough, or shall stick up or cause to be stuck up any Advertisements, Handbills, or Notices against any Part of the said Market House without the Consent of the said Trustees, or shall paint, chalk, write upon, or otherwise mark or deface any of the Walls or other Parts of the said Market House; each and every Person so offending in any or either of such Cases within the said Borough, or the Owner of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing as aforesaid, as the Case may be (in any of such Cases where the Person actually offending cannot be found or discovered), or the Person causing any such Offences, Matters, or Things to be committed or done, shall for each and every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Officer appointed by virtue of this Act, or for any Constable or Peace Officer of the said Borough, to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person or Persons whomsoever; and it shall be lawful for any Constable or any One of the said Trustees, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, in order to his, her, or their being dealt with according to the Directions of this Act.

LXIII. And be it further enacted, That if any Horse, Cattle, Swine, or other Beast shall be found straying or at large in any of the Streets, Lanes, Ways, Roads, or other Public Passages and Places within the said Borough, it shall be lawful for any Person or Persons whomsoever to impound any such Cattle or Beast in any common Pound used by the Inhabitants of the said Borough, and to detain the same in such Pound until the Penalty imposed by this Act in such Case, and the Expence of impounding and keeping such Cattle or Beast, shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Five Days after such Cattle or Beast shall be so impounded, it shall be lawful for any Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, to order every such Cattle or Beast to be sold, and the Costs or Charges of impounding and keeping such Cattle or Beast and of selling the same, and the said Penalty, shall be defrayed by the Money arising from such Sale,

For preventing Cattle, Swine, &c. from being suffered to stray in the Streets, &c.

Sale, and the Overplus (if any) of the said Money shall be paid to the Owner or Owners of the said Cattle or Beast upon Demand: Provided always, that whether such Cattle or Beast so found straying or at large shall be impounded as aforesaid or otherwise, the Owner or Owners thereof shall nevertheless forfeit and pay for such Cattle or Beast the Penalty in that respect imposed by this Act: Provided also, that no Owner of any such Cattle or Beast shall in any Case pay more than the Sum of Five Pounds over and above the Charges and Expences of impounding, keeping, and selling the same, for any Number of Cattle or Beasts so found straying or at large as aforesaid at one Time.

Punishment
of Persons
guilty of
Pound-
Breach.

LXIV. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Horse, Cattle, Swine, or other Beast which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or before such Horse, Cattle, Swine, or other Beast seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, either upon the Confession of the Party or Parties so offending, or upon the Oath of One credible Witness, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the said Borough of *Bridgwater* or County of *Somerset*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Removal of
Fairs and
Markets.

LXV. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized, from Time to Time to order, appoint, or appropriate any such Street or Streets, or other Place or Places, as they shall deem fit and convenient within the said Borough or adjacent thereto, for exposing to Sale and selling therein Horses, Beasts, Sheep, and all Kinds of Live Cattle, and also Cloth, Shoes, and other Commodities and Things which have heretofore been accustomed to be exposed to Sale in certain Streets in the said Borough which are great Thoroughfares, on Fair, Market, or other Days; and when and as soon as such Street or Streets, or other Place or Places, shall be so ordered, appointed, or appropriated as aforesaid, then the several and respective Fairs and Markets for the Sale of Horses, Beasts, Sheep, and Live Cattle, Cloth, Shoes, and other Commodities and Things, shall be respectively removed to such Street or Streets, Place or Places, which shall be so ordered, appointed, or appropriated as aforesaid; and if any Person or Persons, after such Order, Appointment, or Appropriation as aforesaid, shall, on any Fair, Market, or other Day, expose to Sale or sell any Horse, Beast, Sheep, or Live Cattle, Cloth, Shoes, or other Commodities or Things as aforesaid, in any Street or Place within the said Borough, other than and except such Street or Streets, Place or Places, as shall be so ordered, appointed, or appropriated as aforesaid, then and in such Case every Person so offending shall for every such Offence,

on Conviction before any Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied in Manner herein mentioned: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent or hinder any Person from selling or exposing to Sale any Marketable Commodities or Things whatsoever in his or her own Dwelling House, Shop, or Premises within the said Borough.

LXVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, when and as they shall think it expedient, to employ such and so many Watchmen and Night Patrols as they shall judge expedient and necessary to be employed for the Security and good Order of the said Borough; and such Watchmen and Night Patrols from Time to Time to remove and displace and to appoint others in their Stead; and also to order and direct how many of the said Watchmen and Night Patrols shall attend Nightly, and how they shall be armed, and at what Stations they shall be placed, and for what Number of Hours they shall watch, and how often they shall go their Rounds; and also to fix and determine what Wages or other Allowances shall be paid to them for their Services, and to give such Rewards in Money to the Watchmen and Patrols respectively to be appointed as aforesaid, or others, who may be disabled or wounded in the Execution of their Office, as they the said Trustees shall think reasonable, the same to be paid out of the Monies to be raised by virtue of this Act; and also to provide proper Watch Houses, Watch Boxes, or Places for the Reception of such Watchmen and Patrols, and for the safe Custody of such Persons as may be apprehended by such Watchmen or Patrols whilst on Duty.

Power to
employ
Watchmen.

LXVII. And be it further enacted, That each and every Watchman and Night Patrol, upon his Appointment by the said Trustees to be such Watchman or Night Patrol, shall be sworn as a Constable before some Justice of the Peace of the said Borough of *Bridgwater*, who is hereby required to swear them in accordingly, and act as such while in the Execution of the Powers and Authorities of this Act; and during such Time they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with, or have and enjoy by Law.

Watchmen
to be sworn
Constables.

LXVIII. And be it further enacted, That the said Watchmen and Night Patrols shall exert themselves in the Prevention of Fires, Murders, Burglaries, Robberies, and other Outrages, Disorders, and Breaches of the Peace, and they are hereby required and empowered to apprehend all Night Walkers, Felons, Malefactors, Vagrants, Rogues, Vagabonds, idle and disorderly Persons, Prostitutes, and Disturbers of the Peace, and all suspected Persons who shall be found misbehaving or wandering within the said Borough, and to lodge them in a Watch House or other Prison or Place of Security, to be there detained until they can be conveniently carried before some Justice of the Peace for the said Borough, to be examined and dealt with according to Law.

Of Watch-
men's Du-
ties.

[*Local.*]

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LXIX. And

Penalty on
Neglect of
Duty.

LXIX. And be it further enacted, That if any of the Watchmen or Night Patrols shall not attend in their respective Turns of Service, to keep Watch at the Hour appointed, or shall cease keeping Watch during the several Hours appointed, or shall not observe the Rules, Orders, Directions, and Regulations of the said Trustees, or shall in any Manner neglect their Duty or misbehave, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and shall also, if the said Trustees shall think fit, be dismissed from his Employment.

Penalty on
Persons
harbouring
Watchmen.

LXX. And be it further enacted, That if any Victualler, Alehouse Keeper, or other Person selling Ale, Spirituous or other Liquors, shall harbour or entertain in his or her House or Outhouses, any Watchman or Night Patrol, during any of the Hours or Times appointed for his Attendance on Duty, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on
Persons
molesting
Watchmen.

LXXI. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, molest, or interrupt any Watchman, Night Patrol, or other Person who shall be employed by or under the Authority of the said Trustees, by virtue or in pursuance of this Act, in the Exercise of any of the Powers hereby granted, or in the Performance or Execution of any Duties, Matters, or Things whatsoever, by this Act directed or authorized to be done, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power for
the Trustees
to pave the
Footways.

LXXII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time to cause such Parts of the present and future Streets, Lanes, Ways, and other Public Passages and Places within the said Borough, as shall be required for Footpath or Foot Pavements, to be pitched, paved, flagged, or otherwise repaired and amended, and widened and improved, and the same, and the Pavement, Curb and other Stones, Flagging, and other Materials thereof to be taken up and relaid, and the Ground thereof to be raised, lowered, or altered from Time to Time in such Manner and with such Materials as they the said Trustees shall think fit; and also to make Gutters, Sinks, Drains, Sewers, and Watercourses in, through, or under any of the Streets, Lanes, Ways, Entries, and other Public Passages and Places within the said Borough, for the Purpose of carrying or conveying Water and Refuse from the same respectively, and to cause any of the present Gutters, Sinks, Drains, Sewers, and Watercourses to be stopped up, opened, or widened, and the Form thereof to be altered, turned, varied, or changed in such Manner as they the said Trustees shall think fit; and it shall be lawful for the said Trustees to take up and remove, or cause to be taken up and removed, all or any Posts, Rails, Pales, Trees, or Fences in such Streets, Lanes, Ways, or other Public Passages or Places, or any of them, as they the said Trustees shall judge useless, or shall be an Obstruction or Nuisance to Foot Passengers, Horses, or Carriages, and to erect and set up any other Posts, Rails, Pales, or Fences as they shall think proper, for the better Security of Passengers, Horses, or Carriages, or of the said Pavements, Flaggings,
or

or Curb Stones from Damage by Waggon, Carts, or other Carriages, and to remove the same at their Discretion.

LXXIII. And be it further enacted, That whenever any new Street within the Limits of this Act shall be laid out and formed, the Owners and Proprietors of the Houses, Buildings, and Premises adjoining to such Street, when and so soon as so many of such Houses, Buildings, and Premises as shall form Three-fourth Parts of such Street shall be built, shall, and they are hereby required to cause the Footway in the Front of or adjoining their Houses, Buildings, or Premises to be paved, and the Carriageway thereof in the Front of or adjoining such Houses, Buildings, or Premises, so far as the Centre of such new Street, to be made or formed in such Manner as the said Trustees shall direct; and after the same shall be so paved, made, or formed, the said Trustees shall cause them to be kept in Repair, and cleansed, lighted, and watched, in the like Manner as the other Streets, Lanes, Ways, Roads, and other Public Passages and Places within the Limits of this Act are paved, cleansed, lighted, and watched, by and out of the Rates and Assessments to be made and levied under or by virtue of this Act.

When any new Street is made, the Owners of the Premises adjoining to cause the Foot Pavements to be paved.

LXXIV. And be it further enacted, That every Private Drain or Sewer already constructed or hereafter to be constructed, which shall or may issue into or communicate with any of the Public Sewers or Drains within the said Borough, shall be constructed in such Manner as shall be approved by the Surveyor or other Officer of the said Trustees, and shall be furnished and provided with a Valve, in such Manner and so that by the Means thereof no Water, Soil, or other Drainage shall pass or flow from the Dwelling House or Tenement to which such Private Drain or Sewer shall belong, into such Public Drain or Sewer, without passing through such Valve; and every such Private Drain, Sewer, and Valve shall be repaired and cleansed, and at all Times kept in Repair and cleansed in such Manner as shall be directed and approved by the said Surveyor or other Officer of the said Trustees, at the Costs and Charges of the Owner or Occupier of the Dwelling House or Tenement to which the said Private Drain or Sewer shall belong; and if the Occupier or Owner of any Dwelling House or Tenement within the said Borough shall make or continue any Private Drain or Sewer communicating with any Public Drain or Sewer within the said Borough, contrary to the Provisions of this Act, or without first paying or causing to be paid unto the Treasurer of the said Trustees such Sum of Money as shall be agreed upon for that Purpose, then, and in every such Case, each and every such Owner and Occupier so offending as aforesaid, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Private Drains to be constructed according to Direction of Trustees.

LXXV. And be it further enacted, That if any Person whosoever shall at any Time hereafter take up, remove, or alter, or cause to be taken up, removed, or altered, any Part of the Pavements, Flags, or other Materials of the Footways or Foot Pavements, or of the Carriageways in the said Streets, Lanes, Ways, or other Public Passages or Places, or any of them, or shall open or cause to be opened, or shall make or cause to be made, any Alterations in any of the Tunnels, Gutters, Soughs, Drains, Sewers, or Watercourses in, over, or under the same, without the

Not to take up Foot Pavement without Consent of Trustees.

the previous Consent or Authority of the said Trustees; or having obtained such Consent or Authority as aforesaid, shall within Four Days after taking up any such Pavements, Flags, or other Materials of such Footways, Foot Pavements, or Carriageways, or after opening any such Tunnels, Gutters, Soughs, Drains, Sewers, or Watercourses as aforesaid, refuse or neglect, at his or her own Costs and Charges, effectually to repair, amend, and make good the same; every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to
light the
Streets.

LXXVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, to cause the Market House, Streets, Lanes, Ways, and other Public Passages and Places within the said Borough to be well and sufficiently lighted, either with Gas, Oil, or otherwise, at such Seasons and Times as the said Trustees shall judge proper; and for that Purpose the said Trustees are hereby also empowered, if they shall think it expedient so to do, to purchase or rent from any Person willing to sell or let the same, any Buildings, Erections, or Lands within the said Borough, or adjoining or near thereto, not exceeding Two Statute Acres, for the Purpose of erecting and making suitable Buildings and Apparatus therein and thereon for the manufacturing of Gas, and also to break up the Soil or Pavement of any of the Footways or Carriageways of the said Streets, Lanes, Ways, or other Public Passages or Places, and to cause Mains or Pipes for the Conveyance of Gas to be laid and carried along, through, and under all, any, or either of the Streets, Lanes, Ways, or other Public Passages or Places within the said Borough, and to cause such and so many Lamp Irons, Lamp Posts, Pillars, Pilasters, and Pipes as they shall judge necessary to be affixed or set up into, upon, or against any of the Walls or Palisades of any of the Houses or Buildings, or the Market House, or any other Walls or Fences, or in or upon any of the Carriageways or Footways or other Places within the said Borough, in such Situations, and at such Distances from each other, and in such Manner as the said Trustees shall think proper, and to cause so many Glass or other Lamps, with such Sort of Burners, Reflectors, or other Apparatus, and of such Dimensions, Constructions, and Qualities, as the said Trustees shall judge proper, to be provided and affixed upon or to such Irons, Posts, Pillars, or Pilasters, or any of them, and to cause the same Irons, Posts, Pillars, and Pilasters and Lamps, or any of them, to be from Time to Time taken down, removed, altered, repaired, renewed, or replaced, when and as often as they shall think proper, and to cause such Lamps, or any of them, to be lighted at such Seasons of the Year, on such Evenings and Nights, and at such Hours of the Evening and Night, and to be kept burning for so many Hours, as shall be thought expedient by the said Trustees; and from and after the laying and fixing such Mains or Pipes, Posts, Pillars, Pilasters, Irons and Lamps, the same and every of them shall be held and deemed to belong to and be the Property of the said Trustees, and the same are hereby vested in the said Trustees for the Time being: Provided always, that nothing herein contained shall authorize or empower the said Trustees, or any other Person or Persons, to carry, lay, or fix, or continue any Pipe or Pipes, or any other Thing, for the Conveyance of the said Gas or Inflammable Air through or against any Dwelling House or private Building, or in, over, and upon any private Lands,

Lands, Hereditaments, or Premises, without the Consent of the Owner and Occupier thereof respectively for that Purpose: Provided also, that if any Injury or Damage shall be occasioned to any Rail, Palisado, Building, or Wall, by the affixing, setting up, taking down, altering, or removing any such Lamp or Lamps, or any Lamp Iron or Lamp Irons, or other Fastener thereof, the Trustees shall immediately cause the said Injury and Damage to be well and sufficiently repaired out of the Money to be raised by virtue of this Act.

LXXVII. And whereas the said Trustees are enabled to purchase Two Statute Acres of Land, whereon they may erect Works for the Purposes of this Act, and all Persons whomsoever are empowered to sell such Quantity or Number of Acres to the said Trustees: And whereas it is expedient to restrain the said Trustees from selling any Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenant for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement and other Purposes, being under legal Disability or Incapacity, in lieu or stead of the Lands sold; be it therefore enacted, That it shall not be lawful for the said Trustees to purchase from any Body or Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes; Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such Two Statute Acres of Land; and in case the said Trustees shall afterwards sell the whole or any Part of such Land so purchased, it shall not be lawful for the said Trustees to purchase from, or for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Trustees any other Lands in lieu or in stead of those so sold or disposed of by the said Trustees, or any Part thereof.

Restraining the Trustees from purchasing more than Two Statute Acres of Land from incapacitated Persons.

LXXVIII. And whereas the Mayor, Aldermen, and Burgesses of the said Borough have been used and accustomed, out of the Monies arising from the Moorage or Tonnage, or other Duties or Tolls collected by them

[*Local.*]

3 O

Corporation empowered to pay a certain Sum within

annually out
of the Port
Duties, &c.
to the Trus-
tees, towards
lighting the
Bridge,
Quays, &c.

within the Port of *Bridgwater*, to defray the Expence of lighting the Lamps on the Bridge of the said Town and Quays thereof, and in the Avenues leading thereto within the said Borough; and it being expedient that the lighting of the said Bridge and Quays, and of the Avenues leading thereto, should be placed under the Management of the said Trustees, be it therefore further enacted, That the said Bridge and Quays, and the Avenues leading thereto, shall from and after the passing of this Act be effectually lighted by the said Trustees, by and out of the Monies which shall be received by them by virtue of this Act; and that the said Mayor, Aldermen, and Burgesses shall, from and out of the Monies to arise from such Moorage, Tonnage, and other Duties as aforesaid, pay or cause to be paid to the said Trustees yearly and every Year the Sum of One hundred Pounds, to be by them applied towards the lighting of the said Bridge and Quays, and the Avenues leading thereto as aforesaid, the first Payment whereof to be made on the Twenty-fourth Day of *June* One thousand eight hundred and twenty-seven; and in case the said Mayor, Aldermen, and Burgesses shall not within Fourteen Days pay to the said Trustees the Monies that shall become due as aforesaid, then the said Trustees may recover the same, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparlance, shall be granted or allowed.

Pavements
to be made
good.

LXXIX. Provided always, and be it further enacted, That in case the said Trustees shall enter into any Contract with any Company of Proprietors, or any other Person or Persons, for the lighting of the said Streets, Lanes, Ways, Entries, Market House, and other Public Passages and Places with Gas, the said Company of Proprietors, or other Person or Persons so contracting to light as aforesaid, shall, in the supplying of such Gas, or in the laying or repairing any Pipes, Plugs, or other Works or Apparatus, do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and shall in the meantime sufficiently fence or guard and affix Lights during the Night at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, or Carriages; and if after such Pavements or Roads shall have been so repaired and made good, the same shall within Six Calendar Months thereafter give way or require relaying or repairing in consequence of such Pavements or Roads having been broken up for the Purpose of laying down such Pipes, Plugs, or other Apparatus, the same shall be forthwith done and performed by and at the Expence of the said Company of Proprietors, or other Person or Persons so contracting to light as aforesaid: Provided also, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or any of their Agents or Servants, or any such other Person or Persons, in filling in such Ground, or removing Rubbish, or making good any such Pavements or Roads, or in case the same shall be imperfectly repaired, or in case the Ground so opened shall not be sufficiently fenced or guarded, then and in every such Case it shall be lawful for the said Trustees, their Surveyor or Surveyors, or other Person or Persons as aforesaid, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of the said Streets, Lanes, Ways, Entries,

Market

Market House, Public Passages, or other Places so broken up, and properly to fence or guard any such Trench or Excavation, and to place or maintain such Light or Lights during the Night as to him or them shall seem necessary, and the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors, or their Treasurer or Treasurers, or by such other Person or Persons so contracting to light as aforesaid; and in Default of Payment thereof for Thirty Days next after Demand made for the Payment thereof (Proof of such Demand being made by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, such Justice or Justices not being interested in the Matter in Question), all such reasonable Costs, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the same Company of Proprietors or other Person or Persons so contracting to light as aforesaid, together with the reasonable Charges of such Distress and Sale, by a Warrant under the Hand and Seal of any such Justice or Justices, and which Warrant such Justice or Justices is and are hereby required to grant; and such Penalties, Costs, Charges, and Expences shall be paid to the said Trustees, or to their Surveyor, or to be applied to the Purposes of this Act.

LXXX. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time to enter into any Contract or Contracts with any Person or Company of Persons for lighting the Streets, Lanes, Ways, and other Public Passages and Places within the said Borough, or any of them, either with Oil, Gas, or in any other Manner, as the said Trustees shall from Time to Time deem proper and expedient, and to provide and set up all necessary Lamps, Lamp Irons, Lamp Posts, Pillars and Pilasters, and other Works necessary for such Purposes.

Power to contract for lighting Streets with Gas, and to lay down Pipes.

LXXXI. And be it further enacted, That in case the said Trustees shall deem it expedient to erect such Gas Apparatus, and to light the said Streets, Lanes, and other Public Passages and Places, or any of them, with Gas or Inflammable Air, without contracting for the same as aforesaid, it shall be lawful for the said Trustees, after sufficiently lighting such Streets, Lanes, Ways, and other Public Passages and Places, to let out or grant to any Person or Persons whomsoever who shall be willing to take the same, any Light or Lights, or Argand, Cockspur, Batwing, or any other kind of Burner or Burners, and to supply the same with Gas or Inflammable Air, upon such Terms and Conditions, and at such Annual Rents for the same, and in such Manner as they the said Trustees shall from Time to Time think proper.

Trustees empowered to let out Gas Lights, in case they light the Streets themselves.

LXXXII. And be it further enacted, That if any Person or Persons shall at any Time hereafter wilfully take away, break, throw down, displace, destroy, or damage any Lamp or Lamps, or any of the Tubes or Gas Pipes, or any Apparatus, Matter, or Thing connected therewith, which shall be hung, put up, or laid down under the Authority of this Act, or by any Person or Persons at his, her, or their own Expence, for the Purpose of lighting any Part or Parts of the said Streets, Lanes, Ways, and other Public Passages and Places, or shall wilfully extinguish the Light or Lights within the same, or shall throw down, break, or damage

Penalty for wilfully breaking Lamps.

damage any Post, Iron, Cover, or other Furniture of any such Lamp, every Person offending in Manner aforesaid shall forfeit and pay such Sum of Money, not exceeding Ten Pounds, as any Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset* shall in that behalf direct; and it shall be lawful for any Person or Persons who shall see any such Offence committed to seize, and for any other Person or Persons whomsoever to assist in seizing such Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey and deliver him, her, or them into the Custody of some Constable or Peace Officer, to be conveyed as soon as conveniently may be before some Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, to be dealt with according to Law.

Satisfaction
to be made
for acciden-
tally damag-
ing Lamps,
&c.

LXXXIII. And be it further enacted, That if any Person or Persons shall at any Time hereafter negligently, carelessly, or accidentally break, throw down, destroy, or damage any Lamp or Lamps which shall be hung or put up under the Authority of this Act; or by any Person or Persons at his, her, or their own Expence, or any of the Tubes or Gas Pipes connected with such Lamps, or any Post, Iron, Cover, or other Furniture, Matter, or Thing of or belonging to any such Lamp, and shall not immediately upon Demand made by the said Trustees, or by such Company or Companies of Proprietors, or other Person or Persons as aforesaid, or by the Owner or Owners of such Lamp or Lamps, make Satisfaction for the Damage which shall have been thereby done, then and in every such Case it shall be lawful for any Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, upon Complaint to him or them made by or on Behalf of the said Trustees, or by such Company or Companies of Proprietors or other Person or Persons, or Owner or Owners as aforesaid, to summon before him or them the Person or Persons against whom such Complaint shall be made, and upon hearing such Complaint and the Evidence which shall be adduced, or upon the Nonappearance of the Person or Persons complained of and duly summoned, to award such Sum or Sums of Money by way of Satisfaction to be paid by such Person or Persons to the said Trustees, or to such Company or Companies of Proprietors, or other Person or Persons, or Owner or Owners as aforesaid, as such Justice or Justices shall think reasonable, over and above any Penalty or Forfeiture which may be incurred by such Person or Persons under any of the Provisions of this Act, which said Sum or Sums of Money shall and may be levied and recovered in such and the same Manner as any other Penalty is by this Act directed or authorized to be levied and recovered.

Gas Pipes
to be laid
Four Feet
from Water
Pipes, &c.
and in a par-
ticular Man-
ner.

LXXXIV. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, or other Passage or Place within the said Borough, shall be so laid at the greatest practicable Distance; and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe, Sough, or Watercourse already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round
any

any of the said Streets, Lanes, or other Passages or Places within the said Borough, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, Soughs, or Watercourses, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes, Soughs, and Watercourses at the greatest practicable Distance therefrom, and shall form therewith a right Angle; and in such Cases the said Gas Pipes, so crossing the said Water Pipes, Soughs, and Watercourses, shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes, Soughs, or Watercourses, than Four Feet at least; and that in laying down the said Gas Pipes, the said Trustees, Contractors, or other Persons supplying Gas, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all Pipes connecting and communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon Pain of forfeiting for every Offence the Sum of Five Pounds.

LXXXV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down in any Markets, Streets, Squares, Lanes, Public Passages, or Places within the said Borough, the said Trustees, or the Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, for lighting any Street, Highway or Place, or any House, Manufactory or other Building therein, shall immediately after Notice given to them or him by Parol or in Writing of any such Escape of Gas, from any Inhabitant or Inhabitants of the said Borough, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Trustees, or the Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Trustees, or the Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid before some One or more Justice or Justices of the Peace of the said Borough of *Bridgwater* or County of *Somerset*, and shall and may be recoverable and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Trustees, or of the Goods and Chattels of the Body or Bodies Politic or Corporate, or of the Person or Persons so contracting to light or lighting as aforesaid.

For preventing the Escape of Gas.

[*Local.*]

3 P

LXXXVI. And

Penalty on
damaging
Pipes, &c.

LXXXVI. And be it further enacted, That if any Person or Persons shall wilfully and maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Plug, Post, or other Apparatus, Article, Matter, or Thing belonging to the said Trustees, or to any Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, or shall wilfully or maliciously waste, or beyond his, her, or their Contract consume any of the Inflammable Air or Gas supplied by the said Trustees, or any Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, every Person so offending in any of the respective Premises, and being thereof lawfully convicted, either by Confession, or on the Oath or Affirmation of One credible Witness, before One or more Justice or Justices of the Peace of the said Borough of *Bridgwater* or County of *Somerset*, shall forfeit and pay to the said Trustees, or the Body or Bodies Politic or Corporate, or Person or Persons aforesaid, any Sum not exceeding Five Pounds, and Three Times the Amount of the Damage done or occasioned by such Conduct, the same to be ascertained by such Justice or Justices; and such Penalty and Damage, together with reasonable Costs, unless immediately paid, shall be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any), on Demand, to the Owner of such Goods and Chattels, or such Offender shall and may be committed to the House of Correction, or to the Common Gaol of the said County, at the Discretion of such Justice or Justices, there to remain for any Time not exceeding Three Calendar Months.

Penalty for
conveying
Washings
into any
Stream, &c.

LXXXVII. Provided always, and be it further enacted, That if the said Trustees, or Body or Bodies Politic or Corporate, or any Person or Persons making or furnishing or supplying any Gas burnt or consumed within the said Borough, for lighting any Street, Lane, or other Public Passage or Place, or any House, Manufactory, or other Building therein, shall at any Time drain or carry, or cause or suffer to be drained, carried, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, or Springhead, or do, or cause to be done, any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, whereby the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in every such Case the said Trustees, or such Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparance shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Three Calendar Months after the Time when such Annoyance, Act, and Thing shall have ceased: Provided also, that in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall

or

or shall not be recovered) in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person whomsoever to the said Trustees, or any of them, or to such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, and the said Trustees or other Person or Persons, shall not within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in Manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said Trustees, or Body or Bodies Politic or Corporate, or other Person or Persons, shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, waste Liquids, or noisome or offensive Liquids or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

LXXXVIII. And be it further enacted, That whenever the Water belonging to any Owner or Company of Proprietors of Water Works shall be contaminated or affected by the Gas of the said Trustees, or of any Body or Bodies Politic or Corporate, or any Person or Persons as aforesaid, such Trustees, or Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Owner or Company of Proprietors of the Water Works affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case and Cases, the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Clerk or Surveyor to the said Owner or Company, or by any Person or Persons consuming the Water, to be left at the usual Office or Place of transacting Business of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water of the said Owner or Company of Proprietors; and in case the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually

Gas Com-
pany to pre-
vent Escape
of Gas and
Contamin-
ation of
Water, &c.

stop

stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then and in every such Case the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the said Owner, or the Treasurer for the Time being, or to any One of the Directors for the Time being of the said Water Company, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which the said Water shall be and remain contaminated, tainted, or affected by the Gas of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; and in Default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness by and in the Name of the Owner for the Time being, or by and in the Name of any One or more of the Directors of any such Water Company, or of any other Person, at the Option of the Party or Parties prosecuting such Information against the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, before any Justice of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, with Costs to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs, when so levied, shall be paid to the said Owner, or to the Treasurer, or to One of the Directors for the Time being of the said Company, which shall be contaminated or affected by such Gas.

For ascer-
taining if
Water is
contaminat-
ed.

LXXXIX. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; be it therefore enacted, That in every such Case it shall and may be lawful to and for the said Owner, or any such Water Company, to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceeds or be occasioned by the Gas of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, the Costs and Expences of the said Digging, Search and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination

Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, then and in such Case the said Owner or Water Company shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by some Justice or Justices of the Peace as aforesaid.

XC. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Trustees, or any Body or Bodies Politic or Corporate, or any of his or their Servants, Workmen, or Officers, or Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, in respect of any Works, or the Means which shall be employed by them in making the said Gas and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Trustees, or Body or Bodies Politic or Corporate, or any of their Servants, Workmen, or Officers, or Person or Persons, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or the Lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Trustees, or Persons contracting to light with Gas, liable to be indicted.

XCI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time to enter into any Contract or Contracts as well for paving, stoning, flagging, repairing, amending, widening, fencing, improving, and watching, as for lighting the said Streets, Lanes, Ways, Roads, Market House, and other Public Passages and Places within the said Borough, or any of them; or for doing any other of the Works by this Act authorized to be done; or for furnishing any Materials, Implements, Labour, or other necessary Matters and Things whatsoever, for the Performance thereof, or for any other of the Purposes of this Act, with any Person or Persons who shall be willing to undertake and engage in the same.

Trustees may enter into Contracts, &c.

XCII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to compound and agree with any Person or Persons who shall have entered into any Contract or Contracts with the said Trustees in pursuance or under the Authority of this Act, for the Payment of any Penalty or Penalties, or Sum or Sums of Money, in

Composition for Breach of Contract.

[*Local.*]

3 Q

Recompence

Recompence or Satisfaction for any Injury, Loss, or Damage sustained by the Nonperformance of any Engagement, Matter, or Thing contained in or imposed by any such Contract or Contracts; in or by any Bond or Bonds, or other Security or Securities, as the said Trustees shall think proper.

Trustees ex-
empted from
personal Re-
sponsibility
in Contracts,
&c.

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

Power to
hold Mar-
kets and
take Tolls.

XCIV. And be it further enacted, That it shall and may be lawful for the said Trustees to use and continue the said Market House, together with the Additions made or to be made thereto, and the several other Places within the said Borough where Markets have been usually held before the passing of this Act, and to have, hold, and keep Markets therein, or in such other Place or Places within the said Borough, on every *Tuesday*, *Thursday*, and *Saturday*, and at such other Time or Times as they the said Trustees shall from Time to Time order or appoint, henceforth and for ever; and also by themselves, or their Clerk, Collectors, Lessees, Officers, Deputies, or Servants, to ask, demand, receive, and take of and from all and every Person or Persons holding, using, or occupying any Building, Shed, Stall, Standing, Bulk, Tressel, Block, or other Convenience, Standing Place, or Station for selling or exposing or offering for Sale within the said Market House, or in any other Place or Places within the said Borough, which shall from Time to Time be appointed by the said Trustees for holding the said Markets, any Corn or Grain, either by Sample or otherwise, or any Butcher's Meat, Poultry, or other Provisions, Hides, Skins, or Tallow, or other Commodity, Article, or Thing whatsoever, or who shall sell or expose to Sale any of the aforesaid Articles, Matters, Commodities, or Things in the said Market House, or other Place or Places as aforesaid, such Rents, Tolls, Piccages, and Stallages, Sum or Sums of Money, as shall at any Time, from Time to Time, be fixed and appointed by the said Trustees to be paid for the same, ac-
cording

according to, but not exceeding the several Rents, Tolls, Piccages, Stallages, Sum or Sums of Money expressed and specified in the Third Schedule to this Act annexed; any Charter, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

XCV. And whereas in and by the said recited Act of the Nineteenth Year of the Reign of His late Majesty King *George* the Third it was enacted, that the Market for the Sale of Cheese might be held and kept within the Market House which the Trustees therein named were thereby empowered to erect and build, but since the passing of the said recited Act a Place within the said Borough hath been set out and appropriated, and a Market House erected thereon, for holding the said Market for the Sale of Cheese, which hath been accordingly held and kept therein; be it therefore further enacted, That from and after the passing of this Act, the said Market for the Sale of Cheese shall in future be held and kept in the Place which is now so set out and appropriated for that Purpose.

Cheese Market to be held in present Place.

XCVI. Provided always, and be it further enacted, That the said Trustees shall from Time to Time cause to be painted on Boards, and affixed and stuck up, and continued and renewed as often as the same shall be obliterated or defaced, upon conspicuous Places within the said Market House, in large and legible Characters, an Account or List of the several Tolls, Rents, Piccage, and Stallage which the said Trustees shall from Time to Time direct and appoint to be taken, and of the Price or Prices, Sum or Sums of Money so allowed to be taken from every Person liable to the Payment of the same or any Part thereof respectively, but not exceeding the several Tolls, Stallages, Rents, or Sums of Money mentioned and specified in the Third Schedule to this Act annexed; and if any Person or Persons exposing or offering to Sale, or vending within the said Market House, or in any other Place or Places within the said Borough which shall from Time to Time be appointed by the said Trustees for holding the said Markets, any of the Articles, Matters, or Things for or in respect of which any Tolls, Rents, Piccage, or Stallage are made payable by this Act, shall neglect or refuse to pay, or shall evade the Payment of the same or any Part thereof, or in case no sufficient Goods or Chattels can be found in the Custody or Possession of or belonging to the Person or Persons so neglecting, refusing, or evading as aforesaid, whereon to levy for the Payment of such Tolls, Rents, Piccage, or Stallage, then and in every such Case every Person so neglecting or refusing to pay, or evading the Payment of such Tolls, Rents, Piccage, or Stallage, or in whose Custody or Possession, belonging to whom there shall be found no sufficient Goods or Chattels to distrain for the same as aforesaid, shall forfeit and pay any Sum not exceeding Ten Pounds, to be recovered and applied as herein provided.

List of Tolls to be fixed up.

Penalty for not paying Toll, &c.

XCVII. And be it further enacted, That if any Dispute or Disputes shall happen respecting the demanding or taking, or the Payment of any Toll, Rent, Piccage, or Stallage, or about the Amount thereof due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined by some Justice of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, who, upon Application made to him for that Purpose, shall examine the Matter on Oath

Disputes concerning Tolls to be settled by a Justice.

Oath of the Parties or other Witness or Witnesses (which Oath the said Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Toll, Rent, Piccage, or Stallage 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 said Tolls, Rents, Piccage, and Stallage, together with the 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 Tolls, Rents, Piccage, and Stallage, and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained.

Power to let
Market
House,
Tolls, &c.

XCVIII. And be it further enacted, That it shall be lawful for the said Trustees to demise and let to farm the whole or any Part of the Tolls, Piccage, Stallage, and other Profits to be collected or arising from or in respect of the said Markets, to any Person or Persons who shall be willing to take or farm the same, either by Public Auction or Private Contract, and also to let the said Market House, and all or any of the Shambles, Standings, Sheds, Stalls, Blocks, Bulks, Tressels, and other Conveniences, Standing Places, and Stations already erected, provided, or appointed, or hereafter to be erected, provided, or appointed as aforesaid, for such Time, not exceeding Three Years at any one Time, at such Rent and Rents, and upon such Terms and Conditions, and with such Securities for the Payment thereof, as shall be agreed upon and contracted for between the said Trustees and the Person and Persons respectively to whom such respective Letting shall be made.

Further Di-
rections
touching the
Regulation
of the Mar-
kets.

XCIX. And be it further enacted, That from and after the passing of this Act no Person or Persons shall hold a Market, or erect or set up any Stall or Standing, or expose to Sale or vend any Corn or Grain, or any Fish, Butcher's Meat, Poultry, or other Provisions, or any Hides, Skins, or Tallow, within any Part of the said Borough other than within the said Market House, or at such other Place or Places as shall from Time to Time be appointed by the said Trustees for that Purpose (except the Market for the Sale of Horses, Sheep, Swine, or other Cattle or Beast), on any Day of the Week; nor shall any Person or Persons vend or expose to Sale in the said Market House, or in any other Place or Places within the said Borough, which shall from Time to Time be appointed by the said Trustees as aforesaid, any of the Goods, Wares, or Commodities aforesaid, at any other Time than such as shall be ordered and directed by the said Trustees; and every Person offending herein, and being thereof convicted before any One or more of His Majesty's Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided nevertheless, and it is hereby declared, that nothing in this Act contained shall be construed to hinder or prevent any Person or Persons from the free Exercise of their Trade at their Dwelling Houses within the same Borough, any thing herein contained to the contrary notwithstanding.

C. And

C. And be it further enacted, That in case any Person holding, using, or in any Manner occupying any of the Buildings, Sheds, Stalls, Standings, Bulks, Trussels, Blocks, or other Conveniences, Standing Places, or Stations as aforesaid, or selling, or offering or exposing to Sale any Butcher's Meat, or any other Goods, Commodities, Articles, or Things in the said Markets as aforesaid, shall, upon Demand made thereof by the Collector, Farmer, or other Person or Persons authorized to receive the said several Tolls, Rents, Piccage, and Stallage aforesaid, neglect or refuse to pay, or shall evade the Payment of the same, or any or either of them, or any Part thereof, then and in such Case, and so often as it shall happen, it shall be lawful for the said Collector, Farmer, or other Person or Persons so authorized to receive the same, either by himself or his Assistants, to levy the same by Distress and Sale of all or any of the Goods, Articles, and Things so offered or exposed to Sale; and the Distress or Distresses so taken to sell immediately, rendering the Overplus (if any there be) upon Demand, after deducting the Expences of such Distress and Sale, to the Person or Persons whose Property or in whose Possession such Goods, Articles, or Things were at the Time of every such Distress.

Tolls, how
to be reco-
vered.

CI. Provided always, and be it further enacted, That nothing herein, or in the Third Schedule to this Act annexed, shall extend or be construed to extend to hinder or prevent the said Trustees from letting any Shops which are or shall be fitted up within the said Market House for such Rent or Rents, Sum or Sums, which the said Trustees may from Time to Time think proper, from any Person or Persons who shall be willing to rent and occupy the same; and the said Trustees shall have such and the like Power for the Recovery of such Rent or Rents, Sum or Sums, in case of Refusal to pay the same, as is herein given for the Recovery of the Tolls, Rents, Piccage, and Stallage hereby granted.

Trustees
may let
Shops in
Market.

CII. And be it further enacted, That it shall be lawful for the said Trustees to erect and appoint a Public Weighing and Measuring House or Place at, in, or near the said Market House, for weighing or measuring such Meat, Goods, Articles, or Things as shall be bought or sold by Weight or Measure in the said Market, and to keep good and sufficient Standard Weights, Scales, and Measures, and to appoint some Person or Persons to attend the same on every Market Day; and all and every the Person or Persons selling Meat or other Things by Weight or Measure in the same Market shall weigh and measure the same in and by the said Weights, Scales, or Measures, as aforesaid, if required by the Buyer or Buyers thereof to be so weighed or measured; and in order to defray the Expence of providing the said Scales, Weights, and Measures, and a proper Person or Persons to attend the same as aforesaid, there shall be paid for the Weighing thereof by the Buyer or Buyers of such Meat, Articles, or Things, or by the Person or Persons requiring the same to be so weighed or measured, to the Person or Persons appointed to receive the same, the several Tolls or Sums of Money mentioned and specified as to the said Weighing House in the Third Schedule to this Act annexed; and in case any Person or Persons shall refuse to weigh and measure as aforesaid, he, she, or they shall forfeit and pay for every Offence any Sum not exceeding Five Pounds.

Power to
appoint a
Weighing
Place, and
to have
Weights, &c.
for weighing
Articles.

Inspector to
seize un-
wholesome
Meat, and
false
Weights and
Measures.

CIII. And be it further enacted; That the Person or Persons appointed, or to be appointed by the Mayor, Aldermen, and Burgesses of the said Borough of *Bridgwater*, Inspector or Inspectors of the Markets, or of Provisions and Weights and Measures, shall and may and is and are hereby authorized and required to seize and publicly destroy all unwholesome Flesh Meat and Provisions which shall be brought to or offered for Sale in the said Markets, and all false and deficient and unlawful Weights and Measures which shall be used or found therein.

Power to set
up Standings
in the Mar-
ket House
at Lent Fair,
for the Sale
of narrow
Cloths and
Shags.

CIV. Provided always, and be it further enacted, That it shall and may be lawful for the Person or Persons entitled to the Cheese Market in the said Borough for the Time being, to cause to be erected and set up within the Market House, at the Time of *Lent Fair* annually within the said Borough, so many Standings as will occupy a Space of Ground therein containing in the whole Ninety-four Feet in Length and Eleven Feet in Breadth, to be set out by the said Trustees, as the Place or Places to be used for the Sale of narrow Cloths and Shags only during the Time of such Fair, and to demand and take such Tolls and Perquisites from the Persons who shall occupy such Standings as have been heretofore annually paid by Persons for standing and selling such Cloths within the said Cheese Markets: Provided always, that nothing herein contained shall extend to or affect the Rents, Produce, and Profits of the Markets within the said Borough for the Sale of Horses, Sheep, Swine, or other Cattle or Beasts, or the Fairs within the said Borough, but the same shall be received and taken by such Persons and for such Purposes as the same ought to have been held, received, or taken before the passing of this Act; nor shall this Act, or any thing herein contained, extend to affect, impeach, or prejudice the Right or Title of the Mayor of the said Borough for the Time being of or in the Office of Clerk of the Markets within the said Borough; any thing herein contained to the contrary notwithstanding.

Nothing
herein to
affect the
Rents of the
Cattle Mar-
kets or Fairs;

Nor the
Right of the
Mayor as
Clerk of the
Markets.

Penalty for
defacing or
destroying
the Property
of the Trus-
tees.

CV. And be it further enacted, That if any Person or Persons shall take away, remove, destroy, deface, injure, or pull up any Building, Wall, Gate, Fence, Post, Rail, or Erection, Flagging or Pavement, in, upon, or within the Limits of the said Market House, or any Board, Notice, or Inscription which shall be fixed or set up in, upon, or near to the same by the Order of the said Trustees, or destroy, damage, or injure any of the Stalls, Shambles, Standings, Sheds, Bunks, and other Conveniences to be erected, set up, or used in the said Market House, or the Limits thereof, or belonging to the said Trustees, every Person offending in any of the Cases last aforesaid shall forfeit and pay such Sum of Money, not exceeding the Sum of Five Pounds, as any Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset* shall in that Behalf direct, and also such further Sum of Money as a Compensation for the Damage and Costs which shall have been occasioned by such Offence as the said Justice or Justices shall in that Behalf award.

Power to
levy Rates.

CVI. And for raising further Monies for the better paving, cleansing, lighting, and watching the Streets, Lanes, and other Public Passages and Places within the said Borough, be it further enacted, That it shall be
*
lawful

lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, at any Meeting or Meetings to be holden by them under the Authority of this Act, to order and direct a Rate or Rates, Assessment or Assessments, to be made on the Tenants or Occupiers of all Messuages, Houses, Shops, Warehouses, Cellars, Vaults, Wharfs, Manufactories, Founderies, Mills, Stables, Coach Houses, Brew Houses, Malt Houses, and other Buildings and Erections already built, erected, or made, or which shall hereafter be built, erected, or made, situate, standing, and being within the said Borough of *Bridgwater*, and upon the several Gardens, Curtilages, Yards, and other Conveniences thereunto adjoining and belonging, and upon all Gardens, Tenements, and Hereditaments adjoining to or upon or contiguous to any of the Streets, Lanes, or other Public Passages and Places which are already made or built, or which shall hereafter be made or built within the said Borough, or upon such and so many of them as shall be comprised in that Part of the Rate or Assessment for the Relief of the Poor of the said Borough and Parish usually denominated the Borough Rate, which shall have been made next immediately preceding every such Rate or Assessment directed to be made under the Authority of this Act; and shall cause the same to be levied, raised, and paid by such Yearly, Half-yearly, Quarterly, or other Payments, and unto such Collector or Collectors as the said Trustees shall direct or appoint: Provided nevertheless, and it is hereby directed, that the Rate or Rates, Assessment or Assessments, so to be made as aforesaid, shall not in any one Year (such Year to be considered as ending on the Eleventh Day of *October*) exceed the Sum of One Shilling in the Pound on the Annual Value of the several Messuages and other Premises which shall be comprised therein, such Value to be taken to be of the Amount on which the then last preceding Rate or Assessment for the Relief of the Poor of the said Borough and Parish shall have been made, or as near thereto as conveniently may be.

CVII. Provided always, and be it further enacted, That no Person shall be rated or pay to the Rates or Assessments which shall be made by virtue or in pursuance of this Act, for or in respect of any Stock in Trade, Money, or personal Estate whatsoever, nor shall any Person be rated or pay who shall be excused from the Payment of Poor Rates on account of his or her Poverty, or for or in respect of any Closes or Parcels of Land which for the Time being shall be used as Arable, Meadow, or Pasture Land, and not as Gardens, or Pleasure Ground; any thing herein contained to the contrary notwithstanding. Exemptions from Rates.

CVIII. And be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any Messuage or other Premises which shall be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay the Rate or Assessment, Rates or Assessments, so rated or assessed, in proportion to the Time that he, she, or they shall have occupied the same, in like Manner as if such Person or Persons had not removed from or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any such Messuages or other Premises as aforesaid, out of or from which any other Person or Persons who shall have been rated or assessed for the same shall be removed, or which at the Time of making any such Rate or Assessment How Rates, &c. to be paid by Tenants quitting or entering.

Assessment was or were empty or unoccupied, the Person or Persons so coming into or occupying the same shall, for and in respect of his, her, or their Occupation thereof, be liable to pay such Rate or Assessment, in proportion to the Time that he, she, or they shall occupy the same, in the same Manner as if he, she, or they had been originally rated or assessed for such Messuage or other Premises; which said respective Proportions in case of Dispute shall be settled and ascertained by the said Trustees as they shall judge reasonable.

Trustees
may inspect
Poor Rates.

CIX. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons by them authorized for that Purpose, from Time to Time to inspect the Poor Rates of and for the said Borough and Parish of *Bridgwater*, and to take Copies or Extracts therefrom, which the Overseer or Overseers of the Poor for the Time being, or other Person or Persons having the Custody thereof respectively, is or are hereby required to permit and suffer to be made and taken without Fee or Reward; and on the Refusal thereof by the Overseer or Overseers, or other Person or Persons as aforesaid, he or they so refusing shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, to be recovered by the said Trustees as other Penalties are directed by this Act to be recovered.

Rates how to
be recovered.

CX. And be it further enacted, That in case at any Time or Times hereafter, any Tenant or Tenants, Occupier or Occupiers of any Messuage or other Premises situate within the said Borough of *Bridgwater*, for and in respect whereof he, she, or they shall be rated or assessed, or liable to pay any Rate or Rates, Assessment or Assessments, to be made by the said Trustees in pursuance of the Powers of this Act, shall refuse or neglect to pay to the said Trustees, or the Person or Persons to be from Time to Time appointed by them to collect and receive the same, the Money rated or assessed upon him, her, or them respectively, or which he, she, or they shall or may be liable to pay by virtue of this Act, and all Arrears thereof, it shall be lawful for any One of His Majesty's Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, and he is hereby authorized and directed, by Writing under his Hand, on Complaint being made by the said Trustees or any One or more of them, or their Clerk, or any Collector, Officer, or other Person appointed by them, to summon all and every Person or Persons who shall have refused and neglected as aforesaid, to appear at a Time and Place to be mentioned in such Summons before such Justice, or before any Justice or Justices of the Peace for the said Borough or County who shall be then and there present, the Collector or Collectors of such Rate or Rates, Assessment or Assessments, having previously made Oath that he or they had duly demanded the same, either personally or by Notice in Writing signed by him or them, and left at the last or usual Place or Places of Abode of the Person or Persons so in arrear as aforesaid, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments mentioned in such Notice shall remain due and owing, previous to the Service of such Summons, and that the same was or were then in arrear and unpaid; and such Summonses may be served upon all and every such Person or Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by

by leaving the same at his, her, or their last or usual Place or Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments mentioned in such Summons shall remain due and owing ; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he, she, or they shall attend and shall not show good and sufficient Cause to the Satisfaction of such Justice or Justices as may be then and there present, that he, she, or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, or that he, she, or they shall have paid the same, then and in every such Case every such Person or Persons shall pay, upon the Order and Decision of such Justice or Justices, the Rate or Rates, Assessment or Assessments, in respect of which such Summons was issued, and also the Costs and Charges attending the same ; and in all Cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summons and such Order and Decision as aforesaid, it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses, or for any other Justice of the Peace for the said Borough or County, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summons or Summonses by the Person who shall have served the same, and Proof on Oath that such Rate or Rates, Assessment or Assessments is or are actually due and owing, to grant a Warrant under his Hand and Seal authorizing or directing any such Person appointed to collect such Rate or Rates, Assessment or Assessments, or Arrears, or any Constable or other Person as aforesaid, to levy such Rate or Rates, Assessment or Assessments, and Arrears, and the said Costs and Charges (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the Costs, Charges, and Expences of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing as aforesaid ; and if within Five Days next after any Distress shall be made, the said Rate or Rates, Assessment or Assessments and Arrears, together with all such Costs and Charges as aforesaid, shall not be paid, then the said Person appointed to collect such Rate or Rates, Assessment or Assessments as aforesaid, or the Constable or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by One or more Appraiser or Appraisers, and to be sold, either on the Premises where the same shall be distrained or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the Costs, Charges, and Expences as aforesaid, together with all the reasonable Costs, Charges, and Expences of appraising and selling the same, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them ; and in case no such Goods and Chattels can be found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up or secured, or shall be removed, so that such Person appointed to collect such Rate or Rates, Assessment or Assessments as aforesaid, or such Constable or other Person cannot distrain the same, or in case after such Distress and Appraisement and Sale as hereinbefore are directed, the Proceeds thereof

[*Local.*]

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shall

shall not be sufficient to pay such Rate or Rates, Assessment or Assessments, with the Arrears due thereon, and all the Costs, Charges, and Expences as aforesaid, then and in any and every such Case, upon Information thereof given to any Justice of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, it shall be lawful to and for any such Justice of the Peace, and he is hereby authorized and required to issue a Warrant under his Hand and Seal for the Apprehension of any such Person or Persons making Default in Payment of such Rate or Rates, Assessment or Assessments, and the Arrears thereof, or of any Part thereof, and of such Costs, Charges, and Expences, or any of them, and to commit such Person or Persons to the Common Gaol or House of Correction for the said Borough or County of *Somerset*, there to remain without Bail or Mainprize for any Time not exceeding the Space of Three Calendar Months, unless such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and all Costs, Charges, and Expences as aforesaid, or so much thereof as shall remain unsatisfied by any such Distress or Distresses or otherwise, shall be sooner paid.

Rates may
be inspect-
ed.

CXI. And be it further enacted, That all Duplicates of all Rate or Rates, Assessment or Assessments, made, allowed, and signed by the said Trustees by virtue of this Act, shall be deposited with the Clerk of the said Trustees, who shall permit any Person rated by virtue of this Act to inspect the same at all reasonable Times upon Payment of One Shilling each Time; and such Clerk shall within Five Days after Demand deliver a true Copy of such Rate or Rates, Assessment or Assessments, or any of them, or of any Part thereof, to any Person rated as aforesaid, being first paid for the making of such Copy after the Rate of Sixpence for every Seventy-two Words or Figures thereof.

Rate Book
Evidence.

CXII. And be it further enacted, That the Book or Books of Rates or Assessments to be delivered to the Collector or other Officers by the said Trustees, and all Entries afterwards made therein, or examined Copies thereof respectively, being signed by any Seven or more of the said Trustees, shall be received as Evidence of the Rates imposed by virtue of this Act, and of the Payment of such of them or any Part thereof as shall by such Entries appear to have been paid to such Collector.

Persons ag-
grieved may
appeal
against
Rates.

CXIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, which shall be made in pursuance of this Act, such Person or Persons having first paid such Rate or Rates, Assessment or Assessments, shall or may apply for Relief in the Premises to the said Trustees, at their first or second Meeting to be holden next after he, she, or they shall have paid the same; and the said Trustees are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Order or Determination of the said Trustees thereupon, then such Person or Persons may appeal against such Order or Determination to the General Quarter Sessions of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, within the Time and in Manner hereinafter directed in that Behalf.

CXIV. And

CXIV. And be it further enacted, That the Monies to arise and be received by or from the Rates and Assessments hereinbefore authorized to be assessed and levied, shall from Time to Time and at all Times be paid, applied, and disposed of by and under the Order of the said Trustees, in Manner following; (that is to say,) in paying and defraying all Expences incident or relating to the making, obtaining, collecting, or enforcing the Payment of the said Rates and Assessments, and the Monies to be received thereby, and also in paving, lighting, cleansing, and watching the several Streets, Lanes, and other Public Passages and Places within the said Borough, in the Manner directed by this Act, and to and for no other Use or Purpose whatsoever.

Application
of Monies
raised by
Rates.

CXV. Provided always, and it is hereby further enacted, That it shall not be lawful for the said Trustees to borrow or take up at Interest, in the Credit or Security of the said Rates or Assessments, any Sum or Sums of Money whatsoever, nor to charge the same with the Payment thereof in any Manner whatsoever, nor to appropriate the Monies to arise and be received thereby to the Payment of the principal Monies which have already been borrowed under the Authority of the said recited Act hereby repealed, or which shall hereafter be borrowed by the Authority of this Act, or of the Interest thereof, but that the same shall be exclusively applied to the Purposes hereinbefore directed in that Behalf, and to and for no other Purpose whatsoever.

Rates not to
be mort-
gaged.

CXVI. And for the more speedily enabling the said Trustees to discharge the Costs, Charges, and Expences of and attending and incident to the obtaining and passing of this Act, and for the several Purposes thereof, and of executing the several Powers thereby vested in them, be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, when and so often as they shall think it expedient, to borrow and take up at Interest, in addition to the several Sums already borrowed on the Authority of the said recited Act, such further Sum and Sums of Money as the said Trustees shall in their Discretion think fit, upon the Credit of the said Market House, Buildings, Land, or Ground so vested, and upon such other Buildings and Premises as may be vested in the said Trustees as aforesaid, and upon the said Tolls, Piccage, Stallage, and other Profits of the said Markets; provided that Notice of such Meeting and of such intended Application be given in One or more of the Public Newspapers printed or circulated in the County of *Somerset* at least Twenty-one Days before such Meeting; and for securing the same Monies together with Interest, the said Trustees are hereby authorized and empowered, either at such Meeting or afterwards, by any Writing or Writings under the Hands and Seals of the said Trustees, or under the Hands and Seals of any Five or more of them, to mortgage, grant, or assign the said Market House, Buildings, Land, or Ground and Premises, and the said Rents, Tolls, Piccage, Stallage, and other Profits of the said Markets, to the Person or Persons who shall advance or lend such Money; or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with such Interest as the said Trustees and the Parties lending such Money shall agree upon; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Trustees

Power to
borrow Mo-
ney on Mort-
gage.

out

out of the Money advanced upon such respective Security; and every such Mortgage or Security shall be in the Words or to the Effect following; (that is to say,)

Form of the
Mortgage.

‘ BY virtue of an Act passed in the Seventh Year of the Reign of His
‘ Majesty King *George* the Fourth, intituled *An Act [here set forth*
‘ *the Title of this Act]* we whose Names and Seals are hereunto sub-
‘ scribed and set (being of the Trustees acting in the Execution
‘ of the said Act) in Consideration of the Sum of
‘ advanced and lent by upon
‘ the Credit and for the Purposes of the said Act, and paid by him
‘ [*or her, or them, as the Case may be*] to the Treasurer to the said
‘ Trustees, do hereby grant and assign unto the said
‘ [*or to his or their Trustee or Trustees, as the Case may be*] his
‘ [*her or their*] Executors, Administrators, and Assigns, such Propor-
‘ tion of the Rents, Tolls, Piccage, Stallage, and other Profits granted
‘ or authorized to be raised, levied, and collected by virtue of the said
‘ Act, and also of the said Market House and Buildings and Premises
‘ thereby vested in the said Trustees, as the said Sum of
‘ doth or shall bear to the whole Sum bor-
‘ rowed or to be borrowed upon the Credit of the said Rents, Tolls,
‘ Piccage, Stallage, and other Profits and Premises; to be had and
‘ holden from the Day of the Date of these Presents, until the said Sum
‘ of with Interest for the same,
‘ after the Rate of *per Centum per Annum*, to be paid
‘ Half-yearly, shall be fully paid and satisfied. In Witness whereof
‘ we have hereunto set our Hands and Seals the Day of
‘ in the Year of our Lord

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

Power to
transfer
Mortgage.

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

‘ I *A. B. [or C. D. Executor or Administrator of A. B. late of*
‘ *or otherwise as the Case may be,]* in Consideration
‘ of the Sum of to be paid by *E. F.* of
‘ do hereby assign and transfer unto the said *E. F.* his Executors,
‘ Administrators, and Assigns, a certain Security bearing Date the
‘ Day of in the Year of
‘ our Lord under the
‘ Hands and Seals of of the Trustees for putting
‘ into Execution an Act passed in the Seventh Year of the Reign
‘ of King *George* the Fourth, intituled *An Act [here set forth the Title*
‘ *of this Act]*, and the Principal Sum of thereby
‘ secured, and all Interest now due and hereafter to grow due thereon,
‘ with all my Right, Title, and Interest in and to the same. Dated this
‘ Day of in the
‘ Year of our Lord

CXVIII. And

CXVIII. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any Sum or Sums of Money authorized to be raised under the Provisions contained in the said recited Act, or who shall hereafter advance any Sum or Sums of Money authorized to be raised under the Provisions of this Act, his, her, or their Assignee or Assigns, in respect to the Priority of the Mortgage or Assignment thereof, or of advancing such Sum or Sums of Money, but that as well all Persons to whom any such Mortgages or Assignments have already been made or given, as those to whom any such shall hereafter be made or given, his, her, or their Assignee or Assigns shall (in proportion to the Sum or Sums therein mentioned) be Creditors on this Act, and in equal Degree one with another.

No Priority
of Mort-
gages.

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

Register
Book to be
kept.

CXX. And be it further enacted, That if any Mortgagee or Mortgagees of the said Market House, Buildings, Land or Ground, Rents, Tolls, Piccage, Stallage, and other Profits of the said Markets, shall seek to obtain the Possession of the said Market House, Buildings, Land or Ground, Rents, Tolls, Piccage, Stallage, and other Profits, to pay himself, herself, or themselves the Principal Money and Interest or any Part thereof due to him, her, or them, it shall be competent for him, her, or them, as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the other Mortgagees of the said Tolls and Premises, to obtain such Possession, upon leaving with the Clerk to the said Trustees for the Time being Six Months previous Notice of such his, her, or their Intention to obtain such Possession; but such Person or Persons who shall obtain the Possession thereof shall not apply the Rents, Tolls, and other Profits which may consequently be received by him, her, or them, to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the Mortgagees of the said Market House, Buildings, Land or Ground, Stallage, and other Profits of the said Markets, *pari passu*, and in proportion to the several Sums which may be due to them as such Mortgagees.

An Action
of Ejectment
may be sup-
ported by
One Mort-
gagee.

[*Local.*]

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CXXI. And

Application
of Monies
borrowed on
Mortgage of
Tolls, &c.

CXXI. And be it further enacted, That the Rents, Tolls, Piccage, Stallage, and other Profits, and all other Monies to be received by virtue of this Act, with the Exception of the Monies to arise by the Rates and Assessments by this Act authorized to be collected and received, the Application whereof is herein particularly directed, and also all other Monies which at the Time of passing this Act shall have been raised or produced under the said recited Act hereby repealed, shall be from Time to Time paid, applied, and disposed of in Manner following; (that is to say,) in the first place, in paying and defraying the Costs, Charges, and Expences of applying for and incident to the obtaining and passing of this Act, together with the Interest for the same, and then in discharging and paying all Fee Farm Rents charged or chargeable on the said Houses and Premises purchased or to be purchased under the Authority of the said recited Act hereby repealed or this Act; and also in discharging and paying all Rates, Taxes, or Assessments to be laid on the said Market House and Buildings, and the Costs and Expences of collecting the said Tolls, Piccage, Stallage, and other Profits of the said Markets; and also in paying and discharging a certain Annuity or Yearly Sum of Fifty Pounds hereby made payable to the Mayor, Aldermen, and Burgesses of the said Borough as hereinafter mentioned; and likewise the Interest as well of all Monies which have been borrowed under the Powers of the said recited Act hereby repealed, as also of all Monies which shall hereafter be borrowed by virtue and under the Powers of this Act, and the Expences of keeping the said Market House and the Buildings and Premises which have been or shall hereafter be purchased, built, or erected for the Enlargement of the said Market in Repair; and also the Costs and Charges of enlarging the said Market House, and of purchasing the Messuages, Houses, Buildings, Walls, Lands, Tenements, and Hereditaments authorized by this Act to be purchased, or any of them, or any Part or Parts thereof respectively; and in paying off and discharging the several Principal Sums of Money already borrowed under and by virtue of the said recited Act, or which shall be borrowed under and by virtue of this Act; and in and for carrying the Intents and Purposes of this Act into full and complete Execution in all other Respects, or in or for any of the aforesaid Purposes.

Penalty for
obstructing
Execution of
this Act.

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

Justices
empowered
to administer
Oaths.

CXXIII. And be it further enacted, That in all Cases where the Provisions of this Act direct or require the Oath or Affirmation of any Witness or Witnesses to be had or taken in any Proceeding or Proceedings before any Justice or Justices of the Peace, it shall be lawful for any Justice or Justices

Justices of the Peace, and he and they is and are hereby respectively authorized and required, to administer such Oath or Affirmation.

CXXIV. 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 in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by such Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Twenty-one Days after Demand in Writing shall have been made from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case, the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Trustees, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, 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 Trustees or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

In case of Nonpayment of Compensation for Damages by the said Trustees, the same to be levied by Distress.

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

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

CXXVI. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority of the same, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is hereinbefore made, shall and may in every Case be heard,

Recovery and Application of Penalties.

heard, adjudged, and determined by or before any One or more Justice or Justices of the Peace for the said Borough of *Bridgwater*, or County of *Somerset*, in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not (and which shall in every Case be made within Three Calendar Months at furthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid, the said Justice or Justices shall summon the Party or Parties accused, and examine into the Matter thereof, and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided by this Act) the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices (which he and they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus of the Money arising by such Sale (if any), upon Demand, to the Party or Parties whose Goods and Chattels shall be distrained, and which said Penalties, unless the same are herein otherwise directed to be applied, shall be paid to the Treasurer or Treasurers of the said Trustees, to be applied to the Purposes of this Act, except in the Cases where the said Trustees shall be liable to the Payment of any Penalty or Forfeiture, when the same shall be paid to the Poor of the said Parish of *Bridgwater*; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, the same shall not be forthwith paid; or in case it shall appear to such Justice or Justices, either upon the Confession of the Offender or Offenders, or otherwise that the Offender or Offenders hath or have not sufficient Goods or Chattels whereupon such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid can be levied were such Distress or Warrant issued, such Justice or Justices shall not be required to issue the same; and thereupon it shall be lawful for the said Justice or Justices, and he or they is and are hereby required and empowered, by Warrant or Warrants under

under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol for the said Borough of *Bridgwater* or County of *Somerset*, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or unless such Offender or Offenders shall have sooner fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

CXXVII. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or for any of their Surveyors, Collectors, or other Officers, and such Person or Persons as they, or any of them, shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Trustees; Surveyors, Collectors, or Officers) who shall commit any Offence or Offences against this Act, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*; and such Justice or Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

For secur-
ing transient
Offenders.

CXXVIII. And for the more easy and speedy Conviction of Offenders against this Act, or against any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority thereof; be it further enacted, That a Conviction in the Form or to the Effect following shall be good; (that is to say,)

Form of
Conviction.

‘ Borough of *Bridgwater*,
‘ or
‘ County of *Somerset*,
‘ [as the Case may be,]
‘ to wit. } BE it remembered, that on the
‘ Day of in the Year of our
‘ Lord
‘ is [or are, as the Case may be], convicted before
‘ me [or us, as the Case may be], of His
‘ Majesty’s Justices of the Peace for the Borough of *Bridgwater* or
‘ County of *Somerset* [as the Case may be], of having [here state the
‘ Offence, and the Time and Place when and where the same was com-
‘ mitted] contrary to a Statute made [or contrary to a Bye Law duly
‘ made in pursuance of a Statute made] in the Seventh Year of the Reign
‘ of His Majesty King *George the Fourth*, intituled *An Act, &c.* [here
‘ set forth the Title of this Act;] for which Offence I [or we, as the Case
‘ may be], do adjudge the said to have forfeited
‘ the Sum of . Given under my
‘ Hand and Seal, [or our Hands and Seals, as the Case may be], the Day
‘ and Year first above written.’

CXXIX. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, or against any such Bye Law, Rule, Order, or Regulation as aforesaid, either on behalf of the Prosecution, or on behalf of the Person or Persons accused, and shall refuse or

Penalty on
Persons not
appearing,
or refusing
to be exa-
mined as
Witnesses.

[Local.]

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neglect to appear at the Time and Place to be for that Purpose appointed; after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Nonappearance, or appearing shall refuse to be examined upon Oath or Affirmation, or to give Evidence touching the Matter in Question before such Justice or Justices, then, and in every such Case, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Persons paying Rates, &c. may be Witnesses.

CXXX. And be it further enacted, That no Person shall be disqualified from being a competent Witness, or from being admitted to give Evidence in any Action, Information, Prosecution, Appeal, Cause, or Proceeding whatsoever, authorized by or relating to the Execution of this Act, or touching or concerning any Bye Law, Order, or Determination made in pursuance thereof, by reason of paying, or being charged with or liable to pay any Tolls, Piccages, Stallages, Rates, or Assessments hereby authorized to be made and levied, or any other Rates or Assessments to be made and levied within the said Borough, or being One of the Trustees for putting this Act into Execution, or holding any Office or Employment under the said Trustees; any Law, Usage, or Custom to the contrary thereof notwithstanding.

Distress not to be avoided for want of Form.

CXXXI. And be it further enacted, That 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 shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in such Distress, or in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress; but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the special Damage in an Action on the Case.

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

CXXXII. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding, touching or concerning any Offence against this Act, or against any Bye Law made by Authority thereof, shall be quashed or vacated for want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere, any Law or Statute to the contrary thereof in anywise notwithstanding.

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

CXXXIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for any Thing done in pursuance of this Act unless Notice in Writing shall have been given to the Defendant or Defendants, Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of Amends shall have been made to him, her, or them, or his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action by Leave of the Court, after such Action

shall have been brought at any Time before Issue joined, to pay into Court such Sums of Money as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

CXXXIV. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any Thing done in pursuance or under the Authority of this Act after the Expiration of Three Calendar Months next after the Fact committed, or the Cause of Action have ceased and determined (except as may be herein otherwise directed); and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial which shall be had thereupon; and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time hereinbefore limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as hereinbefore authorized; then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Treble Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law: Provided nevertheless, that in case of paying Money into Court as aforesaid the Defendant or Defendants shall be entitled to Treble Costs from the Time of such Payment only.

CXXXV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Determination or Judgment made or given by any Justice or Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, in pursuance of this Act, or by any Bye Law, Rule, Order, or Regulation made by virtue of this Act, or by any other Matter or Thing made or done in pursuance of this Act (except in Cases where the Verdicts or Inquisitions of Juries are directed to be taken), he, she, or they may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, at their General or Quarter Sessions of the Peace, or at some Adjournment thereof, to be held for the said Borough or County, such Appellant or Appellants having given at least Fourteen Days' clear Notice in Writing of

Limitation
of Actions.

Appeal to
General or
Quarter
Sessions.

of his, her, or their Intention of making such Appeal and of the Matter or Cause thereof to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any Matter or Thing made or done by the said Trustees, or any of them, or by any Justice or Justices of the Peace, in which Case such Notice shall be given to the Clerk of the said Trustees; and within Four Days next after such Notice, causing Recognizances to be entered into before some Justice of the Peace for the said Borough of *Bridgwater* or County of *Somerset*, with Two sufficient Persons in the Sum of Twenty Pounds each, conditioned for the Party or Parties, Appellant or Appellants, to try such Appeal and abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such Sessions, upon due Proof upon Oath of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever, and not to be removable by Certiorari, or otherwise, into any of His Majesty's Courts of Record at *Westminster*.

On Appeal from Rate, the Quarter Sessions may amend it, without quashing it; or if necessary to grant Relief, may quash the Rate.

CXXXVI. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act, the Court of General or Quarter Sessions of the Peace shall, and such Court is hereby authorized and required (in all Cases where they shall see just Cause to give Relief), to amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of Opinion that it is necessary for the Purpose of giving Relief to the Person or Persons appealing that the Rate or Assessment should be wholly quashed, then the said Court may quash the same and order a new one to be made.

Persons giving false Evidence to be punished.

CXXXVII. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before any Justice of the Peace or otherwise under this Act, upon Oath, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he, she, or they so giving false Evidence shall be subject to the same Punishment as Persons convicted of Perjury.

A certain Rent of 10% payable to the Crown, not to be affected.

CXXXVIII. Provided always, and be it further enacted, That nothing herein contained shall prejudice, lessen, or defeat the Right, Title, Claim, or Interest of His Majesty, His Heirs and Successors, to a certain Rent or Annual Sum of Ten Pounds, reserved to the Crown by the Charter of King *Edward* the Fourth, granted to the then Mayor, Bailiffs, and Burgesses

Burgesses of the said Borough, but that the said Rent or Annual Sum shall continue to be paid in the same Manner as if this Act had not passed, any thing herein contained to the contrary in anywise notwithstanding.

CXXXIX. And whereas by the said recited Act of the Nineteenth Year of the Reign of His late Majesty hereby repealed, after therein reciting that the Mayor, Aldermen, and Burgesses of the said Borough of *Bridgwater*, were in their corporate Capacity seised of a Market within the said Borough, together with Stallage, Piccage, and other free Customs and Liberties to the said Market belonging or appertaining, it was enacted, that towards making Compensation to the said Mayor, Aldermen, and Burgesses for the Time being, for the Perquisites and Profits which had been usually had, received, and taken by them out of such Parts of the said Markets as had been usually held in the Place called the *Cornhill* within the said Borough, One Annuity or Yearly Sum of Fifty Pounds, clear of all Rates, Taxes, and Deductions whatsoever, should for ever thereafter be issuing and payable out of the said Tolls, Piccage, Stallage, and other Profits of the said Markets and Buildings, unto the said Mayor, Aldermen, and Burgesses of the said Borough for the Time being and their Successors for ever; be it therefore further enacted, That One Annuity or Yearly Sum of Fifty Pounds, clear of all Rates, Taxes, and Deductions whatsoever, shall for ever hereafter be issuing and payable out of the said Tolls, Rents, Piccage, Stallage, and other Profits of the said Market and Buildings, unto the said Mayor, Aldermen, and Burgesses of the said Borough for the Time being; which said Annuity or Yearly Sum of Fifty Pounds shall be payable and paid by the said Trustees or their Treasurer, by equal Quarterly Payments, on the Twenty-fourth Day of *June*, the Twenty-ninth Day of *September*, the Twenty-fifth Day of *December*, and the Twenty-fifth Day of *March*, the first Payment thereof to begin and be made on the Twenty-fourth Day of *June* One thousand eight hundred and twenty-six; and the said Annuity or Yearly Sum of Fifty Pounds shall be and is hereby vested in the said Mayor, Aldermen, and Burgesses and their Successors for ever.

Annuities to Mayor and Bailiffs of the Borough of *Bridgwater*.

CXL. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act and incident thereto, together with lawful Interest from the Time of advancing, paying, and disbursing the same, shall be paid and discharged by the said Trustees by and out of the first Monies hereby authorized to be raised by them, in Preference to all other Payments whatsoever.

Expences of this Act.

CXLI. Provided always, and it is hereby declared, That nothing in this Act shall extend or be construed to take away, alter, prejudice, lessen, or diminish any of the Rights or Privileges of or belonging to the Mayor, Aldermen, and Burgesses of the Borough of *Bridgwater* aforesaid (other than and except such as are expressly meant and intended to be taken away, and for which Compensation is hereby directed to be made to them); but that the said Mayor, Aldermen, and Burgesses shall still continue to use, exercise, and enjoy the same as if this Act had not been made, any thing hereinbefore contained to the contrary thereof notwithstanding.

Saving Rights of the Corporation.

CXLII. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to invalidate, avoid, im-

Reservation of Rights of Lessees of

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peach, or prejudice any Lease of the Cheese Market or Fish Market within the said Borough, heretofore made by the said Mayor, Aldermen, and Burgesses to any Person or Persons whomsoever; but that all Persons now entitled to and interested in any such Lease, and his, her, or their respective Executors, Administrators, and Assigns, shall continue entitled thereto, and interested therein, and to all the Rights, Benefits, Advantages, and Emoluments thereby respectively granted or demised, as fully and effectually to all Intents and Purposes as if this Act had never been made, (except only the Alteration of the Place for holding and keeping the said Fish and Cheese Markets, which shall and may hereafter be held within the said present or such other Place as the said Trustees shall appoint, subject only to the Payment of such Rates, Taxes, Quit Rents, and other Burthens and Outgoings whatsoever, as have been heretofore paid, borne, and discharged by the Lessees thereof respectively); nor shall any thing in this Act contained be construed to prejudice, lessen, or defeat the Rights of the Mayor, Aldermen, and Burgesses of, in, and to the Reversion of the said Cheese and Fish Markets, and to all the Rights, Benefits, Advantages, and Emoluments thereto respectively belonging, after the Determination of such Leases respectively, any thing herein contained to the contrary thereof notwithstanding.

Public Act.

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

The First SCHEDULE referred to by the foregoing Act.

WESTGATE.

Description of Premises.	Owners.	Occupiers.
Dwelling House, Baking House, and Shop -	William Bowering.	William Bowering.
Dwelling House and Slaughter House adjoining -	Charles Jefferies, under the Corporation of Bridgwater.	Charles Jefferies.
Shop, Two Dwelling Houses, and Garden adjoining -	James Parsons, under C. K. K. Tynte, Esq.	— Rogers.
Dwelling House and Garden	Ann Burt, Widow.	Rev. John Dawes.

FRYERN STREET.

Shop and Dwelling House	James Stockham.	James Stockham.
Dwelling House	Abraham Milton.	Thomas Swaine.
Ditto	Ditto.	Widow Tuttiet.
Ditto	Ditto.	Thomas Day.
Ditto	James Stockham.	Charles Stockham.
Ditto	Ditto.	William Criddle.
Court House	Miss Holloway, Ann the Wife of John Crocker, Mary Passmore, and Sarah Schoolls, under the Corporation of Bridgwater.	James Wineatt.
Dwelling House	Ditto.	James Wineatt.
Court Yard adjoining	Ditto.	— Parsons.

FRYERN STREET AND SILVER STREET.

Dwelling House and Court	Edward Sealy, jun. and Miss Reed, under the Corporation of Bridgwater.	Maria Pepper.
Garden, Silver Street	Ditto.	Widow Ralls.

SAINT MARY STREET.

Dwelling House	Francis Wride.	George Briffett.
Dwelling House, Court adjoining, and Shed	Thomas Taylor.	Thomas Taylor.
Dwelling House	Ditto	Richard Edwards.
Ditto	Ditto	Thomas Newman.
Ditto	Miss Holloway, Anne the Wife of John Crocker, Mary Passmore, and Sarah Schoolls, under the Corporation of Bridgwater.	John Crocker, Ann his Wife, and Mary Passmore.
Ditto	Sarah Popham.	Sarah Popham.
Ditto	Ann Popham.	William Sparks.
Ditto	Widow Reed.	Thomas Fish.
Ditto	Ditto	George Readford.

Description of Premises.	Owners.	Occupiers.
Dwelling House - - - {	Edward Sealy, under John Mines. }	William Crosse.
Ditto - - - {	Ditto. }	William Marshall and Isaac Herbert.
Ditto - - - {	William Crosse. }	George Lee.
Ditto - - - {	Ditto. }	James Gover.
Ditto - - - {	Thomas Danger. }	Betty Herbert.
Ditto - - - {	William Jeff. }	William Jeff.
Ditto - - - {	Elizabeth Day. }	William Cussens and William Withers.
Ditto - - - {	Mr. Granger and Miss Reed. }	John Murlis and Widow Davis.
Ditto - - - {	Ditto. }	Robert Heard.
Ditto - - - {	Ditto. }	Robert Vicary.
Ditto - - - {	John Leaker. }	John Dennis.
Store House adjoining Dwelling House, Shop, and Passage adjoining - - - {	Ditto. }	William Roberts.
Shop and Dwelling House - - - {	John Leaker. }	Ditto.
Shop and Passage - - - {	Francis Wride. }	John Lear.
House adjoining - - - {	James Westover. }	Elizabeth Headford.
A Smith's Shop - - - {	Mrs. Oliver. }	Mr. Granger.
Dwelling House and Shop - - - {	Commissioners of Turnpikes. }	Vacant.
Two Dwelling Houses - - - {	Charles Knight, Henry Reed and Richard Chute Codrington. }	William Lear the elder.
Shop and Dwelling House - - - {	Ditto. }	William Hooper and John Loosemore.
Fleur-de-lis Inn - - - {	John Leaker. }	Vacant.
The Three Crowns Inn - - - {	Mrs. Lovatt, under Corporation of Bridgwater. }	John Leaker.
Dwelling House - - - {	Rev. Caleb Rockett and Thomas Symes. }	Thomas Drew.
Dwelling House - - - {	Messrs. Rock and Co. }	George Gwither.
Shop and Dwelling House - - - {	Thomas Criddle. }	Thomas Criddle.
Ditto - - - {	Ditto. }	Joseph Morton.
Coach and Horses Inn - - - {	Robert Splatts. }	John Criddle.
Dwelling House - - - {	Widow Lush. }	James Dare.
Two Shops and Dwelling Houses - - - {	Frances Sealy, Widow. }	Frances Sealy.
Ditto - - - {	John Nicholls. }	—— Fosters.
Ditto - - - {	Joseph Thompson. }	William Parker.
Ditto - - - {	Joseph Thompson, or Assignees of Messrs. Pyke. }	Vacant.

IN SAINT MARY STREET AND FRYERN STREET.

Rose and Crown Inn, Brew-houses and Stables adjoining - - - {	John Brice.	Edward Gandell.
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NORTH AND SOUTH PART OF HIGH STREET.

The Bristol Inn - - - {	John Whippel.	John Whippel.
Dwelling House and Shop - - - {	Benjamin Cockings. }	Benjamin Cockings.
Ditto - - - {	William Freeman. }	William Freeman.
Ditto - - - {	—— Biffen, under the Corporation of Bridgwater. }	Charles Biffen.
Ditto - - - {	Ditto. }	Thomas Hodge.
Baking House and Premises - - - {	Thomas Danger. }	Thomas Danger.
Shop and Dwelling House - - - {	Mrs. Danger. }	Mary Townsend.

Description of Premises.	Owners.	Occupiers.
Dwelling House - - -	James Parsons.	Joseph Payne.
Ditto - - -	William Richards.	William Bailey.
Ditto - - -	Corporation.	Samuel Hurford.
Shop and Dwelling House -	Widow Sweeting.	Widow Sweeting.
Ditto - - -	Thomas Gayler and Corpor- ation of Bridgwater.	Thomas Gayler and Peter Chamberlaine.
Ditto - - -	Alice Minify, under the Cor- poration of Bridgwater.	Thomas Harvey.
Ditto - - -	Widow Tazewell.	—— Fisher.
Ditto - - -	William Bennett, under C. K. K. Tynte, Esq.	William Bennett.
Dwelling House - - -	John Vivian.	Charles Day.
Valiant Soldier Inn - - -	James Old, under C. K. K. Tynte, Esq.	James Old.
SHAMBLES.		
Dwelling House and Shop }	John Nicholls and Corpor- ation of Bridgwater.	Vacant.
Dwelling House, Court, and Outbuildings - - }	John Nicholls.	Miss Quarrell.
Blacksmith's Shop adjoining	Ditto.	John Williams.
BETWEEN CHURCH AND BRIDGE.		
Dwelling House and Shop, } Cellars and Premises	Mrs. Croaker.	Clement Heard.
Messuage, Court, and Outhouse	Ditto.	Samuel Croker.
Dwelling House and Shop -	Robert Holloway.	Robert Holloway.
Ditto - - -	J. R. Poole, under Miss Ann Tanner.	Widow Marshall.
Ditto and Passage - - -	Ann Tanner.	Widow Briffett.
Ditto - - -	John Cook and Ann Tanner.	Widow Hunt.
EASTOVER.		
Dwelling House - - -	Trevor, Jones, Watson and Co. }	Henry Pearce and William Turner.
Ditto and Garden - - -	Robert Anstice.	William Crowcombe.
Ditto, Court, Outhouses, and Garden - - -	Thomas Haines.	Thomas Haines.
Ditto, and Passage and Court	Ditto.	G. Pattison.
Dwelling House, and Passage and Garden - - -	George Fenner	Richard Lawrence.
Dwelling House - - -	Ditto.	George Davidge.
Ditto - - -	William Brimble.	Robert Wilkins.
Ditto - - -	Ditto.	Widow Stacey.
Ditto - - -	Ditto.	James Brimble.
Ditto - - -	Robert Perram.	Robert Perram.
Ditto - - -	William Prance.	William Prance.
Star Inn, Outhouses, Court, and Curtilage adjoining }	Thomas Haynes.	John Barnett.
Dwelling House and Shop -	John Trump.	John Trump.
The Lease and Reversion of the Fish Market - - - }	The Corporation of Bridgwater.	

The Second SCHEDULE referred to by the foregoing Act.

EASTOVER.

Description of Premises.	Owners.	Occupiers.
Dwelling House - -	Corporation of Bridgwater and John Prior.	John Prior.
Ditto, and Barber's Shop -	James Parsons and Fanny Gould.	Thomas Dyer.
EASTOVER AND SALMON LANE.		
Dwelling House, Taylor's Shop, Court Yard, Gardens, Warehouses and Lofts - }	James Parsons.	{ John Read, sen. and John Read, jun.
SALMON LANE.		
Stable - - -	Thomas Hellier.	{ William York and James Briffett.

The Third SCHEDULE referred to by the foregoing Act.

MEAT MARKET.

	s.	d.
For every Butcher's Stall, per Week, (if taken by the Year,) not exceeding	5	0
For Ditto, if taken by the Week, not exceeding per Week	5	6
For Ditto, if not taken by the Year or Week, on every Thursday, not exceeding	4	0
For Ditto, on every other Day, not exceeding	1	0

POULTRY MARKET.

For every Space of Bench or Table Room for exposing to Sale any Poultry, Butter, Eggs, or other Articles commonly sold in Poultry Market, not more than Six Feet superficial Measure, not exceeding each Day	0	4
When occupying a larger Space, then for every additional superficial Foot, not exceeding	0	1
For every Hand-Basket of Poultry, Eggs, or other Articles aforesaid, each Day, not exceeding	0	2

VEGETABLE MARKET.

For every Stand or Standing Place, not more than Fourteen Feet of superficial Measure on the Ground, for selling or exposing to Sale any Vegetables, not exceeding each Day	0	4
And if occupying a larger Space, then for every additional superficial Foot, not exceeding	0	0½

CORN MARKET.

For every Stand or Standing Place occupying a Space not more than Nine Feet superficial Measure on the Ground, for selling or exposing to Sale any Corn, Grain, Meal, Flour, Seeds, or other Agricultural Produce, for each Market Day, not exceeding	1	6
And if occupying a larger Space, then for every additional superficial Foot, not exceeding	0	2
Every Person selling, or offering for Sale, by Sample or otherwise, any Corn or other Articles last hereinbefore mentioned, not having a Stand or Standing Place in the said Market, to pay every Market Day not exceeding	0	2

FRUIT MARKET.

For every Stall or Standing occupying in Space not more than Fourteen Feet superficial Measure, for selling or exposing to Sale Oranges or other Fruit each Day, not exceeding	1	0
But if occupying a larger Space, then for every additional superficial Foot, not exceeding	0	1
For every Basket of Fruit each Day, not exceeding	0	2

MISCELLANEOUS ARTICLES IN MARKET HOUSE UNDER
COVER.

	s.	d.
For every Standing occupying a Space not more than Fourteen Feet superficial Measure, for selling or exposing to Sale any Articles not hereinbefore particularly enumerated, for each Market Day, not exceeding	4	0
And if occupying a larger Space, then for every additional superficial Foot, not exceeding	0	4

NOT UNDER COVER.

Broom Sellers, for every Dozen of Brooms, not exceeding	0	0½
For every Stand or Standing Place, not exceeding Fourteen Feet superficial Measure, for selling Shoes, Earthenware, Hardware, Rakes, Apple-trees, Shrubs, Thorn Plants, or other Articles not hereinbefore particularly enumerated, each Day, not exceeding	1	0
And if occupying a larger Space, then for every additional superficial Foot each Day, not exceeding	0	1
For Exhibitions of Wild Beasts or other public Shows, a Sum each Day not exceeding Six Times the Amount of the highest Charge for seeing the same.		

WEIGHING.

	d.		s.	d.
1 Hide, not exceeding	1	if {	3	0 2
1 Lot of Tallow, not exceeding the Produce of One Beast, not exceeding	1		4	0 3
1 Flitch of Bacon, not exceeding	1		5	0 4
1 Skin, not exceeding	1		6	0 5
1 Sheep, Lamb, or Calf, not exceeding				0 2
1 Pig not exceeding				0 3
1 Bullock, not exceeding				0 4
¼ Ditto, not exceeding				0 1
½ Ditto, not exceeding				0 2
¾ Ditto, not exceeding				0 3
Every Weighing of other Articles, not exceeding 1 cwt., not exceeding				0 1
And if more than 1 cwt. and less than 2 cwt., not exceeding				0 2
And so in proportion for any greater Quantity.				

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