



ANNO QUADRAGESIMO PRIMO

# GEORGI II. REGIS.

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## *Cap. 126.*

An Act for paving, steaning, cleansing, watering, lighting, watching, and regulating the Streets, Squares, Lanes, Ways, Passages, and publick Places, within the Parish of *Bathwick*, in the County of *Somerset*, and for removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions; and for establishing a proper and effective Police therein. [27th June 1801.]

**W**HEREAS the several Streets, Squares, Lanes, Ways, Passages, and publick Places, already made and built, and which are now making and building, within the Parish of *Bathwick*, in the County of *Somerset*, are in many Parts incommodious and unsafe for Passengers, very ill paved, and not sufficiently cleansed, lighted, watered, and watched, and are subject to various Nuisances, Annoyances, Encroachments, and Obstructions: And whereas other Streets, Squares, Ways, Passages, and publick Places, are intended to be or may be made or built within the same Parish, which may be subject or liable to the same or similar Inconveniencies; and it would tend greatly to the Convenience, Benefit, and Safety of the Publick, as well as of the Owners

[*Loc. & Per.*] Preamble.

Appointment  
of Commis-  
sioners.

and Inhabitants of Houses already built or building, and of such other Houses as may hereafter be built therein, and to all Persons resorting thereto, if such Streets, Squares, Lanes, Ways, Passages, and publick Places, were properly paved, steaned, pitched, cleansed, watered, lighted, watched, and regulated, and all Nuisances, Annoyances, Encroachments, and Obstructions, removed or prevented; and if a proper and effective Police were established in the said Parish; but the several 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 Sir *William Pulteney* Baronet, Sir *James Murray Pulteney* Baronet, Sir *Hugh Maffey Dillon*, *Thomas Barrow*, *William Shepherd*, *George Poole*, *Clement Harrison*, *William Abraham*, *Richard Richardson*, *James Mulleney*, *George Evil*, *William Evil*, *Mark Robinson*, *Samuel Kirkman*, *John Howard* Doctor in Divinity, *Joseph Spry*, *William Garret*, *John Bulgin*, *William Phillips*, *James Christie*, *William Wilson*, *Joseph Cagneau*, *Robert Faulkner*, *John Salmon*, *Edward Wilmot*, *Samuel Nicholas*, *Joseph Marret*, *James Goodridge*, *James Holman* Doctor of Physick, *James Laird*, *Richard Atwood*, *Samuel Ward*, *Joseph Ward*, *Henry Knight*, *James Price*, *Joseph Stephen Pratt*, *Thomas Lewis*, *Robert Moody*, and their Successors, to be elected in the Manner herein-after directed, (being respectively qualified, and taking the Oath as herein-after mentioned), shall be and they are hereby appointed Commissioners for putting this Act in Execution.

Commence-  
ment of the  
Act, etc.

II. And be it further enacted, That this Act shall commence and take Effect on the Second *Monday* after the passing thereof, on which Day there shall be a General Meeting of the said Commissioners, at the Vestry Room of the Parish Church of *Bathwick* aforesaid, at the Hour of Eleven of the Clock in the Forenoon, when this Act may and is hereby required to be proceeded on in the Execution thereof; and a General Meeting of the Commissioners shall be held for carrying the same into Execution on every Second *Monday* afterwards, at the same Hour and Place, unless some other Hour, Day or Days in the Week or Year, or some other Place within the Parish of *Bathwick* aforesaid, shall be appointed by the Commissioners assembled at the said First Meeting, or from Time to Time by any subsequent Meeting at which there shall be Five Commissioners assembled; and if at the Times when the said Meetings are hereby required, or shall be so as aforesaid appointed to be held, there shall not be at each such Meeting Five Commissioners present, then each such Meeting shall stand adjourned to the next Day on which a Meeting in pursuance of this Act would be held as aforesaid; and no Act, Order, Rule, Resolution, or Proceeding of the Commissioners, shall be valid or effectual, unless had, made, or done at a Meeting or Meetings to be held in pursuance of this Act, (except in Cases herein particularly mentioned); and unless at every such Meeting there shall be at least Five Commissioners present, that Number of Commissioners being at all Meetings requisite, sufficient, and fully competent to execute all the Purposes of this Act, (except the Revocation, Suspension, or Alteration of any Order, Rule, Resolution, or Proceeding made or done by or at a preceding Meeting, as herein mentioned); and that at such

such First Meeting for putting this Act into Execution, One of the Commissioners present thereat shall be appointed Chairman, to whom any One other of such Commissioners shall and is hereby authorized and required to administer the Oath or Affirmation herein-after mentioned, and such Chairman shall immediately afterwards administer the like Oath or Affirmation to the other Commissioners then present; and at every other Meeting a Chairman shall in like Manner be appointed; and the Chairman for the Time being shall and is hereby alone authorized and required to administer the Oath or Affirmation hereby required to be taken by the said Commissioners and their Successors, as Occasion shall require; and in all Cases where there shall arise a Difference of Opinion, the Question shall be decided by a Majority of Votes of the Commissioners then present, and if upon any Question there shall be an equal Number of Votes, (including the Chairman's Vote), then the Chairman shall have the casting Vote; and that no Order, Rule, Resolution, or Proceeding, had, made, or done at any Meeting held in pursuance of this Act, at which there shall have been Five Commissioners present, shall be revoked, suspended, or altered, unless at some subsequent Special Meeting to be held for that Purpose, (which any Five or more of the Commissioners are hereby empowered to call, and of which Five Days previous Notice of the Time, Place, and Purport, shall be given and left at the respective Places of Abode of the Commissioners having a Residence in the said Parish of *Bathwick* or City of *Bath*, and affixed on the Door of the Parish Church of *Bathwick* aforesaid, and also the *Laura* Chapel), a greater Number of Commissioners than were present at the Meeting or Meetings at which such Order, Rule, Resolution, or Proceeding proposed or intended to be revoked, suspended, or altered, shall have been made, shall be present, and shall concur in the Revocation, Suspension, or Alteration thereof, and in such Case no other Meeting to proceed in the Execution of this Act shall be held until after the Day expressed in such Notice; and at every Meeting, the Commissioners present thereat shall defray their own Expences.

III. Provided nevertheless, and be it further enacted, That if there shall be any particular Occasion to hold a Meeting before the Time at which a Meeting is hereby required, or shall be so as aforesaid appointed to be held, then and in such Case it shall be lawful for the Commissioners, or any Three or more of them, or for their Clerk for the Time being, and they or he are and is hereby required to call a Special Meeting, of which Seven Days previous Notice shall be given in the same Manner as is herein-before mentioned.

Provision for calling a Special Meeting of the Commissioners.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in any Case in the Execution of this Act, during the Time he shall hold or enjoy any Office or Place of Profit under, or be concerned directly or indirectly in any Contract made by virtue of this Act, or in any Case wherein he shall be in anywise personally or beneficially interested in the Matter in Question, (except as a Creditor on the Rates or Assessments herein-after required to be levied), or who shall not in his own Right, or in the Right of his then late or present Wife, be in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, for an Estate of Freehold or Copyhold, or both, situate or being in the said Parish

Qualification of Commissioners.

Parish of *Bathwick* aforesaid, of the clear yearly Value of Sixty Pounds, (above Reprizes or Incumbrances), or of Messuages, Lands, or Tenements, situate or being in the said Parish of *Bathwick* aforesaid, under a Term of Years, exceeding Forty Years, (either absolute or determinable on a Life or Lives), of the clear yearly Value of One hundred and fifty Pounds above Reprizes and Incumbrances, or who shall not be possessed of or entitled to a Personal Estate of the Value of One thousand Pounds over and above the Amount of his Debts; and that no Person shall be capable of acting as a Commissioner in the Execution of this Act, except in administering an Oath or Affirmation to the Chairman of such First Meeting as aforesaid, and in chusing such Chairman), until he shall have taken and subscribed an Oath or 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 Right of my Wife, late or present, as the Case may be*] now in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, for an Estate of Freehold or Copyhold [*or, both*] situate [*or, being, as the Case may be*], in the Parish of *Bathwick*, in the County of *Somerset*, of the clear yearly Value of Sixty Pounds, above Reprizes and Incumbrances, [*or, as the Case may be, of Messuages, Lands, or Tenements, situate or being in the said Parish of Bathwick*] under a Term of Years exceeding Forty Years [*either absolute or determinable on a Life or Lives, as the Case may be*] of the clear yearly Value of One hundred and fifty Pounds above Reprizes and Incumbrances [*or, as the Case may be, possessed of or entitled to a Personal Estate of the clear Amount or Value of One thousand Pounds; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me as a Commissioner, by virtue of an Act passed in the Forty-first Year of the Reign of King George the Third, intituled an Act [Here insert the Title of this Act].*

‘ So help me GOD.’

Penalty on  
Persons not  
qualified act-  
ing as Com-  
missioners.

And if any Person not qualified, or being disqualified, according to the Terms of this Act, to act as a Commissioner, shall nevertheless presume to act in the Execution of the Powers hereby given, or any of them, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, with full Costs of Suit, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Complaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person had acted as a Commissioner in the Execution of this Act.

Commission-  
ers may act as  
Justices of the  
Peace.

V. Provided always nevertheless, That it shall be lawful for such of the Commissioners who are or shall be in the Commission of the Peace for the said County of *Somerset*, to act as Justices of the Peace in or relating

lating to the Execution of this Act, notwithstanding their being Commissioners under this Act.

VI. And be it further enacted, That when any of the Commissioners shall die, or by Writing delivered to the Clerk for the Time being to the Commissioners, shall decline or shall become incapable to act, it shall be lawful for the other Commissioners, and they are hereby required from Time to Time, by Writing under their Hands, to elect some other Person, qualified as herein-before mentioned, to be a Commissioner, in the Place of every Commissioner so dying, declining, or becoming incapable to act; but Notice of the Time and Place of the Meeting for every such Election of new Commissioners shall be given by the Clerk to the said Commissioners, by affixing the same in Writing on the Gate or Door of the Church of the said Parish of *Bathwick*, and also at the Door of *Laura* Chapel, and so as often as there shall be a Vacancy, to elect some fit Person to be a Commissioner for the Purposes of this Act, so that the whole Number of Commissioners shall be always kept up to at least Thirty; and every Person so elected is hereby vested with the same Powers for putting this Act into Execution, and to act as Justices of the Peace in the Purposes of this Act, (being in the Commission of the Peace, as herein-before is mentioned), as if he had been named a Commissioner in or by this Act.

For choosing  
new Commis-  
sioners.

VII. And be it further enacted, That if it shall at any Time be found expedient that the Number of Commissioners for executing this Act should be increased, and should exceed the Number of Commissioners hereby appointed, then and in such Case it shall be lawful for the Justices of the Peace assembled at any General Quarter Sessions to be holden for the said County of *Somerset*, and they are hereby required from Time to Time, upon Application being made to them by the Majority of the Commissioners for the Time being, to nominate and appoint; within Three Calendar Months next after such Application shall be made, such Persons not exceeding the Number of Fifty, as they in their Discretion shall think fit and proper to be Commissioners for the Purposes of this Act; and the Commissioners so to be appointed are hereby vested with the same Powers for putting this Act into Execution, and to act as Justices of the Peace for the Purposes of this Act, (being in the Commission of the Peace as before-mentioned), as if they had been respectively named Commissioners in or by this Act.

For increasing  
the Number  
of Commis-  
sioners.

VIII. And be it further enacted, That if the Commissioners under this Act for the Time being, shall at any Time, for the Space of Six Calendar Months, neglect or refuse upon any Vacancy to nominate and appoint a new Commissioner, or if by the Number of Commissioners being reduced to less than Fifteen, or if for Want of a sufficient Number of Commissioners it shall at any Time become difficult to procure a Meeting or Meetings for executing this Act, then and in any of the said Cases it shall be lawful for any Commissioner or Commissioners for the Time being, or for any other Person or Persons residing within the Parish of *Bathwick* aforesaid, from Time to Time to make Complaint thereof to the Justices of the Peace assembled at any General Quarter Sessions to be holden for the said County of *Somerset*; and it shall be lawful for the Justices to whom such Complaint shall be made, and they are hereby au-

In case the  
Number of  
Commis-  
sioners be reduced  
to 15, the  
Quarter Ses-  
sions may ap-  
point a suffi-  
cient Number.

thorized and required to receive and hear the said Complaint, and upon due Proof being made to them of the Matter complained of, to nominate and appoint such Persons as they in their Discretion shall think fit to be Commissioners for the Purposes of this Act, and so as often as there shall be Occasion; and the Commissioners so to be appointed are hereby vested with the same Powers for putting this Act into Execution, and to act as a Justice of the Peace for the Purposes of this Act, (being in the Commission of the Peace as before is mentioned), as if they had been respectively named Commissioners in or by this Act.

Power of administering Oaths, &c.

IX. And be it further enacted, That in all Cases where the Commissioners, or any Justice or Justices of the Peace, are authorized to examine any Person or Persons on Oath or Affirmation, it shall be lawful for such Commissioners and Justices, and they are hereby required and empowered to administer such Oath, or take such Affirmation.

For appointing Officers.

X. And be it further enacted, That the Commissioners shall and may, and they are hereby authorized and required at a Meeting specially called in Manner aforesaid for that Purpose, by Writing under their Hands, to elect and appoint a Treasurer and Clerk, and also Two or more Assessors, and a Collector or Collectors of the Rates or Assessments to be raised and levied, and of the other several Monies to be received by virtue of this Act, and by whom such Rates, Assessments, and Monies, shall from Time to Time be paid to the Treasurer for the Time being, or other Person or Persons appointed for that Purpose, in the Manner herein-after mentioned; and also all Surveyors, Scavengers, Rakers, Cleansers, Waterkeepers, and Lighters of Lamps, Beadles, Constables, Watchmen, and such other Officer or Officers, Deputies, and Assistants, for the Execution of this Act, as they shall from Time to Time think proper; and from Time to Time remove, suspend, or displace all or any of such Officers as they shall see Occasion, and appoint others in the Place of such of them as shall be so removed, suspended, or displaced, 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 Wages or Salaries, and make such Allowances to such Officers, and to all other Persons by them the Commissioners employed in the Execution of this Act, as they shall think reasonable or proper; and the Commissioners shall and are hereby required to take such Security from every such Treasurer, Clerk, Collector, and other Officers so to be appointed as aforesaid, for the due Execution of their respective Offices or Duties, as the Commissioners shall think proper; and every Person who is hereby made liable to pay the several Rates or Assessments hereby directed and required to be levied and raised, or to pay any Sum of Money which is under this Act to be applied for the Purposes thereof, shall and they are hereby required to pay the same to such Collector or other Persons as shall be so appointed to collect and receive the same in pursuance of this Act, who shall not at any Time retain in his or their Hands more than the Sum of One hundred Pounds, upon Pain of forfeiting to the Commissioners any Sum not exceeding Ten Shillings, nor less than Five Shillings *per* Day, for every One hundred Pounds collected and retained beyond the Sum of One hundred Pounds, and so after the same Rate for every less Sum than the Sum of One hundred Pounds; and every such Officer and Person, so to be appointed as aforesaid, shall under his Hand,  
upon

Commissioners to take Security from every Officer for the due Execution of his Office, &c.

upon Demand, at such Time and Times, and in such Manner as the Commissioners shall direct, deliver to such Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Monies, Matters, and Things received and committed to their Charge by virtue and for the Purposes of this Act, and how much of such Monies hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and also the Books, Papers, and Writings, in their respective Custody or Power, relating to the Proceedings to be had under this Act, and shall pay all such Monies as shall appear upon Balance of their Accounts to the Treasurer appointed by the said Commissioners, or to such Person or Persons, and at such Time and Place as the Commissioners shall appoint; and every such Officer and Person, so accounting as aforesaid, shall upon Oath (or Affirmation, being a *Quaker*) verify their said Accounts; and in Default of any of the several Matters aforesaid, for the Space of Eight Days after being thereunto required as aforesaid, it shall be lawful for the Commissioners, and they are hereby authorized and empowered to bring or cause to be brought an Action or Actions in any of His Majesty's Courts of Record at *Westminster*, in the Name of their Clerk for the Time being, against the Officer or Officers, Person or Persons, making such Default as aforesaid, for the Recovery of the Monies which shall be in the Hands of such Officer or Officers, Person or Persons respectively, with full Costs of Suit; or if Complaint shall be made by the Commissioners, or by such Person or Persons as they shall appoint to make Complaint of any such Default as aforesaid, to any Justice of the Peace for the County or Place wherein the Party making such Default shall be and reside, such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to cause the said Officer or Officers, Person or Persons, so making or having made Default, to be brought before him, and upon his or their appearing (or not appearing, except for some sufficient Excuse) to hear and determine the Matter of Complaint in a summary Way, and if upon the Confession of the Party, or by the Testimony of One or more credible Witness or Witnesses upon Oath, (or Affirmation, being a *Quaker*), it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, or unaccounted for, then such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to order the Payment thereof, and upon Non-payment thereof to cause such Money to be levied by Distress and Sale of the Goods of such Officer or Officers, Person or Persons respectively, offending or making Default as aforesaid; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, and the other Expences attending the requiring or compelling such Payment as aforesaid, or in case of Refusal to account as aforesaid, or that it shall appear to such Justice by the Confession of the Party so offending or making Default as aforesaid, or by the Testimony of any credible Witness or Witnesses upon Oath or Affirmation as aforesaid, that any Books, Papers, or Writings relating to the Execution of this Act, or to the Proceedings to be had under the same, shall be in the Custody or Power of any such Officer or Person, and he shall refuse to deliver up the same as aforesaid, then and in any of the Cases aforesaid, such Justice shall commit every such Offender to the Common

Common Gaol or House of Correction of the County or Place where such Offender shall be and reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the Commissioners and shall have paid such Composition in such Manner as they shall appoint, or until such Person shall have delivered up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof: Provided always, That no Person who shall be committed for Want of sufficient Distress, shall be committed for any longer Space of Time than Six Calendar Months.

Commissioners may appoint Officers occasionally in case of Death or Removal.

XI. Provided always, That as often as any Collector or Receiver of the Monies to be raised by virtue of this Act, shall die, or be incapable or neglect to perform his Duty, it shall be lawful for the Commissioners, or any Five or more of them, though not assembled at a Meeting pursuant to this Act, by any Writing under their Hands, to appoint another Person to collect the same, who shall give such Security for the due Execution of his Office, during his Continuance therein, as the Commissioners shall think proper, until the Commissioners shall, at a Meeting to be holden in pursuance of this Act, appoint a Collector or Receiver of such Monies; any Thing herein contained to the contrary notwithstanding.

Penalty on Officers taking any Fee or Reward besides the Salary.

XII. And be it further enacted, That if any Person who shall be employed as Treasurer, Clerk, Assessor, Collector, Receiver, Surveyor, or any other Officer or Servant, who shall be anywise employed by the Commissioners in putting this Act or any of the Powers thereof in Execution, shall exact, take, or accept any Fee, Profit, or Reward whatsoever, other than such Salaries, Allowances, and Rewards as shall be appointed, allowed, and approved of by the Commissioners, for or on account of any Thing done or to be done by virtue of this Act, or on any Account whatsoever relating to putting the same in Execution, or shall anyways be directly or indirectly concerned or interested in any Sale, Purchase, Bargain, or Contract, made or to be made by or by the Order of the Commissioners, for the Purposes of putting this Act in Execution, unless with their Consent or Approbation, every such Person so offending shall be incapable of ever serving or being employed in any Matter under this Act, and shall, over and above, forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Records at *Westminster*, within Six Calendar Months after the Offence committed, with full Costs of Suit, in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Balance of Money received and not paid over at the Time of the Receiver's Death, to be paid by the Executors of the Deceased's Estate.

XIII. And be it further enacted, That if any Collector or Receiver, or other Person employed by the Commissioners, who shall have received any Sum of Money by virtue or for any of the Purposes of this Act, shall die before he or they shall have fully paid and satisfied all the Money so received by him, then and in every such Case, the Executors or Administrators, Executrixes or Administratrixes, or other Person or Persons possessing the late Estate and Effects of every such Person so dying, shall be liable to pay and make good all such Sums of Money by such Collector or Receiver or other Person so received and not paid, and the same shall be recoverable by Action or Suit in any of His Majesty's Courts of Record at



at *Westminster*, against such Executors or Administrators, Person or Persons as aforesaid, for the Recovery of the same.

XIV. And be it further enacted, That the Commissioners shall cause proper Books to be provided and kept, in which they shall, either by themselves or by their Clerk for the Time being, cause fair and regular Entries and Accounts to be made of the several Meetings held in pursuance of this Act, and of the Commissioners present thereat respectively, and of the Nomination of all Officers and Persons to act in the Execution thereof, and of all Acts, Orders, Rules, Resolutions, Proceedings, Matters, and Things relative to the Execution of this Act; and also an Account of all Monies to be assessed or raised, and to be received or payable by virtue hereof, and of the Payment and Application of the same; and of all Contracts to be made by any Person or Persons by virtue or in pursuance of this Act; all which said Accounts shall be examined, adjusted; and settled by the Commissioners assembled at any Meeting to be held in pursuance of this Act, Quarterly at least, or oftener; and the Commissioners so examining, adjusting, or settling such Accounts, and also their Clerk for the Time being, shall subscribe their Names to the same; and the Chairman of such Commissioners assembled as aforesaid, and their said Clerk, by their Order, shall also subscribe their Names at the End of their Proceedings at every such Meeting; and all Entries in their Books of such Proceedings being signed by the Commissioners assembled thereat, and making or ordering the same in virtue or pursuance of this Act, and by their Clerk, shall be deemed Originals, and the same or true and attested Copies thereof shall be admitted to be read in Evidence in any Court whatsoever, in all Causes, Suits, or Actions; and upon all Occasions whatsoever, touching any Thing done in pursuance or by virtue of this Act; and such Books shall be kept by the Clerk for the Time being to the Commissioners, or by such other Person or Persons, and at such Place as the Commissioners shall direct; and the same shall respectively at all convenient and seasonable Times, without Fee or Reward, be open and liable to the Inspection of the Commissioners, and of all Persons rated and assessed for the Purposes of this Act, or otherwise affected thereby.

Books to be kept of Proceedings.

XV. And be it further enacted, That the Commissioners shall and may sue and be sued in the Name of their Clerk or Treasurer for the Time being; and that all Actions or Suits that it may be necessary to bring for the Recovery of any Penalty or Sum of Money due or payable in virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, shall be brought in the Name of their said Clerk or Treasurer; and that no Action or Suit which may be brought, commenced, or prosecuted by or against such Commissioners, or any of them, by virtue or on account of this Act, in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk or Treasurer, or by any Act or Default of such Clerk or Treasurer done or suffered without the Consent or Direction of the Commissioners for the Time being, but the Clerk or Treasurer to the Commissioners for the Time being, shall always be deemed Plaintiff or Defendant in such Action or Suit (as the Case may be): Provided always, That every such Clerk or Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by

Actions to be in the Name of the Clerk,

who shall be reimbursed his Expences.

virtue of this Act, all such reasonable Costs, Charges, and Expences as he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and shall not be personally answerable or liable for the Payment of the same, or any Part of them, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or unless it shall have been brought or commenced or defended without the Order or Direction of the Commissioners.

Street, &c. to be properly paved, &c. and freed from Nuisances.

Inhabitants shall pave before their Houses, and mend the Streets.

XVI. And, in order that the Streets, Squares, Ways, Lanes, Passages, and other publick Places already made or built, as well as such as are now making or building, and may be hereafter made or built within the said Parish of *Bathwick*, may be properly paved, pitched, steaned, amended, cleansed, watched, watered, and lighted, and all Annoyances and Obstructions, Nuisances, and Encroachments therein be removed, and the present and future Drains, Sinks, Gutters, and Watercourses, for conveying the Water and Filth out of the said Streets, Squares, Ways, Lanes, Passages, and publick Places, into the common Sewers or Drains, may be amended, repaired, cleansed, altered, and scoured, and new ones (if necessary) be made, in such Manner as the Commissioners shall think proper; be it further enacted, That every Owner or Occupier of a House or Houses, or other Building or Buildings, Ground or Land within the same Part of the Parish of *Bathwick* aforesaid, and which shall be lighted, cleansed, or watched in virtue or pursuance of this Act, shall from Time to Time, at his, her, and their own Expence, and within Three Days next after a Day to be expressed in a Notice in Writing given for that Purpose by the Commissioners, or their Surveyor or Surveyors for the Time being, (such Notice being delivered or given at least Ten Days before the Day to be therein expressed) fill up to the proper Level, pitch, pave, and stean, or cause to be filled up, pitched, paved, or steaned (as shall be expressed in such Notice) as much of the Footway and Carriage Way of or in the Street, Square, Way, Lane, Passage, or publick Place, as is or shall be before, and, if it shall so happen, behind or at the Side of such his, her, or their House or Houses, Building or Buildings, Ground or Land, as shall extend in Breadth of such Street, Square, Way, Lane, Passage, or publick Place, from the Area, Front, outer Wall or Boundary of such House or Houses, Building or Buildings, Ground or Land, into the Middle, or if the Case shall require, from such Area, Front, outer Wall, or Boundary, to the Extremity in Breadth of such Street, Square, Way, Lane, Passage, or publick Place, and in Length from one extreme End or Party Wall or Boundary of such House or Houses, Building or Buildings, Ground or Land, to the other extreme End, Party Wall, or Boundary thereof, and shall from Time to Time and at all Times afterwards, at his or her own proper Expence, and on a like Notice being given to him or her as aforesaid, raise, lower, repair, amend, alter, or place, or cause to be raised, lowered, repaired, amended, altered, or placed the Pavement and Pitching of the same Part of such Footways and Carriage Ways, and the Gratings or Openings in and over the same, with such Materials, with such Drains, Gutters, Sinks, or Watercourses, for the Purposes herein before mentioned, and with such new or other Grates or Gratings on, from, or out of such Footways or Carriage Ways, over or into such Drains, Gutters, Sinks, or Watercourses, and in such Manner as shall be directed or required by the Commissioners, and shall be particularly expressed in such Notice or Notices,

or

or by Reference to any Pavement or Pitching, Drain, Gutter, Sink, Watercourse, Grate, or Grating then done and approved of by the Commissioners; and in Default thereof it shall and may be lawful to and for the said Commissioners to cause the same to be filled up, raised, lowered, pitched, paved, repaired, amended, altered, made, or placed accordingly; and in case any such Owner or Occupier shall cause any such Pavement or Pitching, Drains, Gutters, Sinks, Watercourses, Grates, or Gratings, to be done, raised, lowered, repaired, amended, altered, made, or placed otherwise than according to the Direction, Requisition, or Manner for that Purpose expressed in such Notice or Notices, then it shall be lawful for the Commissioners to cause such Pavement, Pitching, Drains, Gutters, Sinks, Watercourses, Grates, or Gratings, (as the Case may be) to be taken up and relaid, made or placed, agreeably to such Direction, Requisition, or Manner, or in such other Manner as the Commissioners shall think proper or direct; and the Charges and Expences attending or relating to the taking up and relaying, making, or placing the same as aforesaid, shall be reimbursed to such Commissioners by any such Owner or Occupier making Default as aforesaid, or causing the several Matters and Things aforesaid to be done contrary to such Notice, Direction, Requisition, or Manner as aforesaid, and such Charges and Expences respectively shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier, in like Manner as the Rates herein-after directed and required to be raised and levied, are directed to be recovered, the Overplus (if any) of the Monies to arise thereby, after deducting such Charges and Expences as aforesaid, and all the Costs and Expences attending such Distress and Sale, being returned to such Owner or Occupier: Provided always, That nothing herein contained shall extend to empower the Commissioners to order or direct the raising, lowering, or altering any of the Streets, Squares, Ways, Lanes, Passages, or publick Places within such Part of the said Parish as aforesaid, as are already made and nearly finished agreeably to the Covenants of the Leases granted of any Part thereof, except as to necessary Repairs, and to the Grating or Openings in or over the same.

XVII. And be it further enacted, That no such Owner or Occupier as aforesaid, shall at any Time make, or cause or suffer to be made, any Alteration in the Form of the Pavement or Pitching of the Foot or Carriage Way, before, behind, or at the Side of such his or her House or Houses, Building or Buildings, Ground or Land, nor any Opening in such Pavement or Pitching, for the Purpose of conveying Coal or other Things into any Vault or Cellar under the same, for the Purpose of admitting Light into any Room, Chamber, or Cellar, or other Purpose whatsoever, without the Consent in Writing of the original Lessors of the Premises, his, her, or their Assigns or Successors, under their Hands first had and obtained; and that where any such Alteration or Opening shall be made with such Consent as aforesaid, such Alteration or the Covering or Grating to or for such Opening, shall be made and from Time to Time repaired and altered at the Expence of the Person or Persons to whom such Consent shall be given, and shall be made of such Materials, of such Dimensions; and in such Manner and Form, as the said Lessors, his, her, or their Assigns or Successors, shall think proper and direct; and in case any such Owner or Occupier shall cause such Alteration, Opening, Grating, or Covering to be made, without such Consent

Penalty on Persons altering the Form, &c. without the Consent of the Commissioners.

as

as aforesaid, or after such Consent had shall cause the same to be made contrary to the Direction of the said Lessors, his, her, or their Assigns or Successors, or shall not repair, amend, alter, or place the same, or cause the same to be repaired, amended, altered, or placed in such Manner and within such Time as shall be expressed in a Notice to be given to him or her, by the Order of the said Lessors, his, her, or their Assigns or Successors, it shall then be lawful for the said Commissioners, and they are hereby authorized to cause such Alteration, Opening, Grating, or Covering to be removed, altered, repaired, or placed (as the Case may be) as they shall direct or think proper; and the Charges and Expences attending the same shall be raised and paid and recovered in the same Manner as is before by Reference expressed or declared concerning the Charges and Expences of paving and pitching the Footways and Carriage Ways in the Case herein before mentioned.

Act not to empower or compel Persons to pave, &c. any Turnpike Road.

XVIII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to oblige or empower any Person or Persons whomsoever, to pave, pitch, repair, alter, or cleanse (unless for the Purpose of making Footways or Crossings) any Way, Lane, Passage, publick Place, or Road leading through such Part of the said Parish of *Bathwick* as aforesaid, which is repaired, altered, or cleansed by virtue or is under the Powers or Provisions of any other Act or Acts of Parliament; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Notice to be given to the Commissioners Surveyor of taking up Pavements for altering Pipes.

XIX. And be it further enacted, That when and as often as it shall be necessary that any Part of the Pitching or Pavement of any of the Streets, Squares, Ways, Lanes, Passages, and publick Places already made or built, or making or building, or which shall hereafter be made or built as aforesaid, shall be taken up for the Purpose of making, altering, repairing, cleansing, or emptying of any Sewer, Vault, Drain, or Water-course, or for any other Purpose whatsoever as is herein-after expressed, the Person or Persons so taking up such Pavement or Pitching, or causing the same to be so taken up, shall immediately give Notice thereof to the Surveyor to the Commissioners, in order that the same may with all convenient Speed be laid down and replaced under the Inspection of such Surveyor, by the Person or Persons who shall so take up the same, or cause the same to be taken up; and in case such Person or Persons shall neglect or refuse, for the Space of Three Days next after Five Days Notice in Writing shall be given to him, her, or them, lay down or replace the same, otherwise than as the Commissioners shall direct, then and in such Case it shall be lawful for the Commissioners to cause the same to be relaid and replaced in such Manner as they shall think proper and direct, and the Costs and Charges attending the same shall be reimbursed to the Commissioners by the Person or Persons making such Default as aforesaid, and shall be recovered in the same Manner as is before by Reference expressed and directed concerning the Pitching and Paving, by the Owners and Occupiers of Houses or Buildings in the Case before mentioned.

Commissioners may contract with the Owners or

XX. And be it further enacted, That it shall be lawful for the Commissioners, if they shall think proper, from Time to Time to contract and agree with any such Owners or Occupiers as aforesaid, for the paving, pitching,

pitching, placing, re-laying, raising, lowering, altering, amending, or keeping in Repair the pitching, steaning, and paving which such Owner or Owners are hereby made liable to, and for all or any of the several Works, Matters, and Things, which they are hereby required to do or cause to be done at their own Expence, at or for some certain Price or Sum of Money to be agreed on between the Commissioners and Owners and Occupiers for the doing of the same respectively; and the Agreement to be made for that Purpose shall be reduced to Writing, and be valid and binding between the Persons making the same, and be signed by them respectively; and after such Agreements made, such Owners and Occupiers shall be and are hereby discharged from seeing to the doing such Works, Matters, and Things, so contracted for and agreed to be done by the Commissioners, and from all Payments, Costs, Charges, and Expences hereby inflicted or directed for the Non-performance or Neglect thereof; and it shall and may be lawful for the Commissioners to contract and agree with any Person or Persons for the doing, performing, and executing the several Works, Matters, and Things, so by the Commissioners contracted for or agreed to be done by them as aforesaid, and also for cleansing, watering, watching, and lighting the Streets, Squares, Lanes, Ways, Passages, and publick Places already made or built, or making or building, and which shall hereafter be made or built within the said Parish of *Bathwick*, and for performing all other or any of the Works, Matters, and Things, hereby authorized or required to be done by the Commissioners; which Contract or Contracts so to be entered into shall be reduced into Writing and signed by the Commissioners making the same, and the Person or Persons contracting to perform such Works, Matters, and Things, and shall specify the Works, Matters, or Things to be done, and the Prices to be paid for the same, and the Time or Times when, and the Kinds and Sorts of Materials with which such Works, Matters, and Things shall be performed or completed, and the Penalties to be suffered in case of Non-performance thereof: Provided, That Six Days Notice at the least previous to the Meeting for entering into such Contract be given and published by the Clerk for the Time being of the Commissioners in the Manner herein-before directed or mentioned, (or in such other Manner as the Commissioners shall direct or appoint), in which Notice shall be specified the Business to be contracted for at such Meeting, in order that Persons may give in their Proposals for contracting to perform the same; and provided also, That the Person or Persons offering or tendering the lowest Price or Prices for the doing the same, and being of sufficient Knowledge and Skill in the Judgement of the Commissioners, and giving sufficient Sureties for the doing and performing such Works, shall always be preferred and entitled to have the Contract, and the Commissioners are hereby authorized and required to take of every such Person or Persons so contracting, sufficient Sureties for the doing and performing the said Works,

Occupiers, to pave at a certain Sum, and for all Works to be done under this Act.

XXI. And be it further enacted, That it shall be lawful for the Commissioners, and they are hereby directed to cause the Works, Matters, or Things to be done in pursuance of such Contracts, to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall from Time to Time appoint; and in case the same shall not be well and sufficiently performed according to the true Intent and Meaning of such Contract or Contracts, and shall not be finished and completed at or within

Surveyors to inspect Works contracted for.

the Time or Times to be by such Contract or Contracts limited for completing the same, the Commissioners shall and may bring an Action or Suit in any of His Majesty's Courts of Record at *Westminster*, against any Person or Persons so contracting and neglecting to perform and complete such Contract or Contracts accordingly, for any Penalty or Damage which shall be contained or expressed in such Contract or Contracts, or suffered or sustained on account of the Non-performance thereof; and upon proving the Signing of the said Contract or Contracts, and that such Works, Matters, or Things, have not been so performed, finished, or completed as aforesaid, the Plaintiffs shall be entitled to and shall recover such Penalty or Damage with full Costs of Suit.

Property of  
all Materials  
for the Pur-  
pose of this  
Act vested in  
Commission-  
ers.

XXII. And be it further enacted, That the Property of and in all Lamps, Posts, and Rails, Chains, Irons, Timber, Furniture, Watch Boxes and Houses, Tools, Utensils, Implements, Materials, and all other Articles, Matters, and Things, which shall be fixed or placed, purchased, provided, or made use of for the Purposes of this Act, and the Soil, Dung, Manure, or Dirt which shall arise or be made in, and all such Dirt, Ashes, Cinders, Dung, and Filth, as shall be taken or carried away from the Houses within the said Parish of *Bathwick* as aforesaid, shall belong to and be the Property of, and the same are hereby vested in the Commissioners, and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions, or to prefer, or order and direct the preferring of any Bills of Indictment (as the Case shall require) against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy the same or any Part thereof, or disturb them in the Possession thereof; and from Time to Time to sell and dispose of, for the Purposes of this Act, all or any Part thereof respectively, in such Manner as they shall think proper.

Power to pro-  
vide Lamps.

XXIII. And be it further enacted, That it shall be lawful for the Commissioners, and they are hereby required and empowered from Time to Time to provide Lamp Irons or Lamp Posts and Lamps, to be set up or affixed into, upon, or against the Ground adjoining to or the Walls, Pallisadoes, or Iron Rails of the Houses, Tenements, or Buildings, already built or building, and which shall hereafter be built within such Part of the said Parish as aforesaid, or in such other Manner, and at such Distances as they the Commissioners shall from Time to Time think proper and convenient; and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed or put upon such Lamp Irons or Lamp Posts, and to alter, take down, or remove any of the present or future Lamp Irons, Lamp Posts, and Lamps, which shall be purchased, affixed, or provided in virtue or for the Purposes of this Act, and to do such other Acts, Matters, and Things, as they shall from Time to Time think proper and necessary for well and effectually lighting all or any of the Streets, Squares, Ways, Passages, or other publick Places already made or built, or making or building, or which shall hereafter be made or built within such Part of the said Parish as aforesaid; but nothing in this Clause shall be construed to extend to require the said Commissioners to place Lamp Irons or Posts at such Houses or Places whereat the Persons residing, or the original Lessees of such Premises have covenanted for themselves and their Assigns with their Ground Landlord to provide such Lamp Irons and Posts; and if any Person or Persons shall wilfully or maliciously

maliciously break, throw down, displace, take away, damage, or spoil any of the Lamps already put up or to be put up by virtue of this Act, or by any Person or Persons at his, her, or their own Expence, or wilfully damage any of the Posts, Irons, or other Furniture or Materials belonging thereto or used therewith, or extinguish the Light of any such Lamp, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings, One Moiety whereof shall go to the Informer, and the other Moiety for the Purposes of this Act, and such Offender or Offenders shall also pay such Sum of Money as shall be a full Satisfaction for the Damage so done.

Penalty on Persons wilfully damaging Lamps.

XXIV. And be it further enacted, That the Scavengers or Person or Persons employed in or contracting to clean such Streets, Squares, Lanes, Passages, and publick Places as aforesaid, shall Twice in every Week, (that is to say), *Wednesday* and *Saturday*, between the Hours of Seven and Twelve in the Forenoon, and upon such other Days, and at such other Hours as the Commissioners aforesaid shall from Time to Time appoint, sweep and collect together all Dirt, Dust, Filth, or Rubbish, in such Streets, Squares, Lanes, Passages, and publick Places, and shall also bring and cause to be brought a Cart or other proper Carriage into such Streets, Squares, Lanes, Passages, and publick Places, where such Cart or other Carriage can pass, and shall at his or their Approach with such Cart or other Carriage, and not before, by Sound of Bell, Voice, or otherwise, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Passage, or Place into which such Cart or Carriage cannot pass, and abide and stay a convenient Time in or near the said Places respectively, so that the Inhabitants or Persons concerned may bring forth their Dust, Dirt, Ashes, and other Filth, (except Filth from any Privy or necessary House), to the Doors of their respective Houses and Premises, and there leave the same in some convenient Place near their Doors, from whence the said Scavenger or other Person or Persons as aforesaid shall immediately take and put into such Cart or Carriage all such Dust, Dirt, Ashes, and Filth, (except as aforesaid), or otherwise the said Scavenger shall, if required, come into such Part of the respective Houses and Premises where such Dust, Dirt, Ashes, and other Filth as aforesaid, shall be kept, and take the same from thence, and the said Dust, Dirt, Ashes, and other Filth, as well as all such Dust, Dirt, Dung, Ashes, and other Filth, as shall be swept up and collected together as aforesaid), the said Scavenger or other Officer appointed for that Purpose shall then immediately, or as soon as may be, carry away or cause to be carried away to the Place or Places appointed for depositing the same, upon Pain of forfeiting any Sum not exceeding Five Pounds, nor less than Twenty Shillings, for every such Offence or Neglect; and every Person acting as such Scavenger for the Time being, shall cause the Words, *Scavenger's Cart*, to be painted, together with his Name and Number, in large Roman Letters, on the Front or other conspicuous Place of their Carts or Carriage used for the Purposes aforesaid, on Pain of forfeiting any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, for every such Neglect therein; and if any such Scavengers or other Persons acting as such, or employed as aforesaid, shall sweep or throw any Dust, Dirt, Ashes, or Filth, into the Sewers, Drains, Sinks, or Watercourses, within the said Parish of *Bathwick*, every Person

Scavengers Duty.

so

so offending shall forfeit and pay any Sum not exceeding Five Pounds, nor less than Five Shillings.

Persons not  
to throw Dirt  
into the Street,  
&c.

XXV. And be it further enacted, That no Person or Persons whomsoever shall throw, cast, or lay, or cause to be thrown, cast, or lain, any Dust, Dirt, Dung, Ashes, or other Filth whatsoever, in the Streets, Squares, Ways, Lanes, Passages, or publick Places aforesaid, (except the Dirt, Ashes, and Filth to be collected and put together or placed as aforesaid, and except as is next herein-after mentioned), on Pain of forfeiting or paying for every such Offence any Sum not exceeding Ten Shillings, nor less than Five Shillings, nor shall throw or cast any such Dirt, Dust, Dung, Ashes, or other Filth whatsoever, into any of the Rivers, Brooks, Sewers, Drains, Sinks, or Watercourses, within the same, upon Pain of forfeiting and paying for every of such last-mentioned Offence, any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, but shall, and he, she, and they are hereby required to keep or cause the same to be kept in their respective Houses, Cellars, or Yards, until such Times as the Scavenger, or other Person or Persons appointed to take the same away as aforesaid, shall come by or near their Houses or Doors with a Cart or other Carriage, for the Purpose of carrying the same away.

Penalty not  
to extend to  
Rubbish or  
Dirt occasion-  
ed by build-  
ing or repair-  
ing Houses.

XXVI. Provided always, That no Person shall be subject to any Penalty as aforesaid, for or on Account of any Rubbish or Dirt in such Streets, Squares, Ways, Lanes, Passages, or publick Places as aforesaid, occasioned by the building, pulling down, altering, or repairing his or her House or other Building, nor for making any Lime into Mortar to be used in or for the Purpose of building, altering, or repairing the same, in case there be full and sufficient Space, in the Opinion of the Commissioners or their Surveyor for the Time being, left in or at the Side of the Street, Square, Way, Lane, Passage, or publick Place, where such Rubbish, Dirt, Lime, or Mortar shall lie or be placed for Carriages to pass and repass, and a sufficient Way kept clean for Foot Passengers, by the Person or Persons laying or occasioning the same to be laid or placed, and so as a sufficient Light be at his, her, or their own Expence, set and maintained at the Place where such Dirt or Rubbish shall be so laid or placed, between the Hours of Sun-set and Sun-rise, to prevent any Mischief happening to Passengers or Cattle, or so as (if the Commissioners shall think proper and so direct) the same be inclosed and fenced about in such Manner and within such Time as they, in any Notice to be by their Order given to or left with such Person or Persons, shall direct, or if the same shall be removed, at his or her own Expence, within a Time to be expressed in a Notice, to be in like Manner given or left, to remove the same.

Penalty for  
taking away  
Dirt, etc.

XXVII. And be it further enacted, That no Person or Persons whomsoever shall take or carry away, or cause to be taken or carried away, any Dirt, Dust, Dung, Ashes, or other Filth, out of any of such Streets, Squares, Ways, Lanes, Passages, or publick Places as aforesaid, other than such Scavenger or other Officer or Person contracting, or to be appointed for that Purpose as herein-before is mentioned, on Pain of forfeiting any Sum not exceeding Three Pounds nor less than Forty Shillings for every such Offence.

XXVIII. Provided



XXVIII. Provided always, That nothing herein contained shall extend to prevent any Person or Persons from preserving and keeping any Dirt, Dust, Ashes, Manure, Muck, Filth, or Rubbish, within his, her, or their Houses, Yards, or Gardens, or otherwise disposing of the same for their own Use and Benefit, so as such Dirt, Dust, Dung, Ashes, Manure, Muck, Filth, or Rubbish be not laid down or placed in any of such Streets, Squares, Ways, Lanes, Passages, or publick Places as aforesaid, for any longer Time than shall be necessary for the loading and carrying away the same, or be suffered to annoy any of the Inhabitants of the said Parish as aforesaid; but in case any Person so reserving such Dirt, Dust, Ashes, Manure, Muck, Filth, or Rubbish, shall thereby annoy any of the Inhabitants, or shall permit or suffer the same to remain for any longer Time than from Sun-rising in the Morning to Sun-setting in the Evening, before the same shall be carried away or removed, after Notice in Writing given to him or her, under the Hands of the Commissioners, or by their Clerk by their Order, or left at such Persons Dwelling House, to remove the same, such Person shall forfeit and pay any Sum not exceeding Ten Shillings nor less than Five Shillings a Day for every Day that such Annoyance shall be suffered to remain after such Notice given as aforesaid.

Persons to be at Liberty to keep or dispose of Dust, etc. for their own Use.

XXIX. And be it further enacted, That the respective Owners and Occupiers of Houses or other Buildings, or Ground or Land, in the Streets, Squares, Ways, Lanes, Passages, or publick Places already made or built, or which shall hereafter be made or built within the said Parish, shall and they are hereby required, from and immediately after the passing of this Act, to cause to be well and sufficiently swept and cleansed the Footways or Foot Pavements before, behind, and at the Side of the same, (as the Situation thereof shall require), every Morning in the Year, between the Hours of Seven and Ten of the Clock in the Forenoon of each Day; and also shall cause the Dirt and Soil arising from such Sweeping and Cleansing to be collected and put together, without obstructing the Way or Road or Sewers, or creating any Nuisance or Annoyance thereby, in order that the same may be ready for the loading and taking away thereof by the Scavenger, or other Person or Persons employed in cleansing such Streets, Squares, Lanes, Passages, and publick Places; and the said Owners and Occupiers shall also between *Lady-day* and *Michaelmas-day* in each and every Year, water or cause to be watered the Pavement or Foot Path immediately before their respective Houses, Buildings, Yards, or Gardens, in such Manner and with such a sufficient Quantity of Water as to prevent as much as possible the Passengers being incommoded, by Dirt, Filth, or Dust, on such Footpaths, upon Pain of forfeiting and paying respectively for every Neglect thereon, or Nuisance or Annoyance occasioned thereby, a Sum not exceeding Ten Shillings nor less than Five Shillings.

Footways to be swept.

XXX. And be it further enacted, That the said Commissioners shall have full Power and Authority to cause the said Streets, Squares, Lanes, Ways, Passages, and publick Places to be watered as often as they shall think fit, and also to cause any Well or Wells to be dug and sunk, and any Pump or Pumps to be erected in such Places as they shall think proper, within the said Parish, for the Purpose of watering the said Streets or Places, or for any other Purpose, and to cause the same to be removed

The Streets to be watered.

or altered, and the Expences thereof to be defrayed out of the Monies to be raised by virtue of this Act.

Watchmen,  
Beadles, and  
Constables.

Transcripts of  
Regulations  
of Watchmen,  
Beadles, &c.  
to be signed  
by the Com-  
missioners.

XXXI. And be it further enacted, That the Commissioners shall and may, and they are hereby authorized and required from Time to Time to order and establish such Number of Watchmen, Beadles, Constables, and other Officers, as they shall judge necessary or proper to be kept or employed in or about the said Parish, and shall likewise direct and appoint how and where the several Watchmen, Beadles, Constables, and other Officers shall be stationed, and in what Manner they shall be armed, how often they shall go their Rounds, how long they shall continue upon Duty, and what Wages shall be allowed to such Watchmen, Beadles, Constables, and other Officers for their Service; and shall and may also erect and provide proper Places, Boxes, or Watch-houses, for the Reception of such Watchmen, Beadles, Constables, and other Officers as aforesaid, and shall make all such Orders and Regulations as the Nature of the respective Services shall to the Commissioners appear to require, and as shall be necessary for preserving and maintaining Peace and Order, and an effective Police within, and the Safety of the Inhabitants of the said Parish; and shall cause all such Nominations, Orders, and Regulations as shall be made by them from Time to Time for the better Direction and Government of such Watchmen, Beadles, Constables, and other Officers, and for other Purposes last mentioned, to be printed, and Copies of them signed by the Commissioners or their Clerk for the Time being; and it shall be lawful for such Watchmen, Beadles, Constables, and other Officers, and they are hereby authorized and required to keep, watch, and ward within the said Parish as aforesaid, and to arrest, apprehend, and detain in the Watch-house or some other convenient Place of Security within the said Parish, to be provided and appointed by the Commissioners, all Disturbers of the publick Peace, disorderly Persons, Vagrants, Beggars, Petitioners, and all such other Persons as shall be found misbehaving themselves, and shall take them within Twenty-four Hours, (or as soon after as conveniently may be), before any One of His Majesty's Justices of the Peace acting in and for the said City of *Bath*, or the said County of *Somerset*, as the Case may require, to be examined and dealt with according to Law; and the said Beadles, Constables, and other Officers shall, as often in every Night as shall be ordered by the Commissioners, go about their respective Districts and Rounds to take Notice whether all the Watchmen perform their Duty in their several Stations, according to such Orders and Regulations as shall be made and provided by the Commissioners; and in case any Watchman shall misbehave himself or neglect his Duty, the said Beadles, Constables, or other Officers or Persons respectively, shall, as soon as conveniently may be, give Notice thereof to the Clerk for the Time being to the Commissioners, who is hereby authorized to suspend such Watchman from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of Commissioners, when the said Clerk shall acquaint the Commissioners assembled at such Meeting with the Complaint against such Watchman, in order that they may proceed to the Examination of the Offence or Charge, and such Watchman moreover shall be subject and liable to such Penalty for every such Neglect or Misbehaviour as is next herein-after expressed.

XXXII. And

XXXII. And be it further enacted, That if such Watchmen, Beadles, Constables, and other Officers, or any of them, shall not observe, perform, and keep the Orders, Rules, and Regulations, which shall be made for the Purposes aforesaid by the Commissioners, or shall in any Manner neglect their Duty or misbehave themselves, every Person so offending shall forfeit and pay for every such Neglect or Offence any Sum not exceeding Twenty Shillings, and also if the Commissioners shall think proper, be immediately discharged from his or their respective Office or Employment.

Penalty on Beadles and others neglecting their Duty.

XXXIII. And be it further enacted, That if any Victualler, Publican, or other Person selling Spirituous or other Liquors, shall entertain or harbour in his, her, or their House or Habitation, or Shop, any Watchman to be appointed under this Act, during any of the Hours or Times appointed for such Watchman to be on Duty, in virtue or in pursuance of this Act, then every such Victualler, Publican, or other Person shall forfeit and pay any Sum not exceeding Twenty Shillings for the First Offence, not exceeding Forty Shillings for the Second Offence, and not exceeding Five Pounds for the Third and every other Offence.

Penalty on Publicans harbouring Watchmen during their Hours of Duty.

XXXIV. And be it further enacted, That if any Person or Persons shall, upon any of the present or future Pavements of the Streets, Squares, Ways, Lanes, Passages, and publick Places, now made or built, or which shall hereafter be made or built within the said Parish as aforesaid, which is now or at any Time hereafter shall be raised above the Carriage Way, and used as a Footway, or upon any other Footway designed and appointed for a Footway only, carry any lighted Flambeau, Link, or Torch, other than for the Purpose of lighting a Sedan Chair having a Person therein, or for the Purpose of lighting the Publick Lamps within the same Parish, or shall run, draw, drive, or carry thereon any Truck, Wheel, Sledge, Wheelbarrow, (except for conveying Bread, Furniture, or Luggage to any House), Bier, Handbarrow, or Carriage whatsoever, or shall roll any Cask other than for the necessary loading or unloading thereof, in, upon, from, or out of any Carriage, or shall thereon wilfully ride, lead, or drive any Cattle of any Kind, or any Beast, whether loaded with Coal, Vegetables, or other Goods or Wares for Sale, or shall in any of such Streets, Squares, Ways, Lanes, Passages, or publick Places as aforesaid, burn, dress, or cleanse any Cork, or shall hoop, fire, cleanse, wash, or scald any Cask, or empty any of the Contents of any Cask therein, or shall hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, (except for the Purpose of re-building, altering, or repairing any House or Building in the Manner herein-after mentioned, or for any of the Purposes by this Act required or authorized to be done, in which Cases the same shall, if the Commissioners shall think proper and direct, be fenced and inclosed in the Manner herein-after mentioned), or shall make or repair any Coach, Waggon, Sledge, or other Carriage, in any of such Streets, Squares, Lanes, Passages, or publick Places, (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose), or shall shoe, or (except in Cases of Accident) bleed, or shall turn loose any Horse, Ass, or other Beast therein; or if the Driver of any Waggon, Cart, Sledge, or other Carriage, shall in any

Certain Acts not to be committed in the Streets.

any of the said Streets, Squares, Ways, Lanes, Passages, or publick Places, ride on the Shafts, or in or on any Part of such Waggon, Cart, Sledge, or other Carriage, without Reins, or on any of the Horses or Cattle drawing the same, or if any Person shall drive any Cattle, or drive any Horse or other Beast within the said Parish so furiously as thereby to cause a personal Danger to any One whomsoever, or shall in any of the said Streets, Squares, Lanes, Ways, Passages, or publick Places, shew or expose any Stallion or Stone Horse, or shall make any Bonfire, or let off or fire any Crackers, Squibs, or other Fireworks, or shall suffer his or her Mastiff or Bull Dog, or Mastiff or Bull Bitch, to go unmuzzled after Notice given by any Person whomsoever to the Owner thereof, or any of his or her Servants, to confine the same; or if any Person shall sift, throw, cast, or lay any Ashes, (except in the Time of Frost only and to prevent Accidents), or any Dust, Muck, Dung, Soil, Filth, Rubbish, Refuse of Garden Stuff, Blood, Offal, Carrion, or any other offensive Matter or Thing, in any of the Streets, Squares, Ways, Lanes, Passages, or publick Places, or shall hawk about or cry Sand or other Matters or Things for Sale in any Part of such Streets, Squares, Ways, Lanes, Passages, or publick Places, in such Manner as to become a Nuisance, or shall wilfully incommode the Inhabitants by any other Nuisance; or if any Person or Persons shall bathe in any Canal, Brook, or River, within the said Parish of *Bathwick*, or shall be stripped naked for the Purpose of bathing therein, the same shall be respectively considered as an Offence or Offences against this Act; and every Person so offending in any of such Cases, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings; and if any Person or Persons shall kill or slaughter, or shall singe, scald, dress, or cut up any Animal, either wholly or in Part, in any of such Streets, Squares, Ways, Lanes, Alleys, Passages, or publick Places, every Person so offending in any of the Matters aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Three Pounds nor less than Forty Shillings.

Carts and  
Carriages, &c.  
not to be left  
in the Streets.

XXXV. And be it further enacted, That if any Cart, Waggon, Sledge, Trolley, Dray, or other Carriage used for the Purpose of conveying or carrying Goods, Merchandizes, or any other Materials whatsoever, shall at any Time be left or suffered to stand or continue in any of the Streets, Squares, Ways, Lanes, Passages, or publick Places already made or built, or which shall hereafter be made or built within the said Parish of *Bathwick*, for any longer Time than shall be necessary for the loading or unloading thereof, or shall be set, placed, or left upon any Part of the Foot Crossings of any of such Street, Square, Way, Lane, Passage, or publick Place, or shall be set or placed athwart or across any Part of such Streets, Squares, Ways, Lanes, Passages, or publick Places aforesaid, (although for the Purpose of loading or unloading the same), so as there shall not be sufficient Room left for another Carriage to pass, or if any Stage Coach, Post Chaise, or other Carriage, let to Hire, (except Hackney Coaches and other Carriages standing for Hire, and such Coaches or Chaises as shall be let as Jobs or by the Day, or any stipulated Time), shall be suffered to stand in any of such Streets, Squares, Lanes, Ways, Passages, or publick Places as aforesaid, for a longer Time than shall be necessary for taking up and setting down Passengers or Travellers, or for loading or unloading their Luggage; or if any Wheel of any Carriage,

riage, separated from a Carriage, be hauled, drawn, or rolled thereon or through the same, without a Sledge or proper Carriage placed under the same; or if any Timber, Stone, or other Thing whatsoever, be drawn in any of such Streets, Squares, Ways, Lanes, Passages, or publick Places, without the same being placed on a Sledge or Carriage for that Purpose; or if any Timber of Twenty Feet long or upwards, shall be carried upon any Waggon, Cart, Sledge, or other Carriage, in or through the same, without being attended by One or more Person or Persons besides the Carter driving such Carriage, for the Purpose of guiding the End of such Timber and preventing the same from striking against any Person; House, Shop, Wall, or Building; or if any Timber, Iron, Lead, Bricks, Stones, Lime, Mortar, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Casks, Goods, Wares, Merchandizes, Materials, or Things, Rubbish, Dust, Dirt, Dung, Filth, or other Nuisance or Annoyance whatsoever, shall be so thrown, laid, placed, or left in such Street, Square, Way, Lane, Passage, or publick Place as aforesaid, (excepting building, taking down, adding to, altering, or repairing any House, Tenement, or Building, or for any of the Purposes authorized or required to be done in virtue or pursuance of this Act, in which Cases the same shall, if the Commissioners shall think proper and direct, be fenced and inclosed in the Manner herein-after expressed), and the same (except as last aforesaid) shall be suffered to remain for a greater Space of Time than shall be necessary for the housing or removing thereof; or if any Wood or Faggot Pile shall be made or erected within Twenty Feet of any such Houses or other Buildings, then and in every such Case the Owner or Driver of every such Waggon, Cart, Dray, Sledge, Trolley, Coach, Chaise, or other Carriage as aforesaid, and the Owner of any such Timber, Wood, Faggots, Iron, Bricks, Stone, Hay, Wood, Goods, Materials, and Things, Dirt or Rubbish, as aforesaid, or the Person or Persons causing such Annoyance as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings.

XXXVI. And whereas Coals and other Goods to be landed on the different Wharfs in the said Parish of *Bathwick*, from Barges and other Vessels, to be navigated on the *Kennet* and *Avon* and *Somerset* Coal Canals, must at present necessarily pass to certain Parts of the City of *Bath*, and adjoining Parishes, in Waggons, Carts, and other Conveyances, through *Great Pulteney Street* and other adjoining Streets and Ways in the said Parish of *Bathwick*, over the Bridge at the lower End of *Great Pulteney Street* aforesaid, and from thence along *Bridge Street* in the City of *Bath*, and great Inconvenience may arise to the Publick by the Misbehaviour, Neglect, Inattention, or Carelessness of the Drivers of such Waggons, Carts, or other Conveyances, if they are not subject to some Penalties for such Misbehaviour, Neglect, Inattention, or Carelessness; be it therefore enacted, by the Authority aforesaid, That it shall be lawful for the Mayor and Justices of the said City of *Bath*, His Majesty's Justices of the Peace for the County of *Somerset*, and the Rector of *Bathwick* for the Time being, from Time to Time; or the Majority of such of them as shall attend at a Meeting to be called for that Purpose by the said Mayor, or any Two of the said Justices, at the Request in Writing of any Three or more of the Commissioners named for the Purposes of this

[*Loc. & Per.*]

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Act,

For regulating the Passage of Carts, &c. from the *Somerset* Canal, and *Kennet* and *Avon* Canal, through *Great Pulteney Street*, &c.

Act, (of which Meeting Fourteen Days Notice at the least shall be given in One or more of the Newspapers printed and circulated in the said City of *Bath*); and they are hereby empowered to make and publish Bye Laws for regulating the Conduct of the Waggoners, Carters, or other Drivers of such Waggon, Carts, and other Conveyances employed in conveying such Coals and Goods from such Wharfs into the said City of *Bath*, through the Streets aforesaid, so as any such Bye Law do not in any Manner interfere with or prevent the Right of such Waggon, Carts, or other Carriages, at all Times passing through the said Streets and Ways into the said City of *Bath*, until Approaches, Roads, or Ways, which may be equally commodious for the Passage of Carts and Waggon, and other Carriages (Toll-free) from the different Wharfs of the said *Kennet* and *Avon* Canal, to the different Parts of the said City of *Bath* and Parish of *Walcot*, as shall be necessary, shall be made and finished to the Satisfaction of the Majority of the Persons above-named, who shall attend a Meeting called for that Purpose in the Manner aforesaid, and may thereby impose Penalties for the Misbehaviour, Neglect, Inattention, and Carelessness of any of such Waggoners; Carters, and other Drivers, in the Breach of such Bye Laws, not exceeding Forty Shillings nor less than Five Shillings for each Offence; which Bye Laws shall take Effect after the same have been printed, and put up at the Door of the Guildhall of the said City of *Bath*, and the principal outer Door of the Church of the said Parish of *Bathwick*, and Twice advertised in One or more of the said Newspapers, and a Copy delivered to the Persons entrusted with the Care of each Wharf respectively; all of which Notices shall be given at least Fourteen Days before such Bye Law shall be in Force; all which Penalties may be enforced, or may be mitigated by any Two or more of the said Justices to Five Shillings for each Offence, with Costs of the Prosecution, and the same may be levied by Distress and Sale, or Commitment.

Directions  
touching Ne-  
cessary Houses.

XXXVII. And be it further enacted, That no Necessary House or Privy now being or which shall hereafter be within the said Parish, shall be emptied at any other Time than between the Hours of Twelve at Night and Five in the Morning, and the Soil thereof shall be laid in such Places as shall be appointed for that Purpose by the Commissioners, and in no other Place; and if any Person or Persons shall empty any such Necessary House or Privy at any other Time, or shall lay the Soil thereof in any other Place than as aforesaid, then and in any such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings; and if any Person or Persons shall wilfully or negligently spill any of the Soil of any such Necessary House or Privy in any of the Streets, Squares, Ways, Lanes, Passages, or publick Places, already made or built, or making or building, or which shall hereafter be made or built within the said Parish, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings.

To compel  
Tenants to  
give Notice to  
Landlords.

XXXVIII. And be it further enacted, That all Notices hereby directed to be given to the Owners or Occupiers respecting any Matter or Thing to be done under or by virtue of this Act, and which Matters or Things

Things is or are to be so done at the Expence of the Owner or Owners; and in such Cases where such Notice or Notices shall be given to the Occupier or Occupiers; the same shall express the Alteration or Matters required to be done by the Commissioners, and also require such Occupier or Occupiers to give immediate Notice thereof to the Owner or Owners; and if such Occupier or Occupiers shall neglect or refuse, on receiving such Notice or Notices, to give proper Intimation thereof, within Ten Days, to his, her, or their Landlord or Landlords, or to his, her, or their known Agent or Agents, then such Occupier or Occupiers shall be subject to, and shall pay all and every the Penalties and Forfeitures to be incurred by such Owner or Owners, by Reason or Means of the Non-observance or Non-performance of the Matters and Things required to be done by such Notice or Notices.

XXXIX. And be it further enacted, That if any Stones, Timber, Mortar, Rubbish, Materials, or other Things, shall be laid or placed in, or any Hole or Opening shall be made in any of the Streets, Squares, Ways, Lanes, Passages, or publick Places already made or built, or which shall hereafter be made or built within the said Parish as aforesaid, for any Purpose whatsoever, though not prohibited by or contrary to the true Intent and Meaning of this Act, the Owner of such Stones, Materials, or other Things, or Person or Persons causing such Hole or Opening as aforesaid to be made, shall, at his, her, or their own Expence, cause a Light to be affixed in or near the same respectively, for securing Passengers and Cattle from Accidents, every Night from Sun-setting to Sun-rising during the Time such Stone or other Materials, Hole or Opening, shall remain; and also if the Commissioners shall think proper and direct, shall, at his, her, or their own Expence, cause such Stones, Materials, or other Things, Hole or Opening, or either, as the Case may be, to be fenced and inclosed in such Manner as the Commissioners shall think proper, and continue the same so fenced and inclosed until the Stones, Materials, or other Things, or Hole or Opening, as the Case may be, shall be removed, and in Default thereof shall forfeit and pay any Sum not exceeding Forty Shillings for every Day or Night such Neglect shall be continued; and the Commissioners, on such Default being made, are hereby empowered to cause such Light to be put at, and to fence and inclose such Stones, Materials, and Things, and continue the same so fenced and inclosed, 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 Commissioners, and the Expences attending such Recovery, in the same Manner as is mentioned in the Case of Fences and Inclosures to be made on taking down or altering any House or Building, as herein-before is mentioned.

Lights to be fixed for preventing Accidents.

XL. And be it further enacted, That the Commissioners shall and may, and they are hereby required to cause to be placed on some conspicuous Part of some House or Building at or near each End, Corner, or Entrance of the several Streets, Squares, Ways, Lanes, Passages, and publick Places already made or built, and which shall hereafter be made or built within the said Parish, the Name of or by which every such Street, Square, Way, Lane, Passage, or publick Place, is usually or shall be called or known; and also shall and may cause any House, Shop, Warehouse, or Building in the same Streets, Ways, Squares, Lanes,

Names of the Streets to be set up, and Houses numbered.

Passages,

Passages, and publick Places, to be marked and numbered in such Manner as they shall think proper for distinguishing the same; and if any Person shall wilfully or maliciously destroy, pull down, injure, obliterate, or deface any such Mark or Number, or the Names of the same Streets, Squares, Ways, Lanes, Passages, and publick Places, or any of them, or any Part thereof, or cause or procure the same to be done, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings.

Penalty on Persons interrupting or assaulting Workmen.

XLI. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the Commissioners or any Surveyor or Surveyors, Watchmen, Beadle, Constable, or other Officer or Officers, Workman, Person or Persons whomsoever, who is, are, or shall be employed, by virtue of this Act, in the Performance or Execution of their Duty, or of any of the Matters and Things to be done in virtue or in pursuance hereof, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings over and above such Penalties as are inflicted on any of the said Offences by any other Law or Statute now in Force.

Power to provide a proper Place for the chief or principal Constable.

XLII. And whereas it would be of great Accommodation to the Inhabitants of the said Parish of *Bathwick* as aforesaid, if a proper House and Office within the said Parish were provided, where the Commissioners might from Time to Time meet for the Purpose of putting this Act into Execution and for the Transaction of Business, and where the Books, Papers, and Writings belonging to the Commissioners, may be always safely lodged and deposited, and the Inhabitants of the said Parish and other Persons interested may from Time to Time resort to inspect the same; and also if a proper House or Place were provided, where the principal or chief Constable, or other Peace Officer to be appointed by the Commissioners might reside or repair, and be ready to answer on all publick Occasions; and also if proper Buildings were provided within the Parish aforesaid, where all Persons whom the Watchmen, Beadles, Constables, or other Officers appointed by the Commissioners, are hereby authorized and required to apprehend as aforesaid, might safely keep and detain such Persons during and until such Time as the same Persons can or may be taken before some One of His Majesty's Justices of the Peace in and for the said County of *Somerset*, in the Manner and for the Purposes herein-before mentioned, and where an Engine or Engines for extinguishing of Fire, and for depositing or keeping any Water Carts for watering the said Streets and other publick Places, and for the depositing of the Materials, Tools, or Implements, belonging to the Commissioners or their Officers, and also One or more Piece or Pieces of Land lying within or near the said Parish, where the Dirt, Dust, Rubbish, Ashes, Soil, and Filth of the Streets, Squares, Ways, Lanes, Passages, and other Places to be cleansed in virtue of this Act, and the Soil from Necessary Houses may under or by the Order, Permission, and Direction of the Commissioners, be removed, carried, and laid; be it therefore enacted, That it shall be lawful for the Commissioners, by and out of the Monies to be raised in pursuance hereof, to purchase, hire, or contract for, or otherwise provide a House or Houses, Room or Rooms, or a  
Piece



Piece or Pieces of Land or Ground for the Purpose of building a House or Houses, Room or Rooms, or such other proper and convenient Place or Places, in such Situation in the same Parish of *Bathwick*, for all or any of the several Purposes first mentioned; and also a Piece or Pieces of Land not exceeding One Acre, either within the same Parish or out of the said Parish, for the Purpose of depositing such Rubbish and Filth as last mentioned, as they shall think proper, such House or Houses, Room or Rooms, Place or Places, or Piece or Pieces of Land, to be holden either in Fee Simple at a Ground Rent, or without, or by Lease or Leases on a Life or Lives, renewable at a Fine or Fines certain, or for Terms of Years certain, or Years determinable and renewable on a Life or Lives, and from Time to Time to surrender, give up, sell, exchange, or dispose of the same, either by publick Auction or private Contract, and to purchase, take, hire, or provide any other House or Houses, Room or Rooms, Place or Places, Piece or Pieces of Land of the like or the same Tenure, to be used, employed, and enjoyed for the Purposes herein-before mentioned concerning the same respectively as and when and as often as they shall think proper; and the Commissioners are hereby authorized and empowered to take a Conveyance, Grant, or Assignment of such House or Houses, Room or Rooms, Place or Places, Piece or Pieces of Land, to them the Commissioners and their Successors for the Purposes aforesaid, and in like Manner to make a Conveyance thereof respectively, or such of them respectively as they may think proper, to sell or exchange or dispose of as aforesaid, and such purchased House or Houses, Room or Rooms, Place or Places, Piece or Pieces of Land, as well those which shall be taken or had in Exchange as aforesaid shall be, and the same when so purchased, or taken, or had in Exchange as aforesaid, shall be vested in the Commissioners for the Time being and their Successors, for the Purposes of this Act; and the Commissioners are hereby authorized to apply any Part of the Monies so to be raised in pursuance of this Act, not exceeding Five hundred Pounds, in the furnishing, repairing, altering, or adding to the House or Houses, Room or Rooms, Place or Places so to be purchased or taken, or had in Exchange as aforesaid, or in building or erecting convenient or necessary Buildings on the Piece or Pieces of Land or Ground, for any of the Purposes aforesaid, and shall also thereout pay and keep down all Ground or Quit or Reserved Rents due or payable in respect of such Premises, and all Fines or Renewals of Leases, if any; and the Monies which shall arise from the Sale or Sales of such purchased Premises, or any Part thereof, or for such Furniture and Buildings as aforesaid, shall be applied as the other Monies to be raised and levied in pursuance of this Act, are hereby directed to be applied, or such of them as the Commissioners shall think proper or convenient.

XLIII. And, for raising Money for answering and defraying the Expenses attending the soliciting, making, and obtaining this Act, and carrying into Execution all the several Purposes thereof (except those herein-after mentioned and excepted) be it further enacted, That the Commissioners assembled at any Meeting to be held by virtue or in pursuance of this Act, after the same shall have received the Royal Assent, shall, and they are hereby authorized and required, Once or oftener in every Year, as they shall see Occasion, to cause such Sum of Money to be raised by a Rate or Assessment upon the several Tenants or Occupiers of Houses, [Loc. & Per.] 25 7 Warehouses,

Warehouses, Shops, Cellars, Vaults, Stables, Coach Houses, Brewhouses, Granaries, Malhouses, and other Buildings which are already made or built, or shall hereafter be made or built within the said Parish, and upon the several Gardens, Yards, or Lands thereto respectively belonging and adjoining, and upon all Gardens, Orchards, Paddocks, Closes, Tenements, and Hereditaments adjoining to or upon any of the Streets, Squares, Ways, Lanes, Passages, or publick Places which are already made or built, or making or building, and which shall hereafter be made or built within the said Parish, and which shall be lighted, watched, watered, and cleansed by virtue or in pursuance of this Act, according to the annual Rent or Value of the same respectively, not exceeding in any One Year the Sum of One Shilling and Two-pence in the Pound, until the Expence of this Act is paid and discharged, and after that Period the Sum of One Shilling in the Pound upon such annual Rent or Value as the Commissioners shall think proper and necessary, for paying and defraying the several Charges and Expences attending the soliciting, making, and obtaining this Act, and cleansing, watching, watering, and lighting such Streets, Squares, Ways, Lanes, Passages, and other publick Places aforesaid and for keeping the same from Time to Time under the Orders and Regulations by this Act provided and directed to be observed and made, and all other Charges and Expences incidental to and attending the Execution of this Act, (except so far as relates to the paving, steaning, and pitching, altering, amending, or repairing the present and future Footways and Carriage Ways of the same Streets, Squares, Ways, Lanes, Passages, and publick Places, and which last-mentioned Charges are not to be included in, or discharged or defrayed by such Rate or Assessment as aforesaid), such annual Rent or Value to be from Time to Time settled, ascertained, and fixed according to the respective Rents which such Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach Houses, Brewhouses, Granaries, Malhouses, Buildings, Gardens, Orchards, Paddocks, Closes, Tenements, or Hereditaments, are or shall be rated or taxed as for the Relief of the Poor; but if in any such Poor Rates any Person or Persons shall be omitted to be rated, then the Name or Names of such Person or Persons so omitted shall be added to the Rate or Assessment hereby directed to be made, and he, she, or they shall be rated and assessed according to the just and true Value or letting of the Premises by him, her, or them occupied; and where any such Premises lie intermixed, or are jointly held with any other Premises that shall not be rated in pursuance or in virtue of this Act, then the same shall be rated and assessed in proportion as the whole Premises are rated in any such Poor Rates; and in case of any such Omission as aforesaid, then in proportion to the just and true Value in letting of the whole Premises; and where, in any Case the Rates or Assessments to be raised and levied as aforesaid, in respect of any of the Premises hereby made liable to be rated, cannot be settled, fixed, or ascertained by either of the Ways aforesaid, then the Commissioners shall rate and assess such Premises as last aforesaid, at such annual Sum as the Commissioners shall think just and reasonable; and for the Purposes aforesaid, or any of them, it shall be lawful for the Commissioners yearly and every Year, as often as they shall see Occasion, by Writing under their Hands, to nominate and appoint Two or more of the Inhabitants of the said Parish of *Bathwick* to be the Assessors of such Rates or Assessments as aforesaid, and as soon afterwards as may be to issue their Order thereupon to such Assessors, who shall accordingly

accordingly be, and they are hereby empowered and required to make such Rate or Rates, Assessment or Assessments, in all Cases except where the Rates or Assessments so to be raised cannot be settled, ascertained, and fixed in either of the Ways herein-before mentioned; and the First Year for which such Rates or Assessments shall be made, shall commence at and be computed from and after the Twenty-fourth Day of *June* One thousand eight hundred and one; and the Money so to be rated and assessed shall from Time to Time be paid by such several Tenants or Occupiers as aforesaid, and they are hereby required to pay the same by equal Quarterly Payments to the Collector or Collectors to be appointed by the Commissioners as aforesaid; but no Rate or Assessment to be made in pursuance of this Act, shall be valid until the same shall be allowed and signed by Five of the Commissioners at the least; and the said Assessors shall appear at such Time and Place as the Commissioners shall, by Writing signed by them, order and direct, and then and there produce and deliver to them Two Copies or Duplicates of the Assessment made and subscribed by such Assessors, and shall from Time to Time, upon reasonable Notice to him or them given by the Commissioners, attend the Commissioners on any of their Meetings, then and there to explain such Rates and Assessments; and that after such Rate or Assessment shall be made and allowed, and signed, settled, ascertained, and fixed as aforesaid, the Money thereby made payable shall be collected and received by the Collector or Collectors to be appointed as aforesaid, as soon as may be, of and from the respective Persons who shall be so rated or assessed; and the Commissioners shall from Time to Time, as soon as may be after such Rate or Assessment shall be made, allowed, and signed, settled, ascertained, and fixed as aforesaid, cause a Duplicate thereof, signed by them, to be delivered to the said Collector or Collectors, and shall also issue their Orders to the said Collector or Collectors, requiring him or them to collect and receive the respective Sums of Money made payable by such Rate or Assessment, and such Collector or Collectors is and are hereby authorized and required to collect and receive the same accordingly; and also Once at least in every Month, or oftener, if directed so to do by the Commissioners, by Writing signed by their Clerk for the Time being, to pay the Money so to be collected and received by him by virtue of this Act, to the Treasurer for the Time being to the Commissioners, or to such Person or Persons as the Commissioners shall appoint to receive the same, to be applied to and for the Uses and Purposes herein-before mentioned; and all and every such Collector and Collectors shall, and is and are hereby required at the Time of making every such Payment of the Money so respectively collected as aforesaid, to deliver to the Person or Persons empowered to receive the same, a true and exact Account of all Sums of Money received by them respectively, and also of such Sums of Money, Rates, or Assessments (if any) which shall remain uncollected, together with the Reasons why the same have or had not been collected, to the End that it may appear whether such Non-payment or Non-collection happened through the Insolvency of the Person rated, or through the Default of the Collector or Collectors; and if any Persons who shall be appointed or accept the Office of Assessors or Collector in virtue hereof, shall afterwards refuse or neglect to take upon himself and execute his said Office, without shewing some reasonable Cause, to the Satisfaction of the Commissioners, for such Refusal or Neglect, or shall wilfully make Default in the Performance of the Duty of his said Office, or over-rate any Person or Persons, or collect  
more

more than the Sum which shall have been so rated or assessed as aforesaid, or otherwise misbehave himself therein, he shall for every such Refusal, Neglect, Default, or Misbehaviour, forfeit and pay any Sum not exceeding Five Pounds, and also be discharged from his said Office, if the Commissioners shall think fit.

Commissioners, in order to ascertain the Rates, may order the Parish Rate Books or Land Tax Books to be produced, and Copies thereof made.

XLIV. And, in order to ascertain the Rates and Assessments to be made by virtue of this Act, be it further enacted, That the Commissioners shall and may, and they are hereby authorized and empowered to cause any of the Books of Assessment of Rates towards the Relief of the Poor of the said Parish of *Bathwick*, and if they shall think fit, any of the Books of Assessment of the Land Tax to be brought before them, and to take Copies of such Books, or of any Part thereof, without Fee or Reward; and if any Person or Persons in whose Custody or Power any of the said Books shall be, shall refuse or neglect to attend the Commissioners with such Book or Books, or to permit them to take Copies thereof, then and in every such Case such Person who shall so refuse or neglect, shall for every such Offence, forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

If Assessors assess the Rates improperly, Commissioners may amend or alter the old Rates.

XLV. And be it further enacted, That if such Assessors shall at any Time or Times hereafter, in any Rates or Assessments by them to be made by virtue or in pursuance of this Act, neglect or omit to rate or assess any Person or Persons liable to pay or to be charged with such Rates or Assessments, or shall in such Assessments under-rate any such Person or Persons liable to pay such Rates or Assessments, then and in every such Case it shall be lawful for the Commissioners to rate and assess, in the said Rates or Assessments, such Person or Persons so omitted to be rated or assessed; and to raise such Person or Persons so under rated, or amend such Rates or Assessments as aforesaid, in such Manner as to the Commissioners shall seem just and reasonable; and that the Commissioners shall and may, and they are hereby empowered to strike out the Name or Names of any Person or Persons whom they shall determine not to be liable to the Payment of the Rates hereby directed to be made; and that all such Additions to or Alterations in the old or former Rates or Assessments, shall be as valid and effectual, to all Intents and Purposes whatsoever, as if the same had been Part of the original or old or former Rates or Assessments; any Statute, Law, Usage, or Custom to the contrary in anywise notwithstanding.

Tenants to pay the Rates.

XLVI. And be it further enacted, That if the Tenant or Occupier of any Messuage, House, Warehouse, Shop, Cellar, Building, Garden, Land, Tenement, or Hereditament, upon or in respect of which any Rate or Assessment shall be charged or imposed by virtue of this Act, shall at any Time neglect or refuse to pay the Rates or Sums of Money which shall be so rated or assessed as aforesaid, for the Space of Fourteen Days after the same shall be due, and Demand made thereof, by Notice in Writing under the Hand or Hands of the Collector or Collectors of the said Rates, to be delivered to such Tenant or Occupier, or left at his or her Dwelling House, or usual or last Place of Abode, or at the Tenement occupied, then upon Proof thereof upon Oath (or Affirmation, being a *Quaker*) before any Justice of the Peace for the said County of *Somerset*, the same shall and may be levied and recovered by Distress and Sale of

of the Goods and Chattels of every such Tenant or Occupier, by Warrant under the Hand and Seal of any such Justice, rendering the Overplus, (if any), after deducting the Sum or Sums due in respect of such Rates or Assessments, and all Costs and Charges attending the Recovery thereof, to the Owners of such Goods and Chattels, upon Demand.

XLVII. And be it further enacted, That in all Cases where any Person shall remove from or quit any Messuage, Warehouse, Building, Garden, Land, Tenement, or Hereditament, which shall be rated or assessed by virtue of this Act, such Person shall be liable to pay such Rates or Assessments in Proportion to the Time that he or she occupied the same, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person shall come into or occupy any such Messuage, Warehouse, Buildings, Gardens, Lands, Tenements, or Hereditaments as aforesaid, out of or from which any other Person 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 was or were empty or unoccupied, the same shall, for and in respect of his, her, or their Occupation thereof, be liable to any such Rate or Assessment in Proportion to the Time he or she shall occupy the same, in the same Manner as if he or she had been originally rated or assessed for such Messuage, Warehouse, Buildings, Gardens, Lands, Tenements; or Hereditaments; which said respective Proportions, in case of Dispute, shall be settled and ascertained by the Commissioners in such Manner as they shall judge reasonable; and in case any Person who having been so rated and assessed as aforesaid, shall quit his or her Messuage, Warehouse, Building, Garden, Land, Tenement, or Hereditament, before he or she shall have paid such Rate or Rates, or proportionable Part or Parts thereof, by him or her due and payable, and shall afterwards refuse or neglect to pay the same when demanded, it shall and may be lawful for the said Collector or Collectors, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Somerset*, or for the County, Riding, Division, Liberty, Town, or Place where such Person shall remove to or reside, or where any Goods or Chattels of such Person shall be found, (which Warrant such Justice is hereby required to grant upon Proof made of the Sum so due, before him, upon Oath of a credible Witness or Witnesses, (or Affirmation, being a *Quaker*), to levy such Rate or Rates, or proportionable Part or Parts thereof, by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus, and the Goods and Chattels remaining, (if any), after the Payment of the Money due in respect of such unpaid Rate or Rates, or proportionable Part or Parts, and all Expenses relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

How Rates to be paid by Tenants quitting or entering.

Persons removing.

XLVIII. And be it further enacted, That where any Messuage, Warehouse, Building, Garden, Land, Tenement, or Hereditament, which shall be rated or assessed by virtue of this Act, shall be let or demised to more than One Tenant or Occupier, any One or more of such Tenants or Occupiers shall be deemed the Occupier or Occupiers thereof, for the Purposes of this Act, and the said Rates or Assessments shall be levied by Distress and Sale, in Manner last herein-before mentioned, of all or any

If more than One Tenant or Occupier any One may be liable to pay the Rates.

[*Loc. & Per.*]

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of

of the Goods and Chattels in such Messuage, Warehouse, Building, Garden, Land, Tenement, or Hereditament.

Exemption  
from Rates.

XLIX. Provided always, and be it further enacted, That no Person shall be rated to pay the Rates or Assessments which will be made by virtue of or in pursuance of this Act, who shall occupy a House or Houses within the said Parish as aforesaid of less than the yearly Value of Three Pounds; and no Rate or Assessment shall, by virtue of this Act, be charged or made payable by any Person who, by reason of his or her Poverty only, is or shall be excused from paying any Rate made for the Relief of the Poor; nor shall any Person be charged or rated in or by such Rate or Assessment as aforesaid, in or on Account of any Lands whatsoever, which shall at the Time of making any such Rate or Assessment be used as Arable Land, Meadow or Pasture Ground only, or shall not adjoin to some Street, Square, Way, Lane, Passage, or publick Place, which shall be lighted, watched, and cleansed in virtue or pursuance of this Act.

Houses, &c.  
unoccupied  
not to be  
rated.

L. Provided also, and be it further enacted, That no Messuage, Warehouse, Building, Garden, Tenement, or Hereditament, hereby made liable to be rated or assessed, shall be charged or chargeable with any Rate or Assessment as aforesaid, during the Time the same shall be empty or unoccupied.

Commission-  
ers with the  
Approbation  
of Justices, to  
adjudge what  
Houses, &c.  
shall not be  
rated.

LI. And whereas there are and may be several Messuages, Buildings, Tenements, Lands, and Grounds, which by reason of their Distance from Streets, Squares, Ways, Lanes, Passages, or publick Places, can receive little or no Advantage from the general lighting, watching, or cleansing thereof, and others which are so situated or circumstanced as to render it unnecessary or inexpedient to light, watch, or cleanse the same; be it therefore enacted, That it shall be lawful for the Commissioners to adjudge and determine, with the Approbation of Three or more Justices of the Peace for the said County of *Somerset*, not being Commissioners under this Act, how far it may be expedient to light, watch, or cleanse such distant Place or Places so situated as aforesaid, and which of the Messuages, Buildings, Tenements, Lands, and Grounds, shall or not be liable to be rated and assessed as herein-before directed, and that it shall not be lawful for the Commissioners to lay any Rate or Assessment on such Messuages or other Premises as aforesaid, as they shall so adjudge and determine, with such Approbation as aforesaid, to be at such Distance, or to be circumstanced as not to receive adequate Advantage from the general lighting, watching, and cleansing, directed by this Act.

Persons ag-  
grieved by  
Rates may  
apply to Com-  
missioners.

LII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment, Rates or Assessments, which shall be made in pursuance of this Act, such Person or Persons shall and may first apply for Relief to the Commissioners at the First or Second Meeting to be holden next after Demand shall be made of such Rate or Assessment, and the Commissioners are hereby authorized and empowered, if they shall think the Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons so applying to such Commissioners

missioners, shall not be satisfied with their Order or Determination, or such Application shall not be attended to by the Commissioners at such First or Second Meeting as aforesaid, then such Person or Persons shall nevertheless be obliged to pay such Rate, and then and not before may appeal in the Manner herein-after mentioned to the General Quarter Sessions of the Peace to be holden in and for the said County of *Somerset*, for Relief in the Premises.

LIII. And be it further enacted, That the present and future Footways and Carriage Ways of or belonging to any Bridge or publick Building, now making or building, or which shall hereafter be made or built within the said Parish, shall be paved, lighted, and kept in Repair at the Expence of the Person or Persons in whom such Bridge or publick Building is or shall for the Time being be vested; and that the present and future Footway and Carriage Way of or belonging to, or before, behind, and at the Side of any Building now made or erected, or which shall or may hereafter be made or erected within the said Parish as aforesaid, and set apart or used for the Amusement of the Inhabitants thereof, or of the Publick in general, shall be paved and kept in repair at the Expence of the Owners or Proprietors thereof for the Time being; and that the present and future Footways and Carriage Ways of or belonging to, or before, behind, and at the Side of the Church or Chapel now made or built, or which shall hereafter be made or built within the said Parish as aforesaid, in case of the Parish Church of *Bathwick* aforesaid, and to the Church Yard or Burial Ground belonging to such Church or Chapel of Ease, and belonging to the said Parish, shall be paved and kept in Repair at the Expence of the Churchwardens of the said Parish; but if such Church or Chapel or Burial Ground shall be built or made by any private Person or Persons, then the same Footways and Carriage Ways shall be paved and kept in Repair by the Owner or Proprietor, Owners or Proprietors, for the Time being of the same Church or Chapel or Burial Ground; and that the present and future Footways and Carriage Ways of or belonging to, before, behind, or at the Side of any Meeting House or Meeting House Yard, Chapel, or Burial Place, or Ground now made or built, or making or building, as well as such as shall hereafter be made or built within the same Parish, shall be paved and kept in Repair at the Expence of the respective Ministers, or other Persons usually officiating therein, or having the Care or Management of the same; and all the same Footways and Carriage Ways, and the Paving, Steaning, and Pitching thereof, shall be made, paved, steaned, pitched, repaired, amended, cleansed, lighted, and watched, and be subject to the same Regulations and Penalties, and shall be recoverable respectively in the same Manner as is and are herein-before expressed, provided, and inflicted, concerning or with respect to the other Footways and Carriage Ways, in or of the Streets, Squares, Ways, Lanes, Passages, and publick Places, now made or built within the said Parish of *Bathwick*.

The Pavements of publick Buildings to be under the same Regulations as those of private ones.

LIV. And, for the more effectually enabling the Commissioners to execute the Purposes of this Act in the most expeditious Manner; be it further enacted, That it shall be lawful for the Commissioners, and they are hereby empowered from Time to Time, when they shall judge it necessary, to borrow and take up at Interest any Sum or Sums of Money, upon the Credit of the Rates or Assessments to be made by virtue of this

Commissioners empowered to borrow Money on the Credit of the Rates.

this Act, for the Purposes aforesaid, and by any Writing or Writings upon Vellum or Parchment, signed by the Commissioners, to assign the said Rates or Assessments, or a competent Part thereof, to such Person or Persons as shall advance and lend such Money thereupon, as a Security or Securities for the several Sums so borrowed, with lawful Interest for the same, which Interest shall be payable and paid Half-yearly by the Treasurer for the Time being to the Commissioners, out of the Monies to arise or be levied by or from the said Rates or Assessments; and all and every Sum and Sums of Money so to be advanced, and the Interest thereof, shall be and are hereby charged upon, and shall be paid and payable from Time to Time, free from all Charges, Taxes, and Deductions, out of the Money arising from the said Rates or Assessments hereby authorized or directed to be made and levied as aforesaid, and of all Charges, Taxes, and Deductions whatsoever of the same Principal Money, or the Interest thereof; and all Persons who shall be possessed of the said Securities shall be Creditors on the said Rates or Assessments in equal Degree, without Preference in respect to the Time of his, her, or their advancing Money thereon, or otherwise howsoever; and every such Grant, Assignment, or Security shall be in the Form or to the Effect following; (that is to say),

Form of the  
Grant or Security.

‘ BY virtue of an Act of Parliament made in the Forty-first Year of the  
 ‘ Reign of King *George* the Third, intituled, { *set forth the Title of*  
 ‘ *the Act*] We of the Commissioners appointed  
 ‘ by virtue of the said Act, in Consideration of the Sum of  
 ‘ advanced and paid by  
 ‘ to the Treasurer appointed in pursuance  
 ‘ of the said Act, upon the Credit and for the Purposes of the said Act,  
 ‘ do grant and assign unto the said his Executors,  
 ‘ Administrators, and Assigns, such Proportion of the Rates or Assess-  
 ‘ ments arising by virtue of the said Act, as the said Sum of  
 ‘ doth or shall bear to the whole Sum which is or  
 ‘ shall be borrowed upon the Credit of the same Act, to be had and  
 ‘ holden from this until the said Sum of  
 ‘ with Interest at  
 ‘ *per Centum per Annum* for the same, to be paid Half-yearly, shall be  
 ‘ repaid and satisfied. In Witness whereof we have hereunto set out  
 ‘ Hands and Seals, this Day of

And every such Grant or Mortgage shall be good, valid, and effectual in the Law.

Notice to be  
given before  
Money shall be  
borrowed.

LIV. Provided nevertheless, and be it further enacted, That before any such Money shall be so borrowed at Interest as herein-before mentioned, Fourteen Days Notice, signifying the Intention of borrowing such Money at Interest as aforesaid, shall be given and published in the Manner first herein-before mentioned, and the total Sums to be borrowed and raised on the Credit of the said Rates or Assessments, shall not exceed at any one Time in the Whole the Sum of One thousand five hundred Pounds.

Securities may  
be transferred.

LVI. And be it further enacted, That it shall be lawful for any Person or Persons entitled to any of the Securities aforesaid, and his, her, or their





them made by any Creditor or Creditors whose Interest shall be so in Arrear, by an Order under their Hands and Seals to appoint One or more Person or Persons to receive the Whole or any Part or Parts of the said Rates or Assessments, and that the Money so to be received by such Person or Persons, shall be so received to and for the Use and Benefit of the Person or Persons to whom such Interest in Arrear shall be due, and shall be paid to him, her, or them accordingly; and the Interest so in Arrear, as well as the Interest which shall incur and grow due whilst the Person or Persons so to be appointed as aforesaid shall be in the Receipt of such Rates and Assessments, together with the Costs and Charges of recovering, receiving, and paying over the same in Manner aforesaid, shall be fully satisfied and paid, the Power and Authority of such Receiver or Receivers for the Purposes aforesaid shall cease and be at an End, or otherwise, if such Creditor shall think proper, such Interest so due and in Arrear as aforesaid, shall and may be sued for and recovered by him, her, or them, with Costs of Suit, by an Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

Clerk to enter  
all Securities  
for Money  
borrowed.

LIX. And be it further enacted, That the Clerk for the Time being to the Commissioners shall enter in a Book, to be for that Purpose provided and kept, Copies of all Securities for Money borrowed on Mortgage by virtue or in pursuance of this Act, and Extracts or Memorials of all Assignments or Transfers thereof expressing in Words at length the Names, Surnames, Additions, Places of Abode, and other Descriptions of all such Persons as shall from Time to Time be entitled to such Securities by Mortgage; and also an Account of all such Stocks or Securities which shall be purchased by or by the Order of the Commissioners, and in whose Names the same shall have been so purchased, and of every Transfer, Alteration, Sale, or other Disposition thereof; to which Book and Books the Person and Persons interested shall at all reasonable Times have Access, with free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer of the Grant or Assignment of the said Rates or Assessments, the said Clerk shall be paid, by the Person to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more; and after every such Entry made of any such Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his, her, or their Executors, Administrators, or Assigns, to the Benefit of the Security thereby transferred.

Application of  
the Money re-  
ceived, &c.

LX. And be it further enacted, That the Monies to be received by virtue of this Act, shall from Time to Time be applied and disposed of for the several Purposes of this Act, or in such other Manner as the Commissioners shall direct; and the Treasurer for the Time being to the Commissioners shall and is hereby authorized and required to pay and apply all such Monies as he or they shall respectively receive by virtue hereof, to such Person or Persons, and in such Manner, and at such Time and Times as the Commissioners shall from Time to Time, by any Order or Orders under their Hands, direct and appoint; and the Commissioners are hereby empowered to make such Order or Orders accordingly.

LXI. Provided

LXI. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement between any Landlord and Tenant touching or concerning the paving, steaning, pitching, or repairing, lighting, watching, watering, or cleansing the Streets, Squares, Ways, Lanes, Passages, and publick Places, now or hereafter to be made or built within the said Parish, or any Part thereof, but that every such Landlord or Tenant who is now by virtue of any such Contract or Covenant obliged to pave, stean, pitch, and keep in Repair any of the Streets, Squares, Ways, Lanes, Passages, and publick Places, now or hereafter to be made or built in the said Parish, shall in lieu thereof be obliged to pave and pitch the same, and keep the same in Repair, and pay such Rates or Assessments in respect of the lighting, watching, watering, and cleansing the same as aforesaid, for and during such Time as he would (in case this Act had not been passed) have been liable or obliged to do according to the true Intent and Meaning of such Contract, Covenant, or Agreement; but nevertheless the paving, steaning, and pitching and repairing thereof, shall be done in such Manner and within such Time as shall be directed or appointed by the Commissioners, or in Default thereof the said Commissioners may and they are hereby empowered and required to pave, stean, pitch, and repair such Street, Square, Way, Lane, Passage, or other publick Place, at the Expence of such Person or Persons.

This Act not  
not to make  
void Agree-  
ments between  
Landlord and  
Tenant.

LXII. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act imposed or inflicted, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall, upon Proof of the Offences respectively before any One of the Justices of the Peace for the County wherein the same shall arise, either by Confession of the Party or Parties, or by the Oath of One credible Witness, (which Oath any such Justice is hereby empowered and required to administer without other Fee or Reward than One Shilling), be levied and recovered by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice of the Peace, (which Warrant or Warrants any such Justice is hereby empowered to grant), and the Overplus, after such Fines, Penalties, and Forfeitures, and the Charges of such Distress, and of keeping and selling the same, are recovered and deducted, shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels, and the Fines, Penalties, and Forfeitures, when so levied and recovered, shall from Time to Time be paid to the said Commissioners, or to their Treasurer or Treasurers, and shall be applied (if not otherwise particularly directed by this Act), for and towards the Purposes of this Act; and in case sufficient Distress cannot be found, and such Fines, Penalties, and Forfeitures, shall not be forthwith paid, it shall and may be lawful for any such Justice, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol for the said County of *Somerset*, or to the House of Correction at *Shepton Mallet*, there to remain, without Bail or Mainprize, for such Time as such Justice shall direct, not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, and all reasonable Charges attending the same, shall be sooner paid and satisfied.

Penalties and  
Forfeitures  
how to be re-  
covered and  
applied.

LXIII. And

Proceedings to be within Six Months.

LXIII. And be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences against this Act, unless some Proceeding, or Notice of some intended Proceeding, shall be had or given, according to the Direction of this Act, respecting such Offence or Offences, within Six Calendar Months next after such Offence committed.

Declaring that Inhabitants shall be competent Witnesses.

LXIV. And it is hereby further enacted, That in all Actions, Prosecutions, Informations, and Causes of Proceedings whatsoever, relating to or concerning the Execution of this Act, made in pursuance thereof, any Inhabitant of the said Parish of Bathwick shall and may be admitted to give Evidence, notwithstanding his or her being such Inhabitant.

For compelling the Attendance of Witnesses.

LXV. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before the Commissioners, or any Justice or Justices of the Peace in and for the said County of Somerset, touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, or against any Rule or Order made in pursuance thereof, whether on the Part of the Prosecutors or of the Person or Persons complained of, and which Summonses the Commissioners and such Justices as aforesaid are hereby authorized to issue, where and in such Cases only as such Commissioners, or such Justice or Justices of the said County, (as the Case shall be), are made competent by this Act to hear and determine the same; or if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence at any General Quarter Sessions of the Peace for the said County of Somerset, or Adjournment thereof upon any Appeal by virtue of this Act, as hereinafter is mentioned, whether upon the Part of the Appellant or of the Respondent, and any such Person or Persons so summoned as aforesaid, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Refusal or Neglect, to be approved of by such Justice or Justices, Commissioners, or other Person or Persons hereby authorized to receive such Evidence, or appearing shall refuse to be examined on Oath, (or solemn Affirmation, being a Quaker), and to give Evidence before such Justice or Justices of the Peace or Commissioners as aforesaid, or at any such Sessions or Adjournment thereof, then and in either of the said Cases every such Person shall forfeit for every such Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

LXVI. And, for the more easy Conviction of Offenders against this Act, be it further enacted; That every Justice of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, and over which such Justice or Justices has or have Conusance, shall and may cause the Conviction to be drawn up in the Form of Words, or to the Effect following; (videlicet),

Form of Conviction.

County of	} BE it remembered, That on the	Day of
to wit.		in the
Reign of His Majesty King		One thousand eight hun-
dred and	is [or, are] convicted before me [or, us,	
as the Case shall be] One [or, Two, as the Case shall be]	of His Ma-	
		jesty's

' jesty's Justices of the Peace for the said County of  
 ' by virtue of an Act of Parliament, passed in the Forty-first Year of the  
 ' Reign of His Majesty King George the Third, intituled, [*here insert the*  
 ' *Title of the Act*] of [*specifying the Offence,*  
 ' *and the Time and Place when and where the same was committed, as the*  
 ' *Case shall be*] contrary to the said Act [*or, contrary to a certain Bye*  
 ' Law made by virtue of the said Act] made on the \_\_\_\_\_ Day  
 ' of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_ pursuant  
 ' to the said Act, for which Offence I [*or, we, as the Case shall be*]  
 ' adjudge the said \_\_\_\_\_ to have forfeited the Sum of  
 ' \_\_\_\_\_ [*but if mitigated, which I, or, we, as the*  
 ' *Case shall be, mitigate to the Sum of* \_\_\_\_\_]. Given  
 ' under my Hand and Seal, [*or, our, as the Case shall be, Hands and*  
 ' Seals] the Day and Year first above written.'

LXVII. And be it further enacted, That when any Distress shall be  
 made for any Sum or Sums of Money to be levied by virtue of this Act,  
 the Distress itself shall not be deemed unlawful, nor the Party or Parties  
 making the same be deemed a Trespasser or Trespassers on Account of  
 any Defect or Want of Form in the Summons, Conviction, Warrant  
 of Distress, or other Proceedings relating thereto, nor shall the Party or  
 Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on  
 Account of any Irregularity which shall be afterwards done or committed  
 by the Party or Parties distraining; but the Person or Persons aggrieved  
 by such Irregularity shall and may recover full Satisfaction for the  
 special Damage in an Action upon the Case; but no Plaintiff or Plain-  
 tiffs shall recover in any Action for any such Irregularity or other Pro-  
 ceeding, unless Notice in Writing shall be given to the Clerk for the  
 Time being to the Commissioners of the said Parish of *Bathwick* for the  
 Time being, in case of such Action or Suit having been brought against  
 any Justice or Justices of the said County of *Somerset*, or any Person or  
 Persons acting under him or them, Twenty-one Days before such Action  
 shall be brought or commenced, of such intended Action for such Irre-  
 gularity, by the Attorney for the Plaintiff, specifying the Cause of Action;  
 nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of  
 sufficient Amends shall be made by or on the Behalf of the Party or  
 Parties who shall have committed or cause to have been committed any  
 such Irregularity or wrongful Proceeding 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 where such Action shall depend, at any Time before Issue joined,  
 to pay into such Court such Sum of Money as he or they shall see fit,  
 whereupon such Proceedings, or Orders and Judgements, shall be had,  
 made, and given in and by such Court, as in other Actions where the  
 Defendant is allowed to pay Money into Court.

Distress not  
 to be deemed  
 unlawful for  
 Want of  
 Form.

LXVIII. And be it further enacted, That no Proceedings to be had and  
 taken in pursuance of this Act, shall be made void; quashed, or vacated  
 for Want of Form, or be removed 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 notwith-  
 standing.

Proceedings  
 not to be  
 quashed for  
 Want of  
 Form.

[*Loc. & Per.*]

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LXIX. And

Limitation of  
Actions.

LXIX. And be it further enacted, That no Action, Suit, or Information, shall be commenced against any Person or Persons for any Thing done or to be done in pursuance of this Act, or of the Orders and Directions herein-before given and granted, or in Execution of the Powers and Authorities hereof, until Twenty-one Days Notice thereof shall be first given in Writing to the Person or Persons against whom such Action is intended to be brought, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, and the Time when such Action or Suit will be commenced, nor at any Time whatsoever, after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits shall be so brought; and in case there shall be a Continuation of Damages, then not after Six Calendar Months next after the doing or committing such Damage shall cease, and not otherwise; and all such Actions and Suits shall be laid and tried in the County of *Somerset*, and not in any other County or Place; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall happen that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time herein-before for that Purpose limited, or shall be laid or brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and also if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or Judgement, after the Defendants shall have appeared thereto, or if Judgement shall be given for the Defendant or Defendants therein, or if any Verdict shall pass upon the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs; and shall have such Remedy for recovering the same as any Defendant or Defendants hath or may have for his, her, or their Costs, in any other Cases by Law.

General Issue.

Persons ag-  
grieved may  
appeal to the  
Sessions.

LXX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment to be laid or assessed, or by any other Order or Judgement made or given, or any other Thing done in pursuance of this Act, such Person or Persons shall and may, within Six Calendar Months next after the Cause of Complaint shall have arisen under or from any Act or Acts made or done by the Commissioners, or any Justice or Justices acting in and for the said County of *Somerset*, appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be holden in and for the said County of *Somerset*, or any Adjournment thereof (at which not less than Three Justices shall be present) such Appellant in such Case first giving or causing to be given Twenty-one Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk for the Time being to the Commissioners, in case such Appeal is from any Act or Acts made or done by the Commissioners,  
or

or of any Justice or Justices acting in and for the said County of *Somerset* for the Time being, and in case of the said Appeal to the Person or Persons who is or are intended to be or may be affected by such Appeal, and within Twenty-one Days after such Notice entering into a Recognizance before some Justice of the Peace of the said County of *Somerset*, as the Case of such Appeal shall be, with Two sufficient Sureties conditioned to try such Appeal, and to abide such Order as shall be made, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions for the County of *Somerset*, according as such Appeal may be, or at any Adjournment thereof, shall and may summon the Witnesses both on the Part of the Appellant and Respondent, to appear at such Sessions, and upon due Proof of Notice having been given, and of entering into Recognizance as aforesaid, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and shall award such Restriction, Damages, and Costs, to the Party or Parties appealing against, and with or without the Whole or any Part of the Costs, Charges, and Expences of prosecuting or defending such Appeal, as the said Justices shall think proper; and the Determination of the said Justices at such Sessions or Adjournment, shall be final, binding, and conclusive, to all Intents and Purposes.

LXXI. And be it further enacted, That this Act and every Thing herein contained, shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Publick Act.

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