



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 173.

An Act for paving and improving the Streets and other publick Passages and Places in the Parishes of *Saint John the Baptist* and *Saint Benedict*, in the Town of *Glastonbury*, in the County of *Somerset*.

[15th June 1811.]

WHEREAS the Streets, Squares, Roads, Ways, Lanes, and other publick Passages within the Parishes of *Saint John the Baptist* and *Saint Benedict*, in the Town of *Glastonbury* in the County of *Somerset*, are in many Parts incommodious and unsafe for Passengers, are very ill-paved and not sufficiently cleansed, lighted, watched, and regulated, and are subject to various Nuisances, Annoyances, Obstructions, and Encroachments: And whereas it would greatly tend to the Safety and Accommodation not only of the Owners and Inhabitants of Houses within the said Town, but also of all Persons passing through it or resorting thereto, if the same were properly paved, cleansed, lighted, watched, improved, and regulated, and the Nuisances, Annoyances, Obstructions, and Encroachments therein were removed and prevented for the future; but the same cannot effectually be done without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Justice, Recorder, and Capital Burgesses

[*Loc. & Per.*]

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of the said Town of *Glastonbury* for the Time being, *John Bond, Robert Bath, Edmund Griffith, John Townsend* Clerk, *Thomas Porch, William Metford, Thomas Roach, Joseph Metford, Charles Brown, Thomas Beaven, John Bath, William Masters, John Payne, Joseph Seward, Moses Underwood, John Bull Emery, John Helliard, John Down junior, William Down, William Smart, James Rood, Robert Payne, and John Fry Reeves*, shall be and they are hereby appointed Commissioners for putting this Act in Execution, so far as the Provisions, Regulations, Powers, and Authorities thereof are meant and intended to be vested in or executed by Commissioners, and so as not to obstruct, prevent, hinder, or interfere with the Powers or Authorities given to or vested in the Mayor, or Recorder, or Aldermen, or any of them of the said Town, by virtue of the Charter heretofore granted for that Purpose.

Appointment
of Commis-
sioners.

II. And be it further enacted, That in case any of the Commissioners appointed by this Act, not being the Mayor, Recorder, or any of the Aldermen, shall die, or become disqualified or incapable of acting, or shall refuse to act in Execution of the Powers and Authorities vested in them by this Act, it shall be lawful, when and so often as the same shall happen, for the Clerk of the said Commissioners to convene a Meeting of the remaining Commissioners for the Time being, on some Day in the Week immediately preceding the General Quarter Sessions of the Peace for the said Town, who shall and they are hereby required to nominate Three Persons for every Vacancy which shall have arisen among the Commissioners, and remain not filled up, whom they shall think fit and proper Persons to act as Commissioners in the Execution of this Act, duly qualified as herein-after mentioned, and shall deliver in a List of the Names of such Persons, signed by the Chairman of such Meeting, at the General Quarter Sessions of the Peace to be holden in and for the Town of *Glastonbury*, immediately preceding such Meeting; and the Mayor, Justice, and Aldermen then and there present, shall thereupon at such Quarter Sessions elect and appoint out of the Persons nominated in such List, a sufficient Number of Persons to be Commissioners in the Place or Places of the Commissioners so dying, becoming disqualified or incapable, or refusing to act as aforesaid, so as to complete the full Number of Commissioners, and supply any Vacancy which may have arisen as aforesaid; and the Names of the Persons to be so appointed, elected, and chosen, shall be entered in the Book of Proceedings of the said Commissioners, and the Commissioners so from Time to Time elected and appointed shall have the same Powers and Authorities in all Respects as if they had been originally nominated and appointed in and by this Act; and in case there should be an equal Number of Votes for One Commissioner, the Mayor shall have the casting Vote.

No Victual-
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pable of act-
ing as a Com-
missioner.

III. Provided always, and be it further enacted, That no Person appointed by or under this Act shall be capable of acting as a Commissioner in the Execution thereof being a Victualler, Tavern Keeper, or Inn Holder, or who shall sell Ale, Wine, Cyder, or any Spirituous Liquor by Retail, or who shall either by himself, or any Person in Trust for him, hold or enjoy any Office or Place of Profit under or be concerned in any Contract made by virtue of this Act during the Time he shall so hold and enjoy the same, or who shall be in anywise personally or beneficially interested in any Matter or Question which shall happen or arise under

under any of the Clauses, Powers, and Provisions hereof during the Time he or they shall continue so interested, (other than as a Creditor on or liable to the Payment of the Rates or Assessments herein-after required to be made and levied); nor shall any Person be capable of acting as a Commissioner in the Execution of this Act who shall not be an Inhabitant of the said Town of *Glastonbury*, (other than and except the Mayor, Recorder, Justice, and Capital Burgeses of the same Town for the Time being,) and who shall not be in his own Right or in the Right of his Wife 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 of Inheritance of the clear yearly Value of Forty Pounds, (over and above all Reprizes and Incumbrances,) or who otherwise 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.

IV. Provided also, and be it enacted, That every Person appointed or to be appointed a Commissioner by or under this Act, before he shall act in the Execution thereof, (except in administering the Oath or Affirmation to the Chairman of the First Meeting of the said Commissioners, which Oath or Affirmation any Commissioner by this Act appointed is hereby authorized and empowered to administer to such Chairman,) take and subscribe an Oath or Affirmation in the Words or to the Effect following; (that is to say,)

‘ I *A. B.* do swear, [*or, being one of the People called Quakers, do solemnly* declare and affirm,] That I am the Recorder, Mayor, Justice, or one of the Capital Burgeses of the Town of *Glastonbury*, [*as the Case may be,*] or that I am really and *bonâ fide* in my own Right [*or, in the Right of my late or present Wife, 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 [*as the Case may be,*] of Inheritance, of the clear yearly Value of Forty Pounds over and above all Reprizes and Incumbrances, or possessed of or entitled to a Personal Estate to the Amount or Value of One thousand Pounds, over and above what will pay my just Debts; and that I am a Resident within the Parishes of *Saint John the Baptist* or *Saint Benedict*, in the said Town of *Glastonbury*, [*as the Case may be,*] and that I will truly and impartially, and according to the best of my Skill and Judgement, execute and perform the several Powers and Authorities reposed in me as a Commissioner, by virtue of an Act passed in the Fifty-first Year of the Reign of His Majesty King *George the Third*, intituled, [*here insert the Title of this Act.*]

‘ So help me GOD.’

Which Oath or Affirmation the Mayor, Recorder, Justice, or any Commissioner named or to be named in virtue of this Act, is fully authorized to administer, and shall be entered in the Book of Proceedings of the said Commissioners; and if any Person, not being qualified as aforesaid, shall nevertheless presume to act as a Commissioner in the Execution hereof, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Impar lance shall be allowed;

lowed; and every Person so sued or prosecuted shall prove that he is 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 hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as aforesaid previously to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual, as if such Person or Persons had been duly qualified to act as a Commissioner or Commissioners according to the Directions of this Act.

Meeting of
Commis-
sioners.

V. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet together at the Town Hall in the said Town on the Second *Wednesday* next after the passing of this Act, at Ten of the Clock in the Forenoon at the Town Hall in *Glastonbury*, and proceed to the Execution thereof, and may then adjourn themselves from Time to Time, and afterwards meet there or at any other Place within the said Town as the said Commissioners, or any Five or more of them, shall think most convenient, as often as it shall be necessary for putting this Act in Execution, and that Three Commissioners shall be sufficient for the Purpose of Adjournment only; and if it shall happen that there shall not at any Meeting be a sufficient Number of Commissioners to act or to adjourn to another Day, or in case the Commissioners at any Meeting assembled shall neglect or omit to adjourn, then and as often as the Case shall happen, the Clerk or Clerks to the said Commissioners, or any Five or more of the said Commissioners, shall and may by Notice in Writing, to be affixed at the Town Hall, or some other Place or Places within the said Town, Three Days at least before any intended Meeting, appoint the Commissioners to meet on the Day to be fixed in such Notice; and all Matters and Things which shall be done and transacted at any Meeting which shall be held in pursuance of such Notice, shall be as valid and effectual as if the same had been done at any other Meeting held by virtue of this Act.

No Act of the
Commission-
ers to be valid
unless done
at a publick
Meeting.

VI. Provided always, and be it further enacted, That no Act of the said Commissioners shall be valid unless done at some publick Meeting or Meetings to be held by virtue of this Act, (except in the Case before mentioned, where Adjournments shall not have been made as aforesaid, and in Cases in which any specified Number of Commissioners less than Five are by this Act empowered to do or authorize particular Acts); and that no Person during the Time he shall have any Share or Interest in any Contract or beneficial Employment under this Act, or while any Appeal shall be depending wherein he shall be interested, shall be capable of acting as a Commissioner in the Execution of this Act; and that at all Meetings to be held in pursuance of this Act, the Commissioners present at such Meetings shall defray and pay their own Expences.

No Order of
the Commis-
sioners to be
revoked
unless at a
Special Meet-

VII. Provided always, and be it further enacted, That no Order made by the said Commissioners at any of their Meetings shall be revoked or altered unless at some Meeting to be specially holden for that Purpose, of which Seven Days Notice in Writing, exclusive of the Day of serving such Notice, shall have been given by affixing the same on the Town Hall
or

or some other publick Place or Places in *Glastonbury* aforesaid, and there shall be a Majority of all the Commissioners then existing present at such Meeting; any Thing in this Act contained to the contrary thereof notwithstanding.

ing to be held for that Purpose.

VIII. And be it further enacted, That the said Commissioners shall and may sue and be sued, and otherwise proceed and be proceeded against at Law, in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers for the Time being; and that all Actions or Suits which shall or may be brought, and any other Proceeding which shall or may be had or instituted for the Recovery of any Penalty, or Sum or Sums of Money due or payable by virtue of this Act, or for or in respect of any Matter or Thing relating to this Act, shall be brought and prosecuted in the Name or Names of the said Clerk or Clerks, Treasurer or Treasurers for the Time being; and that no Action or Actions, or other Proceedings which shall or 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 or Names of their Clerk or Clerks, Treasurer or Treasurers, shall abate or be discontinued by the Suspension or Removal of such Clerk or Clerks, Treasurer or Treasurers, or any or either of them, but the Clerk or Clerks, Treasurer or Treasurers to the said Commissioners for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, Party or Parties, as the Case may require, in such Actions, Suits, or Proceedings: Provided always, that every such Clerk or Clerks, Treasurer or Treasurers, in whose Name or Names any Action, Suit, or other Proceeding shall be commenced, prosecuted, defended, or instituted in pursuance of this Act, shall be reimbursed and paid out of the Monies to be raised by virtue of this Act, all such reasonable Costs, Charges, and Expences as he or they shall sustain, or be put unto or become chargeable with, by reason of his, their, or any or either of their being so made Plaintiff or Plaintiffs, Defendant or Defendants, Party or Parties therein; and such Clerk or Clerks, Treasurer or Treasurers, shall not be personally answerable or liable for the Payment of the same, or any Part thereof, unless such Action or Suit shall arise in consequence of his or their own Neglect or Default, and unless it shall have been brought, commenced, prosecuted, or defended without the Order or Direction of Five or more of the said Commissioners assembled at a Meeting under this Act.

Commissioners to sue and be sued in the Name of their Clerk or Treasurer.

IX. And be it further enacted, That all the Powers or Authorities by this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by the major Part of them present at any publick Meeting to be holden in pursuance of this Act, (the Number present not being less than Five); and that a Chairman or President shall and may be appointed at every such Meeting; and that in all Cases the said Commissioners shall vote by Ballot, in case the same shall be desired by any Two or more of the Commissioners then present; and in case of an equal Number of Votes upon any Occasion, (including the Chairman's or President's Vote,) the Chairman or President shall have the casting or decisive Vote.

Matters to be determined by the Majority of Commissioners present at Meetings.

X. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may from Time to Time appoint one or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors

Appointment of Officers.

[Loc. & Per.]

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of the Rate or Rates herein-after mentioned, Surveyor or Surveyors, and such other Officer or Officers for the Execution of this Act, as the said Commissioners, or any Five or more of them, shall from Time to Time think proper, and may also from Time to Time remove them, or any of them, and appoint other or others in the Room of such of them as shall be so removed, or shall die, relinquish, or discontinue such Office, or become incapable of acting therein; and out of the Monies to be raised by virtue of this Act, the said Commissioners shall and may make such Allowances and pay such Salaries and Wages to such Officers, and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they, or any Five or more of them, shall think reasonable, and shall and may take such Security from the Treasurer or Treasurers, and other Officers, for the due Execution of their respective Offices, as the said Commissioners, or any Five or more of them, shall think proper; and all such Officers so to be appointed shall, under their Hands, at such Time or Times and in such Manner as the said Commissioners, or any Five or more of them, shall direct, deliver to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officers and Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint; and all the said Officers so accounting as aforesaid, shall upon Oath, if thereunto required by the said Commissioners, or any Five or more of them, (which Oath the said Commissioners, or any One or more of them, are and is hereby empowered and required to administer,) verify their said Accounts; and if any such Officer shall neglect or refuse to make and render, or to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver to the said Commissioners, or any Five or more of them, or to such Person as they shall appoint, within Seven Days next after being thereunto required by the said Commissioners, or any Five or more of them, by Notice in Writing given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to this Act, or give Satisfaction to the said Commissioners, or any Five or more of them, respecting the same, then and in any of the Cases aforesaid, the said Commissioners, or any Five or more of them, may and are hereby authorized and empowered to cause an Action to be brought against the Officer so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall remain due from him, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or any Five or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace of the County or Place wherein such Officer so neglecting or refusing shall be or reside, such Justice may and is hereby authorized and required to issue a Warrant under his Hand and Seal for the Officer so neglecting or refusing to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the
Testimony.

Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered to administer,) it shall appear to such Justice that any of the Monies which shall have been collected or raised by virtue of this Act shall remain due from such Officer, such Justice may and is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels of such Officer can be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if it shall in Manner aforesaid appear to such Justice that such Officer shall have neglected or refused to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act, shall be in the Custody or Power of such Officer, and he shall have neglected or refused to deliver or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Offender to the Common Gaol, or House of Correction for the County or Place where such Offender shall be or 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 compound with the said Commissioners, or any Five or more of them, for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners, or any Five or more of them, are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners, or any Five or more of them, as aforesaid: Provided always, that no Person committed for Want of sufficient Distress shall remain in Prison for any longer Space than Three Calendar Months.

XI. And be it further enacted, That if any Clerk, Surveyor, or Officer or-Servant, who shall be employed by the said Commissioners in the Execution of this Act, shall exact, take, or accept by any Ways or Means, any Fee or Reward whatsoever, other than such Salaries and Allowances as shall be appointed by the said Commissioners, or any Five or more of them, for or on Account of any Thing done or to be done by virtue of this Act, or on any Account whatsoever relative to the putting this Act in Execution, or shall be by any Ways or Means concerned or interested in any Bargain, except in case of a *bonâ fide* Purchaser, or renting by a Commissioner made or to be made by the said Commissioners, or any Five or more of them, for any of the Purposes intended by this Act, every Person so offending shall thenceforth for ever be incapable of being employed under this Act, and shall likewise forfeit and pay the Sum of Ten Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, to be commenced within Six Calendar Months next after the Offence shall be committed, in which Action or Suit, no Protection, Essoign, or Wager at Law, or more than One Imparance shall be allowed.

Officers not
to take Fees

XII. And be it further enacted, That all the Acts, Orders, and Proceedings of the said Commissioners, shall from Time to Time be fairly written and entered in a proper Book or Books to be kept for that Purpose,

Proceedings
to be entered
in Books

pose, and that all such Books shall, at any Meetings of the said Commissioners, be open to the Inspection of any Person or Persons rated to and paying the Rates or Assessments to be made for the Purposes of this Act, without Fee or Reward; and all such Orders and Proceedings so entered shall be signed by any Five or more of the said Commissioners, or by their Clerk or Clerks for the Time being, and shall be deemed Originals, and shall be admitted to be read in Evidence in all Courts whatsoever, in all Causes, Suits, and Actions touching any Thing to be done in pursuance and under the Authority of this Act, which Book or Books shall be kept by the Clerk or Clerks for the Time being to the said Commissioners, or by such Person or Persons, and at such Place or Places as the said Commissioners, or any Five or more of them, shall direct and appoint.

Collectors to pay the Money they shall receive to the Treasurer.

XIII. And be it further enacted, That all and every Collector and Collectors to be appointed in pursuance of this Act, shall and is and are hereby authorized and required to pay all such Monies as he or they shall respectively collect and receive by virtue of the Rates to be made in pursuance of this Act, into the Hands of the Treasurer or Treasurers to be appointed by the said Commissioners, or any Five or more of them, who is and are hereby authorized and required, out of the Monies collected and paid into his or their Hands, to pay all Sums of Money which the said Commissioners, or any Five or more of them, shall from Time to Time draw upon for, or order him to pay; and the said Treasurer or Treasurers for the Time being, shall and is and are hereby required to keep regular and clear Entries or Accounts, in a Book or Books to be for that Purpose by him or them provided and kept, of all and singular the Receipts and Payments on account or in pursuance of this Act; to which Book or Books, and all others kept for the Purposes of this Act, every Person liable to the Payment of the said Rates, shall and may have free Access at all convenient Times, with full Liberty to inspect the same without Fee or Reward; and also that the Treasurer or Treasurers for the Time being, shall once in every Year have the said Accounts audited and passed and allowed by the said Commissioners, or any Five or more of them.

Houses mentioned in the Schedule may be purchased.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, to treat, contract, and agree for the Purchase from the Owners, Proprietors, and Occupiers of, and all other Persons interested in the several Dwelling Houses, Buildings, Lands, and Premises situate on the South Side of the Church of *Saint John the Baptist* in *Glasstonbury* aforesaid, and on the North of the High Street there mentioned and specified in the Schedule to this Act annexed, or so much or such Part thereof as they shall deem necessary for effecting the Purpose of this Act, and to cause such Houses, Buildings, and Premises to be taken down, and the Sites thereof apportioned to such Purposes, as in the Judgement of the said Commissioners will best answer the Purposes of this Act: Provided always, that nothing in this Act contained shall be construed to compel or constrain any Person or Persons to sell or to give up against their Consent any Houses, Buildings, or Lands, other than such as are mentioned and specified in the said Schedule to this Act annexed, and also except the Projections, Obstructions, and Annoyances herein-after mentioned.

XV. And

XV. And be it further enacted, That it shall be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors or Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of the Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and to and for all Femes Covert who are and shall be seised in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised in their own Right, or possessed of or interested in such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary to be purchased, for the Purposes aforesaid, or for any other the Purposes of this Act, to treat, contract, and agree with the said Commissioners, or any Five or more of them, for the Sale thereof, or any Part thereof, and to sell and convey all or any Part thereof, and all his, her, or their Estate, Title, and Interest whatsoever of, in, or to the same, unto the said Commissioners, or to such Persons and their Heirs for ever as the said Commissioners, or any Five or more of them, shall direct, in Trust for them the said Commissioners, for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, shall without any Fine or Fines, Recovery or Recoveries in the Law whatsoever, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several respective Cestuique Trusts, and all claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Enabling incapacitated Persons to sell.

XVI. And be it further enacted, That if any Body Politick, Corporate or Collegiate, or any Corporation, whether Aggregate or Sole, Spiritual or Lay, or any other Person or Persons being or acting as Trustee or Trustees, Guardian or Guardians, in any publick or private Capacity whatsoever, or any Feme Covert, or other Person or Persons under legal Disability, or any Tenant for Life, Tenant *per autre vie*, or Tenant in Tail General or Special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Person or Persons whomsoever, interested in any of the Dwelling Houses, Buildings, or Premises in the said Schedule mentioned, or in Erections projecting into or upon any of the Footways within the said Town of *Glastonbury*, or of any Door or Doors of Cellars, or of any Steps belonging thereto, or in any other Projection or Encroachments upon any such Footway whatsoever, or in any Lands which the said Commissioners are enabled by this Act to take for the Purpose of this Act, and which shall be deemed by the said Commissioners, or any Five or more of them, to be advantageous or more commodious for the Inhabitants of the said Town, shall refuse to treat, contract, or agree as aforesaid, or by reason of Absence or

Compelling Persons to sell who are unwilling.

otherwise shall be prevented from treating, contracting, or agreeing, or shall decline or refuse to sell, convey, and dispose of the Premises, whereof or wherein, or whereunto they respectively shall be so seised, possessed, interested, or entitled as aforesaid, or their respective Rights, Titles, Claims, or Interests in, to, or upon the same, or any Part thereof, unto the said Commissioners, or to such Person or Persons as they shall nominate for the Purpose, and according to the Tenor, true Intent, and Meaning of this Act, or shall not or cannot produce or make out a clear Title to the Premises they are in Possession of, or to the Interest they claim therein, to the Satisfaction of the said Commissioners; or if any Dispute or Difference shall arise touching such Purchase or Purchases, then and in every such Case the said Commissioners are hereby empowered and authorized before any General or Quarter Sessions of the Peace, to be holden for the said County of *Somerset*, or any Adjournment thereof, to give or cause to be given to such Owner or Owners, or the principal Officer or Officers of such Bodies Politick or Corporate, or to leave or cause to be left at the House of the Tenant in Possession, or affixed to the House if vacant, Thirty clear Days Notice in Writing, denoting and particularly describing the Lands, Buildings, Houses, Tenements, or other Hereditaments intended to be purchased, and purporting that the Value thereof shall be adjusted and settled by a Jury at the said Sessions or Adjournment thereof; and the Justices at the said Sessions, or any Adjournment thereof, upon Proof to them made of such Notice having been so given or left, are hereby authorized and required to charge the Grand Jury at such Sessions assembled, or the Jury to try Prisoners at such Sessions, well and truly upon their Oaths to assess the Value of the said Lands, Buildings, Houses, Tenements, or other Hereditaments comprised in the Notice so to be given, and the Damages and Recompences to be awarded or given for the same to the respective Owner or Owners thereof, according to their respective Interest therein; and to which said Jury the said Commissioners, and all Persons interested in the said Lands, Buildings, Houses, Tenements, or other Hereditaments, shall have lawful Challenges; and the Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given concerning the Nature, Quality, or Value of the Lands, Houses, Buildings, Tenements, or other Hereditaments so to be sold and conveyed as aforesaid, shall by their Verdict assess the Damages and Recompence to be given for the same to the respective Owner or Owners, Occupier or Occupiers thereof, according to their respective Interest therein; and such Verdict of the said Jury, and the Judgement of the said Justices upon the same, shall be final, binding, and conclusive to the said Commissioners, and to all Person and Persons interested in the said Lands, Buildings, Houses, Tenements, and other Hereditaments; and such Verdict, and the Judgement of the Justices thereupon, shall be fairly entered and kept among the Records of the Sessions for the said County of *Somerset*, and the same or true Copies thereof shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever, and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying Sixpence for every Seventy-two Words, and so in Proportion for any greater or less Number of Words: Provided always, that in case the Sum or Sums so assessed by the said Jury, and ordered and adjudged to be paid by the said Commissioners as a Satisfaction to the Owners, Occupiers, or others, for their respective Interest in the said Premises, shall not be paid, tendered,

left or deposited, according to the true Intent and Meaning of this Act, within Three Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury shall not be binding upon the said Parties, any Thing herein contained to the contrary thereof in anywise notwithstanding.

XVII. And be it further enacted, That in all Cases where any Verdict shall have been given for a greater Sum or Recompence than shall have been previously offered by or on the Behalf of the said Commissioners for any such Lands, Houses, Buildings, Tenements, or other Hereditaments or Damages as aforesaid, all the Expences of taking such Inquest, and of the Witnesses attending thereon, and recording or entering the Verdict and Judgement thereupon, shall be paid by the said Commissioners out of the Monies to arise by virtue of this Act; but if a Verdict shall be given for no greater or less Sum than shall have been so previously offered by or on the Behalf of the said Commissioners, then and in every such Case such Expences shall be paid by the Owners of or Persons interested in the Premises in Question, provided that whenever by reason of Absence any Person or Persons shall have been prevented from treating with the said Commissioners, the Whole of such Costs and Expences shall be borne and paid by the said Commissioners; and whenever any Costs or Charges shall or may be payable to the said Commissioners, such Costs and Charges shall and may be deducted out of the Sum to be paid by the said Commissioners to the said Owners or Persons respectively interested; and the Payment or Tender of the Remainder of such Monies, or disposing of the same in Manner by this Act directed, shall be deemed and taken to all Intents and Purposes whatsoever to be a Payment, Tender, or Disposal of the whole Sum or Sums so assessed or adjudged.

Expences of taking Inquest and Attendance of Witnesses to be defrayed by Commissioners, &c.

XVIII. And be it further enacted, That upon Payment of the Recompence and Satisfaction which shall be agreed for or assessed as aforesaid, to the Parties or Persons respectively entitled thereunto, or to their Agents, (or upon Payment of the same into the Bank of *England*, as the Case may be,) all Owners and Occupiers of, and all other Persons or Corporations interested in such Lands, Grounds, Tenements, Houses, Messuages, Buildings, or Hereditaments, shall from thenceforth be divested of all Right, Title, Claim, Interest, and Property, of, in, to, or out of the same, and such Lands, Houses, Messuages, Tenements, or Buildings, and the Sites thereof, shall from thenceforth be and remain vested in the said Commissioners for the Purposes of this Act, and such Houses and Buildings, and the Materials thereof, shall and may be forthwith pulled down, carried away, removed, sold, or disposed of, as the said Commissioners shall think fit.

Lands to vest in Trustees.

XIX. And be it further enacted, That if any Money shall be agreed or directed to be paid for any Lands, Tenements, Buildings, or other Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, or who shall refuse to sell as aforesaid, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery,

For investing Purchase Money of 200l.

cery, to be placed to his Account *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, Buildings, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, Buildings, or other Hereditaments, or affecting other Lands, Tenements, Buildings, or other Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, Buildings, or other Hereditaments, which shall be conveyed and settled to, for, and upon the like Uses, Intents, and Purposes, and in the same Manner as the Lands, Tenements, Buildings, or other Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited to, or such of them as at the Time of such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Buildings, or other Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

For investing
Purchase
Money, if
less than
200l.

XX. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, Buildings, or other Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, Buildings, or other Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank with the Privity of the said Accountant General of the High Court of Chancery, and to be placed to his Account as aforesaid, in order to be applied in Manner herein-after directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Commissioners, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividend arising therefrom, may be applied

plied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XXI. Provided also, and be it further enacted, That where such Money so agreed to be paid as next before mentioned shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being be entitled to the Rents and Profits of the Lands, Tenements, Buildings, or other Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Sums less than 20l.

XXII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid for the Purchase of any Lands, Tenements, Buildings, or Hereditaments, to be purchased by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, it shall and may be lawful for any Five or more of the said Commissioners to order the said Sum or Sums of Money so agreed for to be paid into the Bank of England, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, Buildings, or Hereditaments, (*describing them,*) subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of England, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum, or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

For making Titles to Premises sold to Commissioners.

XXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of England, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, Buildings, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, Buildings, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements,

Persons in Possession to be deemed rightfully possessed.

Buildings, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, Buildings, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends and Interests of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, Buildings, or Hereditaments, or to some Estate or Interest therein.

Provision in
Case of Dis-
ability or
Incapacity
in Persons in
Possession.

XXIV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements, Buildings, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, Buildings, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Mode of
Conveyance.

XXV. And be it further enacted, That the Surrender or Conveyance of any such Estate or Interest of any Feme Covert to the said Commissioners, or any Person or Persons in Trust for them, by Indenture or Indentures of Bargain and Sale, sealed and delivered by such Feme Covert in the Presence of and attested by Two credible Witnesses, and to be duly inrolled in His Majesty's High Court of Chancery within Six Calendar Months next after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme Covert in the Premises as any Fine or Fines, Recovery or Recoveries, would or could if levied or suffered thereof in due Form of Law; and further, that all Bargains and Sales whatsoever to be made of any such Lands, Tenements, Buildings, and Hereditaments as shall be purchased by the said Commissioners by virtue and for the Purpose of this Act, and inrolled as aforesaid, shall have the like Force, Effect, and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever, would have had if levied or suffered by Bargainer or Bargainers, or any Person or Persons seized of any Estate in the Premises in Trust for such Bargainer or Bargainers, in any Manner or Form whatsoever.

Commission-
ers empow-
ered to sell
Ground, &c.
not necessary
for the Pur-
poses of the
Act.

XXVI. And whereas some Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments so to be purchased as aforesaid, may happen to be more than necessary to be made Use of for the Purposes of this Act, be it therefore further enacted, That it shall be lawful for any Five or more of the said Commissioners, and they are hereby authorized and required to sell or dispose of, and to convey or cause to be sold or

or disposed of and conveyed, such Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments, to any Person or Persons willing to contract, agree for, or purchase the same; and the Money arising therefrom shall be paid and applied for the Purposes of this Act.

XXVII. Provided nevertheless, and be it further enacted, That no such Sale shall be made until Choice of Pre-emption be first given or offered to the Person or Persons of whom such Property so to be re-sold shall have been previously purchased, who are hereby authorized and empowered (in case any Difference shall arise in respect of the Value of such re-sold Property) to appeal to the Quarter Sessions of the said County of *Somerset* which shall happen next after such Offer, on giving Ten clear Days Notice thereof to the Clerk for the Time being of the said Commissioners; and that no such Sale shall be made to any other Person or Persons, until an Affidavit be made by some or One of the said Commissioners for the Time being, or their Clerk, before some Justice of the Peace of the said County of *Somerset*, who is hereby authorized to administer the same, that such Offer of Pre-emption was duly made pursuant to this Act: Provided also, that such Person or Persons to whom such Offer of Pre-emption shall be made, shall make his, her, or their Election within One Calendar Month next after the same shall be so offered or tendered to him, her, or them.

No Sale to be made until Choice of Pre-emption be first given to the Persons previously holding such Property.

XXVIII. And be it further enacted, That, from and after the passing of this Act, the Right and Property of, in, and to all the present and future Pavements in the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages within the said Town of *Glastonbury*, as well in the Footways as Carriageways, and of, in, and to all Lamps, Lamp Irons, Posts, and other Things thereto belonging, which now are or shall or may hereafter be erected and fixed by virtue of this Act, and of, in, and to all other Things, Materials, and Utensils whatsoever which shall be purchased, provided, or made Use of for the Purposes of this Act, shall be and are hereby vested in the said Commissioners, and they, or any Five or more of them, are hereby authorized and empowered to bring or cause to be brought any Action or Actions, or to prefer any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, and carry away, spoil, injure, or destroy any Part or Parts thereof, or any other Matter or Thing vested in the said Commissioners as aforesaid, or disturb them in the Possession thereof; and the said Commissioners, or any Five or more of them, shall have full Power and Authority from Time to Time to sell by publick Auction, or otherwise, all or any Part of the Materials or Things which shall not be wanted for the Purposes of this Act; and the Money arising therefrom shall be applied to the Purposes of this Act.

Pavement to be invested in Trustees.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time and at all Times, when and so often as they shall think proper, to order and direct all or any of the present or future Pavements in the Streets, Squares, Roads, Ways, Lanes, and other publick Passages in the said Town of *Glastonbury*, as well in those Parts used by Carriages as those used by Foot Passengers, on both Sides of the Way to be taken up, and the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages

Pavements to be made and repaired.

to be paved, pitched, re-laid, cleansed, amended, raised, lowered, or altered, and proper Drains to be made for conveying off the Water, in such Manner, at such Time or Times, and as often as the said Commissioners, or any Five or more of them, shall think proper; and the Person or Persons authorized or directed by them to do the same is and are hereby invested with full Power to do the same accordingly.

For getting
Materials.

XXX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, or such other Person or Persons as they shall from Time to Time appoint, to dig up, have, take, and use all such Gravel, Stones, Bricks, and other Materials as shall be found in the said Streets, Roads, Ways, Lanes, and other publick Passages, or any of them, and to provide and bring in all such other Gravel, Stones, Bricks, and other Materials for the paving and repairing of the same, and employ such Artificers, Workmen, Labourers, Carters, and others in and about the paving and repairing of the said Streets, Roads, Lanes, Ways, and Passages, or any of them; and to order, issue, and appoint to be paid, such Sums of Money, Wages, and Salaries, for or in respect of the Matters and Things aforesaid, and to do all and every such Acts and Things as the said Commissioners, or any Five or more of them, shall judge necessary and proper for accomplishing the Purposes of this Act, pursuant to the Power herein contained.

For regulat-
ing Build-
ings.

XXXI. And be it further enacted, That, from and after the passing of this Act, all and every Person and Persons who shall within the Space of Six Calendar Months have built or erected, or who shall at any Time thereafter build or erect, or cause to be built or erected any Dwelling House or other Building, Wall, or Fence within, adjoining, or contiguous to any of the Streets, Squares, Roads, Ways, Lanes, or other publick Passages within the said Town of *Glastonbury*, shall at his, her, or their own Costs and Charges, from Time to Time, within One Calendar Month after Notice in Writing for that Purpose given by Five or more of the said Commissioners, cause the Ground before, behind, or at the Sides of such Dwelling Houses or other Building, Wall or Fence, as far as the Gutter or Channel in the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages, to be raised or lowered, and well and sufficiently paved, pitched, repaired, or altered, in such Manner and Form, and with such Materials, as the said Commissioners, or any Five or more of them, shall direct or require: Provided always, that in case any Person or Persons who shall within the Space aforesaid have built or erected, or who shall or may at any Time thereafter build or erect, or cause to be built or erected any such Dwelling House, Building, Wall or Fence, shall refuse or neglect to do or perform all or any of such last mentioned paving, pitching, repairing, altering, or other Thing, within the Time and in the Manner before directed, that then and in such Case it shall be lawful for the said Commissioners, or any Five or more of them, to cause the same, or any Part thereof, to be done in such Manner and Form as they shall think fit to order and direct, and the Charges and Expences attending the same shall be paid by the Person or Persons erecting or building the same, or causing the same to be so built or erected; and in case any such Person or Persons shall refuse or neglect to pay such Charges and Expences, for the Space of Seven Days after the same shall be demanded, then it shall be lawful for any One Justice of the Peace for
the

the said Town, upon Complaint made to him by the said Commissioners, or by any One or more of them, or by the Surveyor or Surveyors, Collector or Collectors, Clerk or Clerks respectively, or any or either of them, to cause all such Charges and Expences to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting as aforesaid, together with all reasonable Costs and Charges of such Complaint, Distress and Sale, rendering the Overplus (if any) upon Demand, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

XXXII. And be it further enacted, That if any Person or Persons shall, at any Time or Times after the passing of this Act, make or cause to be made any Alteration in the Form of the Pavement of any Street, Square, Road, Way, Lane, or other publick Passage within the said Town of *Glastonbury*, without the Consent and Approbation of the said Commissioners, or any Five or more of them, such Person or Persons shall at his, her, or their own Expence, within One Calendar Month after Notice given for that Purpose by the said Commissioners, or any Five or more of them, or by their Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, remove or take away the same, and put the Pavement or Road which shall have been so altered into the same Form and Condition as it was before the Time of such Alteration, or as they shall require and direct; and in case of his, her, or their Neglect or Refusal so to do within the Time aforesaid, then the said Commissioners, or any Five or more of them, shall and may order any Workman or Workmen to re-alter the said Pavement or Road, and put the same into such Form and Condition as it was in before, or as they shall require and direct; and the Expences and Charges thereof shall be borne and defrayed by the Person or Persons who shall have made such Alteration, and shall be recovered and applied (in case of Nonpayment thereof upon Demand) in like Manner as Penalties and Forfeitures are by this Act authorized or directed to be recovered and applied.

Pavement
not to be
altered with-
out Consent
of the Com-
missioners.

XXXIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Two of them, when any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages within the said Town, shall be under Repair in the paving and pitching thereof, or during the making or repairing of any of the Sewers, Drains, or Vaults by this Act authorized to be made and repaired, to fix and place, or cause to be fixed and placed, such and so many Bar or Bars, Chain or Chains, Post or Posts, or other Obstruction or Obstructions across or in any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages, to prevent the passing and re-passing of Carriages, Drays, and Horses, during the Time of such Works and Repairs being carried on, as to them shall seem proper; and if any Person shall break, take down, alter, or remove any of the said Bars, Chains, Posts, or other Obstructions, without the Authority or Consent of the said Commissioners, or Two of them, every such Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, to be brought in the Name of the said Clerk to the said Commissioners within Six Calendar Months next after the committing of such Offence, in any of His Majesty's Courts of Record at *Westminster*, in which Action or Suit no Protection, Privilege,

Bars may be
erected while
Streets, &c.
under Repair.

Essoign, or Wager at Law, nor more than One Imparlance shall be allowed.

For sweeping
Footways.

XXXIV. And be it further enacted, That all and every Person and Persons inhabiting within the said Town of *Glastonbury* shall sweep and clean, or cause to be swept and cleaned, the Footway and Pavement before their respective Houses, Buildings, and Walls, once at least in every Week, or oftener if thereunto required by Order from the said Commissioners, upon Pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect therein.

Scavengers.

XXXV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time to nominate and appoint such Person or Persons as they shall think fit, to be and act as a Scavenger or Scavengers for sweeping, cleansing, and carrying away from off the Streets, Squares, Roads, Ways, Lanes, and other publick Passages within the said Town of *Glastonbury*, the Dirt, Dust, Dung, Filth, and Soil thereof, at such Times and in such Manner as is herein-after mentioned, and to contract with such Scavenger or Scavengers for the same, and for providing such a Number of Servants or Men, Carts and Carriages, as shall be deemed requisite and necessary for those Purposes, and to order and direct on what Day or Days, or Times in each and every Week, the particular Streets, Squares, Roads, Ways, Lanes, and other publick Passages within the said Town of *Glastonbury*, shall be swept and cleansed, and the Dirt, Dust, Dung, Filth, and Soil carried off from the same respectively; and that the said Scavenger or Scavengers shall give due Notice to the Inhabitants, and stay a convenient Time with such Cart or Carriage, so that the said Scavenger or Scavengers may take and put into such Cart or Carriage all such Dirt, Dust, Ashes, or Filth, or otherwise the said Scavenger shall, if required, and not otherwise, come into such Part of their respective Houses and Premises where such Dirt, Dust, Ashes, and Filth as aforesaid shall be kept, and take the same from thence in such Cart or Carriage as aforesaid.

No Person,
except the
Scavengers
appointed
under this
Act, to take
away the
Dirt.

XXXVI. And be it further enacted, That no Person or Persons shall take and carry away, or cause to be taken and carried away, any Ashes, Dust, Dirt, Muck, Dung, or Manure which shall be made in any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages out of the same, other than and except the Person or Persons to be contracted with or appointed as aforesaid for such Purpose by the said Commissioners, upon Pain of forfeiting and paying any Sum not exceeding Five Pounds for every such Offence.

Not to ex-
tend to Per-
sons keeping
Ashes, &c.
on their own
Premises so
as not to be-
come a Nui-
sance.

XXXVII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to any Ashes, Dust, Dirt, Filth, Dung, or Rubbish which any of the Inhabitants of the said Town of *Glastonbury* shall lay or keep within their respective Houses, Buildings, Yards, Gardens or Grounds, so as the same do not become a Nuisance or Annoyance to any other of the Inhabitants, and so as such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish be not laid down or placed in any or either of the said Streets, Roads, Lanes, Ways, or Passages for any longer Time than shall be necessary for the loading
and

and carrying away the same; but in case the Person or Persons so reserving such Ashes, Dirt, Dust, Filth, Soil, Dung, or Rubbish, shall continue to keep the same for the Space of One Day after Complaint shall have been made and proved to the said Commissioners, or any Five or more of them, of the same being such Nuisance or Annoyance, and after Notice in Writing given him, her, or them, or left at his, her, or their usual Place of Abode, to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Nuisance or Annoyance which shall be permitted to remain after such Notice given as aforesaid: Provided also, that no Person shall be subject to the last-mentioned Penalty for any Rubbish or Dirt in the said Roads, Streets, Lanes, and other publick Passages, or any of them, before the House or Tenement, or other Building of such Person, occasioned by the erecting or pulling down any Building, rebuilding or repairing any House or Tenement, so as there be convenient Space left in the same Roads, Streets, Ways, Lanes, and other publick Passages and Places where such Rubbish or Dirt shall lie for Carriages to pass and repass, and a sufficient Way kept clean for Foot Passengers by the Persons laying or occasioning such Dirt or Rubbish to be laid thereon, nor for the making up any Lime into Mortar in any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages, so as such Space left for Passengers and Carriages, and so as such Lime be inclosed before such House or Building about which the same is to be used, and so as the Owner or Owners of such House or Tenement, or other Building before which such Rubbish shall lie, shall cause the same to be removed out of the same Street, Square, Road, Way, Lane, and other publick Passage, at his, her, or their own Costs and Charges within a reasonable Time, or upon Notice to be given to him, her, or them, or left at his, her, or their said House or Tenement where such Rubbish or Lime shall lie, for that Purpose, in Writing signed by the said Commissioners, or any Two or more of them, although not assembled at a Meeting, so as that whilst the same shall be lying in the said Street, Square, Road, Way, Lane, or other publick Passage, such Owner or Owners shall set up and maintain a sufficient Light upon or against the same every Night from the Time it becomes dark, to prevent any Mischief happening to Passengers, which might otherwise be occasioned thereby.

XXXVIII. And be it further enacted, That if any Person or Persons entering into or engaging in any Contract for well and sufficiently cleansing any of the Squares, Roads, Ways, Streets, Lanes, and other publick Passages within the said Town, shall omit or neglect to sweep or cleanse, or to remove or take away the Dirt or Ashes belonging to the several Inhabitants from and out of the same, according to his or their Contract, or shall in any other Manner omit or neglect to perform, execute, and fulfil the Conditions of his or their said Contract, according to the true Intent and Meaning thereof, such Person or Persons shall for every such Neglect or Omission as aforesaid forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for the Justices, before whom such Penalty shall be recovered, to order and direct any Sum, not exceeding One Quarter of the said Penalty, to be paid and applied to the Use of such Person as shall inform or prosecute in that Behalf: Provided nothing herein contained shall extend or be construed to extend to hinder or prevent the said Commissioners from commencing and prosecuting any

Penalty on
Contractors
for cleansing
not perform-
ing their
Duty.

Action

Action or Actions at Law against any Contractor or Contractors for cleansing any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages, for or in respect of any Breach of Contract or Covenant, so as such Action or Actions be not brought or commenced for or in respect of any particular Breach of Contract or Covenant, for which such Contractor or Contractors shall have been proceeded against before such Justices as aforesaid.

For prevent-
ing Nuisances
and Annoy-
ances in the
Streets.

XXXIX. And be it further enacted, That if any Person or Persons shall upon any of the present or future Pavements of the publick Streets, Squares, Roads, Ways, Lanes, and other publick Passages now made or built, or which shall or may hereafter be made or built within the said Town of *Glastonbury*, and which are now or shall hereafter at any Time be used as a Footway, or upon any other Way designed and appointed for a Footway only, run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, 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 Vegetables or other Goods or Wares for Sale, or unloaded,) or shall in any of such Roads, Streets, Lanes, and other publick Passages or Places as aforesaid, hoop, fire, or cleanse 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 building, altering, or repairing any House or Building, or for any of the Purposes by this Act required or authorized to be done, in which Cases the same shall, if the Commissioners, or any Two of them, think proper and direct, be fenced and inclosed,) or shall make, alter, or repair any Coach, Chaise, Waggon, Sledge, or other Carriage whatsoever, in any of such Streets, Squares, Roads, Ways, Lanes, or other publick Passages, (except such Carriage may want immediate repairing from any sudden Accident on the Spot, and cannot be conveniently removed for that Purpose); or shall shoe or (except in Cases of Accident) bleed, farry, or clean any Horse therein; or if the Driver of any Waggon, Cart, Sledge, or other Carriage, shall in any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages, sit on the Shafts, or on any Part of such Waggon, Cart, Sledge, or other Carriage without Reins, or on any of the Horses and Cattle drawing the same; or if any Person or Persons shall at any Time, in any of the High Streets or Lanes therein, shew or expose to view any Stallion or Stonehorse, or shall ride, drive or lead, or expose any Horse or other Beast whatsoever for Shew or Sale, (except Neat Cattle, Draft, and Riding Horses, not being Stallions or Stonehorses, on the chartered or customary Market or Fair Days,) or shall therein make or assist, or abet in making any Bonfire, or let off or fire, make, sell, or give away, or assist, aid, or abet in letting off or firing any Crackers, Squibs, or other Fire Works; 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 said Streets, Squares, Roads, Ways, Lanes, and other publick Passages, or shall permit or suffer any Swine, Asses, or Cattle to wander or stray therein, the same shall be respectively considered as an Offence or Offences against this Act; and every Person so

so offending in any of such Cases, shall for every such Offence forfeit and pay any Sum not exceeding 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 Roads, Streets, Lanes, Ways, Passages or Places, every Person so offending in any of the Matters aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, to be recovered in each Case as other Penalties are recoverable under this Act.

XL. And be it further enacted, That all and every the Bow Windows, Porticoes, Porches, and Pent-houses, or other Projections which now are, or shall or may at any Time after the passing of this Act be erected or set up, and all Posts, Shutters, Signs, Sign Posts, Shew Boards, or other Emblems to denote the Trade, Occupation, or Calling of any Person or Persons, and all Spouts, Sewers, Gutters, Drains, Channels, Pales, Rails, Grates, Hatchways, Stalls, (except such Stalls as have been usual on Fair or Market Days,) Wooden Horses, Blocks, Boxes, Bulks, Sheds, Hogstyes, Furniture, Stock in Trade, or any other Matters or Things whatsoever, which at the Time of passing this Act is or are erected, set up or placed, and which in the Judgement of the said Commissioners, or any Five or more of them, shall be deemed an Obstruction or Annoyance to any of the Inhabitants or Passengers, by projecting into or being placed upon any of the present Footways or Carriageways of such Streets, Squares, Roads, Ways, Lanes, and other publick Passages, or incumber or fill up the same, shall be taken down, carried away, filled up, removed or altered, and the Expence thereof to be allowed by any Five or more of the said Commissioners, shall be paid out of the Money to arise by the Rates and Assessments herein-after directed to be levied; and all Materials not used in any Alteration thereof shall be returned to the respective Owner or Occupiers thereof, or to be left on the Spot from whence the same shall be so respectively removed, or as near thereto as conveniently may be for such Occupiers; and the Commissioners, or any Five of them, shall also make such further Compensation to such Owner or Owners, Occupier or Occupiers, as the said Commissioners, or any Five or more of them, shall consider an Equivalent for the Damage or Injury (if any) to be thereby sustained, the Amount of which Damage or Injury (if any Dispute or Difference shall arise touching the same,) shall be ascertained and settled by the Justices at the Quarter Sessions of the said County of *Somerset*, on Complaint of the Person or Persons aggrieved, in such Manner, and on giving the like Notice to the said Commissioners for the Time being or their Clerk, as herein-before directed.

For removing Obstructions and Annoyances.

XLI. And be it further enacted, That if any Door, Flap, or Cover over any Cellar within the said Town shall be left open in the Evening or in the Night, without the same being sufficiently lighted or secured so as to prevent Accidents happening therefrom, or if any Grating, Covering, Hole, or Place on the Pavement for putting Coals, or other Things into any Cellar or other Place shall be left open, or not well and sufficiently fastened down and secured from Accidents, then and in each and every of the said Cases the Occupier or Occupiers of such Cellar or other Place, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in like Manner as other Penalties under this Act.

Cellar Doors not to be left open.

Regulation
of Buildings.

XLII. And be it further enacted, That no Surveyor, Builder, Carpenter, Mason, or any Workman, in re-building, new-fronting, or altering any House or Building situate in or near to any Street, Square, Road, Way, Lane, or other publick Passage within the said Town of *Glastonbury*, shall, on any Pretence whatsoever, without the Consent in Writing of the said Commissioners, or any Five or more of them, bring the Foundation of any Part of the Front of such House or Building forward beyond the old Foundation, or beyond the Line of the Road, Street, Lane, Way, or publick Passage, nor any Rails or Fences, except upon the Foundation or Line on which such are now erected, upon Pain of forfeiting for every such Offence any Sum not exceeding Fifty Pounds; and the Owner or of Occupier of such House or Building, shall forfeit and pay any Sum not exceeding Twenty-five Shillings for every Week such Obstruction or Encroachment, by reason of the Foundation or any Part of the Front of such House or Building, Rails, or Fences being brought forward as aforesaid, shall remain or be; and it shall be lawful for the said Commissioners, or any Five or more of them, by Writing under their Hands, to order and cause the same to be taken down, the Costs and Charges whereof shall be paid and reimbursed to the said Commissioners, or any Five or more of them, or their Order, by the Owner or Occupier of such Houses or Buildings, or other Person or Persons ordering and directing the same, and shall be recovered in such Manner and by such Ways and Means as Penalties and Forfeitures are herein directed to be levied and recovered.

Carriages
not to be left
in the Streets.

XLIII. And be it further enacted, That if at any Time after the passing of this Act any Waggon, Cart, Dray, or other Carriage, used for the Purpose of conveying or carrying Goods, Wares, and Merchandize, or any Materials whatsoever, shall be left or suffered to stand or continue in any of the publick Streets, Squares, Roads, Ways, Lanes, or other publick Passages within the said Town of *Glastonbury*, longer than shall be necessary for the Purpose of loading and unloading the same; or if any Stage Coach, Post Chaise, or other Carriage let for Hire, shall be left or suffered to stand or continue in any of the said Roads, Streets, Lanes, or other publick Passages or Places within the same or any Part thereof, for a longer Time than shall be necessary for the taking up or setting down Passengers, or for loading or unloading their Baggage; or if any Carriage whatsoever shall be set, placed, or left upon any Part of the Foot-crossings of any such Street, Square, Road, Way, Lane, or other publick Passage as aforesaid, for any Purpose whatsoever; or if any Timber, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Tubs, Goods, Wares, Merchandizes, Materials, or other Things whatsoever shall be laid, placed, or left in any such Street, Square, Road, Way, Lane, or other publick Passage, longer than shall be necessary for the housing or removing the same therefrom, then and in every such Case the Owner or Owners of every such Waggon, Cart, Dray, Stage Coach, Post Chaise or other Carriage, or of any such Timber, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Tubs, Goods, Wares, Merchandizes, Materials, or other Things, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and any One or more of the said Commissioners, or any One of their Officers, or any other Person without any Peace Officer or other Person present, or without any other Authority,

city than this Act, shall and may seize or cause to be seized any such Waggon, Cart, Dray, Stage Coach, Post Chaise, or other Carriage so placed or suffered to stand or continue, contrary to the true Meaning of this Act, together with the Horse or Horses thereunto harnessed (if any), or the Timber, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Boards, Tubs, Goods, Wares, Merchandizes, Materials, or Things so laid and placed as aforesaid, and remove the same, or cause the same to be removed to any Pound within the said Town of *Glastonbury*, or to such other Place as shall be appointed for that Purpose by the said Commissioners, or any Three or more of them, within the said Town, there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall claim the same, and pay to the Person or Persons in whose Custody the same shall then be, any Sum not exceeding Twenty Shillings, together with the Charges of keeping and removing the same; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Two Days next after such Seizure, it shall and may be lawful for the said Commissioners, or any Three or more of them, to cause the same to be sold, and the Money arising therefrom shall be applied to the Uses and Purposes of this Act; and the Overplus (if any), after deducting the Costs, Charges, and Expences of such Distress and Sale, and the said Penalty, shall be returned upon Demand to such Person or Persons.

XLIV. And be it further enacted, That if any Person shall at any Time, from and after the passing of this Act, turn loose or drive, or permit or suffer to be turned loose or driven any Horse or Ass in any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages without being haltered, and having some Person to lead or take Care of the same, or shall draw any Timber, Block or Blocks of Wood or Stone, or other heavy Material in, upon, or through any of the said Streets, Squares, Roads, Ways, Lanes, or other publick Passages without any Carriage, or with such Carriage, to the Detriment thereof, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulations
for driving
Carriages.

XLV. And be it further enacted, That in case any Hogstye, Necessary-house, Flesh, Dung, Carrion, Blood, Offal, Soil or Filth, Ashes, Cinders or Rubbish, or any other noisome Matter whatsoever in or near any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages, or in any Yards or Gardens, or Premises within the said Town of *Glastonbury*, shall be a Nuisance, it shall and may be lawful for the said Commissioners, or any One or more of them, and they are hereby required, upon Complaint thereof made to them by such Inhabitant or other Person or Persons, by Notice in Writing under the Hands of the said Commissioners, or any One or more of them, or under the Hand of the Clerk or Clerks, to the said Commissioners for the Time being, to order any such Nuisance to be removed; and in case the same shall not be removed within Thirty-six Hours after such Notice given to the Person or Persons who ought to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding One Shilling for every Hour the same shall continue unremoved after the Expiration of the said Term.

For removing
Nuisances.

XLVI. And,

New Roofs
not to be
covered with
Thatch.

XLVI. And, for preventing future Dangers by Fire, and for the greater Safety and Security of the Inhabitants of the said Town and their Property, be it further enacted, That no House, Outhouse, and other Building, that shall after the passing of this Act be built or erected within the said Town of *Glastonbury* as aforesaid, shall be covered with Thatch, Straw or Reed, or other combustible Materials; and if any Person or Persons shall at any Time or Times after the passing of this Act cover any newly-erected Roof of any House, Outhouse, Building, or any Part thereof in the Town of *Glastonbury* aforesaid, with Thatch, Straw or Reed, or other combustible Materials as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and any further Sum not exceeding Ten Shillings daily for every Day such Offence shall continue; and the Master and Workmen employed to cover the same shall forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings; and it shall be lawful for the said Commissioners to order the same to be taken down and removed in such Manner as to them shall seem meet; and the Person or Persons so ordered by the said Commissioners shall and may take down and remove the same accordingly, and One Moiety of the said respective Penalty shall be paid to the Informers, and the other Moiety shall be applied to the Purposes of this Act.

Sewers and
Drains.

XLVII. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may cause such and so many new Reservoirs, Channels, Sewers, Drains, Vaults, Flood Gates, Water Gates, Culverts, and Watercourses as they may think sufficient and necessary to be dug and made in, along, or across any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages, or in any of the Lands and Grounds within the said Town, and also any of the Reservoirs, Channels, Sewers, Drains, and Vaults which now are, or hereafter shall be made within the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages and Places, to be enlarged, widened, raised, lowered, altered, removed, repaired, cleansed, or scoured, when and as often as to the Commissioners, or any Five or more of them, shall seem meet; and for any of the said Purposes, shall and may from Time to Time cause to be dug, carted, and carried out of or brought into the said Roads, Streets, Lanes, Ways, Passages, and Places, or any of them, such Gravel, Stones, Bricks, and other Materials as they shall think necessary; and also shall and may cause such and so many Gutters or Openings to be made therein for the conveying and carrying off the Filth, foul and other Waters from the Houses built or to be built in or adjoining to such Streets, Squares, Roads, Ways, Lanes, and other publick Passages and Places into the said Sewers, Drains, and Vaults, as the said Commissioners, or any Five or more of them, shall and may think necessary and expedient for that Purpose; and the said Commissioners, or any Five or more of them, shall have also full Power, Liberty, and Authority to contract and agree to purchase such Ground as shall be necessary for making and enlarging such Reservoirs, Sewers, Drains, and Vaults, Flood Gates, Water Gates, Culverts, and Watercourses, they the Commissioners paying to the several Persons or Corporations interested in such Ground so to be purchased, such Monies as shall be agreed upon; and all Costs, Charges, and Expences in and about the making, enlarging, widening, raising, lowering, altering, removing, re-
pairing,

pairing, cleansing, or scouring such Reservoirs, Sewers, Drains, Vaults, Flood Gates, Water Gates, Culverts, and Watercourses, shall be borne and defrayed out of the Monies to be raised by the Rates or Assessments to be made by virtue of this Act.

XLVIII. And be it further enacted, That all private Drains which are, or which shall hereafter be made within any of the Streets, Squares, Roads, Ways, Lanes, and other publick Passages within the said Town of *Glastonbury*, and which do or shall issue or empty themselves into any of the Roads, Streets, Lanes, Ways, Passages, or Places aforesaid, or into any publick Sewer, Drain, or Vault, shall from Time to Time be repaired and cleansed to the Satisfaction of the Surveyor or other proper Officer of the said Commissioners, (as the Case may happen,) at the Costs and Charges of the Owner or Owners, Occupier or Occupiers of the Houses, Lands, Tenements, or Hereditaments to which the said private Drains do and shall respectively belong; and the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, are hereby empowered to order and direct the Owner or Occupier of any such House, Tenement, or Premises, to make, at the Costs and Charges of such Owner or Occupier, or both of them, in such Proportions as such Commissioners shall think proper, such Drain or Channel as to them shall seem necessary for the emptying and conveying such Filth, foul and other Waters arising from or flowing into such Houses or Tenements, into any common Sewer or Drain.

Private
Drains.

XLIX. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby empowered and authorized from Time to Time, to cause Lamp Irons or Lamp Posts to be put up, fixed into, upon, or against the Ground adjoining to, or the Walls or Palisades of any of the Houses, Tenements, or Buildings already built or hereafter to be built within the said Town, as they the said Commissioners, or any Five or more of them, 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 fixed or put upon such Lamp Irons or Lamp Posts, and to cause the same, when so provided and fixed, to be altered, taken down, or removed, as they shall from Time to Time think proper, for well and effectually lighting the said Town of *Glastonbury*, and to cause such Lamps to be lighted at such Time or Times, and to be kept lighted during the Whole or such Part of the Night, as they the said Commissioners, or any Five or more of them, shall think proper and order and direct in that Behalf at any Meeting of the said Commissioners; and if any Person or Persons shall wilfully take away, break, throw down, or otherwise damage any of the Lamps which now are or hereafter shall be erected, by or by Order of the said Commissioners, or any Five or more of them, or any of the Posts, Irons, or Furniture thereof, or shall wilfully extinguish the Light or Lights of any of the said Lamps, it shall be lawful for any Justice of the Peace for the said Town, and he is hereby required upon Complaint of any One or more of the said Commissioners, or of their Clerk or Clerks, Treasurer or Treasurers, and on the Oath of One or more credible Witness or Witnesses of any such Offence, to issue a Warrant for apprehending the Party accused, or it shall be lawful for any Person

Lamps.

or Persons who shall see such Offence committed, to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said Town; and the Party accused being brought before any Justice, or on Oath being made before him that such Party cannot be found, such Justice shall proceed to examine upon Oath any Witness or Witnesses, who shall appear or be produced to give Information touching such Offence, and if the Party accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon Information and Oath as aforesaid, he, she, or they so convicted shall for every Offence respectively forfeit and pay any Sum not exceeding Five Pounds, and full Satisfaction (to be ascertained by such Justice) shall be made to the said Commissioners, or to their said Treasurer or Treasurers, Clerk or Clerks, by such Offender or Offenders, for the Damages so by him, her, or them done; and in case such Offender or Offenders shall not upon Conviction pay the Forfeiture by him, her, or them incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be so convicted, is hereby required to commit him, her, or them to the Common Gaol or House of Correction for the said County of *Somerset*, there to be kept to hard Labour for any Time not exceeding Six Calendar Months, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given, and One Half of the said respective Forfeitures when recovered shall be paid to the Informer or Informers, and the other Half thereof shall be applied for the Purposes of this Act; and if any Person or Persons shall negligently or accidentally break, throw down, or otherwise damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand made by the said Commissioners, or any Five or more of them, or by the Treasurer or Treasurers, Clerk or Clerks, make Satisfaction to them or to One of them for the Damages by such Person done, it shall be lawful for any Justice of the Peace for the said Town, and he is hereby required upon Complaint thereof made by any One of the said Commissioners, or by their Clerk or Clerks, Treasurer or Treasurers, to summon the Party complained of, and upon his, her, or their appearing or making Default to appear, (Oath being made that the Party complained of was served with such Summons, or that the same was left at his, her, or their Dwelling House or Place of Abode if known, or that he, she, or they could not be found,) such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by the Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of, for the Damage so by him, her, or them done, as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded, in case the same be not paid forthwith upon the making of such Award and Order, to be recovered by Distress and Sale of the Goods and Chattels of the Person or Persons complained of, rendering to him, her, or them upon Demand, the Overplus (if any be), after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted.

L. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time at any of their Meetings, to contract and agree with any Person or Persons for paving, repairing, raising, lowering, widening, watering, regulating, cleansing, and improving all or any of the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages within the said Town of *Glastonbury*, or any Part or Parts thereof; and also for providing a sufficient Number of Lamps necessary to be fixed up in the said Town, and Lamp Irons, Posts, and other Materials necessary or convenient for fixing the same from Time to Time, and for providing and furnishing the same Lamps with all Requisites, and for lighting, supporting, amending, and repairing the same.

Commissioners may contract for paving.

LI. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may and they are hereby authorized and required, from Time to Time as they shall think necessary, to order, establish, and appoint such Number of Watchmen and Beadles as they shall judge necessary to be kept and employed in or about the said Town of *Glastonbury*, and likewise direct and appoint how and where the several Watchmen and Beadles 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 and Beadles for their Service; and shall and may also erect and provide proper Places, Boxes, or Watch-houses, for the Reception of such Watchmen and Beadles as aforesaid, and shall make Orders and Regulations from Time to Time for the better Direction and Government of such Watchmen and Beadles, and for other Purposes last-mentioned, such Orders and Regulations to be printed, and Copies thereof signed by the said Commissioners, or any Five or more of them, or their Clerk or Clerks for the Time being; and it shall be lawful for such Watchmen and Beadles, and they are hereby authorized and required to keep watch and ward within the said Town of *Glastonbury*, to arrest, apprehend, and detain in Prison, Watch-house, or some other convenient Place of Security within the said Town, to be provided and appointed by the said Commissioners, all Disturbers of the publick Peace, disorderly Persons, Vagrants, Beggars, and all such other Persons as shall be found misbehaving themselves, and shall take them within Four Hours before the Mayor or Justice acting in and for the said Town, to be examined and dealt with according to Law; and the said Beadles shall, as often in every Night as shall be ordered by the said 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 said Commissioners; and in case any Watchman shall misbehave himself or neglect his Duty, the said Beadles shall, as soon as conveniently may be, give Notice thereof to the Clerk or Clerks for the Time being to the said Commissioners, who is and are hereby authorized to suspend such Watchman from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of the Commissioners, when the said Clerk or Clerks 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.

Watchmen.

LII. And

Watchmen's
Duty.

LII. And be it further enacted, That if such Watchmen and Beadles, or any of them, shall not observe, perform, and keep the Orders, Rules, and Regulations which shall be made for the Purposes aforelaid by the said 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 said Commissioners, or any Five or more of them, shall think proper, shall be immediately discharged from his or their respective Office or Employment.

Penalty on
harbouring
Watchmen.

LIII. And be it further enacted, That if any Victualler, Publican, or other Person selling or dealing in 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 by 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, and not exceeding Forty Shillings for the Second Offence, and not exceeding Five Pounds for the Third and every other Offence.

Watering
the Streets.

LIV. And be it further enacted, That the said Commissioners shall have full Power and Authority to cause the said Streets, Squares, Roads, Ways, Lanes, and other publick Passages 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 Streets, Squares, Roads, Ways, Lanes, and other publick Passages, for the Purpose of watering the same, or for any other Purpose, and to cause the same to be removed or altered, and the Expences thereof to be defrayed out of the Monies to be raised by this Act.

Penalty on
Persons ob-
structing the
Commission-
ers.

LV. 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, Collector or Collectors, Watchmen or Beadles, or other Officer or Officers, Workmen, 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 any of the Matters and Things to be done by virtue or in pursuance hereof, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Rates.

LVI. And be it further enacted, That the Charges and Expences of lighting and watching the said Roads, Streets, Lanes, Passages, and Highways within the said Town of *Glastonbury*, shall at all Times be borne and defrayed by the Tenants or Occupiers of all the Lands, Tenements, Houses, Scites of Houses, Shops or Malt-houses, Warehouses, Coach-houses, Yards, Orchards, Gardens, Stables, Cellars, Vaults, or other Buildings within the said Town of *Glastonbury*, which now are or at any Time or Times hereafter shall be fronting, adjoining, on the Side of or lying opposite to the said Roads, Ways, Lanes, and Passages which shall be so lighted or improved by virtue of this Act; and the said Commissioners, or any Five or more of them, shall and they are hereby authorized, empowered, and required once in every Year after the passing of this Act, or oftener if they, or any Five or more of them, shall think it necessary,

necessary, to make one or more separate Rate or Rates, Assessment or Assessments, to be signed by any Five or more of the said Commissioners, upon the Tenants or Occupiers of all such Houses, Scites, Shops, Malt-houses, Warehouses, Coach-houses, Yards, Orchards, Gardens, Stables, Cellars, Vaults and Buildings, for the Purpose of defraying the Charges and Expences of lighting and watching the same as aforesaid; and also to make One or more other separate Rate or Rates, Assessment or Assessments, to be signed by any Five or more of the said Commissioners, upon the Tenants or Occupiers of all Lands, Tenements, Houses, Scites, Shops, Malt-houses, Warehouses, Coach-houses, Yards, Orchards, Gardens, Stables, Cellars, Vaults, and Buildings in the said Town of *Glastonbury*, which now are or at any Time hereafter shall be fronting, adjoining, on the Side of, or lying opposite to the said Roads, Ways, Lanes, or Passages, which shall be so lighted, paved, cleansed, watered, or improved by virtue of this Act, for the Purpose of defraying the Charges and Expences of paving, cleansing, watering, improving, and regulating the said Roads, Streets, Lanes, Passages, and Highways, and otherwise carrying this Act into Execution as aforesaid, and so as the whole Sum to be raised under both of the said Rates or Assessments respectively, do not exceed in any One Year the Sum of Two Shillings in the Pound on the annual Value of the Property on which the same shall be assessed, and the Quotas or Proportions of which Sum shall be fixed and settled by such Commissioners, or any Five or more of them; and the Money or Monies so rated or assessed on the said Tenants or Occupiers shall be paid by them respectively to the Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same; and if any Tenant or Occupier of any of the Premises aforesaid shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments respectively to the said Collector or Collectors, or other Person or Persons, for the Space of Twenty-eight Days after Demand made thereof, exclusive of the Day of Demand, the same shall and may be levied and recovered on all and every such Tenant or Tenants, Occupier or Occupiers, so neglecting or refusing, by Distress and Sale of his, her, and their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the said Town, and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned on Demand to the Owner or Owners of the Goods and Chattels so distrained and sold, together with what shall remain unfold, after deducting all Charges attending such Distress and Sale.

LVII. And be it further enacted, That in all Cases where any Person shall remove from or quit any Lands, Tenement, House, Scite, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Buildings, Yard, Orchard, Garden, or Hereditaments 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 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 Lands, Tenement, House, Scite, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Orchard, Garden, or Hereditaments as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall

Proportioning Rates according to Occupancy.

be removed, or which at the Time of making such Rate or Assessment was or were empty and 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 Land, Tenement, House, Scite, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Orchard, Garden or Hereditament, which said respective Proportions, in case of any Dispute concerning the same, shall be settled and ascertained by the said Commissioners, or any Five or more of them, in such Manner as they shall judge reasonable; and in case any Person who shall have been so rated and assessed as aforesaid, shall quit his or her Land, Tenement, House, Scite, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Orchard, Garden, or Hereditament, before he or she shall have paid such Rate or Rates, or a 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 Town, or for the County, Division, Liberty, Town, or Place where such Person shall remove to or reside, or where any of his or her Goods and Chattels 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,) to levy such Rate or Rates, or a proportionable Part or Parts thereof, by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus arising from such Goods and Chattels (if any) upon Demand, after the Payment of the Money due in respect of such unpaid Rate or Rates, or proportionable Part or Parts, and all Expences relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Rates on
Houses let
in separate
Apartments.

LVIII. And be it further enacted, That every Person, Landlord, or Tenant, who shall let his or her House in separate Apartments, or ready furnished to a Lodger or Lodgers, or for any less Term than a Year, shall for the several Purposes of this Act be deemed and taken to be Occupier thereof, and may be rated and assessed accordingly.

Division of
Rates be-
tween Land-
lords and
Tenants.

LIX. And be it further enacted, That all and every Sum and Sums of Money so to be rated or assessed, for paving, cleansing, watering, improving, and regulating the said Roads, Streets, Lanes, Passages, and Highways within the said Town, and the Expences of obtaining this Act, shall be paid by the Tenants or Occupiers of the Premises respectively, which shall be so rated or assessed, and that for and during the Term of Twelve Years from and after the making of the first Rates or Assessments respectively after the passing of this Act, such Tenants or Occupiers shall and may deduct and retain out of the Rents by them payable to the Landlords or Owners of such Premises respectively, One Moiety of such Sum or Sums of Money as shall be so rated or assessed, when the same shall have been so paid by them as aforesaid; and the said Landlords, or Owners, mediate or immediate, are hereby required to allow to their respective Tenants such Moiety, and such Tenants are hereby authorized, to deduct the same out of their Rent.

LX. And, for the more speedily and effectually enabling the Commissioners to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby empowered from Time to Time when they shall judge necessary, for the Purpose of carrying this Act into Execution, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the Whole the Sum of One thousand Pounds, upon the Credit of the Rates or Assessments herein-before granted or authorized to be laid, collected, or received, and by any Writing or Writings under their Hands and Seals to mortgage, demise, grant, or assign over the said Rates or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or their Trustee or Trustees, a Security or Securities for the Money to be borrowed, together with lawful Interest for the same; and every such Mortgage or Assignment shall be in the Words or to the Effect following; (that is to say,)

Borrowing Money.

BY virtue of an Act passed in the Fifty-first Year of the Reign of His Majesty King George the Third, intituled, *An Act, [here insert the Title of this Act,]* We of the Commissioners appointed by and in pursuance of the said Act, in Consideration of the Sum of _____ advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do grant, bargain, sell, and demise unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments arising by virtue of the said Act, as the Sum of _____ doth or shall bear to the whole Sum which may at any Time become due and owing or charged upon the Credit of the said Act, to be had and holden from this _____ Day of _____ in the Year _____ until the said Sum of _____ with Interest at the Rate of Five Pounds *per Centum per Annum* for the same shall be repaid and satisfied. In Witness whereof we have hereunto set our Hands and Seals this _____ Day of _____ in the Year of our Lord _____

Form of the Mortgage.

relating to the said Act

And every such Grant or Mortgage shall be good, valid, and effectual in the Law; and Copies of all such Mortgages shall be entered into a Book or Books to be kept for that Purpose by the Clerk or Clerks, Treasurer or Treasurers to the said Commissioners, and which said Book or Books shall and may, at all reasonable Times, be perused and inspected without Fee or Reward, by any Person or Persons entitled to any such Mortgage, or paying to the said Rates or Assessments; and all Persons to whom any Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, or Interest in or to such Mortgage, and the Principal Money and Interest thereby secured, to any Person or Persons whomsoever, by indorsing on the Back of such Mortgage Security, and in the Presence of One or more credible Witnesses or Witnesses, the following Words, or Words to the Effect following; (that is to say,)

THE within named *A. B.* [or, *I, C. D.* Assignee, Executor, or Administrator of the within named *A. B.*, as the Case may be] do hereby transfer this Mortgage Security, with all my Right and Title to the Principal Money thereby secured, and to all Interest now due upon the same, unto *E. F.* his Executors, Administrators, and Assigns. Dated this _____ Day of _____

Assignment.

Which

Which Transfer shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers, within Two Calendar Months next after the Day of the Date thereof, who shall enter the same in the said Book or Books, for which Entry the said Clerk or Clerks, Treasurer or Treasurers, shall be paid the Sum of Five Shillings, and no more; and such Transfer shall then entitle such Assignee, his Executors, Administrators, and Assigns, to the Benefit of such Mortgage Security and Payment thereon; and every Assignee may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons (except such as the same shall be last transferred to) to release, discharge, or make void the original Mortgage Security, or the Monies due thereon, or any Part thereof; and all Persons to whom any Mortgage or Transfer shall be made as aforesaid, shall, in Proportion to the Sum or Sums of Money thereby secured, be Creditors on the Rates by this Act granted in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing their Monies, or of the Dates of their Securities.

Application
of Monies
raised.

LXI. And be it further enacted, That all the Money to arise by or from the Rate or Rates, Assessment or Assessments, and which may be borrowed on the Credit thereof, and all Penalties and Forfeitures to be recovered or levied by virtue of this Act, and not hereby otherwise disposed of, shall be paid to the said Commissioners, or to such Person or Persons as they, or any Five or more of them, shall appoint, to be applied and disposed of in the first Place towards paying and defraying all Expences and Charges which shall be incurred or in any Manner incident to and attending the Application for and obtaining and passing this Act, in the next Place in paying and discharging the Principal Monies to be borrowed as herein mentioned, and the Interest thereof, and for and towards defraying as well the Charges and Expences already incurred, in paving a certain Street in *Glastonbury* aforesaid called *Chilkwel Street*, as of paving, cleansing, lighting, watching, watering, improving, and regulating the same, and the other Streets, Squares, Roads, Ways, Lanes, and other publick Passages within the said Town of *Glastonbury*, for removing and preventing Nuisances, Obstructions, and Encroachments therein in Manner hereby directed, and for any Purchase or Purchases to be made by the said Commissioners in pursuance of the Powers in this Act contained, and in paying and defraying all Expences which the said Commissioners and their Officers shall of Necessity be put to in carrying this Act into Execution, and for such other Uses and Purposes as are herein expressed, and to and for no other Use, Intent, or Purpose whatsoever.

Form of
Conviction.

LXII. And, for the more easy Conviction of Offenders against this Act, be it further enacted, That all Penalties under this Act, not exceeding Ten Pounds, may be recovered before any Justice or Justices of the Peace of the said Town, by Distress and Sale of the Goods and Chattels of the Offender; and the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, or against any Rule, Order, or Regulation to be made by virtue or in pursuance thereof, shall or may cause the Conviction to be drawn in the Words to the Effect following; (that is to say,)

BE

BE it remembered, That on the _____ Day of _____ in
 the Year of our Lord _____ A. B. is
 convicted before me [*or, us*] _____ of His Majesty's
 Justices of the Peace for the Town of *Glastonbury*, of having [*as the*
Offence shall be] and I [*or, we*] the said _____ do adjudge him [*her*
or them] to forfeit and pay for the same the Sum of _____
 Given under my Hand and Seal [*or, our Hands and Seals*], the Day
 and Year aforesaid.

LXIII. Provided always, and be it further enacted, That if any Person or Persons, Bodies Politick or Corporate, shall think himself, herself, or themselves aggrieved, by any Rate or Rates, Assessment or Assessments, which have heretofore been rated or assessed upon or affect the said Parishes of *Saint John the Baptist* and *Saint Benedict* in *Glastonbury*, or either of them, or which may hereafter be rated or assessed upon or affect the said Parishes of *Saint John the Baptist* and *Saint Benedict* in *Glastonbury*, or either of them, or by any Matter or Thing done or to be done in pursuance of this Act or any other Act or Acts, such Person and Persons may appeal to the General Quarter Sessions of the Peace to be holden for the said County of *Somerset* within Six Calendar Months next after the making of any such Rate or Assessment, such Appellant giving or causing to be given Fourteen clear Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, either to the Clerk or Clerks to the said Commissioners, or any Two other Persons interested in any Appeal, as the Case may happen, and within Four Days next after such Notice, entering or causing a Recognizance to be entered into before some Justice of the Peace for the said Town by Two sufficient Persons or Sureties conditioned to try such Appeal, and abide the Order thereon, and to pay such Costs as shall be awarded by such Justices, upon due Proof of Notice being given as aforesaid; and such Justices, upon due Proof of Notice being given as aforesaid, and of entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and quash or make such Order and Decision, and such Alteration in such Rate or Assessment, as may be just and equitable to all Persons affected thereby, and shall or may award such Costs to the Parties appealing or appealed against, as the Justices shall think proper; and the Determination of such Justices, at their said General Quarter Sessions, shall be binding and conclusive, subject nevertheless to any Case to be stated by them for the Opinion of His Majesty's Court of King's Bench, in case they see fit so to do.

LXIV. Provided always, and be it further enacted, That on any Appeal from any such Rate or Assessment, the Justices at such Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief to all Parties interested under the same, without quashing or altering such Rate or Assessment.

Rates appealed against may be amended.

LXV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall be by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any One Justice of the Peace for the said Town of *Glastonbury*, (which Warrant such Justice is hereby empowered to grant upon the
 [Loc. & Per.] 45 M—N Confession.

Recovery of Penalties and Forfeitures.

Confession of the Party or Parties, or upon Information of any One or more credible Witness or Witnesses upon Oath, which Oath such Justice is hereby empowered to administer,) and the Penalties and Forfeitures when recovered shall be paid to the Treasurer or Treasurers, or such other Person or Persons as the said Commissioners, or any Five or more of them, at any Meeting shall appoint for that Purpose, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties or Forfeitures shall not be paid forthwith, it shall and may be lawful for such Justice, and he is hereby authorized and required by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County of *Somerset*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges shall be sooner fully paid and satisfied.

Inhabitants
may be
Witnesses.

LXVI. And be it further enacted, That in all Actions, Prosecutions, Informations, and Causes or Proceedings whatsoever, relating to or concerning the Execution of this Act, no Inhabitant of the said Town of *Glastonbury* shall be deemed incompetent to give Evidence by reason of his or her being such Inhabitant, or by reason of his or her being rated or assessed to or paying any of the Rates or Assessments to be imposed by virtue of this Act.

For com-
pelling Wit-
nesses to
attend.

LXVII. 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 Five or more of them, or any Justice or Justices of the Peace in and for the said Town, or 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 Rate or Order made in pursuance thereof, whether on the Part of the Prosecutors, or the Person or Persons complained of, and which Summonses the said Commissioners, or any Five or more of them, and also such Justice or Justices as aforesaid, are hereby authorized to issue, where and in such Cases only as such Commissioners, or any Five or more of them, or such Justice or Justices of the said Town, (as the Case may be,) are made competent by this Act to hear and determine the same; or if any Person or Persons so summoned as aforesaid shall, after being paid or tendered a reasonable Charge for his, her, or their Attendance, 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 by such Justice or Justices of the Peace, or Commissioners as aforesaid, then and in either of the said Cases every such Person or Persons shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Distress not
unlawful for
Want of
Form.

LXVIII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed to be unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on Account of any Defect or Want of Form in the Summons or other Proceedings relating thereto; nor shall any Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall

shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage in an Action upon the Case, provided that no Plaintiff or Plaintiffs shall recover in any Action or Actions for such Irregularity, unless Notice in Writing shall be given Fourteen clear Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover in such Action if sufficient Tender of Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on Behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action by Leave of the Court, after such Action shall have been brought, at any Time before the Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit; whereupon such Proceedings, Order, and Judgement shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

LXIX. And be it further enacted, That no Order, Verdict, Assessment, Judgement, or other Proceedings made, touching or concerning any of the Matters as aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or any Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

No Order,
&c. vacated
for Want of
Form.

LXX. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, by Order of the said Commissioners, or any Five or more of them, until Fourteen Days Notice shall be thereof given to the Clerk or Clerks to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County or Place where the Matter shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may at his or their Election plead specially, or plead the General Issue, or give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if the same shall appear to be so done, or if any such Action or Suit shall be brought before Fourteen Days Notice shall be given thereof, or after a sufficient Satisfaction thereof made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict or Verdicts, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover such Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in other Cases of Law.

Proceedings
not to be
quashed for
Want of
Form.

Limitation
of Actions.

LXXI. And

Reward to
Persons dis-
covering
Offenders
under the
Act.

LXXI. And be it further enacted, That the said Commissioners, or any Five or more of them, from Time to Time if they shall see Cause, shall and may offer, pay, and apply out of the said Rates and Assessments to be raised by virtue of this Act, such Sum and Sums of Money as they shall see proper, as a Reward and Encouragement to Persons discovering, apprehending, or convicting Offenders against this Act.

Saving Rights
of Lord of
the Manor
and Corpora-
tion.

LXXII. And be it further enacted; That nothing in this Act contained shall extend to affect the Rights or Privileges of the Mayor and Burgeffes of the said Town of *Glastonbury*, or the Rights or Privileges of the Lord or Lords of the Manor or reputed Manor of *Glastonbury* aforesaid.

Publick Act.

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

SCHEDULE to which this Act refers.

1.—A Messuage in the Occupation of Taunton, Spinster, and others, held under the Wardens of the Church of Saint John the Baptist, in *Glastonbury* aforesaid, for the Lives of Richard Payne, William Strode, and Thomas Strode.

2.—A Tenement in Possession of the said Wardens of the said Parish of Saint John.

3.—A Messuage in the Occupation of Mary Hancock and others, held under the said Wardens for the Lives of George Everdell, Thomas Hancock Rood, and George Down.

4.—A Messuage adjoining the last-mentioned Messuage on the East, held under the said Wardens for the Lives of Hannah Everdell, George Everdell, and John Somers.

5.—A Messuage in the Occupation of Robert Hunt and others, held under the said Wardens, for the Lives of John Fry and Betty Fry.

6.—A Messuage in the Occupation of Thomas Marsh and others, held under the said Wardens, for the Lives of Joseph Swanton, Robt. Swanton, and William Swanton, junior.

7.—A Messuage in the Occupation of Thomas Jerrard and others, held under the said Wardens, for the Lives of Thomas Brook, Charles his Son, and Sarah and Eleanor his Daughters.

8.—A small Tenement adjoining the last-mentioned Tenement on the East, in the Occupation of John Brickle.

9.—Another small Tenement in the Occupation of Ann Chidezoy.