



ANNO QUINQUAGESIMO SEPTIMO

GEORGI II. REGIS.

Cap. lxxv.

An Act for enlarging the Market Place, and regulating the Market in the Town of *Taunton*, in the County of *Somerset*, and for improving the said Town; and for amending an Act of His present Majesty relative thereto. [7th July 1817.]

WHEREAS an Act was passed in the Eighth and Ninth Years of the Reign of His present Majesty King *George* the Third, intituled *An Act for erecting a Market House, and holding a Market, in the Town of Taunton, in the County of Somerset, and for preventing the holding of any Market in the Streets of the said Town; and for cleansing the Streets, and preventing Nuisances and Obstructions therein, and for lighting certain Streets in the said Town;* whereby, after reciting that there was a commodious Spot of Ground in the Centre of the said Town, commonly called *The Island and Corn Hill*, the same being triangular, and situate in and surrounded on all Sides by the *Fore Street* and pointing Northwards to the *North Street* in the said Town of *Taunton*, on Part whereof certain old Houses, Stalls, and Standings, and a Town Hall or Guildhall were then standing, and that if the said Houses, Standings, and Town Hall or Guildhall were taken down and removed, a commodious and convenient Market might be holden on the said Ground; it was enacted, that it should be lawful for the Trustees therein named and to be appointed as therein mentioned, to enter into and upon the said Grounds within the Limits aforesaid, and to view the same, and to describe and set out such Parts thereof as they should adjudge proper for holding the said Market thereon; and further, that as soon as the said

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[Local.]

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Ground

Ground should be so set out and adjudged proper for that Purpose by the said Trustees, it should be lawful for them to purchase the said Ground or any Part of it, and any Building erected thereupon or upon any Part thereof, and to convert the said Ground into a Place for holding the said Market; and it was further enacted, that it should not be lawful for any Person or Persons to erect any Stalls or Standings, or to hold any other Market within the said Town of *Taunton*, or to vend or expose to sale any Corn or Grain, Fish, Meat, Poultry, or other Provisions, or any Bulls, Oxen, Steers, Heifers, Cows, Calves, Sheep, Lambs, Swine, or other live Cattle which were usually sold in public Markets, within any of the public Streets of the said Town of *Taunton*, or within the Space of One thousand Yards from the Bounds of the said Market; and by the said Act the said Trustees were empowered to light the several Streets in the said Town, called *East Street*, *High Street*, *North Street*, and *Fore Street*, in Manner therein mentioned; and also to cause the Streets and public Passages in the said Town to be cleansed and freed from all Annoyances, Obstructions, and Encroachments whatsoever: And whereas the said Trustees have set out and ascertained the Bounds of the said Market agreeably to the Directions of the said Act; but the said Market Place is now not sufficiently large for the Purposes of the said Market, and there are no suitable Places appropriated for depositing the temporary Stalls, Standings, and other moveable Conveniences of the said Market; and it is expedient that Provision should be made for enlarging the said Market, and for lighting, as well the several Streets herein-before mentioned as the rest of the said Town, and for making Sewers and other Works for better cleansing and improving the said Town and Places adjacent, and that further Tolls, Powers, and Authorities should be granted for effecting the Purposes, and that the said Act should be amended in other Respects: 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 it shall be lawful for the Trustees for carrying into Execution the said recited Act of the Eighth and Ninth Years of His present Majesty, or any Nine or more of them; to treat, contract, and agree with any Person or Persons who shall be willing to sell the same, for the Purchase of any Messuages, Houses, Buildings, Gardens, and other Ground, within One thousand Yards of the Site of the said present Market; and after purchasing the same, to appropriate a competent Part thereof for enlarging the Market, for the Sale of Cattle, Swine, and any other Beast, Articles, and Things, and for any other the Purposes of the said Market, and to use other Parts thereof for depositing the temporary Stalls, Standings, and other moveable Conveniences of the said Market, when the same shall not be in use, under and subject to such Regulations as the said Trustees for the Time being or any Nine or more of them shall think proper; and that from and after the said additional Ground shall be so set out for the Purposes of the said Market, the same shall be deemed and taken as Part of the said present Market Place, to all Intents and Purposes; provided that nothing herein or in the said recited Act contained shall extend to authorize the said Trustees to purchase, take, or use any Lands or Hereditaments for the Purposes aforesaid, without the Consent of the respective Owners of such Lands or Hereditaments, whether such Owners be Bodies Politic, Corporate, or Collegiate, or Tenants in Fee Simple, Fee Tail, for Life or Lives,

Power to
enlarge the
Market
Place

or for Years determinable on a Life or Lives; or without the Consent of the Husbands, Trustees, or Guardians, Committees or Attornies of or for any such Owners, who shall be under Coverture, Minors, Lunatics, or beyond the Seas, or under any legal Disability or Incapacity of acting for themselves; such Consents to be respectively testified by Writing under the Hands of the consenting Parties.

II. And be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, and their Lessees and Lessee, and any Person or Persons whom they respectively shall from Time to Time appoint in that Behalf, to demand, receive, and take for or in respect of Cattle and Swine exposed to sale in the Market Place, to be set out or provided by virtue of this Act, the several Tolls and Duties following; (that is to say),

Tolls for the Cattle Market.

For every Horse, Mule, Ass, or Beast, any Sum not exceeding One Shilling :

For every Drove of Calves, Sheep, Lambs, or Swine, any Sum not exceeding Three Shillings *per* Score; and so in Proportion for a greater or less Number of them :

Which said respective Tolls by this Act granted shall be paid by the Owner or Owners of or Person or Persons having the Charge of any such Horse, Beast, Cattle, or Swine, and shall be vested in the said Trustees for the Time being, and the same and every Part thereof shall be paid, applied, disposed of, and assigned in such Manner as in the said recited Act and this Act are mentioned.

Tolls vested in Trustees.

III. And be it further enacted, That if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand thereof by any Collector or Collectors, or other Person or Persons authorized to receive the same, neglect or refuse to pay the said Tolls or any of them, or any Part or Parts thereof, it shall be lawful for the said Collectors or such other Persons as aforesaid, or any of them respectively, or any other Person or Persons whom they shall respectively take to their Assistance therein, to distrain any Horse, Beast, Cattle, or Swine for or upon which any of the said Tolls are by this Act imposed, or any of the Goods and Chattels of such Person or Persons so neglecting or refusing to pay the same; and the Person so distraining shall and may, at his or their Election, either detain and keep the Horse, Beast, Cattle, or Swine, Goods and Chattels so distrained; until such Tolls, with the reasonable Charges of such Distress and of detaining and keeping the same, shall be paid, or if such Tolls and Charges shall not be paid within the Space of Five Days after the Day of the making such Distress, the Person or Persons so distraining shall and may sell the Horse, Beast, Cattle, or Swine, Goods and Chattels so distrained, and out of the Money which shall arise by such Sale, pay such Tolls and all reasonable Charges incurred by such Distress and Sale, returning the Overplus of the Money which shall arise by such Sale, and what shall remain unsold (if any) upon Demand to the Owner or Owners thereof.

How Tolls recovered.

IV. And be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, and they are hereby empowered from Time to Time to borrow and take up at Interest such Sum or Sums

Power to raise Money by Mortgage of the Tolls.

of

of Money as they shall think necessary, not exceeding the Sum of Ten thousand Pounds in the Whole, and by Writing under their Hands and Seals to assign over or mortgage the Tolls hereby granted, and the Tolls and Rents and Dues payable in respect of the said Market, under or by virtue of the said recited Act or otherwise howsoever, or any of them, or any Part thereof, as a Security for the Repayment of such Sum or Sums of Money, with Interest for the same, to the Person or Persons who shall advance and lend such Money, his, her, or their Executors, Administrators, and Assigns; and that it shall also be lawful for the said Trustees or any Nine or more of them, at the Request of any of the Mortgagees or Creditors on the Tolls and Rents or Dues payable in respect of the said Market, and upon the existing Mortgages or Securities being delivered up to the said Trustees to be cancelled, to grant any new Mortgage or Security for the Principal Money due on the former Mortgage or Security so cancelled, with Interest thereon at the Rate of Five Pounds *per Centum per Annum*, or any less Rate of Interest; and that until such new Securities shall be granted to such existing Mortgagees and Creditors, or they shall be paid off or otherwise satisfied, it shall not be lawful for the said Trustees or any of them to execute or perform any of the Works hereby directed or authorized to be made.

Provisions for lighting certain Streets extended to the rest of the Town.

V. And be it further enacted, That all the Powers, Authorities, Clauses, and Provisions contained in the said recited Act for lighting the said several Streets therein mentioned, shall be extended to all the other Streets and public Avenues and Passages of the said Town and Places adjacent.

Same Person not to be Clerk and Treasurer.

VI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the same Person who has been or may be appointed to act as their Clerk in the Execution of the said recited Act and this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of the said recited Act or this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Act and this Act, or if any Person being Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer, shall act as Clerk in the Execution of the said recited Act or this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no *Essoign*, Protection, or Wager of Law, nor more than One *Imparlance*, shall be allowed.

Accounts to be open to the Inspection of Trustees and Creditors.

VII. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time and all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by the Clerk of the said Trustees for the Time being; in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out and expended for or on account of the said Trustees, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the

the Inspection of the said Trustees, or any of them, or any Creditor or Creditors on the Tolls payable to the said Trustees, without Fee or Reward, and the said Trustees and Creditors respectively, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the Clerk shall refuse or neglect, on Demand, to permit such Trustees or Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, the Clerk so offending shall forfeit and pay any Sum of Money not exceeding Five Pounds.

VIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act or this Act, for the Purposes thereof, which shall belong to any Corporation, Femes Covert, Infant, Lunatic, Person or Persons, under any Disability or Incapacity, 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 Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the said recited Act and 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, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid affecting the said Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or 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, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court, 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 meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments to be purchased by virtue of the said recited Act or this Act, in case such Purchase or Settlement were made.

Application
of Compen-
sation when
amounting
to 200l.

IX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments

[Local.]

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Application
where the
Compensation

is less than
200l. and
exceeds 20l.

ments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall 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, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner herein-before 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 any Nine or more of the said Trustees for executing the said recited Act and this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the same may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Application
where the
Money is less
than 20l.

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

Persons in
Possession pre-
sumptively
entitled.

XI. 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 said Accountant General of the said High Court of Chancery, in pursuance of the said recited Act or this Act, for the Purchase of Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Act and 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, 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, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends or Interest 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, or Hereditaments, or to some Estate or Interest therein.

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

In case of not making out Titles, &c.

XIII. 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, or Hereditaments to be purchased under the Authority of the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the said High Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of the said recited Act or this Act, it shall be lawful for the said High Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Act or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Trustees.

XIV. And whereas it may be convenient that the said Town and Places adjacent, or some Part or Parts thereof, should be lighted with Gas; and for the Purpose of using Carburetted Hydrogen or Coal Gas, it

Power to light with Gas, and to lay Pipes, &c. will

for that
Purpose.

will be requisite that such Gas should be conveyed by Means of Pipes to be properly laid for that Purpose; be it therefore further enacted, That if at any Time hereafter the Trustees for carrying into Execution the said recited Act and this Act, or any Nine or more of them, shall think it fit and convenient to light the Public Streets, and Highways, Lanes, or Passages, or any of them, in the said Town and Places adjacent, by Means of such Gas as aforesaid, that then and in all such Cases it shall be lawful for the said Trustees, or any Nine or more of them, by their Servants and Workmen, and also for any other Person or Persons who shall be authorized in that Behalf by the said Trustees, or any Nine or more of them, by Writing under their respective Hands, to break up the Soil and Pavements of any such Streets, Highways, Ways, Lanes, Passages and Places, and to dig and sink Trenches and lay Pipes, and put Stopcocks or Plugs or Branches from such Pipes in such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of carrying the said recited Act and this Act into Execution, and supplying any such Light as aforesaid, and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Stopcocks, and Plugs, and do all such other Acts, Matters, and Things as the said Trustees, or any Nine or more of them, shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, and using the same.

Washings and
other Liquids
how to be
carried off.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, or any other Person or Persons acting under their Authority, to make such Drains of such Breadth, Depth and Dimensions, and in such Manner as they respectively shall think expedient under the Streets, Highways, Ways, Lanes, Avenues and Places within the said Town and Places adjacent, or any of them, for carrying off the Washings or other waste Liquids which may arise in the Prosecution of the Works aforesaid; the said Trustees, and all other Persons acting under their Authority doing as little Damage as may be in making the said Drains, and immediately repairing all such Damages.

Power to lay
Mains, and
to erect
Machinery,
to supply
Dwelling
Houses with
Gas.

XVI. And be it further enacted, That the said Trustees, or any Nine or more of them, and any other Persons authorized by them as aforesaid, shall have full Power and Authority to break up the Soil and Pavement of any of the said Streets, Highways, Lanes, Ways, Passages, or Places, or any Part of them, and to sink Trenches and lay any Main or Pipe communicating or to communicate with the Works of the said Trustees, or any other Persons acting under their Authority, under, across, and along any of the said Streets, Highways Lanes, Ways, Passages, or Places, or any of them, requisite for the Supply of any Dwelling House or Houses, Manufactories, Public or Private Buildings, and to erect and set up by themselves or their Agents, Servants, and Workmen, any Machine or other Apparatus necessary or requisite for securing to such Dwelling House or Houses, Manufactories, Public or Private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply, and also to alter or amend any bad or imperfect Works which shall have been placed or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, Public or Private Buildings.

Trustees
causing
Nuisances

XVII. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to prevent any Person or Persons

Persons from proceeding against the said Trustees, or against any of their Officers, Servants, or Workmen, or any other Persons acting under their Authority, in respect of any Works of the said Trustees, or the Method which shall be employed by them for furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Actions against the said Trustees, or any of their Officers, Servants, or Workmen, or any other Person or Persons acting under their Authority, for any Injury sustained by reason of any such Works or Method of Lighting, whether such Injury shall proceed from the Nature of such Method of Lighting, or the Carelessness or Want of Skill of the Persons employed therein.

may be prosecuted.

XVIII. Provided always, and be it further enacted, That all Persons laying or repairing, or causing to be laid or repaired, any such Pipes, Plugs, Cocks, or Branches, shall with all reasonable Dispatch fill in the Trenches, and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and also repair any Damage occasioned by making or repairing any Sewers or Cuts for the Purpose of carrying off the Washings or Waste Liquids aforesaid, and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages; and in case any Person hereby required to do any such Works shall, for the Space of Twenty-four Hours, neglect to do the same, every Person so neglecting shall forfeit and pay for every such Neglect, any Sum not exceeding Forty Shillings.

Persons laying Pipes, &c. to make good the Pavement.

XIX. Provided also, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Lead, or other Pipe, to communicate with any Pipe belonging to the said Trustees, or any Persons acting under their Authority, without the Consent of the said Trustees, or any Nine or more of them, or of such other Persons as aforesaid, first had and obtained.

No Pipes of Communication to be laid without the Consent of the Trustees.

XX. Provided always, and be it further enacted, That the Funds of the said Market shall not be applied in or for the making or providing of any of the Buildings, Works, or Conveniences, preparatory to lighting the said Town and Places adjacent with Gas, but that such Funds shall be applicable only to the annual Expences of lighting the said Town and Places adjacent with Gas; and that it shall be lawful for the said Trustees, or any Nine or more of them, to raise by Contribution of such Persons as shall be willing to advance the same, a Fund or Sum not exceeding Ten thousand Pounds, for making and providing necessary Buildings, Works, and Conveniences for lighting the said Town and Places adjacent with Gas, and to pay the Profits arising therefrom, or any Part or Proportion thereof, amongst the several Persons who shall contribute towards the Fund for effecting that Purpose.

Power to raise a Capital for defraying the Expences of the Works.

XXI. And be it further enacted, That if any Person shall wilfully and maliciously remove, take away, destroy, damage, or injure any or any Part of any Pipe, Post, Plug, or other Matter or Thing belonging to the said Trustees or any Persons acting under their Authority, or any Drains, Sewers, Wells or Pumps, which shall be made or provided by virtue of this Act, every Person so offending, and being thereof lawfully convicted on the Oath of a credible Witness before one or more Justice or Justices

Penalty on damaging Pipes.

for the said County of *Somerset*, shall forfeit and pay, to the said Trustees, or such other Persons as aforesaid, any Sum not exceeding the Sum of Five Pounds.

Power to
make Sewers.

XXII. And be it further enacted, That for the more effectually cleansing the said Town and Places adjacent, it shall be lawful for the said Trustees, or any Nine or more of them, to make such and so many subterraneous Drains and Sewers, Wells and Pumps, of such Breadth, Depth, and Dimensions, and in such Manner as they shall think proper, in the several Streets and Public Avenues and Passages of the said Town and Places adjacent, for carrying off the Soil, Dirt, Water and Washings from the same Streets, Avenues, and Passages into the River *Tone*, the said Trustees making good any Damage or Injury which may be occasioned thereby.

Power to
recover Mar-
ket Tolls, &c.
by Distress
and Sale.

XXIII. And be it further enacted, That it shall be lawful for the Trustees or any Nine or more of them, or their Lessee or Lessees, Collector or Collectors, to levy and recover all Tolls, Rents, and Profits due and payable to them respectively, in respect of any Goods sold in the said Market, or any Stalls or Standings in the said Market Place, by Distress and Sale, in like Manner as is herein-before provided or mentioned with respect to the Tolls granted by this Act.

Powers of
former Acts
extended to
this Act.

XXIV. And be it further enacted, That the said recited Act, and all and every the Authorities, Powers, Provisions, Regulations, Clauses, Matters, and Things therein contained, except such of them as are hereby varied, altered, or repealed, or as are repugnant to or otherwise provided for by this Act, shall be in full Force and Effect, and shall extend to and be practised, applied, and put in Execution for effecting the Purposes of this Act, as fully and effectually, to all Intents and Purposes, as if all such Authorities, Powers, Provisions, Regulations, Clauses, Matters, and Things therein contained were repeated and re-enacted in the Body of this Act, with relation thereto.

Expences of
the Act.

XXV. And be it further enacted, That out of the Tolls collected by the said recited Act or to be collected by virtue of this Act, or out of the Money to be borrowed on the Credit of the said Tolls, the said Trustees, or any Nine or more of them, shall pay and defray the Charges and Expences incident to and attending the passing this Act.

Public Act.

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