



ANNO SEXTO

GEORGIIV. REGIS.

Cap. lxxiv.

An Act to amend an Act of His late Majesty, for paving, cleansing, lighting, watching, and regulating the Streets and public Places within such Part of the Parish of *Walcot*, in the County of *Somerset*, as is not within the City of *Bath*.

[20th May 1825.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act for paving, cleansing, lighting, watching, and regulating the Streets, Squares, Lanes, Ways, Passages, and public Places within such Part of the Parish of Walcot, in the County of Somerset, as is not within the Circuit, Precinct, and Jurisdiction of the City of Bath in the same County; and for removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions, and for establishing a proper and effective Police therein; and for licensing and regulating Hackney Coaches, Chairs, Porters, Basket Men and Basket Women, within the said City of Bath and a certain Distance thereof: And whereas the said Act requires to be explained, amended, and some Enactments thereof to be repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the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 said recited Act, and all and every the Powers, Provisions, Articles, Matters, and Things therein*

33 G.3. c. 89.

Recited Act continued.

[Local.]

22 A

therein

Repeal of
Notice of
Special
Meetings.

therein contained (save and except as are hereby altered, repealed, or varied), shall be and remain in full force and virtue, and shall extend to and be deemed and taken to be as good, valid, and effectual for carrying this Act and the several Purposes thereof into Execution, as if all such Powers, Provisions, Articles, Matters, and Things were repeated and re-enacted in the Body of this Act; and be it enacted, that so much of the said recited Act as requires Notice of a Special Meeting to be given and inserted in Two at least of the daily or weekly Newspapers circulated at *Bath*, shall be and the same is hereby repealed.

Present Com-
missioners to
remain for
Life, &c.

II. And be it further enacted, That the Commissioners elected under and by virtue of the said recited Act shall remain as such Commissioners, for the Purposes of the said recited Act and of this Act, for Life, unless they or any or either of them shall resign, or shall neglect to attend a General Meeting of the said Commissioners, under the said recited Act or this Act, for the Space of Twelve Calendar Months successively; and from and after the passing of this Act, all and every the Commissioners and Commissioner to be elected and appointed shall continue as such Commissioners and Commissioner for the Term of Five Years from the Day of the Date of his or their Election and Appointment, unless such Commissioners or Commissioner shall during that Time resign, or neglect to attend a General Meeting of the said Commissioners under the said recited Act or this Act for the Space of Twelve Calendar Months, in manner aforesaid.

Repealing
Power in for-
mer Act for
appointing
new Commis-
sioners.

III. And be it further enacted, That so much of such Part and Parts of the said recited Act as enacts, that when any of the Commissioners shall die, or decline or become incapable to act, it shall be lawful for the Commissioners to appoint others in their Stead, and also so much thereof as enables the Justices in Sessions to appoint an additional Number of Commissioners, or to appoint other Commissioners, shall be and the same is hereby declared to be repealed.

For appoint-
ing new Com-
missioners.

IV. And be it further enacted, That when and so often as the Commissioners elected under the said recited Act or this Act shall die or resign, or shall refuse or neglect to attend a General Meeting of the said Commissioners for the Space of Twelve Calendar Months successively, then some other Person or Persons, being an Inhabitant or Inhabitants of the said Part of the Parish of *Walcot* as aforesaid, qualified according to the Provisions of this Act, shall be elected and appointed a Commissioner or Commissioners for executing this Act and the said recited Act, by the Inhabitants of that Part of the Parish of *Walcot* aforesaid, qualified as herein-after mentioned, to make such Election and Appointment, at a Meeting to be called and held as herein-after mentioned; and such Person or Persons so elected and appointed at such Meeting, being duly qualified, shall continue to be a Commissioner for the Purposes of this Act and the said recited Act, for the Space of Five Years from the Day of Election, unless such Person shall in the meantime die, resign, or refuse or neglect to attend a General Meeting of the Commissioners for the Space of Twelve Calendar Months successively: Provided always, that all and every Person or Persons to be elected and appointed a Commissioner after the passing of this Act, and who shall or may have acted as such for the Space of Five Years, or any Part thereof, shall nevertheless, being otherwise

otherwise duly qualified, be at all Times eligible and competent to be re-elected and appointed a Commissioner or Commissioners, and be capable of acting as such; any thing herein contained to the contrary notwithstanding.

V. And be it further enacted, That no Person who shall be hereafter elected and appointed a Commissioner, in the Place or Stead of the Commissioners now already elected and appointed, or to be hereafter elected and appointed, and their Successors, shall be qualified or capable of acting as a Commissioner in the Execution of this Act or the said recited Act, unless he shall be in his own Right, or in the Right of his late or present Wife, seised or possessed of Lands, Tenements, or Hereditaments, being Freehold, Copyhold, or Leasehold, for a Life or Lives, or a Term of Years determinable on a Life or Lives, or for an absolute Term for or exceeding Fifty Years, to be situate in the said Parish of *Walcot*, or in the City of *Bath*, and either together or separately, of the clear yearly Value of One hundred and fifty Pounds, over and above all Incumbrances, or who shall not be possessed of or entitled to a Personal Estate of the Value of Four thousand Pounds, over and above the Amount of his Debts, and shall reside and be a Housekeeper within such Part of the Parish of *Walcot* as aforesaid, at the Time of his Election and Appointment; and that no Person shall be capable of acting in the Execution of this Act or the said recited Act, until he shall have taken and subscribed an Oath or Affirmation before any Five or more of the said Commissioners, (except in administering such Oath or Affirmation, and which Oath or Affirmation the said Commissioners, or any One of them, are and is hereby authorized and empowered to administer), in the Words or to the Effect following; *videlicet*,

Qualification
of Commis-
sioners.

‘ I *A. B.* do swear (or being One of the People called Quakers, do solemnly declare and affirm,) That I am really and *bond fide*, in my own Right, (or in the Right of my late or present Wife, *as the Case may be*), seised or possessed of Lands, Tenements, or Hereditaments, situate in the Parish of *Walcot*, or in the City of *Bath*, either Freehold, Copyhold, or Leasehold, for a Life or Lives, or a Term of Years determinable on a Life or Lives, or for an absolute Term of or exceeding Fifty Years, either together or separately, of the clear yearly Value of One hundred and fifty Pounds, over and above all Incumbrances, (or, *as the Case may be*,) possessed of or entitled to a Personal Estate to the clear Amount or Value of Four thousand Pounds; and that I do reside and am a Housekeeper within such Part of the said Parish of *Walcot* as is not within the Circuit, Precinct, and Jurisdiction of the City of *Bath*; and that I will truly and impartially, according to the best of my Skill and Knowledge, execute and perform the Powers and Authorities vested in me as a Commissioner in and by a certain Act of Parliament made and passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Third, and the Sixth Year of the Reign of His present Majesty King *George* the Fourth, intituled [*here repeat the Title of the aforesaid Acts*], and that without Favour or Affection, Prejudice or Malice. So help me GOD.’

(Or being a Quaker, omit the Words ‘ So help me God.’)

And if any Person shall act as a Commissioner for putting this Act and the said recited Act, or any of the Powers herein or therein contained, in Execution,

Execution, contrary to the Intent and Meaning thereof, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager at Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act.

Notice to be given of Meetings for Election of new Commissioners.

VI. And be it further enacted, That it shall be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby authorized, directed, and required, from Time to Time, and as often as it shall be requisite to appoint any Commissioner or Commissioners in pursuance of this Act, to cause Notice thereof to be given, in Writing, to the Churchwardens of the Parish of *Walcot*, who are hereby authorized, directed, and required, on the *Sunday* next after the Receipt of such Notice, to cause public Notice to be given in the Church belonging to such Parish during the Time of Divine Service, and affixed to the Church Door, that a Vestry will be held for the Purpose of electing, nominating, and appointing some fit Person or Persons to supply the Place or Places of such of the Commissioners in whose Place or Places it shall be necessary to appoint another Commissioner or Commissioners, which Notice shall also specify the Time and Place when and where such Vestry will be held, and which Vestry it is hereby declared shall be always held on the Day specified in such Notice.

Chairman to be appointed.

VII. And be it further enacted, That in case the Rector or Vicar, or perpetual Curate, shall not be present, the Persons so assembled in pursuance of such Notice shall forthwith nominate and appoint, by Plurality of Votes, to be ascertained as herein-after is directed, One of the Inhabitants of such Part of the said Parish to be the Chairman of and preside in such Vestry; and in all Cases of Equality of Votes upon any Question arising therein, the Chairman shall (in addition to such Vote or Votes as he may, by virtue of this Act, be entitled to give in right of his Assessment) have the casting Vote.

Manner of voting in Vestries.

VIII. And be it further enacted, That in all such Vestries every Person present who shall, by the last Rate which shall have been made for the Relief of the Poor of such Part of the Parish of *Walcot* as aforesaid, have been assessed and charged upon or in respect of any annual Rent, Profit, or Value, amounting to Twenty Pounds, and not amounting to Fifty Pounds, shall have and be entitled to give One Vote, and no more; and every Person then present who shall in such last Rate have been assessed or charged upon or in respect of any annual Rent or Rents, Profits or Value, amounting to Fifty Pounds or upwards (whether in One or in more than One Sum or Charge) shall have and be entitled to give One Vote for every Twenty-five Pounds of annual Rent, Profit, and Value upon or in respect of which he shall have been assessed or charged in such last Rate; so nevertheless that no Person shall be entitled to give more than Six Votes; and in Cases when Two or more of the Persons present shall be jointly rated, each of them shall be entitled to vote according to the Proportion

portion and Amount which shall be borne by him of the joint Charge; and where One only of the Persons jointly rated shall attend, he shall be entitled to vote according to and in respect of the whole of the joint Charge.

IX. And be it further enacted, That when any Person shall have become an Inhabitant of the said Part of the said Parish of *Walcot* as aforesaid, or become liable to be rated therein since the making of the last Rate for the Relief of the Poor thereof, he shall be entitled to vote for and in respect of the Lands, Tenements, and Property for which he shall have become liable to be rated, and shall consent to be rated in like Manner, as if he should have been actually rated for the same.

Persons becoming Inhabitants since the last Rate may vote.

X. And be it further enacted, That in all Cases where any Corporation, or Body Politic or Corporate, shall be charged to the Rate for the Relief of the Poor of such Parish, either in the Name of such Corporation, or of any Officer of the said Corporation, it shall and may be lawful for the Clerk, Secretary, Steward, or other Agent duly authorized for that Purpose, of such Corporation, or Body Politic or Corporate, or Company, to be present at any Vestry to be holden in the said Parish under this Act; and such Clerk, Secretary, Steward, or Agent shall be entitled to give such and so many Vote or Votes at such Vestry, in respect of the Amount of the Rent, Profit, or Value of such Lands, Tenements, or Hereditaments, as any Inhabitant assessed to such Rate present at such Vestry might or ought to have and be entitled to in respect of such Amount; any thing in the said recited Act to the contrary in anywise notwithstanding.

Clerk or Agent of Corporation, &c. may vote in Vestry according to the Value of the Premises rated.

XI. And be it further enacted, That no Person who shall have refused or neglected to pay any Rate for the Relief of the Poor, which shall be due from, and shall have been demanded of him, shall be entitled to vote or to be present in any Vestry of the Parish for which such Rate shall have been made, until he shall have paid the same; nor shall any such Clerk, Secretary, Steward, or Agent, be entitled to be present or to vote, nor shall be present nor vote at any Vestry in such Parish, unless all Rates for the Relief of the Poor, which shall have been assessed and charged upon or in respect of the annual Rent, Profit, or Value in right of which any such Clerk, Secretary, Steward, or Agent shall claim to be present and vote, which shall be due, and which shall have been demanded at any Time before the Meeting of such Vestry, shall have been paid and satisfied.

Nonpayment of Rates to disqualify from being present or voting in Vestry.

XII. Provided also, and be it further enacted, That no Person concerned or interested in any Bargain or Contract, directly or indirectly, made or to be made by the said Commissioners for or about the paving, cleansing, and lighting, the said Part of the Parish of *Walcot* affected by this Act, shall be capable of acting as one of the said Commissioners; and every Person who shall act as such, being so disqualified, 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 by Action of Debt, or by Bill, Complaint, or Information, wherein no Protection, Essoign, or Wager of Law, nor more than One Impar lance, shall be allowed.

Persons interested in Contracts disqualified from acting as Commissioners.

Offices of
Clerk and
Treasurer not
to be held by
One Person.

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

Repeal of
Provision for
verifying Ac-
counts on
Oath.

XIV. And be it further enacted, That so much of the said recited Act as directs that every Officer or Person employed by the said Commissioners shall, if required, verify their Accounts upon Oath, shall be and the same is hereby repealed.

Accounts to
be kept of
Receipts and
Disburse-
ments.

XV. And be it further enacted, That the said Commissioners shall, and they are hereby required, from Time to Time, and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Act and this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall, at all seasonable Times, be open to the Inspection of the said Commissioners, or any Creditor or Creditors on the Rates or Assessments granted by the said Act, and of all Persons rated and assessed for the Purposes of the said Act and this Act, without Fee or Reward; and the said Commissioners and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Commissioners, or such Creditors, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in manner herein-after mentioned; and all Entries in their Books of Proceedings, being signed by the Commissioners assembled thereat, and making or ordering the same,

in pursuance of the said Act and this Act, shall be deemed Originals, and the same shall be admitted to be read in Evidence in any Court whatsoever, in all Causes, Suits, or Actions, and upon all Occasions whatsoever, touching any thing done in pursuance or by virtue of the said Act or this Act.

XVI. And be it further enacted, That all Watchmen, Night Patroles, Beadles, and Constables, to be appointed by virtue of the said Act and this Act, shall be sworn in as Constables before any Justice or Justices of the Peace for the said County of *Somerset*, and act as such while in the Execution of the Powers and Authorities of the said Act and this Act; and they are hereby severally invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with, or have or enjoy by Law; and such Justice or Justices is and are hereby required and authorized and empowered to administer to them respectively such Oath or Oaths as aforesaid, when applied to for that Purpose.

Watchmen,
&c. to be
sworn in spe-
cial Consta-
bles.

XVII. And whereas it is by the said Act enacted, that nothing herein contained should extend to empower the Commissioners thereby appointed to direct the raising, lowering, or altering any of the Streets, Squares, Ways, Lanes, Passages, or public Places within the Part of the Parish of *Walcot* therein mentioned, as were then made and nearly finished, except as to necessary Repairs, and of the Gratings in or over the same: And whereas the said Provision has been found inconvenient; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Provision
preventing
the Commis-
sioners from
altering
Streets re-
pealed.

XVIII. And whereas there are many Streets and Places within such Part of the Parish as aforesaid, steep and almost inaccessible, and which would be rendered more accessible and convenient by being steined; be it therefore enacted, That whenever Two-thirds in Number of the Owners of Houses, Ground, or Buildings in any of such Streets, Squares, Ways, Lanes, Passages, or public Places which are now already built, shall make a Request in Writing to the said Commissioners to stein any of such Streets, Squares, Lanes, Ways, Passages, or public Places, it shall be lawful for the said Commissioners to cause the same to be steined, and the pitching to be removed.

Streets, &c.
may be
steined.

XIX. And whereas there are many other Streets and Places within the Outpart of the Parish of *Walcot* aforesaid, now already made and built, over which the Commissioners have no Controul as to the Reparation thereof, excepting by ordering the same to be pitched and paved; and it would be more commodious and convenient in many Instances if such Streets and Places were from Time to Time to be steined and repaired; be it therefore further enacted, That whenever the Commissioners shall be of Opinion that it would be more to the Interest and Comfort of the Inhabitants to order any of the Streets and Places now made and built, and not pitched, or which may hereafter be made and built within such Part of the Parish as aforesaid, to be steined, it shall and may be lawful for the said Commissioners to cause the same to be steined, and to be from Time to Time repaired and amended, such steining in each of the foregoing Cases to be done and kept in repair under the same Provisions, Directions, and Regulations, and by the same Persons as the pitching
and

Authorizing
the Commis-
sioners to
stein and re-
pair Streets,
instead of
paving them.

and paving is now directed to be done and repaired by the said recited Act, and the Expences attending the same shall be paid and recovered in like Manner and by the same Ways and Means as the Expences attending the pitching and paving are directed to be paid and recovered by the said recited Act.

For paving
the Foot
Crossings.

XX. And be it further enacted, That it shall be lawful for the said Commissioners, at a General Meeting of the said Commissioners, to pitch and pave, or cause to be pitched and paved, and to repair from Time to Time, proper Foot Crossings over and across any of the Streets, Squares, Lanes, Ways, or public Places now already made and built, or which may hereafter be made and built within the Part of the Parish of *Walcot* as aforesaid, as they shall think necessary for the Comfort and Convenience of the Inhabitants; and to repair, remove, or alter, from Time to Time as they shall think proper, any of such Foot Crossings, or any of the Foot Crossings now already made within such Part of the Parish as aforesaid, so as such Crossings do not injure or obstruct any Entrance into any public Street or Way, and to defray the Costs and Charges attending the making, repairing, and altering such Foot Crossings, by and out of the Monies to be raised by virtue of the said recited Act, notwithstanding any thing in the said recited Act to the contrary.

Punishing
Persons
breaking, &c.
Lamps or
Irons.

XXI. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break down, throw down, displace, take away, damage, or spoil any of the Lamps already set up or to be set up by virtue of this or the said recited Act, or by any Person or Persons at his, her, or their own Expence, or wilfully damage any of the Posts or Irons, or other Furniture thereof, or Materials belonging thereto or used therewith, or extinguish the Light of any such Lamp, every Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds:

Repeal of
Provision
authorizing
Inhabitants
to keep Dust.

XXII. And whereas it is by the said recited Act enacted, that nothing therein contained shall extend to prevent any Person or Persons from preserving and keeping any Dirt, Dust, Ashes, Manure, Muck, Filth, or Rubbish within his, her, or their Houses, Yards, or Gardens, or otherwise disposing of the same for their own Use and Benefit, so as such Dirt, Dust, Dung, Ashes, Manure, Muck, Filth, or Rubbish be not laid down or placed in any of such Streets, Squares, Ways, Lanes, Passages, or public Places as aforesaid, for any longer Time than shall be necessary for the loading and carrying away the same, or be suffered to annoy any of the Inhabitants of such said Part of the said Parish as aforesaid; but in case any Person so reserving such Dirt, Dust, Ashes, Manure, Muck, Filth, or Rubbish, shall thereby annoy any of the Inhabitants, or shall permit or suffer the same to remain for any longer Time than from Sun-rising in the Morning to Sun-setting in the Evening, before the same shall be carried away or removed, after Notice in Writing given to him or her, under the Hands of the Commissioners, or by their Clerk by their Order, or left at such Person's Dwelling House, to remove the same, such Person shall forfeit and pay Five Shillings a Day for every Day that such Annoyance shall be suffered to remain after such Notice given as aforesaid: And whereas the said Provision has been found inconvenient; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

XXIII. And

XXIII. And be it further enacted, That nothing in this or the said recited Act shall extend, or be construed to extend, to prevent or hinder any Person or Persons, in whose House, Outhouse, or Building, any Dirt, Dust, Dung, Ashes, or other Filth was or were first accumulated, made, or burnt, from reserving and carrying away the same, for the Purpose of being used or employed on his, her, or their Premises, or for manuring and improving any Lands or Grounds belonging to or occupied by him, her, or them, but not for Sale, nor for the Use of any other Person or Persons, so as such Dirt, Dust, Dung, Ashes, or other Filth or Rubbish be not laid down or placed in any of such Streets, Squares, Lanes, Ways, Passages, or public Places for any longer Time than shall be necessary for the loading and carrying away the same, or be suffered to annoy any of the Inhabitants of such Part of the Parish as aforesaid; but in case any Person so removing any such Dirt, Dust, Ashes, Manure, or other Filth, shall thereby annoy the Inhabitants, or shall permit or suffer the same to remain for any longer Time than from Sun-rising in the Morning to Sun-setting in the Evening, before the same shall be carried away or removed, after Notice in Writing given to him or her, under the Hands of the Commissioners or their Clerk, or left at such Person's Dwelling House, to remove the same, such Person shall forfeit and pay Five Shillings a Day for every Day that such Annoyance shall be suffered to remain after such Notice given as aforesaid.

Former Acts not to prevent Persons making use of their own Ashes.

XXIV. And whereas it is by the said Act enacted, that if any Person shall upon any of the Pavements of the Streets, Squares, Ways, Lanes, Passages, and public Places within such Part of the said Parish as aforesaid, which shall be raised above the Carriageway, and used as a Footway, or upon any other Footway designed and appointed for a Footway only (except in any Court or Place which shall be appointed as a Stand for Sedan Chairs, or where there is not, nor shall be any Carriageway), carrying any Sedan Chair, not having a Person therein, or shall carry upon such Pavements any lighted Flambeau, Link, or Torch, other than for the Purpose of lighting a Sedan Chair having a Person therein, for the Purpose of lighting the public Lamps within the same Part of the said Parish, or shall run, draw, drive, or carry thereon any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever, or shall roll any Cask other than for the necessary loading or unloading thereof out of any Carriage, or shall thereon wilfully ride, lead, or drive any Cattle; or shall in any of such Streets, Squares, Ways, Lanes, Passages, or public Places as aforesaid, burn, dress, or cleanse any Cork, or shall hoop, fire, cleanse, wash, or scald any Cask, or empty any of the Contents of any Cask therein, or set any Cask, Tub, Pail, Bucket, or any other Matter or Thing on, or so as in any manner to cause any Obstruction or Impediment in the Footway, or wash any Linen, Vegetables, or other Things, at any of the public Pumps or Conduits therein; or shall hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, (except for the Purpose of rebuilding, altering, or repairing any House or Building in the Manner herein-after mentioned, or for any of the Purposes by this Act required or authorized to be done, in which Case the same shall, if the Commissioners think proper and direct, be fenced and inclosed); or shall make or repair any Coach, Waggon, Sledge, or other Carriage in any of such Streets, Lanes, Passages, or public Places (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that

Repeal of Nuisances.

Purpose); or shall shoe, bleed, or turn loose any Horse, Ass, or other Beast therein; or if the Driver of any Waggon, Cart, Sledge, or other Carriage shall, in any Part of the said Parish as aforesaid, ride on the Shafts, or in or on any Part of such Waggon, Cart, Sledge, or other Carriage without Reins, or on any of the Horses or Cattle drawing the same; or if any Person or Persons having the Care thereof, or driving the same (not being a Cart or Caravan driven by a Person with Reins, and sitting therein), shall suffer any Horse or Cattle drawing the same to go any Pace faster than a Walk; or shall bait, drive, or worry any Bull or Bear or other Animal with Dogs, or otherwise; or if any Person shall drive any Cattle, or ride or drive any Horse or other Beast within such Part of the said Parish as aforesaid, so furiously as thereby to cause a personal Danger to any one whomsoever; or shall in any of the Streets, Squares, Ways, Lanes, Passages, or public Places within the same Part of the said Parish, or in any Streets, Squares, Ways, Lanes, Passages, or Places, which shall adjoin or be contiguous or near to any that shall be so lighted, watched, or cleansed, shew or expose any Stallion or Stone Horse, or shall expose to sale any Horse or other Beast, or shall ride, drive, or lead the same in any Carriage or otherwise by way of Exercise, or for the Purpose of breaking them in, or drive any Cow for the Purpose of selling Milk; or shall play at the Game of Football or Fives, or any other Games troublesome to the Inhabitants; or shall make any Bonfire, or let off or fire any Crackers, Squibs, or other Fireworks; or shall use a Horn, Trumpet, Wind or other loud Instrument, for the purpose of announcing News, or selling or announcing the Sale or Hire of any Newspapers or other Paper (except *The London Gazette* by the Permission of the Commissioners); or shall suffer his or her Mastiff or Bull Dog to go unmuzzled in any of such Streets, Squares, Ways, Lanes, Passages, or public Places, after Notice given by any Persons whomsoever to the Owner thereof, or any of his or her Servants, to confine the same; or if any Person shall sift, throw, cast, or lay any Ashes (except in the Time of Frost only, and to prevent Accidents), or any Dust, Muck, Dung, Soil, Filth, Rubbish, Refuse of Garden Stuff, Blood, Offal, Carrion, or any other offensive Matter or Thing, in any of the present or future Streets, Squares, Ways, Lanes, Passages, or public Places within the same Part of the said Parish; or shall hang up, place, or expose to sale any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Matter or Thing, on or projecting over the Foot or Carriageway of such Streets, Squares, Ways, Lanes, Passages, or public Places, or so as to obstruct or incommode the Passage of any Person or Carriage therein, or shall commit any other Kind of Obstruction or Annoyance in any Part of any such Squares, Streets, Ways, Lanes, Passages, or public Places aforesaid; and every Person so offending in any of such Cases shall for every such Offence forfeit and pay the Sum of Twenty Shillings; and if any Person or Persons shall kill or slaughter, or singe, scald, dress, or cut up any Animal, either wholly or in part, in any of such Streets, Squares, Ways, Lanes, Alleys, Passages, or public Places within the said Part of the said Parish, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shambles, into the same, or any of them, every Person so offending in any of the Matters aforesaid, shall for every such Offence forfeit and pay the Sum of Forty Shillings: And whereas the said Provision has been found inconvenient; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

XXV. And

XXV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall, upon any of the Footways or Foot Pavements now made, or which shall hereafter be made, within such Part of the Parish of *Walcot* as aforesaid, carry any Sedan Chair not having a Person therein, or shall carry thereon any lighted Flambeau, Link, or Torch, other than for the Purpose of lighting a Sedan Chair having a Person therein, or for the Purpose of lighting the public Lamps, or shall trundle any Hoop thereon, or shall run, drive, or carry thereon any Truck, Wheelbarrow, Handbarrow, empty Wheel Chair, Bier, Horse, or Carriage whatsoever, or roll any Cask or Tub thereon, other than for the necessary loading or unloading thereof, unto, upon, from, or out of any Carriage, Cart, Dray, or Sledge, or wilfully ride, lead, or drive any Horse, Mule, or Ass, or other Beast or Cattle thereon; or shall tie or fasten any Horse or other Beast or Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever, across any of such Footways or Foot Pavements, or rest thereon any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall; or shall wash any Linen, Vegetables, or other Things at any of the public Pumps or Conduits within such Part of the Parish as aforesaid; or shall suffer to be at large any Bull Dog, Mastiff, or other ferocious Dog of any other Species (not being muzzled closely), or permit or suffer any Dog whatsoever to go at large after public Notice given by Order of the said Commissioners, or by Order of any One of His Majesty's Justices of the Peace for the said County of *Somerset*, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness; or shall erect, set up, put, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any way whatever to cause any Impediment or Obstruction in such Footways or Foot Pavements; or shall cause or erect, or continue to use, or suffer to remain thereon, any Scraper or Spur Stone which shall project into, upon, or over any such Footways or Foot Pavements; or shall stand loitering or remaining thereon, using obscene Language, or in any Manner that shall tend to Riot, Disorder, or Tumult, or to obstruct or prevent the free Passage of any such Footways or Foot Pavements, or to annoy any Person or Persons passing or going thereon, or residing in the immediate Neighbourhood; or shall in any of the Streets, Squares, Lanes, Ways, Passages, or public Places now already built, or which may hereafter be made and built, within such Part of the Parish of *Walcot* as aforesaid, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, or make or repair, or wash or cleanse any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot be conveniently removed for that Purpose); or if any Person shall in any manner wilfully prevent any other Person or Persons from passing him or her in any Carriage under his or her Care, or when riding any Horse or Beast, driving any Caravan of any Sort or Kind, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Person; or shall place or erect any Pole or Poles, Line or Lines, projecting from any Window or Windows, Parapet, or other Part of any Dwelling House or other Place, and extending into, over, or across any of such Streets, Squares, Lanes, Ways, Passages, or public Places, or shall suspend or hang thereon any Bed Clothes,
Linen,

For prevent-
ing various
Nuisances.

Linen, Woollen, Wearing Apparel, or any other Thing; or shall wet, slack, or mix any Lime, or wet, mix, or make any Mortar, or shoe, bleed or farry any Horse or other Beast (unless in case of sudden Accident), or clean, dress, drive, or turn loose any Horse or other Beast or Cattle in any of such Streets, Ways, Squares, Lanes, Passages, or public Places; or shall indecently expose himself in bathing or otherwise near to any public Street, Way, or Place; or shall shew or expose any Stallion or Stone Horse (except only in such Places as the said Commissioners shall direct), or shall ride, drive, or lead any Horse or other Beast in any Carriage or otherwise, by way of Exercise in breaking them in, or expose to sale any Horse or other Beast, or drive any Cow for the Purpose of selling Milk, or kill or slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shamble, into the Streets, or any of them; or shall sell, or assist in selling by Auction or public Sale, any Cattle, Goods, Wares, Merchandizes, or Thing or Things whatsoever, without the Leave of the Commissioners for that Purpose first had and obtained; or shall hang up, place, or expose to sale, or cause or permit to be hanged up, placed, or exposed to sale, any Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Matter or Thing, in or upon, or so as to project over or upon the Footways or Carriageways of any such Streets, Squares, Lanes, Ways, Passages, or public Places now already made and built, or which may hereafter be made and built within such Part of the Parish as aforesaid, or beyond the Line, or on the Outside of the Window or Windows of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to sale; or so as to obstruct or incommode the Passage of any Person or Carriage; or shall leave open after Sun-set, or leave defective, or without being properly secured, the Door, Hatchway, or Flap Window, Grate, Stone, Plate, or other Covering giving Light or Air to or securing any Cellar, Coal Hole, Vault, Office, or other underground Room or Apartment, or of any Area, without having placed and kept a sufficient Light to prevent Persons from falling into such Cellars or other underground Rooms or Apartments or Areas; or shall bait, or cause to be baited, any Bull or other Beast or Animal, or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or shall fly any Kites, run Races, or shall hang out any Flower Pot, Basket, Hand Box, or other Thing on the Outside of any Window or House, or upon any Wall or Railing, without securing the same by some safe and secure Guard or Fence, or other Means, so as effectually to prevent the same from falling; or shall play at Football or any other Game, to the Annoyance of any Passenger or Passengers; or shall wilfully break, aid or abet or assist in wilfully breaking any Glass, Window Panes, or Windows, in or belonging to any Dwelling House or Building; or cause, make, or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss, or other Fire-arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Fireworks, or blow any Horn, so as to be an Annoyance to any Person or Persons; or if the Driver of any Waggon, Cart, Sledge, or other Carriage shall, in any Part of the said Parish as aforesaid, ride on the Shafts, or in or upon any Waggon, Cart, Sledge, or other Carriage, without any Reins, or on any of the Horses drawing the same; or if any Person or Persons, when riding any Horse or Beast, or driving

driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or shall beat any Carpet or Mat, or shall occasion any other kind of Obstruction or Annoyance in or upon any of the Streets, Squares, Lanes, Ways, Passages, or public Places already built, or to be hereafter built, within such Part of the Parish as aforesaid, or shall incommode, hinder, or prevent the free Passage of any of such Footways or Foot Pavements, or prejudice or annoy, in any Manner whatsoever, any Person or Persons travelling, passing, or going thereon within the Limits aforesaid, then and in all and every of such Cases, every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lawful to and for any Constable or Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this or the said recited Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said County of *Somerset*, in order to his, her, or their Conviction of such Offence: Provided nevertheless, that nothing herein contained shall extend so as to prevent or hinder any Person or Persons from selling or exposing to sale any Horse, Beast, Cattle, Sheep, or Swine, or placing any Stall, Booth, Stool, Bench, or Form for the Sale of Goods or Wares, or from exposing to sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing, in any Market Place within the Parish aforesaid, or in the usual Place of holding the annual Fairs, on the usual Days of such Markets or Fairs.

XXVI. And be it further enacted, That if any Person shall drive, carry, or draw any Truck, Wheelbarrow, Razor Grinding Machine, or Barrow, Chairman's Horse, or Handbarrow, in any of such Streets, Squares, Lanes, Ways, Passages, or public Places, without having the Name and Place of Abode of the Owner or Owners legibly painted thereon, with White or Black Letters of One Inch in Length respectively, every Person so offending shall forfeit and pay any Sum not exceeding Twenty Shillings.

Preventing
certain An-
noyances in
the Streets.

XXVII. And be it further enacted, That if any Person or Persons shall, in any of the Streets, Squares, Lanes, Ways, Passages, or public Places now made or built, or which shall hereafter be made or built within such Part of the said Parish of *Walcot* as aforesaid, set on any Dogs to fight, or abet and encourage any Dog Fighting, or by any other Means disturb the good Order and public Peace of such Part of the Parish of *Walcot* as aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Preventing
Annoyances.

XXVIII. And be it further enacted, That the said Commissioners shall and may cause to be erected and set up Posts of Wood, Stone, or Iron, in such Part or Parts of all or any of the said Streets, Squares, Ways, Lanes, Passages, and public Places, which are already made and built, or which may hereafter be made and built within such Part of the Parish of *Walcot* aforesaid as they shall judge necessary; and also may set up Posts and Rails, or Iron Chains, for preventing Accidents or Casualties, or for inclosing any of such Streets, Squares, Ways, Lanes, or public Places, during the repairing thereof; and every Tenant or Occupier of any such House or other Building opposite to which such

Commission-
ers may set
up Posts.

Posts of Wood, Stone, Rails, or Chains of Iron shall be so set up, except Houses or Buildings held on Lease granted for any Term of Seven Years or upwards, who shall put up or place any such Posts of Wood, Stone, Rails, or Chains of Iron, or keep the same in repair, shall be entitled to deduct and retain, out of the Rent payable to the Owner or Proprietor, or Owners or Proprietors of such House or Building, so much Money as such Tenant or Occupier shall have expended in putting up or placing, or in keeping in repair, any such Posts of Wood, Stone, Rails, or Chains of Iron; and the Payment of such Expences by any such Tenant or Occupier shall be a sufficient Discharge for him, her, or them, for so much of his, her, or their Rent as the Amount of such Expences shall be equal to, and shall be abated and allowed to him, her, or them by the Owner or Owners, or Proprietor or Proprietors of such House or Building out of such Rent; but in case no Owner or Occupier of such House, Land, or Ground can be found, then it shall be lawful for the said Commissioners to pay the Expences attending the same out of the Rates and Assessments authorized to be collected under the said recited Act; and in case any Person or Persons shall neglect or refuse to set up any such Fence or Railing, for the Space of Ten Days after having received Notice in Writing so to do from the Clerk to the said Commissioners, then it shall be lawful for the said Commissioners to cause the same to be erected and set up, and the Expences thereof shall be paid and recovered from such Person or Persons in the same Manner, and by such Ways and Means as the Expences can or may be recovered of and from any Person or Persons who may neglect and omit to pitch and pave the Foot and Carriageways, as directed by the said recited Act.

For fencing
the Foot-
ways.

XXIX. And whereas there are many of the Footways within such Part of the Parish of *Walcot* as aforesaid, which are raised so high from the Carriageways or Roads thereunto adjoining, that it is dangerous for the Inhabitants and other Persons to pass and repass along and over such Footways; be it therefore further enacted, That it shall be lawful for the said Commissioners, in all Cases where any Footways within such Part of the Parish of *Walcot* as aforesaid are now already made, or may hereafter be made, shall be raised above or sunk below the Carriageways or Roads as aforesaid, to order and direct the respective Owners or Occupiers of Houses, Lands, or Hereditaments, to which such Footways shall or may belong, and be opposite to, or at the Side of, to fence off the same with Iron Rails or Chains, or Posts and Rails of sufficient Height and Strength effectually to protect the Inhabitants and other Persons from Accidents; and the Expences attending the same shall be paid by the respective Occupiers or Owners of such Houses, Lands, or Hereditaments, in manner herein-before directed; and, in case any Person or Persons shall neglect or refuse to set up any such Fence or Railing for the Space of Fourteen Days after having received Notice in Writing so to do from the Clerk to the said Commissioners, then it shall be lawful for the said Commissioners to cause the same so to be erected and set up; and the Expences thereof shall be paid by and recovered from such Person or Persons, in the same Manner, and by such Ways and Means as the Expences can or may be recovered of and from any Person or Persons who may neglect and omit to pitch and pave the Foot and Carriageways, as directed by the said recited Act.

XXX. And

XXX. And be it further enacted, That it shall and may be lawful for the said Commissioners to pull down and remove, or cause to be pulled down and removed, all or any Posts, Rails, Pales, Steps, Walls, or Fences in or near the Streets, Squares, Lanes, Ways, Passages, or public Places within the said Part of the Parish as aforesaid, as they shall judge useless, or to be a Nuisance or Obstruction to Passengers, Horses, or Carriages, and also from Time to Time to cause all or any of the Porches, Porticoes, Sheds, projecting Steps, Doors, Windows, Palisades, Rails, Posts, Fences, Hatchways, Frontsteads, and other Obstructions and Projections whatsoever, and of what Nature or Kind soever, which are already erected, affixed, set up, or being against, or in front of, or belonging to any House or Houses, or other Buildings whatsoever, in any of the Streets, Lanes, Ways, Passages, or public Places within the said Part of the Parish of *Walcot* aforesaid, which in the Judgment of the said Commissioners shall be considered public Annoyances, Inconveniences, or Nuisances, by reason of their projecting into, or encroaching upon, or otherwise obstructing, annoying, endangering, or rendering inconvenient the public Passage, or which shall project beyond a straight Line with the front Area Wall of any such House or Building, and to cause the same to be removed or carried away, or otherwise altered or reformed by the said Commissioners, or any other Person or Persons acting under their Authority, in such Manner as shall be thought most proper and expedient by the said Commissioners, they the said Commissioners first giving Seven Days Notice in Writing under the Hand of their Clerk, by their Order, to the respective Owner or Occupiers of such Houses or other Buildings, of their Intention to take down, fill up, remove, alter, or reform such Obstructions or Projections respectively, and causing as little Damage to be done in effecting every such Removal or Alteration as the Nature of the Case will allow, and also defraying the whole Costs and Charges of executing the same, out of the Funds to be raised by virtue of the said recited Act.

Authorizing
Commis-
sioners to
remove
Obstructions
now existing.

XXXI. And be it further enacted, That the several Occupiers of Houses and other Buildings within the said Part of the Parish of *Walcot* as aforesaid, and every of them, are hereby required, at their own respective Costs and Charges, within Ten Days next after their respectively receiving Notice in Writing in that Behalf, signed by the Clerk to the Commissioners, to cause to be pulled down all and every the Posts, Rails, Pales, Steps, Walls, Fences, Porches, Porticoes, Sheds, projecting Steps, Doors, Windows, Palisades, Hatchways, Frontsteads, and other Obstructions and Projections whatsoever, and of what Nature or Kind soever, which shall in future be erected, set up, or affixed to any House or Houses, or other Buildings whatsoever, in any of the Streets, Squares, Ways, Lanes, Passages, or public Places now already made or built, or which may hereafter be made or built within such Part of the Parish of *Walcot* as aforesaid, which, in the Judgment of the said Commissioners, shall be considered to be public Annoyances, Inconveniences, or Nuisances, by reason of their projecting into, or encroaching upon, or otherwise obstructing, annoying, endangering, or rendering inconvenient the public Passage, or which shall project beyond a straight Line with the front Area Wall of any such House or Building, and to cause the same to be removed and carried away, or otherwise altered or reformed by the said Commissioners,

Authorizing
Commis-
sioners to re-
move future
Obstructions.

or

or any other Person or Persons acting under their Authority; and in case the Occupier of any such House or Building shall neglect or refuse to cause the same to be pulled down, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by some Person or Persons acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace for the said County of *Somerset*, shall and may be recovered from the Occupier of such House or Building, in like Manner as any Penalties or Forfeitures are ordered to be recovered by virtue of this Act, and to be applied for the Purposes of the said recited Act and this Act; and it shall be lawful for the Occupier of any such House or Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered, shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same; and it shall be lawful for the Occupier of any House or Building being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Obstruction or Annoyance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

For reinstating Wall
Fences that
may decay.

XXXII. And whereas there are many Wall-Fences within the Outpart of the Parish of *Walcot* aforesaid, which at Times may decay or fall down, so as to leave the Streets and Places greatly incommoded therefrom; be it therefore further enacted, That whenever any Wall or Fence within the said Part of the Parish of *Walcot* aforesaid shall be in a dangerous State of Decay, or shall fall down, so as in either Case to become incommodious or a Nuisance to the Public, it shall and may be lawful to and for the said Commissioners, from Time to Time, when it shall so happen, to order the Occupier or Occupiers, or Owner or Owners of the House, Land, or Ground to which such Wall or Fence shall belong, to put up, rebuild, and repair the same; and in case any Person or Persons shall neglect to put up, rebuild, or repair such Wall or Fence for the Space of Ten Days after having received Notice in Writing so to do from the Clerk to the said Commissioners, then it shall be lawful for the said Commissioners to cause the same to be erected and set up, and the Expences thereof shall be paid and recovered of such Person and Persons in the same Manner and by such Ways and Means as the Expences can or may be recovered of and from any Person or Persons who may neglect and omit to pitch and pave the Foot and Carriageways, as directed by the said recited Act.

XXXIII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, in such Cases as they shall think proper and expedient, to compound by the Year or otherwise, at their Discretion, with all or any of the Occupiers of Houses or Buildings within the Outpart of the Parish of *Walcot* aforesaid, for relieving the Persons so compounding from the Burthen of sweeping or cleansing of any of the Foot Pavements to which the said Occupiers are liable under the Provisions of the said recited Act, at or for such Sum or Sums of Money as the said Commissioners shall think reasonable in that Behalf, upon Condition nevertheless that such Composition Monies shall always be paid in Advance; and such Composition when so made shall, during the Existence thereof, protect the Occupiers so compounding from incurring any Penalties for neglecting to sweep or clean any of the said Foot Pavements.

Commissioners may compound for sweeping Footpaths.

XXXIV. And be it further enacted, That no Person shall pick or sift any Dirt, Dust, or Ashes, or sift, screen, or slack any Lime, or make Mortar in any Street, Square, Way, Lane, Passage, or public Place already built, or which shall be hereafter made or built within such Part of the Parish of *Walcot* as aforesaid, unless the same shall be properly fenced in and inclosed, so as not to be an Annoyance or Disturbance to the Inhabitants or other Persons passing through the said Streets and Places; and in case any Person or Persons shall be guilty of such Offence, he or they shall forfeit any Sum not exceeding Ten Shillings.

Dust, &c. not to be sifted in the Streets.

XXXV. And be it further enacted, That it shall and may be lawful for the Commissioners to cause all or any of the Streets, Squares, Lanes, Ways, Passages, or public Places within such Part of the Parish of *Walcot* as aforesaid, now already made and built, or which may hereafter be made and built, to be watered when and as often as they shall from Time to Time think fit, and the Charges and Expences thereof shall be paid out of the Monies to be raised and produced by the Rates or Assessments herein-after authorized to be made for that Purpose; and to enable the said Commissioners to water the said Streets, Squares, Ways, Lanes, Passages, and public Places as aforesaid, it shall and may be lawful for them, with Workmen and others, to have free Access to the River *Avon*, or to any public Well, public Spring of Water, or public Pump within the said Part of the Parish of *Walcot* as aforesaid, for that Purpose, and to take and carry away Water therefrom from Time to Time, as Occasion shall or may require.

Streets may be watered.

XXXVI. And be it further enacted, That it shall and may be lawful for the said Commissioners, at any Meeting to be held in the Month of *June* in each and every Year, to make such further and additional Rates or Assessments upon all and every Inhabitant and Inhabitants, Occupier and Occupiers of any House, Land, Ground, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement, or Hereditament whatsoever, within any such Street, Square, Lane, Way, Passage, or public Place, which shall be of the annual Value of Twenty Pounds or upwards, and which shall be watered by virtue of this Act, as may be, in the Opinion of the said Commissioners present at such Meeting, sufficient for defraying the Charges and Expences of providing Water Carts, and watering such Streets, Squares, Lanes, Ways, Passages, and public Places respectively,

Additional Rates for watering Streets:

[Local.]

and all other Charges and Expences relating thereto, so that in any One Year such further or additional Assessment shall not exceed the Sum of Two-pence in the Pound upon or according to the Rack Rent or full annual Value of such Hereditaments and Premises.

But not
without Con-
sent.

XXXVII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to authorize or empower the said Commissioners to rate or assess the Inhabitants or Occupiers of any House, Buildings, or other rateable Property within any Street, Square, Way, Lane, Passage, or public Place within such Part of the Parish of *Walcot* as aforesaid, for watering such Streets, Squares, Lanes, Passages, and public Places, unless a Majority of the Inhabitants or Occupiers of such Houses, Buildings, or Property (such Majority not being less than Two-thirds in Number of the Persons paying Rates within such Square, Street, or Lane), shall have signified and expressed their Wish and Consent in Writing for the same to be watered, and shall have signed their Names to such Writing, and delivered, or caused the same to be delivered, to the said Commissioners, or their Clerk for the Time being.

Rate to be
levied in like
Manner as
former Rates.

XXXVIII. And be it further enacted, That such additional Assessment or Assessments shall be paid to the Collector appointed to receive the other Rates or Assessments under the said recited Act; and shall be made, collected, received, and recovered and levied of and from such Person or Persons, and shall be accounted for and paid over to such Persons, in such and the like Form and Manner, with such Power of Distress, and according to such Rules, Methods, and Directions, as are mentioned and appointed in and by the said recited Act and this Act for making, collecting, receiving, and recovering any other Rates or Assessments.

Repeal of
Provision for
Tenants to
pay Rates.

XXXIX. And whereas it is by the said Act enacted, that if the Tenant or Occupier of any Messuage, House, Warehouse, Shop, Cellar, Building, Garden, Land, Tenement, or Hereditament, upon or in respect of which any Rate or Assessment should be charged by virtue of the said Act, should at any Time neglect or refuse to pay the Rates which shall be rated or assessed, for the Space of Fourteen Days after the same should be due, and Demand made thereof, by Notice in Writing under the Hand or Hands of the Collector or Collectors of the said Rates, to be delivered to such Tenant or Occupier, or left at his Dwelling House, or usual or last Place of Abode, or at the Tenement occupied, then upon Proof thereof upon Oath (or Affirmation being a Quaker), before any Justice of the Peace for the County of *Somerset*, the same should be levied and recovered by Distress and Sale of the Goods and Chattels of every such Tenant or Occupier, by Warrant under the Hand and Seal of any such Justice, rendering the Overplus (if any) after deducting the Sum or Sums due in respect of such Rates, and all Costs and Charges attending the Recovery thereof, to the Owners of such Goods and Chattels upon Demand: And whereas the said Provision has been found inconvenient; be it therefore enacted, That the said Power be, and the same is hereby repealed.

For Recovery
of Rates.

XL. And be it further enacted, That if the Tenant or Occupier of any Messuage, House, Warehouse, Shop, Cellar, Building, Garden, Land, Tenement,

Tenement, or Hereditament, upon or in respect of which any Rate or Assessment shall be charged or imposed by virtue of the said recited Act or this Act, shall at any Time neglect or refuse to pay the Rates or Sums of Money which shall be so rated or assessed as aforesaid, for the Space of Fourteen Days after the same shall be due, and Demand made thereof at the House, Warehouse, Shop, Cellar, Building, Garden, Land, or Tenement in respect of which such Rate shall be payable, then upon Proof thereof upon Oath, or Affirmation (being a Quaker), before any Justice of the Peace for the said County of *Somerset*, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of every such Tenant or Occupier, by Warrant under the Hand and Seal of any such Justice, rendering the Overplus (if any), after deducting the Sum or Sums due in respect of such Rates or Assessments, and all Costs and Charges attending the Recovery thereof, to the Owners of such Goods and Chattels, upon Demand.

XLII. And whereas it may be convenient that such Part of the Parish of *Walcot* as aforesaid, and Places adjacent, should be lighted with Gas; be it therefore enacted, That it shall be lawful for the said Commissioners from Time to Time to contract with any Gas Light Company now or hereafter to be established within the said Parish, or in the Neighbourhood thereof, or with any other Person or Persons, for lighting the said Part of the said Parish with Gas, for any Number of Years or other Time, and upon such Terms and Conditions as the said Commissioners shall from Time to Time think proper.

For lighting
the Parish
with Gas.

XLIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to raise, upon the Mortgage of the Rates, in the Manner directed by the said recited Act, such Sum or Sums of Money as shall be necessary for the Purpose of purchasing and erecting such Lamps, Pillars, and Lamp Posts, as may be found necessary to effect the Lighting with Gas as aforesaid, or otherwise to pay for the same out of the Monies to be raised under the Provisions of the said recited Act.

Commission-
ers may bor-
row Money
for erecting
Lamps, &c.

XLIII. Provided always, and be it further enacted, That if the said Commissioners, or Company, or any Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of such Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be spoiled, fouled, or corrupted, then and in each and every such Case the said Commissioners or Company, or Person or Persons, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*,

Penalty on
Commission-
ers for con-
veying Wash-
ings into any
River, &c.

minster, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than one Imparlance shall be allowed; and the Whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, Canal, or any Reservoir, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid; and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Commissioners or Company, or Person or Persons, and the said Company or Person or Persons shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners or Company, or Person or Persons, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Stopping the
Escape of
Gas.

XLIV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners or Company, or Person or Persons as aforesaid, the said Commissioners or Company, or Person or Persons, shall, at their own Expence, immediately after receiving Notice, by Parol or in Writing, of any such Escape of Gas, from any Inhabitant of the said Part of the said Parish, or any other Person, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners or Company, or Person or Persons, shall not within Twenty-four Hours after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the

the Cause of Complaint, then and in every such Case the said Commissioners or Company, or Person or Persons, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be from Time to Time recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of Somerset, or other Justice or Justices having Jurisdiction, as the Case may require; and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners or Company, or Person or Persons, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions, as are herein directed touching other Penalties to be recovered.

XLV. And be it further enacted, That all and every the Pipes for other Conduits to be laid or used for the Conveyance of Gas, in, under, through, along, across, or round any Street, Square, Market Place, Lane, Passage, or other Place in the said Part of the said Parish, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at least, as well from the nearest Part of any Water Pipe already laid down, or hereafter to be laid down, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Squares, Lanes, Passages, or other Places in the said Part of the said Parish as aforesaid, (unless in Cases where it shall be unavoidably necessary to lay the Pipes for the Conveyance of Gas across any Water Pipes, in which Cases the said Pipes for the Conveyance of Gas shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle); and that in such Cases the said Pipes for the Conveyance of Gas, so crossing the said Water Pipes, shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and that in laying down the said Gas Pipes the Person or Persons to whom the same shall belong shall in no case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom, and from any Part thereof, on pain of forfeiting for every such Offence the Sum of Five Pounds, which shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Gas Pipes to be laid Four Feet from Water Pipes in a particular Manner.

XLVI. And be it further enacted, That whenever the Water of any Company of Proprietors of Water Works shall be contaminated or affected by the Gas of the said Commissioners or Company, or Person or Persons,

To prevent Contamination of Water.

such Company, or Person or Persons, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the Company of Proprietors affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, that then and in every such Case and Cases, the said Commissioners or Company, or Person or Persons, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Manager or Chief Clerk for the Time being of and for such Company, to be left at the usual Office or Place of transacting Business of the said Body Politic or Corporate, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting such Water; and in case the said Commissioners or Company, or Person or Persons, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof Notice shall be given as aforesaid, that then and in every such Case the said Commissioners or Company, or Person or Persons, shall on each and every Complaint, whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being of the Company of Proprietors affected, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners or Company, or Person or Persons; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer of the same Company, before any Justice of the Peace for the said County of *Somerset*, with Costs, to be assessed by such Justice, and to be levied and recovered as any other Penalty is by this Act directed to be levied and recovered; and such Penalty or Penalties, and Costs, when so levied, shall be paid to the Treasurer for the Time being of such Company of Proprietors.

For ascer-
taining if the
Water is con-
taminated.

XLVII. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall and may be lawful to and for any Company of Proprietors of Water Works to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners or Company, or Person or Persons, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners or Company, or Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Commissioners or Company, or Person or Persons, the Costs and Expences of the said Digging, Search, Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners or Company, or Person or Persons; which Costs and Expences shall be ascertained and determined,

mined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners or Company, or Person or Persons, then and in such Case the said Water Company shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners or Company, or Person or Persons, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners or Company, or Person or Persons, in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

XLVIII. Provided also, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent any Person or Persons from proceeding against the said Commissioners or Company, or Person or Persons, in respect of any Works of the said Commissioners or Company, or Person or Persons, 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 Commissioners or Company, or Person or Persons, 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.

Act not to prevent the Company being proceeded against for a Nuisance.

XLIX. Provided always, and be it further enacted, That the Funds of the said Commissioners shall not be applied in or for the making or providing of any of the Buildings, Works, or Conveniences preparatory to lighting such Part of the Parish of *Walcot*, and Places adjacent as aforesaid, with Gas; but that such Funds shall be applicable to the annual Expences of lighting the same only, except as providing Lamps, Pillars, and Lamp Posts as aforesaid.

Funds of the Commissioners not to be applied in lighting with Gas.

L. And be it further enacted, That it shall and may be lawful for any of the said Commissioners, or their Collectors, Surveyors, Beadles, Constables, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Commissioners, Collectors, Surveyors, Beadles, Constables, or other Officers,) who shall commit any Offence or Offences against this Act or the said recited Act, and take him, her, or them, before any Justice or Justices of the Peace for the said County of *Somerset*; and such Justice or Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act and the said recited Act.

Power to detain Offenders.

LI. And be it further enacted, That so much of the said recited Act as prescribes the Mode of levying and recovering any Penalties and Forfeitures to be incurred or imposed under the said Act, and the Application

Repeal of Clause for Recovery of Penalties.

tion thereof, shall be and the same is hereby repealed; except such Penalties as may be imposed on any Owner or Driver of any Hackney Coach, or the Carrier of any Sedan Chair, or any Porter, Basket Man, or Basket Woman, for the Recovery of which a particular Provision is made in the said recited Act.

Recovery and
Application
of Penalties.

LII. And be it further enacted, That all Offences whatsoever which, by virtue or under the Authority of this Act or the said recited Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act or the said recited Act, are or shall be punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, (except such Penalties as may be imposed on any Owner or Driver of any Hackney Coach, or the Carrier of any Sedan Chair, or any Porter, Basket Man, or Basket Woman, for the Recovery of which a particular Provision is made in the said recited Act), shall and may in every Case be heard, adjudged, and determined by and before any One or more Justice or Justices of the Peace for the said County of *Somerset*, in a summary Way, upon Information or Complaint made and exhibited in Writing, (and which shall in every Case be made and exhibited within Six Calendar Months at the furthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid, the said Justice or Justices shall examine into the Matter thereof; and if, upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, or being a Quaker, upon his or her Affirmation, the said Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties made payable by the said recited Act or this Act in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the said Penalty or Penalties shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any Justice or Justices (which he or they is and are hereby empowered and required to grant) be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods or Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any) to the Party or Parties whose Goods or Chattels shall be so distrained; One Moiety of all which Penalties, not directed to be otherwise applied, shall be paid to the Informer, and the other Moiety shall be paid to the Poor of the said Parish of *Walcot*; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices, for his or their Appearance or Appearances before the said Justice or Justices, on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered

to

to take, by way of Recognizance, or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the House of Correction for the said County of *Somerset*, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties; and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

LIII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time and at all Times hereafter, to compound and agree with any Persons against whom such Commissioners shall bring or cause to be brought any Action or Actions, Suit or Suits, for any Penalty or Penalties contained in any Contract or Contracts, Bond or Bonds, or other Security or Securities, made and entered into in pursuance of this or the said recited Act, or on account of any Breach or Non-performance of any such Contract or Contracts, Bond or Bonds, or other Security or Securities, for such Sum or Sums of Money as they shall think proper.

Commissioners may compound for Penalties.

LIV. And be it further enacted, That all and every the Commissioners named in or appointed by virtue of the said recited Act or this Act, or to be hereafter appointed in pursuance thereof, shall from Time to Time, and at all Times hereafter, be fully indemnified, from and out of the Monies to be raised under the said recited Act and this Act, of and from all Costs, Charges, Damages, and Expences, which they or any of them, or their Treasurer or Clerk, shall and may sustain or be put unto for or by reason of any Action, Suit, or other Proceedings which may be had, sued, commenced, or prosecuted against them, any or either of them, for any Matter or Thing which may be by them, or either of them respectively, legally done in or about the Execution of the said recited Act and this Act.

Commissioners indemnified.

LV. And be it further enacted, That in all Cases where it may be requisite to make any Complaint in Writing, or serve any Notice on the Commissioners, or their Clerk or Surveyor, it shall be sufficient to leave such Complaint or Notice at the Office of the said Commissioners for the Time being:

Service of Notice on Commissioners.

LVI. And be it further enacted, That so much of the said recited Act as directs that all Actions and Suits shall be laid and tried in the County

Repeal of Provision for Actions to be

[Local.]

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of

tried in the
County of
Somerset.

Limitation
of Actions.

of *Somerset*, and not in any other County or Place, shall be and the same is hereby repealed.

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

Paying Ex-
pences of
this Act.

LVIII. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, shall be paid and discharged by the Commissioners, out of any Monies raised by virtue of the said recited Act, and now in their Hands, or in the Hands of their Treasurer, or out of any Monies hereafter to be received and collected by virtue of the said recited Act and this Act.

LIX. And

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

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