



ANNO SECUNDO

VICTORIÆ REGINÆ.

Cap. xxxvii.

An Act for granting further Powers to the Company of Proprietors of the *Parrett* Navigation.
[14th June 1839.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for improving the Navigation of a Portion of the River Parrett, and for making a navigable Canal from the said River to Barrington, all in the County of Somerset*: And whereas for the Purpose of completing the principal collateral Drain of the full Width of Twenty-five Feet as by the said Act directed to be made, for preventing Injury to the Owners of the Land adjacent to the said Navigation, in consequence of the said Company pounding the Waters of the said River *Parrett* by closing their Locks and Flood Gates, it is expedient that the Company by the said Act incorporated should be empowered to widen, divert, alter, and enlarge an old existing Cut or Channel, commencing at or near *Watley* in the Parish of *Langport* otherwise *Langport Eastover*, and terminating by a Junction with the said River *Parrett* near *Langport Moor* within the said Parish: And whereas by the said Act the said Company were empowered to raise and contribute amongst themselves, for making and completing the Works by such Act authorized, the Sum of Ten thousand five hundred Pounds, and to

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borrow and take up at Interest any Sum of Money not exceeding Three thousand three hundred Pounds, by way of Mortgage on the Credit of the said Undertaking: And whereas the said Company have raised and expended the said Sums of Ten thousand five hundred Pounds and Three thousand three hundred Pounds, and have made great Progress in the Execution of the said Act, and have opened Part of the Navigation for the Use of the Public: And whereas the Works by the said recited Act authorized and directed to be made have been attended with greater Expence than the same were estimated at; and for the Purpose of completing the same, and also for widening, diverting, altering, and enlarging the said Cut or Channel, it is expedient that the said Company should be empowered to raise a further Sum of Money in addition to the said Sums before mentioned, and it is also expedient that the Tolls, Rates, or Duties by the said Act granted and authorized to be collected should be altered and increased, and that some of the Powers and Provisions of the said recited Act should be altered, amended, and enlarged; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 all the Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained in the said recited Act (except such of them or such Parts thereof respectively as are by this Act repealed, altered, or otherwise provided for,) shall extend and be construed to extend to this Act, and to the several Works and Things hereby authorized or required to be made and done, and shall operate and be in force in respect to the Purposes and Objects of this Act, and of the said recited Act as altered and amended by this Act, as fully and effectually to all Intents and Purposes whatsoever as if the same Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things were repeated and re-enacted in this Act.

Powers of recited Act extended to this Act.

Empowering Company to widen the old Cut or Channel.

II. And be it further enacted, That it shall be lawful for the said Company to widen, divert, alter, and enlarge the said old existing Cut or Channel commencing at or near *Watley* in the Parish of *Langport* otherwise *Langport Eastover* in the County of *Somerset*, and terminating by a Junction with the River *Parrett* near *Langport Moor* in the said Parish of *Langport* otherwise *Langport Eastover*, upon, across, or over the Lands delineated on the Plan and described in the Book of Reference deposited at the Office of the Clerk of the Peace for the County of *Somerset*: Provided always, that no Diversion or Alteration of the Line shall extend to a greater Distance than Ten Yards from the Line of the said Cut or Channel delineated on the said Plan, nor shall any such Diversion, Alteration, or Enlargement extend into any Lands not described on the said Plan, nor into the Property of any Person whose Name is not mentioned in the said Book of Reference, unless the Name of such Person shall have been omitted by Mistake, and unless the Fact of such Omission having

having proceeded from Mistake shall have been certified in manner herein-after provided: Provided also, that it shall not be lawful for any Person to navigate on the said Cut or Channel, or any other Cut, Channel, or Watercourse hereby or by the said recited Act authorized to be made for the Purpose of Drainage, any Barge or other Vessel containing any Articles or other Things which, if navigated on the said River *Parrett*, would be liable to any of the Rates, Tolls, or Duties hereby granted.

III. And whereas a Plan and Section describing the Line of the said existing Cut or Channel, and the Lands intended to be taken for widening, diverting, altering, and enlarging the same, together with a Book of Reference containing the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Somerset*; be it therefore enacted, That the said Plan, Section, and Book of Reference shall remain with and be kept by the said Clerk of the Peace, and all Persons interested in any Manner in such Lands shall have Liberty at all reasonable Times to inspect and to make Extracts from or Copies of the said Plan, Section, and Book of Reference, paying to the said Clerk of the Peace for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Plan, Section, and Book of Reference so deposited with the said Clerk of the Peace, or true Copies thereof, or of so much thereof respectively as shall relate to any Matter which may be in question, certified by the said Clerk of the Peace, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Plan deposited with the Clerk of the Peace to remain there, and be open to Inspection.

IV. And be it further enacted, That nothing herein contained shall authorize the said Company, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-eight, or any Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, other than and except such as are specified in the Schedule to this Act annexed, without the Consent in Writing of the Owner and Occupier thereof respectively.

Houses and Gardens not to be used unless specified in the Schedule.

V. Provided always, and be it further enacted, That it shall be lawful for the said Company to widen, divert, alter, and enlarge the said Cut or Channel in the Line or Course, and upon, across, or over the Lands delineated on the said Plan, although such Lands, or any of them, or the Situation thereof respectively, or the Names of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in the Schedule to this Act annexed, or in the said Book of Reference, if it shall appear to any Two or more Justices of the Peace for the said County of *Somerset* in Petty Sessions assembled, (in case of Dispute about the same,) and be certified by Writing under their Hands, that such Omission,

Unintentional Errors in Schedule, Plan, or Book of Reference not to prevent the Execution of the Act.

Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the said Clerk of the Peace for the said County of *Somerset*.

Limiting
Period for
purchasing
Lands under
this Act.

VI. And be it further enacted, That unless the said Company shall within the Space of Three Years, to be computed from the passing of this Act, purchase and pay for the Lands which they are by this Act empowered to take or use for the Purpose of widening, diverting, altering, and enlarging the Cut or Channel, the Powers hereby granted to them for taking or using any such Lands shall, after the said Period of Three Years, cease and be utterly void, save and except with the Consent in Writing of the Owners and Occupiers thereof respectively.

If Cut or
Channel not
completed
within limited
Time, Powers
to cease,
except as to
so much as
may be com-
pleted.

VII. And be it further enacted, That if the said Works by this Act authorized shall not have been made and completed within the Period of Five Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Five Years all the Powers, Authorities, and Privileges given by this Act for widening, diverting, altering, and enlarging the said Cut or Channel shall cease and determine, save only and except as to so much thereof as shall have been declared and certified to be completed before the Expiration of the said Period, by the Justices of the Peace of the said County of *Somerset* in Quarter Sessions assembled, at any Time before the Expiration of the said Term of Five Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of Two or more credible Witnesses, to be produced before such Justices for that Purpose.

Lands bought
of any Person
or Corpora-
tion under
any Disabili-
ty to be
valued by a
Surveyor.

VIII. Provided always, and be it further enacted, That the Consideration Money to be paid for any Lands, Tenements, or Hereditaments required for the Purposes of this Act to be purchased from or conveyed by any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, under any Disability or Incapacity, as in the said recited Act is mentioned, and not having Power to sell, except under the Provisions therein contained, and the Compensation Money to be paid for any permanent Damage or Injury to such Land, shall not be less than shall be determined by the Verdict of a Jury, or by such able practical Surveyor as any Two Justices acting for the County of *Somerset* shall for that Purpose nominate; and such Surveyor shall annex to his Survey, Estimate, or Valuation, when completed, a Declaration of the Correctness thereof, in the Form, or as near thereto as the Circumstances of the Case will admit, prescribed in the Schedule of an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth for the Suppression of voluntary and extrajudicial Oaths and Affidavits.

Special Jury
to be sum-
moned if re-
quired.

IX. And be it further enacted, That in all Cases of Controversy between the said Company and any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, where by the said recited Act a Jury is authorized or directed to be summoned, it shall be lawful for the said Company, or for the Person or Persons, Body or
Bodies

Bodies Politic, Corporate, or Collegiate, with whom any such Controversy shall arise, and they are hereby empowered, if they think proper so to do, to require the Sheriff or Under Sheriff of the said County of *Somerset* to summon the Party with whom such Controversy shall arise, or the Company, to appear by himself or themselves, or by his or their Attorney, before the said Sheriff or Under Sheriff, at such convenient Place and Time as such Sheriff or Under Sheriff shall appoint, for the Purpose of nominating a Special Jury between the said Parties, which Requisition to the said Sheriff or Under Sheriff shall be served on such Sheriff or Under Sheriff a reasonable Time before the Time appointed for taking such Inquiry; and such Sheriff or his Under Sheriff, or his Agent, shall and he is hereby required to give Three Days Notice of such Time and Place to each Party, or his or their Attorney or Agent, and to produce or cause to be produced, at the Place and Time so appointed, the Jurors Book and the Special Jurors List, and the Numbers, written on Parchment or Card, as specified and directed in and by the Statute made and passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relative to Jurors and Juries*; and at the Place and Time so appointed the said Sheriff or his Under Sheriff, or some Person duly appointed by them or One of them, shall proceed to nominate or strike a Special Jury in the Manner specified and authorized by the last-mentioned Act to be performed by the proper Officers of Her Majesty's Courts of Record at *Westminster*; and the said Sheriff or Under Sheriff, or some Person duly appointed by them or any of them as aforesaid, shall at some then future reasonable Time and Place, to be appointed by him in that Behalf, proceed to reduce the said Special Jury in the Manner used and accustomed to be performed by the proper Officers of the Superior Courts aforesaid, of which last-mentioned Time and Place not less than Seven Days Notice in Writing shall be given by the Party requiring such Special Jury to be summoned to the said other Party; and the Special Jurymen to be summoned, impannelled, and returned by the said Sheriff or Under Sheriff shall be subject to all and the same Fines and Penalties for Non-attendance, and to all such and the same Provisions, as Jurymen are, by the said recited Act relating to the said Navigation, rendered subject to: Provided always, that nothing herein contained shall be construed to prevent the same Special Jury from trying any Number of Inquiries, so as the Parties to such Inquiries respectively, or their Attornies, shall have signified their Assent in Writing to the Nomination of such Special Jury for the Trial of their respective Inquiries, nor shall any Special Jurymen be summoned more than once in the same Year for the Trial of any Inquiries under this Act: Provided also, that if a sufficient Number of Special Jurymen shall not attend at the Time and Place of holding the Inquiry, the Sheriff, Under Sheriff, Coroner, or other Person presiding thereat shall, on the Request of either of the Parties to such Inquiry, add to the List of such Special Jury the Names of any Bystanders qualified to act as Jurymen for the County in which the Inquiry is held; and all Persons shall have their lawful Challenges against the Jurymen so added; and the said Sheriff, Under Sheriff, Coroner, or other Person shall and may proceed in the said Inquiry with the Jurors so added, in like

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Manner as he might have done if all the Persons summoned to attend as Jurymen on such Inquiry had attended thereat.

Company not to be entitled to Land in Payment of Compensation for Damages only.

X. And be it further enacted, That, notwithstanding any thing in the said recited Act contained, it shall not be lawful for the said Company to take permanent Possession of any Lands, Tenements, or Hereditaments upon, nor shall the Fee of any Lands vest in the said Company by the mere Payment of Compensation for Damages, without Payment also of the Value of such Lands, Tenements, or Hereditaments as agreed upon or awarded in pursuance of the said recited Act or of this Act.

Power to raise additional Sum of Money by Subscription.

XI. And be it further enacted, That it shall be lawful for the Company to raise and contribute, amongst themselves, or by the Admission of new Subscribers, in addition to the Sums of Money which they have so already raised and borrowed as aforesaid under and by virtue of the said recited Act, any further Sum or Sums of Money, not exceeding in the whole the Sum of Fifteen thousand Pounds, in such Proportions as they shall think fit, and for that Purpose to issue such and so many Shares of Fifty Pounds each, and to demand such Price for the same, as the said Company shall think expedient; and the said Company are hereby authorized to fix the Amount of the Calls upon such Shares, and the Time or Times when the same shall be made; and such new or additional Shares so to be created by virtue of this Act shall or may be transferred or assigned from Time to Time, and shall and may be forfeited for Nonpayment of the Calls made thereon, in such and the same Manner as is provided in and by the said recited Act with regard to the Calls made on the Shares therein mentioned or referred to; and all Persons, Bodies Politic, Corporate, and Collegiate, and Parties whomsoever, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more of the said new or additional Share or Shares, and shall pay such Sum or Sums of Money as shall be fixed by the said Company as the Price of any Share or Shares, shall respectively be entitled to and receive such proportional Part and Parts of the Profits and Advantages that shall and may arise and accrue from the said Undertaking, and have a Vote or Votes in respect of the same at all Meetings of the said Company of Proprietors to be held in pursuance of the said recited Act, with Power and Authority to appoint a Proxy or Proxies in his, her, or their Room or Stead, in such Way and Manner, and to the same Extent, to all Intents and Purposes, as is and are enacted and provided in and by the same Act with regard to the present or old or original Subscribers to and Proprietors of the said Undertaking.

Power to raise a further Sum by Mortgage.

XII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, after the whole of the said Sum of Fifteen thousand Pounds shall have been subscribed for, and after One Half of the whole of the Capital of the said Company shall have been paid up, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Five thousand Pounds, in such Proportions as they shall think reasonable, either in anticipation or in addition to the said Sum of
Fifteen

Fifteen thousand Pounds hereby authorized to be raised by Shares as aforesaid, but until One Half of the whole Capital of the said Company shall be so paid up as aforesaid it shall not be lawful for the said Company to raise such Sum of Money by Mortgage in anticipation of such Capital; and the said Company are hereby empowered from Time to Time to mortgage and assign the Property of the said Undertaking, and the Rates, Tolls, or Duties arising or to arise by virtue of the said recited Act and of this Act, or any Part thereof, under the Common Seal of the said Company, as a Security for any Money so to be borrowed, with Interest thereon at such legal Rate as may from Time to Time be agreed upon, to such Person or Persons, or to his or their Trustee or Trustees, as shall advance the same respectively, in the like Manner and Form, and with, under, and subject to the like Provisions, Powers, Remedies, Directions, and Regulations, as are in the said recited Act contained concerning the borrowing of the Money, or securing or recovering the same or the Interest thereof; and the several Persons to whom any Security shall be made under the Authority of this Act shall be equally entitled one with another to the Rates and Premises thereby conveyed and assigned, in proportion to the Sum of Money for which such Security shall be executed, without any Preference by reason of the Priority in Date of any such Mortgage, or otherwise howsoever: Provided always, that any Mortgage already made by the said Company in pursuance of the said recited Act, or any Assignment thereof, shall have Priority over and shall precede all other Mortgages or Securities of the same Rates, Tolls, Duties, and Property to be granted under the Provisions of this Act.

XIII. And be it further enacted, That in case the said Company, instead of borrowing such further or additional Sum as aforesaid by way of Mortgage, or continuing the same on Mortgage, shall think it advisable to raise such further or additional Sum, or any Part thereof, by way of Augmentation of their Capital Stock, or shall deem it expedient to borrow or continue at Interest only a Part of the said further or additional Sum by way of Mortgage, and to raise the Remainder thereof, or any Part thereof, or any Part of the Remainder, by way of Augmentation of their Capital Stock, then and in either of the said Cases it shall be lawful for the said Company, by the issuing of new Shares in the Manner herein-before directed, to augment their Capital Stock by any further Sum or Sums of Money, so as such augmented Capital, together with any Sum of Money that may be borrowed and continued at Interest by way of Mortgage as aforesaid, shall not exceed in the whole Twenty thousand Pounds hereby authorized to be raised by Shares and by Mortgage as aforesaid; and all such further and additional Capital Stock shall be considered as Part of the general Capital Stock of the said Company, and shall be under and subject to the same Provisions, Regulations, Directions, and Management, in all respects and to all Intents and Purposes, as if the same had been Part of the original Capital Stock of the said Company.

Power to increase the Capital Stock by raising additional Shares.

XIV. And be it further enacted, That in lieu of the Rates, Tolls, or Duties by the said recited Act authorized to be demanded, recovered, and received, it shall be lawful for the said Company from Time

Power to take additional Rates of Tonnage

Time to Time and at all Times to ask, demand, take, recover, and receive, in respect of the Transit or Conveyance on the several Portions of the said improved Navigation, and on the said new Canal and Cut, or the different Parts thereof, any such Sum or Sums of Money as shall be from Time to Time fixed by the said Company, not exceeding the several Rates, Tolls, or Duties herein-after mentioned; (that is to say,)

For all Articles (except Stone) carried on the whole of that Portion of the River *Parrett* which lies between *Stanmoor Bridge* and the Lock erected by the said Company just below *Langport Bridge*, or Two Miles thereof, the Sum of Four-pence *per Ton*; and for Articles (except Stone) carried less than Two Miles on such Portion of the said River; the Sum of One Penny *per Ton per Mile*:

For all Articles (except Stone) carried through or under *Langport Bridge* aforesaid, the Sum of One Penny *per Ton* for the Transit through or under such Bridge only:

For all Articles (except Stone) carried on the River *Parrett* above *Langport Bridge*, the Sum of One Penny Halfpenny *per Ton per Mile*:

For all Articles (except Stone) carried on any Part of the said Canal leading from the River *Parrett* to *Barrington*, the Sum of Two-pence *per Ton per Mile*:

And for Stone carried on the said River or Canal for the respective Distances aforesaid, or through or under the said Bridge, One Half of the above Rates of Tonnage:

Provided nevertheless, that no Tolls shall be payable for any Goods carried on the River *Parrett* above *Langport*, unless they shall be carried more than One Mile above *Langport Bridge* on the said River.

Repeal of
Clause in
recited Act
as to re-
building
Langport
Bridge.

XV. And whereas by the said recited Act it was provided and enacted, that if at any Time thereafter the said Company should pull down and rebuild *Langport Bridge* over the said River *Parrett* the said Company should and might, in case the Sum expended by them should amount to the Sum of One thousand Pounds, but not otherwise, levy One Half of the Sum so expended by them by extra Tolls on all Goods, Wares, and Merchandize which might be carried to, through, above, or beyond such Bridge, or which might be landed within Four hundred Yards of the same, such extra Tolls to commence within One Year after the Completion of such Bridge, and not to exceed Ten-pence *per Ton*, and if such Tolls should be charged at a higher Rate than Five-pence *per Ton* the same should not be levied more than One Year, and in no Case should such extra Tolls be levied more than Two Years in the whole: And whereas it is expedient that the same Provision and Enactment should be repealed, and other Provisions made in lieu thereof; be it therefore enacted, That such Provision and Enactment shall be and the same is hereby declared to be repealed.

If *Langport*
Bridge be re-
built by the
Company
they may levy

XVI. And be it further enacted, That in case the said Company shall pull down the said *Langport Bridge*, and rebuild the same in a good and substantial Manner, with a Waterway of not less than Ninety Feet, in not more than Three Arches, and shall deepen the

Bed of such Arches at least One Foot, so as to allow a more free and easy Passage of the Water, and shall rebuild such Bridge so as to give a Carriageway Nineteen Feet wide, and a Footway Five Feet wide at the least between the Guard Walls thereof, then and in such Case the said Company shall and may levy and raise all such Sum and Sums of Money so expended by them, in pulling down and rebuilding the said Bridge as aforesaid, and in making the Approaches thereto, by such extra Tolls as they shall think proper, not exceeding Ten-pence *per* Ton on all Goods, Wares, and Merchandize which may be carried to, through, above, or beyond such Bridge, or which may be landed above the *Stanmoor* Flood-gates; such extra Tolls to commence upon the Completion of such Bridge: Provided always, that it shall not be lawful for the said Company to collect or receive by means of such extra Tolls more than the Sum of Three thousand Pounds, over and beyond the Compensation (if any) which may be paid for the Removal of a certain Railway or Tramroad now existing under the said Bridge: Provided further, that after the Completion of the said Bridge the said Company shall at all Times thenceforth, at their own Costs and Charges, keep the same Bridge and the Roadway over the same in good and sufficient Repair.

additional
Tolls upon
Goods pass-
ing through
the Bridge.

XVII. And be it further enacted, That, subject to the Provisions in the said recited Act contained as to Wharfs, the said Company shall and they are hereby required, immediately after the passing of this Act, and at all Times thereafter, to find and provide for the Merchants and other Persons navigating the said Canal a Wharf and Landing Place at the Extremity of the said Canal at *Newport* within the Parish of *Barrington*, next adjoining to and of equal Size with the Wharf of Mr. *Henry Lovibond*, for the Deposit or Lodgment of Goods, Wares, Merchandize, Commodities, Articles, Matters, and Things to be carried on the said Canal, with a good and sufficient Roadway thereto.

Company to
provide a
Wharf at the
Extremity of
the Canal.

XVIII. And be it further enacted, That the said Company shall and they are hereby required to cause an annual Account in Abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied under or by virtue of this or the said recited Act, for every Year under the several distinct Heads of Receipts and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the said Committee of Management, or of the Auditors of the said Account; and the said Company shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Somerset*, on or before the First Day of *January* in each Year; which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Company shall omit or neglect to prepare and transmit, or cause to be prepared and transmitted, such Account as aforesaid, they shall forfeit and pay for every such Omission and Neglect the Sum of Twenty Pounds.

Annual Ac-
count to be
made up, and
a Copy trans-
mitted to
Clerk of the
Peace.

Profits not to
exceed 2l. 10s.
per Share per
Annum.

XIX. Provided always, and be it further enacted, That the Dividends on the clear Profits to be received by the said Company of Proprietors from the said Undertaking shall never exceed Two Pounds and Ten Shillings *per Annum* upon each Share of Fifty Pounds, unless a larger Dividend shall at any Time be necessary to make up a Deficiency of any Dividend not previously declared, or of any previous Dividend when such previous Dividend shall have fallen short of Two Pounds and Ten Shillings *per Annum* upon each Share of Fifty Pounds subscribed for the Purpose of the said Undertaking, such Dividends being computed from the Time of passing the said recited Act; and if the clear Profits of the said Undertaking shall at any Time amount to a larger Sum of Money than shall be sufficient to make a Distribution amongst the said Proprietors of Two Pounds and Ten Shillings *per Annum* upon every such Share, such Per-centage to be computed and take place from the Time of passing the said recited Act, then and in such Case the Excess or Surplus which shall be more than sufficient for the Purposes aforesaid shall from Time to Time be placed in the Hands of such Persons, or on such Government or other Security, to answer any Deficiencies that may happen in the next or any succeeding Year, as the said Company shall for that Purpose order or direct, until such Excess or Surplus shall amount to the Sum of One thousand Pounds; and the Interest or Dividends of such Sum so to be invested shall be paid and applied in like Manner as the Money to be received by or for the Use of the said Company by virtue of this or the said recited Act is to be paid or applied; and when by any such annual Account as is herein directed to be prepared it shall appear that there is a surplus Profit from the said Undertaking to the Amount of One thousand Pounds or more, after paying a Dividend of Two Pounds and Ten Shillings *per Annum* upon every Share of Fifty Pounds in the said Joint Stock, then and in every such Case the said Company shall and they are hereby authorized and required, within the Space of One Calendar Month thereafter, to make a rateable Reduction in the said Rates, Tolls, or Duties hereby granted; and if after any such Reduction as aforesaid the said Sum of One thousand Pounds, the Excess or Surplus of the said Capital or Joint Stock of the said Company, shall be reduced to a less Sum than Five hundred Pounds, then and in every such Case it shall be lawful for the said Company to make a rateable Increase in the said Rates, Tolls, and Duties, to such an Amount as they may think proper, but not exceeding the Amount of the several Rates, Tolls, and Duties herein specified; and if the said surplus Profit shall again amount to the said Sum of One thousand Pounds, the said Company are hereby required again in like Manner to reduce such Rates, Tolls, or Duties; and if the said Fund should again be reduced to a less Sum than Five hundred Pounds, they may again raise the same in manner herein mentioned, and so *toties quoties* as often as those Events shall happen.

Expences of
Act.

XX. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the preparing, applying for, obtaining, and passing this Act shall be defrayed and paid out of
the

the Funds of the said Company in preference to all other Payments whatsoever.

XXI. And be it further enacted, That this Act shall be deemed Public Act. and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The SCHEDULE to which the foregoing Act refers.

Description of Property.	Owner or reputed Owner.	Occupier.
Dwelling House, Bakehouse, Outhouses, Garden, and Orchard.	George Cable - -	John Cable, George Cable, and George Bennett.
Dwelling House, Outhouse, and Garden.	John Betty - -	John Betty.
Dwelling Houses, Outhouses, and Garden.	Messrs. Jillard and Company.	Charity Robbins and William Paul.
Garden - - -	Portreeve and Commonalty of the Borough of Langport Eastover.	James Blake.
Garden - - -	Vincent Stuckey -	Edward Bagehot.
Dwelling House - -	Betty Cozens - -	Betty Cozens and George Honeyball.

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