ANNO TRICESIMO QUARTO

Georgii III. Regis.

CAP. CV.

An Act for building a new Bridge over the River *Parrett*, within the Borough of *Bridgwater*, in the County of *Somerset*; and for repairing, maintaining, and extending the Quays, in the Port of *Bridgwater* aforesaid; for abolishing the ancient and accustomed Duties, and for imposing certain new Duties at the Port of *Bridgwater* aforesaid instead thereof; for regulating the Moorings and Stations of Ships and Vessels in the said Port; and for imposing a certain Toll on Horses, Carriages, and Cattle.

[23d *May* 1794.]

WHEREAS the Way or Passage over the Bridge across the River *Parrett*, within the Borough of *Bridgwater*, in the County of *Somerset*, is very narrow, incommodious, and dangerous to Passengers, Carriages, and Cattle, passing over the same; and the said Bridge is very ancient, in want of Repair, and so constructed that the Navigation of the said River is rendered very inconvenient and dangerous: And whereas the Quays within the Port of the said Borough are much out of Repair, and it is necessary that a new Bridge should be erected instead Preamble.

inſtead of the ſaid Bridge now ſtanding, and that the ſaid Quays ſhould be effectually repaired, extended, and amended: And whereas Difficulties and Inconveniencies have frequently occurred to the Maſters or Commanders of Ships and Veſſels reſorting to the Port aforeſaid, for Want of proper and ſufficient Authorities and Powers in the Water Bailiff of the ſaid Borough to regulate and controul the Mooring, Births, Stations, and Situations, of ſuch Ships and Veſſels: And whereas the old and accuſtomed Dues, Duties, and Cuſtoms, heretofore paid or payable, or claimed ſo to be, to the ſaid Mayor, Aldermen, and Burgeſſes, for the Purpoſe of repairing the ſaid Bridge and Quays, are complicated and difficult to be aſcertained and collected, and are by no Means ſufficient for the Purpoſes aforeſaid; in conſequence whereof the ſaid Mayor, Aldermen, and Burgeſſes, have conſented and agreed to give up all Claim to the ſaid old Dues, Duties, and Cuſtoms, and every Part thereof, in Conſideration that the Duties or Impoſts herein-after laid and impoſed, ſhall be paid and payable for the Purpoſes herein-after mentioned: And whereas the Duties or Impoſts laſt aforeſaid, will not be ſufficient for the building a new Bridge, and as ſuch intended new Bridge will be a great Convenience and Accommodation to Travellers, Paſſengers, Carriages, and Cattle, a Toll on Travellers, Paſſengers, Carriages, and Cattle, is propoſed to be laid for the Purpoſes aforeſaid: And whereas the old Dues, Duties, and Cuſtoms, cannot be aboliſhed, and new ones impoſed in Lieu thereof, nor a Toll impoſed, nor the ſaid new Bridge built, nor any other of the above Purpoſes effected, without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, it ſhall and may be lawful for the ſaid Mayor, Aldermen, and Burgeſſes, and their Succeſſors, in Common Council aſſembled, and they are hereby required to cauſe a new and commodious Bridge to be erected on or near to the Scite of the ſaid Bridge now ſtanding, and to cauſe to be taken down the ſaid Bridge now ſtanding, and all and any Part of the Buildings or Erections mentioned or comprized in the Schedule hereunto annexed, and to lay open the Ground on which ſuch laſt-mentioned Buildings or Erections now ſtand, and alſo to repair, improve, and extend, the ſaid Quays, and from Time to Time and at all Times to maintain and ſupport ſuch new Bridge and Quays, ſubject to the Regulations of the Court of Quarter Seſſions of the ſaid County of *Somerſet*, as herein-after ſet forth; and that for the Purpoſes aforeſaid it ſhall be lawful for the ſaid Mayor, Aldermen, and Burgeſſes, in Common Council aſſembled, within Four Years from the Twenty-fourth Day of *June* in the Year of our Lord One thouſand ſeven hundred and ninety-four, to treat, contract, and agree, with the ſeveral Owners of and Perſons intereſted in the Meſſuages, Buildings, Lands, and Tenements, mentioned and deſcribed in the ſaid Schedule hereunto annexed, for the Purchaſe thereof, or of ſuch and ſo many thereof as they ſhall think neceſſary for the Purpoſes of this Act; and it ſhall be lawful for all Perſons whomſoever, who are or ſhall be poſſeſſed of or intereſted in the ſaid Premiſes, or any of them, to treat, contract, and agree, with the ſaid Mayor, Aldermen, and Burgeſſes, or the major Part of them, in Common Council aſſembled, or with any Perſon

The Mayor, Aldermen, and Burgeſſes, to build the new and pull down the old Bridge, and repair the Quays, and for that Purpoſe to purchaſe and take down the Buildings, *&c.* mentioned in the Schedule.

Incapacitated Perſons empowered to ſell the Premiſes, and if they and the

Perſon or Perſons employed by them for that Purpoſe, for the Sale and Conveyance of the Premiſes aforeſaid, or of their reſpective Rights and Intereſts therein; and all ſuch Contracts, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes, and all ſuch Perſons as aforeſaid ſhall be and are hereby indemnified for what they ſhall do by virtue of this Act; and that, in caſe the Owners and Proprietors of or Perſons intereſted in ſuch Meſſuages, Buildings, Lands, and Tenements, or any or either of them, upon Notice to him, her, or them given, or left in Writing at the uſual Place of Abode of ſuch Perſon or Perſons, or at the Houſe of the Tenant in Poſſeſſion of the Premiſes wanted for the Purpoſes of this Act, ſhall, for the Space of Twenty-one Days next after ſuch Notice given or left, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by Reaſon of Abſence ſhall be prevented from treating, then and in every ſuch Caſe it ſhall be lawful to and for the ſaid Mayor for the Time being, or either of the ſaid Aldermen, to iſſue his Warrant to the Sheriff of the ſaid County of *Somerſet* for the impannelling, ſummoning, and returning a Jury, and ſuch Sheriff is hereby required accordingly to impannel, ſummon, and return a Jury of Twelve good and ſufficient Men, qualified according to the Laws of this Realm to ſerve upon Juries, to appear before the ſaid Sheriff or his Deputy at ſuch Time and Place as by ſuch Warrant ſhall be appointed, and for Default of a ſufficient Number of Jurymen appearing, ſuch Sheriff or his Deputy ſhall return other good and ſufficient Men of the Standers-by, or that can be ſpeedily procured to make up the ſaid Jury; and the ſaid Sheriff or his Deputy is hereby empowered to order and authorize the ſaid Jury to view the Place or Places in Queſtion, as ſhall be thought requiſite, and to adminiſter the neceſſary Oaths to them, and to ſuch Perſon or Perſons as ſhall be called upon to give Evidence thereon, and the ſaid Jury ſhall give in their Verdict, adjudging and aſſeſſing the Sum of Money to be paid for the Purchaſe of the ſaid Meſſuages, Buildings, Lands, and Tenements, and any or either of them, to the reſpective Owner or Owners thereof, and the ſeveral Perſons intereſted therein, and thereupon the ſaid Mayor, Aldermen, and Burgeſſes, ſhall pay ſuch Sum of Money accordingly from or out of the Monies ariſing by virtue of this Act: Provided always, that if either of the Parties ſhall be diſſatisfied with ſuch Verdict, ſuch Party may appeal to the next Quarter Seſſions to be holden for the ſaid County of *Somerſet*, and it ſhall and may be lawful for the Juſtices aſſembled at ſuch Quarter Seſſions to ſet aſide ſuch Verdict, and to order a new Jury to be ſummoned to aſſeſs the Value of the ſaid Meſſuages, Buildings, Lands, and Tenements, and any or either of them, which Verdict ſhall be recorded in the ſaid Court; and ſuch Verdict, Adjudication, and Aſſeſſment, ſhall be final, binding, and concluſive againſt all Infants, Femes Covert, Lunaticks, and other legally incapacitated Perſons, and his, her, and their Guardians, Huſbands, Committees, Heirs, Executors, Adminiſtrators, and Aſſigns, and againſt all other Perſons claiming any Title in or to the Meſſuages, Buildings, Lands, or Tenements, of or for which ſuch Verdict, Adjudication, and Aſſeſſment, ſhall be made: Provided alſo, that Notice in Writing of the Time and Place of Meeting of ſuch Jury for the Purpoſes aforeſaid, be given by the ſaid Mayor for the Time being, or One of the ſaid Aldermen, at leaſt Twenty-one Days before every ſuch Meeting, to every Perſon concerned, or left at his or her uſual Place of Abode,

Mayor, &c. cannot agree, the Matter to be ſettled by a Jury.

or at the Houſe of the Tenant in Poſſeſſion of the Premiſes; and every ſuch Verdict ſhall be fairly entered of Record, and kept with the other Records of the Quarter Seſſions of the Peace for the County of *Somerſet*, and be, and be deemed Matter of Record, and admiſſible as Evidence in all Courts of Law and Equity, and in all other Places, and on all other Occaſions whatſoever.

Paying the Expences of the Jury.

II. And be it further enacted, That if any ſuch Jury ſhall give ſuch their Verdict aforeſaid for more Money than ſhall have been offered by or on Behalf of the ſaid Mayor, Aldermen, and Burgeſſes, before the ſummoning of ſuch Jury, then the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes ſhall be paid by the ſaid Mayor, Aldermen, and Burgeſſes, out of the Monies ariſing by virtue of this Act; but if any Jury ſhall give ſuch their Verdict, in Manner aforeſaid, for no more, or for leſs Money than ſhall have been offered by or on Behalf of the ſaid Mayor, Aldermen, and Burgeſſes, before the ſummoning of ſuch Jury, then the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes ſhall be paid by the Perſon or Party ſo refuſing to ſell and convey as aforeſaid, and the Heirs, Executors, or Adminiſtrators, of ſuch Perſon or Party, and ſhall be recoverable by Action in any of His Majeſty's Courts of Law at *Weſtminſter*.

Upon Payment of the Purchaſe Money the Premiſes to be veſted in the Mayor, &c.

III. And be it further enacted, That upon Payment of the Sum of Money which ſhall be aſſeſſed and awarded to be paid to any Perſon refuſing to ſell and convey as aforeſaid, in purſuance of ſuch Verdict as aforeſaid, or upon legal Tender thereof, or if upon ſuch Tender ſuch Perſon who ſhall ſo have refuſed to ſell and convey ſhall further refuſe to receive ſuch awarded Sum of Money, then immediately upon Payment of ſuch Sum of Money into the Hands of ſuch Perſon or Perſons as the ſaid Mayor, Aldermen, and Burgeſſes, in Common Council aſſembled, ſhall appoint, for the Uſe of the Party to whom the ſame ſhall have been awarded as aforeſaid, it ſhall and may be lawful for the ſaid Mayor, Aldermen, and Burgeſſes, and their Agents, Workmen, and Servants, in that Behalf to be aſſigned and appointed, to take Poſſeſſion of the reſpective Meſſuages, Buildings, Lands, Tenements, and Premiſes, and to uſe, convert, apply, appropriate, and diſpoſe of the ſame, and of all Materials thereof and thereon belonging thereto, for the Purpoſes, and according to the Purport, true Intent, and Meaning, of this Act; and that this Act ſhall in that Caſe fully indemnify as well the ſaid Mayor, Aldermen, and Burgeſſes, as alſo all and ſingular their Agents, Workmen, and Servants, employed or authorized by them as aforeſaid, againſt the Owners and Occupiers of and all Perſons intereſted in the ſaid Meſſuages, Buildings, Lands, Tenements, and Premiſes, and againſt their Guardians, Huſbands, Committees, Heirs, Executors, Adminiſtrators, and Aſſigns reſpectively, in and for ſuch taking Poſſeſſion, uſing, converting, applying, appropriating, and diſpoſing as laſt aforeſaid.

Money belonging to incapacitated Perſons to be re-inveſted.

IV. And be it further enacted, That the Principal Money to ariſe from the Sale of any Lands, Tenements, or Hereditaments, which ſhall be purchaſed, for the Purpoſes of this Act, of any Guardians,

dians, Committees, or other Truſtees, or from any Femes Covert or Feme Covert, or other incapacitated Perſon or Perſons, ſhall, in caſe the ſame ſhall exceed the Sum of Twenty Pounds, be paid to ſuch Perſon or Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed to be re-inveſted in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to and upon, and ſubject to the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Lands, Tenements, Hereditaments, and Premiſes, which ſhall be purchaſed from them reſpectively by the ſaid Mayor, Aldermen, and Burgeſſes as aforeſaid, were reſpectively ſettled, limited, or aſſured, at the Time of purchaſing the ſame, or ſuch of them as, at the Time of making ſuch Conveyances and Settlements, ſhall be exiſting and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe or Purchaſes ſhall be made, the ſaid Monies ſhall be placed out by ſuch Perſon or Perſons as aforeſaid in ſome of the Publick Funds, or on Government or Real Securities, in the Names of Two or more Perſons to be nominated by the Party or Parties intereſted therein, and to be approved of by the ſaid Mayor, Aldermen, and Burgeſſes; and the Dividends or Intereſt ariſing or to be produced from ſuch Funds or Securities ſhall be paid to ſuch Perſon or Perſons reſpectively as would, for the Time being, be entitled to the Rents and Profits of ſuch Lands, Tenements, or Hereditaments, ſo to be purchaſed, conveyed, and ſettled, by virtue of this Act.

Impoſition of Moorage and Tonnage Dues.

V. And be it further enacted, That, for the ſeveral Purpoſes aforeſaid, from and after the ſaid Twenty-fourth Day of *June*, there ſhall be paid to the ſaid Mayor, Aldermen, and Burgeſſes, and their Succeſſors, or to their Collectors or other Officers in that Behalf to be appointed, from and by every Maſter, Owner, or other Perſon having the Care, Rule, or Command of any Ship, Trow, or other Veſſel, that ſhall come to the ſaid Port, the ſeveral Duties following; (that is to ſay),

For the Moorage of every Veſſel coming to the ſaid Port, the Sum of One Shilling:

For every Ship, Trow, or other Veſſel, that ſhall come to the ſaid Port, the Sum of One Penny *per* Ton for each Voyage; ſuch Tonnage to be aſcertained by the Regiſter or by Admeaſurement:

And that the ſaid new Duties on Moorage and Tonnage hereby impoſed, ſhall be and be taken inſtead of the Dues, Duties, and Cuſtoms heretofore at any Time or Times paid or payable to the ſaid Mayor, Aldermen, and Burgeſſes, or claimed ſo to be, and every Part thereof, which ſaid laſt-mentioned Dues, Duties, and Cuſtoms, and all and every Part of the ſame, ſhall, from the ſaid Twenty-fourth Day of *June*, be aboliſhed and ceaſe, and be no longer paid or payable.

Collectors to be appointed.

VI. And be it further enacted, That it ſhall be lawful for the ſaid Mayor, Aldermen, and Burgeſſes, in Common Council aſſembled, from Time to Time, and at all Times hereafter, to elect, nominate, and appoint, ſuch Perſon or Perſons as they ſhall think fit, to be Collector or Collectors of all and every of the new Duties aforeſaid, taking ſuch ſufficient Security from every ſuch Collector as they ſhall think fit; and all ſuch Monies as he or they ſhall receive by virtue of this Act, ſhall be paid Monthly

Monthly into the Hands of the ſaid Mayor, Aldermen, and Burgeſſes, or into the Hands of their Receiver of Revenues for the Time being.

Power for Collectors to recover the Dues.

VII. And be it further enacted, That it ſhall be lawful for ſuch Collector and Collectors, and their Deputies and Aſſiſtants, and any or either of them, from Time to Time, and at all Times convenient and ſeaſonable, to enter into any Ship, Trow, or other Veſſel whatſoever within the ſaid Port, in order to admeaſure the ſame; and that in caſe the ſaid new Duties, or any Part of them, ſhall be withheld, or ſhall not be duly paid, according to the true Intent and Meaning of this Act, then and ſo often it ſhall be lawful for the ſaid Collector and Collectors, and their Deputies or Aſſiſtants, and every or any of them, by Warrant firſt obtained from the ſaid Mayor or Aldermen, or One of them, (which Warrant he or they is and are hereby empowered to grant), to take and diſtrain every Ship, Trow, or other Veſſel, or the Whole or any Part of the Cargo thereof, in reſpect of which the ſaid Duties, or any Part thereof, ſhall not have been duly paid, and all Tackle, Apparel, and Furniture, thereunto belonging, or any Articles or Parts thereof ſeparately, and the ſame to remove and ſecure, or otherwiſe detain and keep, until ſuch new Duties ſo withheld, or not duly paid, and all Expences occaſioned thereby, (to be allowed and aſcertained by the ſaid Mayor, or One of the ſaid Aldermen), ſhall be fully paid and ſatisfied; and if the ſaid Duties ſhall not be paid within Five Days next after any ſuch Diſtreſs taken, that then it ſhall be lawful for the ſaid Collector and Collectors, any or either of them, to ſell ſuch diſtrained Veſſel, Goods, Articles, or Things, or a ſufficient Part thereof, and by and out of the Money ariſing by ſuch Sale to raiſe and pay ſuch withheld or unpaid Duties, and all reaſonable Charges for or incident to ſuch Diſtreſs and Sale, (all ſuch Charges to be allowed and aſcertained as aforeſaid), rendering the Overplus, (if any), and what ſhall remain unſold, to the Maſter, Owner, or other Perſon having the Care, Rule, or Command, of ſuch Ship, Trow, or other Veſſel ſo diſtrained on.

Collectors to keep Accounts.

VIII. And be it further enacted, That every Collector aforeſaid ſhall, from Time to Time, keep fair and regular Accounts, in Writing, of all the Monies which ſhall be by him received or paid by virtue of or under the Authority of this Act, and particularly expreſſing in ſuch Accounts the Times and the Perſons from and to whom and for what all ſuch Monies ſhall have been received and paid reſpectively, and alſo ſhall from Time to Time, when thereunto required by the ſaid Mayor, Aldermen, and Burgeſſes, in Common Council aſſembled, upon Ten Days Notice in Writing being given to or left at the uſual Place of Abode of ſuch Collector, attend them at ſuch Time and Place as in ſuch Notice ſhall for that Purpoſe be appointed, and then and there produce to the ſaid Mayor, Aldermen, and Burgeſſes, or ſuch of them as ſhall be preſent, all ſuch Accounts and Vouchers relating to ſuch Receipts and Payments, and ſhall verify the ſame by his (the ſaid Collector's) Oath if required, (which Oath the ſaid Mayor, or any One of the ſaid Aldermen, is hereby authorized to adminiſter), and that if ſuch Collector ſhall not attend as aforeſaid, or on ſuch Attendance ſhall not produce ſuch Books, Accounts, and Vouchers, or ſhall refuſe to verify the ſame by his Oath as aforeſaid, he ſhall thereupon forfeit and pay to the ſaid Mayor, Aldermen,

men, and Burgeſſes, for the Purpoſes of this Act, the Sum of Ten Pounds, for and in reſpect of each and every ſuch Default, to be recoverable by Action in any of His Majeſty's Courts of Law.

That the Duties may be leaſed.

IX. And be it further enacted, That it ſhall and may be lawful for the ſaid Mayor, Aldermen, and Burgeſſes, in Common Council aſſembled, from Time to Time to leaſe by Auction to the higheſt Bidder, all or any Part of the ſaid new Duties, unto any Perſon or Perſons, (giving ſufficient Security), from Year to Year, or for any Term of Years not exceeding Three Years at any One Time, upon publick Notice being given Fourteen Days before ſuch Auction, in ſome Country Newſpaper publiſhed or circulated in the ſaid County of *Somerſet*, of an Intention ſo to leaſe the ſame; provided however, that the ſame ſhall not be ſet up to Auction at a leſs Sum than the ſaid Duties, or ſuch Part thereof as ſhall be propoſed to be leaſed, produced (after the Expences of Collection) in the Year immediately preceding ſuch Auction.

Power to borrow Money.

X. And be it further enacted, That it ſhall be lawful for the ſaid Mayor, Aldermen, and Burgeſſes, in Common Council aſſembled, from Time to Time, upon Mortgage or Mortgages of all or any Part of the ſaid new Duties, by Indentures or other Deeds, or by or upon any other Security whatever, under their Common Seal, to borrow and take up at Intereſt ſuch Sum or Sums of Money, not exceeding in the Whole the Sum of One thouſand five hundred Pounds, as they ſhall think neceſſary, which Money, or as much thereof as may be neceſſary, (after Payment of the Charges and Expences of and incident to the obtaining of this Act), ſhall be laid out and applied in taking down and removing the Bridge now ſtanding, in erecting ſuch new Bridge, and for the ſeveral other Purpoſes of this Act.

Power for Water Bailiff to regulate the Mooring of Veſſels.

XI. And, for obviating the Difficulties herein-before ſtated or ſet forth, touching the Authority of the ſaid Water Bailiff, be it further enacted, That it ſhall be lawful for the Water Bailiff of the Borough and Port aforeſaid for the Time being, and his Deputies and Aſſiſtants, and any or either of them, from Time to Time and at all Times hereafter, to regulate, direct, order, and controul, the Moorage of every Ship and Veſſel within the ſame Port, and to change and remove the Stations of any Ships or Veſſels there being, in order to or for the repairing, cleaning, lading or unlading, or better Accommodation or Convenience of other Ships or Veſſels, at his or their Diſcretion; and that if the Maſter, Commander, or Keeper of any of ſuch Ships or Veſſels, ſhall in any ſuch Caſe neglect or refuſe to obey ſuch Regulations, Directions, Order, or Controul, it ſhall and may immediately thereupon and thenceforth be lawful for ſuch Water Bailiff, his Deputy or Aſſiſtants reſpectively, to looſe or caſt off the Cable or other Faſtenings of the Ship or Veſſel whoſe Station ſhall be ſo neglected or refuſed to be changed or removed, and to remove and moor the ſame at ſuch other Place or Birth within the ſaid Port as ſuch Water Bailiff, or his Deputy or Aſſiſtants, ſhall think proper; and that all reaſonable Charges and Expences of and for ſuch Removal and Re-mooring (to be aſcertained and allowed by the ſaid Mayor, or One of the ſaid Aldermen) ſhall be paid by ſuch Maſter, Commander, or Keeper, neglecting or refuſing as aforeſaid, and if not immediately paid, be recoverable by Diſtreſs, in the Order and Manner herein-before preſcribed in Caſes of diſtraining for the new Duties aforeſaid.

No Goods to remain on Quays but for a limited Time.

XII. And be it further enacted, That no Goods, Wares, or Merchandize, shall be suffered to remain on the said Quays, or any Part thereof, for any longer Time than Seven Days, nor any Coal or Culm be lodged on the said Quays for any Time whatever, nor any Waggon or Cart be loaded or unloaded on the same Quays, under the Penalty of Forty Shillings for each several Default, to be immediately paid by the Defaulter or Defaulters to the said Collector, or his Deputy or Assistant, to the Use of the said Mayor, Aldermen, and Burgesses, and to be accordingly recoverable (with all Costs) by Distress to be made by such Collector, or his Deputy or Assistant, in such Manner as is herein-before prescribed in Cases of distraining for the new Duties aforesaid.

Vessels remaining moored more than One Month shall pay One Shilling *per* Week.

XIII. And be it further enacted, That if any Ship, Trow, or other Vessel, shall remain moored at the said Port of *Bridgwater* more than One Month, the Master, Owner, or other Person having the Care, Rule, or Command, of any such Ship, Trow, or other Vessel, shall pay One Shilling *per* Week, for every Week for which such Ship, Trow, or other Vessel, shall remain moored beyond the said Month; and any Sum due and unpaid in respect of such Moorage, may be distrained for as is in this Act before directed respecting the said new Duties.

Sixpence *per* Thousand Foot of Board *per* Week for Board continuing on the Quays more than Seven Days.

XIV. And be it further enacted, That if any Board or Plank shall be lodged on any Part of the said Quays, and remain there more than Seven Days, the Owner or Owners, or any Person so lodging the same, shall pay for every One thousand Feet Square of Board or Plank Sixpence *per* Week, and so in Proportion for a greater or less Quantity, for every Week for which such Board and Plank shall remain or be on any Part of the said Quays, over and above such Seven Days; and any Sum due and unpaid, in respect of such Board or Plank remaining on the said Quays as aforesaid, may be distrained for as is in this Act before directed respecting the new Duties hereby imposed.

Tolls to be collected on the Road round the Borough, and the Produce to be applied for the Purposes of this Act.

XV. And, in order the better to enable the said Mayor, Aldermen, and Burgesses, to carry the above-mentioned Purposes into Execution, be it further enacted, That, from and after the said Twenty-fourth Day of *June*, for and during the Term of Four Years, there shall be payable and paid on every Day in the Week (*Sunday* excepted) before any Cattle or Carriages, chargeable with Toll by virtue of this Act, shall be permitted to pass through any or either of the Turnpikes already erected across any of the Turnpike Roads leading into the said Borough, within the Distance of One Mile thereof, or through any Turnpike or Turnpikes which shall be erected within the like Distance of the said Borough, by virtue of this Act, or any other Act or Acts of Parliament, the following Tolls; (*videlicet*),

For every Horse, Mare, Gelding, Mule, or Ass, drawing any Coach, Landau, Berlin, Chariot, Chaise, Calash, Chair, Hearse, Waggon, Wain, Cart, or other Carriage, the Sum of One Penny Halfpenny:

For every Ox, Steer, Gale, or Bull, drawing any Waggon, Wain, Cart, or other Carriage, singly and not in Pairs or abreast, the like Sum of One Penny Halfpenny:

For every Ox, Steer, Gale, or Bull, drawing any Waggon, Wain, Cart, or other Carriage, abreast or in Pairs, the Sum of One Penny:

For every Horſe, Mare, Gelding, Mule, or Aſs, not drawing, One Halfpenny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Five-pence *per* Score, and ſo in Proportion for any greater or leſs Number:

For every Drove of Hogs, Calves, Sheep, or Lambs, the Sum of Two-pence Halfpenny *per* Score, and ſo in Proportion for any greater or leſs Number:

Which ſaid reſpective Sums of Money ſhall and may be demanded and taken in the Name of and as a Toll, and excluſive of all other Tolls, which are or ſhall be authorized to be taken and collected upon or on Account of the ſaid Roads, or any of them; and if any Perſon or Perſons, ſubject to the Payment of any of the ſaid Tolls, ſhall, after Demand thereof made, neglect or refuſe to pay the ſame, or any Part thereof, it ſhall be lawful for the Perſon or Perſons to be appointed as herein mentioned for collecting ſuch Tolls, to ſeize and diſtrain any Horſe, Cattle, or Beaſt, upon which any ſuch Tolls are by this Act impoſed, or any of the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting or refuſing to pay the ſame; and if ſuch Tolls, and the reaſonable Charges of ſuch Seizure and Diſtreſs, and of keeping the ſame, ſhall not be paid within Four Days next after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo diſtraining ſhall and may ſell the Horſe, Cattle, Beaſt, Goods, and Chattels ſo diſtrained, returning the Overplus, (if any), upon Demand, to the Owner thereof, after ſuch Tolls and all reaſonable Charges ſhall be deducted; and that all the Tolls collected or levied, or to be collected or levied by virtue of this Act, ſhall be, and are hereby veſted in the ſaid Mayor, Aldermen, and Burgeſſes, for the Purpoſe of carrying this Act into Execution, and ſhall be applied or may be aſſigned in ſuch Manner as herein-mentioned.

Diſputes concerning Tolls to be ſettled by a Juſtice.

XVI. Provided always, and be it further enacted, That if any Diſpute ſhall happen about the Quantity of Tolls due, or the Charges of keeping any Diſtreſs, it ſhall be lawful for the Collector or Perſon diſtraining to retain the ſame, or the Money ariſing by Sale thereof, as the Caſe may happen, until the Quantity of Tolls due, and the Charges of ſeizing, diſtraining, keeping, and ſelling the Diſtreſs, ſhall be aſcertained by ſome Juſtice of the Peace for the County of *Somerſet*, who, upon Application made to him for that Purpoſe, ſhall examine the ſaid Matter, on Oath of the Parties or other Witneſs or Witneſſes, and determine the Quantity of the Tolls due, and aſſeſs the Charges of ſuch Seizure, Diſtreſs, Keeping, and Sale, and alſo of the Collector's Attendance for that Purpoſe on the ſaid Juſtice; all which Sums, ſo determined or aſſeſſed, ſhall be paid to the ſaid Collector or other Perſon, before he ſhall be obliged to return the Diſtreſs or the Overplus, after the Sale thereof, or of any Part thereof.

Collectors of Tolls to be competent Witneſſes.

XVII. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe, touching or in anywiſe relating to the ſaid Tolls, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Mayor, Aldermen, and Burgeſſes, ſhall be, and are hereby declared to be competent to give Evidence in any ſuch Diſpute or Litigation.

XVIII. And

Term of the Tolls.

XVIII. And be it further enacted, That the ſeveral Turnpike Tolls herein-before granted, and the Powers and Authorities hereby given in reſpect thereof, ſhall commence upon and have Continuance from the ſaid Twenty-fourth Day of *June*, for and during the Term of Four Years, and no longer.

Tolls may be collected at Turnpikes already erected, if the Mayor, &c. think fit.

XIX. And it is hereby further enacted, That the ſaid Mayor, Aldermen, and Burgeſſes, may cauſe the ſaid ſeveral Tolls directed to be paid by this Act, to be taken and received by the ſeveral Receivers or Collectors at the Toll Houſes appointed or to be appointed for the collecting and receiving ſuch other Tolls as are or may be payable in reſpect of the ſaid Roads, the ſaid Mayor, Aldermen, and Burgeſſes, paying and allowing unto ſuch Receivers or Collectors, ſuch reaſonable and proper Wages or Salaries as they ſhall think fit, for collecting and receiving the ſaid Tolls directed to be taken and received by this Act as aforeſaid.

For erecting Gates to collect the Tolls by the Act granted.

XX. Provided always, and be it further enacted, That if, inſtead of collecting the Tolls by this Act granted in the Manner herein-before mentioned, it ſhall appear to the ſaid Mayor, Aldermen, and Burgeſſes, more expedient to collect and receive the ſame at Toll Houſes, and by Collectors to be provided and appointed by themſelves, it ſhall be lawful for the ſaid Mayor, Aldermen, and Burgeſſes, at any Time or Times during the above-mentioned Term, to cauſe to be erected any Turnpike or Turnpikes upon or acroſs, or near to any of the Roads leading into the ſaid Borough, and within the like Diſtance of One Mile thereof, for the Purpoſe of collecting the ſeveral and reſpective Tolls hereby made payable, and may alſo cauſe to be erected or provided a Toll Houſe at or near each Turnpike, and from Time to Time remove or alter the ſame as they ſhall think fit, ſubject to the aforeſaid Limitation or Reſtriction as to Situation; and the Right and Property of all the Turnpikes and Toll Houſes to be, from Time to Time, erected and provided by virtue of this Act, and the Right and Property of the Materials provided for building or repairing the ſame, ſhall be, and are hereby veſted in the ſaid Mayor, Aldermen, and Burgeſſes, and they are hereby empowered to bring, or cauſe to be brought, any Action or Actions, or to prefer or order the preferring of Indictments againſt any Perſon or Perſons who ſhall injure the ſame, or any Part thereof, or diſturb them in the Poſſeſſion, or take or retain or hold Poſſeſſion thereof, after being required by the ſaid Mayor, Aldermen, and Burgeſſes, to deliver up the ſame.

The preſent Turnpikes and Toll Houſes to be uſed without Hindrance to the other Collectors.

XXI. Provided always, That it ſhall be lawful for the ſeveral and reſpective Collectors to be appointed by virtue of this Act, to receive and collect the ſeveral Tolls hereby made payable, and they are hereby authorized and empowered for the Purpoſes of this Act, without the Let, Hindrance, or Moleſtation, of any Perſon or Perſons whomſoever, to make uſe of all or any of the Gates or Turnpikes and Toll Houſes already erected, or hereafter to be erected, by virtue of any Act or Acts of Parliament, within the ſaid Diſtance of One Mile from the ſaid Borough, ſo as ſuch reſpective Collectors do in nowiſe hinder or interrupt the tranſacting of any Buſineſs or Purpoſe for which ſuch Gates, Turnpikes, or Toll Houſes, were reſpectively erected or provided.

XXII. Pro-

XXII. Provided always, and be it further enacted, That no Horſe, Mare, Gelding, Mule, or other Beaſt or Cattle whatſoever, nor any Perſon or Perſons in reſpect thereof, ſhall be ſubject to or charged with the Payment of any of the Tolls by this Act granted, more than Once in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night, for paſſing and repaſſing through any One of the Gates whereat Toll is to be taken by virtue of this Act, but that all and every Perſon and Perſons, after having paid Toll Once as aforeſaid, at any One Gate, and producing a Note or Ticket, Notes or Tickets, denoting the Payment of ſuch Toll, ſhall afterwards paſs and repaſs with the ſame Horſes, Cattle, Beaſts, and Carriages, Toll free during ſuch Day, to be computed as aforeſaid, through ſuch One Gate; and all the reſpective Collectors of the Tolls at the ſaid reſpective Gates, are hereby required to deliver ſuch Notes or Tickets *gratis* on Demand, on Receipt of the Tolls in Manner aforeſaid. Tolls to be paid only Once a Day.

XXIII. And be it further enacted, That if any Perſon or Perſons ſhall, with any Horſe, Cattle, or Beaſt, paſs through any Land, Ground, Place, or Hereditament lying near any of the Turnpikes whereat Toll ſhall be payable by virtue of this Act, (the ſame not being a publick Highway), with Intent to avoid the Payment of the ſaid Tolls, or any Part or Parts thereof, or if any Owner or Occupier of any ſuch Land, Ground, Place, or Hereditament, ſhall knowingly permit or ſuffer any Perſon or Perſons with any Horſe, Cattle, or Beaſt whatſoever, to paſs through the ſame with ſuch Intent as aforeſaid, or if any Perſon or Perſons ſhall give to or receive from any Perſon or Perſons, or forge or counterfeit any Ticket by this Act directed to be given, whereby the Payment of any of the ſaid Tolls, or any Part thereof, ſhall be avoided, or if any Perſon or Perſons ſhall forcibly or wilfully paſs through any ſuch Turnpike with any Horſe, or other Cattle or Beaſt, or ſhall do any other Act whereby or with an Intent to avoid the Payment of any of the ſaid Tolls, or of any Part thereof, every Perſon ſo offending in any of the Caſes aforeſaid, ſhall, for every ſuch Offence, forfeit any Sum not exceeding Five Pounds, nor leſs than Forty Shillings, whereof One Moiety ſhall be paid to the Informer or Informers, and the other Moiety ſhall be paid to the ſaid Mayor, Aldermen, and Burgeſſes, for the Purpoſes of this Act. Penalty on evading the Tolls.

XXIV. Provided alſo, and it is hereby further enacted, That no Perſon or Perſons ſhall be charged with or compellable to pay any of the Tolls made payable by this Act, for the going, paſſing, returning, or repaſſing of any Waggon, Wain, Cart, Dray, or other Carriage whatſoever, or with any Horſe, Mare, Gelding, Ox, Mule, Aſs, or other Beaſt drawing or not drawing the ſame, which ſhall be uſed or employed in the Carriage of any Stone, Gravel, or other Materials for any of the Purpoſes of this Act, or in the Carriage of any Lime, Dung, Mould, Soil, or Compoſt of any Kind for the manuring of any Garden or other Land or Ground, or that ſhall be uſed or employed in the ploughing, ſowing, tilling, or cultivating, of any Land or Ground, or in the Carriage of any Hay, Straw, or Corn in the Straw, not ſold or diſpoſed of, or for the going, paſſing, returning, or repaſſing of any Plough, Harrow, Dray, or other Implement of Huſbandry, or of any Horſe or other Beaſt drawing the ſame, in order for the repairing thereof, or uſing them Exemption from Tolls.

them in Husbandry, or any Thing whatsoever that shall be used or employed in Husbandry or manuring of Land, or for the going, passing, returning, or repassing of any Horse, Beast, or other Cattle, to or from Water or Pasture, for the Purpose of watering or grazing only, and not going for or coming from Sale, or for the going, passing, returning, or repassing, of any Post Horse or Horses carrying or drawing any Mail or publick Packet, or of any Horse or other Beast that is or shall be used only to ride on by the Owner or Driver of any Waggon or other Carriage, the same going and travelling along with such Waggon or Carriage, or for the going, passing, returning, or repassing, of the Horses of any Officers or Soldiers on their March, or of any Waggon or other Carriage, or of any Horse or other Beast drawing the same, employed in the Carriage of the Arms or Baggage of such Officers or Soldiers, or of any Waggon or other Carriage, or of any Horse or other Beast drawing or not drawing the same, which shall be used or employed in the passing of Vagrants travelling with legal Passes.

Tolls may be levied.

XXV. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, from Time to Time, to lease the said Tolls, or any Part or Parts of such Tolls, unto any Person or Persons from Year to Year, or for any Term of Years not exceeding Three Years, for the best Rent that can be got for the same, payable at such Times and under such Covenants, and to such Person or Persons as they the said Mayor, Aldermen, and Burgesses, shall direct or appoint, and the Monies arising thereby shall be applied in such Manner as the Tolls to be so leased are hereby directed to be applied.

Recovery of Penalties.

XXVI. And be it further enacted, That all Penalties and Forfeitures hereby authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise directed) shall, upon Proof of the Offences respectively, before any Justice of the Peace for the County or Place where the Offender shall be or reside, either by the Confession of the Party offending, or by the Oath of One or more credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, (which Warrant such Justice is hereby empowered and required to grant), and the Overplus, after such Penalties and Forfeitures, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the County or Place, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, nor less than Ten Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

That the Corporation may borrow 2,500*l.* on the Tolls.

XXVII. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, in Common Council assembled, from Time to Time, upon Mortgage or Mortgages of all or any Part of the said several Tolls, by Indentures or other Deeds, or by or upon any

any other Security whatever, under their Common Seal, to borrow and take up at Intereſt ſuch Sum or Sums of Money, not exceeding in the Whole the Sum of Two thouſand five hundred Pounds, as they ſhall think neceſſary, which Money (after Payment of the Charges and Expences of and incident to the obtaining of this Act) ſhall be laid out and applied in taking down and removing the Bridge now ſtanding, in erecting ſuch new Bridge, and for the ſeveral other Purpoſes of this Act.

Bridge Toll of 4*d.* a Waggon, *&c.* after Four Years.

XXVIII. And be it further enacted, That, from and after the Expiration of Four Years from the ſaid Twenty-fourth Day of *June*, there ſhall be payable and paid on every Day in the Week, for every Waggon, Wain, or other Carriage laden with any Merchandize, in reſpect of which Merchandize, Waggons, Wains, or other Carriages, Tolls have heretofore been uſually paid for paſſing over the ſaid Old Bridge, the Sum of Four-pence, for paſſing over the ſaid intended New Bridge, excepting however and expreſsly reſerving from the ſaid Toll, all Waggons, Wains, or other Carriages laden with Corn the Growth of this Iſland, Hay, Straw, Fuel, Manure, Malt, Apples, Beer, Cyder, Coals, Lime, Bricks, Stone, and Red Tiles; and that the Revenue ariſing from the ſame, ſhall be collected by a Collector or Collectors to be appointed by the ſaid Mayor, Aldermen, and Burgeſſes, which ſaid Collector or Collectors ſhall have the like Powers for collecting and enforcing the ſame Tolls, as are in and by this Act given to the Collectors of Tolls at the Turnpike Gates, during Four Years, and that all ſuch Tolls ſhall be applied to the ſame Purpoſes, and be ſubject to the ſame Regulations as are enacted in and by this Act impoſed reſpecting the Duties of Moorage and Tonnage aforeſaid.

Subjecting the Dues to the Regulation of the County Juſtices.

XXIX. And be it further enacted, That the Receiver of Revenues for the Time being, for the ſaid Mayor, Aldermen, and Burgeſſes, ſhall, and he is hereby required to deliver in annually at the *Midſummer* Quarter Seſſions for the County of *Somerſet*, an Account of the Receipts and Expenditures in reſpect of the New Duties and Tolls by this Act impoſed, and alſo to publiſh a Copy of the ſame Once in each Year, during the Term of Four Years, in the *Sherborne Mercury*, up to the Twenty-fifth Day of *March* preceding ſuch *Midſummer* Quarter Seſſions, and that it ſhall and may be lawful to and for any Perſon or Perſons who, in the Courſe of the Year for which ſuch Accounts are to be given in as aforeſaid, ſhall have paid any Part of the ſaid new Duties, to object at the ſaid Seſſions to any Article or Articles, Part or Parts of the ſaid Account, as ſhall appear to him or them to be objectionable, ſuch Perſon or Perſons being to give to the ſaid Receiver of Revenues for the Time being, Ten Days Notice in Writing of his intending to object as aforeſaid, and ſuch Receiver or Receivers for the Time being is and are hereby required to deliver to ſuch Perſon or Perſons as aforeſaid, a Statement of the Accounts intended to be given in as aforeſaid at the enſuing Seſſions, within Seven Days after Demand made of the ſame, by ſuch Perſon or Perſons as aforeſaid, ſo as ſuch Demand be not made earlier than the laſt Day of *April* in every Year, nor later than Twenty Days before the then enſuing Quarter Seſſions, ſuch Perſon or Perſons, before the delivering thereof, paying for the ſame at the Rate of Four-pence *per* Folio, and the ſaid Court of Quarter Seſſions is hereby empowered to hear Evidence in Support of ſuch Objections as may be made as aforeſaid,

and of the ſaid Accounts, and if it ſhall appear to the ſaid Court of Quarter Seſſions, that any Deductions or Alterations are requiſite in reſpect of any Deficiency of Collection, or in the Statement thereof, or in reſpect of any Expenditure charged, that then ſuch Deduction ſhall be made from, or Alteration in ſuch Accounts, as to the ſaid Court of Quarter Seſſions ſhall appear reaſonable and juſt, and the ſaid Court of Quarter Seſſions is hereby empowered to award Coſts at their Diſcretion againſt either of the ſaid Parties.

Quarter Seſſions may increaſe or diminiſh the Tonnage Duty in certain Caſes.

XXX. And be it further enacted, That the Court of Quarter Seſſions aforeſaid, ſhall and is hereby empowered, from and after the Expiration of Four Years from the Twenty-fourth Day of *June* aforeſaid, if the ſaid new Bridge ſhall be then completed and the Quays repaired, extended, and amended, or as ſoon after as the ſame ſhall be effected, from Time to Time to add any Sum not exceeding in the Whole One Penny *per* Ton to the ſaid Duty of Tonnage, if the ſame ſhall appear to the ſaid Court of Quarter Seſſions to be neceſſary towards keeping the ſaid new Bridge and Quays in Repair, or from Time to Time to diminiſh or take away the ſaid new Duty of Tonnage hereby impoſed, if upon an Examination of the Accounts given in and allowed as aforeſaid, it ſhall appear that there is Money in Hand ſufficient for the Purpoſes of Repair as aforeſaid.

That the Corporation ſhall allow the Scite of the purchaſed Ground towards the Purpoſes of the Act without Equivalent.

XXXI. And be it further enacted, That the ſaid Mayor, Aldermen, and Burgeſſes, ſhall, without making any Charge or receiving any Equivalent for the ſame, allow the Scite of Ground on which the Three Houſes on the North-eaſt End of the preſent Bridge, lately purchaſed by the ſaid Mayor, Aldermen, and Burgeſſes, ſtood, or ſo much thereof as may be neceſſary to be built on, or otherwiſe uſed for the Erection and Completion of the intended new Bridge.

Committee of the Corporation to direct and manage the building of the Bridge.

XXXII. And be it further enacted, That the Mayor, Aldermen, and Burgeſſes, in Common Council aſſembled, ſhall, and they are hereby required to appoint a Committee of the ſaid Mayor, Aldermen, or Burgeſſes, conſiſting of not leſs than Five or more than Seven, which Committee, or any Three or more of them, (whereof the Mayor for the Time being to be One), ſhall be a Committee for erecting the new Bridge, and for taking down and removing the Bridge now ſtanding; and the ſaid Committee ſhall, within Two Months after the paſſing this Act, adverti ſe for Propoſals for building the ſame, according to ſuch Plan, and with ſuch Materials as they ſhall approve, the Contractor to give ſufficient Security to uſe ſuch Materials as the Committee (by the Advice of ſome eminent Surveyor or Architect not concerned in erecting the ſame) ſhall direct.

Bridge, &c. veſted in Mayor, &c.

XXXIII. And be it further enacted, That all and ſingular the new Duties and Tolls aforeſaid, and all Title, Right, and Property, to or in the ſaid intended new Bridge, while erecting, and when and after the ſame ſhall be erected, ſhall be, and the ſame are hereby ſeverally veſted in the ſaid Mayor, Aldermen, and Burgeſſes, and their Succeſſors.

Puniſhing Perſons damaging Bridge or Quays.

XXXIV. And be it further enacted, That any Perſon who ſhall wilfully deface, break, ſever, injure, damage, demoliſh, or deſtroy, the ſaid intended

intended new Bridge, or the ſaid Quays, or any Part thereof, or any Work that ſhall be conſtructed thereon, or be appurtenant, or incident, or preparatory thereto, or any Article, Part or Particular, of the ſaid ſeveral Premiſes, ſhall be adjudged guilty of Felony, and His Majeſty's Juſtices of Aſſize, by and before whom ſuch Perſon offending ſhall be indicted and tried, ſhall, and hereby have Power and Authority to puniſh ſuch Offender in ſuch Manner as Felons are puniſhable by the Laws and Statutes of this Realm, or in Mitigation of ſuch Puniſhment may (if they ſee Cauſe) adjudge the Offender to ſuffer ſuch other Puniſhment, by Fine, Impriſonment, or otherwiſe, as the ſaid Juſtices in their Diſcretion ſhall think proper.

Owners or Maſters of Veſſels anſwerable for Damages done by the Crews.

XXXV. And be it further enacted, That the Owner, Maſter, or Captain, of every Ship or other Veſſel lying or being in the ſaid Port, ſhall be, and is hereby made anſwerable to the ſaid Mayor, Aldermen, and Burgeſſes, for the Amount or Value of any accidental Damage or Miſchief that ſhall be done by ſuch Ship or other Veſſel, or by the Servants or Crew of the ſame, to the ſaid intended new Bridge, or any of the Quays or Works conſtructed or to be conſtructed at the Port aforeſaid; and the ſaid Owner, Maſter, or Captain, ſhall, for every ſuch Damage, upon Conviction before any Juſtice of the Peace for the County of *Somerſet*, either by the Confeſſion of the Party or Parties offending, or upon the Oath or Oaths of One or more credible Witneſs or Witneſſes, (which Oath or Oaths ſuch Juſtice is hereby empowered and required to adminiſter), pay to the ſaid Mayor, Aldermen, and Burgeſſes, the Damages to be aſcertained by ſuch Juſtice, provided that ſuch Damages do not exceed the Sum of Twenty Pounds, and all Coſts, Charges, and Expences, attending ſuch Conviction; which Damages, Penalties, and Coſts, ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Owner, Maſter, or Captain, by Warrant or Warrants under the Hand and Seal of ſuch Juſtice, and the Overplus, (if any), after ſuch Damages, and the Coſts and Charges of ſuch Diſtreſs and Sale are deducted, ſhall be returned, upon Demand, to ſuch Owner, Maſter, or Captain, or if the ſaid Damages ſued for ſhall exceed the Sum of Twenty Pounds, then and in ſuch Caſe ſuch Owner, Maſter, or Captain, ſhall and may be ſued and proſecuted for the ſame in any Court of Record at *Weſtminſter*.

Power to appeal.

XXXVI. Provided always, and be it further enacted, That any Perſon or Perſons, thinking himſelf, herſelf, or themſelves, aggrieved by the Order, or Determination of any Juſtice or Juſtices of the Peace under this Act, may, within One Calendar Month after ſuch Order or Determination ſhall have been made or given, appeal to the Juſtices of the Peace at the next General Quarter Seſſions to be held for the County of *Somerſet*, firſt giving Ten Days Notice at the leaſt, in Writing, of ſuch Intention to appeal, to the Party intereſted in ſuch Complaint, and the ſaid Juſtices ſhall, in a ſummary Way, hear, adjudge, and determine, ſuch Appeal at ſuch Seſſion, and award ſuch Coſts as to them ſhall ſeem proper.

Limitation of Actions.

XXXVII. And be it further enacted, That no Action, Suit, or Information, ſhall be brought, commenced, or proſecuted, againſt any Perſon or Perſons for any Thing done in purſuance of this Act, unleſs Twenty Days previous Notice, in Writing, ſhall be given by the Per-

ſon or Perſons intending to commence and proſecute ſuch Action, Suit, or Information, to the ſaid Mayor, Aldermen, and Burgeſſes, nor unleſs ſuch Action, Suit, or Information, ſhall be brought or commenced within Six Calendar Months next after the Fact committed, and ſhall be laid or brought in the County of *Somerſet*, and not elſewhere.

Proceedings not to be quaſhed for Want of Form.

XXXVIII. And be it further enacted, That no Order, Summons, Conviction, Warrant, Notice, or other Proceeding, in or previous to any Diſtreſs authorized by this Act to be had againſt any Perſon offending or tranſgreſſing the ſame, ſhall be void or voidable for any Defect or Impropriety of Form in ſuch Proceedings, or in any or either of them, nor ſhall the Perſons making any ſuch Diſtreſs be deemed Treſpaſſers *ab initio* for or on Account of any Irregularity they may commit therein, but the Party aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

Plaintiff not to recover after Tender of ſufficient Amends.

XXXIX. And be it further enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity, Treſpaſs, or other wrongful Proceeding, if Tender of ſufficient Amends ſhall be made by or on Behalf of the Party or Parties who ſhall have committed or cauſed to be committed every or any ſuch Irregularity, Treſpaſs, or wrongful Proceeding, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful for the Defendant or Defendants in any Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum and Sums of Money as he or they ſhall think proper, whereupon ſuch Proceeding, Order, and Judgement, ſhall be had, made, or given, in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Publick Act.

XL. And be it further enacted, That this Act is a Publick Act, and ſhall be judicially noticed as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

The

The SCHEDULE,

REFERRED TO BY THE ANNEXED ACT,

Of the ſeveral Meſſuages, Lands, and Tenements, intended to be purchaſed in purſuance thereof.

No. 1. A Meſſuage or Dwelling Houſe adjoining the old Bridge, on the South Side thereof, now or late in the Occupation of *John Prior*, containing about Sixteen Feet Nine Inches in Front, and in Depth about Twelve Feet Three Inches.

No. 2. A Meſſuage or Dwelling Houſe adjoining the ſaid *John Prior's*, now or late in the Occupation of *John Noſworthy*, containing about Fourteen Feet Three Inches in Front, and about Twenty-four Feet Six Inches in Depth.

No. 3. A Meſſuage or Dwelling Houſe adjoining the ſaid *John Noſworthy's*, and now or late in the Occupation of *John Clarke*, containing in Front about Eighteen Feet and Three Inches, and in Depth Thirty-one Feet; and One Outhouſe containing about Eighteen Feet Three Inches in Width, and Twenty Feet in Depth; One other Outhouſe, and Curtilage or Yard, containing about Eighteen Feet and Three Inches in Width, and about Forty-two Feet and Six Inches in Depth, on the Eaſt Side thereof.

No. 4. A void Piece of Ground adjoining *Langport Slip*, containing in Length about Twenty-five Feet, and in Breadth about Twenty-four Feet and Three Inches, late in the Poſſeſſion of Mr. *John Witherell*, or his Tenants, and now the Property or reputed Property of Mr. *Thomas Doſſon*, or his Tenants.

FINIS.