Anno ſexto

Georgii III. Regis.

An Act to remove and regulate the Publick Markets in the City of *Bath*; for widening certain Streets, Ways, and Paſſages, within the ſaid City, and the Liberties and Precincts thereof, and for opening certain new Streets and Ways within the ſame; for better paving, cleanſing, lighting, watching, and regulating the Streets, Lanes, Ways, and Paſſages there, to remove all Nuiſances and Obſtructions therein, and to prevent the ſame for the future; and for better ſupplying the Inhabitants of the ſaid City, Liberties, and Precincts, with Water.



WHEREAS ſeveral Streets, Lanes, Ways, Paſſages, and Places, within the City of Bath, and the Liberties and Precincts thereof, are too narrow for the commodious paſſing and repaſſing either of Foot Paſſengers or of Coaches, Carts, and other Carriages, to the great Inconvenience of the Owners and Inhabitants of Houſes in or near the ſame, as well as of Perſons reſorting to the ſaid City: And whereas the principal Markets within the ſaid City, Preamble.

for Provisions and sundry other Things, are at present held in or near the Street called the High-Street, whereby the Passage through the same is not only very much obstructed, but great Nuisances are unavoidably occasioned: And whereas there is a great Scarcity of fresh and wholesome Water within the said City, Liberties, and Precincts, insomuch that the Inhabitants thereof cannot obtain a sufficient Supply of Water for their common Uses; and unless timely Provision be made to remedy the same, it will be a great Inconvenience and Prejudice to the said Inhabitants: And whereas such Inconveniencies, Obstructions, and Nuisances, might be remedied and prevented, if the Mayor, Aldermen, and Common Council of the said City in Common Council assembled, were enabled to widen and enlarge the said narrow Streets, Lanes, Ways, Passages, and Places, and to open and lay out new and more commodious Streets and Ways within the said City, Liberties, and Precincts, as also to remove the said Markets, and to establish the same under proper Regulations in some more convenient Place or Places, and to purchase such Houses, Buildings, and Grounds, as may be necessary for the several Purposes aforesaid: And whereas a more convenient Place has been found for holding the said Markets, to wit, a certain Plot or Piece of Ground whereon several Houses and Buildings now stand; which Plot or Piece of Ground containeth in Front, to the present Market Place, from North to South, Three hundred and four Feet, and in Depth, from East to West, Two hundred and ninety nine Feet, or thereabouts: And whereas there are in the Neighbourhood of the said City several Springs of Water belonging to the Mayor, Aldermen, and Citizens, of the said City, which would be of great Utility, if Power was given to convey the same from the said Springs to the said City, Liberties, and Precincts: Wherefore for promoting and encouraging these Ends so conducive to the Ease, Safety, and Convenience, as well of the Inhabitants of the said City, as of all Persons resorting thereto: May it please Your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, shall have Power and Authority, and they are hereby

Corporation to widen the old Streets,

authorized and impowered not only to widen, enlarge, and render more convenient, such and so much of the several Streets, Ways, Lanes, Passages, and Places, mentioned and described in a Schedule to this Act annexed, intituled, The first Schedule, in Manner in the said Schedule particularly mentioned, but also to make, open, and lay out, such new Streets, Ways, Lanes, and Passages, in the Parts and Places particularly mentioned and described in another Schedule to this Act also annexed, intituled, The Second Schedule, in Manner as in such Second Schedule is specified. and make new ones;

And be it further enacted by the Authority aforesaid, That the said Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, shall have Power and Authority, and they are hereby further authorized and impowered to remove, or cause to be removed, the principal Markets for Provisions and sundry other Things, now held in and near the Street called the High Street, and to erect, establish, and hold, or cause the same to be erected, established, and held, in such other Place or Places within the Limits of the said Plot or Piece of Ground above described, as they shall judge more proper and convenient for holding the said Markets; and that it shall and may be lawful to and for the said Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, to cause such Markets to be held within the Limits aforesaid, daily and every Day, or less frequently, according as the same shall to them appear necessary, for the Convenience and Accommodation of the Inhabitants of the said City, Liberties, and Precincts, and of Persons resorting thereto; and that the said Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, shall have further Power and Authority, from time to time, as Occasion shall require, to make By-Laws for the directing and ascertaining the Hours of opening and closing the said Markets, as also for keeping the same clean and free from all Nuisances and Annoyances, and likewise for making such other Regulations for the better ordering and governing the said Markets, as to them from time to time shall seem necessary and expedient. remove the Markets,

And be it further enacted by the Authority aforesaid, That the said Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, shall have full Power and Authority, and they are hereby authorized and impowered to cause fresh and wholsome Water to be conveyed to the said City, Liberties, and supply the City with Water:

and Precincts, from any such Springs belonging to them as aforesaid.

They may treat for the Purchase of Houses, &c.

And, for enabling the Mayor, Aldermen, and Common Council of the said City, to effect the said several Purposes, be it further enacted by the Authority aforesaid, That the Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, shall have full Power and Authority to treat and agree with the Owners and Occupiers of, and all other Persons interested in the Houses, Buildings, Grounds, and Estates, in the said Schedules specified, as shall be necessary to be purchased for the more effectual Performance of any of the Purposes aforesaid, and to purchase and become seised or possessed of the same; and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purposes, to cause such Houses and Buildings, or so much thereof as shall be necessary, to be pulled down, and such Grounds, or so much thereof as shall be necessary, to be laid into new Streets, Ways, and Passages, or otherwise laid out for or towards the widening, enlarging, or improving, any of the present Streets, Ways, and Passages described in the Two Schedules hereunto annexed, or for and towards the erecting, establishing, and holding, such new Markets as aforesaid: And the said Mayor, Aldermen, and Common Council, in Common Council assembled, are hereby further authorized and impowered to contract and agree with any Person or Persons willing and fit to undertake the Conveyance of Water from any such Springs aforesaid, belonging to the said Mayor, Aldermen, and Citizens, to the said City, Liberties, and Precincts; and for such Purposes may, by their Order expressed in Writing, authorize and cause the Person or Persons so contracting, or their Servants or Workmen, or others employed by them, to enter upon, dig or break up the Soil of any publick Highway, or any Common or Waste Ground, within Two Miles of the said City; or to enter upon, dig, or break up the Soil of any private Grounds or Possessions within the same Distance; or the Pavement and Soil of any Square, Street, Lane, Passage, or Place, within the said City, (except those Three Streets within the said City lately built on Part of the Site of the ancient Priory or Abbey House belonging to the most Noble Evelyn, Duke of Kingston, being between the Abbey Church and Church-yard on the North, the Abbey Green on the South, a Tenement and Piece of Garden Ground, now in the Occupation of Prince Hoar, and John Smith, Grocer, on the East, and several

and make Contracts.

ſeveral Tenements now or late in the Tenure or Occupation of Thomas Atwood, Samuel Buſh, John Lovell, William Swallow, and Thomas Gainſborough, on the Weſt Sides thereof; which ſaid Streets are now called by the ſeveral Names of Abbey Street, Kingſton Street, and Church Street; and other than and except ſuch Lands or Grounds wherein ſuch Springs and Water-works are ſituated, as now ſerve and ſupply the Inhabitants of the Houſes and Buildings in the King's Circus, Gay Street, Queen Square, and Places adjacent in the Pariſh of Walcott, with Water; and other than and except the ſeveral Feathers or Streams of Water, which Three ſeveral Meſſuages or Tenements now belonging to Daniel Dix, Samuel Strange, and Richard Clemment, ſituate in Holloway, in the Pariſh of Lyncomb and Widcomb, have, Time immemorially, uſed and enjoyed, and been ſerved with from the main Pipe of Water iſſuing from Beeching Cliff, near the ſaid City) in order to drain and collect the Water of all or any ſuch Springs ſo belonging to them as aforeſaid, and to make a Reſervoir or Reſervoirs ſufficient for the receiving and keeping ſuch Water, or to erect Conduits, Water-houſes, or Engines, neceſſary for diſtributing ſuch Water into the ſeveral Parts of the ſaid City, Liberties, and Precincts; and alſo with Horſes, Carts, Carriages, and Workmen, to enter into the private and ſeveral Grounds and Poſſeſſions of any Perſon or Perſons whatſoever, and Bodies Politic or Corporate, lying and being between any ſuch Springs, and the ſaid City, Liberties, and Precincts, except as before is excepted; and to lay under-ground Aqueducts and Pipes, in ſuch Manner and in ſuch Places as ſhall be moſt convenient for conveying Water from ſuch Springs, Reſervoir or Reſervoirs, Water-houſes or Engines, to and within the ſaid City, Liberties, and Precincts, except as aforeſaid; and in like Manner from time to time, and at all Times hereafter, to repair or alter ſuch Reſervoir or Reſervoirs, Water-houſes, or Engines, or to repair or alter all or any of ſuch Aqueducts or Pipes as ſhall be needful; and this Act ſhall be ſufficient to indemnify them the Mayor, Aldermen, and Common Council of the ſaid City, their Agents, Workmen, Officers, and Servants, and all Perſons acting by or under their Authority, for any of the Purpoſes aforeſaid, againſt the Heirs, Executors, Adminiſtrators, or Aſſigns, of any of the ſaid Owners or Occupiers.

And

Bodies Politick, &c. impowered to treat.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees, and Feoffees in Trust, Guardians, and Committees, for Lunaticks and Idiots, Executors, Administrators, and Guardians whatsoever, not only for and on behalf of themselves, their Heirs, and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Persons whatsoever, who are or shall be seised, or possessed of, or interested in, any Lands, Tenements, or Hereditaments, which shall be necessary to be purchased for any of the Purposes aforesaid, to sell and convey all or any such Lands, Tenements, Hereditaments, Estates, and Interests, or any Part thereof, to the Mayor, Aldermen, and Citizens; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be made by such Persons as aforesaid, shall be good and valid in Law, to all Intents and Purposes, not only to convey the Estates and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Persons whomsoever, and all claiming or to claim by, from, or under them; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding: And all such Persons, so conveying as aforesaid, shall be and are hereby indemnified for what they shall do by virtue of, or in pursuance of, this Act, notwithstanding any Omission, Mistake, or Defect, in Matter or Form whatsoever: And if it shall happen that any Person or Persons, Bodies Politic, Corporate, or Collegiate, or other Person or Persons seized or possessed of, or interested in, any such Lands, Tenements, or Hereditaments as aforesaid, shall refuse to treat or agree for the Sale and Conveyance of their respective Estates and Interests therein, or by reason of Disability cannot agree with, or shall not produce a clear Title to the Premisses they are in Possession of, or to the Interest they claim, to the Satisfaction of the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, or the Person or Persons by them authorized or appointed; or if the said Contractor or Contractors shall not or cannot make a perfect and valid Agreement with all or any Persons, or Bodies Politic or Corporate, interested in Grounds and Possessions, through which Water is to be brought

Owners neglecting to treat, &c.

4

brought from such Springs as aforesaid, for the Satisfaction to be made in the Licence of making such Reservoir or Reservoirs, Conduits, Water-houses, and Engines, and of laying such Aqueducts and Pipes, and of using, occupying, altering, and repairing the same, from time to time, and at all Times hereafter as Occasion shall require; then, and in every such Case, it shall and may be lawful to and for the Bailiffs of the said City, and they are hereby required, upon a Warrant or Warrants, Precept or Precepts, to be issued and directed to them for this Purpose by the Court of the Mayor, Recorder, and Justices, of the said City, or any Two of them, whereof the Mayor for the time being to be One, (which Warrants or Precepts the said Court is impowered and required to issue) to impannel and return a competent Number of substantial and disinterested Persons, not being Members of the Corporation of Bath, qualified to serve on Juries, being not less than Twelve, nor more than Twenty four; and out of such Persons so to be impannelled, summoned, and returned, a Jury of Twelve Persons shall be drawn by some indifferent Person, to be by the said Court appointed, in such Manner as Juries for the Trial of Issues joined in His Majesty's Courts at Westminster, by an Act made in Third Year of the Reign of His late Majesty, intituled, An Act for the better Regulation of Juries, are directed to be drawn, which Persons so to be impannelled, summoned, and returned as aforesaid, are hereby required to come and appear before the said Court at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed; and for Default of a sufficient Number of Jurymen, the Bailiffs of the said City, or their Deputy or Deputies, shall return so many of the Standers-by as shall be necessary to make up the Number of Twelve to serve on the said Jury; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array: And the said Mayor, Recorder, and Justices, for the time being, or any Two or more of them, are hereby authorized and empowered, by Precept or Precepts, from time to time, as Occasion shall require, to call before them all and every Person and Persons whomsoever, who shall be thought proper or necessary to be examined as Witnesses before them, on their Oath or Oaths, concerning the Premisses; and the said Court, if they think fit, shall and may likewise authorize the

Jury to settle the Damage and Recompence.

Jurors may be challenged.

Witnesses may be summoned, and examined upon Oath.

said Jury to view the Place or Places in question, in such Manner as they shall direct; and the said Court shall have Power to command such Jury, Witnesses, and Parties, to attend, from Day to Day, until they be discharged by the said Court: And the said Jury, upon their Oaths, (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Court is hereby impowered and required to administer) shall inquire of the Value of such Lands, Tenements, and Hereditaments, and of the respective Estate and Interest of every Person seised or possessed thereof, or interested therein, or of or in any Part thereof; and shall assess and award the Sum or Sums to be paid to every such Person or Persons, Bodies Politick or Corporate, for the Purchase of such their Estates and Interests, and what Satisfaction shall be allowed and given to every Person or Persons, in respect of the Damage and Loss which he, she, or they, may sustain, by such entering upon, digging, or breaking up the Soil of such private Grounds or Possessions, in order to make any Reservoirs, or to erect any Conduits, or lay any Pipes or Aqueducts, or otherwise, for the Purpose of bringing any Water to the said City from such Springs as aforesaid; and after Notice in Writing being given to the Person or Persons interested, at least Fourteen Days before the Time of summoning such Jury, declaring the Time and Place of the Meeting of the said Court and Jury, by leaving such Notice at the Dwelling-houses, or usual Place or Places of Abode, of such Person or Persons, or of the Treasurer, Secretary, Clerk, or other Officer, officiating as Secretary, Clerk, or Treasurer, of such Body Politic, Corporate or Collegiate, Aggregate or Sole, or at the House or Place of Abode of the Tenant or Occupier of any of the said Lands, Tenements, Hereditaments, and Premisses, intended to be valued and assessed, the said Court shall give Judgement for such Sum or Sums of Money so to be assessed, and Satisfaction to be given and allowed as aforesaid; which said Verdict or Verdicts, and the said Judgement, Decree, or Determination thereupon, shall be binding and conclusive to all Intents and Purposes whatsoever, against all and every Person or Persons, Bodies Politick and Corporate, claiming any Estate, Right, Title, Trust, Use, or Interest, in, to, or out of, the said Lands, Tenements, and Hereditaments, and Premisses, either in Possession, Reversion, Remainder, or Expectancy, as well against the King's most Excellent Majesty, His

Verdict of the Jury to be final.

Heirs, and Successors, as against Infants and Issue unborn, Lunaticks, Ideots, Femes Covert, and Persons under any other legal Incapacity or Disability, and all Trustees and Cestuique Trusts, his, her, or their Heirs, Successors, Executors, and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgements, and Decrees, and all other Proceedings, of the said Court and Juries, so to be made, given, and pronounced as aforesaid, shall be fairly written on Parchment, and signed by the Town Clerk of the said City for the time being.

Purchase Money to be paid in Three Months,

Provided always, and be it enacted by the Authority aforesaid, That if the said Mayor, Aldermen, and Citizens, shall not within Three Months after such Judgement, Decree, or Determination, as aforesaid, pay or cause to be paid all such Sum or Sums of Money as shall be so assessed or awarded for the Purchase of the respective Estates and Interests in any Lands, Tenements, or Hereditaments, as aforesaid, or for the Satisfaction to be made for any Damage or Loss to be sustained to such Person or Persons as shall be seized or possessed of the Premisses, or interested therein; that then, such Judgement, Decree, or Determination, and all Deeds, Contracts, Agreements, or Proceedings, to be had, made, or done, in Consequence thereof, shall be utterly void and of no Effect; any thing herein contained to the contrary thereof notwithstanding.

or Contract, &c. void.

If Corporation neglect to summon a Jury, &c.

Provided also, That if after Notice shall have been given for the summoning a Jury as aforesaid, the said Mayor, Recorder, and Justices, for the time being, shall not issue their Precept, and cause a Jury to be summoned accordingly; or if the said Mayor, Aldermen, and Citizens, shall neglect or omit to make Payment in Manner aforesaid, that then, and in every such Case, such Mayor, Recorder, and Justices, shall not at any future Time issue any Precept for that Purpose; and no Person or Persons to whom such Notice shall have been given, shall, on the Failure of summoning such Jury, be obliged at any Time after to contract for, sell, or otherwise dispose of, any Premisses, which he, she, or they, may be seized or possessed of, or interested in.

Parties not afterwards obliged to sell, &c.

Proprietors of Lands, &c. to execute Assignments.

And it is hereby further enacted and declared by the Authority aforesaid, That upon Payment of such Sum or Sums of Money so to be awarded or adjudged, the Person or Persons to whom the same shall be so awarded, for the Purchase of the said Lands, Tenements, or Hereditaments, or for the Purchase of any Estate or Interest therein, shall make and execute, or procure to be

be made and executed, good, valid, and legal, Conveyances, Assignments, and Assurances, in Law, to the said Mayor, Aldermen, and Citizens, or to such Person or Persons as the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, shall order, direct, and appoint, of the said Lands, Tenements, and Hereditaments, or of such Estate or Interest, for which such Sum or Sums of Money shall be so awarded, and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances, and shall do all Acts, Matters, and Things, necessary and requisite, to make a good, clear, and perfect Title to the said Mayor, Aldermen, and Citizens, or the Person or Persons so by them, in this behalf, to be appointed as aforesaid; and such Conveyances, Assignments, and Assurances, shall contain all such reasonable and usual Covenants, as on the Part of the said Mayor, Aldermen, and Citizens, or of the Person or Persons so by them, in this behalf, to be appointed as aforesaid, shall be reasonably required: And in case such Person or Persons to whom such Sum or Sums shall be so awarded as aforesaid, shall not be able to evince their Title to the Premisses, and to make, or procure to be made, such good, valid, and legal Conveyances thereof as aforesaid, or shall refuse so to do, being thereto required; and such Sum or Sums so assessed and awarded as aforesaid, being tendered to be paid to him, her, or them, on their making such Title, and executing, or procuring to be executed, such Conveyances, Assignments, and Assurances as aforesaid; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found within the said City or Liberties thereof; or in case, by reason of Disputes depending in any Court of Law or Equity, or for defect of Evidence, it shall not appear what Person or Persons is or are intitled to the Premisses in question; or if any Mortgagee or Mortgagees shall refuse to take in his, her, or their Mortgage Money due on the Premisses, after Notice given to him, her, or them, for that Purpose; then, and in every such Case, it shall and may be lawful to and for the said Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, to order the said Sum or Sums so assessed and awarded as aforesaid, as and for the Value of and Purchase Money for the said Lands, Tenements, and Hereditaments, and as and for Satisfaction, in respect of the Damage and Loss, which he, she, or they, may sustain by laying such

such Pipes or Aqueducts, or otherwise in bringing Water from such Springs as aforesaid, or as shall be due on such Mortgage or Mortgages, to be paid into the Chamber of Bath aforesaid, for the Use of the Parties interested in the said Premisses, to be paid them, and every of them, according to their respective Estates and Interests therein, at such Time as the said Court shall order and direct; and the Chamberlain of the said City is hereby required to give a Receipt or Receipts for such Sum and Sums, mentioning and specifying for what Premisses, and for whose and to what Use the same is or are received, to such Person as shall pay any such Sum or Sums as aforesaid.

Proceedings of the Court to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all such Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings of the said Court, as relate to or concern any Lands, Tenements, or Hereditaments, so to be purchased as aforesaid, and all Receipts which the said Chamberlain shall give, for any such Sum or Sums of Money paid into the Chamber, in consequence of any such Verdict and Judgement, shall be entered into a distinct Book or Books, which shall be kept among the Records of the Office of the Town Clerk of the said City; and the said Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings, shall be deemed and taken to be Records to all Intents and Purposes whatsoever, and the same, or true Copies thereof, shall be deemed and taken to be good and effectual Evidence and Proof, in any Court or Courts of Law or Equity whatsoever; and all Persons shall and may have Recourse to the same gratis, and take Copies thereof, paying for every Copy not exceeding Two hundred Words, One Shilling, and so proportionably for any greater Number of Words; and immediately on such Payment and Entry of such Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings, of the said Court and Juries, and of such Receipt or Receipts of the said Chamberlain as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or Equity, of the Person or Persons for whose Use such Money shall be paid in, to, and out of the said Lands, Tenements, Hereditaments, and Premisses, shall vest in the said Mayor, Aldermen, and Citizens of the said City, or the Person or Persons to whom the Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, shall order, direct, and appoint such Conveyances to be made, and they shall respectively

Lands, &c. vested in the Corporation.

spectively be deemed in Law to be in the actual Seizin or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premisses, had actually conveyed the same to them by Lease and Release, Bargain and Sale, enrolled Feoffment with Livery of Seizin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to, and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and likewise to bar all Estates Tail in Reversion or Remainder, against the Issue and Issues of such Person or Persons, and every Person claiming under them, as effectually as a Fine and Recovery, or either of them, would do, if levied or suffered by the proper Parties in due Form of Law.

Money paid into the Chamber of *Bath* to be invested in the Funds.

Provided always, That it shall and may be lawful for the said Mayor, Aldermen, and Common Council, in Common Council assembled, after such Payment to the Chamberlain and Entry as aforesaid, upon the Petition of any Person or Persons, in whom the legal Estate in Possession of such Lands, Tenements, or Hereditaments, was vested at the Time of the said Payment to the Chamberlain, to place out or invest, or to cause to be placed out or invested, such Sum or Sums of Money, or any Part thereof, in some of the public Funds, or on Government Security, at Interest, in the Names of the Chamberlain and Town Clerk of the said City for the time being, and the same shall, as soon as conveniently may be after the Death or Removal of any of them, be by the Survivor or Survivors of them, transferred in the Names of the Chamberlain and Town Clerk of the said City for the time being, and so from time to time as often as any One of the said Officers shall happen to die or be removed, in Trust, to transfer and assign the same to such Person or Persons, to whom the Premisses shall belong, on their executing proper Conveyances thereof, and, in the mean time, in Trust, to pay the Interest and Dividends arising therefrom, to such Person or Persons so in Possession of the said Premisses aforesaid.

Persons intitled to the mesne Profits may recover.

Provided always, and it is hereby enacted, That all and every Person or Persons who would be intitled to recover the mesne Profits of the Premisses, against the Person or Persons so in Possession, in case the same had not been so conveyed to or vested in the said Mayor,

Aldermen, and Citizens, or other Person or Persons as aforesaid, shall be intitled to recover the Sum or Sums to arise from all Interests and Dividends as aforesaid, by Action of Debt or otherwise, against the Person or Persons who shall receive the same, and the Chamberlain is hereby authorized and required to obey such Order or Orders, from time to time, as shall be made by the said Mayor, Aldermen, and Common Council in Common Council assembled, for the Payment of such Sum or Sums of Money, or any Part thereof, in order to the same being vested in public Securities as aforesaid; and the said Mayor, Aldermen, and Citizens, or other Person or Persons to whom the said Premisses shall by the Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, be ordered or appointed to be conveyed as aforesaid, shall be quieted in the Seizin and Possession of the Lands, Tements, and Hereditaments, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable in any Court of Law or Equity, for the Money so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport, and true Meaning of this Act.

Lands, &c. purchased of Corporations to be re-invested.

And be it further enacted by the Authority aforesaid, That the Principal Money arising from the Sale of any Houses, Edifices, Lands, Tenements, and Hereditaments, which shall be purchased for the Purposes contained in this Act, of any Body Corporate or Collegiate, Corporation Aggregate or Sole, being Feoffees in Trust, Guardians, Committees, or other Trustees, or of any Feme Covert, shall be paid to them respectively, or to such Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed then afterwards to be re-invested in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, to be conveyed and settled to and upon, and subject to, the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Houses, Edifices, Lands, Tenements, and Hereditaments, which shall be purchased from them respectively by the said Mayor, Aldermen, and Citizens, or other Person or Persons, as aforesaid, were respectively settled, limited, or assured, at the Time of such Purchasing of the same, or of so many of such Uses as, at the Time of making such Conveyances and Settlements, shall be existing and capable of taking Effect.

Persons barred of any Right, may bring Actions of Debt, &c.

Provided nevertheless, That any Person or Persons barred of any Right, Title, Estate, Interest, Claim, or

or Demand whatsoever, in, to, or out of, the said Lands, Tenements, and Hereditaments, by virtue of this Act, shall be at Liberty to bring an Action or Actions of Debt, or for Money had and received to his, her, or their Use, or take such other legal Remedy as he, she, or they, shall think proper, against any Person or Persons, or the legal Representative of any Person or Persons, who received the Purchase-money arising from such Sale of the said Lands, Tenements, and Hereditaments, or Premisses, as aforesaid, or the Satisfaction given and allowed in respect of the Damage and Loss sustained by such entering upon, digging, or breaking up, the Soil of any private Ground or Possessions, in order to make Reservoirs, erect Conduits, or lay Pipes or Aqueducts, or by any other Works made or used for the Purpose of bringing Water from such Springs as aforesaid; and that in every such Case, the Plaintiff or Plaintiffs, on Proof of such Title as would have enabled them to recover such Lands, Tenements, or Hereditaments, or any Part thereof, or any Estate or Interest in the same, shall recover the said Purchase-money, or so much thereof as shall be equivalent to their Interest in the said Premisses, together with such Interest as shall be equivalent to the mesne Profits of the Premisses, which they would have been intitled to recover, in case this Act had not been made; and shall also recover what shall have been given and allowed as and for Satisfaction in respect of the Damage and Loss sustained by such entering upon, digging, or breaking up, the Soil of any private Grounds or Possessions, in order to make Aqueducts, or to erect Conduits, or lay Pipes or Aqueducts, or to make and use any other Works for the Purposes of bringing Water from such Springs as aforesaid.

Leases for One Year, how to be disposed of.

And be it further enacted by the Authority aforesaid, That all and every Tenant at Will, or Lessee for a Year, or other Person or Persons in Possession of any such Lands, Tenements, Hereditaments, and Premisses, or any Part thereof, which shall be purchased by virtue of this Act, for any of the Purposes aforesaid, and who shall have no greater Interest in the Premisses than as Tenant at Will, or a Lessee by Parole for a Year, or from Year to Year, shall deliver up the Possession of such Premisses immediately to the said Mayor, Aldermen, and Citizens, or to such Person or Persons as the Mayor, Aldermen, and Common Council of the said City, in Common Council assembled, shall appoint to take Possession of the same, in case the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, or such Person or Persons authorized by them, shall pay or tender

tender to him or them half a year's Rent of the same Premisses, or shall have given him or them Six Months Notice to quit such Possession, when such Person or Persons in Possession shall, at the End of the said Six Months, or so soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premisses to the said Mayor, Aldermen, and Citizens, or the Person or Persons authorized by the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, to take Possession thereof; and that in case any such Person or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid, then it shall and may be lawful to and for the said Court of Mayor, Recorder, and Justices, or any Two of them, whereof the Mayor for the time being to be One, to issue their Precept or Precepts to the Bailiffs of the said City, to deliver Possession of the Premisses to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Bailiffs are hereby required to deliver such Possession accordingly of the said Premisses, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

In what Manner Houses, &c. may be purchased.

Provided always, and be it hereby enacted and declared by the Authority aforesaid, That if any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, shall be applied to, by, or on Behalf of the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, to treat for, sell, dispose of, or convey, for any of the Purposes aforesaid, any Part or Parts of any House, Warehouse, Yard, or Ground, in the actual Occupation of One Tenant, or of several Joint Tenants, and the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, so applied to, shall, by Notice in Writing to be left at the Office of the Town Clerk of the said City, within Twenty Days next after such Application, signify his, her, or their Inclination or Desire to treat for, sell, dispose of, and convey, the Whole of such House, Warehouse, Yard, or Ground; then, and in every such Case, the Whole of every such House, Warehouse, Yard, or Ground, shall be deemed, taken, and held, to be necessary to be purchased for effecting the Purposes of this Act: And if it shall happen that the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, shall not think proper or be willing to

purchase the Whole of such House, Warehouse, Yard, or Ground; then, and in every such Case, nothing in this Act contained shall extend, or be construed to extend, to compel the Owner or Owners, Occupier or Occupiers thereof, to treat for, sell, dispose of, or convey, any Part of such House, Warehouse, Yard, or Ground; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Corporation may sell Overplus Lands.

Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, or any Person or Persons in whom any House or Ground shall be vested by virtue of this Act, to lett, sell, or dispose of, so much or such Parts thereof as shall not be necessary for the opening or widening of any of the said Streets, Squares, Lanes, Ways, Passages, or Places, or for and towards the erecting, establishing, and holding, such new Markets as aforesaid, to any Person or Persons, to and for such Use or Uses as they shall think proper, giving Preference to the Person or Persons of whom the same shall have been purchased, and to his, her, or their Heirs, Executors, and Administrators.

Ground not to be broken up deeper than necessary.

And be it further enacted by the Authority aforesaid, That the Contractors, and other Persons employed in bringing Water into the said City, shall not, in making the said Reservoir or Reservoirs, Conduits, or other Works, or in laying the said Aqueducts or Pipes within or without the said City, or hereafter in repairing or altering the same, break up Ground any deeper or in any other Manner than shall be absolutely necessary; and if any Road or Pavement shall be broken up in the Execution of any of the said Works, the same shall be repaired and made good by the said Contractor or Contractors, within Ten Days after the breaking up of the same.

Penalty on Persons interrupting Workmen.

And be it further enacted by the Authority aforesaid, That from and after such Payments made for Satisfaction as aforesaid, if the said Contractor or Contractors, his or their Agents or Workmen, shall be prohibited at any Time hereafter to enter into, dig, or break up, for the Purposes aforesaid, any such private or several Grounds or Possessions, or to make such Reservoir or Reservoirs, Conduits, Waterhouses, or other Works, or to lay such Aqueducts or Pipes, or at any Time hereafter to alter or repair the same, or be otherwise resisted, interrupted, or molested, in the Execution of the said several Undertakings; every such Person so prohibiting, resisting, interrupting, or molesting, the said Contractor

or Contractors, his, her, or their Agents or Workmen, or any or either of them, contrary to the true Meaning of this Act, and being thereof convicted on Oath before One or more Justice or Justices of the Peace of the said City of Bath, or County of Somerset, shall forfeit and pay, for every such Offence, the Sum of Five Pounds, as herein after directed, and applied for and towards the bringing fresh and wholesome Water into the said City.

Persons paying the Rate, not to gain any Settlement.

Provided always, and be it further enacted by the Authority aforesaid, That no Person or Persons by being charged with, or paying to, any such Rate or Assessment to be made or raised as aforesaid, or by being any ways employed in bringing Water into the said City, shall thereby gain any Settlement.

Springs vested in the Corporation.

And be it further enacted by the Authority aforesaid, That the Right and Property of all Watercourses leading from such Springs as aforesaid, to the said City, Liberties, and Precincts, and also of all Reservoirs, Conduits, Waterhouses, Engines, Buildings, Aqueducts, Pipes, or other Necessaries, erected, made, or used, for the Purposes of bringing Water into the said City as aforesaid, and of the Materials for making, providing, or preserving, the same, shall be, and the same are hereby, vested in the Mayor, Aldermen, and Citizens, or in such Person or Persons as the said Mayor, Aldermen, and Common Council, in Common Council assembled, shall appoint, except as before is excepted; and they are hereby impowered to dispose thereof as they shall think proper, and to bring Action or Actions in their own Names, or in the Name or Names of the Town Clerk, or the Chamberlain of the said City, for the time being, or to prefer Bills of Indictment against any Person or Persons who shall disturb them in the Possession of the Property thereof.

Penalty on Persons injuring Pipes, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully break the Door, or Lock, or any Part of the Building of any Conduit, Waterhouse, or Engine, to be erected and provided for the Purposes aforesaid; or shall fetch or carry away any Water, either for his, her, or their own Use or Uses, or to the Use of any other Person or Persons; or shall wilfully cause the Water to run to waste from any such Conduit, Waterhouse, or Engine, or from any Reservoir to be provided for the Purposes aforesaid; or shall wilfully or maliciously cut, damage, break, or destroy, any or any Part of the said Aqueducts, or Pipes laid under Ground, or otherwise made use of for the Purposes aforesaid, or any Part of any

Building

Building or Materials used or provided for the Purposes aforesaid; or shall cast or put into any of the Conduits, Watercourses, Reservoirs, Cisterns, or Pipes, provided or used for the purposes aforesaid, any Filth, Dirt, Rubbish, Soil, Gravel, Stones, Dogs, Cats, dead Carcases, or Carrion, or other unwholesome Thing; or shall wash or cleanse therein any Cloaths, Wool, Hemp, Flax, or other noisome Thing; or make or convey any Sink, Sewer, or Ditch, into any of the said Conduits, Watercourses, Reservoirs, or Cisterns, or to have any Fall into the same, or do any other Annoyance thereto; any Person so offending, in any of the said Cases, and being thereof convicted by his or their own Confession, or by the Oath or Oaths of One or more credible Witness or Witnesses, before any Justice of Peace for the said City or County of Somerset, (which Oath or Oaths such Justice is hereby authorized and required to administer,) shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, to be recovered as herein after directed, and applied for the Purpose last aforesaid.

And whereas the Most Noble Evelyn, Duke of Kingston, is seized of, and in the Possession and Enjoyment of, the free Use and Benefit of so much, and such Part of the said Watercourses, Rills, or Currents of Water, either springing or arising, or running or passing, through a certain Piece of Ground, or some Parts thereof, called Beeching Cliff, near the said City of Bath, which pass into or communicate with the Conduit Pipe, carrying Water into the Conduit antiently belonging to the Priory of Bath, as is herein after mentioned; that is to say, Two several Feather Streams, or Pipes of Water, of the Bigness or Diameter of a Swan's Quill of the largest Size, and One Goose Quill, continually to run for the Use and Supply of the Abbey House, and other Buildings on the said Duke's Estate there: And whereas the said Watercourses, Rills, and Currents of Water, subject to the said Duke's Right, now belong to the said Mayor and Citizens: In order therefore to obviate any Doubts or Disputes concerning the same, and for the mutual Convenience and Accommodation, as well of the said Duke, his Heirs, and Assigns, as of the said Mayor, Aldermen, and Citizens, be it further enacted, That the said Mayor, Aldermen, and Citizens, shall, at their own Costs and Charges, bring down the said Water, from the said Ground called Beeching Cliff, in a Main Pipe or Pipes, to the said City; and shall deliver by a Stream, or Pipe to be fixed to such Main Pipe

Corporation to lay a Main from *Beeching Cliff*, for the Use of the Duke of *Kingston*:

Pipe or Pipes, for the Use of the said Duke, his Heirs, or Assigns, at a certain Place in the said City called the Abbey Gate, into another Pipe or Pipes (to be there provided, placed, and fixed, at the Expence of the said Duke, his Heirs, or Assigns,) a certain Stream, or Pipe of Water of the Bignels, Bore, or Diameter, of One Inch and a Quarter, which shall run and flow in full Stream and Current for the Space of Four successive Hours in every Day, from henceforth for ever, between the Hours of Six in the Morning and Six in the Evening, and shall repair and keep the same Pipe in Repair for ever; which said Water, so to be supplied and delivered as aforesaid, shall be and is hereby vested in the said Duke, his Heirs, and Assigns, for ever, in Lieu and Satisfaction of the said Duke's Right of Water as above specified.

On their Neglect, the Duke may lay one from any Reservoir, &c.

Provided always, and it is hereby enacted and declared, That in case it shall happen that the said Duke, his Heirs, or Assigns, shall not be supplied with Water in the Manner and Quantity before specified, then it shall and may be lawful to and for the said Duke, his Heirs, or Assigns, or his or their Workmen, to resort to the said Springs or Currents of Water, or any Reservoir or Reservoirs of Water, already made or to be made by the said Mayor, Aldermen, and Citizens, or to the Main Pipe or Pipes as aforesaid, or any Part thereof, and there to lay and fix such Pipe or Pipes from the said Springs or Currents of Water, Reservoir or Reservoirs, Main Pipe or Pipes, for supplying the Quantity of Water in manner aforesaid, as he the said Duke, his Heirs, or Assigns, shall judge expedient; and to dig or break up any Ground or Soil that may be necessary for the cutting or making Trenches, and laying of Pipes, in the same Manner, and with the same Powers and Authorities, as the said Mayor, Aldermen, and Citizens, are herein before impowered and authorized; and that the said Mayor, Aldermen, and Citizens, shall and will make the said Duke, his Heirs or Assigns full Satisfaction and Compensation for all the Costs, Expences and Damages which he, or they shall be so put unto, or shall thereby sustain.

A Committee to be appointed:

Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, and they are hereby authorized and impowered, from time to time, to appoint a Committee to manage and transact such Matters and Things as shall be necessary in or

about the Execution of the Purposes aforesaid, or any of them; which Committee so to be appointed, shall have such or so much of the Powers and Authorities by this Act given to the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, relating to the Matters aforesaid, as the said Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, shall from time to time think proper to delegate to such Committee.

Persons incapacitated from being Committee Men.

Provided nevertheless, and be it enacted by the Authority aforesaid, That no Person concerned in building or dealing in any Materials for building, shall be capable of acting as a Member of any Committee so to be appointed, or be intrusted to manage and conduct the Execution of the Purposes aforesaid, or any of them; neither shall any Person be eligible or capable of acting as a Member of such Committee during such Time as he shall have or execute any Office or Place of Profit by or under the Authority of this Act, or hold any Place or Employment under the said Mayor, Aldermen, and Citizens, or during such Time as he shall have any Share or Interest in any Contract or Agreement made or to be made for effecting the Purposes aforesaid.

Penalties on Bailiffs, Jurymen, or Witnesses, neglecting their Duty.

And be it further enacted by the Authority aforesaid, That the said Court of Mayor, Recorder, and Justices, or any Two or more of them, shall and may have Power from time to time to impose any reasonable Fine, not exceeding the Sum of Five Pounds, on such Bailiffs, their Deputy or Deputies, or Agents respectively, making Default in the Premisses; and on any of the Persons who shall be summoned or returned on any such Jury or Juries as aforesaid, who shall not appear, or shall refuse to be sworn on the said Jury or Juries, or being sworn shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any of the Matters aforesaid, and shall not attend, or shall refuse to be sworn, or who being sworn shall refuse to give his, her, or their Evidence; also on any other Person or Persons who shall, in any other Manner, wilfully neglect his or their Duty in the Premisses, contrary to the true Intent and Meaning of this Act; and from time to time to levy such Fine or Fines by Distress and Sale of the Offenders Goods, in such Manner as herein after directed, and applied for the several Purposes of this Act, to be executed by the Mayor, Aldermen, and Common Council

of

of the ſaid City, in Common Council aſſembled, or by ſuch Perſons as they ſhall appoint.

And whereas by an Act of Parliament made in the Thirtieth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for cleanſing, paving, and lighting the Streets of the City of *Bath*, and Liberties thereof; and for regulating the Chairmen; and alſo for keeping a ſufficient and well regulated Watch in the Night-time in the ſaid City and Liberties; and to oblige all Owners of Houſes and other Buildings within the ſaid City and Liberties, to bring down the Water from the Roofs of their Houſes, and other Buildings, by proper Pipes down the Sides or Walls of ſuch Houſes and Buildings; and alſo to oblige all Coal Carriages to paſs by the Borough Walls of the ſaid City during the Night Seaſon; ſeveral Powers, Proviſoes, Rules, and Orders, were made, given, directed, provided, eſtabliſhed, and enacted, for, about, and concerning, the cleanſing, paving, and enlightening the Streets, Lanes, and publick Places in the ſaid City and Liberties; as alſo for regulating the Chairmen; and for providing a Nightly Watch within the ſaid City and Liberties; and for other Purpoſes in the ſaid Act mentioned: And whereas ſome of the Proviſions and Directions in the ſaid Act contained, have by Experience been found to be inſufficient and ineffectual to anſwer the Purpoſes thereby intended, and others have proved of great Benefit and Utility; And whereas, the Intentions of the ſaid Act might be better carried into Execution, if the ſeveral Powers of ordering the paving, cleanſing, and enlightening, the Squares and Streets in the ſaid City and Liberties, and of keeping a ſufficient and well regulated Watch in the Night-time, within the ſame, were veſted in a competent Number of Commiſſioners; be it enacted by the Authority aforeſaid, That a certain Number of Commiſſioners, not exceeding Twenty, ſhall be elected, nominated, and appointed, as herein after directed; that is to ſay, It ſhall and may be lawful to and for the Mayor, Aldermen, and Common Council, of the ſaid City, in Common Council aſſembled, to elect, nominate, and appoint, Four Perſons, which Perſons ſo elected, nominated, and appointed, together with Four ſubſtantial Perſons, not being Members of the ſaid Corporation, to be elected, nominated, and appointed, by and out of the principal Inhabitants of each of the Four reſpective Pariſhes following; namely, Saint Peter and Paul, Saint James, Saint Michael, and that Part of the Pariſh of Walcot which is within the Liberties of the ſaid

Corporation to appoint Commiſſioners for paving, &c.

ſaid City, in their reſpective Veſtries aſſembled; which Veſtries, the Churchwardens of the reſpective Pariſhes for the time being are hereby impowered and required, within Forty Days after paſſing this Act, to call, and to give publick Notice in the Church, and affix the ſame in Writing on the reſpective Church Doors, for the ſame to be held within Five Days after ſuch Notice; which ſaid ſeveral Perſons to be elected, nominated, and appointed, as aforeſaid, ſhall be, and they, together with the Mayor and the Two Juſtices of the ſaid City for the time being, are hereby conſtituted Commiſſioners for paving, cleanſing, and enlightening, the City of Bath and the Liberties thereof, and for keeping a ſufficient and well regulated Watch in the Night-time within the ſame; and the ſaid Commiſſioners, for the time being, are hereby authorized and impowered to order and direct the ſame, and to execute ſuch other Purpoſes as are herein after mentioned.

Perſons incapacited from being Commiſſioners.

Provided alſo, and it is hereby further enacted and declared, That no Perſon concerned or intereſted in any Bargain or Contract, made or to be made by the ſaid Commiſſioners, for or about the paving, cleanſing, and enlightening the ſaid City, Liberties, and Precincts, or any Part thereof, ſhall be capable of acting as One of the ſaid Commiſſioners; and every Perſon who ſhall preſume to 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, Plaint, or Information, wherein no Protection, Eſſoin, or Wager of Law, or more than One Imparlance ſhall be allowed.

Qualification of Commiſſioners.

And be it further enacted, That no Perſon ſhall be qualified or capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall be in his own Right, or in the Right of his Wife, ſeiſed or poſſeſſed of Lands, Tenements, or Hereditaments, being Freehold, Copyhold, or Leaſehold, for Lives, or Term of Years determinable upon Lives, of the clear yearly Value of Fifty Pounds, over and above all Incumbrances; and if any Perſon not being ſo qualified, ſhall preſume to act as a Commiſſioner for putting this Act in Execution, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds, to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than

One

One Imparlance shall be allowed; and every Person so prosecuted, shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Commissioner in the Execution of this Act.

New Commissioners how to be chosen.

Provided always, and it is hereby enacted and declared, That it shall and may be lawful to and for the Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, for the time being, from time to time to elect, nominate, and appoint, some fit Person or Persons to supply the Place or Places of such of the said Commissioners, as, having been originally elected by them, shall happen to die, or shall refuse to act; and that it shall and may be lawful to and for the principal Inhabitants of the Four respective Parishes aforesaid, in their respective Vestries assembled in Manner as before directed, from time to time to elect, nominate, and appoint, some fit Person or Persons, being qualified according to the true Intent and Meaning of this Act, to supply the Place or Places of such of the Commissioners, as, having been originally elected, nominated, and appointed, by them respectively, shall happen to die, or shall refuse to act, or shall become Members of the said Corporation; and all Persons who shall be so elected, nominated, and appointed, by the Mayor, Aldermen, and Common Council, for the time being, and by the said Inhabitants in their respective Vestries assembled as aforesaid, are hereby vested with the same Powers for putting this Act into Execution, as the Persons in whose stead they shall be so elected, nominated, and appointed, are vested with, and as if they had been originally appointed Commissioners for putting this Act in Execution.

5 Commissioners to be a Quorum.

Provided also, and it is hereby further enacted and declared, That all the Powers and Authorities by this Act granted to, or vested in, the said Commissioners, hereby constituted as aforesaid, shall and may, from time to time, be exercised by the major Part of them as shall attend at any publick Meeting to be holden as herein after mentioned, the Number of the said Commissioners present at any such publick Meeting, not being less than Five; and all the Orders and Proceedings of the major Part of the said Commissioners present at such publick Meeting, shall have the same Force and Effect as if ordered and done by all the Commissioners constituted by this Act.

First Meeting of Commissioners.

And it is hereby declared and enacted, That the First publick Meeting of the said Commissioners so constituted as aforesaid, shall be at such Time and Place as the Mayor of the said City for the time being shall think proper to order and appoint; and that it shall and may be lawful to and for the major Part of the said Commissioners present at such Meeting, or at any subsequent publick Meeting, to adjourn the said Meeting to any future Day and Time, and to any other Place within the said City and Liberties.

Special Meetings may be appointed.

Provided always, and it is hereby further enacted and declared, That it shall and may be lawful to and for the Mayor of the said City for the time being, and any Two other Commissioners, or to and for any Seven of the said Commissioners, from time to time, to appoint a publick Meeting of the said Commissioners at any Time they shall deem proper, for the Execution of this Act, notwithstanding any Adjournment or Non-adjournment of the said Commissioners; first giving the said Commissioners Three Days Notice of such Meeting.

Commissioners may appoint Officers;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, at any of their publick Meetings, from time to time, to nominate and appoint One or more Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, and One or more Collector or Collectors, as also One or more Scavenger or Scavengers, Raker or Rakers, and all such other Officer or Officers as the said Commissioners shall think necessary; and the said Commissioners shall and may take such Security for the due Execution of the respective Offices, by such Person and Persons as aforesaid, as they shall think proper; and likewise may, from time to time, remove any or either of such Officers, or other Persons, and appoint others in the Room of such as shall be so removed, or shall die; and shall and may, out of the Monies to be raised as herein after-mentioned, make such Allowances to Officers respectively, and to such other Person or Persons as shall be aiding and assisting in and about the Execution of the Purposes last aforesaid, as to them the said Commissioners shall seem reasonable.

who may be removed, and others appointed.

Penalty on Officers taking greater Fees than are allowed.

And be it further enacted by the Authority aforesaid, That if any Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, Collector or Collectors, Scavenger or Raker, or other Officer or Officers, employed by the said Commissioners for the Purposes aforesaid,

shall exact, demand, take, or accept, any Fee or Reward whatsoever, other than such Salaries as shall be appointed, allowed, and approved of, by the said Commissioners, for or on account of any thing done or to be done by virtue of this Act, or for forbearing to do any thing ordered or directed by the said Commissioners, or on any Account whatsoever, relative to their respective Duties; or shall any way be concerned in Interest in any Bargain made or to be made by the said Commissioners, or any of them, for the Purposes last aforesaid; every Person so offending shall be incapable of ever serving or being employed under this Act, and shall over and above forfeit any Sum not exceeding Five Pounds.

How the Inhabitants shall pave before their Houses.

And it is hereby further enacted by the Authority aforesaid, That every Owner or Occupier of any House or Houses, or Lands next adjoining to any Street, Lane, or Place, within the said City or the Liberties or Precincts thereof, shall, from time to time, within Ten Days next after Notice given by the said Commissioners, or their Surveyor or Surveyors, to be appointed respectively as aforesaid, well and sufficiently pitch, pave, or cause to be pitched and paved, the Street, Lane, and Place, before his or their Houses, Habitations, Lands, and publick Places respectively, into the Middle of the Street, Lane, or Place, within the said City (except in the Market Place of the same City, where the several and respective Occupier or Owner of any House or Houses, or other Buildings, or Lands, shall pitch and pave only Eight Feet from his, her, or their House or Houses, other Buildings or Lands) such pitching and paving nevertheless to be done under the Directions of the said Commissioners, or their Surveyor or Surveyors as aforesaid, who may cause the Ground to be raised or lowered, the Course of the Gutters or Channels running in or through the same, to be turned or altered; and the Grates already placed, or hereafter to be placed, over any Sewers, to be removed and replaced in such Manner and Form as they shall judge proper, and may cause all such Posts, as they shall think useless or inconvenient, to be taken up and removed, and likewise all Steps, Bulks, and Shew-boards, encroaching upon the Foot-ways, as also all such Steps and Doors as open or lead from the Foot-ways into Vaults or Cellars, to be removed or altered; and in case any Owner or Occupier shall neglect or refuse, for the Space of Ten Days next after Notice to him, her, or them, given as aforesaid, to pitch, pave, or repair, such Street, Lane,

Lane, or Place, as aforesaid, then, and in every such Case, it shall and may be lawful to and for the said Commissioners, to cause the same to be pitched, paved, or repaired; and in case any such Owner or Occupier shall cause any such Street, Lane, or Place, as aforesaid, to be pitched, paved, or repaired, otherwise than under the Direction of such Surveyor or Surveyors as aforesaid, and in such Manner and Form as they shall judge proper, then it shall and may be lawful to and for the said Commissioners, to cause such Pavement to be taken up, and re-layed in such Manner as they or their Surveyor as aforesaid, shall order and direct; and the Costs and Charges of such pitching, paving, or repairing, and of breaking up and re-laying such Pavement as aforesaid, shall be reimbursed to the said Commissioners by such Owner or Occupiers making Default as aforesaid, or pitching, paving, or repairing, such Streets, Lanes, or Places, otherwise than under the Direction of such Surveyor or Surveyors; and such Costs and Charges respectively, shall be levied by Distress and Sale of the Goods and Chattles of such Owner or Occupier in like Manner as the Rates herein after levied and assessed are directed to be levied and recovered, returning to such Owner or Occupier the Overplus (if any be) of such Goods and Chattles; and it shall and may be lawful to and for any Tenant or Tenants for the time being, to detain out of his, her, or their Rent or Rents the reasonable Charges of pitching, paving, or repairing, such Street, Lane, or Place, as aforesaid, and every Landlord is hereby required to allow the same.

Commissioners not to pave certain Streets.

Provided always, and it is hereby enacted and declared, That nothing herein contained, shall authorize or impower, or be construed to authorize and impower, the said Commissioners, or their Surveyor or Surveyors, or other Person or Persons to be by them appointed, to pitch, pave, or repair, any Part of the said Three Streets called The Abbey Street, Kingston Street, and Church Street, herein before-mentioned, or to dig or break up the Pitching or Pavement of the same, or to remove the Posts placed or to be placed there, or in any Respect to interfere in the said Three Streets, save only as to cleansing, enlightening, and watching the same, on any Account whatsoever; any thing in this or any former Act contained in any wise notwithstanding.

Provided

Corporation to pave the Market Place, &c.

Provided alſo, and it is hereby further enacted and declared, That the Charges of new paving, repairing, and keeping in Repair, the Plot or Piece of Ground whereon the new intended Market is propoſed to be erected and eſtabliſhed, ſhall be defrayed and paid, from time to time, by the Mayor, Aldermen, and Citizens of the ſaid City; and that the Pitching now laid in the Street called The High Street, except as aforeſaid, and on the Bridge over the River Avon, ſhall, from time to time, be repaired, and kept in Repair, at the Expence of the ſaid Mayor, Aldermen, and Citizens.

Signs, &c. how to be regulated.

And be it further enacted by the Authority aforeſaid, That all Signs, Sign-irons, Sign-poſts, Pent-houſes, Boards, Sheds, Spouts, and Gutters, or any Encroachment, Projection, or Annoyance whatever, already built, placed, or hung, in any of the ſaid Squares, Streets, Lanes, Ways, Paſſages, and Places, ſhall be taken down and removed by the ſaid Commiſſioners, or by their Order; and they ſhall cauſe the ſaid Signs, Sign-boards, and Gutters, to be placed cloſe to the Walls, or on the Fronts of the Houſes, Shops, Warehouſes, or Buildings, whereunto they reſpectively belong, and not otherwiſe; and ſhall return, or cauſe to be returned, to the reſpective Owners, all or ſo much of ſuch Signs, Sign-poſts, or Sign-irons, Boards, Spouts, or Gutters, as ſhall not be affixed or put up, or otherwiſe made uſe of in the Alterations directed by this Act; and that, for the future, all Signs, Sign-Boards, and Gutters, ſhall be placed or fixed cloſe to the Walls, or on the Fronts of the Houſes, Shops, Warehouſes, or Buildings, whereunto they reſpectively belong, and not otherwiſe: And if any Perſon or Perſons ſhall, at any Time hereafter, hang, place, erect, or build, any Sign, Sign-poſt, or other Poſt, Sign-iron, Pent-houſe, Board, Shed, Spout, Gutter, or any other Projection, Obſtruction, or Annoyance whatever, or cauſe the ſame to be done, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds.

Commiſſioners to prevent Annoyances, &c.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, for the future, drive, carry, or place, or cauſe to be driven, carried, or placed, in any Carriage Way or Foot Way within the ſaid City or Liberties thereof, any Coach, Cart, Waggon, Dray, or Carriage whatſoever, or any Collier's Horſes (other than ſuch Carriage or Horſe which may ſtand for the loading or unloading thereof;) or any Cake, Package, Timber, Stones, or any other Ma-

terial or Thing, which may obstruct the free Passage thereof, or wilfully occasion any Annoyance whatsoever; and shall not remove the same within the Space of Three Hours next after Notice to him or her given by the said Commissioners, or by any Person by them appointed to supervise, inspect, and remove Nuisances, Obstructions, and other Annoyances, found within the said City and Liberties; or if any Carriage, which may stand for the loading or unloading thereof, shall be suffered to remain longer than is necessary for such Purposes respectively; every Person, so guilty as aforesaid, shall, for every such Offence, forfeit the Sum of Ten Shillings: And it shall moreover be lawful for any Three of the said Commissioners, or any Person appointed by them as aforesaid, to seize, or cause to be seized, any Carriage or other Thing as aforesaid, causing such Obstruction, Nuisance, or Encroachment, together with any Horse or Horses thereunto belonging, and to drive and remove, or cause the same to be driven and removed, to some secure Place, there to be kept and detained until the Offender or Offenders shall pay to the Person, in whose Custody the same shall be, the said Penalty, together with the Costs and Charges of removing the same, and of keeping of such Horse or Horses (if any); and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Five Days next after such Seizure thereof respectively, then it shall and may be lawful to and for any Five or more of the said Commissioners, to order and cause the same to be sold, and the Money arising therefrom shall be applied to the Purposes last aforesaid.

Number of Horses to Carriages limited.

And be it further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and sixty six, no Waggon shall travel, pass, or be driven, within the City of Bath, with any Number of Horses, or Beasts of Draught, exceeding Four; nor any Cart with any Number of Horses, or Beasts of Draught, exceeding Three; Broad Wheel Carriages excepted; and that from and after the intended Way, from the lower End of Stall Street to the New Square, shall be completed, no Carriage whatever shall pass or be drawn through Bridewell Lane, but that the same shall thereafter be used as and for a Foot Way only; and if any Waggon shall pass or be driven within the said City, with any Number of Horses, or Beasts of Draught, exceeding Four; or any Cart with any Number of Horses, or Beasts of Draught, exceeding

exceeding Three, Broad Wheel Carriages excepted; or if any Waggon, Cart, or Dray, shall pass or be driven contrary to the Directions and true Meaning of this Act; or if after the intended Way, from the lower End of Stall Street to the New Square, shall be completed, any Carriage, Horse, or other Beast whatever, shall pass through Bridewell Lane; then, and in either of these Cases, the Owner, or Driver, or other Person, having Charge of any such Carriage, Horse, or other Beast, shall, for every such Offence, forfeit any Sum not exceeding Twenty Shillings.

Streets, &c. to be kept clean.

And, for the more effectually cleansing and keeping clean the said Squares, Streets, Lanes, Ways, Passages, and Places, be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, to cause any Number of moveable or fixed Dust Bores, Dust Holes, or other Conveniencies, wherein Dust and Ashes, or other Filth, may be deposited for the Rakers, to be erected, made, and placed, in such Parts as they shall judge proper; and the said Commissioners are hereby directed and required, to cause the said Squares, Streets, Lanes, Ways, Passages, and Places, to be swept and cleansed daily, and every Day, before each respective House, Building, or Walk, within the same, by the Scavenger, Raker, or other Officer, to be by them appointed for that Purpose, to the end that the Filth, Ashes, Dirt, Dust, Rubble, and Rubbish, may be ready to be carried away and deposited in the said Dust Bores, or Dust Holes, or otherwise disposed of, as the said Commissioners shall order and direct.

Penalty on Persons laying Ashes, &c. in the Streets.

And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall throw, cast, or lay, or cause or permit to be thrown, cast, or laid, any Ashes, Filth, Offal, Dust, Dirt, Rubbish, broken Glass, Earthen Ware, or other Annoyance, before any Dwelling-house, Shop, Stable, Building, or Wall, in any or either of the said Squares, Streets, Lanes, or Alleys, within the said City, Liberties, and Precincts, or into or upon the triangular Piece of Ground, lying before the Front of the North Parade, in Bath aforesaid; or into or upon the Piece or Slip of Ground of about Twelve Feet wide, lying before the Front of the South Parade, and which extends from a Tenement formerly belonging to Francis Cornish, to the River Avon; but shall carry the same, or cause the same to be carried, and thrown and emptied into the said Dust Bores or

Dust Holes; or otherwise shall keep, or cause the same to be kept, in their respective Houses or Yards, until such Time as the Scavenger, or other Officer thereunto appointed, shall come to or near their Houses, Doors, or Places, with his Cart or Carriage, to take the same away, and then shall carry, or cause to be carried, the said Ashes, Dirt, or other such Filth or Annoyance, out of their Houses or Yards, and deliver it to such Scavenger, or other Officer as aforesaid, upon Pain to forfeit, for every such Neglect, the Sum of Ten Shillings; and if any Person or Persons shall have any Hay or Straw brought and thrown down, for the Use of any Inn or any other House, in any of the Streets, Lanes, Alleys, or other Publick Places, within the said City, or the Liberties and Precincts thereof, and shall not carry away the same into their Yards or Stables, and cause the same Streets, Lanes, Alleys, or other Publick Places, to be swept, and cleansed, and cleared from the said Hay or Straw, within Three Hours next after the same shall respectively have been unloaded, he, she, or they, so neglecting, shall, for every such Neglect, forfeit any Sum, not exceeding Twenty Shillings.

Scavengers Carts not to be shod.

Provided always, and be it hereby enacted, That no Scavenger, or other Person whatsoever, employed or to be employed, by virtue of, and in pursuance of, this Act, for taking and carrying away the Dirt, Dust, Ashes, Soil, Filth, Rubble, or Rubbish as aforesaid, shall drive, or cause to be driven, any Cart or other Carriage, shod with Iron, in, over, or upon, any of the Streets, Lanes, Alleys, or other Places, lying and being within the said City, or the Liberties thereof, where such Carts or Carriages do not usually come, and which are not or shall not hereafter be pitched or paved, as and for a Publick and Common Highway or Passage for Waggons, Carts, and Carriages, upon Pain of forfeiting, for every such Offence, the Sum of Twenty Shillings.

Penalty on Persons sifting Ashes, &c. in the Streets.

And whereas many Persons do frequently pick and sift Dirt, Dust, and Ashes, in the publick Streets, within the City of Bath and the Liberties thereof, and in the triangular Piece of Ground lying before the Front of the North Parade, and in the Slip of Ground lying before the South Parade respectively, to the great Annoyance and Disturbance, as well of the Inhabitants as of the Persons passing by and through the said Street and Places: For Remedy whereof, it is hereby further enacted, That, if any Person or Persons shall be guilty

of

of such Annoyance and Disturbance, and Complaint thereof shall be made to the Mayor, or any One Justice of the Peace of the said City, it shall and may be lawful to and for the said Mayor, or such other Justice, to grant his Warrant or Warrants, to bring before him any Person or Persons so complained of, and on Proof being made before such Mayor or Justice, of such Offence, by the Oath of One or more Witness or Witnesses, to commit the Person or Persons so offending, to the Gaol of the said City, there to remain for any Time not exceeding Ten Days.

Lamps to be set up:

And for the better enlightening of the said Squares, Streets, Lanes, Ways, Passages, and Places, within the said City and the Liberties thereof, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, to order and direct what Sort and Number of Lamps shall be set up, and where and in what Manner, and at what Distances they shall be affixed, and at what Time the Lights within the same shall be lighted, and how long they shall continue lighted; and if any Person or Persons shall hereafter, at their own private Expence, set up any Lamp or Lamps, in any of the said Streets, Squares, or other Places, they shall cause them to be made of the same Form, and to be affixed and arranged in a Line with those set up by Order of the said Commissioners.

Penalty on breaking them wilfully,

And whereas several evil disposed Persons have wilfully broken the Lamps hung out in the Streets of the said City, and extinguished the Lights within the same; now to prevent the like mischievous Practices for the future, be it further enacted by the Authority aforesaid, That if any Person or Persons shall from and after the said Twenty fourth Day of June next, wilfully and mischievously take away, break, or throw down, any Lamp that now is or shall be hung or set up to light the Streets, or other Places, or wilfully extinguish the Light or Lights within the same, or damage the Irons, or other Furniture thereof, every Person so offending therein, and being thereof convicted, by the Oath or Oaths of One or more credible Witness or Witnesses, before any One or more Justice or Justices of the Peace for the said City, shall, for every such Offence respectively, forfeit the Sum of Twenty Shillings for the first Time of offending, the Sum of Forty Shillings for the Second Time of offending, and the Sum of

Three Pounds for the Third and every other Time of offending.

or accidentally. And it is hereby further enacted, That in case any Person or Persons shall carelesly, or accidentally break, throw down, or damage any of the said Lamps so hung or set up, or to be hung or set up as aforesaid, or the Irons or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto; then, and in every such Case, it shall and may be lawful to and for any One or more of the said Justices, upon Complaint thereof to him or them made by One or more credible Person or Persons, to summon before such Justice or Justices, the Party or Parties who shall be complained of for doing such Damage as aforesaid; and upon hearing the Allegations and Proofs on both Sides, or Non-appearance of the Party or Parties so complained of, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded, within Five Days after Demand, to cause the same to be recovered in such Manner as Fines, Penalties, and Forfeitures, are by this Act directed to be recovered.

Commissioners may contract for paving, cleansing, lighting, &c. And be it further enacted by the Authority aforesaid, That the said Commissioners may contract, and they are hereby empowered from time to time, at any of their said Meetings, to contract with any fit Person or Persons, for cleansing and enlightening, all or any of the said Squares, Streets, Lanes, Ways, Passages, and Places, within the said City and Liberties, except as above excepted; and also to employ under them in the respective Works aforesaid, such and so many Artificers, Labourers, Carters, and others, whom they shall judge necessary for the due Execution of the said Works respectively; and no Person shall for any Act done, in consequence of their being so employed by the said Commissioners, be subject or liable to any Action, Indictment, or Information, upon the Statute made in the Fifth Year of Queen Elizabeth, intituled, An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry, and Apprentices.

Notice to be given of Intention to make Contracts. Provided always, That previous to the making of any Contract as aforesaid, Ten Days Notice shall be given by Advertisement to be fixed upon every Parish Church Door within the said City, expressing the End of the intended Contract, in order that any Persons wil-

ling to engage therein may make Proposals to the said Commissioners at a certain Time and Place in each Notice to be specified; and all Contracts made or to be made in consequence of such Notice, shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works shall be compleated, together with the Penalties to be incurred in case of the Non-performance thereof; and the same shall be signed by the said Commissioners, as also by the Person or Persons contracting to perform such Works respectively.

Lamps, &c. vested in the Commissioners.

And be it further enacted by the Authority aforesaid, That the Property of the said Lamps, Iron, Timber, Furniture, and of all other Materials and Things which shall be made use of for the Purposes of cleansing and enlightening the said Squares, Streets, and Places as aforesaid, shall be, and the same are hereby vested in the said Commissioners for the time being; and they are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions, in the Name or Names of any One or more of them, or to prefer and order the preferring of Indictments, against any Person or Persons who shall steal, take, or carry away, any or any Part of such Materials or Things; and if any Person or Persons shall wilfully or maliciously break down, destroy, or otherwise damage or spoil any of the said Materials or Things, or any of the Works done in pursuance of this Act, or any Part or Parts thereof, every Person so offending therein, and being thereof convicted, by the Oath of One or more Witness or Witnesses, before any Justice of the Peace for the said City, shall, for every such Offence respectively, forfeit any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, for the First Time of offending; and for the Second and every other Time of offending, any Sum not exceeding Forty Shillings, nor less than Twenty Shillings.

Commissioners to establish a regular Watch.

And, for the more effectually establishing and keeping a sufficient and well regulated Watch within the said City, Liberties, and Precincts, be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners for the time being, and they are hereby impowered and required, at any of their public Meetings to be held as aforesaid, to order and appoint such a Number of Watchmen and Night Constables as they shall judge necessary, to be kept within the

the said City, Liberties, and Precincts, for One whole Year, commencing from the Day next ensuing the said Order; and shall also order and direct what Number of Watchmen or Constables shall attend every Night within the said City and Liberties, and Precincts thereof, and how such Watchmen shall be armed; and shall also order and set down in Writing at what Stands or Places it is fit for such Watchmen to be placed, how long they are to watch, and how often it shall be required of them to go their Rounds; and the said Commissioners shall farther order and direct what Wages and Allowances shall be given to the said Watchmen and Night Constables for their Attendance; and if any of the said Watchmen, so by them appointed, shall be negligent in his or their Duty, or guilty of any Misbehaviour, the said Commissioners shall and may, from time to time, remove any Watchmen so negligent or guilty as aforesaid, and nominate and appoint any One or more Person or Persons in the Room of him or them so removed, or in the Room of any Watchmen who shall die within the Time for which they shall be appointed to serve; and the said Commissioners are hereby impowered to make such farther Orders and Regulations, from time to time, for the better Government and Direction of the said Watchmen and Night Constables, as the Nature of each particular Service shall appear to them respectively to require.

Regulations for the Watchmen to be delivered to Night Constables,

And be it further enacted by the Authority aforesaid, That a true Copy or Transcript, as well of all the Orders and Regulations, as of all such Nominations, Appointments, Orders, and Regulations, as shall be so made from time to time as aforesaid, for the better Direction and Government of the said Watchmen, shall be fairly written and signed by the said Commissioners, and shall be delivered to all and every the Night Constables of the said City, Liberties, and Precincts; and the said Night Constable, or Night Constables, shall, in their several Turns or Courses of watching, use their best Endeavours to prevent Fires, Murders, Burglaries, Robberies, and other Outrages and Disorders;

who may apprehend Night Walkers, &c.

and to that end, the said Night Constables, or, in their Absence, the said Watchmen, or any of them, shall, and they are hereby impowered and required to arrest all Night Walkers, Malefactors, and suspected Persons, who shall be found wandering or misbehaving themselves; and the said Watchmen shall carry the Person or Persons who shall be by them so apprehended,

ed, as soon as conveniently may be, to the Constable of the Night; and the said Night Constables shall, as soon as conveniently may be, carry such Persons as shall be apprehended by them, or delivered to them by the said Watchmen as aforesaid, before One or more Justice or Justices of the Peace of and for the said City, to be examined and dealt with according to Law; and shall Twice, or oftener, at convenient Times, in every Night, go about the said City and Liberties, and Precincts thereof, and take Notice whether all the Watchmen perform their Duties in their several Stations, according to such Orders and Regulations as shall have been made for that Purpose by the said Commissioners; and in case any such Watchman shall misbehave himself, or neglect his Duty, the said Night Constables, or One of them, as soon as conveniently may be, shall give Notice thereof to the said Commissioners, to the end that they may be forthwith summoned for the Examination and Punishment of such Offence.

Penalty on Constables and Watchmen neglecting their Duty.

And be it further enacted by the Authority aforesaid, That if any of the said Night Constables, or Watchmen, so appointed, shall wilfully neglect to attend any Night in his or their Turn, to keep Watch and Ward within the said City and Liberties, and Precincts thereof, or shall not come to keep Watch and Ward at the respective Hours appointed by the said Commissioners for his and their Attendance thereon, or shall depart from or leave keeping Watch and Ward, during the respective Hours appointed by the said Commissioners for the keeping the same; or shall neglect in any Night of his or their watching for the Purposes aforesaid, or shall otherwise misbehave himself or themselves against the Duty prescribed to them by this Act; in such and every of the said Cases, the Person or Persons so offending shall respectively forfeit any Sum not exceeding Twenty Shillings.

Rates to be made:

And whereas the Purposes of cleansing and enlightening the said Streets and Places within the said City and Liberties, and of preventing Annoyances therein, and of keeping a sufficient and well regulated Watch within the same, might be better executed, and it would moreover be more convenient to the Inhabitants thereof, if the several Rates and Assessments, necessary for defraying the Charges of the same, were consolidated and made one joint and general Fund, to be collected together; wherefore be it enacted by the Authority aforesaid, That from and after the Twenty fourth Day of

June, One thousand seven hundred and sixty six, One or more Rate or Rates, Assessment or Assessments, shall, for the several Purposes last mentioned, Twice in every Year, or oftener, if it shall be thought needful by the said Commissioners, be made, laid, and assessed, by them, of and upon all and every the Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, within the said City and Liberty, and Parishes and Places, in such competent Sum and Sums of Money as the said Commissioners shall yearly, and every Year, order and direct; so as such Rates or Assessments do not exceed in the Whole the Sum of One Shilling in the Pound in any One Year, of the yearly Rent of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements.

Tenants to pay them,

And, to the end that the said Rates may be more effectually collected and received, be it further enacted, That all and every Tenant and Tenants, Occupier or Occupiers, of Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, are and shall be liable to pay the Whole of such Rates to the Collector or Collectors to be appointed by the said Commissioners, as herein is directed; and, upon Payment thereof, such Tenant or Tenants, Occupier or Occupiers, shall be at Liberty, and is and are hereby authorized, to deduct and detain out of his, her, or their Rent or Rents, such Proportion of such Rates as he, she, or they shall respectively pay on account of the several Owners, Proprietor or Proprietors, of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, and shall be hereby saved and kept harmless from any further Payment of any such Rate or Rates, to any Person or Persons to whom any such Rent or Rents should or ought to be paid.

and to be allowed the Proportion paid for the Proprietors.

Houses lett into Tenements, &c. how to be charged.

And whereas many Houses within the said City and Liberties, Parishes, and Places, are, by the several Owners and Proprietors thereof, lett out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to rate and assess such Houses, or to recover such Rates and Assessments when made; for Remedy whereof, be it enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and sixty six, it shall and may be lawful to and for the said Commissioners, from time to time, and at all Times when they assemble, to make a Rate in pursuance of this Act, for the Purposes last mentioned, to rate and assess the Owner or Owners of

such

such Houses or Tenements as shall be lett to or occupied by, Two or more Tenants; which Rate and Assessment shall be paid by One or more of the Tenants or Occupiers of any Part or Parts of such Houses; and in case any Occupier or Occupiers of any Part of such Houses or Tenements shall refuse to pay the same, then the said Rate and Assessment shall be raised and levied of the Goods of him, her, or them, so refusing to pay the same, in Manner as herein after directed; and such Occupier or Occupiers of such Tenements are hereby required and authorized to pay such Sum and Sums of Money, as shall be so rated or assessed on the Owner or Owners thereof, in pursuance of this Act, and to deduct the same out of the Rent thereof; and the Owner or Owners, Proprietor or Proprietors thereof, are hereby required to allow such Deductions and Payments, upon the Receipt of the Residue of their Rents; and every such Tenant's paying such Rate or Rates, Assessment or Assessments, shall be acquitted and discharged for so much Money as the said Rate or Rates, Assessment or Assessments, shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rents shall have been due and payable.

Rates recoverable by Distress.

And be it further enacted, That if any Person or Persons shall neglect or refuse to pay the Sum or Sums of Money on him, her, or them, rated and assessed by virtue of this Act, for the Purposes last above mentioned, for the Space of Ten Days after personal Demand thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons so rated or assessed, and neglecting or refusing to pay such Rate and Assessment; that then, and in every such Case, it shall and may be lawful to and for such Collector or Collectors appointed to receive the said Rates and Assessments (by Warrant or Warrants under the Hands and Seals of One or more Justices of the Peace of the said City, which Warrant or Warrants the said Justices are hereby authorized and required to grant) by and with the Assistance of a Constable or Tythingman of the said City, who is hereby required to be aiding and assisting to such Collector or Collectors, to enter into any Part of the Premisses within the said City and Liberty, Parishes or Places, occupied by the Person or Persons so neglecting or refusing to pay such Rate and Assessment, and to distrain his, her, or their Goods and Chattles; and if the same shall not be replevied, or the Monies paid within Ten Days after such Distress made, together

with Costs of making such Distress, to be ascertained by any One or more of the said Justices of the Peace of the said City and Liberty, as the Case may require, then to sell so much and such Part thereof as will be sufficient to pay the said Rate and Assessment, together with all Costs and Charges attending the said Distress, returning the Overplus, if any, to the said Owner or Owners of such Goods and Chattles.

Persons quitting their Houses, may be distrained elsewhere.

And be it further enacted, That where any Person or Persons who hath or have been so rated and assessed, shall quit his, her, or their Dwelling-house, Warehouse, Shop, Vault, Cellar, or Tenement, in the Parish or Place wherein such Rate or Assessment has been made, before he, she, or they, shall have paid the same, and shall afterwards refuse to pay the same when due and demanded by the Person or Persons authorized and appointed to collect and receive the same; that then, and in every such Case, it shall and may be lawful to and for the said Collector or Collectors, and every or any of them, by Warrant obtained under the Hands and Seals of any One or more Justices of the Peace of the City of Bath, which Warrant the said Justices are hereby authorized and required to grant in any Place within the said City, Liberties, and Precincts, or out of the Limits thereof; such Warrant being first backed or countersigned by some Magistrate in the County, City, or Liberty, where the Distress is to be made, to distrain the Goods and Chattles of such Person or Persons so neglecting or refusing, and the same to sell, rendering the Overplus, if any such shall be, after having deducted the reasonable Charges and Expences of such Distress, to the Owner of such Goods and Chattles demanding the same.

Contracts between Landlords and Tenants to remain as before.

Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant touching or concerning the paving, repairing, enlightening, or cleansing, or watching, any or any Part of the said Squares, Streets, or Lanes, or either of them; but that every Person who is now, by virtue of any such Contract or Agreement, obliged to pave, keep in Repair, cleanse, or enlighten, or watch, any Part of the said Squares, Streets, or Lanes, or either of them, shall, in lieu thereof, be obliged to pay the Rates hereby directed to be made and assessed, or so much thereof as shall, by the said Commissioners, be deemed just and reasonable, according to the true Meaning of such Contract, Covenant, or Agreement,

ment, for and during such Time as such Contract, Covenant, or Agreement, shall remain in Force; and in case any Dispute shall arise concerning such Agreement, the said Commissioners shall have Power to hear and finally determine the same.

Persons paying the new Rate,

And be it further enacted by the Authority aforesaid, That as soon as any Rate or Assessment shall be made, laid, or assessed, by the said Commissioners, by virtue and in pursuance of this Act, for the Purposes of cleansing, enlightening, or watching, any Part of the said Squares, Streets, or Lanes, or either of them, or the Owners or Occupiers of any Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements; such Owners or Occupiers shall be no longer liable to be charged to any Rate or Assessment for and on account of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, by virtue and in pursuance of any former Act, nor to any Charges attending the same, nor to any Penalties which may or might be incurred by Means of their neglecting the same.

not liable to old ones.

Rates to be paid to the Collectors.

And be it further enacted by the Authority aforesaid, That all such Person or Persons as is or are hereby made liable to pay the several Rates or Sums of Money hereby granted, shall pay the same to such Collector or Collectors, or other Person or Persons to be by the said Commissioners appointed to collect and receive the same, according to the true Meaning of this Act; and all such Officers and Persons, so to be appointed as aforesaid, shall under their Hands, at such Time and Times, and in such Manner, as the said Commissioners shall direct, deliver to such Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been received by such Officer or Officers, or other Person or Persons respectively, by virtue of and for the Purposes of this Act, and how much thereof hath been paid and disbursed by Order of the said Commissioners, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and all the said Officers and Persons so accounting as aforesaid, shall, upon Oath (which Oath the said Commissioners are hereby impowered and required to administer) verify their said Accounts; and if any such Officer or Person shall not make and render such Account, or shall refuse to ve-

Officers to account.

rify the same upon Oath, or to produce and deliver the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within One Month after being thereunto required by the said Commissioners, all the Books, Papers, and Writings, in his Custody or Power, relating to the Execution of their respective Offices, Trusts, and Duties, or shall refuse or neglect to pay such Monies as, upon the Balance of any Account or Accounts, shall appear to be in their respective Hands, to the said Commissioners, or as they shall direct or appoint; then, and in either of the Cases aforesaid, such Commissioners may, and they are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions in the Name of such Commissioners, against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint be made by the said Commissioners, or by any Person or Persons by them appointed, of any such Neglect or Refusal, to any One Justice of the Peace for the said City, such Justice may, and he is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him; and upon his, her, or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if, upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses, upon Oath (which Oath such Justice is hereby impowered and required to administer) it shall appear to such Justice that any of the Monies which shall have been collected and raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may, and he is hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied of the Goods and Chattles of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattles of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of selling the Goods and Chattles so distrained; then, and in either of the Cases aforesaid, such Justice shall commit every such Offender to the Prison of the said City, until he shall give and make a true and perfect

fect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby impowered to make) or until he shall deliver up such Books, Papers, and Writings, as aforesaid, or give Satisfaction in respect thereof to the said Commissioners; and after such Accounts shall have been delivered in by such Collectors in Manner as aforesaid, the same shall be respectively settled, and a general Balance struck by the said Commissioners, on every First Tuesday in the Month of June, from Year to Year; and such Accounts shall lie open at the Town Hall of the said City for Inspection, for the Space of One Week, before the same shall be signed by such Commissioners.

On Death of Collectors, Executors to act.

And be it further enacted, That if any Collector or Collectors shall happen to die before he or they shall have fully paid and satisfied all the Money by him and them received by virtue of this Act; then, and in every such Case, the Executors or Administrators, Executrix or Administratrix, or other legal Representative or Representatives, or Person or Persons possessing the late Estate and Effects of every such Collector or Collectors, shall, out of such Estate or Effects, pay to the said Commissioners for the time being, all such Sums of Money by such Collector or Collectors so collected, and not paid, or so much thereof as the said Estate or Effects will extend to pay, and the Receipt of the said Commissioners shall be a good Discharge for such Money; and every Executor or Administrator, or other Person as aforesaid, may, to any Action or Suit commenced or brought against him, her, or them, plead or give in Evidence the Payment of the same, and shall be allowed Payment of the same out of such Estate or Effects; and in case of Non-payment of the same, by the Space of Twenty one Days after the same shall be demanded, it shall and may be lawful to and for the said Commissioners for the time being, and they are hereby directed and required, in their own Name or Names, to commence and bring one or more Action or Actions, in any of His Majesty's Courts of Record at Westminster, against such Executors or Administrators, or other Person or Persons as aforesaid, for the Recovery of the same.

Application of Monies.

And be it further enacted by the Authority aforesaid, That all the Monies raised, or to be raised by the said Rates and Assessments to be made and levied by virtue of this Act, for the Purposes of cleansing and enlighten-

ing the Squares, Streets, Lanes, and other Places aforeſaid, within the ſaid City, Liberties, and Precincts, and for the keeping a ſufficient and well regulated Watch in the Night-time within the ſame, and for removing and preventing Obſtructions and Annoyances therein, ſhall be, and the ſame are hereby, veſted in the ſaid Commiſſioners, and ſhall by them be applied to ſuch Purpoſes only; and no Part of the Monies which ſhall be raiſed by ſuch Rates and Aſſeſſments as aforeſaid, ſhall be applied to the Purpoſes of purchaſing any Houſes, Buildings, or Grounds, for enlarging the Streets of the ſaid City and Liberties, or for erecting and eſtabliſhing a new Market within the ſame as aforeſaid, or for or towards bringing Water into the ſaid City, or for any other Purpoſes than thoſe above-mentioned by the ſaid Commiſſioners.

Perſons paying the Rates not to gain Settlements.

Provided always, and be it enacted by the Authority aforeſaid, That no Perſon or Perſons who ſhall be charged with, or pay to, any Rate or Aſſeſſment by virtue or in purſuance of this Act, for any of the Purpoſes laſt above-mentioned, ſhall be deemed or conſtrued thereby to gain any Settlement within any of the Pariſhes, Liberties, and Precincts, of the ſaid City of Bath.

Perſons aggrieved may appeal to the Quarter Seſſions.

Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon ſhall think himſelf or herſelf aggrieved by any thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace at any General Quarter Seſſions of the Peace to be held for the County wherein the Cauſe of ſuch Complaint ſhall ariſe, and within Six Months after the Cauſe of ſuch Complaint ſhall have ariſen; ſuch Appellant firſt giving, or cauſing to be given, Ten Days Notice at the leaſt, in Writing, of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk of the ſaid Commiſſioners; and within Four Days after ſuch Notice, entering into Recognizance before ſome Juſtice of the Peace for the ſaid City, with Two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by, the Juſtices of ſuch Quarter Seſſion; and the ſaid Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing

ing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

Application of Penalties.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied by Distress and Sale of the Offenders Goods and Chattles, by Warrant under the Hand and Seal of some Justice of the Peace for the said City; which Warrant such Justice is hereby impowered and required to grant, upon Confession of the Party or Parties, or upon the Information of any One or more credible Witness or Witnesses upon Oath (which Oath such Justice is hereby impowered to administer) and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) upon Demand, to the Party or Parties whose Goods and Chattles shall be so distrained (the Charges of such Distress and Sale being first deducted) shall be paid to the Chamberlain of the said City, or to the Clerk of the said Commissioners respectively, or such Persons as shall be by them respectively appointed, and be applied towards the several Purposes of this Act, in Manner as above directed and provided; and in case sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be paid, it shall and may be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Prison of the said City, for any Time not exceeding Three Months.

Distress not to be deemed unlawful for want of Form;

And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same, be deemed a Trespasser or Trespassers, on account of any Default or want of Form in any Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity, may recover full Satisfaction for the Special Damage, in an Action on the Case.

nor the Parties distraining deemed Trespassers *ab initio*.

Plaintiff not to recover, if Tender of Amends hath been made.

Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient

Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit; whereupon such Proceedings or Orders, and Judgements, shall be had, made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Writings to be without Stamps.

Provided also, and be it enacted by the Authority aforesaid, That no Appointment, Nomination, Contract, Bond, Warrant, Judgement, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by the said Mayor, Aldermen, and Common Council, of the said City, in Common Council assembled, or by the said said Commissioners, or by any Justice or Justices of the Peace for the said City, or exhibited before them, or under the Hand and Seal, or Hands and Seals of, or only signed by, any other Person or Persons whatsoever, relating to the Execution of this Act, shall be chargeable with any Duty whatsoever.

Proceedings not to be quash'd for want of Form,

And be it further enacted by the Authority aforesaid, That no Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in, or relating to, the Execution of this Act, shall be vacated or quashed for want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; any Law or Statute to the contrary notwithstanding.

nor to be removed by *Certiorari*.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Thirty Days Notice shall be thereof given in Writing to the Clerk of the said Mayor, Aldermen, and Citizens of the said City, or of the said Commissioners respectively, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried, in the County

or

or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and that the Defendant or Defendants in such Actions or Suits, and every of them, may plead the General Issue, and give 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 brought, was done in Pursuance and by the Authority of this Act: And if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Thirty 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 before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid; then the Jury or Juries shall find for the Defendant or Defendants therein: And if a Verdict or Verdicts shall be found for such Defendant or Defendants; or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become Nonsuit, or suffer a Discontinuance of such Action or Actions; or if, upon any Demurrer or Demurrers in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

General Issue.

Treble Costs.

And be it further enacted and declared, That immediately after the several Authorities, Powers, and Provisions herein before given, granted, established, declared, and provided, shall commence and take Effect respectively, for the Purposes of paving, cleansing, and enlightening the said City, Liberties, and Precincts, and of keeping a sufficient and well regulated Watch in the Night-time within the same, according to the Tenor and true Meaning of this Act; the said Act made in the Thirtieth Year of the Reign of his late Majesty King George the Second, and all the Powers, Provisions, Clauses, Matters, and Things, therein respectively contained (other than and except so far as the same concern or relate to the regulating the Chairmen within the said City; and other than and except the Exception in a repealing Clause therein contained, providing and declaring, that so much of Three former Acts made in the Sixth Year of the Reign of Her late Majesty Queen

Act 30 Geo. II. in part repealed.

Anne, the Seventh Year of the Reign of His late Majeſty King George the Firſt, and the Twelfth Year of the Reign of His late Majeſty King George the Second, as concern or relate to the repairing and enlarging the Highways from the Top of King's-down Hill to the City of Bath; and for amending ſeveral other Highways leading to the ſaid City, ſhall ſtand unrepealed) ſhall be, and the ſame is and are hereby repealed.

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

First SCHEDULE to which this Act refers.

To open the Markets in the High Street.

Houſes, Buildings, Gardens, and Yards, belonging to Edward Collibee Eſquire, Mr. Thomas Biſhop, and Mr. Edward Marchant, containing in Front 129 Feet.

In the Shambles. Houſes belonging to ſaid Mr. Edward Marchant, and the Reverend Mr. Chapman, containing in Front 50 Feet.

In Boatsfall, or Lot Lane. Houſes, Buildings, Yards, and Gardens, belonging to ſaid Mr. Edward Marchant, Mr. Alderman John Chapman, containing 157 Feet in Front and Depth.

Along the Water-ſide. Houſes, Slaughter Houſes, Buildings, Yards, and Gardens, belonging to Joſeph Whitwick, ſaid Alderman John Chapman, Joſeph James, Mrs. Ann Marchant, Mrs. Whitwick, and Martha Biſhop, containing in Front 276 Feet.

To widen the Streets.

Houſes belonging to Mr. and Miſs Atwood, and Mr. Antipaſs Mitchell, to make the Way from the Market Place to Wade's Paſſage 30 Feet wide.

A Houſe partly on the upper End of Stall Street, and partly in Cheap Street, belonging to Mrs. Barwell, to be pulled down, the Ground to be laid open to thoſe Streets, which contains in Front to Stall Street 30 Feet, and to Cheap Street 28 Feet.

In Stall Street. A Houſe there in Poſſeſſion of John Crouch, containing in Front 20 Feet, to be pulled down to widen the Street.

A Houſe

A House belonging to Mr. William Sainsbury, and a House belonging to Mr. Salmon, containing in Front 30 Feet each, to widen the Street and enlarge the Pump Room; a House belonging to the Reverend Mr. John Chapman, and another belonging to Mrs. Dallamore and others, containing in Front 30 Feet each, to widen the Street, and for the Improvement of the King and Queen's Baths.

In the Church Yard. A House in Possession of Miss Spurlock, containing in Front 48 Feet; and a House in Possession of William Saunders, containing in Front 30 Feet; to enlarge the Pump Room, and for the Improvement of the said King and Queen's Baths.

Burrough Walls. A House belonging to Mrs. Baber, containing in Front 20 Feet; Two Houses belonging to Richard Wiltshire, containing in Front 40 Feet; and Four Houses belonging to T. Salmon, containing in Front 90 Feet, to be pulled down; and the Ground to be laid open to widen the Way there.

Westgate Street. Westgate House, and the Buildings belonging, in Possession of Mrs. Woolmer, and her Sister Margaret Webb, containing in Front 170 Feet, to widen the Way from Westgate Street to Saw Close.

In Milsom Street. The Ground belonging to the Parishes of Saint Peter and Paul, and Saint James, in Bath, being the Poor House and Garden, containing in Front 114 Feet, and Piece of Ground adjoining, containing in Front 24 Feet.

The Second SCHEDULE to which this Act refers.

To make and lay open a new Coach Way from *Milsom Street* to *Stall Street*.

A Garden and Wood Yard belonging to Mr. Nathaniel Bond and another, containing in Front 150 Feet, and 25 Feet deep.

Two Houses, a Malthouse and Garden, belonging to Mr. William Wiltshear, containing in Front 128 Feet.

The Bear Inn, Coach-houses, Stables, and Yards, belonging to Mr. Joseph Phillott, containing in Length 325 Feet.

A House belonging to and in Possession of Mrs. Cummings, adjoining to the said Bear Inn, containing in Length 30 Feet.

A House belonging to Mrs. Mary Broad, in Possession of Holdstock, containing in Front 11 Feet.

To make and lay open a new Coach and Carriage Way from *Saw Close* to *Queen Square*.

Two Houses in Saint John's Court, belonging to Mr. Edward Bally; a House in Beaufort Square, in Possession of John Masters, Grocer, containing in Length 60 Feet; the Area and Steps, and Door Way of a House partly in said Saint John's Court, and partly in Trim Street, belonging to Mrs. Wainhouse, containing in Length 40 Feet.

A House, Workshop, Stable, and Coach-house, the Corner of Beaufort Square, belonging to Mr. Thomas Brown, containing in Length 70 Feet, towards said Queen's Square.

Eight little Tenements adjoining to Westgate House, belonging to Mrs. Woolmer, and her Sister Margaret Webb, Mrs. Rachael Fear, Widow, and Messieurs William Hill and John House, containing in Front in the whole 120 Feet, or thereabouts.

One House belonging to Joseph Greenway, in Saint John's Court, containing 63 Feet, fronting the Burr. Walls.

FINIS.