Anno nono

Georgii III. Regis.

An Act for erecting a Market Houſe, and holding a Market in the Town of *Taunton*, in the County of *Somerſet*; and for preventing the holding of any Market in the Streets of the ſaid Town; and for cleanſing the Streets, and preventing Nuiſances and Obſtructions therein; and for lighting certain Streets in the ſaid Town.



WHEREAS the Market of the Town of Taunton, in the County of Somerſet, is now held in the open publick Streets in the ſaid Town; and the removing the ſame would be of great Convenience to the Inhabitants of the ſaid Town, and to all Perſons reſorting thereto: And whereas the Lord Biſhop of Wincheſter, and James Foy and John Shute his Port-Reeves, who claim a Property in the ſaid Market, are willing to give up their Right and Intereſt therein, upon Satisfaction being made to them for the ſame: And whereas there is a convenient Spot of Ground in the Centre of the ſaid Town, commonly called The Iſland and Corn Hill; the ſame being Trian- Preamble.

gular, and ſituate in, and ſurrounded on all Sides by, the Fore Street, and pointing Northwards to the North Street in the ſaid Town of Taunton; on Part whereof certain old Houſes, Stalls, and Standings, and a Town Hall or Guildhall, are now ſtanding; and if the ſaid Houſes, Standings, and Town Hall or Guildhall, were taken down and removed, a commodious and convenient Market might be holden on the ſaid Ground, a Market Houſe, Part whereof might be appropriated and uſed as a Town Hall or Guildhall for the Uſe of the Corporation of the Borough of Taunton, as often as they ſhall have Occaſion to uſe the ſame, and for the Judges of Aſſize, and for the Juſtices of the Peace for the County of Somerſet, if they ſhall think proper to hold their Aſſizes and Seſſions there, and for holding the Meetings of the Truſtees appointed to execute this Act, and for the Steward or Stewards of the Biſhop of Wincheſter for the time being to hold his Courts, and other neceſſary and convenient Houſes and Buildings might be erected thereon, which would be a general Advantage to the Inhabitants of the ſaid Town and the Country ſurrounding it: And whereas many Diſorders and Irregularities are frequently committed in the Night-time in the Eaſt Street, the High Street, the North Street, and the Fore Street in the ſaid Town, which, in a great Meaſure, might be prevented, if the ſaid Streets were properly lighted: And whereas the cleanſing the Streets of the ſaid Town, and the taking down the Signs and Sign Poſts, and the removing and preventing all Annoyances and Incroachments therein, would tend greatly to the Health, Safety, and Advantage, as well of the Inhabitants of the ſaid Town, as of all others reſorting thereto: And whereas the Paſſage through the ſaid Street called North Street, to the Bridge commonly called Nurton Bridge, is greatly obſtructed by Two old and ruinous Houſes now ſtanding between Groping Lane and Horſe Lane, and it would tend greatly to the Convenience of the Inhabitants of the ſaid Town and to the Publick, if the ſaid Houſes were taken down, and the Site or Ground whereon they ſtand was laid into the publick Street: But, as ſuch new Market cannot be held and maintained, nor the ſaid other Purpoſes be effectually carried into Execution, without the Aid of Parliament; May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the

the same; That Sir Thomas Dyke Acland Baronet, Sir Charles Kemys Tynte Baronet, the Reverend Thomas Camplin Doctor of Laws; John Dyke Acland, Arthur Acland, Coplestone Warre Bampfylde, James Bernard, John Collins, Richard Hipesley Coxe, Edward Clarke, Richard Combe, John Frauncis, Abraham Gapper Clerk, William Hawker, John Jeane of Binfords, John Lethbridge, Henry Powell, Alexander Popham, Alexander Popham of Bagborough, John Sanford Clerk, William Sanford, Robert Ware, Francis Warre Clerk, Nathaniel Webb, and Isaac Wellman, Esquires, and their Successors, to be elected in manner herein after mentioned, together with every Man who shall, on or before the Twenty fourth Day of June, One thousand seven hundred and sixty nine, advance and pay the Sum of Five Guineas as a free Gift towards the Purposes of this Act, shall be, and they are hereby constituted and appointed Trustees to do all Matters and Things necessary for carrying this Act into Execution, in manner herein after mentioned; and such Persons shall become Trustees immediately upon the Payment of their respective Subscriptions, which shall and may be paid into the hands of James Foy of Taunton Gentleman, until a Treasurer shall be appointed at any Meeting of the Trustees, other than the First Meeting for carrying this Act into Execution.

Time and Place of Trustees Meeting.

And be it further enacted, That the said Trustees, or any Nine or more of them, shall meet at the Guildhall in the Town of Taunton, on the Third Wednesday next after the Day of the passing of this Act, and shall proceed to the Execution of this Act; and shall then, and at all their subsequent Meetings, adjourn themselves, from time to time, to such Times as the said Trustees, or any Nine or more of them, shall think proper, as often as it shall be necessary for putting this Act in Execution, until the Town Hall herein after-mentioned shall be erected and fitted up; and from and after that Time the said Meetings shall be held in the said Town Hall, and not elsewhere; and may order and appoint stated periodical Meetings of the said Trustees, and may alter and change the Times of such stated Meetings, as they, or any Nine or more of them, from time to time, shall think proper; and if it shall happen, that there shall not appear at any Meeting appointed to be held as aforesaid, a sufficient Number of Trustees to act, or to adjourn, or being so met, shall neglect to adjourn themselves, then and in such Case, the said Meeting shall be deemed to of course to be adjourned to the same Hour of the

Day, on that Day Sevennight, then and there to be held; and if on that Day Sevennight as aforesaid, there shall not then appear a sufficient Number of Trustees to act, or adjourn as aforesaid, then and in such Case, the said Meeting shall be deemed of course to be further adjourned in like Manner to that Day Sevennight, and so toties quoties, until a proper Number of Trustees shall appear to act or adjourn themselves; and the said Trustees shall, at all their Meetings, defray their own Charges and Expences.

Trustees to defray their own Expences.

Proviso. Provided always, That Two Trustees shall be sufficient for the Purpose of Adjournment.

Trustees in Commission of the Peace may act as Justices. Provided also, That any of the said Trustees who shall be a Justice of the Peace is hereby impowered to act as a Justice of the Peace in the Execution of the Powers and Authorities hereby granted to any Justice of the Peace, notwithstanding his being a Trustee.

On Death or Removal, others to be chosen. And be it further enacted, That if on the Twenty fourth Day of June, One thousand seven hundred and sixty nine, the Number of Trustees shall not amount to Sixty; or if they shall happen to be Sixty or more, and afterwards, by Death or otherwise, shall be reduced to a less Number than Sixty, then and in either of the said Cases, it shall be lawful for the Trustees, or such of them as shall be surviving or remaining, or any Nine or more of them, under their Hands and Seals, to appoint One or more other Trustees, to make up the Number Sixty in the Whole, and so toties quoties, as often as Vacancies shall happen to reduce the Number below Sixty; provided that due Regard be had in such Appointments, that Two-thirds of the whole Body of Trustees shall at all Times hereafter consist of Inhabitants of the said Town of Taunton, and One-third of Gentlemen residing in the Neighbourhood of the said Town: And that as often as any of the Trustees herein before specifically named, or who shall become Trustees by virtue of their Subscriptions as aforesaid, shall refuse or neglect to act for the Space of Two successive Years, every such Person shall be disqualified to act, and a new Trustee shall be elected in his Stead, in Manner herein prescribed, as if such Trustee was naturally dead; and Notice of the Time of Meeting for the Election of every such Trustee or Trustees, shall be given by the Clerk to the Trustees, by affixing the same in Writing on the Door of the Parish Church of Saint Mary Magdalene, at least Twenty Days before the Meeting for such Election; and the Person or Persons so appointed shall and may act in the Execution of this Act, as

as fully as any Truſtee herein before ſpecifically named is impowered to act.

Truſtees to ſet out the Scite of the Market.

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Nine or more of them, or any Perſon or Perſons authorized by them, to enter into and upon the ſaid Grounds, within the Limits aforeſaid, and to view the ſame, and to deſcribe and ſet out ſuch Parts thereof, as they ſhall adjudge proper for holding the ſaid Market thereon: And further, that as ſoon as the ſaid Ground ſhall be ſo ſet out and adjudged proper for that Purpoſe by the ſaid Truſtees, or any Nine or more of them, it ſhall and may be lawful for the ſaid Truſtees, or any Nine or more of them, to purchaſe the ſaid Ground, or any Part of it, and any Buildings erected thereupon, or upon any Part thereof, and all or any Eſtate, Term, or Intereſt, ſubſiſting therein, and to convert the ſaid Ground into a Place for holding the ſaid Market, and for erecting a Market Houſe, Part whereof ſhall be appropriated as a Town Hall or Guildhall, for the Uſe of the Corporation of the Borough of Taunton, as often as they ſhall have Occaſion for the ſame, and for the Judges of Aſſize, and for the Juſtices of the Peace for the ſaid County of Somerſet, if they think proper to hold their Aſſize and Seſſions there, and for holding the Meetings of the Truſtees appointed to execute this Act, and for the Steward or Stewards of the Biſhop of Wincheſter for the time being, to hold his Courts, and for ſuch other Uſes and Purpoſes as the old Town Hall or Guildhall was uſed for, or was ſubject or liable to be uſed for, and ſuch other Houſes and Buildings as the ſaid Truſtees, or any Nine or more of them, ſhall judge to be neceſſary or convenient; in Truſt nevertheleſs to and for the ſeveral Uſes, Intents, and Purpoſes, herein after declared and enacted concerning the ſame.

Purchaſe thereof to be made by the Truſtees.

Right of holding the Market and Tolls, &c. veſted in the Truſtees.

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Nine or more of them, to have, poſſeſs, and enjoy, the Right of holding the ſaid Market for the Town of Taunton, on the Ground which ſhall be ſo ſet out, and to receive and take the Rents, Tolls, and Profits thereof, in as full, ample, and beneficial a Manner, as the ſame, or any of them now are, or were, or have been, at any Time heretofore held or enjoyed by any Perſon or Perſons in or upon the ſaid ancient Market, within the ſaid Town of Taunton, together with all ſuch Rights, Privileges, Emoluments, and Appurtenances whatſoever, as are or were heretofore uſed and enjoyed as belonging or appertaining

taining to the said ancient Market: And the said Trustees, or any Nine or more of them, shall have full Power and Authority to direct from time to time, and at all Times, at what Hour in the Morning the said Market shall begin to be held, and at what Hour in the Evening the same shall be closed and finished; Notice of such Beginning and Ending the same being given by ringing a Bell.

No Provisions, &c. to be sold without Licence within 1000 Yards of the Bounds of the Market,

And, for preventing any Encroachments which may hereafter be made on the said Market, be it further enacted, That from and after the said Ground shall be set out and used as a Market, it shall not be lawful for any Person or Persons to erect any Stalls or Standings, or to hold any other Market within the said Town of Taunton, or any Part thereof, or to vend or expose to Sale any Corn or Grain, Fish, Meat, Poultry, or other Provisions, or any Bulls, Oxen, Steers, Heifers, Cows, Calves, Sheep, Lambs, Swine, or other live Cattle, which are usually sold in publick Markets, within any of the publick Streets of the said Town of Taunton, or within the Space of One thousand Yards from the Bounds of the said Market, within the County of Somerset, except such Persons as shall be licensed under under the Hands and Seals of the said Trustees, or any Two or more of them, to vend or expose to Sale any of the said Commodities, in any Shop, being Part of their respective Dwelling-houses, on any Day of the Week; or to vend or expose to Sale any Corn, Grain, Fish, Meat, Poultry, or other Provisions, or any Bulls, Oxen, Steers, Heifers, Cows, Calves, Sheep, Lambs, Swine, or other live Cattle, or any Goods whatsoever, within the said Market, either before the ringing the Bell for the opening the said Market, or after the ringing the Bell for the closing thereof; and every Person who shall so vend or expose to Sale any of the Commodities aforesaid, contrary to the true Intent and Meaning of this Act, and shall be convicted thereof before any Two or more of his Majesty's Justices of the Peace for the said County of Somerset, or Borough and Town of Taunton, shall, for every such Offence, forfeit and pay the Sum of Five Pounds, to be recovered by Distress and Sale of the Goods and Chattles of the Offender; rendering the Overplus (if any there be) after deducting the Expence of such Distress and Sale, to the Owners thereof; One Moiety whereof shall go to the Informer, and the other Moiety thereof to the said Trustees, to be applied to the several Purposes of this Act.

on Penalty of 5*l*.

Application thereof.

And

And be it further enacted, That it shall and may be lawful to and for all Persons whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, who are or shall be seised or intitled in their own Right, Trustees and Feoffees in Trust, Femes Covert, Guardians and Committees for Lunaticks and Ideots, Executors, Administrators, and Guardians whatsoever, not only in Behalf of themselves, their Heirs, and Successors, but also for and in Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Persons whatsoever, who are or shall be seised or possessed of, or interested in, any Lands, Messuages, or Tenements, which shall be within the Bounds and Limits so to be set out by the said Trustees as aforesaid, or any Nine or more of them, for the holding of the said Market, and erecting the said Buildings thereon, to contract for, sell, convey, or surrender to the said Trustees, or any Nine or more of them, or to any Person or Persons they shall appoint in Trust for them, all or any such Messuages, Lands, Tenements, or Hereditaments, or any Part thereof, or any Term for Years, or any Estate or Interest therein; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances which shall be so made as aforesaid, shall be good and valid in Law to all Intents and Purposes whatsoever, not only to convey the Estate of the Person or Persons conveying, but also all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Persons whatsoever, and all Persons claiming or to claim, by, from, or under them; any Law, Statute, or Usage, to the contrary thereof in any wise notwithstanding: And if it shall happen that any Person or Persons, Bodies Politick, Corporate, or Collegiate, or other Person or Persons whatsoever, who are hereby enabled to convey as aforesaid, shall refuse to treat or agree with the said Trustees, or any Nine or more of them, then, and in such Case, it shall and may be lawful to and for the said Trustees, or any Nine or more of them, before any General Quarter Sessions of the Peace to be holden for the said County of Somerset, or any Adjournment thereof, to give, or cause to be given, to such Owner or Owners, or to the principal Officer or Officers of such Bodies Politick or Corporate, Ecclesiastical or Civil, or to leave, or cause to be left, at the House of the Tenant in Possession of the Lands or Hereditaments intended to be so purchased, or, where

Persons interested in Lands, &c set out for the Site of the Market, impowered to sell the same.

Contracts, &c. made thereof, deemed valid.

Persons disabled, or refusing to treat and agree,

Notice to be given them that the Value will be settled by a Jury.

there is no Tenant in Poſſeſſion or Occupier, by affixing at the Door of ſuch vacant Houſe, Fourteen Days Notice in Writing, denoting and particularly deſcribing the ſame, and purporting that the Value of ſuch Lands or Hereditaments will be adjuſted and ſettled by a Jury at the ſaid Seſſion, or the Adjournment thereof; and the Juſtices at their ſaid Seſſion or Adjournment thereof, upon Proof to them made of ſuch Notice having been ſo given or left or affixed, are hereby authorized and required to charge a Jury to be impanelled and returned by the Sheriff of the ſaid County, without Fee or Reward, conſiſting of Twelve honeſt, ſubſtantial, and diſintereſted Perſons, duly qualified to ſerve on Juries upon the Trial of Iſſues at Law, and cauſe them to be ſworn well and truly, on their Oaths, to aſſeſs the Value of the Lands, Tenements, or Hereditaments, comprized in the ſaid Notice, and the Damages and Recompence to be given for the ſame to the reſpective Owner or Owners thereof, according to their reſpective Intereſts therein (which Oath the ſaid Juſtices are hereby required to adminiſter to ſuch Jury) and to which ſaid Jury the ſaid Truſtees, and all Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, ſhall have their lawful Challenges; and the ſaid Jury, being ſo ſworn and charged as aforeſaid, and after proper Evidence on Oath to them given concerning the Nature, Quantity, and Value, of the ſaid Lands, Tenements, or Hereditaments, ſhall by their Verdict aſſeſs the Damages and Recompence to be given for the ſaid Lands, Tenements, or Hereditaments, to the reſpective Owner or Owners thereof, according to their reſpective Intereſts therein; which Verdict of the ſaid Jury, and the Judgement of the ſaid Juſtices upon the ſame, ſhall be final, binding, and concluſive to the ſaid Truſtees, and to all Perſons and Parties intereſted in the ſaid Lands, Tenements, or Hereditaments; and ſuch Verdicts, and the Judgement of the Juſtices thereupon, ſhall be fairly entered and kept amongſt the Records of the Quarter Seſſions for the County of Somerſet; and the ſame, or true Copies thereof, ſhall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatſoever; and all Perſons may have Recourſe to the ſame gratis, and take Copies thereof, paying Two Pence for every One hundred Words, and ſo in Proportion for any greater or leſs Number of Words.

Jury to be impanelled.

Jury may be challenged.

Jury to aſſeſs the Recompence on Oath.

Verdict to be recorded, &c.

And be it further enacted, That upon Payment of ſuch Sum or Sums of Money, ſo to be adjudged for the Purchaſe of the ſaid Premiſſes, or any Part thereof, the Perſon or Perſons intitled thereto, ſhall make and

Upon Payment of the Purchaſe-money Conveyance to be executed.

and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law to the said Trustees, or any Nine or more of them, or to such Person or Persons as the said Trustees, or any Nine or more of them, shall appoint, of the said Premisses for which such Sum or Sums of Money was or were so awarded, and shall do all Acts, Matters and Things necessary or requisite to make a good, clear, and perfect Title thereunto; and such Conveyances, Assignments, and Assurances, shall contain such reasonable and usual Covenants as shall, on the Behalf of the said Trustees, be required: And in case any Person or Persons, to whom such Money shall be awarded as aforesaid, shall not evince a Title to the said Premisses to the said Trustees, and make, or procure to be made, good and legal Conveyances thereof, or shall refuse so to do, being thereunto required, such Sum and Sums of Money, so awarded as aforesaid, being ready to be paid to him, her, or them, on making such Title, and tendered for that Purpose; or if in case any Person or Persons, intitled to the Premisses for which such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found in the County of Somerset; or in case that by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear to the said Trustees, or any Nine or more of them, what Person or Persons is or are intitled to the Premisses in Question; that then, and in all and every or any such Case and Cases as aforesaid, it shall and may be lawful to and for the said Trustees, or any Nine or more of them, to order such Sum or Sums of Money, so awarded as aforesaid as the Value of and Purchase-money for the said Premisses, to be paid into the Bank of England, for the Use of the Parties interested in the said Premisses, to be paid to them, and each and every of them, according to their respective Estates and Interests in the said Premisses, at such Times as the said Trustees, or any Nine or more of them, shall, by Warrant or Warrants under their Hands, order and direct; and the Cashier or Cashiers of the Bank of England, who shall receive such Sum and Sums, is and are hereby required to give a Receipt or Receipts for such Sum and Sums, mentioning and specifying for what Premisses, and for whose Use, the same is or are received, to such Person or Persons as shall pay such Sum or Sums into the Bank of England as aforesaid; which Receipt or Receipts shall be entered on Record, and registered among the

Where the Title cannot be made good,

the Money ro be paid into the Bank of *England*.

the Records of the Quarter Sessions for the County of Somerset; and immediately on such Payment and Registry, all the Estate, Right, Title, Use, Trust, Property, Equity of Redemption, Claim, and Demand in Law and Equity, of all and every Person or Persons, for whose Use such Money was paid, of, in, to, from, and out of the said Premisses, or any Part thereof, shall vest in the said Trustees; and they, the said Trustees, shall be deemed in Law to be in the actual Possession thereof, and to be seized thereof in Fee-simple, freed and discharged from all Claims, Demands, and Equity of Redemption, either at Law or in Equity, to all Intents and Purposes, as fully and effectually as if all and every Person and Persons having an Estate, Right, Title, Trust, Interest, or Equity of Redemption, of, in, to, from, or out of the said Premisses, had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, or any other Conveyance whatsoever: And such Payment shall not only bar all Right, Title, Interest, Equity of Redemption, 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 or Wives of such Person or Persons, and all Estates Tail and Remainders, as fully and effectually as a Fine or Recovery would do, or would have done, if levied or suffered by proper Parties in due Form of Law.

All Right and Dower barred.

And be it further enacted, That all and every Sum and Sums of Money to be paid to any Person, Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Trust, Guardian, Committee, or other Trustee or Trustees, in pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to, upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies, as the said Lands and Premisses, so to be purchased by the said Trustees as aforesaid, were settled, limited, and assured at the Time of such Sale so made respectively, and shall and may be held and enjoyed accordingly.

After Payment, Lands may be entered and converted into a Market.

And be it further enacted, That from and immediately after Payment made for the Lands, Tenements, and Hereditaments, so to be purchased as aforesaid, it shall and may be lawful for the said Trustees, or any Nine or more of them, to enter upon the Premisses, and every Part thereof, and to convert the same to their several

ſeveral Purpoſes aforeſaid, giving Three Months Notice to the ſeveral and reſpective Owners or Occupiers of the ſaid Houſes, Tenements, or Hereditaments.

Expences of Juries and Witneſſes how to be paid.

And be it further enacted, That in caſe any Jury or Juries to be ſummoned and ſworn, purſuant to the Authority of this Act, ſhall give in and deliver a Verdict or Aſſeſſment for more Monies, as a Recompence or Satisfaction for the Right, Intereſt, or Property of any Perſon or Perſons in any ſuch Lands, Tenements, or Hereditaments, than what ſhall have been agreed to and offered by the ſaid Truſtees, or any Nine or more of them, before the ſummoning and returning the ſaid Jury or Juries, that then and in ſuch Caſe, the full Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes, concerning the aſcertaining and determining the Value of any ſuch Right, Property, or Intereſt in any ſuch Lands, Tenements, or Hereditaments, and all other Expences attending the hearing and determining the ſame, ſhall be borne and paid by the ſaid Truſtees, or any Nine or more of them, out of the Monies to be raiſed and received by virtue of this Act; but if any Jury or Juries, ſo to be ſummoned and ſworn as aforeſaid, ſhall give in and deliver a Verdict or Aſſeſſment, for no more or for leſs Monies than ſhall have been agreed to and offered by the ſaid Truſtees, or any Nine or more of them, before the ſummoning and returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property in any ſuch Lands, Tenements, or Hereditaments, that then the full Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes, and all other Expences attending the hearing and determining ſuch Difference, ſhall be borne and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute; and the Juſtices in their ſaid Quarter Seſſions ſhall have Power to award ſuch Coſts to either Party as the Caſe ſhall happen.

For making Satisfaction to Perſons claiming Right to Stalls and Standings.

And whereas divers Perſons have or claim Rights and Intereſts in and to the erecting Stalls and Standings in the Streets of the ſaid Town on the Days when the preſent Market is held; be it therefore further enacted, That as ſoon as the ſaid new Market ſhall be compleated and uſed as a Market, the ſaid Truſtees, or any Nine or more of them, ſhall, and they are hereby required to make Satisfaction to ſuch Perſon or Perſons for their Rights and Intereſts in and to the ſaid Stalls and Standings; and in caſe any Difference ſhall ariſe between the ſaid Truſtees, or any Nine or

more of them, and such Persons concerning such Rights and Interests, the same Means and Methods shall be pursued for the determining thereof as are herein before prescribed with respect to the Purchase of any House or Building now standing on the said Spot of Ground called The Island and Corn Hill; and the Money to be paid for such Rights and Interests, and the Expences attending the same, shall be paid out of the Monies to be raised for the Purposes of this Act.

Trustees to purchase Two Houses between *Groping Lane* and *Horse Lane*.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, to treat, contract, and agree with the Owner or Owners, Occupier or Occupiers, of the said Two Houses standing between Groping Lane and Horse Lane for the Purchase thereof, and of the Scite or Ground whereon the same stand, and their Interest therein, for such Sum and Sums of Money as the said Trustees, or any Nine or more of them, and the said Owner or Owners, Occupier or Occupiers, shall agree upon; and in case any Difference shall arise between the said Trustees, or any Nine or more of them, and such Owner or Owners, Occupier or Occupiers, respecting such Purchase, the same shall be determined by a Jury; and the said Trustees, or any Nine or more of them, shall pursue the same Means and Methods for becoming possessed thereof as are herein before prescribed with respect to their becoming possessed of any House or other Building now standing on the said Spot of Ground called The Island and Corn Hill; and the Money to be paid for such Purchase, and the Expences attending the same, shall be paid out of the Monies raised for the Purposes of this Act: And it shall be lawful for the said Trustees, or any Nine or more of them, to take down the said Houses, and dispose of the Materials thereof by Sale or otherwise; and the Money arising therefrom shall be applied for the Purposes of this Act; and the Scite or Ground whereon the said Houses stood shall for ever thereafter be deemed a Publick and Common Highway.

Power to erect Lamps.

And be it further enacted, That the said Trustees, or any Nine or more of them, shall and they are hereby impowered to cause such and so many Glass Lamps to be erected in the said Streets called The East Street, The High Street, The North Street, and The Fore Street, in the said Town, as they shall think necessary; and to fix so many of such Lamps as they shall think proper to any House or other Building, making good the Damages which shall be done thereto; and, from time to time, to contract with any Person or Persons for lighting,

ing, maintaining, and repairing, such Lamps in such Manner as they shall think proper; and all Charges incident thereto shall be defrayed out of the Monies raised by virtue of this Act, and as is herein prescribed for that Purpose.

Persons punished for breaking Lamps.

And be it further enacted, That if any Person shall wilfully break, throw down, or otherwise damage, any of the Lamps which shall be erected by the said Trustees, or any of the Posts, Irons, or other Furniture thereof, or shall wilfully extinguish any of the said Lamps; it shall be lawful for any Justice of the Peace for the County of Somerset, or Borough of Taunton, and he is hereby required, upon Oath made of the Commission of any such Offences, to issue a Warrant for apprehending the Party accused; or it shall be lawful for any Person or Persons, who shall see such Offence committed, to apprehend, as also for any other Person or Persons to assist in apprehending, the Offender, and by Authority of this Act, and without any other Warrant, to deliver him or her into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County or Borough; and the Party accused being brought before any such Justice, or Oath being made before him that such Party cannot be found, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party accused shall be convicted of such Offence, either by his or her own Confession, or upon Information as aforesaid, he or she so convicted shall, for the First Offence respectively, forfeit the Sum of Ten Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid; and for the Second Offence, the Sum of Fifteen Shillings for every such Lamp; and for the Third and every subsequent Offence, the Sum of Twenty Shillings for every such Lamp; and full Satisfaction shall also be made to the said Trustees, or any Nine or more of them, or to their Treasurer or Clerk, by such Offender or Offenders for the Damages so by him or her done: And in case such Offender shall not upon Conviction pay the Forfeiture by him or her incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender shall be convicted is hereby required to commit him or her to the House of Correction for the said County or Borough, there to be kept to hard Labour for any Time not exceeding Two Calendar Months; and such Offender shall not be discharged before the Expiration of the Time for which he or she shall

be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; and One Moiety of the said respective Forfeitures when recovered shall be paid to the Informer or Informers, and the other Moiety shall be applied for the Purposes of this Act; And if any Person shall negligently or accidentally break, throw down, or otherwise damage, any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand make Satisfaction to the said Trustees, or any Nine or more of them, or to their Treasurer or Clerk, for the Damage by such Person done as aforesaid; it shall be lawful for any Justice of the Peace for the said County or Borough, and he is hereby required, upon Complaint thereof made by any One or more of the said Trustees, or their Treasurer or Clerk, to summon the Party complained of, and upon his or her appearing, or making Default to appear (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling-house or Place of Abode, if known, or that he or she could not be found) such Justice shall proceed to examine the Matter of the said Complaint; and upon Proof thereof, either by the Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of for the Damages so by him or her done, as to such Justices shall appear just and reasonable; and shall cause the Sum so awarded (in case the same be not paid forthwith upon the making such Award or Order) to be levied by Distress and Sale of the Goods and Chattles of the Person complained of, rendering to him or her, upon Demand, the Overplus (if any be) after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted.

Trustees may borrow Money.

And, for raising a Sum of Money sufficient for the Payment of the Purchase of such Lands, Tenements, and Hereditaments, and other the Purposes of this Act, be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, and they are hereby authorized and impowered to raise, borrow, and take up at legal or less Interest, of and from any Person or Persons whomsoever, or any Body or Bodies Corporate or Politick whatsoever, who are willing to lend and advance the same, any Sum or Sums of Money, not exceeding in the Whole the Sum of Four thousand Pounds, for the Payment of such

Land Purchase-

Purchase-money, and for such other Purposes as are herein before and herein after mentioned.

Mortgages may be assigned.

And be it further enacted, That it shall and may be lawful to and for any Person or Persons to whom any Mortgage or Mortgages shall be made as aforesaid, and his, her, and their Executors, Administrators, or Assigns, at any Time or Times, to assign such Mortgage or Mortgages, or any Part thereof, or any Interest therein, by Indorsement or otherwise, to any Person or Persons whomsoever, and so toties quoties; and a Memorandum or Entry of all such Assignments shall be made in a Book, which is hereby required to be kept for that Purpose; which Entry or Memorandum shall be made gratis.

Entry to be made thereof.

Mortgages payable out of the Rents, &c. of the Market.

And be it further enacted, That all and every the Sum and Sums of Money so to be borrowed upon such Mortgage or Mortgages as aforesaid, and the Interest thereof, shall be, and are hereby charged upon, and shall be paid and payable from time to time out of all Monies arising by the Rents and Profits of the Houses, Sheds, Stalls, Standings, and all other Buildings and Erections, to be set up in and upon the Ground to be set out and appointed for the Scite of the said Market, and all other Profits whatsoever arising or accruing by, out of, or from, the said Market or Buildings to the said Trustees.

Market, &c. vested in the Trustees.

And be it further enacted, That all the Lands, Tenements, and Hereditaments, to be purchased by virtue and under the Authority of this Act, for the Scite of the said Market as aforesaid, and all Buildings, Houses, Sheds, Stalls, Standings, and other Erections, to be built or set up thereupon, and the Rents and Profits arising from the same, shall be, and are hereby vested in the said Trustees and their Successors for ever; and that they shall stand seised thereof in Trust for the several Uses, Intents, and Purposes, herein after mentioned and declared concerning the same; that is to say, the said Trustees, or any Nine or more of them, shall, out of the first Monies to be borrowed or raised by any Ways and Means under the Authority of this Act, pay and discharge the Costs and Expences of obtaining and passing this Act; and shall, in the next Place, pay off and discharge all Debts that shall be incurred by the Purchase of the said Lands, Tenements, and Hereditaments, and the Ground whereon to erect the said Market and Buildings, and all such Charges and Expences as shall necessarily attend the erecting and constituting the same; and also the Expences of erecting, maintaining,

and lighting, of Lamps in the East Street, High Street, the North Street, and the Fore Street, in the said Town; and also the Expences of purchasing the Stalls and Standings erected in the present Market on Market Days, herein before directed to be purchased by the said Trustees; and also the Mortgage or Mortgages so to be made by the said Trustees, or any Nine or more of them as aforesaid, and the Interest thereof, so long as any of them shall remain unpaid; and after the Discharge of the same, and of all Debts accrued on account of the said Market and Buildings, the said Market and Buildings, and the Tolls, Rents, and Profits thereof, or arising thereby, shall be and remain in the said Trustees in Trust, as an Estate for the Use and Benefit of the Parish of Saint Mary Magdalene in the said Town of Taunton for ever; and shall and may be applied by the said Trustees, or any Nine or more of them, to the cloathing, educating, and placing out Apprentices so many of the Children of the poor Inhabitants of the said Parish of Saint Mary Magdalene, as to the said Trustees, or any Nine or more of them, shall from time to time direct and appoint.

An annual Meeting to be held by the Trustees, for receiving the Names of Children to be admitted on the Charity.

And, that all the poor Inhabitants of the said Parish shall and may be indiscriminately intitled to the Benefit of the said Charity, be it further enacted, That the said Trustees, or any Nine or more of them, shall and may have an annual Meeting upon the Twenty sixth Day of December in each Year, and when it shall happen to be on a Sunday, then on the Day following, when they shall receive the Names of all such Children, being above Six Years and under Ten Years of Age, whose Parents or Friends choose to apply for the same; which Names being severally wrote upon Paper and folded up shall be put into a Box provided for that Purpose, out of which, when well shaken together, the said Names shall be drawn by some indifferent Person to be appointed by the said Trustees, or any Nine or more of them; and those whose Names shall be first drawn, to the Amount of the Number which shall have been previously fixed by the said Trustees, shall for that Time be intitled to the said Benefaction; and a Master, with a competent Salary, shall be annually appointed by the said Trustees at such Meeting to instruct the said Children in Reading, Writing, and Arithmetick; and when they shall attain the Age of Twelve Years they shall be respectively bound Apprentices to Trades, whereby they may acquire their Livelihood; and the eldest Child in the said School shall be constantly preferred, and first bound

Method of proceeding.

Master to be appointed.

Children to be apprenticed at a certain Age, &c.

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bound out an Apprentice; provided always, that the Cloathing of each Child shall not in any One Year exceed the Sum of Forty Shillings, and the Apprentice Fee or Consideration paid with each of the said Children shall not exceed the Sum of Five Pounds, unless the said Trustees, or any Nine or more of them, shall think it necessary to give any further Sum, not exceeding in the Whole Eight Pounds.

Provided also, That no Child shall be maintained at the said School beyond his or her Age of Thirteen Years. Proviso.

Provided also, That no Person whose Child or Children shall be cloathed, educated, or apprenticed as aforesaid, shall be disqualified upon that account only from voting at any Election of a Member or Members to serve in Parliament for the Borough of Taunton aforesaid. Proviso.

And be it further enacted, That the Share and Proportion which the several Grounds, Houses, and Buildings, which shall be vested in the said Trustees by virtue of this Act, did contribute or pay, or was or were charged with, towards the Land Tax, Church and Poors Rates, in the Year One thousand seven hundred and sixty eight, according to the Rents of the same as they were then rated, shall be for ever paid to the Collector or Collectors, and other proper Officer or Officers authorized to receive the same by the said Trustees, or any Nine or more of them; and the said Trustees shall for ever hereafter be charged with and liable to the Payment thereof; and such Payments as aforesaid shall be in lieu of all Taxes, Rates, or any Impositions of what Kind or Nature soever, to be paid in respect of the said Market House, and other Houses and Buildings to be erected by virtue of this Act. Buildings of the Market to be subject to Taxes.

And be it further enacted, That the said Trustees, or any Nine or more of them, shall and may, from time to time, as they shall think proper, let out upon Lease or otherwise, for any Term not exceeding the Term of Seven Years, all or any of the Buildings, Houses, Sheds, Standings, Stalls, or other Erections, which shall be erected and built upon the said Spot of Ground, so vested in the said Trustees, for the best Rent that can be had for the same, payable at such Times, and in such Manner, and with such Power of Distress, as the said Trustees, or any Nine or more of them, shall think fit to agree upon; and also shall and may, if they shall also think proper, let out upon Lease or otherwise, the Tolls, Duties, and Payments, to arise, Power to let and grant Leases.

arise, or which shall be made by, out of, or from the said Market, or any of them, for such Sum and Sums of Money as the said Trustees, or any Nine or more of them, shall think reasonable; which Sum and Sums of Money shall be paid to the said Trustees, or any Nine or more of them, or to such Person or Persons as they shall appoint to receive the same, and shall be applied for the Purposes of this Act, and to no other Use or Purpose whatsoever.

Annuity to be paid the Bishop of *Winchester*.

And, for making Satisfaction to the Lord Bishop of Winchester, and his Port Reeves, for the giving up their Claim and Interest, of, in, or to the said Market; be it further enacted, That One annual Rent or yearly Sum of One Pound, Four Shillings, and Eight Pence, clear of all Taxes and Deductions whatsoever, shall be issuing and payable unto the said Lord Bishop of Winchester and his Successors for the time being, for ever, out of the Rents, Issues, and Profits of the said Maket; which said Annuity or yearly Sum shall be payable and paid by the said Trustees, or any Nine or more of them, or by their Treasurer or Officer appointed to pay the same, by Two equal Payments in every Year; that is to say, Upon the Annunciation of the blessed Virgin Mary and the Feast of Saint Michael the Archangel; the First Payment thereof to be made upon the Feast of the Annunciation next after the passing this Act; and the same is hereby vested in the said Lord Bishop of Winchester, and his Successors, for the time being for ever, and shall be accepted by him and them in lieu of, and as a full Satisfaction and Compensation for, all such Right, Interest, and Property, as the said Lord Bishop of Winchester now hath or claimeth, or can or may have or claim, out of or from the holding the present Market of the said Borough of Taunton, and as a full Satisfaction and Compensation for all Quit Rents, Dues, and Payments, and all Interest which the said Lord Bishop of Winchester, and his Successors, now has or may hereafter claim, from, in, or out of the said Market, or any or all the said Houses situate in The Island and Corn Hill, herein before directed to be pulled down, and the Ground thereof vested in the said Trustees for the Purposes aforesaid; and that One annual Rent or yearly Sum of Eighteen Pounds, clear of all Taxes and Deductions whatsoever, shall be issuing and payable unto the said James Foy and John Shute, and their Successors, Port Reeves of the Bishop of Winchester for the time being for ever, out of the Rents, Issues, and Profits, of the said Market and Buildings; which said Annuity or yearly

Annuity to be paid to the Port-Reeves.

yearly Sum shall be payable and paid by the said Trustees, or any Nine or more of them, or by the Treasurer or Officer appointed to pay the same, by Two equal Payments in every Year; that is to say; Upon the Annunciation of the Blessed Virgin Mary, and the Feast of Saint Michael the Archangel; the First Payment thereof to be made upon the Feast of the Annunciation next ensuing the passing of this Act; and the same is hereby vested in the said James Foy and John Shute, and their Successors, Port Reeves of the Bishop of Winchester for the time being, for ever, and shall be accepted by them the said James Foy and John Shute, and their Successors, Port Reeves as aforesaid, in lieu of, and as a full Satisfaction, and Compensation for, all such Right, Interest, and Property, as the said Lord Bishop of Winchester, or his Port Reeves, now have or claim, or can or may have or claim, out of, or from the holding of the present Market of the said Town of Taunton.

Method of the Recovery thereof.

And be it further enacted, That if the said several annual Rents or yearly Sums of One Pound, Four Shillings, and Eight Pence, and Eighteen Pounds, or either of them, or any Part or Proportion thereof, shall be unpaid for the Space of Fourteen Days next after either of the said Days herein before appointed for the Payment thereof, then and in every such Case, it shall and may be lawful to and for the said Lord Bishop of Winchester, and his Successors, and to and for the said James Foy and John Shute, and their Successors, Port Reeves of the Bishop of Winchester for the time being respectively, to collect and receive the Rents, Issues, and Profits arising by, out of, or from the said Market and Buildings, until thereby or otherwise all Arrears of the said several Rents or Annuities as shall be so unpaid, and all Damages incurred by reason of the Non-payment thereof, shall be fully paid, satisfied, and discharged.

For appointing a Clerk of the Market.

And be it further enacted, That the Mayor of the Borough of Taunton for the time being for ever, shall be, and is hereby appointed the Clerk of the said Market when the same shall be erected, with such and the like Perquisites, Profits, Advantages, and Jurisdictions, as the present Mayor is intitled to as Clerk of the present Market of the said Town of Taunton; and that the Constables of the Borough of Taunton for the time being shall have and enjoy the same Authorities, Profits, and Advantages, of and from weighing in the said new Market, when erected, such Articles as have been usually weighed by them, as the present Constables

of the said Borough now have and enjoy in the present Market.

Trustees to appoint Officers.

And be it further enacted, That the said Trustees, or any Nine or more of them, shall and may appoint such Officers and other Persons as they shall think necessary to employ in the Execution of this Act; and shall and may remove or displace them, from time to time, as they, or any Nine or more of them, shall think proper, and appoint others in their Room; and the said Trustees, or any Nine or more of them, shall and they are hereby required to take Security from the said Officers and Persons for answering and accounting for all Monies which shall be by them respectively received and paid, and for the due Performance of all other Matters in the Execution of their respective Offices, as to the said Trustees, or any Nine or more of them, shall seem meet.

Officers to account.

And be it further enacted, That every Officer and Person so appointed by the said Trustees, having a Salary or Wages from the said Trustees, or who shall have received Money from or on account of the said Trustees, shall, when required by the said Trustees, or any Nine or more of them, produce and tender to the said Trustees, or any Nine or more of them, fair Accounts in Writing of all Monies by him received, and how such Monies have been disposed of; together with proper Receipts and Vouchers for the same, and shall pay all such Monies, as shall appear on the Balance to be in his Hands, to the said Trustees, or any Nine or more of them, or for such Uses and Purposes as they shall appoint; and that such Officer and Person so accounting or to account shall, when required, upon Oath (which Oath the said Trustees, or any Two or more of them, are hereby impowered to administer) verify their said Accounts and particular Articles thereof, and produce Vouchers for the same: And if any such Officer or Person being required to account, shall refuse so to do, on proper Complaint thereof to the Mayor or other Justice of the Peace for the Borough of Taunton, or for the County of Somerset, such Justice may, and is hereby required, to issue a Warrant under his Hand and Seal, and cause such Officer or Person to be brought before him, and to hear and determine the Matter of the said Complaint in a summary Way; and if, upon the Confession of such Officer or Person, or upon the Oath of One or more Witness or Witnesses, it shall appear that any of the said Monies shall be in the Hands of such Officer or Person, such Justice is hereby required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Monies to be levied by Distress and

For clearing the Street and Public Passage.

Sale

Sale of the Goods of such Officer or Person respectively; and if no such Goods can be found sufficient to answer the said Monies, and the Charges of such Distress and Sale, or if such Officer or Person shall refuse to produce his Account before the said Justice, and to verify the Articles thereof upon Oath, and produce proper Vouchers for the same, the said Justice is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Officer or Person to the common Gaol of the County, Town, or Place, where such Officer or Person shall be found as aforesaid, there to remain without Bail or Mainprize, until he shall have delivered up his said Account, and verified on Oath the Items thereof, and shall have produced the Vouchers and Receipts relating to such Account, and shall have paid all Money which shall appear to be in his Hands, and the reasonable Charges of such Distress and Sale, or until such Officer or Person shall have compounded and agreed with the said Trustees, or any Nine or more of them, and shall have paid such Composition to the said Trustees, or any Nine or more of them, or to such Person or Persons as they shall appoint to receive the same; which Composition the said Trustees, or any Nine or more of them, are hereby impowered to make.

For cleansing the Streets and Publick Passages.

And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Trustees, or any Nine or more of them, from time to time, and at all Times, as they shall think necessary and proper, to cause the Streets and publick Passages in the said Town, to be cleansed and freed from all Annoyances, Obstructions, Nuisances, and Incroachments whatsoever, in such Manner as the said Trustees, or any Nine or more of them, shall think proper; and the Person or Persons authorized or directed by them to do the same, shall have hereby full Power and Authority to do the same accordingly.

For removing Signs, &c.

And be it further enacted, That all and every Owner and Owners, Occupier and Occupiers, of any House, Shop, Warehouse, or other Building within the said Town, to which any Signs, Sign-Irons, Sign-Posts, or any other Posts, Penthouses, Spouts, Steps, Cellar-Windows, and Doors going into Cellars, Shop-Windows, or other Annoyances and Incroachments upon the Streets or Passages of the said Town, or any of them, now or may hereafter belong, shall, at their own Costs and Charges, within Fourteen Days after Notice in Writing shall be given to them respectively, or left at their respective Dwelling-houses, under the Hands

Hands of any Nine or more of the said Trustees, remove all such Signs, Sign-Irons, Sign-Posts, and other Posts, Penthouses, Spouts, Steps, Cellar-Windows, and Doors going into Cellars, Shop-Windows, or other Annoyances and Incroachments, or otherwise alter and reform the same, in such Manner as in such Notice shall be expressed or directed; and in case any such Owner or Occupier shall neglect or refuse so to do within Fourteen Days after such Notice shall be given as aforesaid, it shall be lawful for the said Trustees, or any Nine or more of them, to cause the same to be done, and the Charges and Expences attending the same shall be borne and paid by such Owner or Occupier; and if such Owner or Occupier shall refuse or neglect to pay such Charges and Expences upon Demand thereof made, the same shall and may be levied by Distress and Sale of the Goods and Chattles of such Owner or Occupier, by Warrant under the Hands and Seals of any Two or more Justices of the Peace for the said Town of Taunton or County of Somerset; which Warrant such Justices are hereby impowered and required to grant, rendering the Overplus (if any be) when demanded, to the Person or Persons whose Goods and Chattles shall be so distrained and sold, the Charges and Expences of such Distress and Sale being first deducted; and if any Person shall at any Time or Times thereafter hang, place, erect, or build, any Sign, Sign Iron, Sign Post, or other Post, Penthouse, Spout, or other Incroachment, Projection, or Annoyance, or cause the same to be done, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Five Pounds, and the further Sum of Twenty Shillings for every Day such Offence shall continue.

To prevent Nuisances.

And, in order to prevent Annoyances and Obstructions in the said Streets and publick Passages, be it further enacted, That if any Person or Persons shall drive or place any Carriage whatsoever, or shall ride, lead, drive, or place, any Horse or Beast, or shall drive any Wheelbarrow, or shall run any Wheel, or draw any Sledge upon the Foot Pavement within the said Town, or shall throw or lay, or shall permit or suffer to be thrown or laid, any Ashes, Dirt, Dust, Soil, Straw, Dung, or any Filth or Annoyance whatsoever, either upon the Carriage or Foot Pavements in any of the said Streets and publick Passages within the said Town, or shall set out or leave, or cause or procure to be set out or left, any Carriage, Timber, Stone, Cask, or any other Matter or Thing which may occasion any Annoyance,

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Nuisance, or Obstruction whatsoever, in any of the said Streets and publick Passages, so as to stop, obstruct, incommode, or endanger, any Person or Carriage passing therein; or shall permit or suffer his or her Swine to go at large in any Street, Lane, or publick Place, within the said Town; or shall take or carry away the Dirt, Filth, or Rubbish, which shall be in any of the said Streets or publick Passages, unless for that Purpose appointed by the said Trustees, or any Nine or more of them; every Person offending in any of the Cases aforesaid shall, for every such Offence, forfeit and pay the Sum of Ten Shillings.

Actions on Behalf of the Trustees to be brought in the Name of their Clerk.

And be it further enacted, That all and every Action and Actions necessary to be brought or prosecuted by or on Behalf of the Trustees, by reason of carrying this Act into Execution, shall and may be brought and maintained in the Name of the Clerk for the time being to the said Trustees, by the Description of Clerk of the Trustees of the *Taunton* Market; nor shall any such Actions or Proceedings abate or be discontinued by the Death or Removal of any such Clerk, but shall go on and be continued by the succeeding Clerk to the said Trustees; and all the Damages, Satisfaction, and Costs, which shall be recovered in or by such Actions or Proceedings, shall be accounted for, and paid to and for the Uses and Purposes of this Act; and all the necessary Charges to be incurred in and about the carrying on such respective Actions and Proceedings, or any of them, shall be paid out of the Monies to be raised for the Purposes of this Act.

Penalties and Forfeitures how to be recovered.

And be it further enacted, That all Penalties and Forfeitures imposed and made payable by this Act (the Manner of levying and recovering whereof is not otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace of the Town of Taunton, or County of Somerset; which Warrant or Warrants any such Justice or Justices is and are hereby authorized and required to grant, upon the Information of One or more credible Witness or Witnesses, upon Oath (whose Oath the said Justice or Justices is and are hereby impowered and required to administer); and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whose Goods and Chattles shall be so distrained and sold, the Charges of such Distress and Sale being first deducted,

shall be paid to the said Trustees, or any Nine or more of them, or to their Appointment, and shall be laid out and applied for the Purposes of this Act; and in case sufficient Distress cannot be found, and such Penalties or Forfeitures shall not be paid, it shall and may be lawful for such Justice or Justices, and he and they is and are hereby authorized and required by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders to the House of Correction for any Time not exceeding Two Months.

Proceedings not to be quashed for Want of Form.

And be it further enacted, That no Conviction or Order which shall be made by any Justice of the Peace by virtue or in pursuance of this Act, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process, into the Court of King's Bench, or any of his Majesty's Courts of Record at Westminster.

Persons aggrieved may appeal.

And be it further enacted, That in case any Person or Persons shall think himself, herself, or themselves, aggrieved by any Conviction, Judgement, Order, or Proceeding, of any Justice or Justices of the Peace, which shall be made or had under this Act; it shall and may be lawful for such Person or Persons to appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace to be held for the said Town or County of Somerset, who are hereby impowered to summon and examine Witnesses upon Oath, and to hear and finally determine any such Appeal and Appeals; and shall award to the Party or Parties for whom Judgement shall be given on every or any such Appeal, such Costs as to the Court shall appear reasonable.

Notice of Appeal to be given.

Provided always, That such Appellant or Appellants do and shall give Eight Days previous Notice in Writing of such his, her, or their Appeal to the Clerk to the said Trustees; and shall also enter into Recognizance with Sureties before some Justice of the Peace, with Condition for the Appearance of such Appellant or Appellants to stand the Award of the Court on such Appeal, and not to depart without Leave of the Court.

Proceedings to be had without Stamps.

And be it further enacted, That no Deeds of Lease, Release, Bargain and Sale, Feoffment, Assignment, Articles of Agreement, Contracts, or other Deeds, to be used in the Purchase, Conveyance, or Assurance, of any Lands, Tenements, or Hereditaments, to the said Trustees in pursuance of this Act, or in executing any of the Powers authorized hereby, or any Mortgage or Mortgages so to be made as aforesaid, or any Assign-

ment thereof, or any Proceedings of the said Trustees, or of any Justice or Justices of the Peace, in the Execution of this Act, shall be charged or chargeable with any Stamp-duty whatsoever.

Notice of Meeting.

And be it further enacted, That Publick Notice of every Meeting of the said Trustees for putting in Execution the Powers in this Act contained (except the annual Meeting herein before appointed to be held on the Twenty fifth Day of December) shall be given in the Parish Church of Taunton Saint Mary Magdalene immediately after Divine Service on the Sunday Morning next before such Meeting is to be held, such Sunday being at the least Four Days before the holding thereof.

Limitation of Actions.

And be it further enacted, That if any Action shall be brought or Suit commenced against any Person for any Thing done in pursuance of this Act, or in relation to the Premisses, or any of them, such Action or Suit shall be brought within Six Months next after the Fact committed, and not afterwards; and the Venue for the Trial of the Issue in every such Suit shall be laid in the County of Somerset, and not elsewhere; and the Defendant or Defendants in such Action may plead the General Issue, and give this Act and the Special Matter in Evidence at the Trial to be had thereupon, and that the same was done in Pursuance and by Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall not be brought within the Time before limited, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against such Plaintiff or Plaintiffs, or if upon Demurrer Judgement shall be given against such Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may or can have for Costs in other Cases.

General Issue.

Treble Costs.

Saving always to the King's most Excellent Majesty, his Heirs, and Successors, all such Rents, Dues, and Payments, as are now due and payable for or upon Account of all or any of the Houses now standing on the said Island and Corn Hill, and intended to be purchased for the Purposes of this Act.

Reservation of Rights.

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

Publick Act.

FINIS.