Anno nono

Georgii III. Regis.

An Act to empower the Truſtees of the Will of the late General *Pulteney*, and other Truſtees appointed by this Act, to purchaſe and exchange Lands and Grounds in the Manor of *Bathwick* in the County of *Somerſet*, for the Purpoſe of making certain Roads and Ways to and from a free Bridge by them intended to be built over the River *Avon* in the ſaid County; and alſo to empower the Perſons in Poſſeſſion of the ſaid Eſtate for the time being, under the ſaid Will, to grant Leaſes of certain Lands and Houſes in the ſaid Manor; and likewiſe to enable the ſaid Truſtees to grant certain Grounds and Springs of Water within the ſaid Manor of *Bathwick*, to the Mayor, Aldermen, and Citizens of *Bath*; and for extending the Juriſdiction of the ſaid Mayor, Aldermen, and Citizens, over Part of the ſaid Manor of *Bathwick*; and for other Purpoſes therein mentioned.

WHEREAS Harry Pulteney Eſquire deceaſed, Genetal of his Majeſty's Forces, and Brother of the Right Honourable William late Earl of Bath deceaſed, before his Death duly made and publiſhed his laſt Will and Teſtament in Writing, bearing Date the Fourteenth Day of Auguſt in the Year of our Lord One thouſand ſeven hundred and ſixty ſeven; and thereby (after having given and deviſed certain Premiſſes in the Pariſh of Preamble.

Saint Mary Matfellen, otherwise Whitechapel, in the County of Middlesex, to his Executors therein after named, upon the Trusts therein after declared) did give and devise all other his Messuages, Grounds, Lands, Tenements, Hereditaments, and Real Estate, situate, lying, and being, in the said County of Middlesex, and also all and every his Manors, Messuages, Lands, Tenements, Hereditaments, and Real Estate, situate, lying, and being, in the County of Somerset, or any County adjoining to the said County of Somerset, and in the Counties of Montgomery, Salop, and York (other than and except his Reversionary Estate and Interest expectant on the Death of John Newport Esquire, a Lunatick, without Issue of his Body, of and in certain Estates that were late the Estate of the Right Honourable Henry Earl of Bradford, deceased) unto the Right Honourable William Lord Viscount Chetwynd of the Kingdom of Ireland, and Harry Burrard of Walhampton in the County of Hants Esquire, and their Heirs, to the Uses following; that is to say, To the Use of the said William Lord Viscount Chetwynd and Harry Burrard, their Executors, Administrators, and Assigns, for and during the Term of Five hundred Years, to be computed from the Time of his Death, and fully to be compleat and ended, upon Trust, by and out of the Rents and Profits of the Premisses comprized in the said Term, to raise, levy, and pay to the several Persons therein named, during so many Years of the said Term as they should respectively live, the several Annuities or yearly Sums therein mentioned; that is to say, To George Colman Esquire, Four hundred Pounds; to the said William Lord Viscount Chetwynd, William Pulteney Esquire, and the said Harry Burrard, Three of his Executors therein after named, One hundred Pounds each; to Thomas Herne Fifty Pounds; to Mary Annetts Thirty Pounds; and to James Livermore Twenty Pounds: And immediately after the End and other Determination of the same Term of Five hundred Years, to the Use of his dear Cousin Frances Pulteney (late Frances Johnstone) only surviving Daughter of his Cousin Daniel Pulteney Esquire, deceased, and Wife of the said William Pulteney, for her Life, without Impeachment of Waste: And immediately after the Determination of that Estate, to the Use of the said William Lord Viscount Chetwynd and Harry Burrard, and their Heirs, during the Life of the said Frances Pulteney, in Trust, to support and preserve the contingent Uses and Estates therein after limited or devised, from being defeated

or

or destroyed; and for that Purpose to make Entries and bring Actions as Occasion shall require; yet, nevertheless, to permit and suffer the Rents and Profits of the same Premisses to be received by the said Frances Pulteney, or her Assigns, during her Life; and immediately after her Decease, to the Use of the First Son of her Body lawfully begotten, or to be begotten, and the Heirs Male of the Body of such First Son lawfully issuing: And in Default of such Issue, to the Use of the Second, Third, Fourth, Fifth, and all and every Son and Sons of the said Frances Pulteney lawfully begotten, or to be begotten, severally, successively, and in Remainder one after another, in Order and Course as they respectively should be in Priority of Birth, and the several and respective Heirs Male of the Body and Bodies of such Son and Sons respectively issuing; every Elder of such Sons, and the Heirs Male of his Body, being always preferred, and to take before the Younger of them and the Heirs Male of his Body: And for Default of such Issue, to the Use of Henrietta Laura Pulteney, Daughter of the said William Pulteney by the said Frances Pulteney his Wife, without Impeachment of Waste; and immediately after the Determination of that Estate, to the Use of the said William Lord Viscount Chetwynd and Harry Burrard, and their Heirs, during the Life of the said Henrietta Laura Pulteney, in Trust, by the Ways and Means herein before-mentioned, to preserve the contingent Remainders; yet, nevertheless, to permit the Rents and Profits of the Premisses to be received by the said Henrietta Laura Pulteney, and her Assigns, during her Life; and immediately after her Decease, to the Use of the First and every other Son of her Body lawfully to be begotten successively according to their Seniority respectively, and the Heirs Male of the Body and Bodies of such Son and Sons respectively issuing; every Elder of such Sons and the Heirs Male of his Body being always preferred and to take before the Younger of them, and the Heirs Male of his and their Body and Bodies respectively: And for Default of such Issue Male, to the Use of the Right Honourable Henry Earl of Darlington for his Life, without Impeachment of Waste; and after the Determination of that Estate, to the Use of the said William Lord Viscount Chetwynd and Harry Burrard, and their Heirs, during the Life of the said Earl of Darlington, in Trust, by the Ways and Means herein before-mentioned, to preserve the contingent Remainders; yet, nevertheless, to permit the Rents and Pro-

fits of the Premisses to be received by the said Earl or his Assigns during his Life; and immediately after his Decease, to the Use of the First and every other Son of his Body lawfully begotten, or to be begotten, successively, according to their Seniority respectively, and the Heirs Male of the Body and Bodies of such Son and Sons respectively issuing; every Elder of such Sons and the Heirs Male of his Body being always preferred and to take before the Younger of them; and the Heirs Male of his and their Body and Bodies respectively: And for Default of such Issue, to the Use of the Honourable Frederick Vane Esquire, Brother of the said Earl of Darlington, for his Life, without Impeachment of Waste; and after the Determination of that Estate; to the Use of the said William Lord Viscount Chetwynd and Harry Burrard, and their Heirs, during the Life of the said Frederick Vane, in Trust, by the Ways and Means herein before-mentioned, to preserve the contingent Remainders; yet, nevertheless, to permit and suffer the said Frederick Vane and his Assigns to receive and take the Rents and Profits of the same Premisses during his Life; and immediately after his Decease, to the Use of the First and every other Son of his Body lawfully begotten or to be begotten, successively, according to their Seniority respectively, and the Heirs Male of the Body and Bodies of such Son and Sons respectively issuing; every Elder of such Son and the Heirs Male of his Body being always preferred and to take before the Younger of them, and the Heirs Male of his and their Body and Bodies respectively: And for Default of such Issue, to the Use of the Honourable Raby Vane Esquire, another Brother of the said Earl of Darlington, for his Life, without Impeachment of Waste; and after the Determination of that Estate, to the Use of the said William Lord Viscount Chetwynd and Harry Burrard, and their Heirs, during the Life of the said Raby Vane, in Trust, by the Ways and Means herein before-mentioned, to preserve the contingent Remainders, but to permit the Rents and Profits of the Premisses to be received by the said Raby Vane, or his Assigns, during his Life; and immediately after his Decease, to the Use of the First and every other Son of his Body lawfully begotten or to be begotten, successively, according to their Seniority respectively, and the Heirs Male of the Body and Bodies of such Son and Sons respectively issuing; every Elder of such Sons and the Heirs Male of his Body being always preferred, and to take before the Younger of them, and the Heirs Male

of his and their Body and Bodies respectively: And for Default of such Issue, to the Use of his the said Testator's own Right Heirs for ever: And whereas the said Harry Pulteney departed this Life on or about the Twenty sixth Day of October, in the Year of our Lord One thousand seven hundred and sixty seven, without revoking or altering his said Will; which has been since duly proved in the Prerogative Court of the Archbishop of Canterbury by the Executors therein named, who have taken upon themselves the due Execution thereof: And whereas the Manor of Bathwick in the County of Somerset is Part of the aforesaid Lands and Estates so devised and given as aforesaid by the said Will of the said Harry Pulteney, and is divided from the City of Bath by the River Avon only; and if a Bridge was built over the said River, and proper Ways for Coaches and Carriages, and proper Footways, Avenues, or Passages, made thereto from the said City, an easy and convenient Communication would be made between the said City and Manor, which would greatly improve the Value of the Lands and Estates there: And whereas not only the said William Pulteney and Frances his Wife (on Behalf of themselves and of their Infant Daughter) but the other Persons intitled as aforesaid, are willing and desirous that the said Trustees should be enabled, at the Costs and Charges of the said Trust Estates as hereinafter mentioned, to erect such Bridge at some convenient Place near to or above the present Ferry from Bath to Bathwick; and at the like Costs and Charges, and at such convenient Place as aforesaid, to make such Ways for Coaches and Carriages, and such Footways, Avenues, or Passages, to the said intended Bridge as aforesaid; and also to convey Three several Springs of Water arising on the North East Side of Bathwick Down, and a Piece of Ground not exceeding One hundred Feet in Length, and Sixty Feet in Breadth, for the Purpose of making a Reservoir, in Fee, to the Mayor, Aldermen, and Citizens, of the City of Bath, in Consideration of the said Trustees being permitted to make such Roads and Ways as aforesaid over the Grounds of the said Mayor, Aldermen, and Citizens, to the said intended Bridge: And whereas it hath been agreed by and between all the Parties interested, that, in order to the Execution of the Purposes aforesaid, the said Henry Earl of Darlington, and the Right Honourable Frederick Campbell Esquire commonly called Lord Frederick Campbell, be added to and constituted and appointed Trustees, together with the said William

Lord

Lord Viscount Chetwynd and Harry Burrard, now Sir Harry Burrard Baronet; and that the said Trustees be enabled to make such Conveyance, and likewise to purchase certain Lands, Houses, Tenements, and Premisses, within the said City; as also to exchange certain Lands within the said Manor, Part of the said Trust Estates, in lieu of other Lands, Grounds, and Buildings, within the said City; but neither the said Trustees, nor the Persons claiming under the said Will of the said Harry Pulteney, are empowered thereby to make such Purchases as aforesaid, nor to convey such Springs, or exchange such Grounds, neither are they thereby impowered to make Leases of the said Estates, or any Part thereof, within and Parcel of the said Manor of Bathwick, for any longer Time or Term than Twenty one Years; or to charge the said Estates with any Sum for the Purposes aforesaid, or any other Purpose; by reason of which several Defects the Purposes aforesaid, which, together with some further Powers of leasing the said Estates, will be to the Improvement of the same, cannot be carried into Execution without the Aid and Assistance of Parliament: May it please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Henry Earl of Darlington, and Lord Frederick Campbell, shall be, and they are hereby constituted and appointed Trustees for the Purposes of this Act only, together with the said William Lord Viscount Chetwynd, and Sir Harry Burrard; and that for the carrying on and compleating the Purposes aforesaid, it shall and may be lawful to and for the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor, and they are hereby authorized and impowered to build, or cause to be built, a Bridge over the said River Avon, at some convenient Place near to or above the present Ferry, from the City of Bath to the Manor of Bathwick; and to make or cause to be made, proper and convenient Ways for Coaches and Carriages, and such Footways, Avenues, or Passages, to and from the said intended Bridge, to the End that an easy and convenient Communication may be opened or made between the said City and Manor; and also that it shall and may be lawful to and for the said Henry Earl of Darlington, Lord Frederick

Trustees for the Purposes of this Act.

They are impowered to build a Bridge over the River *Avon*.

Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor, to treat and agree with the Owners and Occupiers of, or other Persons interested in, such Lands, Houses, Tenements, or Hereditaments, as they shall think fit to be purchased, removed, or pulled down, for all or any of the Purposes aforesaid, for the Purchase thereof; and after Payment of the Sum or Sums of Money which shall be agreed upon for such Purchase, the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, and the Survivor of them, and his Heirs, shall stand and be seised thereof to such and the same Uses, and upon such and the same Trusts, and under and subject to such and the same Provisoes, as are limited, expressed, and declared, in and by the said last Will and Testament of the said Harry Pulteney concerning the Manor of Bathwick, subject only to the Purposes of this Act; and the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor, are hereby authorized to appoint their Agents or Workmen to pull such Houses down, and to lay out such Lands into such Ways for Coaches and Carriages, and for Footways, Avenues, or Passages, as aforesaid.

For carrying on the Purpose of this Act, they are impowered to purchase Lands, &c.

and to appoint Agents or Workmen;

And be it further enacted, That it shall and may be lawful to and for the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the Whole the Sum of Three thousand Pounds, on Security of the said Trust Estates, or some Part thereof, for or towards the Expence of erecting and building such Bridge as aforesaid, and banking the said River, and also for or towards the Purchase of the several Lands, Grounds, Houses, and Buildings, necessary to be bought for making the said Roads and Ways as aforesaid, and for discharging all other Expences incident thereto, together with the Costs of passing this present Act; and that it shall and may be lawful to and for the said Trustees, or the Survivor of them, or the Heirs of such Survivor, to grant, release, demise, and assign, to the Person or Persons advancing such Sum, the said Manor and Premisses in Bathwick, or any Part thereof, as a Security for the same.

and to borrow a certain Sum on Security of the Trust Estates, towards defraying all necessary Charges and Expences.

The Interest of the Money borrowed to be paid by the Persons in Possession of the Estate under the Will;

Provided always, and be it further enacted, That the Person or Persons who for the time being shall be in the Possession of the said Estate, under the Will of the said Harry Pulteney, shall be, and he, she, and they, is and are hereby required to pay and keep down the Interest from time to time of the said Sum of Three thousand Pounds, so to be borrowed and taken up at Interest for the Purposes aforesaid.

who are impowered to grant Leases, &c. of the Ground for 99 Years,

And be it further enacted, That it shall and may be lawful to and for the several Persons for the time being who shall be in Possession of the said Estates, under the Will of the said Harry Pulteney, to contract for, grant, demise, or let, all or any Part of the said Messuages, Lands, and Tenements, within and Parcel of the said Manor of Bathwick, to any Person or Persons whomsoever, for any Term or Number of Years not exceeding Ninety nine Years, to commence in Possession and not in Reversion, for the Purpose of building thereon, under such yearly Ground Rents as shall be agreed upon between them, the Person or Persons so in Possession of the said Premisses as aforesaid, and the Person or Persons contracting for the said Ground; so that no Fine or other Consideration be

without Fine, upon a reserved Rent,

taken for the same, except such Ground Rent to be agreed for as aforesaid; and so that in such Leases the said Ground Rent be reserved and made payable to the Person or Persons for the time being who shall be in Possession of the said Premisses under the said Will;

and upon the usual Covenants, &c.

and that there be also contained in such Leases the usual Covenants on the Part of the Lessee; and that Counterparts be executed by the Lessees.

Persons in Possession under the Will impowered to purchase from those having a determinate Interest in the Premisses;

And be it further enacted, That the Person or Persons for the time being who shall be in Possession of the said Trust Estates, under the Will of the said Harry Pulteney, shall and may, and they are hereby authorized and impowered to treat and contract with, or purchase of any Person or Persons who now hold or enjoy, or hereafter shall hold or enjoy, by virtue of any Lease or Leases for Life or Lives, or for Ninety nine Years determinable with a Life or Lives, or for any less Number of Years, or by Copy of Court Roll, any Part of the said Lands or Premisses situate in the said Manor of Bathwick, or to join with him, her, or them, in granting Building Leases of the same, or any Part thereof, in Manner and under the same Restrictions as above mentioned; the improved Rent reserved to be made payable to the Person or Persons having such determinate Interest as aforesaid, during so much of his, her, or

their

their Term, then to come and unexpired, in the said Estate, as shall be agreed upon between the Person or Persons having such determinate Interest and the Person or Persons for the time being in Possession of the said Trust Estates under the said Will; and afterwards, the Whole reserved Rent to be payable to the Person or Persons for the time being in Possession of the said Trust Estates under the said Will.

the Whole reserved Rent to be then payable to the Persons in Possession.

And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees, or Feoffees in Trust, Guardians, and Committees for Lunaticks and Idiots, Executors, Administrators, and Guardians whatsoever, not only for and on the 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 or convey such Lands, Tenements, and Hereditaments, Estates, and Interests, or any Part thereof, either for an annual Rent or Payment, or for a Sum in Gross, to the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor; or to make such Exchanges with them as aforesaid in lieu of other Lands; and that all Contracts, Agreements, Bargains, Sales, Exchanges, 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 Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Trust, 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.

Power given to exchange, or to make Sale, &c. of Lands, necessary for the Purposes of this Act.

And be it further enacted, That it shall and may be lawful to and for the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor, to convey the said Three several Springs of Water, as also a Piece of Ground not exceeding One hundred Feet in Length and Sixty Feet in Breadth, for the Purpose of making a Reservoir or Reservoirs, Water Conduits, or Engines, to the Mayor, Aldermen,

Trustees impowered to convey certain Springs of Water, and a Piece of Ground, to the Corporation of *Bath*;

Aldermen, and Citizens, of the said City, and their Successors; and also to exchange such Ground, Parcel of the said Manor, with them, and with Thomas Bishop of the said City of Bath, or with any other Person or Persons, Bodies Politick, Corporate, or Collegiate, as may be necessary for the Purposes aforesaid: And that all Contracts and Exchanges made by the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor, with the said Mayor, Aldermen, and Citizens, or their Successors, or with the said Thomas Bishop, or with such other Person or Persons, Bodies Politick, Corporate, or Collegiate, shall be good and valid in Law to all Intents and Purposes to convey the Right, Estate, and Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, and all 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 hereof in any wise notwithstanding: And all such Person or 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 to make an Exchange of Lands necessary for making a Reservoir,

Corporation impowered to bring the Water from the said Springs into the City;

And be it further enacted, That it shall and may be lawful to and for the said Mayor, Aldermen, and Citizens, and their Successors, and they are hereby impowered to bring the said Water from the said Three Springs into the said City, Liberties, and Precincts, and likewise to distribute the same in and through the said City, Liberties, and Precincts, by such Ways and Means, and in such Manner and Form, as they shall think fit, whether by Under-ground Aquaducts, Pipes or Gutters, or otherwise; and also to erect such Reservoir or Reservoirs, Water Conduits, or Engines, and in like Manner from time to time, and at all Times hereafter, to repair or alter such Reservoirs, Conduits, Engines, Aquaducts, Pipes, or Gutters, as shall be needful.

The Site of the ancient Abbey excepted.

Provided also, and be it further enacted, That nothing in this Act contained shall extend to give Power to the said Mayor, Aldermen, and Citizens, of the said City of Bath, or the said Trustees, to bring the said Water into any Part or Parts of the said City being the Ground and Soil of any Part of the Site

of

of the ancient Priory or Abbey of Bath, now belonging to the most Noble Evelyn Duke of Kingston.

Penalty of resisting, interrupting, or molesting, the Execution of the said Works.

And be it further enacted, That from and after such Payments made, or Satisfaction as aforesaid, if the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor, or their Agents or Workmen; or if the said Mayor, Aldermen, and Citizens, and their Successors, or their Agents or Workmen; shall at any Time hereafter be resisted, interrupted, or molested, in the Execution of the said several Works and Undertakings by them respectively hereby authorized to be carried on and made as aforesaid, or in the repairing, altering, or maintaining, the same from time to time; every such Person so resisting, interrupting, or molesting, the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, or the Survivor of them, or the Heirs of such Survivor, or the said Mayor, Aldermen, and Citizens, or their Successors, or their or any of their respective Agents or Workmen, 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 respectively, shall forfeit and pay, for every such Offence, the Sum of Five Pounds; to be levied as herein after directed, and applied for and towards the carrying on such respective Works and Undertakings which they shall have been so hindered or interrupted from doing by such Offender as aforesaid.

In conveying the Water, or making or repairing the Aquaducts, the Ground not to be broken up deeper than necessary; nor to interfere with or prejudice the Buildings.

And be it further enacted, That the said Mayor, Aldermen, and Citizens, of the said City of Bath, or such Persons as shall be by them 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 Under-ground Aquaducts, Gutters, or Pipes, within the said Manor, or hereafter in repairing or altering the same, break up Ground any deeper than is absolutely necessary for the Purposes aforesaid, or in any Manner that shall interfere with or be prejudicial to the Buildings which shall be erected, or shall be designed and planned to be erected, within the said Manor, at the Time the said Water Conduits, Engines, and Pipes, shall be erected and laid; and the said Under-ground Aquaducts, Gutters, or Pipes, are to be laid or brought in such Course as such new Streets, which shall have been so planned,

Course to be observed in laying the Water Pipes.

Roads broken up in laying the same, to be repaired by the Corporation.

shall or may be brought: And if any Road shall be broken up in the Execution of any of the said Works, the same shall be repaired and made good by the said Mayor, Aldermen, and Citizens, and their Successors, within Ten Days after the breaking up of the same:

Pipes over which future Buildings shall be erected, to be repaired at the Builders Expence.

And if it shall happen that any Building or Buildings shall hereafter be erected over any such Pipes, in consequence of which any Alteration of such Pipes shall become necessary, the same shall be made or done under the Direction of the said Mayor, Aldermen, and Citizens, and their Successors, at the Expence of such Person or Persons erecting any such Building or Buildings.

Property of Watercourses and Materials vested in the Corporation.

And be it further enacted, 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, Water-houses, Engines, Buildings, Under-ground Aquaducts, Gutters, or 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; 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 a Bill or Bills of Indictment against any Person or Persons, as the Case shall require.

Penalty of damaging or destroying any of the Water Works, &c.

And be it further enacted, That if any Person or Persons shall wilfully break the Door or Lock, or any Part of the Building of, or any Conduit, Water-house, or Engine, to be erected and provided for the Purposes aforesaid; or shall wilfully cause the Water to run to Waste from any such Conduit, Water-house, or Engine, or from any Reservoir to be provided for the Purposes aforesaid, except in the Case of Fire; or shall wilfully or maliciously cut, damage, or destroy, any or any Part of the Aqueducts or Pipes laid under Ground, or otherwise made use of for the Purposes aforesaid, or any Part of any new Buildings 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 Carcasses, or Carrion, or

or casting Filth, or other unwholesome Thing, into the Conduits, &c.

other unwholesome Thing; or shall wash or cleanse therein any Cloaths, Wool, Hemp, Flax, or other unwholesome Thing; or make or convey any Sink, Sewer, or Ditch, into any of the said 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 the said City of Bath, or before any Justice of the said County of Somerset, as the Case shall require (which Oath or Oaths such Justices are hereby respectively 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 of bringing the said Springs of Water into the said City.

or washing Cloaths, &c. therein;

or conveying any Sink, or other Annoyance, into the same.

And be it further enacted, That the said Mayor, Aldermen, and Citizens, or their Successors, shall and may, and they are hereby required to put or set up, at their own Costs and Charges, Watering-troughs in the several Fields lying between the said Springs of Water and the said River Avon, and cause the same Troughs to be constantly kept in Repair, and filled with Water for the Use of the Cattle feeding or depasturing in the said several Fields, and through which the said Springs now run, or which are at present supplied with Water by the said Springs; and that the said Troughs shall be put up in such Parts of the said Ground as are most contiguous to the Watercourse which shall be made by the said Mayor, Aldermen, and Citizens, and their Successors, for the Purposes aforesaid.

Corporation to set up Watering-troughs in the Fields for the Use of Cattle.

And be it further enacted, That the said Mayor, Aldermen, and Citizens, or their Successors, shall not at any Time or Times hereafter supply any of the Inhabitants of any new Buildings which shall or may hereafter be erected in Bathwick aforesaid with Water, without the Leave and Consent of the said Trustees, or the Survivor of them, or the Heirs of such Survivor, or of the Person or Persons who shall be intitled to such Trust Estates as aforesaid, in Writing under their or One of their Hands; nor shall the said Trustees, or the Survivor of them, or the Heirs of such Survivor, or the Person or Persons intitled to such Trust Estates as aforesaid, supply any of the Inhabitants of the present Buildings within the City of Bath, Liberties or Precinct thereof, with Water, without the Leave and Consent of the said Mayor, Aldermen, and Citizens, or their

New Buildings in *Bathwick* not to be supplied with Water by the City, without Leave of the Trustees;

nor the Inhabitants of *Bath*, &c. by the Trustees, without Leave of the Corporation.

their Successors, first had in Writing under their Common Seal for that Purpose.

The Powers granted by this Act may be exercised by Two or more of the Trustees.

Provided always, and it is hereby further enacted, That all the Trusts, Powers, and Authorities, by this Act granted to, or vested in, the said Henry Earl of Darlington, Lord Frederick Campbell, William Lord Viscount Chetwynd, and Sir Harry Burrard, shall and may from time to time, be exercised by any Two or more of the said Trustees, the said Henry Earl of Darlington, if living, being always one; and, in case of his Death, by any Two or more of the Survivors or Survivor of them the said other Trustees, or the Heirs of such Survivor; and all the Acts, Deeds, and Conveyances, of such Two or more of the said Trustees, shall have the same Operation, Force, and Effect, as if the same had been made and executed by all the said Trustees.

Penalties and Forfeitures how to be levied and applied.

And be it further enacted, That all Penalties and Forfeitures by this Act imposed, 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 of Bath, or County of Somerset, as the Case shall require; 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, where the same are not hereby otherwise applied, be paid to the Chamberlain of the said City of Bath, or to such Persons as shall be by the said Mayor, Aldermen, and Common Council, appointed, and be applied towards the Purposes of carrying the Work into Execution; 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 or County, for any Time not exceeding Three Months.

For want of Distress, Offender to be committed.

And whereas it will be for the mutual Benefit and Advantage of the Inhabitants of the present City of Bath, Liberties, and Precincts, as also of the Inhabitants of the new and intended Buildings in the Part herein after

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ter mentioned of the said Manor of Bathwick, if a certain Piece of Ground, Part of the said Manor, were made subject to the Jurisdiction of the Magistrates of Bath with respect to Offences committed within that Part of the said Manor, and for the Recovery of Debts, and for regulating Chairmen carrying Fares within that Part of the said Manor; be it therefore further enacted, That from henceforth the Jurisdiction of the said Magistrates, so far as relates to the Power and Authority of apprehending Offenders, and examining and determining all Felonies, Trespasses, and other Misdemeanors, and also of the Coroner of the said City; and the several Powers for the Recovery of all Debts above the Sum or Value of Forty Shillings hereafter to be contracted, in the Court of Record of the said City, and for the Recovery of all Debts under the Value of Forty Shillings, hereafter to be contracted in the Court of Requests of the said City, and also the Powers and Authorities given and granted to the Mayor and Aldermen of the said City for the better Regulation of the Chairmen carrying Fares within the said City, by an Act made and passed in the Thirtieth Year of the Reign of His late Majesty, intituled, An Act for cleansing, paving, and lightening, the Streets of the City of *Bath*, and Liberties thereof; and for regulating the Chairmen; and for other Purposes therein mentioned; be and they are hereby extended over that Part of the said Manor of Bathwick which is bounded and comprized in Manner following (that is to say) From that Part of the Parish of Walcot where the Line of Jurisdiction, described in the Charter of the City of Bath, meets or comes into the River Avon, in a strait Line across the said River, to that Part of the Road leading from Bathwick to Widcomb where the Water, running from Bathwick down to Spring Gardens, now crosses the said Road; and from thence, along the Middle of the said Widcomb Road, to the Boundary between the Parishes of Bathwick and Widcomb; and from thence along the said Boundary to the River Avon.

Part of the Manor of *Bathwick* made subject to the Jurisdiction of the Magistrates of *Bath*, with respect to Offences; Recovery of Debts; and regulating Chairmen.

Boundary of the said Jurisdiction.

Provided always, That the Rights of the Whole of the said Manor, and of the Royalty thereof in all Respects, shall remain in the Persons intitled thereto under the said Will of the said Harry Pulteney; and that the Parish of Bathwick shall, with respect to its Parochial Rights and Dues, be considered as a Parish of itself, distinct and apart from any other Parish; and shall be subject to the Jurisdiction of the Justices of the Peace of the County of Somerset only, as heretofore, with respect

Rights of the Manor and Royalty reserved, and the Parish to be considered as distinct from all others; and subject only to the Justices of Com' *Somerset*

with respect to parochial Rights, &c.

spect to all parochial Rights and Dues; and not be subject or contributory to the Maintenance of the Poor of any other Parish within the said City or Liberties, or to any Rate or Assessment to be made by any other Parish.

Magistrates of *Bath* not to restrain Persons from exercising any Trade within the said Manor.

Provided also, That nothing in this Act contained, nor any of the Powers or Authorities hereby given to the Magistrates of the said City of Bath over that Part of the said Manor above mentioned, shall at any Time hereafter be deemed or construed to extend to prevent any Person or Persons, within the said Manor, from exercising any Trade or Calling within the said Manor, which he, she, or they, might have exercised or followed if this Act had never been passed.

Bridge to be Toll-free.

And be it further enacted, That the said Bridge, when built, shall be Toll-free for all Persons, Coaches, Carriages, and Horses, passing and repassing, to, from, or over, the said Bridge.

Publick Act.

And be it further enacted, 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.

Reservation of Rights.

Saving always, to the King's most Excellent Majesty, and to all Persons, and Bodies Politick and Corporate, and their Heirs, Successors, Executors, and Administrators, (other than and except the said Mayor, Aldermen, and Citizens, and the said William Pulteney and Frances Pulteney his Wife, and the said Henrietta Laura Pulteney their Infant Daughter, and the said William Lord Viscount Chetwynd, Sir Harry Burrard, George Colman, John Annetts, and Mary his Wife, Thomas Heron, and James Livermore, and the several Persons in Remainder under the Will of the said Harry Pulteney, and the Heirs Male of their Bodies, and the right Heirs of the said Harry Pulteney, and all Persons claiming or to claim by, from, or under them, any Use, Trust, Estate, Right, Title, or Interest, of, in, to, or out of, the herein before mentioned Premisses) all such Right, Title, Interest, Benefit, Claim, and Demand whatsoever, of, in, to, or out of, the same, or any Part thereof, as they, or any of them, had before the passing of this Act, or could or might have had and enjoyed in case this Act had not been made.

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