ANNO SEXTO

GULIELMI IV. REGIS.

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Cap. XXV.

An Act for paving, lighting, watching, cleansing, and otherwise improving the Town of *Crediton* in the County of *Devon*. [19th *May* 1836.]

WHEREAS the Town of *Crediton* in the County of *Devon* is an ancient Town, and large and populous, and a Place of considerable Thoroughfare, and the several Streets, Lanes, Entries, and other public Passages and Places within the same are not sufficiently paved, cleansed, lighted, or watched, and are subject to various Nuisances and other public Inconveniences: And whereas *James Wentworth Buller* Esquire claims to be the Lord of the Manor of *Crediton*, with the Rights, Members, and Appurtenances thereof, and to be entitled to the Customs, Tolls, and Duties of and arising from the Fairs and Markets held within the same Town: And whereas it would tend greatly to the Safety, Convenience, and Advantage, not only of the Inhabitants of the said Town and Neighbourhood, but to all Persons resorting to and travelling through the same, if the said Streets, Lanes, Entries, and other public Passages and Places were properly paved, lighted, watched, cleansed, widened, and improved, and nearer and better Approaches to the said Town were made, under the Authority of Commissioners to be appointed for that Purpose; and if some of the said Streets, Lanes, Entries, public Passages or Places were stopped up, altered, or diverted, and other public Streets, Roads, and Passages opened and made, and certain Buildings used as Butchers Shambles and other Buildings in the chief Street of the said Town were taken down, and if all Obstructions, Nuisances, and Annoyances therein were totally removed and in future prevented; but such beneficial Pur-

poses aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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 Lord of the Manor of *Crediton* for the Time being, together with *Edward Adams*, *James Wentworth Buller*, *Samuel Brown*, *Peter Blagdon*, *Benjamin Cleave*, Sir *Humphrey Phineas Davie* Baronet, *Isaac Davy*, *William Drake* senior, *Edwin Empson*, *Giles Edwards*, *John Fulford*, *John Francis* (*West Town*), *John Francis* (*East Town*), *Thomas Hugo*, *Charles Holman*, *Charles Hainworth*, *Stephen Hugo*, *John Hall*, *Benjamin Luxmoore*, *William Madge*, *Robert Medland*, *John Mann*, *Thomas Pring*, *William Searle*, *John George Smith*, *Richard Hippisley Tuckfield*, *George Tanner*, *John Traies*, *Abraham Wreyford*, *John Tolland*, *Edward Yarde*, and their Successors, to be elected in manner herein-after mentioned, shall be and are hereby appointed Commissioners for putting this Act into execution.

Commissioners.

Power to appoint new Commissioners.

II. And be it further enacted, That when and as often as any of the said Commissioners herein named, or hereafter from Time to Time to be elected under this Act, shall die, resign, or be or become disqualified, it shall and may be lawful for the remaining Commissioners and they are hereby required to convene a Meeting of the inhabitant Householders resident within the Limits of this Act, by causing a Notice thereof in Writing, specifying the Purpose of such Meeting, to be affixed on the Porch Door of the Parish Church of *Crediton* aforesaid Fourteen Days next before the Day of such Meeting; and at such Meeting the inhabitant Householders then and there assembled (having first appointed a Chairman to preside therein) shall and may elect and appoint, by the Majority of their Votes in manner herein-after mentioned, a Person (qualified as herein-after mentioned) to be a Commissioner in the Room and Stead of each Commissioner so dying, resigning, or becoming disqualified as before mentioned; and every such Commissioner so from Time to Time elected and appointed shall have and possess in all respects the same Powers and Authorities for putting this Act in execution as if he had been herein named: Provided always, that no inhabitant Householder shall be allowed or permitted to vote at any Meeting for the Election of any additional Commissioner as aforesaid who shall not upon the Day of Meeting have been assessed to the Rate for the Purposes of this Act herein-after mentioned at least One Calendar Month before such Day of Meeting.

Mode of electing new Commissioners.

III. And be it further enacted, That the voting at every such Election shall commence at Eleven o'Clock in the Forenoon and finally close at One o'Clock of the same Day, and shall be conducted in the Manner following; (that is to say,) every inhabitant Householder entitled to vote shall and may deliver to the Chairman of such Meeting a List in Writing signed by such Voter, carefully folded up, of the Persons for whom he is desirous to vote, such List to contain no greater Number of Names of Persons than is required to be elected, and such List shall be by such Chairman deposited in a Box to be provided for the Purpose, which Box at the Close of the Ballot at One of the Clock in the Afternoon of the same Day, and not later, shall be opened in the Presence of the Chairman

and the Two Scrutineers, to be previously appointed for that Purpose at the said Meeting by Show of Hands, and of such other of the Electors as may choose to be present, and such Chairman and Scrutineers shall then immediately proceed to ascertain and put down in Writing the Number of Votes for each such Person, and the Persons who shall have the greatest Number of Votes shall be Commissioners for carrying this Act into execution; and in case of an Equality of Votes at any of the said Meetings, including the Chairman's Vote, then the Chairman shall have and give another casting Vote; and the Chairman of the said Meeting respectively shall and he is hereby required on any such Election of the said Commissioners for carrying this Act into execution, to leave with the Clerk of the said Commissioners acting under this Act, or at his Office, within Two Days after such Elections respectively, a List, to be in all Cases signed by the Chairman of the said respective Meetings, of the Names, Residences, and Descriptions of the Persons elected at such Meetings.

How Routine of quitting Office by Commissioners shall be determined.

IV. And be it further enacted, That on the Second *Monday* in *June* One thousand eight hundred and thirty-nine One Third (or as near that Proportion as the Total Number of Commissioners will admit of such Division) of the Commissioners then acting in the Execution of this Act, to be determined by Lot amongst themselves, (exclusive of the Lord of the Manor of *Crediton* for the Time being,) shall go out of Office and cease to be Commissioners; and on the Second *Monday* in *June* One thousand eight hundred and forty One Half of the remaining Two Thirds, to be determined as aforesaid, of the Commissioners acting in the Execution of this Act (exclusive as aforesaid) shall go out of Office and cease to be Commissioners; and on the Second *Monday* in *June* One thousand eight hundred and forty-one the Remainder of the said Commissioners hereby appointed shall go out of Office and cease to be Commissioners; and on the Second *Monday* in *June* in every subsequent Year the One Third who have been longest in Office of the said Commissioners shall go out of Office and cease to be Commissioners; and every Person appointed to fill up any Vacancy by Death, Resignation, or Disqualification shall continue in Office so long only as the Person in whose Place he shall be appointed would have continued if he had remained a Commissioner: Provided always, that any Commissioner going out of Office shall be eligible to be immediately re-elected.

Qualification of Commissioners.

V. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except he be expressly named and appointed a Commissioner in and by this Act, and also except the Person who is herein appointed a Commissioner by virtue of his Office or Situation,) unless at the Time of his acting he shall reside within the Limits of this Act, or One Mile thereof by the most direct Road, and shall really and *bonâ fide* be possessed of Property liable to be rated under the Provisions of this Act in the clear yearly Value of Ten Pounds and upwards, or possessed of a Personal Estate of the Value of Five hundred Pounds and upwards.

Penalty on disqualified Persons acting as Commissioners.

VI. Provided always, and be it further enacted, That if any Person not being so qualified as aforesaid (except he be expressly named and appointed a Commissioner in and by this Act), or being disqualified by any of the Causes herein mentioned, shall act as a Commissioner in the Execution

Execution of this Act, such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, with full Costs of Suit, to any Person who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty and Costs, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person acting as such Commissioner, though not duly qualified, previously to his being convicted of any such Offence, shall be as valid and effectual, notwithstanding such Conviction, as if such Person had been so qualified: Provided also, that it shall be lawful for such of the said Commissioners as shall be Justices of the Peace for the County of *Devon* to act as such Justices in the Execution of this Act, notwithstanding their being Commissioners under this Act, except in Cases in which they may be personally interested.

Incapacity of Commissioners.

VII. Provided always, and be it further enacted, That no Person hereinbefore named or hereafter to be appointed a Commissioner in the Execution of this Act shall be capable of acting as a Commissioner who shall be or become bankrupt or insolvent, or during such Time as he shall hold any Office, Place of Profit, or Employment under the said Commissioners, or during such Time as he shall have any Share or Interest in any Contract or Work to be performed and done under any of the Powers of this Act, or in any Manner wherein he shall be in anywise personally or beneficially interested in the Matter in question, except as a Creditor on the Rates, Assessments, or Monies herein directed to be made, levied, collected, and received.

First Meeting of Commissioners.

VIII. And be it further enacted, That the Commissioners for carrying this Act into execution shall meet together at the *Ship* Inn or at some other convenient Place in *Crediton* aforesaid, within One Calendar Month next after the passing of this Act, or so soon after as conveniently may be, between the Hours of Ten o'Clock in the Forenoon and Three o'Clock in the Afternoon, and shall and may from Time to Time adjourn and meet together at the same Place, or any other convenient Place within the Limits of this Act, as they shall appoint; and all Orders and Proceedings of the said Commissioners in the Execution of this Act shall be at public Meetings held in pursuance of this Act, and not otherwise (except as herein excepted); and if it shall happen that there shall not appear at any Meeting which shall be appointed to be held a sufficient Number of Commissioners to act and to adjourn to another Day, or if they shall omit or neglect to adjourn, or if there shall be any special Occasion for any Meeting between the Time of any Adjournment, or at any other Time, then and in every such Case any Five or more of the said Commissioners shall and may call a Meeting at such Time and Place as they shall think proper; and at all Meetings to be held in pursuance of this Act the Commissioners shall defray their own Expences, except any Sum not exceeding Ten Shillings a Day for the Use of the Room wherein such Meetings shall be held.

IX. Pro-

Notice to be given of Meetings.

IX. Provided always, and be it enacted, That previous to any Meeting of the said Commissioners in pursuance of this Act subsequent to such First Meeting as aforesaid (Meetings by Adjournment only excepted) there shall from Time to Time be delivered or sent to each of the said Commissioners, or left at each of their Houses or last Place of Abode within the Limits of this Act, a Notice in Writing, signed by their Clerk or by Five or more Commissioners, of the Time and Place of every such intended Meeting, which Notice shall be so delivered, sent, or left Three Days at least before every such Meeting, or such Notice, so signed as aforesaid, shall be affixed upon the Porch Door of the Parish Church of *Crediton* aforesaid at least Three Days before any such Meeting.

Chairman to be appointed.

X. And be it further enacted, That at every Meeting of the said Commissioners One of the Commissioners present shall be appointed Chairman, and in case of Equality of Voices or Votes of the Commissioners so assembled (including his own) such Chairman shall upon all Occasions have a casting or decisive Voice or Vote; and no Act, Order, or Determination to be done or made at any of the said Meetings shall be good or valid unless the Majority of the Commissioners then present shall concur therein; and all Acts, Orders, and Proceedings relating to this Act, which are directed to be had, made, done, or exercised by or before the said Commissioners, and all the Powers and Authorities vested in them generally, shall and may be had, made, done, and exercised by the major Part of the Commissioners who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number present not being less than Five, except in such Cases where any other Number is by this Act named for any particular or special Purpose.

Proceedings to be entered in a Book.

XI. And be it further enacted, That regular Entries shall be made in a proper Book to be provided for that Purpose of the Names of the Commissioners who shall attend their respective Meetings, and of all their Acts, Orders, Resolutions, and Proceedings, and the Chairman of every such Meeting shall subscribe his Name at the End of the Proceedings of every such Meeting; and all such Entries, being so signed, shall be allowed to be read in Evidence in all Causes, Suits, and Actions relating to any thing done in pursuance of this Act; and every such Book shall at all seasonable Times be open to the Inspection of every Person to be rated or assessed for the Purposes of this Act; and every such Person shall be furnished (if required) by the said Clerk with true Copies of any of the Entries in such Books, paying to the said Clerk for such Copies after the Rate of Sixpence for every One hundred Words; and if the Clerk or Person having the Custody thereof shall refuse to permit or shall not permit any Person to peruse and inspect such Book, or to furnish such Copies of such Entries, on Payment for the same as aforesaid, such Clerk or Person shall for every such Offence forfeit and pay the Sum of Five Pounds.

Officers to be appointed.

XII. And be it further enacted, That the said Commissioners shall and may from Time to Time at any of their Meetings, by Writing under their Hands, appoint and employ a Treasurer and a Clerk, and an Assessor or Collector of the Rates or Assessments to be made as herein directed,

and also a Surveyor, and such other Officers and Persons as they shall think necessary to employ in the Execution of this Act, and shall from Time to Time take such Security from every such Treasurer and Collector for the due Execution of their respective Offices as the said Commissioners shall think proper; and the said Commissioners may remove and displace any such Officer and Person from Time to Time whenever they shall think proper, and shall and may, out of the Monies to be raised by virtue of this Act, allow and pay to every such Treasurer, Clerk, Surveyor, Assessor, or Collector, and other Officer or other Person to be employed as aforesaid, such Salary or Allowance as they the said Commissioners shall think reasonable.

Clerk and Treasurer not to be the same Person.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, to be the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

Accounts to be kept of Receipts and Disbursements, which shall be open to Inspection.

XIV. And be it further enacted, That the said Commissioners shall and they are hereby required to cause a Book to be provided and kept, and true and regular Accounts to be entered therein of all Sums of Money received, paid, laid out, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book shall at all seasonable Times be open to the Inspection of the said Commissioners and any Person paying the Rates or Assessments hereby authorized to be made, or any Creditor on the same, without Fee or Reward; and the said Commissioners, Persons, and Creditors aforesaid, or any of them, shall or may have Copies of or Extracts from the said Book or any Part thereof, on paying to the said Clerk for such Copies or Extracts after the Rate of Sixpence for every One hundred Words; and if the Clerk to the said Commissioners, or other Person with whom the Books, Accounts, and Papers belonging to the said Com-

missioners shall have been deposited, or who may be appointed to keep the same, shall, on any reasonable Demand, refuse to permit or shall not permit the said Commissioners, or such Creditors or other Persons as aforesaid, or any of them, to inspect the said Books, Accounts, and Papers, or to have such Copies or Extracts, on paying for the same as aforesaid, such Clerk or other Person so refusing or offending shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds.

Treasurer and other Officers to account.

XV. And be it further enacted, That every Treasurer, Clerk, Collector, and other Officer or Person to be appointed by virtue of this Act shall, under his respective Hand, and at such Time and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Person received by virtue of or for the Purposes of this Act, and of how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments; and every such Officer or Person shall pay all such Monies as shall remain due from him to the Treasurer for the Time being, or to such Person as the said Commissioners shall appoint to receive the same; and if any such Treasurer, Clerk, or Collector, Officer, or other Person shall refuse or wilfully neglect to make and render such Accounts, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such Person as they shall appoint to receive the same, within Three Days after being thereunto required by the said Commissioners, by Notice in Writing under the Hands of any Three or more of them, given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Information and Satisfaction to the said Commissioners or such other Person as aforesaid respecting the same, then and in every such Case, upon Complaint being made by the said Commissioners, or by any Person whom they the said Commissioners shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer or Person so neglecting or refusing shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer or Person so refusing or neglecting to appear before such Justice; and upon the said Officer or Person appearing, or having been so summoned and not appearing, without some sufficient or reasonable Excuse, or not being found, it shall be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness, upon Oath or Affirmation (which Oath or Affirmation such Justice is hereby empowered to administer), it shall appear to such Justice that any Monies remain due from such Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if sufficient Goods and Chattels of such Officer or Person shall not be found to answer and satisfy the said Money, and the Charges of distraining and selling the said

Goods

Goods and Chattels, or if it shall appear to such Justice that such Officer or Person had refused or wilfully neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, or Writings, or have given Satisfaction in respect thereof to the said Commissioners, or to such other Person as aforesaid; but no such Offender shall be kept or detained in such Common Gaol or House of Correction for Want of sufficient Distress, by virtue of this Act, for any longer Space of Time than Six Calendar Months.

Commitment of Officer not to discharge his Sureties.

XVI. And be it further enacted, That no Prosecution or Commitment, under the Provisions of this Act, of any Treasurer, Clerk, Collector, or other Officer or Person to be appointed under the Powers of this Act, shall acquit or discharge any Security that shall or may have been taken by or given to the said Commissioners for the due and faithful Execution of his Office, or the Payment of the Monies received or to be received by him or them respectively.

Commissioners may sue and be sued in the Name of their Clerk or of a Commissioner.

XVII. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk for the Time being, or in the Name of any One of the Commissioners; and all Actions or Suits that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of their Clerk, or in the Name of any One of the said Commissioners; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by the Death of such Commissioner, or by any Act or Default of such Clerk done or suffered without the Consent and Direction of the said Commissioners; but the Clerk to the said Commissioners for the Time being, or such Commissioner, shall be deemed Plaintiff or Defendant in any such Action or Suit (as the Case may be), except such Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being: Provided also, that in all Cases in which the Clerk for the Time being, or any such Commissioner as aforesaid, shall in pursuance of this Act be the Plaintiff or Defendant on the Record in any Action or Suit in which in effect the said Commissioners shall be suing or sued in the Name of such Clerk or of such One Commissioner as aforesaid, such Clerk or such One Commissioner (although appearing as the Plaintiff or Defendant on the Record) may and shall nevertheless (if not otherwise interested or objectionable)

Clerk or Commissioner to be a competent Witness.

objectionable) be a good, examinable, and competent Witness in every Action or Suit either for or against the said Commissioners, and all Affidavits of Debt, Service, or otherwise, which may be necessary or expedient to be made preparatory to, or in the Prosecution or Defence of any and every such Action, Suit, or Proceeding, or consequent thereupon, shall and may be lawfully made by such Clerk or such One Commissioner (as the Case may be), notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided also, that every or any such Clerk or Commissioner in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Damages, Charges, and Expences as he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and shall not be personally answerable or liable for the Payment of the same or any of them, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced or be defended without the Order or Direction of the said Commissioners.

Clerk or Commissioner to be indemnified.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered, from Time to Time and as often as they shall think fit, to cause, order, and direct all or any of the present and future Streets, Roads, Lanes, and other public Passages and Places which already have been or hereafter shall or may be made, laid out, or formed within the Limits of this Act, or which shall be made under and by virtue of the Powers of this Act, or any Part thereof, and as well the Carriage as the Foot Ways thereof, to be well and effectually paved or flagged, and otherwise well and sufficiently repaired, watered, amended, made, formed, altered, widened, improved, and sustained, upon such a Plan or Mode, and in such Manner and Form, in all respects, and with such Materials, as they shall consider most eligible and expedient, and also from Time to Time to cause, order, and direct the same to be again taken up, relaid, and renewed, and the Ground thereof raised, lowered, or altered in such Manner and Form and with such Materials as the said Commissioners shall deem most advisable; and in like Manner to make or cut, or cause to be made or cut, into, upon, through, over, along, or under any of the said Streets, Roads, Lanes, Passages, and Places respectively, any Tunnels, Gutters, Sinks, Drains, Sewers, or Watercourses for conveying the Water therefrom, and also to cause any of the present Tunnels, Gutters, Sinks, Drains, Sewers, or Watercourses to be amended, repaired, opened, widened, discontinued, or stopped up, or the Form or Course thereof to be altered, turned, varied, changed, or diverted in such Manner as the said Commissioners shall think fit; and also to erect or set up any Posts, Rails, Pales, or Fences in any Place therein, as they shall think proper, for the better Security or Accommodation of Passengers or Carriages, or for Protection of the said Pavements from Damage by Waggons, Carts, or other Carriages.

Commissioners empowered to pave, &c.

XIX. And be it further enacted, That no Person shall at any Time hereafter make or cause to be made any Alteration in the Form of the Pavements, or improving or pitching of any of the Carriageways or Footpaths within the Limits of this Act, or break up any Part of the same for any

Pavements not to be altered without the Consent of

the Commissioners.

any Purpose whatsoever, without first obtaining the Consent of the said Commissioners, to be signified by Writing under the Hands of any Five or more of them, upon pain of forfeiting any Sum not exceeding Five Pounds for every such Offence; and such Person so offending shall also pay to the Treasurer, or other Person appointed by the said Commissioners to receive the same, all the Costs, Charges, and Expences of restoring the Ground or Pavement of such Carriageway or Footway to its former State.

Persons assessed under this Act to be exonerated from Statute Duty and Highway Rates.

XX. And be it further enacted, That from and after the passing of this Act all Bodies Politic and Corporate, and all other Persons, who shall be assessed under or by virtue of this Act for or in respect of any Messuages, Lands, Tenements, Tithes, or Hereditaments within the Limits of this Act, shall be and they are hereby exonerated, released, and for ever discharged from the Performance of Statute Duty for the Repairs of the public Highways without or beyond the Limits of this Act, within the said Parish of *Crediton*, and from the Payment of any Composition Money in lieu of such Statute Duty, and from all Rates and Assessments for the Repairs of the said Highways, without or beyond the Limits of this Act, within the said Parish, for or in respect of such Messuages, Lands, Tenements, Tithes, or Hereditaments within the Limits of this Act; and all Messuages, Lands, Tenements, Tithes, or Hereditaments situate or being without or beyond the Limits of this Act, and the Owners and Occupiers thereof, shall be and they are hereby released, exonerated, and for ever discharged from the Performance of Statute Duty for the Repairs of the public Highways within the Limits of this Act, and from all Composition Money in lieu thereof, and from all Rates and Assessments for the Repairs of such Highways, for or in respect of such Messuages, Lands, Tenements, Tithes, or Hereditaments situate without or beyond the Limits of this Act.

Power to get Materials.

XXI. And be it further enacted, That it shall and may be lawful for the said Commissioners, or their Surveyors or other Agents, or any other Person employed or appointed by them, having an Order in Writing under the Hands of any Five of the said Commissioners for the Purpose, to search for, dig, gather, get, take, and carry away any Stone, Gravel, Sand, Earth, or other Materials fit or proper for paving, repairing, amending, raising, or improving the said Streets, Roads, Lanes, and other public Passages or Places within the Limits of this Act, out of or from any Common or Waste Ground, or River or Brook, in the said Parish of *Crediton*, the Person acting by the Appointment of the said Commissioners or their Agent filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks wherefrom such Materials shall be taken, or causing such Pits or Quarries to be fenced off, so that the same may not be dangerous to Passengers or Cattle, and also making Compensation for any Damage in passing or repassing in, over, or through any Lands contiguous to such River or Brook; and in case a sufficient Quantity of Materials cannot be had in or upon any such Waste Grounds or Commons, or in any such River or Brook as aforesaid, then and in such Case it shall be lawful for the said Commissioners or their Surveyors or other Officers, or the Persons so employed or appointed by them as aforesaid, by Order of any Justice of the Peace for the said County of *Devon*, to search for, cut, dig, get, gather, and take away any such Materials as

aforesaid in, out of, or from any of the private Lands, Fields, or Grounds of any Person within the Parish of *Crediton* where the same may be had or found, (such Lands, Fields, or Grounds not being a Garden, Orchard, Yard, Park, Paddock, Plantation, or Avenue to a House, or any Piece of Ground planted or set apart as a Nursery for Trees,) making or tendering such Satisfaction for the Value of such Materials, and also for the Damage done thereby to the Owners and Occupiers of the Lands, Fields, or Grounds where and from whence the same shall in each and in every Case be cut, dug, got, gathered, and carried away, or over which the same or any other Materials for making and repairing the said Streets, Roads, Lanes, and other public Passages or Places shall be carried, as shall be agreed upon between the said Commissioners and such Owners or Occupiers; and in case of any Difference between the said Commissioners or other Persons employed as aforesaid, and such Owners or Occupiers, or any of them, concerning such Damages, it shall be lawful for any Justice of the Peace in and for the said County of *Devon*, on Seven Days Notice thereof given by either Party to the other, or left at his Place of Abode, to hear, settle, or finally determine the Matters of such Damage and Payment: Provided also, that no such Materials as aforesaid shall be dug for, gotten, or taken away from any Place within the Distance of One hundred Yards from any Bridge, Mill, Mill Weir or Dam, nor so as to injure any Building or Highway on any Account or Pretence whatsoever.

Notice to be given to Occupiers of inclosed Lands.

XXII. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Person acting under the Authority of this Act to dig, gather, get, take, or carry away any Materials for repairing such Streets, Roads, Lanes, or other public Passages or Places out of or through or from any inclosed Lands or Grounds, until Fourteen Days Notice in Writing, signed by the Surveyor or other Officer to the said Commissioners, shall have been given to the Owner or Occupier of the Premises from which such Materials are intended to be taken, or left for such Owner or Occupier at his usual Place of Residence, to appear before any Justice of the Peace acting in and for the said County of *Devon*, to show Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner or Occupier or his Agent shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, then and in such Case such Justice shall and may authorize the said Commissioners or their Agent, or such Person, to dig, get, gather, take, and carry away such Materials at such Time as to such Justice shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear, by himself or his Agent, pursuant to such Notice, the said Justice shall and may make such Order therein as he shall think fit, as fully and effectually, to all Intents and Purposes, as if such Owner or Occupier or his Agent had attended.

Penalty on taking away Materials.

XXIII. And be it further enacted, That if any Person shall remove or take away any Stones, Gravel, or other Materials laid upon or near such Streets, Roads, Lanes, or other public Passages or Places, or any Part thereof, without the Order of the said Commissioners for that Purpose, or if any Person shall take away any Stones, Gravel, or other Materials which may have been dug, got, or gathered, by or by Order of the said Justice or Commissioners, in any Land, Field, or Waste Ground, River

or

or Brook, for the Purpose of amending or repairing such Streets, Roads, Lanes, or other public Passages or Places, or any Part thereof, or shall get or take away any Stones, Gravel, or other Materials out of any Pit or Quarry which shall have been made for the Purpose of getting such Materials, before the said Commissioners, or their Surveyor or Workmen, shall have discontinued working therein for the Space of Six Weeks, (except the Owner or Occupier of any private Ground wherein such Pit or Quarry shall have been made, and Persons authorized by such Owner or Occupier to get Materials therein for his or her own private Use only, and not for Sale,) every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Commissioners empowered to light Streets, &c.

XXIV. And be it further enacted, That it shall be lawful for the said Commissioners to light or cause the several public Streets, Roads, Lanes, Entries, Passages, and Places within the Limits of this Act, or such of them as they shall think proper, to be lighted either with Oil, Spirit, or any other Preparation, as the said Commissioners shall think fit, and from Time to Time to contract and agree with any Person to light the said Streets, Roads, Lanes, Entries, Passages, and Places with Oil, Spirit, or other Preparations as aforesaid, in such Manner, and upon such Terms, Conditions, Stipulations, and Agreements, as the said Commissioners shall think proper.

Penalty on Persons conveying Washings into any Canal, &c.

XXV. Provided always, and be it further enacted, That if any Person whomsoever shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings, or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture and Process of making or procuring such Gas, into any Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Act or Thing to the Water contained in any such Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Springhead, Well, Drain, Sewer, or Ditch, then and in every such Case such Person shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed, and the whole thereof shall be paid to the Person annoyed, injured, or damaged by any such Proceeding as aforesaid, who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall

shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person to whom the same shall belong, or by any other Person whomsoever, to the Person causing such Annoyance, Nuisance, Injury, Damage, Act, or Thing, and such Person shall not, within Twenty-four Hours after such Notice shall have been given to him as aforesaid, stop, hinder, or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case such Person shall forfeit and pay the Sum of Twenty Pounds for each and every Day during which such Washings, waste Liquids, or noisome or offensive Liquids, Substances or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to any Person annoyed, injured, or damaged by any such last-mentioned Act who shall be the Informer, or to such Person as, in the Judgment of the Justice before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

Penalty for allowing the Escape of Gas.

XXVI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by any Person as aforesaid, such Person shall at his Expence, immediately after receiving Notice by Parol or Writing of any such Escape from any Person, cause the most speedy and effectual Measures to be taken to prevent such Gas from further escaping; and in case such Person shall not within Twenty-four Hours after such Notice effectually prevent the Gas from escaping, and wholly and effectually remove the Cause of Complaint, such Person shall for every such Offence forfeit and pay the Sum of Five Pounds for every Day after the Expiration of Twenty-four Hours from the Time of such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way on the Oath or Affirmation of some credible Witness before some Justice of the Peace for the County or Place within which such Offence shall be committed, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of such Contractors or Persons as aforesaid.

General Regulation as to the Mode of laying Gas Pipes.

XXVII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or around any Road, Street, Way, Lane, or other public Passage or Place in the said Town shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Road, Street, Way, Lane, or other public Passage or Place will allow thereof, at a Distance of Four Feet at least, from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or around any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places in the said Town, unless in Cases where it shall be unavoidably necessary

to lay the Pipes for the Conveyance of Gas across any Water Pipes, in which Cases the said Pipes for the Conveyance of Gas shall, if practicable, be laid at a Distance of at least Six Inches under or over such Water Pipes, and in such Cases the said Pipes for the Conveyance of Gas so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Pipes for the Conveyance of Gas shall be nearer to any Part of the said Water Pipes than Three Feet at least; and in laying down the said Pipes for the Conveyance of Gas the Person to whom the same shall belong shall in no Case join Two or more Pipes for the Conveyance of Gas together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all Screws, Joints, Inlets, Apertures, or Openings therein respectively Air-tight, and in all and every respect prevent the said Gas from escaping therefrom or from any Part thereof, upon pain of forfeiting for every such Offence the Sum of Five Pounds, which shall be paid either to any Person annoyed or damaged by any such last-mentioned Act who shall be the Informer, or to any other Person who, in the Judgment of the Justice before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed, as the said Justice shall direct, and which shall be levied and recovered as any other Penalty is by this Act directed to be levied and recovered.

To prevent Contamination of Water.

XXVIII. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks within the said Parish, or the Water in any Well, Reservoir, or Pond belonging to or used by any Person whomsoever within the said Parish, shall be contaminated by the Gas of any Person, such Person shall forfeit and pay the Sum of Twenty Pounds for every such Offence, and the same shall be applied to the Use and Benefit of the Owner of such Waterworks, Well, Reservoir, or Pond, or the Party using any such Water, and suing for the same; and in case any such Water shall be contaminated by Gas in any way whatsoever, the Person as aforesaid shall, within Twenty-four Hours after Notice in Writing, signed by any Person whomsoever within the said Parish interested in or using such Water, to be left at the usual Office or Place of transacting Business of the said Person, cause the most effectual and proper Measures to be taken to stop and prevent Gas from further escaping from the Mains, Works, or Pipes, and from contaminating such Water; and in case the said Person shall not within Twenty-four Hours after such Notice effectually prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of Complaint, and prevent all such Contamination whereof Notice shall be given as aforesaid, such Person shall forfeit and pay to the Party so interested in or using such Water, or complaining as aforesaid, for the Use and Benefit of such Party (over and above the before-mentioned Penalty of Twenty Pounds), the further Sum of Five Pounds for each and every Day during which the Water of the said Company shall remain contaminated, tainted, or affected by any such Gas as aforesaid, and such Penalty and Costs shall be paid to the Treasurer for the Time being of such Company of Proprietors.

XXIX. And

For ascertaining if Water is contaminated.

XXIX. And whereas it may be or become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for any Company of Proprietors of Waterworks to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of such Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of such Person; and if it shall appear that the said Water has been contaminated by any Escape of Gas from any of the Mains, Pipes, or Conduits, of such Person, the Costs and Expences of the said Digging, Search, Examination, and Repair of the Pavement of the Road, Street, Way, Lane, or other public Passage or Place which shall be taken up or disturbed shall be borne and paid by such Person as aforesaid; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, Conduits, or Apparatus of such Person as aforesaid, then and in such Case the said Water Company shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to such Person any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of such Person in and by such Search or Examination, and also to the Pavement of the said Road, Street, Way, Lane, or other public Passage or Place so taken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice of the Peace as aforesaid.

Act not to protect Persons lighting with Gas from being indicted for a Nuisance.

XXX. And be it further enacted, That the Powers and Provisions in this Act contained shall not extend to protect any Person making, furnishing, or supplying any Gas used, burnt, or consumed within the said Parish for lighting any Street, Highway, or other Place, or any House or other Building therein, from any Indictment or Prosecution for a Nuisance in respect of any Works or the Means which shall be employed by them in making the said Gas or using the same, or furnishing any such Gas Light, nor from any Action for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or Use of the said Gas, or the Methods of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Commissioners may provide Lamps, &c.

XXXI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to purchase and provide such and so many Lamps of such Sorts, Qualities, and Sizes, and such and so many Lamp Irons and Lamp Posts, and all such other Materials and Things for the lighting such Lamps with Oil, Spirit, or other Preparation, as they shall judge necessary, and direct the same to be affixed and set up on or against the Walls, Posts, or Rails of any of the Houses, Tenements, or Buildings, or against any other Walls, Posts, or Rails, in any of the Streets, Lanes, Entries, public Passages and Places within the Limits of this Act, or in such other

Places

Places and in such other Manner as the said Commissioners shall think proper and convenient, and to cause the same or any of them from Time to Time to be taken down, altered, amended, removed, or renewed when and as often as the said Commissioners shall think fit, and to cause such Lamps or any of them to be lighted at such Seasons of the Year, on such Evenings, in such Manner, and at such Hours of the Evening, and to be kept burning for so many Hours during the Night, as to them the said Commissioners shall seem necessary or proper: Provided always, that nothing herein contained shall authorize or empower the said Commissioners to set up or fix any such Lamp, Lamp Iron, or Lamp Post against any Dwelling House or private Buildings, or any private Lands or Hereditaments and Premises, or so to continue the same, without the Consent in Writing of the Owner and Occupier of every such Dwelling House, Hereditaments, or Buildings respectively for that Purpose.

Penalty for wilfully breaking Lamps, &c.

XXXII. And be it further enacted, That if any Person shall wilfully break, take away, throw down, displace, or otherwise destroy, deface, or damage any Lamp which shall be erected by Order of the said Commissioners or by any other Person for the Purpose of lighting any of the said Streets, Lanes, Entries, and other public Passages and Places, or any Lamp Post, Lamp Iron, Cover, or Furniture thereof respectively, or shall wilfully extinguish the Light of or in any such Lamp, or shall wilfully or maliciously injure, destroy, or otherwise damage any of the Articles, Matters, or Things hereby vested in the said Commissioners, then and in every such Case he shall for each and every such Offence respectively, and if more than One shall severally, forfeit and pay any Sum not exceeding Five Pounds, and shall besides make full Satisfaction (such Satisfaction to be ascertained by a Justice of the Peace for the said County of *Devon*) to the said Commissioners or other Party injured for the Damage so done; and in case such Offender shall not upon Conviction forthwith pay such Penalty by him or her incurred, and also make such Satisfaction as aforesaid, such Justice is hereby authorized, empowered, and required to commit such Offender to the Common Gaol or House of Correction for the County of *Devon*, or to the House of Correction at *Crediton* aforesaid, there to be kept to hard Labour for any Term not exceeding Three Calendar Months, and such Offender shall not be discharged before the Expiration of the Time for which he shall be so committed unless such Penalty and Satisfaction shall be sooner paid and made as aforesaid.

Satisfaction to be made for accidental Injury to Lamps, &c.

XXXIII. And be it further enacted, That if any Person shall carelessly, negligently, or accidentally break, throw down, destroy, or otherwise injure or damage any such Lamp as aforesaid, or the Post, Iron, Cover, or Furniture thereof respectively, or any Appendage thereto, and shall not upon Demand make Satisfaction for the Damage done, then and in every such Case it shall be lawful for any Justice of the Peace for the said County and he is hereby required, upon Complaint thereof, to summon before him the Party so complained of, and upon his Appearance or Default therein such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by Confession of the Party or the Oath or Affirmation of any credible Witness, shall award and order such Satisfaction to be made by the Party complained against unto the said Commissioners or the Owner of such Lamp as to such Justice shall appear just and reasonable; and in case the Sum so awarded shall not be forthwith paid it shall and may be

be lawful for such Justice and he is hereby required to cause the same to be levied and recovered in such and the same Manner as any Fine or Penalty is by this Act directed to be levied and recovered before any Justice of the Peace.

Commissioners to direct Streets to be cleansed and watered.

XXXIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, authorized, and required, to cause all the Streets, Lanes, Entries, and other public Passages and Places within the Limits of this Act, or such of them as they shall think fit, to be properly cleansed and maintained and kept in a State of Cleanliness, and also to cause the same or such of them as they shall think proper to be watered from Time to Time as they shall direct, and for those Purposes to employ any Person, and to purchase or hire any Cart or other Carriage, and also any Horse, and to cause the Dust, Dung, Manure, Dirt, Soil, and Filth in any such Streets, Lanes, Entries, or other public Passages and Places, to be removed and taken away.

Occupiers of Houses, &c. to keep Pavements swept and cleansed.

XXXV. And be it further enacted, That all Occupiers of Houses or Buildings or Tenements, of what Nature or Kind soever, within the Limits of this Act, before, behind, or at the Side whereof any Footway or Pavement shall or may have been made or laid down under the Authority of this Act, shall from thenceforth cause such Footway or Pavement when laid down to be well and effectually swept and cleansed with Water and otherwise upon Two several Days in every Week, that is to say, upon *Tuesday* and *Friday* weekly, between the Hours of Seven and Nine o'Clock in the Morning of such Days respectively; and if any Person being such Occupier as aforesaid shall neglect or refuse to sweep and cleanse such Footway or Pavement as aforesaid, and shall be thereof convicted upon the Oath or Affirmation of Two credible Witnesses before any Justice of the Peace of the said County, (which Oath or Affirmation the said Justice is hereby authorized and empowered to administer and take,) such Person so neglecting or refusing shall for every such Default forfeit and pay the Sum of Ten Shillings to the said Commissioners, together with the Costs and Charges attending such Conviction; and if the said Penalty and Costs shall not be forthwith paid, such Justice shall issue his Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Defaulter.

Power to appoint Watchmen.

XXXVI. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered from Time to Time, as they shall think necessary, to appoint a sufficient Number of fit and able-bodied Men to patrol, watch, and guard the said Streets, Lanes, and Entries, and other public Passages and Places, or any Part thereof, for and during such Periods of the Year and during such and so many Hours of the Night as they the said Commissioners shall think fit, and to pay such Men so employed such reasonable Wages or Allowances as they shall think proper, and to give such Orders and Directions concerning the Manner in which they shall be armed and stationed for the due and regular Performance of their Duty, as the said Commissioners shall judge proper and expedient, and from Time to Time at their Pleasure to remove any of them, and appoint others in their Stead; and it shall be lawful for such Watchman or Patrol so to be appointed as aforesaid, or any of them, and they are hereby respectively authorized, directed, and required, to use

their utmost Endeavours to prevent any Mischief by Fire, and also to apprehend and secure in some Place of Safety all suspicious Persons, Thieves, Vagabonds, Prostitutes, Night-walkers, Disturbers of the public Peace, and Persons misbehaving themselves, during the Time they shall be on Duty, and to carry all such Persons as soon as conveniently may be before some Justice of the Peace for the said County of *Devon* to be examined and dealt with according to Law.

Watchmen vested with the Power of Constables.

XXXVII. And be it further enacted, That all Watchmen and Patrols so to be appointed as aforesaid shall be sworn in as Constables before some Justice of the Peace for the said County of *Devon*, and shall and may act as such while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy during such Time the like Powers and Authorities, Privileges and Immunities, as any Constables are invested with or have and enjoy by Law.

Penalty on Watchmen misconducting themselves.

XXXVIII. And be it further enacted, That if any Watchman or Patrol shall not observe, perform, and keep the Orders, Rules, and Regulations which shall be made for the Purposes aforesaid by the said Commissioners, or shall in any Manner neglect his Duty, every Person so offending shall forfeit and pay for every such Neglect or Offence any Sum not exceeding Five Pounds, and shall, if the Commissioners think proper, be immediately discharged from his Office or Employment.

Penalty on Publicans harbouring Watchmen

XXXIX. And be it further enacted, That if any Victualler, Alehouse-keeper, or any other Person selling Ale, spirituous or other Liquors, shall entertain or harbour in his or her House, Outhouse, or Premises any Watchman or Patrol employed under or by virtue of this Act, or permit or suffer any of them to remain in his or her House or Premises during any Part of the Time appointed for his being on Duty, every such Victualler, Alehouse-keeper, or other Person aforesaid so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Street Materials, &c. vested in the Commissioners.

XL. And be it further enacted, That the Property of and in the several Streets, Lanes, Entries, Carriageways, Footways, and other public Passages and Places within the Limits of this Act already set out and made or hereafter to be set out and made, and of and in the Stones, Gravel, Grates, and all Materials of which the same do or may consist, and of all other Materials, Implements, Lamps, Lamp Irons, Lamp Posts, Watch-boxes, Watch-houses, Pitching and Flagging Stones, and all other Matters and Things which shall be provided by the said Commissioners for the Purposes of this Act, and all the Dirt, Dust, Dung, Ashes, and Filth to be swept, gathered, and collected in or from the said Streets, Lanes, Entries, Carriageways, Footways, and other public Passages and Places, shall belong to and be the Property of and are hereby vested in the Commissioners for the Time being acting in the Execution of this Act by the Name of "The Commissioners for the Improvement of the Town of *Crediton* in the County of *Devon*," and the said Commissioners shall and may and they are hereby authorized and empowered to bring or cause to be brought any Action, or to prefer any Bill of Indictment, as the Case shall require, against any Person whomsoever who shall steal, take, and carry away, detain, spoil, injure, damage, or destroy, the several

Articles or Things herein mentioned and vested in the said Commissioners as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Thing for or on account of which such Actions shall be brought, or Bills of Indictment preferred, is the Property of "The Commissioners for the Improvement of the Town of *Crediton* in the County of *Devon*," without particularly stating or specifying the Names of any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles, Matters, and Things which at any Time hereafter may not be wanted for the Purposes of this Act, or any Part of the same respectively, to such Person and in such Manner as the said Commissioners shall think proper, and shall apply the Money to arise thereby towards the Purposes of this Act.

Commissioners may contract for lighting, paving, &c.

XLI. And be it further enacted, That it shall and may be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time to contract and agree with any Person they may think proper for the paving, flagging, widening, altering, amending, and improving of the Carriageways, Causeways, and Footpaths, and for lighting, cleansing, and watering the said Streets, Lanes, and other public Passages and Places within the Limits of this Act, and for furnishing Materials, and doing and performing all other Matters and Things necessary for completing any of the Works hereby authorized; which Contracts so to be entered into shall be reduced into Writing, and signed by the said Commissioners or any Five or more of them, and also by the Person contracting to perform such Works respectively; and the Person contracting to perform such Works shall specify the several Works to be done, and the Prices to be paid for the same, and the Time when such Works shall be done, performed, and completed, and the Penalties to be suffered in case of Nonperformance thereof; which Contracts shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners: Provided always, that Fourteen Days Notice at least shall be given previous to the Meeting for entering into such Contracts by Writing to be affixed on the outer Door of the principal Entrance of the Parish Church of *Crediton* aforesaid, or in such other Manner as the said Commissioners shall direct, in which Notice shall be specified the Works and Business to be contracted for at such Meeting, to the end that Persons may tender Proposals for such Contracts at a certain Time and Place in such Notice to be mentioned; and the said Commissioners shall and they are hereby authorized and empowered to take Security from such Contractor for the due Performance of his or her Contract.

Actions may be brought for Breach of Contracts.

XLII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby directed to cause the Works to be done in pursuance of such Contracts to be inspected by the Surveyor or such other Person as they shall from Time to Time appoint; and in case the same shall not be well and sufficiently performed according to the true Intent and Meaning of such Contract, or shall not be done and completed at or within the Time and at such Times to be by such Contract limited for doing and completing the same, the said Commissioners shall and may bring or cause to be brought any Action at Law or Suit in Equity against the Person so contracting and neglecting to perform such

Contract,

Contract, or for any Injury suffered or sustained on account of the Nonperformance thereof; and upon proving the signing of the said Contract and Nonperformance thereof the said Commissioners shall be entitled to and recover such Penalty or Damage as may be awarded, with full Costs of Suit: Provided always, that it shall be lawful for the said Commissioners from Time to Time and at all Times hereafter to compound and agree with any Person against whom the said Commissioners shall bring or cause to be brought any Action or Suit for any Penalty incurred in any Contract to be made or entered into in pursuance of this Act, on account of any Breach or Nonperformance of any such Contract, for any Sum of Money as they shall think proper, so as the Sums compounded and agreed for be not less than the Injury sustained by the Breach or Nonperformance of such Contract, and the Costs, Charges, and Expences which shall have been or which may be occasioned thereby: Provided always, that the said Commissioners or their respective Estates shall not be liable in their individual or personal Capacity to any Loss, Damage, or Prejudice by reason of their signing any such Contract.

Commissioners empowered to take down Shambles and Buildings in the West Town of Crediton, &c.

XLIII. And whereas a Market is now held in the Middle of a Street in the West Town of *Crediton*, and the Shambles and Buildings erected for that Purpose, as well as the said Market, are a great Inconvenience and Obstruction to all Travellers and Persons passing through the said Town, and it is highly important, in order to render the Passage through the same more safe and convenient, that the said Market should be removed; be it further enacted, That it shall and may be lawful for the said Commissioners, with the Consent in Writing nevertheless of the said Lord of the Manor of *Crediton* to be first obtained for that Purpose, to take down and remove the several Shambles, Dwelling Houses, and Buildings now being in the Middle of the Street in the West Town and Borough of *Crediton* aforesaid, and to lay the Sites thereof into the said Street, unless the said Lord of the Manor, his Heirs or Assigns, shall, within Twelve Months after the passing of this Act, take down and remove such Shambles and other Buildings in the Middle of the said Street at his or their own Expence.

Lord of the Manor to purchase Messuages, Lands, &c. for erecting a Market.

XLIV. And be it further enacted, That it shall and may be lawful for the said Lord of the Manor of *Crediton*, his Heirs or Assigns, at his or their own proper Costs, Charges, and Expences, and of his or their own free Will and Pleasure, to purchase, take down, use, and appropriate the said several Messuages, Buildings, Lands, Tenements, and Hereditaments mentioned and expressed in the First Schedule to this Act annexed, and at his or their own proper Costs and Charges to erect and build or cause or procure to be erected and built thereon, or on the Sites thereof, and on such other Ground belonging to the said Lord of the Manor as he may think proper, a Market House, with Shambles, Stalls, and other convenient Buildings, in lieu of the present Shambles and Market Buildings herein-before directed to be taken down and removed, and also to open and make all convenient Roads and Approaches to the said Market; and when and so soon as such new Market House, Shambles, Stalls, and other Conveniences shall have been built and opened, the said Market shall cease to be held within the Street of the said Town; and the said Market House and Buildings so to be erected, and the said Market Place so to be provided, shall be the only Place within which the Market for the

the Sale of Corn (except Corn sold by Sample), Butcher's Meat, Fish, Poultry, Eggs, Butter, Vegetables, or any other Commodities shall for the future be held and kept; and if any Person shall sell or expose to Sale any Corn, Butcher's Meat, Fish, Poultry, Eggs, Butter, Vegetables, Fruit, Earthenware, or any other Articles or Commodities in any of the said Streets, Lanes, Entries, or other public Passages or Places, other than the Place which may be appointed by the said Lord of the Manor as aforesaid, every such Person shall, on Conviction before any Justice of the Peace for the said County of *Devon*, for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings; which Penalty shall be paid and payable to the said Lord of the Manor, his Heirs or Assigns, or as he or they shall direct or appoint.

All Powers granted to the Commissioners for purchasing Lands, &c. extended to the Lord of the Manor.

XLV. And be it further enacted, That all the Powers and Provisions hereby granted to the said Commissioners for the Purchase of Lands, Buildings, and Hereditaments in the said Town for carrying the Improvements into effect, and to the Valuation thereof and Application of the Compensation, shall and are hereby declared to be extended and applied to the said Lord of the Manor, his Heirs and Assigns, for the Purchase of the Property, Lands, and Hereditaments mentioned in the First Schedule to this Act annexed, and which the said Lord of the Manor is hereby authorized and empowered to purchase for the Purpose of erecting the said Market, and making convenient Approaches thereto, any thing herein contained to the contrary thereof in anywise notwithstanding.

Persons not prevented from selling in their Houses or Shops.

XLVI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent or hinder any Person from selling or exposing to Sale any marketable Goods, Commodities, Articles, Matters, or Things whatsoever in his own private Dwelling House, or in his Shop or Premises, in any Part of the said Town, except Corn in Bulk, Butcher's Meat, Fish, and Poultry, on the chief Market Day herein-after mentioned, and also except all other marketable Articles which shall or may be brought into the said Town for Sale on the chief Market Day aforesaid.

Power to take Tolls in the Market.

XLVII. And be it further enacted, That there shall be paid to the said Lord of the Manor, his Heirs or Assigns, or to the Person to be by him or them appointed to receive the same, by all Persons holding, using, or occupying any Building, Shed, Stall, Standing, Bulk, Tressel, Block, or other Convenience, Standing Place, or Station for selling or offering or exposing to Sale any Butcher's Meat, or the Goods, Articles, Commodities, or Things as aforesaid, in the said Market Place or within the Limits thereof, the several Tolls, Duties, Rents, and Stallage, not exceeding the respective Sums mentioned, expressed, or contained in the Third Schedule to this Act annexed.

List of Tolls, &c. to be affixed in conspicuous Places.

XLVIII. And be it further enacted, That the said Lord of the Manor, his Heirs or Assigns, shall from Time to Time cause to be painted on Boards, and affixed and stuck up and continued, and renewed as often as the same shall be obliterated or defaced, upon conspicuous Places in the said Market Place, in large and legible Characters, an Account or List of the several Tolls, Duties, Rents, and Stallage which the said Lord of the Manor,

Manor, his Heirs or Assigns, shall from Time to Time direct and appoint to be taken, and of the Price or Sum of Money so allowed to be taken from every Person liable to the Payment of the same or any Part thereof respectively: Provided always, that it shall not be lawful for the said Lord of the Manor, his Heirs or Assigns, to demand or take, or cause to be demanded or taken, any of the Tolls, Duties, Rents, or Stallage hereby granted, but for and during such Time as the Board so painted as aforesaid shall remain affixed and stuck up as aforesaid.

Penalty on refusing or evading Payment of Tolls.

XLIX. And be it further enacted, That in case any Person holding, using, or in any Manner occupying any of such Buildings, Sheds, Stalls, Standings, Bulks, Tressels, Blocks, or other Conveniences, Standing Places, or Stations as aforesaid, or selling or offering or exposing to Sale any Butcher's Meat, or any other Goods, Commodities, Articles, or Things, in the said Market Place, shall, upon Demand thereof made by the Collector or other Person authorized to receive the said several Tolls, Duties, Rents, and Stallage aforesaid, neglect or refuse to pay or shall evade the Payment of the same, or any or either of them, or any Part thereof, then and in such Case and so often as it shall happen it shall be lawful for the said Collector or other Person so authorized to receive the same, either by himself or his Assistants, to levy the same by Distress and Sale of all or any of the Goods, Articles, and Things so offered or exposed to Sale, and the Distress so taken to sell immediately, rendering the Overplus (if any there be), upon Demand, after deducting the Expences of such Distress and Sale, to the Person or Persons whose Property such Goods, Articles, or other Things were at the Time of every such Distress.

Power to appoint a Weighing Place, and to have Weights, &c. for weighing Articles.

L. And be it further enacted, That it shall be lawful for the said Lord of the Manor, his Heirs and Assigns, to erect and appoint a public Weighing and Measuring House or Place, at, in, or near to the said Market Place, for weighing or measuring such Meat, Goods, Articles, or Things as shall be bought or sold by Weight or Measure in the said Market, and to keep good and sufficient Standard Weights, Scales, Steelyards, and Measures, and to appoint the Clerk of the said Market or some other Person to attend the same on every Market Day; and all Persons selling Meat or other Things by Weight or Measure in the same Market shall weigh and measure the same in and by the said Weights or Measures, Scales or Steelyards as aforesaid, if required by the Buyer thereof to be so weighed or measured; and in case any Person shall refuse to weigh or measure as aforesaid he shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Inspector to to seize unwholesome Meat and false Measures.

LI. And be it further enacted, That a Person appointed by the said Lord of the Manor, his Heirs or Assigns, as Inspector of Provisions and of Weights and Measures in the said Market, shall and may and is hereby authorized and required to seize and publicly to destroy all unwholesome Flesh, Meat, or Fish which shall be brought in or offered for Sale in the said Market, and all false and deficient Weights and Measures which shall be used or found therein.

Penalty on Persons neglecting to

LII. And be it further enacted, That if any Seller of Meat, Fish, or other Provisions, or any Seller or Dealer in other Goods, Articles, or Things

Things in the said Market, shall refuse or neglect to weigh or measure, being so required by the Buyer or Buyers thereof, and with the said public Scales, Weights, or Measures as aforesaid, or if the Buyer or Buyers of any Meat, Fish, or other Provisions which shall be so weighed or measured as aforesaid, shall refuse or neglect to pay the Toll for the same respectively at the Rate mentioned in the Fourth Schedule to this Act annexed, the Person or Persons so refusing or neglecting shall forfeit and pay for every such Refusal or Neglect a Sum not exceeding Ten Shillings; and the said Tolls, Sums of Money, and Penalties shall and may be recovered by Distress and Sale of the Meat, Fish, or other Provisions, Goods, Articles, and Things of the Person or Persons so refusing or neglecting to weigh or measure the same, or of the Goods and Chattels of such Person or Persons so neglecting or refusing to pay the said Tolls as aforesaid, in like Manner as herein-before directed concerning the Recovery of Tolls to be paid in respect of the said Markets.

Penalty on Persons refusing to weigh or measure, or refusing to pay the Toll.

LIII. And be it further enacted, That if any Person or Persons shall kill, slaughter, singe, scald, or dress, or cause to be killed, slaughtered, singed, scalded, or dressed, any Beast, Swine, Calf, Sheep, or other Cattle in the said Market Places or within the Limits thereof, or shall wilfully, carelessly, or negligently injure, deface, or spoil any Part of the Stalls or Standings, or the Roofs, Walls, Windows, Fences, Rails, Gates, Pillars, Columns, Steps, or Pavements in or belonging to the said Market Places or any Part thereof, or shall cause, do, or commit any other Kind of Obstruction, Annoyance, or Nuisance, Damage, Injury, or Spoil, in any Part of the said Markets, or upon any of the Stalls, Standings, Erections, or Buildings therein, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, and shall, over and above such Penalty, pay such Sum or Sums of Money as to the Justice or Justices before whom the Complaint of any such Act or Offence as aforesaid shall be heard shall think reasonable by way of Satisfaction for any Damages so done by such Offender or Offenders as aforesaid.

For preventing Nuisances in the Market Places.

LIV. And be it further enacted, That if any Person shall assault, hinder, or obstruct any Officer or Person appointed or employed by the said Lord of the Manor, his Heirs or Assigns, to carry into effect any Bye Law, Rule, Order, or Regulation made under the Provisions of this Act in respect to the good Order and Government of the Markets therein, or shall assault, hinder, or obstruct any Person or Persons authorized or appointed by the said Lord of the Manor to receive or collect the lawful Tolls and Duties to be paid and payable in the aforesaid Markets, or if any Persons shall wilfully destroy, deface, injure, remove, pull down, or take away the Building, Shambles, Wall, Fence, Post, Rail, or Chain, or any Shed, Stall, Standing, Block, Tressel, Hurdle, Pen, or other Erection set up or to be set up by the Authority of the said Lord of the Manor for the Use, Purpose, or Convenience of the said Markets, or any Board, Notice, or Inscription to be affixed by the like Authority in or near the Places of holding the said Market, every Person offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty on Persons obstructing Officers in Markets, &c.

LV. And

Power to alter Market Day from Saturday to Thursday.

LV. And whereas the Market in the said Town of *Crediton* has from Time immemorial been held on *Saturday* in every Week, and it is considered desirable and expedient that the Day for holding the said weekly Market in the said Town should be changed; be it therefore enacted, That the Day of holding the weekly Market in the said Town of *Crediton* shall, at such Time and in such Week as the said Lord of the Manor shall appoint by Three Weeks previous Notice at least to be given in the *London Gazette* and One or more of the *Exeter* and other provincial Papers, be held on *Thursday* in that and every succeeding Week thereafter for ever; any Law, Statute, Charter, Prescription, Usage, or Custom whatever to the contrary thereof notwithstanding: Provided nevertheless, that the Customs, Tolls, and Duties arising and issuing from the said Market, and the Sale of Cattle, Sheep, Corn, Meat, Fish, Poultry, Butter, and all other Goods, Wares, and Merchandize therein, be paid to the said Lord of the Manor of *Crediton*, or the Person or Persons entitled thereto, or his, her, or their Lessee or Lessees, Bailiff, Collector, or Receiver, for the Time being.

Power to make Bye Laws and Regulations for the Government of the Market.

LVI. And be it further enacted, That it shall and may be lawful for the said Lord of the Manor, his Heirs and Assigns, and they are hereby authorized and empowered, from Time to Time to make and establish such Bye Laws, Rules, Orders, and Regulations for the holding, good Order and Government of the said Market, and of the several Persons resorting thereto, as to him or them in their Judgment and Discretion shall seem proper and expedient for the common Benefit of the said Town and the Persons resorting to the Market thereof, and also from Time to Time to annul, alter, or vary such Bye Laws, Rules, Orders, and Regulations, or any of them, as shall be found expedient, and likewise to fix, impose, and lay such reasonable Penalties, Fines, and Forfeitures, not exceeding the Sum of Forty Shillings, for each Nonobservance or other Breach of such Bye Laws, Rules, Orders, and Regulations, or any of them, as to them shall appear necessary and expedient; and all such Bye Laws, Rules, Orders, and Regulations, being published as herein-after mentioned, shall be good and binding upon and observed by all Persons, and shall be sufficient in any Court of Law or Equity to justify any Person who shall act under or in pursuance of the same; and all such Penalties, Fines, and Forfeitures shall be recoverable and payable in the same Manner as is herein-after directed concerning other Penalties to be incurred by virtue of this Act; and all Persons so as aforesaid coming or resorting to the said Market are hereby required to observe and keep such Rules, Bye Laws, and Regulations under such Penalties and Forfeitures as aforesaid: Provided nevertheless, that such Bye Laws, Rules, Orders, and Regulations be not inconsistent with the Provisions of this Act, or repugnant to the Laws of that Part of the United Kingdom called *England*.

Power to purchase Lands and Buildings for Improvements.

LVII. And be it further enacted, That it shall be lawful for the said Commissioners to contract and agree with any Bodies Politic or Corporate, Collegiate or Ecclesiastical, Corporate, Aggregate or Sole, Tenants in Fee Simple, or for Life or Years, or in Fee Tail, General or Special, or with any Feoffees in Trust for charitable or other Purposes, Husbands, Testamentary or other Guardians, Committees for Idiots or Lunatics, Executors, Administrators, or other Trustees whomsoever, not only for

and on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Idiots, Lunatics, Femes Covert, or other Persons under any Disability of acting for themselves, or with any Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any others the Owners or Proprietors for the Time being of any Houses, Buildings, Lands, Tenements, or Hereditaments situate within the Limits of this Act, or of any Part of such several Premises, or of any Estate, Right, or Interest therein, for the absolute Purchase of such several Premises or any of them, or any Part thereof, or of any Estate, Right, or Interest therein, which the said Commissioners shall consider proper and necessary to be purchased for widening, opening, altering, or improving any of the Streets, Roads, Lanes, Entries, public Passages or Places within the Limits of this Act, or for making new Streets, and opening better and more convenient Ways and Communications to and from the several Streets, Roads, Lanes, Entries, and public Passages and Places within the same, or for all or any of the Purposes of this Act, or as shall be necessary or requisite for the due Execution hereof and the several Powers herein contained, and to take down or alter all or any of such Houses, Buildings, Tenements, and Hereditaments so to be purchased, or any Part of the same respectively, and also to appropriate all or any Part thereof, or of the Land or Ground which shall be cleared by the taking down of any such Houses, Buildings, or Tenements, for all or any of the Purposes aforesaid, as the said Commissioners shall think fit.

Power to take Houses, &c. in the Second Schedule.

LVIII. And be it further enacted, That for the Purpose of making narrow and inconvenient Parts of certain Streets, Roads, Lanes, Entries, or other public Passages and Places, safe and commodious for Carriages and Passengers, and for making and opening nearer, better, and more convenient Communications and Ways between many Parts of the said Town and the Streets, Roads, Buildings, and public Places situated in such Parts of the said Town, and for altering, widening, and improving the present Communications between the said Streets, Roads, Lanes, Entries, and public Passages and Places in the said Town, and also for making and opening nearer and better Approaches to the said Town, and for otherwise improving the same, it shall and may be lawful for the said Commissioners and they are hereby empowered to take and make use of all or any Part of the Houses, Buildings, Lands, Tenements, or Hereditaments mentioned or described or included in the Second Schedule to this Act annexed for the Purpose of this Act, and also for the said Commissioners to make the said Widenings, Alterations, and Improvements in the said Streets or Ways, or any of them, and also to make and form the said new Streets, Ways, and Communications from, out of, through, and across or over the said several Houses, Buildings, Lands, Tenements, or Hereditaments mentioned, included, or described in the said Second Schedule to this Act annexed.

Misnomer or wrong Description in the Schedules not to prevent the Execution of the Act.

LIX. And be it further enacted, That if any of the Messuages, Buildings, Lands, Hereditaments, and Premises mentioned and described in the Schedules to this Act annexed, or any of the Persons in whose Possession or Occupation the same or any Part thereof is or are stated or described to be, shall happen to be misnamed, omitted, or inaccurately described, and

and it shall appear to any Two or more Justices of the Peace for the said County of *Devon*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or was not wilful, such Misnomer, Omission, or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased and sold, or assessed and valued by a Jury, and conveyed, disposed of, and applied to and for the Purposes of this Act, as fully and effectually as if the same were more properly named or described in the said Schedules.

Premises in Schedules to be purchased within Three Years.

LX. Provided also, and be it further enacted, That unless the said Messuages, Buildings, Lands, and Hereditaments mentioned and described in the said Schedules shall be purchased for the Purposes of this Act within the Space of Three Years next after the passing thereof, it shall not be lawful for the said Commissioners to take or use any of such Messuages, Buildings, Lands, or Hereditaments without the Consent in Writing of the Owners and Proprietors thereof for that Purpose first had and obtained.

When Houses or other Buildings projecting into any Street are taken down to be rebuilt the Commissioners may order the same to be set back.

LXI. And be it further enacted, That whenever any House or other Building standing in any Street, Lane, Way, or Passage within the said Town, and projecting beyond the regular Line of such Street, Lane, Way, or Passage, or of the Range of Buildings adjoining thereto, shall be taken down and rebuilt, it shall be lawful for the said Commissioners, if they think proper, to require and compel the Owner thereof, when the same shall be rebuilt, to cause such House or other Building to be set back in and according to such regular Line as aforesaid, and to give such Directions and make such Orders in Writing under their Hands for that Purpose as the said Commissioners shall think proper, and to cause the same to be delivered to or left at the House or last or usual Place of Abode of such Owner; and if any House or other Building shall be built or erected contrary to such Directions and Orders, the same shall be deemed to be an Encroachment, Nuisance, and Annoyance within the Intent and Meaning of this Act, and be removed or removeable as such: Provided always nevertheless, that full Recompence and Satisfaction shall be made to the Owners of and Persons interested in the Premises for any Loss or Damage they may sustain by such House or other Building being so set back; and all the Powers, Provisoes, and Clauses contained in this Act with respect to the Houses or other Buildings hereby particularly authorized to be taken down shall extend and apply and be applicable to any House or Building so to be set back as aforesaid, and to making Compensation and Satisfaction to the Owners thereof and Persons interested therein.

Compensation to be made for Damage done to Houses, &c.

LXII. Provided always, and be it further enacted, That in case any Damage or Injury shall be done or occasioned to any Dwelling House or Building by or in the taking down of any of the adjoining Houses or Buildings to be used for the Purposes of this Act, or in case any Damage or Injury shall be done or occasioned to the Walls of or Access to or other Part of any House or Building adjoining the Streets, Roads, Lanes, or other public Passages or Places within the Limits of this Act, by the widening, raising, lowering, or otherwise altering such Streets, Roads, Lanes, or other public Passages or Places, the said Commissioners are hereby authorized and required to cause the said Injury or Damage to be well

well and sufficiently repaired, and the Expence attending the same to be paid out of the Monies to be raised by virtue of this Act, or (at the Option of the said Commissioners) make the Owners and Occupiers of such Houses or Buildings respectively so damaged or injured as aforesaid such Satisfaction and Compensation for such Damage or Injury as the said Commissioners shall think reasonable by Payment of a Sum of Money in gross; and in case the Owner or Occupier shall think the Reparation made to the said Houses or Buildings, or the Satisfaction offered by the said Commissioners, not sufficient, then the same shall be settled by a Jury in the Manner herein provided for ascertaining the Value of Lands and Hereditaments taken and used for the Purposes of this Act.

Enabling incapacitated Persons to sell Land, &c.

LXIII. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors or Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and to and for all Femes Covert who are or shall be seised in their own Right, and to and for Tenants for Life and Persons entitled in Reversion of Estates jointly, and to and for all Persons whomsoever who are or shall be seised in their own Right, or possessed of or interested in such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary to be purchased for the Purposes aforesaid, or for any other of the Purposes of this Act, to treat, contract, or agree with the said Commissioners for the Sale thereof or any Part thereof, and to sell and convey all or any Part thereof, and all their Estate, Right, Title, and Interest whatsoever of, in, or to the same, unto the said Commissioners, or to such Persons and their Heirs for ever as the said Commissioners shall direct, in Trust for them the said Commissioners, for any of the Purposes of this Act; and all Contracts, Agreements, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act shall be good, valid, and effectual to all Intents, not only to convey the Estate and Interest of the Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several respective Cestuique Trusts, and all Persons claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons are and shall be hereby indemnified for what they shall do by virtue of this Act.

For summoning Juries.

LXIV. And be it further enacted, That if any such Persons, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, Executors, Administrators, or any other Person in anywise interested in any of the Dwelling Houses or other Buildings, Lands, Tenements, or Hereditaments, mentioned in the Schedules to this Act, (upon Notice to them given, or left in Writing at the Dwelling Houses or Places of Abode of such Persons, or of the principal or head Officers of such Bodies Politic or Corporate or Corporations, or at the House

House of the Tenant in Possession of such Dwelling Houses or other Buildings, Lands, Tenements, or Hereditaments intended to be purchased and taken down as aforesaid,) shall, for the Space of Twenty-one Days after such Notice given or left as aforesaid, neglect or refuse to treat for the Sale of the said Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Commissioners shall cause the Value of and Recompence to be made for such Dwelling Houses or other Buildings, Lands, Tenements, or Hereditaments, to be inquired into and ascertained by a Jury of Twelve indifferent Men of the said County of *Devon*; and for the summoning and returning of such Jury the said Commissioners are hereby empowered from Time to Time to issue out their Warrant to the Sheriff of the said County, thereby commanding and requiring him to impannel, summon, and return an indifferent Jury of Twenty-four Persons, qualified to serve upon Juries at Assizes, to appear before the said Commissioners at such Time and Place as in such Warrant shall be appointed; and the said Sheriff or his Deputy is hereby required to impannel, summon, and return such Number accordingly to attend at the Time and Place so appointed; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Commissioners are hereby empowered to swear Twelve to be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriff or his Deputy shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Commissioners are also hereby required and empowered from Time to Time as Occasion shall require to summon and call before the said Jury and examine upon Oath (which Oath any Two or more of the said Commissioners are hereby empowered to administer) all Persons who shall be thought necessary and proper to be examined as Witnesses touching or concerning the Premises, and they shall order and cause the said Jury to view the Places in question if there be Occasion, and use all lawful Ways and Means as well for their own as the said Jury's better Information in the Premises, as the said Commissioners shall think fit; and the said Jury shall assess the Damage and Recompence to be given for the said Dwelling Houses or other Buildings, Lands, Tenements, or Hereditaments, to the respective Owners thereof according to their respective Interests therein, and shall give in their Verdicts thereupon; and on every such Inquiry the Persons claiming Compensation shall have all such Rights and Privileges as Plaintiffs in any Action are entitled to; and after the said Jury shall have inquired of and assessed such Damage, and given in their Verdict, the said Commissioners shall thereupon order, adjudge, and determine the Sum of Money so assessed by the said Jury to be paid to the Person interested in the said Dwelling Houses or other Buildings, Lands, Tenements, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition of the said Jury, and the Judgment, Order, or Determination thereupon so had and made, shall be final, binding, and conclusive to all Intents and Purposes against all Infants, Issue unborn, Idiots, Lunatics, Femes Covert, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, as well absent as present, claiming in Possession, Reversion, Remainder, or Expectancy, or otherwise, and against their

several and respective Heirs, Successors, Executors, or Administrators, and against all other Persons whomsoever; and every Verdict and Judgment thereupon shall be fairly entered and kept amongst the Records of the Quarter Sessions of the Peace for the said County of *Devon*, and the same or true Copies thereof shall be admitted, received, and taken as Evidence and Proof in all Courts of Law or Equity, and all Places whatsoever; and all Persons shall have recourse to them *gratis*, and may take Copies thereof, paying Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Penalty upon Sheriffs, Jurors, or Witnesses, making default.

LXV. And be it further enacted, That if any such Sheriff or his Deputy shall make default in the Premises he shall for every such Offence forfeit and pay the Sum of Fifty Pounds to the Party who shall be prejudiced or injured thereby, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or being a Quaker to make Affirmation, or shall refuse to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or being a Quaker affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse, (the Reasonableness of such Excuse to be judged of and determined by the said Sheriff or his Deputy,) shall forfeit and pay for every such Offence to the Party for whom or on whose Account such Jury or Witness shall have been summoned any Sum not exceeding Twenty Pounds; all which said Penalties and Forfeitures shall and may be levied by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County, City, or Place in which the said Lands shall be situate or the said Inquisition shall be held, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced, if any, after such Penalty and the Charges and Expences of such Distress and Sale shall have been deducted.

Expences of Jury and Witnesses by whom to be paid.

LXVI. And be it further enacted, That all the Costs, Charges, and Expences of causing and procuring such Satisfaction, Recompence, or Compensation to be assessed and awarded as aforesaid, and of so assessing and awarding the same, shall be settled by some Justice of the Peace of the County in which such Assessment or Award shall be made, not interested in the Matter in question (who is hereby authorized and required to settle the same at a Time and Place to be by him appointed after summoning the Parties interested therein to attend him for that Purpose); and such Expences shall be paid as herein-after is mentioned, (that is to say,) if a Verdict shall be given for the same or a greater Sum as a Satisfaction for the absolute Sale of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Share, Estate, or Interest therein, or Charge thereon, or as a Compensation or Recompence for any Damage done or to be done to any Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid respectively, than shall have been previously offered by or on the Behalf of the said Commissioners, or if a Verdict shall be given for any Sum of Money as a Compensation for any Damages (when

the Dispute is respecting Damages only), and where no Compensation shall have been previously offered by or on the Behalf of the said Commissioners, or in case by reason of Absence, or other Impediment or Disability, there shall not be found any Person at hand legally capacitated to contract with and make Conveyances to and receive Compensation from the said Commissioners, then such Costs, Charges, and Expences shall be paid by the said Commissioners; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall be demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels vested in the said Commissioners, or of any Goods or Chattels vested in the Treasurer to the said Commissioners, unless such Treasurer shall pay such Costs, Charges, and Expences out of any Money received by him by virtue of this Act, and which he is hereby authorized to do, under a Warrant to be issued for that Purpose by any Justice of the Peace for the County in which the same shall be, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him by the Party entitled to receive such Costs and Expences; and if any Verdict shall be given for a less Sum of Money than shall have been previously offered by or on behalf of the said Commissioners, or for Damages, where the same Dispute is for Damages only, one Moiety of the said Costs, Charges, and Expences shall be paid by the said Commissioners, and shall be recoverable in manner aforesaid, and the other Moiety thereof shall be paid by the Body Politic, Corporate, or Collegiate, or Person entitled to or claiming such Satisfaction, Recompence, or Compensation, and the said Commissioners are hereby authorized and empowered to deduct and retain the said Moiety of the said Costs, Charges, and Expences out of the Sum of Money so to be assessed or awarded as aforesaid, or out of any Part thereof, and the Payment or Tender of the Remainder of such Sum of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum so assessed or awarded as aforesaid; and in case no Damages shall be given by any Verdict where the Dispute is for Damages only, such Expences shall be paid by the Body Politic, Corporate, or Collegiate, or Person claiming Damages, and shall be recovered by the said Commissioners in the same Manner as is herein-after provided for the Recovery of any Penalty or Forfeiture incurred by or under this Act.

Mortgages to be assigned.

LXVII. And be it further enacted, That every Person who shall have any Mortgage on such Houses, Buildings, Lands, Tenements, or Hereditaments, not being in Possession thereof by virtue of such Mortgage, shall, on the Tender of the Principal and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Commissioners or their Clerk, immediately convey, assign, and transfer such Mortgage to the said Commissioners or to such Person as they shall appoint; or in case such Mortgagee shall have Notice in Writing from the said Commissioners or their Clerk that they will pay off and discharge the Principal Money and Interest which shall be due on the Mortgage at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, that then at the Expiration of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee shall convey, assign, and transfer

transfer his Interest in the Premises to the said Commissioners or such Person as they shall appoint in Trust for them; and in case such Mortgagee shall refuse to convey or assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due on every such Mortgage, with all Interest due thereon, shall amount to more than the real Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, or the Part thereof which shall be taken for the Purposes of this Act (such Value to be ascertained and settled by a Jury in manner herein-before directed), then the said Commissioners shall not be liable to pay the Mortgagee more than the real Value of such Premises, to be determined as aforesaid.

Lessees, &c. of Premises purchased to give up Possession thereof on having Three Months Notice.

LXVIII. And be it further enacted, That every Lessee or Tenant for Years or at Will, Mortgagee, and every other Person in Possession of any Buildings, Lands, Tenements, or other Hereditaments which shall be purchased by virtue and for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Commissioners, or to such Person as they shall appoint to take possession of the same, upon having Three Calendar Months Notice from the said Commissioners or the Person so appointed by them to quit the same, at such Time as shall be required by such Notice, they the said Commissioners making such Satisfaction and Compensation to every such Tenant or Lessee as aforesaid, in case he shall be required to quit before the Expiration of his Term in the Premises, as the said Commissioners shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be settled and ascertained by a Jury in such and the like Manner as the Satisfaction and Compensation to be made by the said Commissioners for the Purchase of any Buildings, Lands, Tenements, or Hereditaments is herein directed to be settled and ascertained in case of any Difference about the same; and such Person in Possession shall, at such Time as he may be required by the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners or to the Person authorized by them to take possession thereof; and if such Person so in Possession as aforesaid shall refuse to deliver up such Possession, then and in every such Case it shall be lawful to and for the said Commissioners to issue their Precept to the Sheriff of the said County of *Devon* to deliver Possession of the Premises to such Person as shall in such Precept be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the Issuing or Execution of such Precept on the Person so refusing to deliver up Possession as aforesaid by Distress and Sale of his Goods and Chattels.

Power to sell Buildings not wanted.

LXIX. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby required, within Seven Years after the passing of this Act, to sell and dispose of and to convey, or cause to be sold or disposed of and conveyed, such Parts of the said Buildings, Lands, Tenements, or Hereditaments to be purchased by or vested in them by virtue of the Powers herein contained as shall at any Time be found to be unnecessary, or more than sufficient for the Purposes of this Act, unto any Persons whomsoever,

soever, and such Conveyances shall in all Cases be deemed sufficient in the Law to vest such of the said Premises as shall be expressed and intended to be granted by such Conveyances in the Purchasers thereof, and in their respective Heirs, Executors, Administrators, or Assigns, as the Case may be.

The Word "grant," &c. to operate as Covenants for the Title of the Commissioners.

LXX. And be it further enacted, That in all Grants, Demises, and Conveyances to be made by the said Commissioners under or by virtue of the several Powers and Authorities by this Act granted the Words "grant, bargain, and sell" shall be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee or Purchaser, his Heirs, Executors, Administrators, and Assigns, from the said Commissioners, for themselves and their Successors, that the said Commissioners, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant or Conveyance seised of the Lands, Hereditaments, and Premises thereby granted, conveyed, and sold, of an indefeasible Inheritance in Fee Simple, free from all Incumbrances, for the quiet Enjoyment thereof against the said Commissioners and their Successors and all Persons claiming under them, and all such Purchasers shall be indemnified and saved harmless by the said Commissioners and their Successors.

Application of Compensation Money if amounting to 200*l.*

LXXI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer at *Westminster*, to be placed to his Account *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting any other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same may be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Lands, Tenements,

1 G. 4. c. 35.

or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and exceeding 20*l.*

LXXII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his Guardian or Committee in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, to be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person making such Option, and approved of by Five or more of the said Commissioners for executing this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money and the Dividends arising therefrom may be applied in any manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When not exceeding 20*l.*

LXXIII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners, or any Five or more of them, shall think fit, or in case of Infancy or Lunacy, then to his Guardian or Committee, to and for the Use and Benefit of such Person so entitled respectively.

In case of not making out Titles, or if Persons

LXXIV. And be it further enacted, That in case the Person to whom any Sum of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act shall refuse

cannot be found.

refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners or any Five or more of them, or in case such Person to whom such Sum of Money shall be so awarded as aforesaid cannot be found, or if the Person entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners, or any Five or more of them, to order the said Sum of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands or Hereditaments (describing them), subject to the Order, Control, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person making claim to such Sum of Money or any Part thereof by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, on Payment of the Dividends thereof, according to the respective Estate, Title, or Interest of the Person making claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier of the Bank of *England* who shall receive such Sum of Money is hereby required to give a Receipt for such Sum of Money, mentioning and specifying for what and for whose Use the same is received, to such Person as shall pay any such Sum of Money into the Bank as aforesaid.

In case of disputed Titles to Money.

LXXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

LXXVI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, it shall be lawful for the said Court to order the reasonable Costs, Charges, and Expences which may be incurred in consequence of all Purchases from Time to Time to be made in pursuance of this

this Act, and of the Reinvestment of the Purchase Money in Land, together with the necessary Costs and Charges of obtaining such Orders, as the said Court shall deem reasonable, to be paid by the said Commissioners, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court shall direct.

Form of Conveyance.

LXXVII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, to be made to the said Commissioners and their Successors, may be made in the Form or to the Effect following, *mutatis mutandis*; (that is to say,)

'I of in consideration of the Sum of to be paid by the Commissioners under an Act passed in the Year of the Reign of King *William* the Fourth, intituled [*here insert the Title of this Act*], do hereby grant and convey to the said Commissioners and their Successors all [*here describe the Premises to be conveyed*], and all my Estate, Right, Title, Term, and Interest to and in the same and every Part thereof, to hold to the said Commissioners and their Successors henceforth for ever, [*or, as the Case may be*, during the Remainder of my Term, Estate, and Interest in the said Premises.] In witness whereof I have hereunto set my Hand and Seal this Day of in the Year of our Lord One thousand eight hundred and .'

And every such Sale, Conveyance, Assignment, and Assurance, either in the Form or to the Effect aforesaid, or in such other Form or to such other Effect as the Nature of the Consideration to be paid for the same, and the other Circumstances relative thereto may, in the Judgment of the said Commissioners, from Time to Time seem to require, shall be good, valid, and effectual to all Intents and Purposes whatsoever.

For vesting Property in Commissioners.

LXXVIII. And be it further enacted, That upon Payment of the Purchase Money for the Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act to the Person entitled to such Monies, or, in case of incapacitated Persons, or Refusal to accept the same, on placing the same in the Bank of *England* in the Manner by this Act directed (whether such Conveyance as aforesaid shall or shall not be made), within One Month after the same shall have been so agreed for or assessed as aforesaid, all and every the said Messuages, Lands, Tenements, or Hereditaments in respect whereof such Purchase Money shall have been so paid shall vest in the said Commissioners and their Successors in Trust for effecting the Purposes of this Act, and they shall be deemed in Law to be in the actual Seisin or Possession thereof to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever of any Persons whomsoever.

New Roofs not to be covered with Thatch.

LXXIX. And for preventing future Damages by Fire, and for the greater Safety and Security of the Inhabitants of the said Town and their Property, be it further enacted, That no House, Outhouse, Wall, or other Building that shall after the passing of this Act be built or erected within the said Town of *Crediton* as aforesaid, except Farm Buildings situate at least Twenty-five Poles from any Dwelling House in the said Town

Town of *Crediton*, shall be covered with Thatch, Straw, or Reed, or other combustible Material; and if any Person shall at any Time after the passing of this Act cover any newly-erected Roof of any House, Outhouse, Building, or any Part thereof, in the Town of *Crediton* aforesaid, with Thatch, Straw, or Reed, or other combustible Materials as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and any further Sum not exceeding Ten Shillings daily for every Day such Offence shall continue, after Three Days Notice in Writing given by the said Commissioners or their Agent; and it shall be lawful for the said Commissioners to order the same to be taken down and removed in such Manner as to them shall seem meet, and the Person so ordered by the said Commissioners shall and may take down and remove the same accordingly; and one Moiety of the said Penalty shall be paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Power to make Common Sewers.

LXXX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time and at all Times hereafter to cause such and so many Common Sewers, Drains, Vaults, Culverts, and Watercourses, public Wells or Pumps, of such Materials, Dimensions, and Forms as they may think sufficient and necessary, to be constructed and made in, along, or across any of the Streets, Places, Highways, Lanes, Roads, Paths, or other public Passages or Entries within the Limits of this Act, and also to cause any of the Common Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, which now are or hereafter shall be within the said Limits of this Act, to be altered, enlarged, repaired, cleansed, or completed when and so often as the said Commissioners shall deem proper, and also for any of the said Purposes from Time to Time to cause to be dug, carted, and carried out of or brought into the said Streets, Places, Highways, Lanes, Roads, Paths, or other public Passages or Entries, or any of them, such Gravel, Stones, Bricks, and other Materials as they shall think necessary, and also to cause such and so many Gutters or Openings to be made therein for the carrying off and conveying the Filth, foul and other Waters, from the Houses built or to be built in or adjoining to such Streets, Places, Highways, Lands, Roads, Paths, or other public Passages or Entries, into the said Sewers, Drains, and Vaults, as the said Commissioners shall think necessary and expedient for that Purpose: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners to alter or divert the Stream or Watercourse from the said Town of *Crediton*, called the *Litterburn*, from the ancient and accustomed Channel, in any Manner that shall or may affect or prevent the Waters or Soil thereof from passing, running, and flowing, and taking Entrance into the higher End of *Lord's Meadow*, as fully and amply, to all Intents and Purposes, as the same have been heretofore accustomed to run and flow into the same.

Water from Roofs of Houses and Buildings to be carried off by Trunks or Pipes.

LXXXI. And be it further enacted, That the Owner or Occupier for the Time being of each House, Wall, or Building fronting or next adjoining any Street, Road, Lane, Entry, public Passage or Place within the Limits of this Act, shall, within Three Calendar Months next after Service of any Order or Direction for the Purpose, signed by Five or more of the said Commissioners, on him personally, or left at his last or usual

usual Place of Abode, put up and place and for ever afterwards keep in repair a Shoot or Trough of the whole Length of such House or Building from the Roof down to the Ground, so as to carry off or conduct the Water from the Roof of such House or Building in such a Manner that such Water shall pass into the Common Channel, and so as not to fall upon or incommode the Persons passing over or along any Footpath; and every Tenant or Occupier of any such House or Building who shall after such Notice as aforesaid put up or place any such Shoot or Trough, Pipe or Trunk, or keep the same in repair, shall be entitled to deduct and retain out of the Rent payable to the Owner of such House or Building so much Money as such Tenant or Occupier shall have expended in putting up or placing or keeping in repair any such Shoot, Trough, Pipe, or Trunk, and the Payment of such Expences by any such Tenant or Occupier shall, after such Notice as aforesaid, be a sufficient Discharge for him for so much of his Rent as the Amount of such Expences shall be equal to, and shall be abated and allowed to him by the Owner of such House or Building out of such Rent; and if any such Owner or Occupier shall, for the Space of Six Months after Service as aforesaid of any such Order or Direction, neglect to put up or place or neglect to repair any Shoot, Trough, Pipe, or Trunk as aforesaid, then and in every such Case it shall be lawful for the said Commissioners to cause any such Shoot or Trough, Pipe or Trunk, to be put up or placed against such House or Building at the Expence of the Owner thereof; and in case any such Owner shall refuse to pay such Expences the same shall and may be levied and recovered by the said Commissioners by the same Ways and Means as the Rates or Assessments by this Act granted may be levied and recovered.

Directions for the Removal of Annoyances and Encroachments.

LXXXII. And be it further enacted, That the several and respective Occupiers of the Houses and other Buildings situate in the several Streets, Roads, and public Passages within the said Town of *Crediton*, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the Clerk or other Officer of the said Commissioners, to cause all Signs, Sign Irons, Sign Posts, Barbers Poles, Stalls, Blocks, Bulks, Showboards, and other Projections which now are or hereafter shall be in anywise affixed or set up against or in front of their respective Houses or other Buildings, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon or otherwise annoying and endangering the public Passage along any of the Streets within the said Town of *Crediton*, to be taken down, removed, and carried away, or otherwise altered; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Sign, Sign Iron, Sign Post, Barber's Pole, Stall, Block, Bulk, Showboard, or other Projection which shall be so considered an Annoyance as aforesaid to be taken down, removed, and carried away, or otherwise altered, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by any Person acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice of the Peace of the County of *Devon*, shall and may be recovered from the Occupier of such House or Building in

like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when so recovered the same shall be paid to the Treasurer of the said Commissioners to be applied to the general Purposes of this Act; and it shall be lawful for the Occupier of any House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his Rent, and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, or Annoyance so removed or altered shall have been originally occasioned by such Occupier, in which Case he shall bear the Expence of altering or removing the same.

For Removal of existing Projections of Buildings.

LXXXIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all and every or any of the Penthouses, Porches, Sheds, Palisades, Rails, Posts, Steps, Areas, Cellar Holes, Cellar Windows, Cellar Doors, and Hatchways, and all other Obstructions and Projections whatsoever not herein-before particularly specified, which at the Time of the passing of this Act are already erected, affixed, or set up or laid down against or in front of any Houses or other Buildings whatsoever in any of the Streets within the said Town of *Crediton*, and which in the Judgment of such Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into, under, or over the same, or encroaching upon or otherwise annoying or endangering the public Passage along any of the same Streets, to be taken down, filled up, removed, and carried away, or otherwise altered, by any Person acting under the Authority of the said Commissioners, in such Manner as shall be thought most proper and expedient by such Commissioners; they the said Commissioners nevertheless first causing Seven Days Notice in Writing under the Hand of their Clerk or other Officer to be given to the respective Owners or Occupiers of such Houses or other Buildings of their Intention to take down, fill up, remove, or alter such Obstructions, Projections, or Annoyances respectively, and causing as little Damage to be done in the effecting of every such Removal or Alteration as aforesaid as the Nature of the Case will allow, and also defraying the whole Costs and Charges of executing the same, and making such Satisfaction and Compensation for any Damage or Injury as the said Commissioners shall think reasonable; and in case the Owner or Occupier shall think the Reparation made or the Satisfaction offered by the said Commissioners not sufficient, then the same shall be settled by a Jury in the Manner herein provided for ascertaining the Value of Lands and Hereditaments taken and used for the Purposes of this Act.

For Removal of future Projections.

LXXXIV. And be it further enacted, That the several Occupiers of the Houses and other Buildings situate in the several Streets within the said Town of *Crediton*, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the Clerk or any other Officer of the said Commissioners under this Act, to cause all and every the Penthouses, Porches, Sheds, projecting Windows, Palisades, Rails, Posts, Steps, Cellar Windows, Cellar Doors, and all other Obstructions and Projections whatsoever which shall in future be

erected, set up, affixed, or laid down against or in front of their respective Houses or other Buildings, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon or over or otherwise annoying or endangering the public Passage along any of the Streets within the said Town of *Crediton* to be taken down, filled up, removed, and carried away, or otherwise altered, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any House or other Building as aforesaid shall neglect or refuse to cause any Penthouse, Porch, Shed, projecting Window, Palisade, Rail, Post, Step, Cellar Window, Cellar Door, Hatchway, or any other Obstruction or Projection whatsoever not herein-before particularly specified, which shall in future be so erected, set up, or affixed or laid down against or in the Front of his House or other Building, and which shall be so considered an Annoyance or Nuisance as aforesaid, to be taken down, filled up, removed, and carried away, or otherwise altered, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by any Person acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice of the Peace for the said County of *Devon*, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when so recovered the same shall be paid to the Treasurer of the said Commissioners to be applied to the general Purposes of this Act; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his Rent, and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he shall bear the Expence of altering or removing the same.

Hedges and Trees near the Highways to be pruned at proper Seasons.

LXXXV. And be it further enacted, That the Owners or Occupiers of the Lands next adjoining to any of the Highways within the Limits of this Act shall cut, prune, and trim their Hedges, and also cut down, prune, or lop the Branches of Trees, Bushes, and Shrubs growing in or near such Hedges or other Fences adjacent thereto, (such Fences, Trees, Bushes, or Shrubs not being in any Garden, Orchard, Plantation, Walk, or Avenue to a House, nor any Tree, Bush, or Shrub being an Ornament or Shelter to a House,) at proper Seasons of the Year, in such Manner that the said Highways shall not be prejudiced by the Shade thereof, and that the Sun and Wind may not be excluded therefrom; and if such Owner or Occupier shall not, within Five Days after Notice given by any Five of the said Commissioners or their Clerk for that Purpose, cut, prune, and trim such Hedges, or cut down, prune, or trim such Branches of Trees, Bushes, and Shrubs in manner aforesaid, it shall be lawful for any Five of the said Commissioners or their Clerk to make Complaint thereof to some Justice of the Peace, who shall summon the Occupier of such Lands before him to answer the said Complaint; and if it shall appear to such Justice that such

such Occupier has not complied with the Provisions of this Act for cutting, lopping, pruning, and trimming such Trees, Bushes, and Hedges as aforesaid, it shall and may be lawful for such Justice, upon hearing the said Commissioners or their Clerk and the Occupier of such Land or his Agent (or in default of his Appearance upon having due Proof of the Service of such Summons), and considering the Circumstances of the Case, to order such Hedges to be cut, trimmed, and pruned, and such Branches of Trees, Bushes, and Shrubs to be cut down or pruned or trimmed in such Manner as may best answer the Purposes aforesaid; and if the Occupier of such Land shall not obey such Order within Ten Days after it shall have been made, and he shall have had due Notice thereof, he shall forfeit for every Twenty-four Feet in Length of such Hedge which shall be so neglected to be cut, trimmed, and pruned the Sum of Five Shillings, and any Sum not exceeding Five Shillings for every Tree, Bush, or Shrub which shall be so directed to be cut down, pruned, or trimmed; and the said Commissioners, or their Clerk or Surveyor, in case of such Default made by the Occupier, shall and may cut, prune, and trim such Hedges, and cut down, prune, or trim such Branches of Trees, Bushes, and Shrubs, in the Manner directed by such Order; and such Occupier shall be charged with and pay, over and above the said Penalties, the Charges and Expences of doing the same, or in default thereof such Charges and Expences shall be levied, together with the said Forfeitures, upon his Goods and Chattels, by Warrant from a Justice of the Peace, in such Manner as is herein-after directed or authorized for the levying and recovering of Forfeitures or Penalties for Offences against this Act.

For preventing Nuisances in the Streets.

LXXXVI. And be it further enacted, That if any Person shall, upon any of the Footways or Foot Pavements in any of the Streets, Roads, Lanes, Entries, Passages, or public Places within the Limits of this Act, draw, drive, or carry any Wheels, Sledge, Wheelbarrow, Handbarrow, Bier, or other Carriage whatsoever, or roll any Cask or Tub further than the Extent of the Premises in the Occupation of the Person from or to whose House or Building such Cask or Tub shall be rolled; or if any Person shall wilfully drive any Cart or Carriage whatsoever, or shall ride, lead, or drive any Horse or other Beast or any Cattle whatsoever, or shall haul or drag any Timber, Stone, or other Matter or Thing, upon any of the said Footways or Foot Pavements, so as to injure the same or obstruct the free Passage thereof; or shall erect, fix, or use thereon any Stall, Tent, Shed, or Standing Place for the Exhibition or Sale of any Goods, Wares, or Merchandize, or any Block or Working Place, or shall place the same so near to any of the said Footways or Foot Pavements as in any Manner to obstruct the passing thereon; or shall put, place, or lay thereon any Cask, Tub, Pail, Bucket, Stool, Bench, Stall, or any other Matter or Thing, and suffer the same to remain so as to cause any Obstruction or Impediment in any of the said Footways or Foot Pavements; or shall, in any Street, Road, Lane, or public Passage, hoop, fire, cleanse, wash, scour, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or if any Person shall hang out or suspend, or cause to be hung out or suspended, any Linen or Woollen Cloth, or any Article of Wearing Apparel, or other Article, Matter, or Thing, for the Purpose of airing the same, upon or from any Door, Window, Balcony, or other Place within any Street within the Limits of this

this Act, so as to create any Obstruction, Nuisance, or Annoyance; or if any Person shall, in, upon, or within any such Street, Road, Lane, Entry, Passage, or public Place, shoe, bleed, farry, or kill any Horse or other Beast or Cattle (except in case of Accident); or if any Person shall within any such Street or public Place exhibit or expose any Stallion, or turn loose any Horse, Mule, Ass, Pig, or other Beast; or shall kill or slaughter, or shall scald, singe, dress, or cut up any Animal either wholly or in part, or shall cause or permit any Blood or noisome Fluid to run or flow from any Slaughter-house, Butcher's Shop, or other Place in the said Streets, Roads, Lanes, Entries, Passages, and public Places, or any of them; or shall cause any Privy or Easement within the Limits of this Act to be emptied, except between the Hours of Twelve at Night and Four in the ensuing Morning; or shall at any Time throw out of any Door, Window, or other Place, upon any of the said Streets, Roads, Lanes, Entries, Passages, or public Places, any Filth, or other noisome or offensive Matter or Thing, or any Water, except for the Purpose of cleansing such Streets, Roads, Lanes, Entries, Passages, or public Places, in pursuance of the Directions of this Act; or shall lay or deposit, or shall cause or permit to be laid or deposited, the Contents of any such Privy or Easement, or any Part thereof, in any such Street, Road, Lane, Entry, Passage, or public Place; or shall, for the Purpose of obtaining or collecting Manure or Soil, or for any other Purpose whatsoever, stop up or impede the Course or Passage of any Common Sewer, Drain, Ditch, or Watercourse; or if any Person shall suffer or permit any Dog whatsoever to go at large within any of the said Streets, Roads, Lanes, Entries, Passages, or public Places, after any public Notice given by the Parish Crier or Bellman by Order of the Commissioners under this Act, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of Hydrophobia or Canine Madness; or if any Person shall in any Manner wilfully hinder, obstruct, or prevent the free Passage of any of the said Streets, Roads, Lanes, Entries, Passages, or public Places by placing therein any Timber, Wood, Stone, or other Matter or Thing, or any unloaded Carriage of any Sort or Kind soever; or being a Blacksmith, or other Person using a Smith's Forge situate in or near any of the said Streets or Carriage or Horse Ways within the Limits of this Act, and having a Door or Window or other Opening fronting or opening into or towards the same, shall not by good and close Doors and Shutters, as the Case may require, every Evening not later than Half an Hour after Sunset, bar and prevent the Light from such Shop shining into or upon any of the said Streets or Carriage or Horse Ways; or if any Person shall let off or fire any Blunderbuss, Musket, Gun, Pistol, or other Fire-arms (except in case of absolute Necessity); or shall make or cause to be made or assist in making of any Bonfire, or let off, fire, or throw any Cracker, Squib, Rocket, Fireball, or other Firework, in any of the said Streets, Roads, Lanes, Entries, Passages, or public Places; or shall throw, cast, lay, or sift thereon any Ashes (except in the Time of Frost only and to prevent Accidents); or shall in any Place within the Limits of this Act bait or cause to be baited any Bull or other Animal; or if any Person shall write or describe any obscene or indecent Language or Figure on any Wall, Door, Post, or public Place within the Limits of this Act; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and it shall be lawful for any Constable or other Peace Officer, or any one of the said Commissioners, or any

Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender as aforesaid, and forthwith to convey him before any Justice of the Peace for the said County of *Devon* in order to his Conviction of such Offence; and it shall also be lawful for the said Commissioners, or any Officer appointed by virtue of this Act, or for any Constable, Tithingman, or Peace Officer, to take away and remove any of the before-mentioned Obstructions in case the Party occasioning the same shall not forthwith remove the same within a reasonable Time after being required so to do by any Persons whomsoever.

Privies to be erected, &c.

LXXXVII. And be it further enacted, That the several Proprietors or Owners of all Cottages and other Tenements or Houses occupied by several distinct Tenants within the Limits of this Act shall and they are hereby required, where no sufficient Privies are attached, to provide and keep in good Repair such and so many Necessary Houses or Privies, with such proper Doors and Coverings to the same as the said Commissioners shall consider requisite for the Use of the Tenants or Occupiers thereof; and if such several Proprietors or Owners shall not provide and keep in repair such Necessary Houses or Privies, with such Doors and Coverings to the same, within Fourteen Days next after Notice in Writing for that Purpose from the Clerk of the said Commissioners, then and in every such Case every such Proprietor or Owner making default shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Necessary House or Privy, and Door or Covering to the same, which shall not be so provided and kept in repair, and any further Sum not exceeding Five Shillings for every Week during which such Necessary House or Privy, or such Door or Covering to the same, shall not be provided after the Expiration of such Notice.

Penalty on firing Chimnies.

LXXXVIII. And be it further enacted, That if any Person shall set fire to, or cause, permit, or suffer the Chimnies of any House, Workshop, Outhouse, or other Building within the Limits of this Act to be on fire, the Person setting fire to the same, or the Owner or Occupier of every such House, Workshop, Outhouse, or other Building, or of any Part thereof, from whence such Fire shall commence or happen, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Limits of the Act.

LXXXIX. And be it further enacted, That the Limits of the said Town, for the Purposes of this Act, shall be deemed and taken to comprise the Town of *Crediton* and every Part thereof, and also so much of the Land mentioned in the Schedule to this Act annexed to be taken and made use of for the Purpose of making new Roads and Streets, and also so much and such Part of the said Parish of *Crediton* as lies next and adjoining to the said Town within the Boundary Line herein-after mentioned; (that is to say,) from a Brook running across the Road at the Foot of *Westwood Hill*, Northward along the Western Fences of the *Tuckers* and *Cawsey Close Meadows*, to *Saunders Water*, crossing the Road leading to *Hollacombe*; thence Northward along the Western Fences of *Saunders Thresher*'s Orchard and Meadow, *Selwood*'s *Meadow*, and the Western Fence of a little Orchard at the Back of certain Cottages, to the Point where the same meets the Road leading to *Barnstaple Cross* at *Chapel Downs*;

Downs; thence across the said Road into a Close or Orchard called *Hites Orchard*, and Northward along the Western Fence of the said Orchard and another Orchard adjoining, also called *Hites Orchard*, to a Lane leading to a Close called *Threshers Little Field*; and thence along the Western Fence of the last-mentioned Close to the Point where it meets the Turnpike Road leading from *Exeter* to *Bow*; thence Eastward along the Southern Fence of the said Road to the North-eastern Corner of the *Forches Field*; thence across the said Road at *Forches Field*, and Eastward along the Southern Fence of the Turnpike Road leading to *Tiverton*, and in continuation of the Direction thereof to the North-eastern Corner of the *Red Hill Close*; thence across the Road leading from *Crediton* to *Tiverton*, and North-eastward along the South-eastern Fence of the said Road in a straight Line to the North-east Corner of the *Western Creedy Bridge* Meadow at the Back of the Turnpike House; thence into the said Meadow, and along the Eastern Fence thereof to the Point where it meets the Southern Fence of the said Meadow; thence Westward along the said Southern Fence to where it meets the Eastern Fence of the adjoining Field, now occupied by *Thomas Ward*; thence in a Westerly Direction along the Southern Fences of the last-mentioned Field and the adjoining Field called *Dry Field*, now occupied by *John Kelland*, to the Point where it meets the Eastern Fence of the *Ragg's Lane*; thence along the said Eastern Fence of *Ragg's Lane* in a Southernly Direction to the North-west Corner of a Field called the *Raggs*, now occupied by the said *Thomas Ward*; thence along the Northern and Eastern Fences of the said *Ragg's Field*, and the Eastern Fence of the adjoining Field, to the Point where it meets the Northern Fence of the *Lord's Meadow*; thence along the Northern, Eastern, and South-eastern Fences of the said *Lord's Meadow* to the North-east Corner of Mr. *Burdge's Broad Close*; thence in a Southernly Direction, along the Eastern Fence of the said *Broad Close*, to the South-east Corner of the said Close; thence along the Northern Fence of the Common Marsh Lane to the South-west Corner of the said *Broad Close*; thence across the said Lane to the North-eastern Corner of the little *Clay Park Field*, and along the Eastern Fence of the said *Clay Park*, and the Eastern, Northern, and South-eastern Fences of *Downhead Field*, to the Point where the South-eastern Fence meets the North-eastern Fence of the adjoining Close called *Three Acre Field*; thence along the said North-eastern Fence to the South-eastern Corner of the said *Three Acre Field*; thence along the South-eastern Fence of the said Field to the North-east Corner of the *Five Acre Field*; thence in a South-easterly Direction along the North-eastern Fences of the said *Five Acre Field* and the adjoining Field called the *Four Acres* to the South-east Corner of the said *Four Acre Field* adjoining the Turnpike Road leading from *Crediton* to *Exeter*; thence Westward towards *Crediton* and along the Northern Fences of the said Road to where it meets a Pathway leading into an Orchard belonging to *James Wentworth Buller*; thence across the said Turnpike Road to the South-eastern Corner of an Orchard called *Chowns Orchard*; thence Westward along the Southern Fence of the said Orchard to the Point where it meets the Road leading from *Crediton* to *Four Mills*; thence across the said Road into the Footpath leading from *Crediton* to *Four Mills*; thence Southward along the said Footpath to the South-eastern Corner of a Close of Land belonging to Sir *Humphry Phineas Davie*, adjoining the Buildings of *Four Mills*; thence Westward and along the Southern Fence of the said Field to the

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South-western Corner thereof adjoining the Mill Leat; thence Westward and along the Northern Fence of the said Mill Leat, and in the Direction thereof, to the Bridge at *Salmon Hutch*, crossing the Road leading from *Uton* to *Crediton;* thence Northwards towards *Crediton*, and along the Eastern Fences of the said Road leading from *Uton* to *Crediton*, to the Point where it meets the North-western Corner of the Fence of *Thomas Madge*'s Park Field adjoining *Westwood;* thence across the said Road, and also the Road leading from *Crediton* to *Westwood*, to the Brook at the Foot of *Westwood Hill* first described.

Commissioners empowered to make Rates for the Purposes of this Act.

XC. And for raising Money to defray the Charges and Expences of obtaining and passing this Act, and of carrying into execution the several Purposes thereof, and also for accomplishing the several Objects, Matters, and Things hereby authorized to be done and performed; be it further enacted, That the said Commissioners shall and they are hereby authorized and required once in every Year to rate and assess by a just and equitable Assessment, under the Name of "The *Crediton* Improvement Rate," the several Tenants and Occupiers of all Dwelling Houses and Buildings which already have been erected or built or which shall hereafter be erected or built, and also upon all Gardens, Market Tolls, and other Hereditaments within the Limits of this Act, (other than and except Arable, Meadow, or Pasture, Orchard Ground, and Tithes,) in any Sum not exceeding Two Shillings and One Penny in the Pound by the Year, to be computed upon the annual Value of the same Premises respectively, and also in like Manner to rate and assess the Tenants and Occupiers of all Arable, Meadow, or Pasture and Orchard Ground, and Tithes, within the Limits of this Act, in respect of such Arable, Meadow, or Pasture and Orchard Ground, and Tithes, in any Sum not exceeding Sixpence Farthing in the Pound by the Year, to be computed on the annual Value thereof respectively.

Rates may be increased.

XCI. Provided always, and be it further enacted, That in case it shall at any Time appear that the said Sums of Two Shillings and One Penny in the Pound to be assessed on the Houses and Buildings, and Sixpence Farthing in the Pound to be assessed on the Lands and Tithes, as before mentioned, are not sufficient for the Purposes aforesaid, then and in every such Case it shall and may be lawful to and for the Inhabitant Householders being Rate-payers under this Act, assembled at any Meeting to be holden for that express Purpose in pursuance of this Act, of which Fourteen Days Notice in Writing at the least shall be given, signed by the Clerk to the said Commissioners, and affixed to the Door of the Parish Church of *Crediton* aforesaid, and given to or left for the said Commissioners at their respective Places of Abode, specifying the Purpose of such Meeting, to increase such Rates on the Houses, Buildings, and Gardens only to any Sum not exceeding Sixpence Farthing in the Pound; but no such Rate shall be so increased unless a Majority of the Inhabitant Householders being Rate-payers as aforesaid, present at such Meeting, shall agree to the same, nor shall any such increased Rate be made or assessed upon any Arable, Meadow, or Pasture or Orchard Land, and Tithes.

Assessors to be appointed.

XCII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, when and as often as they shall see Occasion,

Occasion, to nominate and appoint Two or more of the Inhabitants of the Town of *Crediton* to be the Assessors of such Rates and Assessments, and such Assessors are hereby authorized and required to make such Rates and Assessments from Time to Time accordingly, and to appear at such Time and Place as the said Commissioners shall by Writing under their Hands order and appoint, and then and there produce and deliver to them Two Copies or Duplicates of the Rates and Assessments, made in the Manner and according to the Form directed by the said Commissioners, and subscribed by such Assessor or Assessors, and also from Time to Time, upon reasonable Notice to him or them given by the said Commissioners, to attend them the said Commissioners at any of their Meetings to explain the respective Rates and Assessments; and the said Commissioners shall from Time to Time, as soon as may be after any such Rate or Assessment shall be made and delivered to them by such Assessors, settle and sign the same, and cause a Duplicate thereof, also signed by them, to be delivered to the Collector or Collectors to be appointed in that Behalf, and shall also issue their Orders to such Collector or Collectors, requiring him or them to collect and receive the respective Sums of Money made payable by such Rate or Assessment, and such Collector and Collectors is and are hereby authorized and required to collect and receive the same accordingly, and also once at least in every Three Calendar Months, or oftener if directed so to do by the said Commissioners by Writing, to pay the Money so to be collected and received by virtue of this Act to the Treasurer for the Time being to the said Commissioners, or to such Person or Persons as the said Commissioners shall appoint to receive the same, to be applied to and for the Uses and Purposes of this Act; and all and every such Collector or Collectors shall and is and are hereby required, at the Time of making every such Payment of the Money so by them respectively collected as aforesaid, to deliver to such Treasurer or other Person empowered to receive the same a true and exact Account of all Sums of Money received by him or them respectively, and also of such Sums of Money, Rates, or Assessments (if any) as shall remain uncollected, together with the Reasons why the same have not been collected; and if any Person who shall be appointed to the Office of Assessor in virtue thereof shall refuse or neglect to take upon himself such Office, without showing some reasonable Cause to the Satisfaction of the said Commissioners for such Refusal or Neglect, or shall wilfully make default in Performance of the Duty of his said Office, or shall otherwise misbehave himself therein, he shall for every such Refusal, Neglect, or Misbehaviour forfeit and pay any Sum not exceeding Ten Pounds, to be recovered as other Penalties are herein-after directed to be recovered.

Assessors not to be appointed twice in Three Years.

XCIII. Provided always, and be it enacted, That no Person so nominated or appointed an Assessor, and who shall have served such Office or shall have paid such Penalty as aforesaid for not serving the same, shall be again compellable or competent to serve the said Office in less than Three Years after the End of such Service or Payment of such Penalty.

Power for Commissioners to order the Parish Rate Book to be produced, &c.

XCIV. And in order to ascertain the Rates and Assessments to be made by virtue of this Act, be it further enacted, That the said Commissioners shall and may and they are hereby authorized and empowered to cause all or any of the Books or Assessments of the Rates towards the Relief of the Poor of the said Parish of *Crediton* to be brought before them, and to

to take Copies of such Books or Assessments, or any Part thereof, without Fee or Reward; and if any Person in whose Custody or Power any of the said Books or Assessments shall be shall, upon Notice to him for that Purpose given by the Clerk to the said Commissioners, refuse or wilfully neglect to attend the said Commissioners with such Books or Assessments in his Custody or Power, or to permit or suffer the said Commissioners to take or cause to be taken Copies thereof, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Rates to be borne by Landlords, but paid by the Tenants, and deducted from their Rent.

XCV. And be it further enacted, That the said Rates and Assessments shall be borne and defrayed by the Landlords or Owners of all Dwelling Houses and Buildings, Tenements, Gardens, Market Tolls, and Hereditaments so to be rated and assessed, but all such Rates and Assessments shall from Time to Time be paid to the said Collector for the Time being by the respective Tenants and Occupiers of the said respective Premises; and all such Tenants or Occupiers shall have Liberty, and they are hereby authorized and empowered, to deduct out of their respective Rents such Sums of Money as they shall respectively pay for and on behalf of the respective Landlords, Owners, or Proprietors of such respective Premises: Provided always, that nothing herein contained shall extend to alter, affect, or make void any Covenant, Contract, or Agreement in Writing heretofore made between Landlord and Tenant relating to the Payment of any Rate or Assessment within the Limits of this Act, and such Covenant, Contract, and Agreement shall be deemed to extend to any Rate or Assessment made under and by virtue of this Act.

Appointment of Collector.

XCVI. And be it further enacted, That the said Commissioners may and they are hereby required yearly, and as often as there shall be Occasion, to grant and issue their Warrants under the Hands and Seals of any Three or more of them, thereby to appoint and require such Person or Persons as the said Commissioners shall think fit to be Collector of the said Rates and Assessments; and that in case any Person charged with any Rate by virtue or in pursuance of this Act shall refuse or neglect, after Demand made by the Collector for the Time being, to pay the Money rated or assessed upon him and all Arrears thereof, it shall be lawful for any One of His Majesty's Justices of the Peace for the said County of *Devon*, and he is hereby authorized and required, to summon by Writing under his Hand each and every Person so charged, and who shall have so refused or neglected as aforesaid (on Oath being made before such Justice by the Collector for the Time being of his having attended at the Place of Abode of such Person to be summoned) to appear at a Time and Place to be mentioned in such Summons before any Two or more Justices of the Peace for the said County of *Devon*, who shall be then and there present; and it shall be lawful for any Person appointed to collect and receive such Rates, or for any other Person, to serve every such Summons upon every Person so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person thereby intended to be summoned, or by leaving the same at his last or usual Place of Abode, or at or on the Premises for or in respect whereof the Rate mentioned in such Summons shall remain due and owing; and if any Person so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he shall attend and shall not make it appear to such Justices that he

Recovery of Rates.

is not chargeable with such Rate under this Act, then every Person who shall have been so summoned shall pay as well such Rate as the reasonable Costs and Charges of such Summons; and in all Cases where the said Rate, Costs, and Charges shall not be paid upon the Return of such Summons, it shall be lawful for such Justices as aforesaid, or any other Two Justices of the Peace for the said County of *Devon*, and they are hereby authorized and required (on Oath being made before them of the due Service of such Summons as aforesaid), or in case such Person so refusing or neglecting to pay as aforesaid shall have removed out of the Limits of this Act, then, on Proof of such Summons having been duly issued as aforesaid, to grant a Warrant under their Hands and Seals authorizing and directing such Collector, or any Constable or Headborough, to levy such Rate and all Arrears thereof, and the Expences of the Summons and of the Warrant, by Distress of the Goods and Chattels of the Party so neglecting or refusing; and if within Five Days after such Distress shall be made the said respective Rates and all Arrears thereof shall not be paid, together with the Costs and Charges of taking and keeping the same, it shall be lawful for such Collector, Constable, or Headborough to cause the said Goods and Chattels, or a sufficient Part thereof, to be appraised and sold, rendering to the said Person the Overplus (if any) after deducting the said Rates or Assessments, and all Arrears thereof, and the reasonable Costs and Charges attending such Distress and Sale; which Costs and Charges, in case of Dispute, shall be settled and ascertained by Two or more of His Majesty's Justices of the Peace for the said County of *Devon;* and in default of such Distress it shall be lawful for Two such Justices to commit such Person to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless Payment shall be sooner made of such Sum of Money as shall have been found to be due and in arrear upon all or any such Assessments or Assessment as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and determined by the said Justices respectively.

Power for Commissioners to amend Rates if improper, &c.

XCVII. And be it further enacted, That if such Assessor or Assessors so nominated and appointed shall at any Time or Times neglect or omit to rate or assess any Person or Persons liable to pay or to be charged with any Rate or Assessment to be made by virtue of this Act, or shall in any such Rate or Assessment over-rate or under-rate any Person or Persons liable to pay any such Rate or Assessment, then and in every such Case it shall and may be lawful to and for the said Commissioners to rate and assess in the said Rate or Assessment such Person or Persons so omitted to be rated and assessed, and to lessen or raise the Rate or Rates, Assessment or Assessments of such Person or Persons so over-rated or under-rated, or otherwise to alter or amend such Rate or Assessment as aforesaid, so as to make the same conformable to the true Intent and Meaning of this Act; and it shall and may be lawful to and for the said Commissioners and they are hereby empowered to strike out the Name or Names of any Person or Persons not liable to the Payment of the Rates hereby directed to be made; and all such Additions to or Alteration or Amendment in such Rates or Assessments shall be as valid

and

and effectual as if the same had been Part of the Rates or Assessments originally made.

Persons removing from Premises, and others coming in, to pay Rates in proportion.

XCVIII. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Building, Land, Ground, or other Hereditament, the Tenant or Occupier whereof shall be rated or assessed or be liable to be rated or assessed by virtue of this Act, every such Person so removing from or quitting the same shall be liable to pay such Rate or Assessment, in proportion to the Time that such Person occupied the same respectively, in like Manner as if such Person had not removed from or quitted the same; and in all Cases where any Person shall come into or occupy any House, Building, Land, Ground, or other Hereditaments rated or assessed or liable to be rated or assessed as aforesaid, out of or from which any other Person shall have removed, or which at the Time of making such Rate or Assessment was empty or unoccupied, the Person coming in or occupying the same shall be liable to pay such Rate or Assessment, although his Name may not be inserted in such Rate or Assessment, in proportion to the Time that such Person shall occupy the same respectively, and in like Manner as if such Person had been originally rated or assessed by Name in such Rate or Assessment; which said Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners.

Lodgers to be deemed the Occupiers.

XCIX. And be it further enacted, That where any House, Building, or Tenement in respect whereof any Rate shall be made shall be let out in Apartments by the Lessee, Tenant, or Landlord, any of such Lodgers may be deemed the Occupier thereof for the Purposes of this Act; and every such Lodger who shall pay any such Rate or any Part thereof, or from whom the same or any Part thereof shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable from him to such respective Lessee, Tenant, or Landlord, and the Receipt for such Payment shall be a sufficient Discharge for such Lodger to his Landlord for so much Money as he shall pay or shall be levied on him by virtue of this Act: Provided always, that no such Lodger shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of the said Rates or any of them, or the Arrears thereof, than the Amount of the Rent actually due and payable by such Lodger to the Lessee, Tenant, or Landlord of the Premises occupied by him.

Rates may be recovered from Persons removing.

C. And be it further enacted, That in case any Person who shall or may be rated and assessed to any Rate or Assessment which shall be made by virtue of this Act shall quit his Messuage, Tenement, or Hereditament within the Limits of this Act for or in respect whereof he shall be rated or assessed before he shall have paid any such Rate or Assessment, then and in every such Case it shall be lawful for the Person appointed to collect or receive any such Rate or Assessment, (Oath being made by him that he doth suspect that such Person hath removed his Goods and Chattels,) by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Devon*, and which Warrant such Justice is hereby authorized and required to grant, to distrain and appraise and sell the Goods and Chattels of such Person who shall have so quitted the said

said Messuage, Tenement, or Hereditament before he shall have paid any such Rate or Assessment, for the Sum of Money due from any such Person by virtue of such Rate or Assessment, or any Part thereof, and for all Costs, Charges, and Expences occasioned by such Warrant, Distress, Appraisement, and Sale, in any County, City, or Place to which such Person shall have removed, in such and the like Manner as if the same Person had continued within the Limits of this Act.

For Recovery of Rates from Landlords when Tenants remove or quit.

CI. And be it further enacted, That in case any Tenant or Occupier liable to the Payment of the Rates and Assessments under this Act shall remove out of any such Houses, Buildings, Lands, Grounds, or other Hereditaments before such Rate or Assessment shall be paid by him, or if the Goods and Chattels of such Tenant or Occupier shall not be sufficient to pay such Rate or Assessment, or if any such Tenant or Occupier shall in the Judgment of the said Commissioners be unable through Poverty to pay the same, then and in every such Case such Houses, Buildings, Lands, Grounds, and other Hereditaments shall be and are hereby made a Security for and chargeable with such Part of the said Rates and Assessments respectively as shall be due and owing in respect thereof, and the same shall and may be raised and levied by Distress and Sale, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Devon*, of any Goods and Chattels which shall be after found in or upon the same Houses, Buildings, Lands, Grounds, or other Hereditaments, or of the Goods and Chattels of the Landlord or Owner of such Houses, Buildings, Lands, Grounds, or other Hereditaments respectively, in case such Landlord or Owner shall neglect or refuse to pay the same for the Space of Six Days after the same shall be demanded by the Collector of the said Rates and Assessments, or other Persons acting by or under the Authority of the said Commissioners, of him, either personally or by Writing left at the usual Place of Abode of such Landlord or Owner; and in case such Landlord or Owner shall not live within the Limits of this Act, then such Distress and Sale shall be made by Warrant under the Hand and Seal of any Justice of the Peace for the same County of *Devon*, which Warrant such Justice is hereby empowered to grant upon Proof made before him upon Oath of such Demand and Nonpayment, together with the Costs and Charges attending the same, such Costs and Charges to be ascertained by such Justice; and the Goods and Chattels so distrained shall and may be sold and disposed of for and towards the Payment of the said Rates and Assessments, Costs and Charges, rendering the Overplus (if any) to the Owner thereof on Demand.

Form of Warrant.

CII. And be it further enacted, That the Warrant of Distress for the Nonpayment of all or any Rate or Assessment to be made under or by virtue of this Act may include One or more Person or Persons, and be in the Words or to the Effect following, *mutatis mutandis*; (that is to say,)

‘ *Crediton* } To the Collector of the Rates made by the Commissioners
‘ to wit. } for executing an Act passed in the Year of
‘ the Reign of His Majesty King *William* the Fourth, intituled [*here*
‘ *insert the Title of this Act*], and also to the Constables and other
‘ Peace Officers of the said Town and Parish.

‘ WHEREAS the undersigned Persons, now or late Inhabitants, Landlords, Tenants, or Occupiers of Houses, Buildings, Lands, Tenements, or Hereditaments, or Parts of Houses, Lands, Tenements, or ‘ Here-

'Hereditaments, within the Town of *Crediton* aforesaid and Limits of the 'said Act, have been duly rated and assessed under the Authority of the 'said Act, and there is now due from them respectively the several Sums 'of Money opposite their Names herein-after respectively set down, which 'they have respectively refused or neglected to pay, as satisfactorily 'appeareth to me, one of His Majesty's Justices of the Peace for the said 'County of *Devon*, upon the Oath of the Person 'appointed to collect the same: These are therefore in His Majesty's 'Name to will and require you forthwith to levy the said several Sums 'herein mentioned by Distress and Sale of the respective Goods and 'Chattels of the Persons aforesaid, rendering to them respectively the 'Overplus (if any), the reasonable Charges of such Summons, Warrants, 'Distresses, Sale, and Keeping being first deducted; and if no sufficient 'Distress can be had or taken, that then you certify the same to me, to 'the end that such further Proceedings may be had as the Law doth 'authorize or direct: And I do hereby strictly charge and command all 'and singular the Constables and other His Majesty's Peace Officers for 'the said Town, and Parish to be aiding and assisting in all Things 'relating to the Premises. Given under my Hand and Seal this 'Day of

'A.B.	Sums due.
'C.D.	£ s. d.

And the Clerk to the Justice granting any such Warrant shall be at liberty to charge the Sum of One Shilling and no more for the Name of each and every Person included therein whose Rates and Assessments are sought to be recovered thereby.

Rate Books to be received as Evidence.

CIII. And be it further enacted, That the Book of Rates to be delivered to the Collectors or other Officers by the said Commissioners, and all Entries afterwards made therein in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Commissioners empowered to reduce Rates.

CIV. Provided always, and be it further enacted, That if any Persons, Bodies Politic, Corporate, or Collegiate, shall think themselves aggrieved by any Rate or Assessment to be made in pursuance of this Act, such Persons, Bodies Politic, Corporate, or Collegiate, may, by themselves or by their Agents, apply to the said Commissioners at any of their said Meetings, and it shall and may be lawful to and for the said Commissioners on such Application to mitigate or reduce such Rate or Assessment, and to give such Relief in the Premises as to them the said Commissioners shall seem just and reasonable; and it shall and may be lawful to and for the said Commissioners, upon the Appeal or Complaint of any Person subject and liable to the Payment of any Rate or Assessment by virtue of this Act, to initigate, reduce, or lessen such Rate or Assessment, and also to excuse or remit the Payment thereof, by reason of the Inability of such Person to pay the same.

When Rates are to commence, and how payable.

CV. And be it further enacted, That the first of the said Rates and Assessments herein-before authorized to be made shall commence at and upon the Twenty-fourth Day of *June* One thousand eight hundred and thirty-six, and shall be made for One Year only, and thereafter the said Rates shall be made for each and every Year, commencing at or upon the Twenty-fourth Day of *June* in every Year; and the Money so to be rated and assessed shall from Time to Time be levied and paid by quarterly

terly Payments to such Person as the said Commissioners shall nominate and appoint to be Collector of the same as herein mentioned, and all such Sums of Money shall be paid over by such Collector to the Treasurer to the said Commissioners; provided that no Rate or Assessment to be made in pursuance of this Act shall be valid until the same shall be signed by Five or more of the said Commissioners.

Power to raise Money at Interest.

CVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to borrow and take up at Interest such Sums of Money as they shall see necessary for the Purposes of this Act, upon the Credit of the Rates or Assessments to be laid and collected by virtue of this Act, and by Writing under their Hands and Seals to assign all or any Part of the said Rates or Assessments to such Persons as shall lend or advance any Money thereon, or to their Trustees, as a Security for the Principal Money to be advanced, with any legal Interest for the same; and the Costs and Expences of such Assignment thereof, to be made as herein-after mentioned, shall be from Time to Time defrayed by the said Commissioners out of the Monies so to be borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say,)

Form of Security.

'WE, Five of the Commissioners appointed by or in pursuance of an Act passed in the Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], in consideration of the Sum of advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do hereby grant and assign unto the said *A. B.* [*or* to his Trustee, *as the Case may require*,] his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments arising by virtue of the said Act as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed, or become due and owing, or be charged upon the Credit of the said Act, to be holden from this Day of until the said Sum of with Interest at *per Centum per Annum* for the same, shall be paid and satisfied. In witness whereof we the said Commissioners have hereunto set our Hands and Seals the Day of in the Year of our Lord One thousand eight hundred and

And every such Security shall be good, valid, and effectual, and shall entitle the Persons to whom the same shall be made, their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereon, according to the Intent and Meaning of this Act: Provided always, that no greater Sum than the Sum of Five thousand Pounds shall be borrowed and be due and owing by the said Commissioners at any one Time on the Credit of the said Rates or Assessments, save and except by an Order made at a Meeting or Meetings to be holden for that express Purpose, of which Meeting Fourteen Days Notice at the least in Writing shall be given by the Clerks to the said Commissioners, and affixed to the Church Door of the said Parish of *Crediton*, and given to or left for the said Commissioners at their respective Places of Abode, specifying the Purpose of such Meeting, nor except a Majority of Two Thirds of the Commissioners present at such Meeting shall agree to the same.

Power to transfer Securities.

CVII. And be it further enacted, That it shall and may be lawful for the Persons entitled to any of the Securities for the Money to be borrowed at

at such legal Interest as aforesaid, and their respective Executors, Administrators, and Assigns (as the Case may be), at any Time by Deed in Writing under their Hands and Seals to transfer such Securities to any Persons whomsoever; which Transfer may be in the Words or to the Effect following; (that is to say,)

Form of Transfer.

'I *A.B.* being entitled to the Sum of secured to *C.D.*, his Executors, Administrators, or Assigns, by virtue of an Assignment bearing Date the Day of under the Hands and Seals of of the Commissioners acting in the Execution of an Act passed in the Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], upon the Credit of the Rates or Assessments granted or payable by the said Act, do hereby transfer all my Right and Title in and to the same Sum, and all Interest now due and owing thereon, unto *E.F.*, his Executors, Administrators, and Assigns. Dated this Day of in the Year of our Lord One thousand eight hundred and .'

And a Copy of every Security or Assignment which shall have been made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access and have free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made the Sum of Two Shillings and Sixpence, in addition to any Stamp Duty, and no more; and every such Transfer after Entry thereof as aforesaid shall entitle the Person to whom the Transfer shall be made, and his Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment whatsoever.

No Preference in payment of Mortgages.

CVIII. And be it further enacted, That the several Persons to whom any such Mortgages shall have been made shall be severally entitled to their respective Quota of the said Rates and Assessments, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, without any Preference by reason of the Priority in Date of any such Mortgage, or on any other Account whatsoever.

Register Book to be kept of Mortgages.

CIX. And be it further enacted, That a Book shall be provided by the said Commissioners under this Act in which shall be entered and registered Copies of all Mortgages made in pursuance of this Act, which Book shall be open to the Inspection of the several Holders of Mortgages made by virtue of this Act, and their respective Executors, Administrators, and Assigns, at all seasonable Times, without Fee or Reward.

Commissioners may borrow Money at a lower Rate to pay off Securities at a higher

CX. Provided always, and be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Securities which shall then be in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said respective Rates, or other Funds or Property, or any Part thereof, in such Manner and

and with such Restriction as herein mentioned, with such Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, to pay off and discharge any Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Securities. Rate of Interest.

CXI. And in order that no undue Preference may be given in paying off the aforesaid Mortgages, be it further enacted, That when and so often as the said Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more of the said Mortgages, they shall cause the several Numbers of all the Mortgages granted and then in force to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled or folded up in the same Form, and be put into a Box, and the Clerk to the said Commissioners shall, in the Presence of Five or more of the said Commissioners, draw separately out of the said Box One of the said Numbers for each Mortgage then intended to be paid off by the said Commissioners, and thereupon the Mortgage corresponding with the Number which shall be so drawn shall accordingly be paid off by the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk to be given to the Person who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall, from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless the Money shall be demanded, pursuant to such Notice, and not paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand. Provision for Payment of Mortgages by Ballot.

CXII. And be it further enacted, That before or during the Month of *August* in every Year a full Abstract shall be made in Writing of the Accounts for the preceding Year ending upon the Twenty-fourth Day of *June* preceding, and a Copy thereof shall be deposited with the Clerk to the said Commissioners, and shall be open without any Charge at all reasonable Times to the Inspection of all Parties interested. Accounts to be made out annually.

CXIII. And be it further enacted, That all Money to arise by or from the said Rates or Assessments hereby granted, and all Money to be levied or recovered from Time to Time by virtue of this Act, and all the Money which may be borrowed upon the Credit thereof, shall be paid to the Treasurer to the said Commissioners, or to such Person as they shall appoint, and shall be applied and disposed of, in the first place, in paying and defraying the Charges and Expences which shall have been incurred in or shall be incident to and attending the soliciting, obtaining, and passing of this Act, and of the Interest of the Money which shall have been advanced for defraying such Charges and Expences; in the next place, in paying the Interest of all Monies which may become due and owing on the Credit of this Act; in the next place, in defraying the Costs, Charges, and Expences of paving, cleansing, lighting, watching, Application of Money to be raised and borrowed by virtue of this Act.

and watering the several Streets, Lanes, Roads, and other public Passages and Places in the said Town, and making new Ways and Communications, and otherwise improving the same, in manner hereby directed, and of carrying the several other Purposes of this Act into execution, and afterwards in paying the Principal of all Monies which may hereafter become due and owing on the Credit of this Act, and for no other Use, Intent, or Purpose whatsoever.

Sinking Fund.

CXIV. And be it further enacted, That when any Sum of Money shall be borrowed or taken up at Interest upon the Credit of the said Rates or Assessments, any Sum not exceeding Five Pounds *per Centum per Annum* on every such Sum shall, if the said Commissioners think it expedient at any Time hereafter to adopt a Sinking Fund, from thenceforth be charged on this Act, and be appropriated and paid out of the Rates and Assessments, over and besides the Interest payable on the Money borrowed, in order to form a Sinking Fund for the gradual Payment of all and every Principal Sums and Sum so to be borrowed; and as often as the said Sinking Fund shall amount to the Sum of One hundred Pounds, then and in such Case that Sum shall be applied in the Payment of an equal Amount of the said Principal Money then due and owing on the Credit or Security of the said Rates or Assessments in the Manner herein-before mentioned.

Commissioners may direct Prosecutions.

CXV. And be it further enacted, That the said Commissioners may and they are hereby empowered to order and direct any Prosecution against any Person for any public Nuisance whatsoever which shall be committed or suffered within the Limits of this Act, or for any Encroachment upon or Obstruction in the said Streets, Roads, Lanes, Passages, or Places, or for any Offence committed contrary to the Provisions of this Act, and the Costs and Charges of and attending all such Prosecutions shall be paid out of the Monies to be received under this Act.

Recovery and Application of Penalties.

CXVI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by virtue of any Rule or Order made in pursuance thereof (the Manner of levying and recovering whereof is not herein-before particularly directed), together with the Costs of Conviction to be ascertained by such Justice, may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any Justice of the Peace for the County of *Devon*, on Complaint to him for that Purpose exhibited, and afterwards be levied by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice, who is hereby authorized and required to summon and examine any Witnesses upon Oath of and concerning such Offences, Matters, and Things, and hear and determine the same; and the Overplus, if any, of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owners of the Goods and Chattels so seized and distrained; all which Penalties not herein directed to be otherwise applied shall be paid to the said Commissioners or their Treasurer or Clerk, to be applied for the Purposes of this Act as the said Commissioners shall order and direct, except in all such Cases where the Penalty or Forfeiture shall be incurred by the said Commissioners, and then the same shall be paid to the Informer;

former; and it shall and may be lawful for the said Justice to order the Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offenders shall give sufficient Security to the Satisfaction of such Justice for their Appearance before the said Justice on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offenders or otherwise, that they have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice, and he is hereby empowered and required, by Warrant under his Hand and Seal, to commit such Offenders to any Common Gaol or House of Correction in the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offenders shall have fully paid such Penalties, all Costs and Charges incident to and attending such Proceedings as aforesaid to be ascertained by such Justice, or shall otherwise be discharged by due Course of Law.

Forms of Information and Conviction.

CXVII. And for the more easy Prosecution and Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person shall be convicted or prosecuted of or for any Offence against this Act may cause the Information and Conviction to be drawn in the Forms following, or in other Words to the same Effect; (that is to say,)

Information.

'County of *Devon* (to wit). } BE it remembered, That on the Day of *A.B.* of informeth me one of His Majesty's Justices of the Peace for the said County of *Devon*, that of [*here describe the Offence, with the Time and Place, and follow the Act as near as may be*], contrary to the Provisions of an Act passed in the Year of the Reign of King *William* the Fourth, intituled [*here insert the Title of this Act*], which hath imposed a Forfeiture of for the said Offence. Taken the Day of before me'

Conviction.

'County of *Devon* (to wit). } BE it remembered, That on the Day of in the Year of the Reign of King *William* the Fourth, and in the Year of our Lord *A.B.* is convicted before me one of His Majesty's Justices of the Peace for the said County of *Devon*, for [*here specify the Offence, and when and where committed*], contrary to the Form of the Statute made in the Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*]; and I do hereby declare and adjudge that the said *A.B.* hath forfeited for the said Offence the Sum of [*or* shall be committed to for the Space of *as the Case may be*].
'Given under my Hand and Seal the Day and Year first above written.'

CXVIII. And

Justices may proceed by Summons in the Recovery of Penalties.

CXVIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information in Writing shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

Distress not to be unlawful for Want of Form.

CXIX. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same deemed a Trespasser, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall afterwards be done by the Party distraining, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage by an Action on the Case.

Justices may administer Oaths.

CXX. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person on Oath or Affirmation, it shall be lawful for such Justice and he is hereby required to administer such Oath or to take such Affirmation.

Inhabitants may be Witnesses.

CXXI. And be it further enacted, That no Inhabitant within the Limits of this Act shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceeding, to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being rated or liable to be rated by virtue of this Act.

Appeal to the Quarter Sessions.

CXXII. And be it further enacted, That if any Person shall find himself aggrieved by means of any Rate, Assessment, Penalty, or Fine under or in pursuance of this Act, or any Order or Conviction of any Justice of the Peace, or by any Rule, Bye Law, or Regulation made under the Provisions of this Act, it shall be lawful for such Person to appeal to any General or Quarter Sessions of the Peace to be held in and for the said County of *Devon* within Three Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month then next ensuing, then such Appeal shall be made to the next succeeding Sessions, either of which Courts of Sessions is hereby authorized to hear and finally determine the Matter of the said Appeal, and to make such Order therein as to such Court of Sessions shall seem meet, which Order shall be final and conclusive upon all Parties; provided that the Person so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the Clerk for the Time being to the said Commissioners or other the Respondent, and within Three Days after such Notice shall enter into a Recognizance before some Justice of the Peace for the said County of *Devon*, with sufficient Sureties, to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace, which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter

Quarter Sessions or any Adjournment thereof; and such Justices, upon hearing and finally determining the Matter of such Appeal, shall and may according to their Discretion award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

Rates may be amended without quashing.

CXXIII. Provided always, and be it further enacted, That on Appeal from the said Rates or Assessments, or any of them, the Justices at such General or Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same; but if upon Appeal from the whole of any Rate it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made in the Manner herein directed.

Rates and Proceedings not to be quashed for Want of Form.

CXXIV. Provided always, and be it further enacted, That no Rate or any Proceeding to be had touching the Conviction of any Offender against this Act, or any Order made, or any other Matter or Thing done or transacted in or relative to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, in any of His Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage to the contrary in anywise notwithstanding.

Plaintiff not to recover in any Action after Tender of sufficient Amends.

CXXV. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other Proceeding made or committed in the Execution of this Act, if Tender of sufficient Amends shall be made by or on behalf of the Party who shall have committed any such Irregularity, Trespass, or other wrongful Proceeding, before such Action be brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Adjudication shall be made, had, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

CXXVI. Provided also, and be it further enacted, That no Action or Suit shall be commenced against any Person for any thing done in pursuance of or under the Authority or Colour of this Act until Twenty-one Days Notice shall have been given thereof in Writing to the Clerk to the said Commissioners, nor after sufficient Satisfaction or Tender thereof shall have been made to the Party aggrieved, nor after Three Calendar Months next after the Fact committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant in such Actions or Suits may plead the General Issue, and give this Act and any special Matter in Evidence at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or of it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury shall find a Verdict for the Defendant upon such Issue.

Declaring what shall be good Service of Notices.

CXXVII. And be it further enacted, That in all Cases where it may be necessary or requisite for any Person or Party to serve any Notice, or any Writ or other legal Proceeding in Equity, upon the said Commissioners, Service thereof respectively upon the Clerk of the said Commissioners, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Commissioners, or upon any One of the said Commissioners acting under this Act, or left at his respective last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners; and in all Cases where it may be necessary or requisite for the said Commissioners to give any Notice to any Body Politic, Corporate, or Collegiate, or to any Person whomsoever, under the Provisions or Directions contained in this Act, such last-mentioned Notice shall be in Writing, signed by any Three or more of the said Commissioners.

Commissioners of any Road Act shall continue liable to repair Roads as before the passing of this Act.

CXXVIII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to release or discharge the Trustees or Commissioners named or appointed under or by virtue of any Act for repairing any Highway or Turnpike Road within or passing through the Limits of this Act, or any Part thereof, from the Expences of amending or repairing the same in such and the like Manner as if this Act had not been passed: Provided always, that it shall not be lawful for any such Trustees to repair or improve any of the Streets of the said Town.

Meaning of certain Words in this Act.

CXXIX. And be it further enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing, and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things, and every Word importing the Maculine Gender only shall extend and be applied to a Female as well as a Male, and the Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure, unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Saving the Rights of the Lords of the Manor of Crediton.

CXXX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, hinder, abridge, make void, destroy, lessen, or defeat any Right, Interest, Title, Property, Power, Privilege, Franchise, Emolument, or Authority of the Lord of the Manor of *Crediton* aforesaid (except so far as are expressly hereinbefore provided for), but that every Lord of the said Manor for the Time being shall and may at all Times hereafter enjoy all such Rights and Privileges (except as aforesaid) in as full, large, and beneficial a Manner in all respects whatsoever as he could have done in case this Act had not been made; and that at all Times hereafter the Lord of the said Manor for the Time being, and every Person who have or claim to have any Right or Interest in any of the Markets or Fairs holden within the Limits of this Act, shall respectively continue to enjoy all Right of holding such Fairs and Markets in like Manner as they were heretofore accustomed to do, and of collecting and receiving the usual Toll and other Profits belonging to such Markets and Fairs in like Manner as they could or might have done in case this Act had not been made.

Public Act.

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

The FIRST SCHEDULE to which the aforegoing Act refers.

NEW MARKET.

Description of Premises.	Owners.	Leaseholders.	Occupiers.
North Street, and behind it.			
Dwelling House, Malt House, Drying Kiln, Cellar, Offices, Garden, and Orchard -	Charles Finch - -	- - -	Himself.
Dwelling House and Buildings -	Ditto.		
Cornish Arms Inn, Stables and Offices, Curtilages and Garden - - - -	Thomas Odgers - -	- - -	Himself.
Garden - - - -	Charles Holman - -	- - -	Late Mickleburgh.
A Plant-house or Summer-house, and so much and such Part of Two Gardens (comprising the whole Extent thereof respectively from East to West) as shall not exceed an Average Width from North to South of Thirteen Feet Six Inches, except at the lower End, immediately against North Street, of the Easternmost of such Gardens, and there such additional Part of the last-mentioned Garden as shall not exceed Sixty Feet of superficial Measure - -	Ditto - -	- - -	Herman Holman.
Near North Street, and behind Broad Street.			
Dwelling Houses, Cellars, and Offices, Greenhouse, Curtilage, Garden, and Orchard -	Samuel Haydon and Nathaniel Haydon, Devisees under Will of late Nathaniel Haydon deceased -	William Haydon	Himself.
Cellar or Cottage - - -	Ditto - -	- - -	Unoccupied.
Garden - - -	Ditto.		

The

The SECOND SCHEDULE to which the aforegoing Act refers.

[To widen and otherwise improve the Road leading to Barnstaple Cross.]

Near Chapel Downs.

Description of Premises.	Owners.	Leaseholders.	Occupiers.
Orchard Plot - -	Robert Saunders - -	- - -	James Herring and William Harris junior.
Sellwood's Meadow -	William Harris - -	- - -	

[To widen and otherwise improve the Road called Back Lane, from Chapel Down to the Green.]

Near Back Lane.

Cawsey Close - -	Thomas Brook - -	- - -	Thomas Brook.
Three Corner Close -	Grace Radcliffe - -	- - -	Ann Hodge.
Field - - - -	Mr. Hooper and Sarah his Wife, and Mr. Semple and Susan his Wife -	- - -	Giles Hookway.
The Poor Close - -	Parish Officers of Crediton	- - -	Samuel Warren.
Orchard - - -	Sir H. P. Davie, Bart. -	- - -	Richard Paddon.
Field - - -	Abraham Wreyford -	- - -	John Channon.
Orchard - - -	Feoffees of the Parish of Crediton - -	- - -	Robert Buckingham.
Ditto - - -	Philip Stone - -	- - -	Philip Stone.
Ditto - - -	Stephen, Hugo, and Giles Edwards, Trustees of Thomas Berry - -	- - -	Richard Marwood.
Garden Plots - - -	Abraham Wreyford -	- - -	Samuel Harris and Charles Nosworthy.
Orchard - - -	Ditto - - -	- - -	John Attwill.
Little Field - -	Thomas Madge - -	- - -	Thomas Madge.
Chapple Orchard - -	Thomas Pring - -	- - -	Thomas Pring.
Broad Close - -	Thomas Madge - -	- - -	Thomas Madge.
Saintfoin Close - -	R. H. Tuckfield, Esquire -	Thomas Madge	Ditto.
Buildings in ditto - -	Ditto - - -	- - -	Ditto.
Orchard - - -	Giles Hamlin - -	- - -	Giles Hamlin.
Dwelling House and Garden	John Bicknell - -	- - -	Philip Tapper.
Ditto - - -	Ditto - - -	- - -	Samuel Warren.
Stones Field - -	Thomas Madge - -	- - -	Thomas Madge.
Orchard Plot - -	Hannah Gallen - -	- - -	Thomas Bubeer.
Garden Plot - -	Ditto - - -	- - -	Henry Dymond.
Ditto - - -	Mr. and Mrs. Weir -	- - -	John Attwill.
Buildings and Courtlage -	Reverend Matthew Vicars -	- - -	Ann Hodge.
Dwelling Houses and Linhay	Abraham Wreyford -	- - -	James Welsford, William Rogers, Susanna Hatch.
Cottage - - -	Reverend Matthew Vicars -	- - -	Grace Coles.
Ditto - - -	Ditto - - -	- - -	John Grant.
Ditto - - -	Ditto - - -	- - -	Richard Manning.
Ditto - - -	Ditto - - -	- - -	William Morrish.
Garden Plots - -	Ditto - - -	- - -	John Grant and others.
Saint Lawrence's Green -	J. W. Buller, Esquire.		

Description of Premises.	Owners.	Leaseholders.	Occupiers.
[To widen and improve the narrow Street from the Green to Broad Street.]			
Near Narrow Street.			
Workshop - - -	J. W. Buller, Esquire -	- - -	James Voysey.
Courtlage - - -	James Voysey - - -	- - -	Ditto.
Cottage - - -	Coplestone Hall - -	- - -	Ditto.
Ditto - - -	Ditto - - -	- - -	John Gale.
Dwelling House and Buildings	Ann Cornish - -	- - -	Ann Cornish.
Dwelling House and Plot -	William Thomas - -	- - -	John White.
Waste Spots and Timber-yard - - -	Ditto - - -	- - -	William Thomas.
Garden Plot - - -	Ditto - - -	- - -	Ditto.
Ditto - - -	Joseph Thomas - -	Sarah Thomas	Robert Stone.
Waste Plot - - -	John Woodgates.		
Cottage - - -	Mr. Weir and Margaret his Wife - - -	- - -	William Mansfield.
Ditto - - -	Ditto - - -	- - -	Ann Buckingham.
Cottage and Courtlage -	Ditto - - -	- - -	Susan Dyer.
Cottage - - -	Ditto - - -	- - -	William Glanfield.
Ditto - - -	Ditto - - -	- - -	William Lendon.
Dwelling House - -	William Lendon - -	- - -	Simon Lee.
Dwelling House and Buildings	John Rowden - -	- - -	Elizabeth Rudall.
Cottage - - -	John Andrews - -	- - -	Mary Browne.
Dwelling House and Garden Plot - -	Joseph Thomas - -	- - -	Joseph Thomas.
Ditto - - -	Ditto - - -	- - -	Elizabeth Tucker.
Garden Plot - -	John Yolland - -	- - -	John Yolland.
Cottage and Courtlage -	John and James Thomas -	- - -	John Lee.
Ditto - - -	Ditto - - -	- - -	James Rowden.
Ditto - - -	Ditto - - -	- - -	Roger Reed.
Ditto - - -	Ditto - - -	- - -	Richard Jerrett.
Ditto - - -	Ditto - - -	- - -	George Adams.
Ditto - - -	Ditto - - -	- - -	James Dicker.
[To widen and improve the Street in the said West Town.]			
In the West Town.			
Cattle Pound - - -	J W Buller, Esquire.		
Dwelling House - -	Thomas Patton - -	- - -	—— Hutchings.
Ditto - - -	Ditto - - -	- - -	Try Lampin.
Plot of Ground or Timber-yard - - -	John and James Thomas -	Ann Thomas	John and James Thomas.
A Plot of Ground - -	William Vowler junior -	- - -	Thomas Jones.
Shambles and Market Building - - -	J W Buller, Esquire	- - -	J W Buller, Esquire, and his Tenants.
Dwelling House - -	Ditto - - -	- - -	John Thomas.
Ditto - - -	Ditto - - -	- - -	James Thomas.
[To widen and improve Westwood Hill.]			
Near Westwood.			
Tucker's Close - -	R. H. Tuckfield, Esquire -	- - -	William Brock.
Tucker's Meadow - -	Ditto - - -	- - -	Ditto.
Bank or Hedge - -	George Lambert Gorwyn -	- - -	John Skinner, Thomas Madge.
Garden Plot and Railings -	Mary Stone - -	- - -	William Perkins.

Description of Premises.	Owners.	Leaseholders.	Occupiers.
[To widen and improve the Road from Barnstaple Cross to Crediton.]			
Near Threshers.			
Garden Plot	Stephen, Hugo, and Giles Edwards, Trustees of Thomas Berry		Thomas White.
Ditto	Ditto		James Merrifield.
Ditto	Ditto		Samuel Vicary.
Ditto	Philip Stone		Philip Stone.
Brewhouse	Ditto		Ditto.
Cottage	Ditto		Unoccupied.
Wall, Pound-house, and Gardens	Feoffees of the Parish of Crediton		Robert Buckingham, John Strong, Widow Bennett, William Kerswell, Thomas White, and Thomas Lee.
Garden Plot	Sir H. P. Davie, Baronet		Mary Dimond.
Ditto	Ditto		Richard Paddon.
Ditto	Ditto		Richard Hammett.
[To widen and improve Martin's Lane.]			
Near Martin's Lane.			
Orchard	Robert Tucker		John Gribble.
Ditto	Ditto		Robert Seamer.
Field	William Harris		Samuel Manning and others.
Ditto	Ditto		Joseph Baker.
Ditto	Ditto		Ditto.
Wall and Orchard	John Fulford		John Fulford.
Linhay, Wall, and Hedge	George Yarde		Edward Adams.
Club Close	John Francis		Robert Buckingham.
Field	Devisees of John Smith		John George Smith.
Meeting Field	Feoffees of Crediton		Robert Buckingham.
Three Corner Close	William Harris		Joseph Baker.
[To make a new Cattle Pound.]			
Near St. Lawrence's Green.			
Garden Plot	William James		James Squire.
Ditto	Samuel Gover		Hannah Legg.
Ditto	James and Sarah Browning		Joseph Ford.
Ditto	Mr. and Mrs. Weir		John Woodgates.
[To widen the East Town, and to make a new Road or Street from the East to the West Town.]			
In and near the East and West Town.			
Garden Plot	J. W. Buller, Esquire		J. W. Buller, Esquire.
The Ring of Bells Inn	Mary Wollacott		Mary Wollacott, William Sargeant, and William Glass.
Cottages, Offices, and Outbuildings adjoining	Mary Wollacott		Mary Wollacott, William Sargeant, and William Glass.
Cottage	Devisees of Jonas Pollard		Sarah Morrish.
Ditto	Ditto		William Wollacott.
Ditto	Ditto		Edward Berry.
Ditto	Charles Brimblecombe		Charles Brimblecombe.
Ditto	Ditto		Thomas Strong.

Description of Premises.	Owners.	Leaseholders.	Occupiers.
Cottage	John Jones		John Jones.
Ditto	Ann Perkins		—— Screech.
Ditto	James Burrington		James Chamberlain.
Ditto	Ditto		Unoccupied.
Ditto	Ditto		William Underhill.
Ditto	Ditto		John Manning.
Ditto	Ditto		William Puddicombe.
Ditto	Ditto		John Setter.
The Prince Frederick Inn, Cottage, Skittle Ground, Outhouses, and Offices adjoining	Ditto		Samuel Wollacott.
Cottage	John Luxmoore		William Reed.
Ditto	Ditto		Samuel Vicary.
Ditto	Ditto		Elizabeth Luxton.
Ditto	Ditto		William Berry.
Garden Plot	Ditto		—— Long.
Cottage	James Chamberlain.		
Garden Plot	Ditto		James Chamberlain.
Cottage and Garden Plot	John Shepherd		Peter Hosgood and James Callaway.
Ditto	Ditto		William Saunders.
Ditto	Ditto		John Edwards.
Ditto	Ditto		Richard Tucker.
Dwelling House, Orchard, Garden, and Outbuildings	Edward Doddridge		Thomas Rowe.
Orchard	Ditto		Edward Doddridge.
Orchard and Garden	Reverend Jonas Dennis and George Yarde		John Kelland.
Pasture Field	Ditto		Samuel Brown.
Garden, Courtlage, Stable, Shrubbery, and Offices	James Hainworth		Charles Hainworth.
Garden Plot and Terrace Walk	George Tanner		George Tanner and Mrs. Jarman.
Waste Plot	Feoffees of Crediton		George Tanner.
Garden	Ditto		William Gale.
Cottage	James Saunders		John Bedford.
Ditto	Ditto		Mary Prowse.
Ditto	Ditto		Richard Jacobs.
Ditto	Ditto		James Harvey.
Ditto	John Shepherd, junior		William Martin.
Dwelling House, Workshop, and Outbuildings	Maria Dart		Maria Dart.
Two Cottages	Francis Newman		William Gale.
Cottage	John Harris		Elizabeth Palmer.
Ditto	Ditto		Mary Lethbridge.
Dwelling House	Ditto		John Bryett.
Ditto	Ditto		John Harris.
Ditto and Courtlage	Ditto		Henry Bishop.
Ditto and Outbuildings	William Burrington and John Avent		Unoccupied.

[To widen and improve the Great Court.]

Near Great Court.

Waste Plot	Benjamin Luxmoore		James Westaway and others.
Cottage	Ditto		James Westaway.
Ditto	Ditto		Derrick Newinoff.
Ditto	Ditto		Elizabeth Hookway.

Description of Premises.	Owners.	Leaseholders.	Occupiers.
Cottage - - -	Benjamin Luxmoore -	- - -	Robert Hubber.
Ditto - - -	Ditto - - -	- - -	Grace Tremlett.
Ditto - - -	Ditto - - -	- - -	William Hubber.
Ditto - - -	Ditto.		
Ditto - - -	Ditto - - -	- - -	John Underhill.
Ditto - - -	Ditto - - -	- - -	Jane Hosgood.
Ditto - - -	Ditto - - -	- - -	Samuel Risdon.
Ditto - - -	Ditto.		
Ditto - - -	Ditto - - -	- - -	John Hopper.
Ditto - - -	Ditto - - -	- - -	Martha Westlake.

[To widen and improve the Road adjoining Belle's Parade to the North Street, and also the Deep Road.]

Near Belle's Parade and Deep Road.

Stable and Outhouse -	Elizabeth Francis - -	- - -	Elizabeth Francis.
Barn and Stable - -	The Twelve Governors of the Church of Crediton	- - -	Vicar of Crediton.
Libbett's Meadow - -	Benjamin Cleave - -	- - -	Benjamin Cleave.
House, Garden, and Field	The Twelve Governors of the Church of Crediton	- - -	Vicar of Crediton.
Orchard - - -	Devisees of John Smith -	- - -	John George Smith.
Garden Plot - - -	Ditto - - -	- - -	Ditto.

And so much and such Parts of the Pasture Field, Plantation, Orchard, and Garden belonging to and in the Occupation of Benjamin Cleave, Esquire, situate on the North Side of and adjoining a certain Road and Footpath called Belle's Parade, from the Eastern Corner thereof, near the Horse and Jockey; to a Dwelling House and Outhouses belonging to the said Benjamin Cleave, at present unoccupied, at the Western Corner thereof, near Deep Lane, and including the said Dwelling House and Buildings, as will be necessary to make and form the said Road, including the said Footway, of the Width of Thirty-five Feet; also so much and such Parts of the said unoccupied Dwelling House, and also of the Garden, Field, and Plantation belonging to and in the Occupation of the said Benjamin Cleave, situate on the Eastern Side of a Road called Deep Lane, leading from Crediton to Sandford, from the said Dwelling House at the South, and adjoining Belle's Parade, to the North End of the said Lane near Forches, as will be necessary to make and form the said Lane or Road of the Width of Thirty Feet.

[To widen and improve the Road from Bowden Hill, through Spinning Path, to the White Hart Inn.]

Near Spinning Path and the White Hart Inn.

Dwelling House and Premises adjoining - -	John Berry - - -	- - -	John Berry.
Cottage - - -	Sarah Flood - -	- - -	Ann Chudleigh.
Ditto - - -	Ditto - - -	- - -	Elizabeth Southwood.
Ditto - - -	Ditto - - -	- - -	Christopher Moggridge.
Ditto - - -	Ditto - - -	- - -	Thomas Palmer.
Cottage and Orchard Plot -	Ditto - - -	- - -	James Stone.
Public Well and Linhay -	John Madge.		
Cottage - - -	Ditto - - -	- - -	Mark Perkins.
Ditto - - -	Ditto - - -	- - -	Widow Warren.
Orchard - - -	Benjamin Luxmoore -	- - -	Benjamin Luxmoore.
Ditto - - -	Abraham Wreyford -	- - -	John Luxmoore.
Ditto - - -	Reverend Nicholas Lightfoot	- - -	Richard Vigers.
Garden - - -	Keys - -	Grace Brown -	Grace Brown.

Description of Premises.	Owners.	Leaseholders.	Occupiers.
[For general Improvements.]			
Near the Exeter Turnpike Road.			
Garden Plot, Rope Walk, and Buildings	John Blatchford		John Blatchford.
Garden Plot	Richard Strong		James Hill.
Waste Plot	Ditto		John Barry.
Stables and Outhouses	Keys	Grace Brown	Grace Brown.
Orchard and Garden Plot	William Burdge		William Burdge.
Barn	Ditto		Francis Cross.
Meadow	Peter Blagdon		Peter Blagdon.
Cottage	Mary Saunders		Robert Arberry.
Ditto	Ditto		Widow Saunders.
Ditto	Ditto		John Hector.
Ditto	Ditto		Samuel Moxhay.
Ditto	Ditto		Isaac West.
Ditto and Orchard Plot	Ditto.		
Higher Palace Meadow	Trustees of G Melhuish		John Skinner.
Houses and Buildings and Palace Road	Abraham Wreyford and others, Trustees of William Luxmoore		Unoccupied.
Cottage and Garden Plot	Thomas Badcock		Joseph Kentisbeer.
Cottage	Ditto		Susan Davy.
Ditto	Ditto		James Clarke.
Ditto	Ditto		Susan and Mary Kerslake.
Orchard or Garden	Ditto		Thomas Badcock.
Garden	Ditto		Ditto.
Cottage	Ditto		James Murch.
Ditto	Ditto		Robert Collins.
[To make a new Road from a Place adjoining the Town on the Exeter Road, opposite Northernhay, to the Road between Four Mills and Fordton, and also to Four Mills.]			
Pasture Field, second from Four Mills	Reverend Jonas Dennis and George Yarde.		
Pasture Field, first from Four Mills	Ditto		John and William Drake.
Pasture Field near Four Mill Leat	Samuel Brown		Samuel Brown.
Orchard near Four Mills	Hele Webber Payne.		
Cottage, Buildings, Road, and Garden Plot	Ditto		James Carthew. William Burrow. William Mortimer. John Morris.

The THIRD SCHEDULE to which the foregoing Act refers.

RENTS, TOLLS, AND STALLAGE.

	£	s.	d.
For every inclosed covered Fish Shop, not to contain less than Eight Feet square inside Measure, to be rented by the Year, any Sum not exceeding	20	0	0
For every Fish Stall used in the Market, for every Market or other Day, any Sum not exceeding	0	2	0
For every Cart containing Fish any Sum not exceeding	0	1	0
For every Horse Load containing Fish any Sum not exceeding	0	0	6
For every inclosed Butcher's Stall fitted up with Racks and Hooks, to be occupied by Butchers not residing within the Limits of the aforegoing Act, any Sum not exceeding the yearly Rent or Sum of	20	0	0
For every inclosed Butcher's Stall fitted up with Racks and Hooks, to be occupied by Butchers residing within the Limits of the aforegoing Act, to be occupied every Day in the Week, any Sum not exceeding the yearly Rent or Sum of	20	0	0
For every Stand, Stall, or Bench for the Sale of Meat, not exceeding Twenty-six superficial Feet which such Stand, Stall, or Bench shall measure on the Surface thereof, for each Market Day any Sum not exceeding	0	2	6
For every other Day in the Week any Sum not exceeding	0	1	6
For every additional superficial Foot	0	0	1
For the Carcase of every Hog exposed for Sale by any Person not occupying a Stall, if such Hog shall not weigh more than Five Score of Twenty Pounds to the Score, any Sum not exceeding	0	0	3
For every additional One hundred Pounds or Five Score Weight, any Sum not exceeding	0	0	1
For every Sucking Pig any Sum not exceeding	0	0	0½
For each and every Foot in Length occupied by any one Person for exposing to Sale Poultry, Bacon, Butter, Eggs, or any other Article of Provision usually sold in Poultry Markets, except Vegetables or Fruit only, for any Day in the Week any Sum not exceeding	0	0	3
And so in proportion for every Part of a Foot in Length.			
For each and every Foot in Length occupied by any Person exposing to Sale Vegetables or Fruit only, for each Market Day in the Week, any Sum not exceeding	0	0	1½
And so in proportion for any Part of a Foot in Length.			
For any other Day in the Week any Sum not exceeding	0	0	1
For every Hand-basket, Hamper, or other Thing containing Poultry, Butter, Eggs, or any other Article of Provisions, except Vegetables and Fruit, the Size and Dimensions thereof not being more than Two Feet in Length by Fifteen Inches in Breadth and Seven Inches in Depth, for each Market or other Day in the Week any Sum not exceeding	0	0	3
For every Hand-basket, Hamper, or other Thing containing Vegetables or Fruit only, the Size and Dimensions thereof not being more than Two Feet in Length by Fifteen Inches in Breadth and Twelve Inches in Depth, for each Market or other Day in the Week any Sum not exceeding	0	0	1½

	£	s.	d.
If any Hand-basket, Hamper, Pannier, or other Thing shall exceed in Depth the Number of Inches herein-before respectively limited, for every additional Inch in Depth thereof any Sum not exceeding	0	0	0½
For every Bag of Potatoes not weighing more than Two hundred and twenty Pounds, pitched in the Market, any Sum not exceeding	0	0	2
For every Bag of Carrots not containing more than Ten Pecks Imperial Measure, pitched in the Market, any Sum not exceeding	0	0	2
For every Bag of Turnips not containing more than Ten Pecks Imperial Measure, pitched in the Market, any Sum not exceeding	0	0	1½
For every Bag of Potatoes, Carrots, or Turnips brought within the Limits of the foregoing Act for the Purpose of Sale, but not pitched in the Market, any Sum not exceeding	0	0	1
For every Horse Load of Peas, Beans, or other Vegetables brought within the Limits of the foregoing Act for Sale, but not pitched in the Market, any Sum not exceeding	0	0	6
For every Cart containing any of the same Articles any Sum of Money not exceeding	0	1	0
For every Wheelbarrow containing any of the same Articles any Sum of Money not exceeding	0	0	3
For every superficial Foot of uncovered Ground used or occupied by Persons offering for Sale or selling Cabbage or other Plants, Apple Trees or Shrubs, or for other Purposes not before specified, for each Market Day any Sum not exceeding	0	0	1
For any other Day in the Week not exceeding	0	0	0½
For each and every superficial Foot of every Stall for exposing to Sale any Manufactured Goods, Wares, or Merchandize, for each Market Day any Sum not exceeding	0	0	4
For each and every superficial Foot of every Stall for selling or exposing to Sale any Cheese or other Article not herein-before particularly mentioned, for each Day not exceeding	0	0	2
For every Waggon or Cart laden with Fruit, Vegetables, or other Agricultural Produce sold or exposed to Sale by Wholesale, any Sum not exceeding	0	2	0
The several Rents, Tolls, and Stallage before mentioned and specified to be payable and paid for and in respect of the Occupation or Use of any Stall, Standing Place, Bench, Compartment, or Space of Ground, as well by the original Taker or Occupier thereof, for a Part or Portion of the Day, in case he or she shall not occupy the same the whole Day, as also by any subsequent Taker or Occupier of the same for the Residue of any Part or Portion of the same Day.			

CORN, GRAIN, SEED, WOOL, AND LEATHER TOLLS.

	£	s.	d.
For every Bushel of Wheat, Peas, Beans, and other Seeds, any Sum not exceeding	0	0	1
For every Bushel of Oats any Sum not exceeding	0	0	0½
For every Pack of Wool of Two hundred and forty Pounds per Pack any Sum not exceeding	0	2	6
For every Three Hundred Weight of Leather any Sum not exceeding	0	0	6

And so in proportion for a greater or less Quantity.

The FOURTH SCHEDULE to which the foregoing Act refers.

TOLLS FOR WEIGHTS AND MEASURES.

	£	s.	d.
For every Quantity of Meat or other Article weighing not exceeding Twenty Pounds Avoirdupoise, any Sum not exceeding	0	0	0½
For every Quantity of Meat or other Article weighing more than Twenty Pounds and not exceeding Sixty Pounds, any Sum not exceeding	0	0	2
For every Quantity of Meat or other Article weighing more than Sixty Pounds and not exceeding One hundred Pounds, any Sum not exceeding	0	0	3
For any greater Quantity than One hundred Pounds Weight, any Sum not exceeding	0	0	4
For every Quantity of Goods and Articles sold by Measure not exceeding One Bushel	0	0	0½
Exceeding One Bushel and not exceeding Two Bushels	0	0	1
For every additional Bushel or any Quantity less than a Bushel beyond such Two Bushels, the Sum of	0	0	0½

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