ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 187.

An Act for more effectually cleanſing, lighting, and watching the Borough and Town of *Waymouth* and *Melcombe Regis* in the County of *Dorſet*, and removing Incroachments and Annoyances therein; for licenſing and regulating Chairmen and other Perſons plying for Hire; for eſtabliſhing Markets; and for giving further Powers to the Quay Maſter of the Harbour of the ſaid Town. [15th *June* 1810.]

WHEREAS an Act paſſed in the Sixteenth Year of the Reign of His preſent Majeſty, intituled, *An Act for cleanſing, lighting, and watching the Borough and Town of* Waymouth *and* Melcombe Regis, *in the County of* Dorſet, *and for removing all Incroachments, Obſtructions and Annoyances therein*: And whereas by the ſaid Act it is enacted, that one or more equal Pound Rates or Aſſeſſments ſhould be made once in every Year or oftener as the ſaid Truſtees ſhould think proper, upon the ſeveral Tenants or Occupiers of all Houſes, Buildings, Lands, Tenements, or Hereditaments within the ſaid Borough and Town of *Waymouth* and *Melcombe Regis*, according to the annual Value of the ſame reſpectively; ſo as no ſuch Rate or Aſſeſſment ſhould exceed the Sum of Sixpence in the Pound in any one Year, to be borne and paid by the Landlord and Tenant or Occupier in equal Proportions: And whereas by another Clauſe in the ſaid recited Act it is enacted, that the ſaid Truſtees ſhould, and they were thereby empowered to appoint a ſufficient Number of fit and able bodied Men to watch and guard the Streets, Lanes, and other public Paſſages and Places within the ſaid Borough 16 G. 3. c. 57.

Borough and Town in the Night Time, and that the Rate or Aſſeſſment called Watch Groat, payable within the ſaid Borough and Town, ſhould, in caſe the ſaid Truſtees did appoint ſuch Watchmen, be thenceforth collected and received by the Collector or Collectors of the Rates therein before granted, and be applied towards defraying the Charges and Expences of ſuch Watchmen, and to no other Uſe or Purpoſe whatſoever: And whereas the Amount of the Pound Rate or Aſſeſſment allowed to be raiſed within the Year by the ſaid recited Act, for the general Purpoſes thereof, hath been found by Experience to be very inadequate to defray the Expences incurred: And whereas the Mode of raiſing a Fund to defray the Expence of a Nightly Watch by the Rate or Aſſeſſment called Watch Groat is very inconvenient in the Collection thereof and inſufficient for the Purpoſes intended: And whereas the ſaid in Part recited Act hath in other Reſpects been found inſufficient and defective: 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 ſaid recited Clauſes in the ſaid Act, authorizing the raiſing and collecting of one or more equal Pound Rate or Rates, Aſſeſſment or Aſſeſſments, not exceeding the Sum of Sixpence in the Pound in any one Year, and alſo for the raiſing and collecting the Rate or Aſſeſſment called Watch Groat, be from henceforth repealed, and the ſame are hereby repealed accordingly.

Part of Act repealed.

II. And be it enacted, That the Truſtees appointed and authorized by the ſaid recited Act, or any Five or more of them, at a Meeting or Meetings to be held for that Purpoſe, ſhall, and they are hereby required once or oftener in every Year as they ſhall ſee Occaſion, to cauſe ſuch Sum of Money to be raiſed by a Rate or Aſſeſſment upon the ſeveral Tenants or Occupiers of all Houſes, Buildings, Lands, Tenements or Hereditaments, within the ſaid Borough and Town of *Waymouth* and *Melcombe Regis* according to the annual Rent or Value of the ſame reſpectively, ſo as ſuch Rate or Aſſeſſment, Rates or Aſſeſſments, ſhall not exceed in the Whole in any one Year the Sum of Two Shillings in the Pound, nor in any one Quarter of a Year the Sum of Sixpence in the Pound upon ſuch annual Rent or Value, which Rate or Aſſeſſment ſhall be made to commence at and be computed from the Twenty-fourth Day of *June* One thouſand eight hundred and nine, and the ſame ſhall be borne and paid by the Landlord and Tenant or Occupier in the Proportion following, that is to ſay, One Moiety thereof ſhall be borne and paid by the Landlord, and the other Moiety by the Tenant or Occupier; but all ſuch Rates or Aſſeſſments ſhall from Time to Time be paid to the Collectors for the Time being appointed by the ſaid Truſtees, or any Five or more of them, by the reſpective Tenants or Occupiers of the ſeveral Houſes, Buildings, Lands, Tenements, or Hereditaments ſo to be rated and aſſeſſed as aforeſaid; and all ſuch Tenants or Occupiers ſhall have Liberty, and they are hereby authorized and empowered to deduct and retain out of his, her, or their Rent or Rents, ſuch Sum or Sums of Money as they ſhall reſpectively pay for and on Behalf of the reſpective Landlords, Owners or Proprietors of ſuch Houſes, Buildings, Lands, Tenements and Hereditaments; and all ſuch Landlords, Owners and Proprietors as aforeſaid are hereby reſpectively required to allow all ſuch

Truſtees empowered to make Rates.

Deductions

Deductions and Payments so made by such Tenants or Occupiers on their Behalf upon the Receipt of their Rent.

Trustees in order to ascertain the Rates, may order the Parish Rate Books or Land Tax Book to be produced and Copies thereof made.

III. And, in order to ascertain the Rates and Assessments to be made by virtue of this Act, be it further enacted, That the Trustees shall and may and they are hereby authorized and empowered to cause any of the Books of Assessments of Rates towards the Relief of the Poor of the said Borough and Town, and if they shall think fit any of the Books of Assessment of the Land Tax within the same, to be brought before them, and to take Copies of such Books or of any Part thereof, without Fee or Reward; and if any Person or Persons in whose Custody or Power any of the said Books shall be, shall refuse or neglect to attend the Trustees or their Clerk with such Book or Books, or to permit them to take Copies thereof, then, and in such Case, every Person who shall so refuse or neglect shall for every such Offence forfeit and pay the Sum of Ten Pounds.

If Persons assessed improperly, Trustees may amend or alter the old Rates

IV. And be it further enacted, That if at any Time or Times hereafter, any Person or Persons liable to pay or to be charged in or by any Rates or Assessments to be made as aforesaid by virtue of this Act, shall appear to be omitted or under-rated, then and in every such Case it shall be lawful for the said Trustees to charge and assess in the said Rates or Assessments, such Person or Persons so omitted to be rated or assessed, and to raise such Person or Persons so under-rated, or amend such Rates or Assessments as aforesaid, in such Manner as to the said Trustees shall seem just and reasonable; and they are hereby empowered to strike out the Name or Names of any Person or Persons whom they shall determine not to be liable to the Payment of any of such Rates or Assessments, wherein he, she, or they shall be charged or assessed, and that all such Additions, Omissions, or Alterations, in or to the old or former Assessments, shall be as valid and effectual to all Intents and Purposes whatsoever, as if the same had originally stood with such Additions, Omissions, or Alterations, any Statute, Law, Usage or Custom, to the contrary in anywise notwithstanding.

Application of Assessments.

V. And be it enacted, That all Monies which shall be raised, collected, or received, by virtue of such Rates or Assessments as aforesaid, shall in the First Place be applied in the Payment and Discharge of all the Expences of procuring and passing this Act, (if such Expences be not otherwise provided for as herein-after mentioned), and afterwards as well in the paving, cleansing, lighting, watering, altering, amending, and repairing the present and future Streets, Lanes, Ways, and other Public Passages and Places within the said Borough and Town, as in defraying the Expence of the Nightly Watch, and other Expences incurred in relation thereto, and to no other Use or Purpose whatsoever, (except only as herein-after is mentioned).

Trustees may raise Money by Mortgage.

VI. And be it enacted, That the said Trustees shall have the same and the like Power and Authority, to raise any Sum or Sums of Money upon Mortgage or Assignment of the Rates and Assessments herein-before granted and hereby made payable, as are granted to the said Trustees by the said recited Act with respect to the Rates, Assessments, and Tolls thereby made payable, which Sum or Sums of Money that may be so raised, shall be applicable not only to the Uses and Purposes for which

the ſaid Truſtees were thereby authorized to raiſe Money upon ſuch Mortgage or Aſſignment, but alſo in defraying the Expences of procuring and paſſing this Act or any of them.

Footways to be ſwept.

VII. And be it further enacted, That the reſpective Owners and Occupiers of Houſes or other Buildings or Ground or Land in the Streets, Ways, Lanes, Paſſages, or Public Places already made, laid out, or built, or which ſhall hereafter be made, laid out, or built within the ſaid Borough and Town, ſhall and they are hereby required, from and immediately after the paſſing of this Act, to cauſe to be well and ſufficiently ſwept and cleanſed, the Foot Ways or Foot Pavements before, behind, and at the Side of the ſame, (as the Situation thereof may require), every Morning in the Year between the Hours of Seven and Ten of the Clock in the Forenoon of each Day, and alſo ſhall cauſe the Dirt and Soil ariſing from ſuch ſweeping and cleanſing, to be collected and put together without obſtructing the Way, or Road, or Sewers, or creating, as far as is poſſible, any Nuiſance or Annoyance thereby, in order that the ſame may be ready to be loaded and taken away by the Scavengers or other Perſon or Perſons employed in cleanſing ſuch Streets, Ways, Lanes, Paſſages and Public Places; and the ſaid Owners and Occupiers ſhall alſo between *Lady Day* and *Michaelmas Day* in each and every Year, water or cauſe to be watered the Pavement or Foot Path immediately before their reſpective Houſes, Buildings, Yards, or Gardens, in ſuch Manner and with ſuch a ſufficient Quantity of Water as to prevent as much as poſſible the Paſſengers being incommoded by Dirt, Filth, or Duſt, on ſuch Foot Paths, upon Pain of forfeiting and paying reſpectively for every Neglect thereon, or Nuiſance or Annoyance occaſioned thereby, a Sum not exceeding Five Shillings.

Watchmen and Beadles.

VIII. And be it further enacted, That the ſaid Truſtees ſhall and may and they are hereby authorized and required from Time to Time to order and eſtabliſh ſuch Number of Watchmen, Beadles, and other Officers as they ſhall judge neceſſary or proper to be kept or employed in or about the ſaid Borough and Town, and ſhall likewiſe direct and appoint how and where the ſeveral Watchmen, Beadles, and other Officers ſhall be ſtationed, and in what Manner they ſhall be armed, how often they ſhall go their Rounds, how long they ſhall continue upon Duty, and what Wages ſhall be allowed to ſuch Watchmen, Beadles, and other Officers for their Service; and ſhall and may alſo erect and provide proper Places, Boxes, or Watch Houſes for the Reception of ſuch Watchmen, Beadles, and other Officers for their Service as aforeſaid, and ſhall make all ſuch Orders and Regulations as the Nature of the reſpective Services ſhall to the Truſtees appear to require, and as ſhall be neceſſary for preſerving and maintaining Peace and Order, and an effectual Police for the Protection and Safety of the Inhabitants of the ſaid Borough and Town; and ſhall cauſe all ſuch Nominations, Orders, and Regulations as ſhall be made by them from Time to Time for the better Direction and Government of ſuch Watchmen, Beadles, and other Officers, and for other Purpoſes laſt mentioned, to be printed, and Copies of them to be ſigned by the Truſtees or their Clerk for the Time being; and it ſhall be lawful for ſuch Watchmen, Beadles, and other Officers, and they are hereby authorized and required to keep Watch and Ward within the ſaid Borough and Town as aforeſaid, and to arreſt, apprehend,

apprehend, and detain in the Watch Houſe or ſome other convenient Place of Security within the ſaid Borough and Town, to be provided and appointed by the Truſtees, all Diſturbers of the Public Peace, diſorderly Perſons, Vagrants, Beggars, and all ſuch other Perſons as ſhall be found miſbehaving themſelves, and ſhall take them within Twenty-four Hours (or as ſoon after as conveniently may be) before any one or more of His Majeſty's Juſtices of the Peace in and for the ſaid Borough and Town, as the Caſe may require, to be examined and dealt with according to Law; and the ſaid Beadles, and other Officers ſhall, as often in every Night as they ſhall be ordered by the ſaid Truſtees, go about their reſpective Diſtricts and Rounds, to take Notice whether all the Watchmen perform their Duty in their ſeveral Stations according to ſuch Orders and Regulations as ſhall be made and provided by the ſaid Truſtees; and in caſe any Watchman ſhall miſbehave himſelf or neglect his Duty, the ſaid Beadles, or other Officers, or Perſons reſpectively, ſhall as ſoon as conveniently may be give Notice thereof to the Clerk for the Time being to the ſaid Truſtees, who is hereby authorized to ſuſpend ſuch Watchman from the Execution of his Office, and appoint another Perſon to officiate therein until the next Meeting of Truſtees, when the ſaid Clerk ſhall acquaint the Truſtees aſſembled at ſuch Meeting with the Complaint againſt ſuch Watchman in order that they may proceed to the Examination of the Offence or Charge; and ſuch Watchman moreover ſhall be ſubject and liable to ſuch Penalty, for every ſuch Neglect or Miſbehaviour, as is hereinafter mentioned.

Penalty on Beadles and others neglecting their Duty.

IX. And be it further enacted, That if ſuch Watchmen and Beadles, Conſtables and other Officers, or any of them, ſhall not obſerve, perform, and keep thê Orders, Rules, and Regulations, which ſhall be made for the Purpoſes aforeſaid by the ſaid Truſtees, or ſhall in any Manner neglect their Duty or miſbehave themſelves, every Perſon ſo offending ſhall forfeit and pay, for every ſuch Neglect or Offence, any Sum not exceeding Twenty-Shillings, and alſo, if the ſaid Truſtees ſhall think proper, be immediately diſcharged from his or their reſpective Office or Employment.

Penalty on Publicans harbouring Watchmen during their Hours of Duty.

X. And be it further enacted, That if any Victualler, Publican, or other Perſon ſelling Spirituous or other Liquors, ſhall entertain or harbour in his or their Houſe or Habitation or Shop, any Watchmen to be appointed under this Act, during any of the Hours or Times appointed for ſuch Watchmen to be on Duty in virtue or in purſuance of this Act, then every ſuch Victualler, Publican, or other Perſon ſo offending, ſhall forfeit and pay any Sum not exceeding Twenty-Shillings.

Certain Acts not to be committed in the Streets.

XI. And be it further enacted, That if any Perſon or Perſons ſhall upon any of the preſent or future Pavements of the Streets, Ways, Lanes, Paſſages, and Public Places now made or built, or which ſhall hereafter be made or built within the ſaid Borough and Town as aforeſaid, which is now or at any Time hereafter ſhall be raiſed above the Carriage Way, and uſed as a Foot Way or upon any other Foot Way deſigned and appointed for a Foot Way only, or ſhall roll thereon any Caſk, or run, draw, drive, or carry thereon, any Truck, Wheel, Sledge, Wheelbarrow, (except for going acroſs the Footway), Bier, Hand-barrow, or Carriage whatſoever, other than for the neceſſary loading or unloading thereof

in, upon, from, or out of any Carriage, Ship, Boat, or Veſſel, Houſe, Warehouſe, Building, Yard, or Tenement, or ſhall wilfully ride, lead, or drive thereon any Cattle of any Kind, or any Beaſt whether loaded or not with Coals, Vegetables, or other Goods or Wares for Sale, or ſhall in any of ſuch Streets, Ways, Lanes, Paſſages, or Public Places as aforeſaid, hoop, fire, cleanſe, waſh, or ſcald any Caſk, or empty any of the Contents of any Caſk therein, or ſhall hew, ſaw, or cut any Stone, Wood, or Timber, or bore any Timber (except for the Purpoſe of building, re-building, altering, or repairing any Houſe or Building in the Manner herein-after mentioned, or for any of the Purpoſes by this Act required or authorized to be done, in which Caſes the ſame ſhall be fenced and incloſed in the Manner herein-after mentioned), or ſhall make or repair any Coach, Waggon, Sledge, or other Carriage, in any of ſuch Streets, Lanes, Ways, Paſſages, or publick Places, (except ſuch Carriages as may want immediate repairing from any ſudden Accident on the Spot, or which cannot in conſequence thereof be conveniently removed for that Purpoſe), or ſhall ſhoe or (except in Caſes of Accident) bleed or turn looſe any Horſe, Aſs, or other Beaſt therein; or if the Driver of any Waggon, Cart, Sledge, or other Carriage, ſhall in any of the ſaid Streets, Ways, Lanes, Paſſages, or public Places, ride on the Shafts, or in or on any Part of ſuch Waggon, Cart, Sledge, or other Carriage without Reins, or on any of the Horſes or Cattle drawing the ſame; or if any Perſon ſhall ride or drive any Horſe, Cattle, or other Beaſt within the ſaid Borough and Town, ſo furiouſly or careleſsly as thereby to cauſe a perſonal Danger to any one whomſoever; or ſhall in any of the ſaid Streets, Lanes, Ways, Paſſages, or Public Places, ſhew or expoſe any Stallion or Stone Horſe, or ſhall make any Bonfire or let off or fire any Crackers, Squibs, or other Fireworks, or ſhall cauſe or ſuffer his or her Maſtiff or Bull Dog, or Maſtiff or Bull Bitch, to go unmuzzled, after Notice given by any Perſon whomſoever to the Owner thereof, or any of his or her Servants to confine the ſame; or if any Perſon ſhall ſift, throw, caſt, or lay any Aſhes, (except in the Time of Froſt only, and to prevent Accidents), or any Duſt, Muck, Dung, Soil, Filth, Rubbiſh, Refuſe of Garden Stuff, Blood, Offal, Carrion, or any other noiſome or offenſive Matter or Thing in any of the ſaid Streets, Ways, Lanes, Paſſages, or Public Places, or ſhall hawk about or cry Sand or other Matters or Things for Sale in any Part of ſuch Streets, Ways, Lanes, Paſſages, or Public Places, in ſuch Manner as to become a Nuiſance, or if any Perſon or Perſons ſhall bathe in any other Manner than by Means of a Bathing Machine upon the Sea Sands, or in the Harbour or Back Water within the ſaid Borough and Town, the ſame ſhall be reſpectively conſidered as an Offence or Offences againſt this Act, and every Perſon ſo offending in any of ſuch Caſes ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings; and if any Perſon or Perſons ſhall kill or ſlaughter, or ſhall ſinge, ſcald, dreſs, or cut up any Animal, either wholly or in Part, in any of ſuch Streets, Ways, Lanes, Paſſages, or Public Places, every Perſon ſo offending in any of the Matters laſt aforeſaid, ſhall for every ſuch Offence, forfeit and pay any Sum not exceeding Three Pounds.

The Streets to be watered.

XII. And be it further enacted, That the ſaid Truſtees ſhall have full Power and Authority to cauſe the Streets, Lanes, Ways, Paſſages and Public Places to be watered as often as they ſhall think fit, and alſo to cauſe any Well or Wells to be dug and ſunk, and any Pump or Pumps to be

erected in such Public Place or Places as they shall think proper, within the said Borough and Town, for the Purpose, of watering the said Streets or Places, or for any other Purpose, and to cause the same to be removed or altered and the Expences thereof to be defrayed out of the Monies to be raised and collected by any Rate or Assessment to be made by virtue of this Act.

Lights to be fixed at Holes or Buildings in the Street for preventing Accidents.

XIII. And be it further enacted, That if any Stones, Timber, Mortar, Rubbish, Materials or other Things, shall be laid or placed in, or any Hole or Opening shall be made in any of the Streets, Ways, Lanes, Passages or Public Places already made or built, or which shall hereafter be made or built within the said Borough and Town for any Purpose whatsoever, the Owner of such Stones, Materials, or other Things, or Person or Persons causing such Hole or Opening as aforesaid to be made, shall, at his, her, or their own Expence, cause a Light to be affixed in or near the same respectively for securing Passengers and Cattle from Accidents, every Night from Sunsetting to Sunrising, during the Time such Stones or other Materials, Hole or Opening shall remain; and also if the said Trustees shall think proper, shall, at his, her, or their own Expence, cause such Stones, Materials, or other Things, Hole or Opening, or either as the Case may be, to be fenced and inclosed in such Manner as the Trustees shall direct, and continue the same so fenced and inclosed until the Stones, Materials, or other Things, or Hole, or Opening, or either as the Case may be, shall be removed, and in Default thereof, every such Person shall forfeit and pay any Sum not exceeding Forty Shillings for every Day or Night such Neglect shall be continued; and the Trustees on such Default being made are hereby empowered to cause such Light to be affixed, and to fence and inclose such Stones, Materials, and Things, and continue the same so fenced and inclosed, and charge such Owners or other Person or Persons as aforesaid, with the Expences thereof respectively, and to recover such Expences on Refusal to pay the same to the Trustees or their Clerk, together with the Charges attending such Recovery, in the same Manner as any Penalty or Forfeiture is by this Act directed to be recovered or enforced.

Names of the Streets to be set up, and Houses numbered.

XIV. And be it further enacted, That the said Trustees shall and may and they are hereby required to cause to be placed, marked, or painted on some conspicuous Part of some House or Building at or near each End, Corner, or Entrance of the said Streets, Ways, Lanes, Passages and Public Places already made or built, or which shall hereafter be made or built within the said Borough and Town, the Name of such Street, Way, Lane, Passage or Public Place, or by which the same is usually or shall be called or known, and also shall and may cause any House, Shop, or Warehouse, or Building, in the same Streets, Ways, Lanes, Passages and Public Places to be marked and numbered in such Manner as they shall think proper for distinguishing the same, the Expence whereof shall and may be defrayed by and out of the Rates and Assessments herein-before directed to be made; and if any Person shall wilfully or maliciously destroy, pull down, injure, obliterate, remove or deface any such Mark or Number, or the Name or Names of any of the said Streets, Ways, Lanes, Passages and Public Places, or any of them, or any Part thereof, or cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XV. Provided

Notice of Meetings.

XV. Provided always, and be it enacted, That if it ſhall at any Time be thought neceſſary that a Meeting of the ſaid Truſtees ſhould be held, in that caſe the Clerk to the ſaid Truſtees, upon an Order in Writing ſigned by any Five or more of the ſaid Truſtees (mentioning the Time, Place, and Purpoſe of ſuch Meeting) ſhall forthwith give Notice thereof, and of the Time, Place, and Purpoſe mentioned in ſuch Order, by affixing the ſame upon the principal Door of the Church of *Melcombe Regis*, at leaſt Seven Days previous to the Day appointed for ſuch Meeting, and that ſuch Meeting ſhall and may be held accordingly; and the Proceedings of the Truſtees at all ſuch Meetings ſhall be as valid as if the ſame had been held in purſuance of any Adjournment.

Penalty on obſtructing Surveyors, Workmen, &c. in the Execution of their Duty.

XVI. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times obſtruct, hinder, or moleſt any of the ſaid Truſtees, or any Surveyor, Watchman, Beadle, Conſtable, or other Officer or Officers, Workmen, Perſon or Perſons whomſoever, who is, are, or ſhall be employed by virtue of this Act in the Performance or Execution of their Duty, or of any of the Matters and Things to be done in virtue or purſuance thereof, every ſuch Perſon or Perſons ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Nuiſances to be removed.

XVII. And be it further enacted, That in caſe any Slaughter Houſe, Hogſtye, Neceſſary Houſe, or other noiſome or offenſive Building, Matter, or Thing, ſhall be a Nuiſance or an Annoyance to any of the Inhabitants of the ſaid Borough and Town, or Perſons reſiding therein, the ſame ſhall be deemed an Offence againſt this Act; and it ſhall and may be lawful for the ſaid Truſtees, upon Complaint thereof to them made, to order any Nuiſance or Annoyance, Building, Matter, or Thing, to be removed; and in caſe the ſame ſhall not be removed in Fourteen Days after ſuch Notice given to the Perſon or Perſons who ought to remove the ſame, ſuch Perſon or Perſons ſhall forfeit and pay the Sum of Ten Shillings for every Day that the ſame ſhall continue unremoved after the Expiration of the Time mentioned in ſuch Notice.

Former Act to continue in force except where altered.

XVIII. And be it enacted, That all and every the Powers, Proviſions, Authorities, Remedies, Penalties, and Clauſes contained in the ſaid recited Act, ſhall remain and be in force, (except ſuch as are herein expreſsly repealed or altered, and except ſuch as relate to Exemption from Stamp Duties), and ſhall or may be applicable to the ſeveral Matters and Things herein-before ordained and enacted, as fully and effectually, as if the ſame were repeated and again enacted.

For licenſing and regulating Sedan Chairs, &c.

XIX. And whereas the ſaid Borough and Town hath encreaſed in Population of late Years, and is become the Reſort of many Perſons for Sea Bathing, and it will much tend to the Accommodation of the ſaid Borough and Town, if Sedan Chairs, Bathing Machines, Pleaſure Boats, Coalmeters, Corn-meters, Porters, Coal Carriers, Watermen, Baſket Men, and Baſket Women, be appointed to ply for Hire under proper Regulations and Authority, and if additional Markets be eſtabliſhed or held; be it therefore further enacted, That it ſhall be lawful for the Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty of the ſaid Borough and Town, to conſtitute, ordain, and provide, from Time to Time, ſuch Bye Laws, Rules, and Orders, as they ſhall think fit, for licenſing and authorizing

authorizing a ſufficient Number of Sedan Chairs, Bathing Machines, Pleaſure Boats, Coal-meters, Corn-meters, Porters, Coal Carriers, Watermen, Baſket Men, and Baſket Women, to ply for Hire, and for regulating and ordering ſuch Sedan Chairs, Bathing Machines, and Pleaſure Boats, and in what Manner the Owners, Carriers, and Watermen thereof reſpectively, and alſo ſuch Coal-meters, Corn-meters, Porters, Coal Carriers, Watermen, Baſket Men, and Baſket Women, ſhall conduct and behave themſelves, and alſo in what Manner ſuch Sedan Chairs, Bathing Machines, and Pleaſure Boats ſhall be furniſhed and provided, and what Number of Perſons may be borne and conveyed in each of ſuch Pleaſure Boats, and touching and concerning the Goods, Parcels, Letters, Meſſages, and Things to be carried and conveyed by ſuch Porters, Coal Carriers, Baſket Men, and Baſket Women, or any of them, and for aſcertaining and fixing, altering and removing the Stands or Stations of the ſaid Sedan Chairs, Bathing Machines, Pleaſure Boats, Porters, Coal Carriers, Baſket Men, and Baſket Women reſpectively, from Time to Time; and for trying, adjudging, and puniſhing the Miſconduct and Miſbehaviour of Chairmen, Watermen, Porters, Coal Carriers, Baſket Men, and Baſket Women, plying for Hire within the ſaid Borough and Town, and the Diſtance hereby provided, within which they are reſpectively to go and come; and for aſcertaining what Rates, Fares, and Prices, as well for Time as for Diſtance, ſhall be allowed to be taken by ſuch Owners or Perſons having Charge thereof, Chairmen, Watermen, Porters, Coal Carriers, Baſket Men, and Baſket Women, plying for Hire, and to what Diſtances they ſhall reſpectively be obliged to go and come in and through and about every Part of the ſaid Borough and Town, and for ſuch Pleaſure Boats not exceeding the Diſtance of Five Leagues, to be meaſured from the Outer Pier of the Harbour of the ſaid Borough and Town as a Centre, and the Rates and Fares to be taken for the ſame; and the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty, may from Time to Time, as they ſhall think fit, repeal, alter, or amend, ſuch Bye Laws, Rules, and Orders, or any of them, and ſhall aſcertain and ſet down what pecuniary Penalties or Forfeitures ſhall be incurred by Perſons breaking or evading the ſame, or any of them, provided that no ſuch Penalty or Forfeiture ſhall exceed the Sum of Forty Shillings for One Offence: Provided always, that no ſuch Rules, Bye Laws, or Orders, ſhall be repugnant to the Proviſions of this Act, or the Laws of *England*, and ſhall be ſubject to Appeal in Manner herein-after mentioned.

Puniſhing Chairmen, &c. plying without or contrary to Licence.

XX. And be it further enacted, That if the Carrier or Carriers of any Sedan Chair, or the Owner or Owners of any ſuch Bathing Machines, or the Watermen of any Pleaſure Boat, or any Porter, Coal Carrier, Baſket Man or Baſket Woman, ſhall be found ſtanding or plying for Hire, or uſing ſuch Sedan Chair, Bathing Machine, or Pleaſure Boat, or carrying any Matter or Thing for Hire directed to be carried by a Licence as aforeſaid, without a Licence, or having ſuch Licence, ſhall be found plying or ſtanding for Hire at a different Place or Station for which ſuch Licence ſhall be granted, the Owner or Owners, Carrier or Carriers, Waterman or Watermen, of ſuch Sedan Chair, Bathing Machine, or Pleaſure Boat, and alſo ſuch Porter or Porters, Coal Carrier, Baſket Man or Baſket Woman, ſo ſtanding or plying for Hire, without or contrary to

ſuch Licence, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

XXI. Provided always, and be it further enacted, That the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty, ſhall and they are hereby required to grant ſuch Licence as aforeſaid to any Perſon applying for the ſame, for which the Sum of One Shilling and no more ſhall be paid: Provided alſo, that after any Perſon ſo licenſed ſhall have been convicted Three Times of any Offence againſt this Act, or the ſaid Bye Laws, Rules, and Orders, it ſhall and may be lawful for the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes and Commonalty, to ſuſpend ſuch Perſon from uſing or exerciſing his or her Licence for any Time not exceeding Six Months.

Corporation to regulate the Hire of Corn and Coal Meters.

XXII. And be it further enacted, That it ſhall be lawful for the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty, by the Bye Laws, Rules, and Orders which they ſhall from Time to Time make for the Appointment and Regulation of Coal Meters and Corn Meters within the ſaid Borough and Town, amongſt other neceſſary Things to direct and order the Fees and Perquiſites which they ſhall be allowed to have and receive for their Labour and Attendance, and the Hours and Rotation of their Attendance, and in what Manner and at what Places and Times the Cargoes of Ships or Veſſels coming into the Port and Harbour of the ſaid Borough and Town loaded with Coal or Corn for Sale there ſhall be diſcharged, and to prevent the Diſcharge of ſuch Cargo without the Preſence and Superintendance either of a Coal Meter or Corn Meter, according to the Nature of the Cargo ſo appointed as aforeſaid, under pecuniary Penalties for the Breach of any of ſuch Regulations, or for refuſing to receive on board ſuch Coal Meter or Corn Meter reſpectively, or otherwiſe moleſting ſuch Coal Meter or Corn Meter in the Execution of his Office, to be incurred by the Owner, Maſter, or other Perſon or Perſons being on board of or belonging to the ſaid Ships or Veſſels offending therein, not exceeding the Sum of Forty Shillings for each Offence.

Purchaſers may attend Delivery of Corn or Coals.

XXIII. Provided nevertheleſs, and be it enacted, That nothing herein-before contained ſhall extend or be conſtrued to extend to the reſtraining of any Purchaſer of Coal or Corn out of Ships or Veſſels arriving in the ſaid Port or Harbour, from attending by themſelves, or their Agents, Clerks, or Servants on board ſuch Ships or Veſſels, and ſuperintending and directing the Diſcharge and Delivery of ſuch Coal or Corn: Provided alſo, that the Superintendance or Preſence of any ſuch Coal or Corn Meter ſhall not be requiſite in Caſes where any Coal or Corn ſhall be unloaded out of any Ship or Veſſel for the Purpoſe of being conveyed to the Warehouſe or Yard of the Owner or Purchaſer thereof, or ſhall not be ſold by Retail out of ſuch Ship or Veſſel, any Thing herein-before contained to the contrary notwithſtanding.

Chairman, &c. to uſe a Number.

XXIV. And be it further enacted, That within Seven Days next after the Owner or Owners of every Sedan Chair, Bathing Machine, or Pleaſure Boat, and every ſuch Porter, Coal Carrier, Baſket Man or Baſket Woman ſhall be licenſed according to the Bye Laws, Rules, and Orders of the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty, ſo to be made by virtue of this Act, every ſuch Owner or Owners of ſuch Sedan Chair,

Bathing

Bathing Machine, and Pleaſure Boat, ſhall affix and keep ſuch Figure or Number as ſhall be reſpectively appointed by the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty, on ſome conſpicuous Part of ſuch Chair, Bathing Machine, and Pleaſure Boat reſpectively, and ſhall leave at the Office of the Town Clerk of the ſaid Borough and Town, with the ſaid Town Clerk or ſome other Perſon there, a true Account in Writing of his, her, or their Place or Places of Abode, with the Figure or Number of each Chair, Bathing Machine, or Pleaſure Boat; and that every ſuch Porter ſhall affix and keep on his outward Garment ſuch Ticket and Figure or Number thereon, as ſhall be reſpectively appointed by the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty, and ſhall in like Manner leave at the ſaid Office a true Account in Writing of his Place of Abode, with the Figure or Number of his Ticket, and ſo from Time to Time, every ſuch licenſed Owner or Owners of ſuch Sedan Chair, Bathing Machine, or Pleaſure Boat, and every ſuch Porter, ſhall, within Seven Days after his, her, or their Place or Places of Abode ſhall be changed, give the like Account at the ſaid Office, upon Pain that every ſuch Owner or Owners of ſuch Sedan Chair, Bathing Machine, or Pleaſure Boat, and every ſuch Porter, ſhall for every Refuſal or Neglect ſo to do, forfeit and pay any Sum not exceeding Twenty Shillings.

For Recovery of Fares due to Chairmen.

XXV. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or neglect to pay on Demand any licenſed Sedan Chairman, Owner or Owners of Bathing Machines, or Perſons having Charge thereof, Waterman, Coal Meter, Corn Meter, Porter, Coal Carrier, Baſket Man or Baſket Woman, the Money juſtly due to him, her, or them for the Fare, Hire, or Service done under or in purſuance of any Licence or Bye Law made in purſuance of this Act, it ſhall and may be lawful to and for any Juſtice of the Peace of and for the ſaid Borough and Town, upon any Complaint thereof made to them, to hear and determine the Matter of ſuch Complaint, and to proceed therein as is herein-after directed with reſpect to the Recovery, before any of His Majeſty's Juſtices of the Peace, of any Penalty or Forfeiture impoſed by this Act, or any Rule, Order, or Bye Law made in purſuance thereof.

Corporation to erect Markets.

XXVI. And be it further enacted, That it ſhall be lawful for the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty, and they have hereby full Power and Authority from Time to Time as Occaſion ſhall require, for the Accommodation of the Inhabitants of the ſaid Borough and Town, to erect and eſtabliſh any Market and Markets to be held at ſuch Place and Places within the ſaid Borough and Town, and at ſuch Time and Times as they ſhall think fit, for the Sale not only of all Sorts of Victuals, Fiſh, and other Proviſions, but alſo of Hay, Straw, Coals and any other Goods, Commodities, and Things whatſoever, and alſo from Time to Time as Occaſion ſhall require, to make, conſtitute, provide, and ordain ſuch Rules, Orders, and Bye Laws, as they ſhall think fit, ſo as the ſame be not repugnant to the Proviſions of this Act, or the Laws of *England*, for the regulating, ordering, and governing not only of the ſeveral Markets already erected, eſtabliſhed, and held, but alſo of all or any other Markets or Market that ſhall hereafter be by them erected, eſtabliſhed, or held within the ſaid Borough and Town, for the ſaid ſeveral Purpoſes or any of them, and alſo for regulating, ordering, and governing all Perſons, both Buyers and Sellers, thereto coming and reſorting, in all

all Matters which do or may concern or relate to such Markets, or any of them, and at what Times and how long such Persons coming and resorting to such Markets, or any of them, shall or may come to, remain, and abide there and depart therefrom respectively; and also for the appointing, trying, adjudging, regulating, and ordering of all Weights and Measures used and to be used in such Markets or any of them, and the Sale of Victuals, Fish, and other Provisions, Hay, Straw, Coals, and other Things or any of them, by such Weights and Measures, and for the preventing the Sale and exposing to Sale of Victuals and other Provisions, Hay, Straw, Coals, and other Things in such Markets or any of them, by false and deceitful Weights or Measures, and also for preventing the Sale and exposing to Sale of any unwholesome Flesh, Meat, Fish, or other Provisions in such Markets or any of them, and likewise for the regulating and ordering of all other Matters and Things which do or may concern or relate to such Markets or any of them, and also from Time to Time as Occasion shall require to nominate and appoint such Officer and Officers as they the said Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty shall judge necessary and proper, to be, attend, and remain in the said Markets, or any of them, for the better regulating, ordering, and governing of the same, and for putting such Rules, Orders, and Bye Laws into due Execution, and to settle and therein set down what reasonable Fees and Salaries, and by whom and in what Manner such Officer and Officers shall be paid for such his and their Service and Attendance; and the said Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty may from Time to Time, as they shall think fit, repeal, alter, or amend such Rules, Orders, and Bye Laws, or any of them, and shall ascertain and therein set down what pecuniary and other Penalties and Forfeitures shall be incurred by Persons breaking or evading such Rules, Orders, and Bye Laws, or any of them, provided that no pecuniary Penalty shall exceed the Sum of Fifty Shillings for One Offence; all which said Rules, Orders, and Bye Laws so to be made as aforesaid, all Persons as aforesaid coming and resorting to the said Markets, or any of them, are hereby required to observe and keep, under such Penalties and Forfeitures respectively, as shall be so ascertained and set down as aforesaid: Provided always, that nothing herein contained shall prevent any Person or Persons from selling the above Articles in any of their Shops or Premises, within the said Borough and Town.

22 G. 2. c. 22.

XXVII. And whereas by an Act passed in the Twenty-second Year of the Reign of King *George* the Second, intituled, *An Act for the better ascertaining, recovering, and collecting certain Duties, commonly called* Petty Customs *or* Wharfage, *payable upon the Importation and Exportation of Goods and Merchandizes into or out of the Harbour of the Borough and Town of* Waymouth *and* Melcombe Regis, *in the County of* Dorset; *and also of Ballast and Harbour Duties payable in respect of Ships and Vessels coming into and going out of the said Harbour; and for the better repairing and keeping in Repair the said Harbour and the Wharfs and other Public Buildings and Works within the said Borough and Town*; Authority was given to the Quaymaster or Quaymasters from Time to Time to be appointed by virtue of that Act, to order and direct the proper Birth, Station, or Place in the Port or Harbour of *Waymouth* and *Melcombe Regis* aforesaid of any Ships or Vessels lying, being, or abiding there: And whereas it is expedient that further Powers be granted to the said Quaymaster and Quaymasters for the better

Execution of the Office; be it therefore enacted, That in case any Person having the Rule and Command of any Ship or Vessel arriving or being in the said Port or Harbour, shall neglect or refuse to lay or moor the same Ship or Vessel in such Manner at such Time and in such Place within the said Port or Harbour as the said Quaymaster or Quaymasters shall direct, or in case no Person shall be then on board, such Quaymaster or Quaymasters may cause every such Ship or Vessel to be placed in or removed to such Birth as he or they shall think proper, and the Expence of stationing or removing such Ship or Vessel shall be paid by such Person having Rule and Command of the said Ship or Vessel as aforesaid, and may be recovered in Manner herein-after directed, exclusive of any Penalty or Forfeiture which he shall have incurred by reason of such Neglect or Refusal; and in case such Person having the Rule and Command of such Ship or Vessel shall refuse or neglect to station, lay, or remove such Ship or Vessel pursuant to such Order or Direction, such Person shall for such Refusal or Neglect forfeit and pay any Sum not exceeding Forty Shillings, together with the full Charges and Expences of such Removal, and shall be responsible for any Damage or Accident that may happen to such Ship or Vessel in and about or after the removing thereof as aforesaid.

Quaymaster may remove or place Vessels.

XXVIII. And be it further enacted, That in case the said Quaymaster or Quaymasters shall at any Time or Times deem it necessary for the Safety or Accommodation of the other Ships or Vessels in the said Port or Harbour that the Fastenings of any Ship or Vessel in the said Port or Harbour should be loosened, or any such Ship or Vessel cast off from her Birth, it shall be lawful for every such Quaymaster or Quaymasters to cut or separate or cause any such Fastenings to be cut and separated in case the Master or Person on board then having the Care or Management of such Ship or Vessel shall refuse or neglect to loosen such Fastenings or cast off such Ship or Vessel, upon Demand made by the said Quaymaster or Quaymasters for that Purpose, or in case no Person shall be then on board the same, then such Quaymaster or Quaymasters shall, if necessary for the Safety of the Ship or Vessel (after the same may have been so cut or separated as aforesaid), put or place on board the same a proper Person or Persons to take Charge thereof.

Quaymaster may cast off Vessels.

XXIX. And whereas great Expence and Delay have been experienced from the Difficulty of procuring Persons at all necessary Times to do the Labour of ballasting Ships within the Port of the said Borough and Town, be it therefore enacted, That it shall be lawful for the Mayor of the said Borough and Town for the Time being, from Time to Time, by a Licence or Certificate in Writing under his Hand and Seal of Office, to license and appoint such Number of Persons for working the Ballast Lighter or Lighters, and loading Ballast therein, and on board Ships or Vessels within the Port of the said Borough and Town, not exceeding the Number of Six Persons, as he shall think fit; which Persons so licensed and appointed shall be subject to such Rules, Orders, and Bye Laws as the said Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty, shall from Time to Time constitute, ordain, and provide for their better Government and Regulation.

Providing Persons for ballasting Vessels.

XXX. And it is hereby enacted and declared, That a Copy of all the several Rules, Orders, and Bye Laws by this Act authorized to be made, by the said

Copy of Bye Laws to be affixed on Town Hall.

ſaid Mayor, Aldermen, Bailiffs, Burgeſſes and Commonalty, together with the Fees and Perquiſities to be fixed by virtue thereof, ſhall be fairly written or printed and ſigned by the Town Clerk of the ſaid Borough and Town by Order of the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty, and ſhall be and remain affixed or hung up in ſome conſpicuous Part or Parts of the Town Hall of *Melcombe Regis* within the ſaid Borough and Town, and that Public Notice ſhall be given of ſuch Rules, Orders, and Bye Laws, by advertiſing the ſame in ſome Newſpaper or Newſpapers printed in the County of *Dorſet*, and if none ſhall be there printed, then in ſome Newſpaper or Newſpapers printed in ſome adjoining County and uſually circulated within the ſaid Borough and Town, as the ſaid Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty ſhall direct, Fourteen Days at leaſt before any ſuch Rule, Order, or Bye Law ſhall be executed or take Effect.

Juſtices may determine Offences againſt Bye Laws.

XXXI. And be it further enacted, That it ſhall be lawful for any One or more Juſtice or Juſtices of the Peace for the ſaid Borough and Town to hear and determine any Offence againſt this Act, or againſt any Rule, Order, or Bye Law made in purſuance thereof, except where any other Mode of Proceeding is hereby ordered and directed; and the ſaid Juſtice or Juſtices of the Peace are hereby authorized and required upon Information exhibited or Complaint made in that Behalf, to ſummon the Party or Parties accuſed, and alſo the Witneſs or Witneſſes on either Side to examine into the Matter or Matters of Fact, and upon due Proof thereof either by the voluntary Confeſſion of the ſaid Party or Parties or by the Oath or Oaths of one or more credible Witneſs or Witneſſes, or by the ſolemn Affirmation or Affirmations of ſuch Witneſs or Witneſſes in caſe he, ſhe, or they ſhall be of the People called *Quakers*, (which Oath or Oaths, Affirmation or Affirmations, ſuch Juſtice or Juſtices of the Peace are hereby empowered and required to adminiſter), to give Judgement or Sentence for the pecuniary and other Penalty or Forfeiture or either of them, as the Caſe ſhall require, according as in and by this Act ſhall be directed, or ſhall be directed in and by any ſuch Rule, Order, or Bye Law made as aforeſaid, and to award reaſonable Coſts to be paid by the Offender or Offenders, and (when the Manner of levying and recovering the ſame is not hereby otherwiſe particularly directed), to iſſue his or their Warrant or Warrants under his or their Hands and Seals, for levying ſuch pecuniary Penalty and Coſts ſo adjudged and awarded by Diſtreſs of the Goods and Chattels of ſuch Offender or Offenders, and to cauſe Sale to be made of ſuch Goods and Chattels, in caſe the ſame ſhall not be redeemed within Seven Days after the Diſtreſs taken, rendering to the Party or Parties the Overplus (if any) upon Demand; and in caſe ſufficient Goods and Chattels of ſuch Offender or Offenders cannot be found within the ſaid Borough and Town to anſwer and pay ſuch pecuniary Penalty and Coſts as aforeſaid, and the ſame ſhall not be paid, it ſhall be lawful for ſuch Juſtice or Juſtices of the Peace or any other Juſtice or Juſtices of the Peace for the ſaid Borough and Town, and he and they reſpectively is and are hereby required by Warrant under his or their Hands and Seals to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction of and for the ſaid Borough and Town, or for the ſaid County of *Dorſet*, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months as ſuch Juſtice or Juſtices of the Peace ſo committing ſuch Offender or Offenders ſhall judge proper and direct, unleſs ſuch pecuniary

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Penalty and all reaſonable Coſts and Charges ſhall be ſooner paid and ſatisfied.

Compelling Attendance of Witneſſes.

XXXII. And be it further enacted, That if any Perſon or Perſons being ſummoned as a Witneſs or Witneſſes, on being being paid or tendered a reaſonable Sum for his, her or their Coſts and Charges, Trouble and Attendance, to give Evidence before any of ſuch Juſtices of the Peace, touching any Matter of Fact contained in any Information or Complaint, for any Offence againſt this Act, or againſt any Rule, Order, or Bye Laws, made in purſuance thereof, either on the Part of the Proſecutor, or of the Perſon or Perſons accuſed, ſhall refuſe or neglect to appear at the Time and Place to be for that Purpoſe appointed, without a reaſonable Excuſe for ſuch his, her, or their Refuſal or Neglect, or appearing ſhall refuſe to be examined on Oath, or (in caſe of a *Quaker* or *Quakers*), on ſolemn Affirmation, and to give Evidence before ſuch Juſtice or Juſtices of the Peace, then and in either of the ſaid Caſes, every ſuch Perſon ſhall forfeit for every ſuch Offence, any Sum not exceeding Forty Shillings.

Inhabitants not incompetent.

XXXIII. And it is hereby declared and enacted, That in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever, relating to or concerning the Execution of this Act, or of any Rule, Order, or Bye Law, made in purſuance thereof, any Inhabitant of the ſaid Borough and Town, or any other Perſon whatſoever, ſhall not be deemed an incompetent Witneſs, by reaſon of his or her being ſuch Inhabitant, or being of the Commonalty of the ſaid Borough and Town.

For mitigating Penalties.

XXXIV. Provided always, and be it further enacted, That it ſhall be lawful for the Juſtices of the Peace, before whom any of the pecuniary Penalties impoſed by this Act, or which ſhall be impoſed by any Rules, Orders, or Bye Laws, to be made in purſuance thereof, ſhall be recovered, (where no Power of Mitigation of any ſuch Penalties is hereby directed, or ſhall be directed by any ſuch Rules, Orders, or Bye Laws), to mitigate or leſſen any of ſuch Penalties, as they in their Diſcretion ſhall think fit, ſo as the ſame be not mitigated or reduced to leſs than One Moiety or Half Part thereof, excluſive of the Coſts and Charges awarded.

For Recevery of Coſts and Expences.

XXXV. And be it further enacted, That all Coſts, Charges, and Expences, allowed, ordered, or directed to be paid, and which ſhall or may be allowed, ordered, or directed to be paid, by or by Authority of this Act, or of either of the ſaid recited Acts, or any Rules, Orders, or Bye Laws, made or to be made in purſuance of this Act, or of either of the ſaid recited Acts, (where the Manner of aſcertaining or ſettling the ſame, is not particularly or otherwiſe directed by the ſaid Acts or either of them), ſhall from Time to Time, as Occaſion ſhall require, be aſcertained and ſettled by any One or more of His Majeſty's Juſtices of the Peace for the ſaid Borough and Town, who are hereby authorized and required to aſcertain and ſettle the ſame accordingly, and (where the Manner of recovering the ſame is not particularly or otherwiſe directed by the ſaid Acts or either of them), ſhall and may, in caſe the ſame ſhall not be paid on Demand, be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons made ſubject and liable to the Payment thereof, by or by Authority of ſuch Acts, Rules, Orders, and Bye Laws, or any or either of them, by Warrant under the Hands and Seals of any ſuch Juſtice or Juſtices of the

the Peace, which Warrant ſuch Juſtices of the Peace are hereby authorized and required to grant and iſſue; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Coſts, Charges, and Expences, or any of them, ſhall not be paid on Demand, it ſhall be lawful for any ſuch Juſtice or Juſtices of the Peace, and they are hereby authorized and required by Warrant under their Hands and Seals, to commit ſuch Perſon or Perſons to the Common Gaol or Houſe of Correction of and for the ſaid Borough and Town, or for the ſaid County of *Dorſet*, there to remain without Bail or Mainprize, for any Time not exceeding Two Calendar Months, unleſs ſuch Coſts, Charges, and Expences, ſhall be ſooner paid and ſatisfied.

Application of Penalties.

XXXVI. And it is hereby further enacted, That the reſpective Penalties and Forfeitures when recovered by virtue of this Act, and of all Rules, Orders, and Bye Laws made in purſuance thereof, ſhall be and the ſame are hereby veſted in the Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty of the ſaid Borough and Town, and their Succeſſors, and ſhall be applied in ſuch Manner and to ſuch Uſes as the Mayor, Aldermen, Bailiffs, Burgeſſes, and Commonalty of the ſaid Borough and Town for the Time being ſhall think fit, and to and for no other Uſe or Purpoſe whatſoever (except only in ſuch Caſes where the ſaid Penalties and Forfeitures are herein or by the ſaid recited Acts or either of them otherwiſe appointed or veſted).

Limitation of Proceedings for Recovery of Penalties.

XXXVII. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be ſubject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences againſt this Act, or any Rule, Order, or Bye Law to be made in purſuance thereof, unleſs ſome Proceeding ſhall be had according to the Directions of this Act, or of ſuch Rule, Order, or Bye Law reſpecting ſuch Offence or Offences, within Three Calendar Months next after the Offence committed.

Form of Conviction.

XXXVIII. And, for the more eaſy Conviction of Offenders, be it further enacted, That the Juſtice or Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, or againſt any Rule, Order, or Bye Law to be made in purſuance thereof, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in other Words to the ſame Effect; *videlicet*,

‘ Dorſet, Borough and Town of Waymouth and Melcombe Regis. } BE it remembered, That on the Day of in the Year
‘ of the Reign of His Majeſty King *George* is
‘ [*or*, are] convicted before me [*or*, us] of
‘ His Majeſty's Juſtices of the Peace, for the Borough and Town aforeſaid, by virtue of an Act of Parliament paſſed in the Year of the Reign of His Majeſty King *George* the Third, intituled,

‘ contrary to the ſaid Act [*or as the Caſe ſhall be*] contrary to a certain
‘ Bye Law made on the Day of
‘ purſuant to the ſaid Act; for which Offence I [*or*, we] adjudge the ſaid
‘ to have forfeited the Sum of [and (*if mitigated*) which I [*or*, we] mitigate to the Sum of
‘]. Given under my [*or*, our] Hands and Seals the Day and
‘ Year firſt above written.’

Appeal.

XXXIX. And be it further enacted, That if any Person or Persons shall think himself or themselves aggrieved by any Conviction in pursuance of this Act, or of any Rule, Order, or Bye Law to be made in virtue thereof, such Person or Persons shall and may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden in and for the said County of *Dorset* within Four Calendar Months after any such Conviction shall have arisen, such Appellant first giving or causing to be given Ten Days Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Justice or Justices of the Peace before whom such Person or Persons shall have been convicted, and to the Person or Persons who is or are intended to be affected by such Appeal, and within Six Days after such Notice, entering into a Recognizance before some Justice of the Peace of the said Borough and Town with Two sufficient Sureties conditioned to try such Appeal, and to abide such Order as shall be made, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions, and the said Justices at such Sessions or at some Adjournment thereof, shall and may summon the Witnesses, both on the Part of the Appellant and Respondent, to come before them, and upon due Proof of Notice having been given and of the entering into Recognizance in Manner herein-before mentioned, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and shall award such Restitution, Damages, and Costs to the Party or Parties appealing or appealed against, not exceeding the Amount of the Penalty, Charges, and Expences which shall have been actually recovered and received by any Person or Persons in pursuance of this Act, or of any such Rule, Order, or Bye Law, together with the reasonable Costs, Charges, and Expences of prosecuting or defending such Appeal, as the said Justices shall think proper; and the Determination of the said Justices at such Sessions or Adjournment shall be final, binding, and conclusive.

Officers may be displaced.

XL. And be it further enacted, That it shall and may be lawful for the said Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty from Time to Time to remove and displace any Officer or Person who shall be by them appointed by virtue of this Act for carrying into Execution any of the Purposes thereof, or of any Rule, Order, or Bye Law, that shall be made in pursuance of this Act, and to nominate and appoint such other Person or Persons as they shall think proper to supply the Place of such Officer or Person so removed and displaced as aforesaid.

Distress not unlawful.

XLI. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on Account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the special Damage in an Action upon the Case, but no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity or other Proceeding, if Tender of sufficient Amends, shall be made by or on the

Behalf of the Party or Parties who ſhall have committed or cauſe to be committed any ſuch Irregularity or wrongful Proceeding before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful for the Defendant or Defendants in any 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, ſhe, or they ſhall ſee fit, whereupon ſuch Proceedings or Orders and Judgements ſhall be had, made, and given in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Actions not to be void for want of Form.

XLII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, or againſt any Rule, Order, or Bye Law to be made in purſuance thereof, or any Order made or other Matter or Thing to be done or tranſacted in or relating to the Execution of this Act, or of any ſuch Rule, Order, or Bye Law, ſhall be made void or quaſhed for Want of Form, or be removed by *Certiorari* or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary notwithſtanding.

Limitation of Actions.

XLIII. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance thereof until Twenty-one Days Notice thereof ſhall be firſt given in Writing either to the Clerk of the Truſtees appointed under the ſaid recited Act of the Sixteenth Year of the Reign of His preſent Majeſty, of the Cauſe of Complaint reſpecting any Thing done or committed by or under the Authority of the ſaid Truſtees, and if for any other Matter or Thing, to the ſaid Town Clerk of the ſaid Borough and Town for the Time being, ſigned by the intended Plaintiff or Plaintiffs, of the Cauſe and Intention of and for commencing ſuch Action or Suit, nor at any Time whatſoever after ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which ſuch Action or Actions, Suit or Suits ſhall be ſo brought; and all ſuch Actions and Suits ſhall be laid and tried in the County of *Dorſet*, and not in any other County or Place; and that the Defendant or Defendants in every ſuch Action or Suit, and every of them, may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial or Trials which ſhall be had thereupon, and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits ſhall be ſo brought, was done in purſuance and by the Authority of this Act, or of any Rule, Order, or Bye Law made in purſuance thereof; and if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall happen that ſuch Action or Suit was brought before Twenty-one Days Notice thereof was given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid, or if any ſuch Action or Suit ſhal not be commenced within the Time before mentioned for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid, then the Jury or Juries ſhall find for the Defendant or Defendants therein; and if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions, or if Judgement ſhall be given for the Defendant or Defend-

ants therein, then and in either of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

Persons against whom Actions brought to pay Double Costs.

XLIV. And be it further enacted, That if any Action or Actions shall be brought by Order of the said Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty against any Person or Persons for any Thing relating to this Act, or the Powers herein contained, and a Verdict shall be had and given against the Person or Persons against whom such Action or Actions shall be brought, such Person or Persons shall pay Double Costs, and the Plaintiff or Plaintiffs in such Action or Actions shall have such Remedy and Remedies for recovering the same, as any Plaintiff or Plaintiffs may have for his, her, or their Costs in any Cases by Law.

Publick Act.

XLV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without being specially pleaded.

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