ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. xliii.

An Act for paving the Foot Ways and Croſs Paths, and lighting, watching, cleanſing, and improving the Streets, Lanes, and other public Paſſages and Places, in the Borough or Town of *Andevor*, in the County of *Southampton*. [12th *May* 1815.]

WHEREAS the Footways of the Streets, Lanes, and other public Paſſages and Places, within the Borough or Town of *Andevor*, in the County of *Southampton*, are in general much out of Repair, and very inconvenient for Foot Paſſengers: And whereas the ſaid Borough or Town hath a conſiderable Corn Market, and is a very great Thoroughfare, and it would be a material Benefit and Convenience to the Inhabitants of the ſaid Borough or Town, and all Perſons reſorting to the ſame, if Proviſions were made for paving, amending, and keeping in Repair the Footways and Croſspaths, and alſo for cleanſing, lighting, watering, and improving the Streets, Lanes, and other public Paſſages and Places in the ſaid Borough or Town, and eſtabliſhing a Nightly Watch, and for removing and preventing Encroachments, Obſtructions, Nuiſances, and Annoyances therein; but the uſeful and neceſſary Purpoſes 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

Commissioners appointed.

ment assembled, and by the Authority of the same, That the Bailiff and approved Men of the said Borough or Town, and each and every of them for the Time being, the Vicar of the Parish of *Andevor* for the Time being, *Robert Bird*, *Robert Baker*, *Francis Broome*, *Alexander Banks*, *Henry Criswick*, the Reverend *Robert Cole*, *William Burrough Child*, *George Criswick*, *Henry Beaumont Coles*, *Thomas Davis*, the Reverend *Robert Evans*, *Thomas Evans*, *Richard Footner*, *Kingston Fleet*, the Reverend *Stanley Goddard* Doctor of Divinity, *Henry Giles*, *William Gilbert*, *George Grace*, *William Wither*, *Pink Garrett*, *Charles Heath*, *Thomas Heath*, *William Hawkins Heath*, *John Holloway*, *Charles Jacob*, *Thomas Langstaff*, *Wintringham Loscombe*, *Seth Lawes*, *John Mortimore*, *Richard Menefy*, *William Major*, *Ambrose Massey*, *William New*, *William Neale*, Sir *John Walter Pollen* Baronet, *Edward Philips* Doctor of Medicine, *Thomas Parker*, *Benjamin Painter*, *Robert Portlock*, the Reverend *William Pedder*, *Thomas Rawlins*, *John Reeves*, the Reverend *William Seatin*, *Charles Sutton*, *Samuel Shawe*, *John Stratton*, *Robert Stokes*, *John Henry Todd*, *William Gilbert Taplin*, *George Thompson*, *George Vidler*, *Thomas Woolven*, *James Wignall*, *John Windover*, *Joseph Wakeford* Mealmen, *Richard Whitehorn*, *William Steele Wakeford*, *Joseph Wakeford* Banker, *John Woodward*, *John Wheeler*, *John Wildey*, *Joseph Waight*, and *Benjamin Willshire*, and their Successors, shall be and they are hereby appointed Commissioners for carrying this Act into Execution, such Commissioners being respectively duly qualified, and taking and subscribing the Oath or Affirmation in the Words or to the Purport herein-after mentioned and required; and in case of the Death of any of the above named Commissioners, or of not being a Householder in the said Borough or Town, or of their Refusal or Neglect to act in the Execution of this Act for the Space of One whole Year, it shall and may be lawful for the surviving or other Commissioners, or any Seven or more of them, from Time to Time, by Writing under their Hands, to elect some other Person qualified in the Manner herein-after mentioned, in the Place or Stead of the Commissioners so dying, removing, neglecting, or refusing to act, Ten Days Notice of the Time and Place of Meeting for every such Election being given in Writing, signed by the Clerk to the said Commissioners for the Time being, and affixed on One of the Doors of the Parish Church of *Andevor* aforesaid, and on some conspicuous Part of the Guildhall within the said Borough or Town; and every Person so elected shall, from the Time of his Election, have the same Power and Authority for putting this Act into Execution as if he had been expressly named and appointed a Commissioner in and by this Act.

Qualification of Commissioners.

II. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, who shall not in his own Right or in the Right of his Wife, be in the actual Possession and Enjoyment of or in receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, situate within the said Borough or Town, of the clear yearly Value of Twenty Pounds or upwards, above Reprisals or Incumbrances, or possessed of such Estate or Estates as last mentioned, and a Personal Estate jointly, or a Personal Estate alone, to the Amount or Value of One Thousand Pounds over and above the Amount of his Debts, or who shall not be Tenant or Occupier of Messuages, Lands, Tenements, or Hereditaments, in the said Borough or Town, at a yearly Rent of Thirty Pounds or upwards, nor shall any Person be capable of acting as a Commissioner in the Execution of this Act, (except in administering the Oath or Affirmation herein-after mentioned) until he shall have taken and subscribed before

before One or more of the ſaid Commiſſioners, (who is and are hereby empowered to adminiſter the ſame) an Oath or Affirmation in the Words or to the Effect following:

Commiſſioners Oath.

'I *A. B.* do ſwear (or being One of the People called *Quakers*, do ſolemnly affirm) that I do believe in my Conſcience that I am really and *bonâ fide* qualified to act as a Commiſſioner for putting into Execution an Act made and paſſed in the Fifty-fifth Year of the Reign of His preſent Majeſty King *George* the Third, intituled [*here ſet forth the Title of this Act*] and that I will truly and impartially, according to the beſt of my Skill and Judgement, execute and perform all and every the Powers and Authorities repoſed in me as a Commiſſioner by virtue of the ſaid Act.

'So help me GOD.'

Penalty on Perſons not qualified acting as Commiſſioners.

III. And be it furthier enacted, That if any Perſon not qualified in Manner herein-before mentioned to act as a Commiſſioner, ſhall act as ſuch in the Execution of the Powers hereby given or any of them, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Proſecution of any Perſon or Perſons whomſoever, 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, Privilege, or Wager of Law, or 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 without any other Proof or Evidence being given on the Part of the Plaintiff or Proſecutor, than that ſuch Perſon had acted as a Commiſſioner in the Execution of this Act; and the Money ſo to be recovered ſhall, after Payment of the Coſts and Expences attending the Recovery thereof, be paid as follows, (that is to ſay), One Moiety thereof to the Informer or Proſecutor, and the other Moiety thereof to the Treaſurer to be appointed by virtue of this Act, to be by him applied to the Purpoſes thereof: Provided always, that no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, during the Time he ſhall hold any Office under the ſaid Commiſſioners, (except the Office of Treaſurer) or during ſuch Time as he ſhall have any Share or Intereſt in any Contract to be performed relating to the Execution of any of the Powers of this Act.

Commiſſioners not to act if intereſted.

Time and Place of Commiſſioners Firſt Meeting.

IV. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may, and they are hereby authorized and required to hold their Firſt Meeting at the Guildhall of the ſaid Borough or Town of *Andevor*, on the Third *Monday* after the paſſing of this Act, between the Hours of Nine in the Forenoon and Four in the Afternoon, and proceed to the Execution of this Act, and ſhall and may then and from Time to Time afterwards, adjourn themſelves, to meet at the Place aforeſaid, or at ſuch other Place or Places within the Borough or Town aforeſaid, and as often as they the ſaid Commiſſioners, or any Seven or more of them, or in caſe ſo many ſhall not be aſſembled, as any Two or more of them (Two Commiſſioners to be deemed ſufficient for the Purpoſe of any Adjournment), ſhall think proper or convenient for putting this Act into Execution, ſo that no Adjournment to be made by leſs than Seven Commiſſioners, ſhall be made for a longer Space of Time than Twenty-eight Days, and no Adjournment whatever to be made in purſuance of this Act, ſhall be

be made for a longer Space of Time than Eight Weeks; and if it ſhall happen that Two Commiſſioners ſhall not appear at any Meeting after the Firſt Meeting appointed to be held by the ſaid Commiſſioners, that then and in every ſuch Caſe the Clerk to the ſaid Commiſſioners ſhall and may adjourn ſuch Meeting to the ſame Day in the next enſuing Week, to be holden at the ſame Place and Hour as the Meeting at which ſuch Adjournment ſhall be made, ſhall have been appointed to be holden; and that if ſuch Clerk ſhall refuſe, neglect, or omit to make ſuch Adjournment, or if at any Meeting of the ſaid Commiſſioners an Adjournment ſhall be omitted to be made, or if any Adjournment ſhall be made by leſs than Seven Commiſſioners for a longer Space of Time than Twenty-eight Days, or any Adjournment whatever ſhall be made for a longer Space than Eight Weeks, or any wrong Adjournment ſhall be made, that then and in every or either of ſuch Caſes the Meeting of the ſaid Commiſſioners ſhall inſtantly, and *ipſo facto* ſtand and be adjourned to the ſame Day in the next enſuing Week, to be then held at the ſame Hour of the Day, and at the ſame Place as the Meeting at which ſuch Omiſſion or Miſtake ſhall happen, ſhall have been appointed to be holden, and ſo from Week to Week, until a ſufficient Number of Commiſſioners ſhall meet; and the ſaid Commiſſioners, or any Seven or more of them, ſhall and may and are hereby required and directed to meet accordingly, at the Time and Place of ſuch Adjournment, to proceed to the Execution of this Act: Provided always, that no Adjournment ſhall be made by leſs than Seven Commiſſioners, or by the Clerk to the ſaid Commiſſioners, nor in Default thereof or in conſequence of any Adjournment whatſoever being made for more than Twenty-eight Days or Eight Weeks reſpectively as aforeſaid, or of any wrong Adjournment, ſhall any Meeting ſtand *ipſo facto* adjourned in Manner above-mentioned, until after the Expiration of One Hour next after the Hour at which ſuch Meeting ſhall have been appointed to be holden.

Seven Commiſſioners may make Orders for carrying this Act into Execution.

V. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may from Time to Time, at any of their Meetings make ſuch Orders, Rules, and Regulations, as to them or the major Part of them preſent at ſuch Meeting ſhall appear neceſſary for the better and more effectually carrying this Act into Execution, ſo as ſuch Orders, Rules, and Regulations be not repugnant to the Laws of this Realm, or any Thing in this Act contained; provided that no ſuch Order, Rule, and Regulation ſhall be revoked, amended, altered, or made void, unleſs at a Meeting of the ſaid Commiſſioners, at which Meeting Nine or more of them ſhall concur in ſuch Revocation, Amendment, or Alteration.

Power of calling Special Meetings.

VI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Twelve or more of them, from Time to Time as they ſhall ſee Occaſion, by a public Notice ſigned by their Clerk and affixed on One of the Doors of the Pariſh Church of *Andevor* aforeſaid, and by a like Notice to be affixed on the Door or ſome other conſpicuous Part of the Guildhall in the ſaid Borough or Town, to appoint a Special Meeting of the Commiſſioners to be holden at any Place in the Borough or Town of *Andevor* aforeſaid, at any Time not leſs than Eight Days after the affixing ſuch Notice, as they ſhall judge proper for the Execution of this Act; and the ſaid Commiſſioners, or any Twelve or more of

of them ſhall and may meet at the Time and Place mentioned in ſuch Notice; and ſhall and may then and there proceed to the Execution of this Act in ſuch and the like Manner as if the Meeting of the ſaid Commiſſioners had been regularly adjourned to ſuch Time and Place; any Adjournment, Non-Adjournment, or wrong Adjournment of the Meeting of the ſaid Commiſſioners notwithſtanding: Provided nevertheleſs, that no Order ſhall be made, altered, or revoked at ſuch Special Meeting, unleſs Three out of every Four in Number of the Commiſſioners then preſent ſhall concur in ſuch Order, Alteration, or Revocation.

Meetings of Commiſſioners for executing the Purpoſes of this Act.

VII. And be it further enacted, That at every Meeting of the ſaid Commiſſioners to be holden by virtue of this Act (except at Special Meetings, and as otherwiſe in this Act is expreſſed) the Powers and Authorities hereby granted ſhall be carried into Execution by the major Part of the Commiſſioners, there being Seven Commiſſioners at the leaſt preſent at ſuch Meeting; and at every Meeting of the ſaid Commiſſioners One of them then preſent at ſuch Meeting, as the major Part of them ſhall appoint, ſhall preſide and be called Chairman, and in caſe of Equality of Votes, including his own, ſuch Chairman ſhall upon all Occaſions have another and caſting Vote, and no Act or Order of the ſaid Commiſſioners ſhall be valid unleſs done or made at ſome public Meeting to be held in purſuance and according to the Directions of this Act; and the Commiſſioners ſhall at all their Meetings pay their own Expences; and the ſaid Commiſſioners, or any Seven or more of them, ſhall cauſe to be provided and kept a Book or Books, wherein all Acts, Orders, and Proceedings of the ſaid Commiſſioners at their ſeveral Meetings, and all ſuch Rules, Orders, and Regulations, as ſhall be by them made, and the Names of the Commiſſioners then preſent, ſhall from Time to Time be fairly written and entered by their Clerk, or by ſuch other Perſon as the Chairman at any Meeting (in caſe of the Abſence of the ſaid Clerk) ſhall nominate or appoint to act in the Place or Stead of ſuch Clerk at ſuch Meeting; and the Commiſſioners, or the Majority of them, or ſuch other Number of them as by this Act is required for the making, altering, or revoking any Order, Rule, or Regulation, then preſent, ſhall ſubſcribe their Names at the End of the Proceedings of every ſuch Meeting, and all ſuch Entries ſo ſigned ſhall be deemed Originals, and ſhall be admitted to be read in Evidence in all Cauſes, Suits, Indictments, and Actions touching any Thing done in purſuance or by the Authority of this Act; and all and every ſuch Book and Books ſhall at every ſuch Meeting of the ſaid Commiſſioners, be open for Inſpection of any Perſon or Perſons, who ſhall or may be rated or pay to any Rate or Rates which ſhall be made in purſuance or by virtue of this Act, or who may be affected by any Order made by the ſaid Commiſſioners, or any of them, or his or their Counſel, Attorney, Solicitor, or Agent, lawfully authorized; and the Clerk to the ſaid Commiſſioners for the Time being ſhall at all reaſonable Times (except during the Meetings of the ſaid Commiſſioners) on the Demand of any ſuch Perſon or Perſons, his or their Counſel, Attorney, Solicitor, or Agent as aforeſaid, produce the ſaid Book or Books, and permit the ſame to be inſpected by all or any ſuch Perſon or Perſons, Counſel, Attorney, Solicitor, or Agent, he, ſhe, or they paying to the ſaid Clerk One Shilling for every ſuch Inſpection; and ſuch Clerk ſhall, within a reaſonable Time after ſuch Demand, give to ſuch Perſon or Perſons, Counſel, Attorney, Solicitor, or Agent, a true Copy of any Order, Minute, Matter, or

Commiſſioners to bear their own Expences.

Proceedings to be ſigned by Commiſſioners.

Books may be inſpected by Perſons rated, &c.

Thing contained in the ſaid Book or Books, on being paid for the ſame in Manner following; (that is to ſay), the Sum of Sixpence where the ſame ſhall not exceed the Number of Seventy-two Words; and where the ſame ſhall exceed the Number of Seventy-two Words, then at and after the Rate of Sixpence for every Seventy-two Words, after the Firſt Seventy-two Words.

Commiſſioners may act as Juſtices.

VIII. And be it further enacted, That it ſhall and may be lawful for ſuch Commiſſioners, who ſhall or may for the Time being be Bailiff and Juſtices of the Peace for the Borough or Town of *Andevor* aforeſaid, to act as Juſtice or Juſtices of the Peace within their reſpective Juriſdictions, for putting in Execution the ſeveral Powers and Authorities granted by this Act, notwithſtanding their being Commiſſioners; and in all Caſes where Cognizance is given by this Act to any Juſtice or Juſtices of the Peace, it ſhall be lawful for ſuch Bailiff, Juſtice or Juſtices of the Peace, to adminiſter an Oath to any Perſon or Perſons, for more certain Information in the Matter depending.

Commiſſioners may appoint and remove Officers.

IX. And be it further enacted, That the ſaid Commiſſioners, or any Ten or more of them, being the Majority of the Commiſſioners preſent, ſhall and may at their firſt or any ſubſequent Meeting to be holden in purſuance of this Act, nominate and appoint under their Hands, in the Book or Books wherein the Proceedings of the ſaid Commiſſioners ſhall from Time to Time be entered, one Perſon to be Clerk to the ſaid Commiſſioners; one other Perſon to be Treaſurer of the Monies to be raiſed by virtue and for the Purpoſes of this Act; one other Perſon to be Collector of the ſaid Monies; and alſo all ſuch other Officers and Perſons for the Execution of this Act, as the ſaid Commiſſioners, or any Ten or more of them, (being ſuch Majority as aforeſaid), ſhall think proper, and from Time to Time, at any Meeting to be called for that Purpoſe, to remove him or them, and appoint others in the Room of ſuch of them as ſhall be ſo removed, or ſhall otherwiſe relinquiſh or diſcontinue ſuch Office or Offices, and out of the Monies to be raiſed by virtue of this Act, pay ſuch Salaries, Wages, and Allowances to the ſaid Clerk, Treaſurer, Collector, and other Officers and Perſons as they ſhall think reaſonable; and the ſaid Commiſſioners, or any Ten or more of them, ſhall and may and are hereby required to take ſuch Security from the Clerk, Treaſurer, or other Officers and Perſons for the due Execution of their reſpective Offices as they ſhall think proper; and all ſuch Officers and Perſons ſo to be appointed ſhall, under their Hands (at ſuch Time and Times, and in ſuch Manner as the ſaid Commiſſioners, or any Seven or more of them, ſhall direct), deliver to the ſaid Commiſſioners, or any Seven or more of them, or to ſuch Perſon as they ſhall appoint, true and perfect Accounts in Writing, of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Officer and Perſon reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed by Order of the ſaid Commiſſioners, and for what Purpoſe, together with the proper Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain due from them reſpectively, to the ſaid Commiſſioners, or any Seven or more of them, or to ſuch Perſon or Perſons as they ſhall appoint; and if any ſuch Officer or Perſon ſhall neglect or refuſe to make and render any ſuch Accounts, or to produce or deliver up the Vouchers

Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall neglect to deliver to the ſaid Commiſſioners, or any Seven or more of them, or to ſuch Perſon as they ſhall appoint, within Thirty Days next after being thereunto required by the ſaid Commiſſioners, or any Seven or more of them, by Notice in Writing, to be given 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 give Satisfaction to the ſaid Commiſſioners reſpecting the ſame, then, and in any of the Caſes aforeſaid, the ſaid Commiſſioners, or any Seven or more of them, may and are hereby authorized and empowered to cauſe an Action to be brought againſt the Officer or Perſon ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall remain due from him, with Coſts of Suit, or if Complaint ſhall be made by the ſaid Commiſſioners, or any Seven or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Neglect or Refuſal as aforeſaid, to any One or more Juſtice or Juſtices of the Peace acting in and for the ſaid Borough or Town of *Andevor*, ſuch Juſtice or Juſtices may and are hereby authorized to iſſue a Summons, under his or their Hand and Seal, or Hands and Seals, requiring ſuch Officer or Officers to appear before him or them at ſuch Time and Place as ſhall in ſuch Summons be appointed (which Summons ſhall be directed to and ſerved by any One of the Conſtables of the Borough or Town of *Andevor* aforeſaid, for the Time being, by delivering it to or leaving it at the Houſe or uſual Place of Abode of ſuch Officer or Officers, or in caſe of his or their Removal out of the ſaid Borough or Town, at his or their laſt Place of Abode therein; and upon ſuch Officer or Officers appearing or making Default, or not being to be found, the ſaid Juſtice or Juſtices ſhall and may hear and determine the Matter of ſuch Complaint in a ſummary Way; and if, upon the Confeſſion of the Party, or upon the Teſtimony of One or more credible Witneſs or Witneſſes, upon Oath (which Oath the ſaid Juſtice or Juſtices is and are hereby empowered to adminiſter), it ſhall appear to ſuch Juſtice or Juſtices, that any of the Monies that ſhall have been collected or raiſed by virtue of this Act ſhall remain due from ſuch Officer or Perſon, ſuch Juſtice or Juſtices may and is and are hereby authorized and required, upon Non-payment thereof, by a Warrant under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Perſon; and if no Goods or Chattels of ſuch Officer or Perſon can be found ſufficient to anſwer and ſatisfy the ſaid Monies, and the Charges of diſtraining and ſelling the ſame, or if it ſhall, in Manner aforeſaid, appear to ſuch Juſtice or Juſtices, that ſuch Officer or Perſon ſhall have neglected or refuſed 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, ſhall be in the Cuſtody or Power of ſuch Officer or Perſon, and he ſhall have neglected or refuſed to deliver or give Satisfaction reſpecting the ſame as aforeſaid; then, and in any of the Caſes aforeſaid, ſuch Juſtice or Juſtices ſhall commit ſuch Offender to the Common Gaol for the Borough or Town aforeſaid, there to remain, without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Commiſſioners, or any Seven or more of them, for ſuch Money, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Commiſſioners are hereby em-

powered to make and receive), and until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof, to the ſaid Commiſſioners as aforeſaid; provided that no Perſon who ſhall be committed for want of Diſtreſs, ſhall be committed or detained in Priſon for any longer Space of Time than Six Calendar Months.

For filling up Vacancies in Offices.

X. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Ten or more of them, being the Majority of the ſaid Commiſſioners preſent at any Meeting to be holden in purſuance of this Act, when and ſo often as any Vacancy or Vacancies ſhall happen in the ſaid Office of Clerk, Treaſurer, Collector, or any or either of them, to nominate and appoint, under their Hands, in the ſaid Book or Books of Proceedings, ſuch other Perſon or Perſons to ſupply ſuch Vacancy or Vacancies as the ſaid Commiſſioners, or any Ten or more of them, being ſuch Majority as aforeſaid, ſhall think proper; and the ſaid Commiſſioners, or any Ten or more of them, being ſuch Majority as aforeſaid, ſhall and may, at any Meeting to be holden in purſuance of this Act, remove or diſplace all or any of the ſaid Officers, and nominate and appoint, under their Hands, in the ſaid Book or Books of Proceedings, ſuch other Perſon or Perſons, in the room of him or them ſo removed or diſplaced, as the ſaid Commiſſioners, or any Ten or more of them, ſhall think proper: Provided always, nevertheleſs, that public Notice in Writing of the Intention of the Commiſſioners to fill up ſuch Vacancy or Vacancies, or to remove or diſplace ſuch Officer or Officers, and appoint One or more Perſon or Perſons in his or their room, at any ſuch Meeting or Meetings, ſigned by the ſaid Clerk, or any Two or more of the ſaid Commiſſioners for the Time being, ſhall be affixed upon a Door of the Pariſh Church of *Andevor* aforeſaid, and upon ſome conſpicuous Part of the Guildhall of the ſaid Borough or Town, not leſs than Twelve nor more than Twenty-eight Days previous to the Meeting at which ſuch Vacancy or Vacancies is or are intended to be filled up, or ſuch Officer or Officers is or are intended to be removed or diſplaced, and ſome other Perſon or Perſons to be appointed in his or their room.

Treaſurer to pay Money as ordered by Commiſſioners.

XI. And be it further enacted, That the Treaſurer to the ſaid Commiſſioners ſhall and may, and he is hereby authorized and required, out of the Monies from Time to Time to be received by him by virtue of this Act, to pay all Sums of Money which the ſaid Commiſſioners, or any Seven or more of them, ſhall from Time to Time draw upon him for or order him to pay; and the ſaid Treaſurer ſhall and he is hereby required to keep regular and clear Entries in a Book or Books for that Purpoſe, to be by him provided and kept, of all and ſingular his Receipts and Payments, on account or in purſuance of this Act, and ſhall, on the Sixth Day of *July* yearly, or at the Firſt Meeting of the ſaid Commiſſioners then next following, lay the ſaid Accounts before the ſaid Commiſſioners to be audited, paſſed, and allowed.

Action to be brought in the Name of the Treaſurer.

XII. And be it further enacted, That the ſaid Commiſſioners may ſue and be ſued in the Name of their Treaſurer for the Time being, and that all Actions or Suits that may be neceſſary to be brought by Order of the Commiſſioners, againſt any Perſon or Perſons, by virtue or in purſuance of this Act, the ſame ſhall be brought in the Name of their Treaſurer, on Behalf of the ſaid Commiſſioners; and no ſuch Action or Suit ſhall abate

or

or be discontinued by the Death or Removal of such Treasurer, or by any Act or Default of any such Treasurer done or suffered, without the Consent and Direction of the said Commissioners for the Time being; but the Treasurer to the said Commissioners shall always be deemed Plaintiff or Defendant in such Action or Suit, (as the Case may be): Provided always, that all Costs and Expences to be incurred by or on Behalf of the said Commissioners, or any Person or Persons employed by them, in prosecuting or defending any Action or Suit touching the Execution of this Act, shall be defrayed out of the Money arising by virtue of this Act, unless such Action or Suit shall arise in consequence of the wilful Neglect or Default of such Treasurer, or shall be brought, commenced, or defended, without the Order or Direction of the said Commissioners, or any Seven or more of them.

Limits of the Borough or Town for the Purposes of this Act.

XIII. And be it further enacted, That for the Purposes of this Act, the Limits and Extent of the said Borough or Town of *Andevor* shall be and shall be deemed and taken to be from the Guildhall of the said Borough or Town, on every Side thereof, to the Distance or Space of Three Quarters of a Mile, such Distance or Space to be ascertained by the nearest public Highway; and that all Dwelling Houses, Shops, Warehouses, Mills, Cellars, Vaults, Stables, Coach Houses, Brewhouses, Brewing Offices, Granaries, Malt Houses, Store Houses, and other Buildings, Yards, and Gardens, which are now or shall at any Time hereafter be situate within the Limits and Extent aforesaid, shall be subject and liable to the several Powers and Authorities in this Act contained.

Commissioners may make Rates on Occupiers to defray the Expence of Paving, &c.

XIV. And, for defraying the Charges and Expences of obtaining and carrying the Purposes of this Act into Execution, be it further enacted, That from and after the Twenty-fourth Day of *June* One thousand eight hundred and fifteen, one or more Rate or Rates, Assessment or Assessments shall, once in the Year, or oftener if it shall be thought needful by the said Commissioners, be made, laid, or assessed by the said Commissioners, or any Seven or more of them (being the Majority of the said Commissioners who shall be present at any Meeting to be held in pursuance of this Act, of the Time, Place, and Purpose of which, Fourteen Days Notice at the least shall be given by the Clerk to the said Commissioners, by Writing affixed on One of the Doors of the Church, and on some conspicuous Part of the Guildhall in the said Borough or Town) upon all and every Person or Persons who do or shall inhabit, hold, or occupy any Dwelling House, Shop, Warehouse, Mill, Cellar, Vault, Stable, Coach House, Brewhouse, Brewing Offices, Granary, Malt House, Store House, and other Buildings, Yard, or Garden, within the Borough or Town of *Andevor* aforesaid, in such competent Sum and Sums of Money as the said Commissioners, or any Seven or more of them, shall yearly and every Year, or oftener as aforesaid, if needful, order and direct, so as such Rate or Assessment shall not exceed in any One Year the Sum of Three Shillings in the Pound, according to the yearly Value of any such Dwelling House, Shop, Warehouse, Mill, Cellar, Vault, Stable, Coach House, Brewhouse, Brewing Offices, Granary, Malt House, Store House, or other Buildings, Yard, or Garden, and the First Year for which such Assessment shall be made shall commence and be computed from the Twenty-fourth Day of *June* One thousand eight hundred and fifteen, but no Person or Persons shall be charged with or to any Rates or Assessments to be made by virtue

Houſes under the yearly Value of Five Pounds, and Places of Religious Worſhip exempt.

of this Act, for or in reſpect of any Dwelling Houſe which, together with the Offices, Yard, or Garden thereto belonging, ſhall not be of the yearly Value of Five Pounds, or for or in reſpect of any Churches, Chapels, Meeting Houſes, or other Buildings within the ſaid Borough or Town which are excluſively and ſolely appropriated to Public Religious Worſhip, or to Public Religious Worſhip and gratuitous Inſtruction of the Poor, or for or in reſpect of the Free Grammar School and School Houſe thereto adjoining, in the ſaid Borough or Town: Provided always, that the ſaid Commiſſioners, or any Seven or more of them, ſhall and may, if they think proper, at any Meeting, amend any ſuch Rate or Aſſeſſment, Rates or Aſſeſſments, after the ſame ſhall have been made and ſigned, by inſerting the Name of any Perſon who ought to have been, but had not been rated or aſſeſſed, or by altering the Sum or Sums charged in any ſuch Rate or Aſſeſſment on any Perſon or Perſons, or in any other Manner which the ſaid Commiſſioners ſhall think proper, for making the ſame a juſt and equal Rate or Aſſeſſment, without wholly ſetting aſide or quaſhing the ſame.

Commiſſioners may amend Rates.

Commiſſioners may inſpect Public Rates.

XV. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any other Perſon or Perſons by them appointed, at all reaſonable Times, to inſpect, without Fee or Reward, the Books of Aſſeſſment of the Land Tax and Aſſeſſed Taxes of or for, or which do or ſhall relate to the ſaid Borough or Town of *Andevor*, and alſo to require and have Copies thereof, and Extracts therefrom, which Inſpections the Collectors of the Land Tax and other Taxes, or other Officer or Officers, Perſon or Perſons, having the Cuſtody of ſuch Books and Aſſeſſments, are hereby required to permit and ſuffer, and alſo to make and deliver to the ſaid Commiſſioners, or ſuch other Perſon or Perſons to be by them appointed as aforeſaid, true Copies or Extracts of all and every or any of ſuch Aſſeſſments, upon being paid Four-pence a Sheet for each and every ſuch Copies or Extracts ſo taken, each Sheet to be computed at and contain Seventy-two Words; and in caſe any ſuch Collector or Collectors of the ſaid Land Tax and other Taxes, or other Officer or Officers, Perſon or Perſons having the Cuſtody of any ſuch Books or Aſſeſſments, ſhall neglect or refuſe to do ſo within Five Days after the Order of the ſaid Commiſſioners, or any Three or more of them, for that Purpoſe, ſhall be produced and ſhewn to him or them, or left at his or their laſt or moſt uſual Place of Abode, then and in every ſuch Caſe, he or they ſo refuſing or neglecting ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Ten Pounds.

Rates to be ſigned by Two Juſtices.

XVI. And be it further enacted, That all Rates made by virtue of this Act, ſhall be allowed and ſigned by Two Juſtices of the Peace acting in and for the ſaid Borough or Town, who are alſo hereby empowered and required to grant a Warrant or Warrants for collecting thereof, as alſo for levying the ſame, by ſuch Perſon or Perſons as the ſaid Commiſſioners, or any Seven or more of them ſhall appoint; and which Warrant ſhall be ſufficient Authority to the reſpective Perſons thereby authorized for the Purpoſes therein mentioned, and the ſaid Rates, after the ſame ſhall be allowed and ſigned by the ſaid Juſtices, ſhall be collected Half-yearly or oftener if the ſaid Commiſſioners, or any Seven or more of them ſhall think it neceſſary, by the Collector or Collectors or other Perſon or Perſons to be appointed as aforeſaid, and to be paid over by ſuch Collector or Collectors as aforeſaid, into the Hands of the Treaſurer to the ſaid Commiſſioners for the Time being.

XVII. And

Rates on Houſes let to divers Tenants to be paid by the Landlord.

XVII. And whereas ſeveral Houſes within the ſaid Borough or Town, may be, by the Landlords or Owners thereof, let out into Lodgings or Tenements, to divers Tenants or to poor People, whereby it may be difficult or inconvenient to rate ſuch Houſes, and to recover ſuch Rates and Aſſeſſments when made; for Remedy thereof, be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may rate or aſſeſs the Landlord or Owner of any Houſe which ſhall be let to or occupied by Two or more Tenants, and the Landlord or Owner of every ſuch Houſe ſhall pay the ſame accordingly.

Houſes, &c. unoccupied not rateable.

XVIII. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be liable to pay any Rate or Aſſeſſment to be made under the Authority of this Act, for or in reſpect of any Meſſuage, Houſe, or other Building, which ſhall be unoccupied during the whole Quarter of a Year in or for which the Quarterly Portion or Rate, or Aſſeſſments demanded, ſhall have become or accrued due.

Power to diſtrain for Recovery of Rates, and Occupiers quitting without paying Rates may be followed.

XIX. And be it further enacted, That for the better enforcing the Payment of the Rates or Aſſeſſments to be made by virtue of this Act, if any Perſon or Perſons liable to pay any of the ſaid Rates or Aſſeſſments ſhall refuſe or neglect to pay the Money rated or aſſeſſed upon him, her, or them, and all Arrears due thereon, for the Space of Seven Days next after perſonal Demand made thereof, or Demand thereof in Writing, left at the Place of Abode of ſuch Perſon or Perſons, or ſhall begin to remove his, her, or their Goods or Furniture from the Houſe or Premiſes in his, her, or their Occupation, or ſhall quit his or her Dwelling Houſe, Shop, Warehouſe, Mill, Cellar, Vault, Stable, Coach Houſe, Brewhouſe, Brewing Offices, Granary, Malt Houſe, Store Houſe, or other Building, Yard or Garden, in reſpect of which ſuch Rate or Aſſeſſment ſhall have been made, before he, ſhe, or they ſhall have paid the ſame, and ſhall afterwards neglect or refuſe to pay the ſame when due and demanded as aforeſaid, by the Perſon or Perſons authorized and appointed to collect and receive the ſame; that then and in every ſuch Caſe (after ſuch Perſon or Perſons ſo liable to pay any of the ſaid Rates or Aſſeſſments ſhall have been ſummoned to appear before any Juſtice of the Peace for the ſaid Borough or Town, and not appearing, or appearing ſhall refuſe to pay ſuch Rate or Aſſeſſment) it ſhall and may be lawful for any ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners, or any Seven or more of them, by Warrant under the Hand and Seal of any One or more Juſtice or Juſtices of the Peace acting in and for the Borough or Town aforeſaid, or for the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Perſon ſhall remove to or reſide, or where any Goods and Chattels of ſuch Perſon ſhall be found, (which Warrant ſuch Juſtice or Juſtices is and are hereby empowered to grant, upon Proof made of the Sum ſo due, upon the Oath of One or more credible Witneſs or Witneſſes) to levy ſuch Rate or Rates by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon ſo neglecting or refuſing, rendering the Overplus (if any) after Payment of the Money due in reſpect of ſuch Rate or Aſſeſſment, and the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, unto the Perſon whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold.

Rates apportioned between Occupiers quitting, &c.

XX. Provided always, and be it further enacted, That in all Caſes where any Perſon or Perſons ſhall remove from or quit any Houſe, Build-

ing, Garden, Tenement, or Hereditament, rated or aſſeſſed, or liable to be rated or aſſeſſed by virtue of this Act, ſuch Perſon or Perſons ſhall be liable to pay ſuch Rate or Aſſeſſment in proportion to the Time that he, ſhe, or they occupied the ſame reſpectively in like Manner as if ſuch Perſon or Perſons had not removed or quitted the ſame; and in all Caſes where any Perſon or Perſons ſhall come into or occupy any Houſe, Building, Garden, Tenement, or Hereditament, rated or aſſeſſed, or liable to be rated or aſſeſſed as aforeſaid, out of or from which any other Perſon who ſhall have been rated or aſſeſſed for the ſame ſhall have removed, or which, at the Time of making ſuch Rate or Aſſeſſment, was empty or unoccupied, the Perſon or Perſons coming into or occupying the ſame ſhall be liable to pay ſuch Rate or Aſſeſſment in proportion to the Time that ſuch Perſon or Perſons ſhall have occupied the ſame, in like Manner as if he, ſhe, or they had been originally rated or aſſeſſed for ſuch Houſe, Building, Garden, Tenement, or Hereditament; which ſaid reſpective Proportions, in caſe of Diſpute, ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any Seven or more of them.

Perſons paying the Rate exempt from other Expences.

XXI. And be it further enacted, That all and every Perſon and Perſons paying the Rates and Aſſeſſments hereby authorized to be levied within the ſaid Borough or Town ſhall be and they and every of them is and are exempted and diſcharged from all other Charges and Expences of paving, lighting, watching, cleanſing, or fencing off any Part or Parts of the Footways and Croſspaths of the ſaid Borough or Town.

Aſſeſſment not to extend to Arable or Paſture Land.

XXII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to authorize or empower the ſaid Commiſſioners to rate or aſſeſs any Perſon or Perſons whomſoever, for the Purpoſes aforeſaid, for or in reſpect of the Occupation or Poſſeſſion of any Arable, Meadow, or Paſture Lands, Orchards, Nurſery, or other Grounds, nor for or in reſpect of any Gardens, occupied by Gardeners or other Perſons ſeeking a Livelihood by the Cultivation thereof, or for or in reſpect of any Barns, Yards, Stables, or other Buildings, principally appropriated to the Purpoſes of Huſbandry.

Commiſſioners may borrow Money on the Credit of the Rates.

XXIII. And, for the more effectually enabling the ſaid Commiſſioners to execute the Purpoſes of this Act, be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Nine or more of them, and they are hereby authorized and empowered from Time to Time, when they ſhall judge neceſſary, to borrow and take up at Intereſt any Sum or Sums of Money, upon the Credit of the Rates or Aſſeſſments herein-before granted or authorized to be raiſed, and by any Writing or Writings under their Hands and Seals to mortgage, demiſe, grant, or aſſign over the ſaid Rates or Aſſeſſments, or any Part or Parts thereof, to the Perſon or Perſons who ſhall advance and lend ſuch Money, or his or their Truſtee or Truſtees, as a Security or Securities for the Money ſo to be borrowed, together with the Intereſt for the ſame; and every ſuch Mortgage or Aſſignment ſhall be in the Words, or to the Effect following; *videlicet*,

Form of Aſſignment.

‘ BY virtue of an Act paſſed in the Fifty-fifth Year of the Reign of His
‘ Majeſty King *George* the Third, intituled [*here inſert the Title of this*
‘ *Act*], we of the Commiſſioners appointed
‘ by virtue of the ſaid Act, in conſideration of the Sum of
‘ advanced

'advanced and lent by *A. B.* upon the Credit and for the Purpoſes of the 'ſaid Act, do grant, bargain, ſell, and demiſe, unto the ſaid *A. B* his 'Executors, Adminiſtrators, and Aſſigns, ſuch Proportions of the Rates 'and 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 charged 'upon the Credit of the ſaid Act, to be had and holden from the 'Day of , in the Year 'until the Sum of with Intereſt at 'per Centum per Annum for the ſame ſhall be repaid and ſatisfied. In 'Witneſs whereof, we have hereunto ſet our Hands and Seals, this 'Day of in the Year of our Lord .'

No Preference in reſpect of Priority.

And every ſuch Aſſignment ſhall be good, valid, and effectual, and all Perſons to whom ſuch Mortgages or Aſſignments ſhall be made, or who ſhall be entitled to the Money thereby ſecured, ſhall be, in proportion to the Sums therein reſpectively mentioned, Creditors on the ſaid Rates or Aſſeſſments equally one with another, without any Preference in reſpect to the Priority of advancing any ſuch Money, or the Dates of any ſuch Mortgages or Aſſignments.

Money may be raiſed by Annuities not exceeding Ten Pounds per Centum.

XXIV. And be it further enacted, That in caſe the ſaid Commiſſioners, or any Nine or more of them, ſhall think it adviſable or more advantageous to raiſe any Part of the Money neceſſary for the Purpoſes of this Act, not exceeding the Sum of Two thouſand Pounds, by granting Annuities for Lives inſtead of Aſſignments as aforeſaid, then it ſhall be lawful for the ſaid Commiſſioners, or any Nine or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities to any Perſon or Perſons who ſhall contribute, advance, and pay into the Hands of the Treaſurer to the ſaid Commiſſioners any Sum or Sums of Money not exceeding in the Whole the Sum of Two thouſand Pounds, for the abſolute Purchaſe of an Annuity or Annuities, to be paid and payable during the natural Life of every Contributor, or the natural Life of ſuch Perſon as ſhall be nominated by or on the Behalf of ſuch Contributor, at the Time of the Payment of his or her Contribution or Purchaſe Money, ſo as that ſuch Annuity or Annuities do not exceed the Rate of Ten Pounds for every One hundred Pounds for a Year: Provided always, that the whole Money to be raiſed upon Mortgage, and by granting of Annuities as aforeſaid, ſhall not exceed the Sum of Four thouſand Pounds, and the Grant of every ſuch Annuity ſhall be in the Words or to the Effect following; *videlicet*,

The whole Money to be raiſed not to exceed 4,000*l.*

Form of Grant of Annuity.

'WE, of the Commiſſioners appointed by 'or in purſuance of an Act made in the Fifty-fifth Year of the 'Reign of King *George* the Third, intituled [*here ſet forth the Title of this 'Act,*] in conſideration of the Sum of paid by 'to the Treaſurer appointed in purſuance of 'the ſaid Act, do hereby grant unto the ſaid , 'his Executors, Adminiſtrators, and Aſſigns, an Annuity or yearly Sum 'of out of the Rates or Aſſeſſments 'granted or ariſing, and to be granted and to ariſe by virtue of the ſaid 'Act; which Annuity or yearly Sum of ſhall be 'paid to the ſaid his Executors, Adminiſtrators, 'and Aſſigns, at upon the

' in every Year during the natural Life of
' and the First Payment thereof shall be made upon the
' next ensuing the Date of these Presents. In Witness whereof
' we have hereunto set our Hands and Seals, the Day of
' in the Year of our Lord .'

And every such Grant shall be good, valid, and effectual in Law; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon and shall be payable and paid out of the said Rates or Assessments; and the Purchaser of every such Annuity, his or her Executors, Administrators, and Assigns, shall have, receive, and be entitled to such Annuity out of the said Rates or Assessments during the Term of the natural Life of the Person for whose Life such Annuity shall be granted; and every such Annuity, and also the Interest arising on every Mortgage or Assignment to be made by virtue of this Act, shall be payable and paid by the Treasurer to the said Commissioners, by equal Half-yearly Payments, the First Payment thereof respectively to be made at the Expiration of Six Calendar Months next after the Date of the respective Securities.

Interest and Annuities to be paid Half-yearly.

Securities may be transferred.

XXV. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money borrowed or raised by Mortgage, or for the Annuities granted as aforesaid, and their respective Executors, Administrators, and Assigns, at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; which Transfer may be in the Words or to the Effect following; *videlicet*,

Form of Transfer.

' I *A. B.* being entitled to the Sum of (or an
' Annuity of) secured to
' his Executors, Administrators, and Assigns, by virtue of a Mortgage or Assignment (or Grant
' of Annuity) bearing date the Day of under
' the Hands and Seals of of the Commissioners acting in the Execution of a certain Act made in the Fifty-
' fifth Year of the Reign of His Majesty King *George* the Third, intituled
' [*here set forth the Title of this Act*] upon the Credit or arising out of the
' Rates or Assessments granted by the said Act, do hereby transfer all my
' Right and Title in and to the same, and other Money now due and owing
' thereon, unto his Executors, Administrators,
' and Assigns. Dated the Day of
' in the Year of our Lord .'

Transfers to be entered and Books to be examined.

And Copies of all Mortgages or Assignments, and Grants of Annuities which shall be made in pursuance of this Act, and Extracts of Memorials of all Transfers thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extracts or Memorials shall specify and contain the Dates, Names of the Parties, and the Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and shall 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 every Person to whom such Transfer shall be made, the Sum of Two Shillings, and no more; and after such Entry made of any such Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his or their respective Executors,

cutors, Adminiſtrators, and Aſſigns, to the Benefit of the Securities thereby transferred.

When Part of the original Debt is paid off Commiſſioners may borrow more.

XXVI. Provided always, and be it further enacted, That if at any Time after the ſaid Commiſſioners ſhall have ſo borrowed or raiſed the ſaid Sum of Four thouſand Pounds, the ſame, or any Part thereof, ſhall be paid off and diſcharged, or become extinguiſhed by the Death of any Perſon or Perſons, for whoſe Life or Lives any Annuity or Annuities ſhall have been granted under the Powers or Proviſions of this Act, it ſhall and may be lawful for the ſaid Commiſſioners, or any Ten or more of them, in caſe it ſhall appear to them needful and neceſſary ſo to do for carrying the ſeveral Purpoſes of this Act into Execution, to borrow and take up any other Sum or Sums of Money upon the Credit of the Rates or Aſſeſſments hereinbefore granted, not exceeding in the Whole the Sum of One thouſand Pounds, provided ſuch Sum or Sums of Money ſo to be borrowed as laſt aforeſaid ſhall not exceed the Amount of the Sum or Sums of Money ſo paid off and diſcharged, or become extinguiſhed as aforeſaid; nor ſhall ſuch Sum or Sums of Money ſo to be borrowed as laſt aforeſaid, together with ſuch Money as ſhall have before been borrowed and raiſed under the Proviſions of this Act, and ſhall then remain undiſcharged and unextinguiſhed at any Time, exceed in the Whole the Sum of Four thouſand Pounds.

Power to borrow Money at lower Intereſt to diſcharge Securities at a higher Rate.

XXVII. And be it further enacted, That in caſe the ſaid Commiſſioners can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Intereſt than the Aſſignments or Securities which ſhall be then in force ſhall bear, it ſhall be lawful for the ſaid Commiſſioners from Time to Time to charge the ſaid Rates or Aſſeſſments in Manner aforeſaid, with ſuch Sum or Sums of Money as they ſhall think proper, not exceeding in the Whole the Sum of Four thouſand Pounds, and the Intereſt thereof, at ſuch low Rate as aforeſaid, and to pay off and diſcharge the Aſſignments or Securities to an equal Amount, bearing a higher Rate of Intereſt according to the Directions and Regulations herein preſcribed for paying off Aſſignments or Securities.

Proviſion for Payment of Creditors by Ballot.

XXVIII. And, in order that no Preference may be given to any of the Perſons who ſhall have advanced and lent Money upon the Credit of the Rates or Aſſeſſments to be made and raiſed reſpectively by virtue of this Act, be it further enacted, That the ſaid Commiſſioners (if there ſhall be more Creditors than one) ſhall cauſe the Number of all Aſſignments or Securities granted and then in force for ſecuring the principal Monies lent and advanced upon the Credit of the ſaid Rates or Aſſeſſments, of which Part ſhall be then intended to be paid off, to be written upon diſtinct Pieces of Paper of an equal Size, and all ſuch Papers ſhall be rolled up in the ſame Form, or as near as may be, and put into a Box or Wheel, and the Number or Numbers of the ſaid Aſſignments or Securities ſhall be drawn ſeparately out of the ſaid Box or Wheel, by the Clerk to the ſaid Commiſſioners; and after every ſuch Ballot the ſaid Commiſſioners ſhall cauſe Notice, ſigned by their Clerk, to be given to or left at the laſt or uſual Place of Abode of the Perſon or Perſons who ſhall be entitled to the Money to be paid off purſuant to ſuch Ballot; and where there is only One Creditor, to give Three Calendar Months Notice to ſuch Creditor of the ſaid Commiſſioners' Intention to pay him or her as aforeſaid; and every

ſuch Notice ſhall expreſs the Sum to be paid off, together with the Intereſt due thereon, and that the ſame ſhall be paid on a Day and at a Place to be ſpecified in ſuch Notice, ſuch Day not being ſooner than Three Calendar Months after the Day of giving or leaving ſuch Notice as aforeſaid; and the Intereſt of the Principal Money to be ſo paid off ſhall, from and after the Date ſo ſpecified, ceaſe and be no longer paid or payable, unleſs ſuch 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 Day to be ſo ſpecified, ſhall nevertheleſs be payable on Demand.

Pavement veſt d in Commiſſioners who may bring Actions.

XXIX. And be it further enacted, That the Property of all the Pavement to be made in purſuance of this Act in the ſaid Streets, Lanes, and other public Paſſages and Places within the ſaid Borough or Town, and of all Lamps, Lamp Irons, and Poſts, which ſhall be erected or fixed by virtue of this Act, and of all Materials, Implements, and other Things which ſhall be purchaſed for the Purpoſes of this Act, ſhall belong to, and the ſame are hereby veſted in the ſaid Commiſſioners, and they, or any Seven or more of them, are hereby authorized and empowered to cauſe an Action to be brought, or a Bill of Indictment to be preferred, (as the Caſe may require) againſt any Perſon or Perſons who ſhall ſteal, take, or carry away, detain, ſpoil, injure, or deſtroy any Part thereof.

Commiſſioners may order Footways to be paved.

XXX. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, from Time to Time and at all Times, when and ſo often as they ſhall think proper, to cauſe, order, and direct all or any of the preſent or future Pavements in the Footways and Croſs Paths of the ſaid Streets, Lanes, Paſſages, and Places to be taken up, and the ſame to be paved, relaid, repaved, raiſed, lowered, or altered in ſuch Manner as they ſhall think proper, with Flag Stones or ſmooth Pavement, or ſuch other Materials as the ſaid Commiſſioners, or any Seven or more of them, ſhall think proper; and alſo to cauſe, order, and direct the ſaid Streets, Lanes, Paſſages, and Places to be cleanſed, lighted, and watched, and proper Drains, Sinks, Gutters, and Watercourſes to be made for conveying the Water off from the ſaid Streets, Lanes, Paſſages, and Places, and the ſeveral Houſes and other Buildings within the ſaid Borough or Town, in ſuch Manner as the ſaid Commiſſioners, or any Seven or more of them ſhall think proper, and the Perſons to be appointed and authorized by them for the Purpoſes aforeſaid, ſhall have full Power and Authority to do the ſame accordingly.

No Perſon to alter the Form of the Pavement.

XXXI. And be it further enacted, That no Perſon ſhall at any Time make, or cauſe to be made, any Alteration in the Form of the Foot Pavement of any Street, Lane, or public Paſſage or Place within the ſaid Borough or Town, without the Conſent and Approbation of the ſaid Commiſſioners, or any Seven or more of them, aſſembled at ſome of their Meetings firſt had and obtained, upon Pain of forfeiting for every ſuch Offence, any Sum not exceeding Five Pounds.

Commiſſioners may contract giving Fourteen Days Notice.

XXXII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to enter into any Contract or Contracts for paving, repairing, cleanſing, and lighting the Footways and Croſspaths of

of the ſeveral Streets, Lanes, Paſſages, and Places within the ſaid Borough or Town, or for furniſhing Materials or any other Matters or neceſſary Things whatſoever, or for any other Purpoſes of this Act; but before any ſuch Contract or Contracts ſhall be entered into, Fourteen Days Notice at leaſt ſhall be given in ſome public Newſpaper circulated in the ſaid Borough or Town, and by Writing affixed upon One of the Doors of the Church, and on ſome conſpicuous Part of the Guildhall within the ſaid Borough or Town, expreſſing the Purpoſes of ſuch Contract or Contracts, in order that any Perſon or Perſons willing to undertake the ſame, may make Propoſals for that Purpoſe, to be offered to the ſaid Commiſſioners at a certain Time and Place in ſuch Notice to be mentioned; and the ſaid Commiſſioners ſhall, and they are hereby required to take Security from every ſuch Contractor for the due Performance of his or her Contract.

Contra be for Three Years only.

XXXIII. And be it further enacted, That no ſuch Contract or Contracts ſhall be deemed good or valid, if the ſame ſhall have been made for a longer Space or Term than Three Years from the Time of entering into ſuch Contract or Contracts.

Contracts to be ſigned by Commiſſioners.

XXXIV. And be it further enacted, That every ſuch Contract or Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to be received or paid for the ſame, and the Time or Times when the ſaid Works ſhall be completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, and ſhall be ſigned by the ſaid Commiſſioners, or any Seven or more of them, and alſo by the Perſon or Perſons contracting to perform ſuch Works reſpectively, which Contract or Contracts ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk to the ſaid Commiſſioners.

Commiſſioners to cauſe the Works done in purſuance of any Contract to be inſpected, and may bring an Action againſt Contractor for Non-performance of his Contract.

XXXV. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, and they are hereby directed to cauſe the Works to be done in purſuance of ſuch Contract, to be inſpected by their Surveyor or Surveyors, or by ſuch other Perſon or Perſons 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 Contracts, or ſhall not be finiſhed or completed at or within the Time or Times to be by ſuch Contract or Contracts limited for completing the ſame, the ſaid Commiſſioners, or any Seven or more of them, ſhall and may, in the Name of any One of them or of their Treaſurer, bring an Action of Debt or on the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter*, againſt any Perſon or Perſons ſo contracting and neglecting to perform ſuch Contract or Contracts, for any Penalty or Damage which ſhall be ſuſtained in ſuch Contract or Contracts, or ſuffered or ſuſtained on account of Non-performance thereof; and upon proving the ſigning the ſaid Contract or Contracts, or Non-performance thereof, the ſaid Commiſſioners ſhall be entitled to, and ſhall recover ſuch Penalty or Damage, with Coſts of Suit; and if the Contractor or Paviour to the ſaid Commiſſioners to whom any Order to repair defective Pavements ſhall be given, ſhall not within Four Days next after the Receipt thereof, repair the ſaid defective Pavements, then and in every ſuch Caſe, the ſaid Contractor or Paviour ſhall forfeit and pay the Sum of Ten Shillings for every Day that the ſaid defective Pavements ſhall remain unrepaired after the Expiration of the ſaid Four Days.

Footpaths to be swept daily.

XXXVI. And be it further enacted, That the several Occupiers of Houses and other Tenements, with the Offices belonging to the same, within the said Borough or Town, shall as soon as the Foot Pavements in Front of or adjoining such Houses and other Tenements and Offices respectively are by virtue of this Act made and completed, sweep and cleanse, or cause to be swept and cleansed, the said Foot Pavements, before their respective Houses, or other Tenements and Offices, every Day before Ten of the Clock in the Forenoon (*Sundays* excepted) upon Pain of forfeiting any Sum not exceeding Five Shillings.

For preventing Annoyances in the Streets.

XXXVII. And be it further enacted, That if any Person or Persons shall run, draw, drive, carry, or place on any of the Footpaths in any of the said Streets, Lanes, Passages, and Places, any Wheel, Sledge, Wheelbarrow, Handbarrow, Truck, or Carriage, or wilfully ride, drive, or lead any Horse or other Beast or Cattle, on any of the said Footways, (except in necessarily going to or from the Dwelling House, Shop, Yard, Stable, or Garden of any Person or Persons resident near to or adjoining any of the said Footpaths, or shall roll any Cask or Tub other than for the necessary loading or unloading thereof) or shall kill, slaughter, singe, scald, dress, or cut up any Beast or Swine, Calf, Sheep, Lamb, or other Cattle in any of the said Streets, Lanes, Passages, or Places, or shall hoop, cleanse, wash, fire, or scald any Cask, or hew or saw, or cause to be hewn and sawn, any Stone, Wood, or Timber, or bind, make, or repair the Wheel of any Carriage, or shoe or bleed (except in case of Accident) or turn or drive loose any Horse in any of the said Streets, Lanes, Passages, or Places; or if any Person or Persons shall permit or suffer any Dog whatever to be at large within the said Borough or Town of *Andevor*, during such Times as the Bailiff or any Justice or Justices of the Peace of the said Borough or Town shall have, by the public Crier or otherwise, ordered or directed the Dogs within the said Borough or Town to be tied up or properly secured, from an Apprehension to him or them of the Prevalency of Canine Madness; or if any Person or Persons shall place or expose to Sale, or cause, permit, or suffer to be set, placed, or exposed to Sale, any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butchers Meat, or other Matter or Thing whatsoever upon, or projecting over, or fastened or affixed to the Wall adjoining the Footpaths, Crosspaths, or Carriage Ways of any of the said Streets, Lanes, Passages, and Places; or shall hang up or expose to Sale any Goods, Wares, or Merchandize, or any other Matter or Thing, upon any Flap, Window, or otherwise, so as to obstruct or incommode the Passage of any Footpath, Crosspath, or Carriage Way, or shall in the Day-time leave open any Cellar Door, Window, Grate, or Hatchway, leading or giving Light into any Cellar, Kitchen, or other Place under Ground, longer than shall be necessary for the Purpose of carrying Goods, Wares, or Merchandize into or out of or from any such Cellar or Place, so as to endanger the Safety of Persons passing or repassing, or in the Evening or Night, without the same being sufficiently lighted to prevent Accidents happening therefrom; or shall make or assist in the making any Fire or Fires commonly called *Bonfires*, or shall set fire to, or let off any Gun, Pistol, Squib, Serpent, Fire Balloon, Cracker, Rocket, or Fireworks whatsoever, or play at Foot Ball or any other Game or Games within the said Streets, Lanes, Passages, or Places, so as to annoy or endanger any Person or Property, every Person so offending in any of

the Cafes aforefaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty for leaving Carriages in the Streets, &c.

XXXVIII. And be it further enacted, That if any Waggon, Cart, Dray, Wheelbarrow, Truck, or Handbarrow, or other ſuch Carriage, ſhall be left to ſtand or remain in any of the Streets, Lanes, Roads, public Paſſages, or Places within the Borough or Town aforeſaid, with or without Horſes or other Cattle, for any longer Time than ſhall be neceſſary for the loading or unloading thereof, or in caſe the ſame ſhall not during the Time of ſuch loading or unloading thereof, be ſtanding as near to the Side of ſuch Street, Lane, Road, public Paſſage, or Place, as conveniently may be, or if any Stage Coach, Diligence, Poſt Chaiſe, or other Carriage let to hire, ſhall be left or remain in any of the ſaid Streets, Lanes, Roads, Paſſages, or Places, with or without Horſes, for any longer Time than ſhall be reaſonable and neceſſary for the taking up and ſetting down the Paſſengers, or of loading or unloading their Luggage; or if any Horſe or other Beaſt or Cattle, Waggon, Cart, Sledge, Dray, Wheelbarrow, Truck, Handbarrow, Coach, Diligence, Poſt Chaiſe, or other Deſcription of Carriage, ſhall be placed or remain acroſs any of the ſaid Streets, Roads, Lanes, Paſſages, or Places, ſo as to obſtruct or impede the Paſſage of any of the Inhabitants of the ſaid Borough or Town, or any other Perſon or Perſons reſorting thereto; or if any Swine, or any Beaſt or Cattle ſhall be permitted to wander in or about any of the ſaid Streets, Roads, Lanes, Paſſages, or Places, or if any Swine ſhall be kept and fed in any Sty or Cot adjoining to any of the ſaid Streets, Roads, Lanes, public Paſſages, or Places, not well and ſufficiently walled or fenced in, ſo as to prevent the ſame from becoming a Nuiſance to the Inhabitants of the ſaid Borough or Town; or if any Timber, Bricks, Lime, Mortar, Sand, Stone, Slates, Hay, Straw, Manure, Dung, Wood, Faggots, Tiles, Coals, Boards, Tubs, Hides, Leather, Skins, Goods, Wares, Merchandize, or other Materials or Things whatſoever, ſhall be laid or placed, and left to remain in any of the ſaid Streets, Lanes, Roads, Paſſages, or Places, (except ſuch Horſes, Cattle, Swine, Goods, Wares, Merchandize, and Effects, as ſhall be brought for Sale into the proper Places appropriated for thoſe Purpoſes in the ſaid Streets, Lanes, Roads, public Paſſages, and Market Places of the ſaid Borough or Town, on Fair Days and Market Days, according to ancient Cuſtom), for any longer Time than ſhall be neceſſary for moving and houſing the ſame; or if any Coal, Wood, or Aſhes (except in the Time of Froſt only, and to prevent Accidents), broken Glaſs, or Earthen Ware, or any Water, Rubbiſh, Duſt, Dirt, Dung, Filth, dead Animal, or any other Nuiſance or Annoyance whatſoever, be thrown, caſt, or laid in any of the ſaid Streets, Lanes, Roads, Paſſages, or Places, and ſuffered to remain for any longer Time than ſhall be neceſſary for removing the ſame, or ſhall be thrown or caſt into the River within and running through the ſaid Borough or Town, then and in every ſuch Caſe the Owner or Driver of every ſuch Waggon, Cart, Dray, Wheelbarrow, Truck, or Handbarrow, Stage Coach, Diligence, Poſt Chaiſe, or other Carriage, and the Owner of any Swine or other Beaſt or Cattle, and of any ſuch Timber, Bricks, Lime, Stones, Mortar, Sand, Slates, Hay, Manure, Dung, Straw, Wood, Faggots, Tiles, Coals, Boards, Tubs, Hides, Leather, Skins, Goods, Wares, Merchandize, Materials, or Things, which ſhall be left or ſuffered to remain in any of the ſaid Streets, Lanes, Roads, Paſſages, or Places, and the Perſon or Perſons who ſhall ſo throw, caſt, or lay, or cauſe to be thrown, caſt,

caſt, or laid, any Coal, Aſhes, Water, Rubbiſh, Dirt, Dung, Filth, dead Animal, or other Nuiſances or Annoyances whatſoever as aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Commiſſioners may cauſe the Streets, &c. to be watered.

XXXIX. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, if they ſhall think fit (but not otherwiſe), to cauſe the ſaid Highways, Streets, Lanes, and other public Paſſages and Places, to be watered as often as they ſhall think proper, and the Expences thereof to be defrayed out of the Monies to be raiſed by this Act.

Commiſſioners may cauſe Nuiſances, &c. to be removed.

XL. And be it further enacted, That in caſe any Hog Stye, Privy, ſtinking or offenſive Bones, Dung, Carrion, Blood, Offal, Night Soil, Dirt, or Rubbiſh, or any Matter or Thing whatſoever, on any Wharf, or in any Garden, Privy, or Premiſes within the ſaid Borough or Town, ſhall in the Opinion of the ſaid Commiſſioners, or any Seven or more of them, be a Nuiſance or Annoyance to any of the Inhabitants of the ſaid Borough or Town, or other Perſon or Perſons, it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, by Notice in Writing under the Hand of their Clerk, to order every ſuch Nuiſance and Annoyance to be altered or removed in ſuch Manner as they the ſaid Commiſſioners, or any Seven or more of them, ſhall direct; and in caſe the ſame ſhall not be ſo altered and removed within Two Days next after ſuch Notice given to the Perſon or Perſons who ought to alter or remove the ſame, ſuch Perſon or Perſons ſhall forfeit and pay any Sum not exceeding Ten Shillings for every Day the ſame ſhall continue unaltered or unremoved after the Expiration of the ſaid Time.

Neceſſary Houſes to be emptied between Eleven of the Clock at Night, and Four next Morning.

XLI. And be it further enacted, That if any Neceſſary Houſe or Bog Houſe in the ſaid Borough or Town ſhall be emptied at any Time except between the Hours of Eleven at Night and Four in the next Morning, or the Soil thereof ſhall be laid in any Place ſo as to be offenſive to the Inhabitants of the ſaid Borough or Town, or to any Perſon or Perſons paſſing through the ſaid Streets, Lanes, public Paſſages or Places, or either of them, by any Perſon or Perſons whomſoever, then and in either of the ſaid Caſes, the Perſon or Perſons knowingly employing any Perſon or Perſons for that Purpoſe, and the Perſon or Perſons committing the Offence, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds; and if any Perſon or Perſons ſhall wilfully or negligently ſpill any of the Soil of the ſaid Neceſſary Houſe or Bog Houſe in any or either of the ſaid Streets, Lanes, public Paſſages, or Places, or ſo near the ſame as to be offenſive to the Inhabitants thereof, or to any Perſon or Perſons paſſing through the ſaid Streets, Lanes, public Paſſages, or Places, or either of them, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Commiſſioners may ſet up Poſts, &c. for preventing Accidents.

XLII. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may cauſe to be ſet up Poſts of Wood or Stone, near or adjoining the Foot-pavements, in ſuch Part or Parts of all or any of the ſaid Streets, Lanes, public Paſſages and Places as they ſhall judge neceſſary, and alſo ſhall and may ſet up Poſts and Rails in the ſaid

ſaid Borough or Town, or any Part or Parts thereof, in caſe they ſhall think proper ſo to do, for preventing of Accidents or Caſualties, and the Expences thereof ſhall be borne and defrayed out of the Monies ariſing from the ſaid Rates or Aſſeſſments.

Commiſſioners may purchaſe and ſet up Lamps.

XLIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter, to purchaſe, provide, affix, ſet up, alter, take down, and renew ſuch and ſo many Lamps of ſuch Sizes and Sorts, in ſuch Places and in ſuch Manner, and to cauſe the ſame to be lighted at ſuch Seaſons of the Year, and ſuch Hours in the Evening as to them ſhall ſeem neceſſary and proper for the well and ſufficiently lighting of all or any of the ſaid Streets, Lanes, Paſſages, and Places; and if any Perſon or Perſons ſhall wilfully throw down, take, carry away, ſpoil, break, or damage any ſuch Lamps, or any of the Irons, Poſts, or Furniture thereof, or wilfully extinguiſh the Light of any ſuch Lamp, every Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Five Pounds for each Offence, One Moiety of which ſhall go to the Informer and the other Moiety to the ſaid Commiſſioners for the Purpoſes of this Act; and ſuch Offenders ſhall make full Satisfaction to the ſaid Commiſſioners or to the Contractor who ſhall have furniſhed ſuch Lamps, for the Damage done thereby, ſuch Damage to be recovered in like Manner as any Penalty is herein-after authorized or directed to be recovered; and in caſe any Perſon ſhall careleſsly, negligently, or accidentally break, throw down, or otherwiſe ſpoil or damage any of the ſaid Lamps or Iron Poſts or other Furniture thereof, and ſhall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in ſuch Caſe it ſhall be lawful for any Juſtice of the Peace for the ſaid Borough or Town of *Andevor*, upon Proof thereof made by the Oath of one or more Witneſs or Witneſſes, or on the Confeſſion of the Party, to award ſuch Sum of Money by Way of Satisfaction for Damage, as ſuch Juſtice ſhall think reaſonable, and in caſe of Refuſal or Neglect to pay ſuch Sum of Money upon Demand, to cauſe the ſame to be levied and recovered in like Manner as the ſaid Rates or Aſſeſſments can and may be levied and recovered.

Appointment of Watchmen.

Watch-houſes may be erected.

XLIV. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them may, and are hereby authorized from Time to Time, to eſtabliſh and appoint ſuch and ſo many honeſt and able-bodied Watchmen as they ſhall judge neceſſary and proper, to be kept and employed in the ſaid Streets, Lanes, Paſſages, and Places for that Service, and ſhall likewiſe order and direct in Writing, how, where, and in what Manner they ſhall be ſtationed and armed, and how often they ſhall go their Rounds, how long they ſhall continue on Duty, and under what Allowance or Wages for their Attendance; and may alſo place and fix, hire, or otherwiſe provide Boxes or Stands, or other proper Place or Places for the Reception of the Watchmen, in ſuch Part or Parts of the ſaid Streets, Lanes, or other public Paſſages or Places as the ſaid Commiſſioners, or any Seven or more of them, ſhall think fit and proper; and that it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, to remove any one or more of ſuch Watchmen from ſuch Office or Employment, upon Miſbehaviour or Neglect of Duty, and to impoſe any Fine or Sum of Money not exceeding Twenty Shillings, for every

Neglect or Misbehaviour of such Watchman, such Fine to be deducted out of his Wages or Allowance; and in case any Person or Persons shall displace, overturn, damage, injure, or deface any Watch Boxes, Stands, or Places when so placed and fixed as aforesaid, every such Person or Persons shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof shall go to the Informer, and the other Moiety to the said Commissioners for the Purposes of this Act.

Watchmen empowered to apprehend Persons.

XLV. And be it further enacted, That it shall and may be lawful for the said Watchmen, or any of them, and they are hereby respectively authorized and required, during the Time of their keeping Watch and Ward, to apprehend and secure in the Watch House or Watch Houses, or in the Jail of the said Borough or Town, or in some other proper Place or Places, all Disturbers of the King's Peace, and all such suspected Persons as shall be found misbehaving themselves, or lurking or wandering in the said Streets, Lanes, Public Passages, or Places in the said Borough or Town, without apparent Business, and to carry such Person or Persons, as soon as conveniently may be, before some Justice of the Peace for the said Borough or Town, to be examined and dealt with according to Law.

Victuallers not to suffer Watchmen to be in their Houses, &c.

XLVI. And be it further enacted, That if any Victualler or Keeper of a a Public House or Tap shall knowingly or willingly permit or suffer any Watchman employed by the said Commissioners, to remain in his or her Public House or Tap, during any Part of the Time appointed for their being on Duty as aforesaid, every such Victualler or Keeper of a Public House or Tap shall forfeit and pay any Sum not exceeding Ten Shillings.

Commissioners may reward Watchmen.

XLVII. And be it further enacted, That it shall and may be lawful for the said Commissioners to give such Rewards in Money to Watchmen as may be disabled, wounded or hurt in the Execution of their Duty, as the said Commissioners, or any Seven or more of them, shall think reasonable, such Money to be paid out of any Money to be raised for the Purposes of this Act.

Commissioners may make Drains.

XLVIII. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall and may cause such and so many new Sewers and Drains as they may think sufficient and necessary to be dug and made in, along, or across any of the said Streets, Lanes, Ways, Passages, and Places, and also any of the Sewers and Drains which now are or hereafter shall be made within the said Streets, Lanes, Ways, Passages, and Places, to be enlarged, widened, raised, removed, altered, repaired, cleansed, or scoured when and as often as to them shall seem meet; and also shall and may cause such and so many Grates or Openings to be made therein for the conveying and carrying off the Filth, foul and other Waters from the Houses built in or adjoining to such Streets, Lanes, Ways, Passages, or Places, into the said Sewers and Drains, as the said Commissioners, or any Seven or more of them, shall and may think necessary and expedient for that Purpose, and all Costs, Charges, and Expences in and about the making, enlarging, widening, raising, altering, removing, repairing, cleansing, or scouring such Sewers and Drains, shall be borne and defrayed out of the Money to be raised by the Rates or Assessments to be made by virtue of this Act.

XLIX. And

Private Drains may be cleanſed.

XLIX. And be it further enacted, That all private Drains which now are, or which ſhall hereafter be made within any of the Streets, Lanes, Ways, Paſſages, or Places within the ſaid Borough or Town, and which do or ſhall iſſue into any of the public Sewers or Drains, may be repaired and cleanſed by the Order and under the Inſpection and Direction of the ſaid Commiſſioners, or any Seven or more of them, or of their Surveyor or ſuch other Perſon as they ſhall appoint for that Purpoſe, and the Coſts and Charges thereof ſhall be borne and defrayed out of the Rates or Aſſeſſments to be made by virtue of this Act.

Damages done by Water Pipes to be repaired.

L. And be it further enacted, That whenever any of the ſaid Streets, Lanes, and public Paſſages and Places within the ſaid Borough or Town, ſhall be broken up for the Purpoſe of laying, altering, or repairing any Pipe or Pipes, Aqueduct or Aqueducts, or the Plug or Plugs thereof, the Perſon or Perſons breaking up the ſame, and the Perſon or Perſons for whom or by whoſe Order the ſame ſhall be ſo done, ſhall and they are hereby required at their own proper Coſts and Charges, to alter, lay, or repair ſuch Pipe or Aqueduct, Pipes or Aqueducts, Plug or Plugs, without the leaſt Delay or Intermiſſion; and forthwith afterwards to amend and repair the Street, Lane, or Paſſage ſo broken up, in a good and ſubſtantial Manner, to the Satisfaction of the ſaid Commiſſioners or their Surveyor appointed for the Purpoſes of this Act; and in caſe of Default, it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, to order any Perſon or Perſons to repair, amend, and make good the ſaid Street, Lane, or Paſſage, and the Charges thereof ſhall be paid to ſuch Perſon or Perſons by the Perſon or Perſons by whom or by whoſe Order the ſaid Street, Lane, or Paſſage was ſo broken up, and in Default of Payment thereof, for the Space of Seven Days next after Demand ſhall be made for the ſame, ſuch Charges, together with a Sum not exceeding Twenty Shillings, ſhall and may be recovered and levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons making Default, by Warrant under the Hand and Seal of any Juſtice of the Peace for the Borough or Town aforeſaid, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale.

For removing Obſtructions, &c.

LI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Seven or more of them, to take down, remove, alter, or regulate, in ſuch Manner as they ſhall from Time to Time judge proper, all Sign Poſts, Sign Irons, Sheds, Spouts, Gutters, Stumps, Trees, Porches, Projections, Annoyances, and other Incroachments (ſuch other Incroachments being made or placed within Ten Years laſt paſt) belonging, or which ſhall hereafter be affixed or belong to any Houſe or Houſes, or other Buildings, and which do or ſhall in the Judgement of the ſaid Commiſſioners obſtruct the free and commodious Paſſage along the Carriage or Footways of any of the ſaid Streets, Lanes, and other public Paſſages or Places within the ſaid Borough or Town; and alſo with the Conſent of the Owner or Owners of any of the ſaid Houſes to remove or make Alterations in the Steps, Windows, and Penthouſes, leading or belonging to any of the ſaid Houſes; and alſo with the like Conſent to remove and alter ſuch Incroachments, not being herein-before particularly enumerated or deſcribed, as ſhall have been made or placed in the ſaid Streets, Lanes, public Paſſages, or Places, upwards of Ten Years now

laſt paſt; and alſo it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, to cauſe the Water to be conveyed from the Roofs, Eaves, Cornices, and Penthouſes of or belonging to ſuch Houſes or other Buildings reſpectively, by proper Pipes or Trunks to be affixed to the Sides of ſuch Houſes and other Buildings reſpectively, and to be brought down to the Ground, and that the Coſts, Charges, and Expences attending the taking down, removing, altering, or regulating ſuch Sign Poſts, Sign Irons, and other Poſts, Sheds, Steps, Windows, Penthouſes, Spouts, Gutters, Trees, Porches, Projections, Annoyances, and other Incroachments, or any of them, (except ſuch as may hereafter be made, placed, or affixed), and of making and affixing ſuch Pipes or Trunks as aforeſaid, ſhall be borne and defrayed out of the Money to be raiſed by virtue of this Act.

No Incroachments to be hereafter made.

LII. And be it further enacted, That from and after the paſſing of this Act if any Perſon or Perſons ſhall (without the Conſent of the ſaid Commiſſioners, or any Ten or more of them,) build, erect, make, or plant any Sign, Sign Iron, Sign Poſt, or other Poſt, Pillar, Paliſadoe, Pale, or Rail, Barber's Pole, or other Pole, Tree, Shed, or Penthouſe, Spout, Stair, Step, Shewboard, Stallboard, Cellar, Window, Door, or Grate or Step, into any Cellar or Vault, Ceſſpool or Reſervoir of Water, or other Incroachment, Projection, or Annoyance over or againſt or in the Front or Side of any Houſe or other Building, ſo as to project into or over any of the Footways or Carriageways, without the Conſent of the ſaid Commiſſioners, or any Ten or more of them, for that Purpoſe firſt had and obtained in Writing, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds; and it ſhall be lawful for the ſaid Commiſſioners (whether any ſuch Penalty or Forfeiture ſhall have been levied or not), to cauſe all ſuch Signs, Sign Irons, Sign Poſts, or other Poſts, Pillars, Paliſadoes, Pales, Rails, Barber's Poles, and other Poles, Trees, Sheds, or Penthouſes, Spouts, Stairs, Steps, Shewboards, Stallboards, Cellar Windows, Doors, Grates, and Steps into Cellars and Vaults, and Reſervoirs for Water Spouts, Pipes, Trunks, and other Incroachments, Obſtructions, Projections, or Annoyances, or any of them, to be taken down, removed, and carried away, and the Coſts and Charges attending the ſame ſhall be recovered of the Owner or Occupiers thereof reſpectively in the ſame Manner as the Rates or Aſſeſſments herein-before mentioned are directed to be recovered on Non-payment thereof.

Penalty on Perſons obſtructing Officers, &c.

LIII. And be it further enacted, That if any Perſon or Perſons ſhall obſtruct, hinder, or moleſt any Surveyor, Officer or Officers, Workman, or other Perſon or Perſons whomſoever, who ſhall be employed in the Execution of this Act, in any Part of his, her, or their Duty, every ſuch Perſon or Perſons ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings; and if any Perſon or Perſons ſhall ſtrike or aſſault any ſuch Officer or Officers or other Perſon or Perſons in the Performance or Execution of his, her, or their Duty under this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Names of Streets to be fixed up, and Penalty on defacing, &c.

LIV. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may cauſe to be painted, engraved, or deſcribed in Stone, Wood, or otherwiſe, to be affixed on a conſpicuous Part

Part of One or more Houſe or Houſes, Building or Buildings, at or near each End, Corner, or Entrance of each of the ſaid Streets, Lanes, Paſſages, and Places, the Name by which each reſpective Street, Lane, Paſſage, and Place, is properly or uſually called or known; and in caſe any Perſon or Perſons ſhall wilfully deſtroy, pull down, injure, obliterate, or deface any ſuch Names, or cauſe or procure the ſame to be done, every Perſon or Perſons ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Directing how Money raiſed ſhall be applied.

LV. And be it further enacted, That the Money to ariſe from the Rates or Aſſeſſments hereby granted or to be levied and received from Time to Time by virtue of this Act, and all Money which may be borrowed at Intereſt, or upon Annuities on the Credit of this Act, ſhall be applied in the Firſt Place in paying the Charges and Expences incident to and attending the obtaining and paſſing of this Act, and the Intereſt of the Money advanced for defraying ſuch Charges and Expences, and in the next Place in paying the Intereſt of the Principal Money to be borrowed, and the Annuities to be granted as aforeſaid, and afterwards in defraying the Coſts, Charges, and Expences of carrying the ſeveral Truſts and Purpoſes of this Act into complete Execution, in ſuch Order and Manner as the ſaid Commiſſioners, or any Seven or more of them, ſhall judge expedient; all which Monies, to be raiſed in Manner aforeſaid, ſhall become and be conſidered as one conſolidated aggregate Fund, and ſhall be veſted in the ſaid Commiſſioners for the Truſts and Purpoſes herein-before expreſſed and referred to.

Purchaſe of Houſes, &c. for widening Streets.

LVI. And whereas it may hereafter be deſirable and convenient to widen and improve ſome Part or Parts of the Streets, Lanes, and other public Paſſages and Places within the ſaid Borough or Town of *Andevor*, and in ſuch Caſe it is neceſſary, in order to effect the ſame, that Powers ſhould be given to the ſaid Commiſſioners to purchaſe Houſes, Buildings, and Ground, be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Fourteen or more of them, being the Majority of the ſaid Commiſſioners who ſhall be preſent at any Meeting of Twenty or more of the ſaid Commiſſioners, to be held in purſuance of this Act, of the Time, Place, and Purpoſe of which Fourteen Days Notice at the leaſt ſhall be given by the Clerk to the ſaid Commiſſioners, by Writing affixed on ſome conſpicuous Part of the Guildhall of the ſaid Borough or Town, and alſo at the Door of the Pariſh Church of *Andevor* aforeſaid, and they are hereby authorized and empowered at any Time or Times hereafter, when they ſhall think fit, to widen the ſaid Footpaths, Highways, Streets, and Lanes, or any Paſſage or Avenue leading into or through the ſame, to treat, contract, and agree for, and purchaſe from the Owners, Proprietors, and Occupiers of and all other Perſons intereſted in ſuch Dwelling Houſes, Buildings, Lands, Grounds, or Tenements, for the Purchaſe thereof, or ſo much or ſuch Parts thereof as they the ſaid Commiſſioners ſhall judge neceſſary to be purchaſed for effecting the Purpoſes of this Act; and to cauſe ſuch Dwelling Houſes or Buildings, or ſo much thereof as they ſhall judge neceſſary to be taken down, and the Scite thereof and the Ground to be ſo purchaſed to be made Part of the ſaid Streets, Lanes, Paſſages, and public Places, for the Purpoſe of widening and improving the ſame, or making any new Footways; and for effecting thoſe Ends and other the Purpoſes of this Act, it ſhall and may be lawful for

all Bodies Politic or Corporate, Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Guardians, Committees of Lunatics or Idiots, Executors, Adminiſtrators, and all other Truſtees, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infant or Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſon or Perſons whomſoever, who are or ſhall be ſeized, poſſeſſed of, intereſted in, or entitled to any Dwelling Houſes or other Buildings and Grounds, to treat, contract, and agree with, and abſolutely ſell, convey, aſſign, or ſurrender to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint, all or any ſuch Dwelling Houſes or other Buildings and Grounds, or any Part thereof, or any Eſtate, Term of Years, or other Intereſt therein; and that all ſuch Contracts, Agreements, Sales, and Conveyances which ſhall be ſo made, ſhall be good and valid in Law to all Intents and Purpoſes, to convey the ſaid Premiſes, and the Rights, Title, Property, Claim, and Demand whatſoever, of ſuch Perſon or Perſons of, in, and to the ſame, any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in anywiſe notwithſtanding; and all Bodies Politic or Corporate, Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and other Truſtees, and all other Perſons, ſhall be and are hereby indemnified for what they ſhall do therein by virtue of or in purſuance of this Act.

Application of Compenſation Money amounting to 200l.

LVII. And be it further enacted, That if any Money ſhall be agreed 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 or Perſons under any Diſability or Incapacity as herein mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to 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 High Court of Chancery, to be placed to his Account *ex parte* the Commiſſioners for executing this Act, 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 or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, in the Purchaſe of Land Tax or towards the Diſcharge of any Debt or Debts 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 other Lands, Tenements, or Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, Lands, Tenements, and 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, and 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 ſuch Conveyance and Settlement, ſhall be exiſting, undetermined, or capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Account-

ant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time 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 or Perſons 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 200l. and exceeding 20l.

LVIII. Provided always, and be it further enacted, That if any Money ſo agreed 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 or Perſons under 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 or Perſons for the Time being entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, 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 High Court of Chancery, and 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 or Perſons making ſuch Option, and approved of by Seven or more of the ſaid Commiſſioners, (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 thereon, 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 Court of Chancery.

Where leſs than 20l.

LIX. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed to be paid as laſt before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes, the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Commiſſioners ſhall think fit, or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles, or where Parties cannot be found.

LX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid, ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Commiſſioners, or ſhall refuſe to execute ſuch Conveyance or Conveyances, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments be not known or diſcovered, then and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners to order the ſaid Sum or Sums of Money ſo awarded, to be paid into the Bank of *England*,

land, in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, (deſcribing them) ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums 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, or to order Diſtribution thereof, or Payment of the Intereſt thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England* who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe reſpecting Money to be paid, the Perſon in Poſſeſſion to be deemed entitled.

LXI. 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 Court of Chancery in purſuance of this Act, for the Purchaſe of any Meſſuages, Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Meſſuages, Lands, Tenements, or Hereditaments to be purchaſed in purſuance of this Act, 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 or Perſons who ſhall have been in Poſſeſſion of ſuch Meſſuages, Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Meſſuages, Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; 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 or Perſons was or were lawfully entitled to ſuch Meſſuages, Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

LXII. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons 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 Court of Chancery, to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Com-

Commiſſioners, out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Form of Conveyance.

LXIII. And be it further enacted, That all Sales, Conveyances, and Aſſurances of any Lands, Tenements, or Hereditaments to be made to the ſaid Commiſſioners, ſhall be made on Parchment, in the Form or to the Effect following; (*videlicet*),

'I *A. B.* of in conſideration of the Sum of to be paid by the Commiſſioners acting by virtue of an Act made in the Fifty-fifth Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act*] do hereby grant and convey to the ſaid Commiſſioners all [*here deſcribe the Premiſes to be conveyed*] and all my Right, Title, and Intereſt to and in the ſame and every Part thereof, to hold to the ſaid Commiſſioners for ever. In Witneſs whereof I have hereunto ſet my Hand and Seal this Day of in the Year of our Lord .'

And every ſuch Sale, Conveyance, and Aſſurance ſo made, ſhall be good, valid, and effectual to veſt the Premiſes ſo conveyed in the ſaid Commiſſioners, freed and abſolutely acquitted and diſcharged of and from all Claims, Rights, Intereſts, Charges, and Incumbrances of all Perſons whomſoever, to all Intents and Purpoſes whatſoever; any Law, Statute, Uſage, or Cuſtom to the contrary notwithſtanding.

Sale of Lands not wanted.

LXIV. And whereas, by reaſon of the Purchaſes which the ſaid Commiſſioners are hereby empowered to make, they may happen to be poſſeſſed of ſome Building or Buildings, Piece or Pieces of Ground, over and above what may be neceſſary for effecting the Improvements hereby directed to be made, or for other the Purpoſes of this Act; be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to ſell and diſpoſe of ſuch Building or Buildings, Piece or Pieces of Ground, either together or in Parcels, as they ſhall find moſt advantageous and convenient, to ſuch Perſon or Perſons as ſhall be willing to contract for and purchaſe the ſame, and the Money to ariſe by Sale of ſuch Building or Buildings, Piece or Pieces of Ground, ſhall be applied to the Purpoſes of this Act, but the Purchaſer or Purchaſers thereof ſhall not be anſwerable or accountable for the Miſ-application or Non-application thereof.

Accounts to be made up yearly for Inſpection.

LXV. And be it further enacted, That ſome Time between the Twenty-fourth Day of *June* and the Twenty-ninth Day of *September* in every Year a fair and juſt Account ſhall be made and wrote out, of all Monies received and paid by virtue or in purſuance of this Act, and how and to whom, and for what Purpoſes the ſame ſhall have been laid out, paid, and expended; and a Copy or Duplicate of ſuch Account, ſigned by Seven or more of the ſaid Commiſſioners, ſhall be depoſited with the Clerk to the ſaid Commiſſioners, who ſhall permit any Perſon ſo rated as aforeſaid, or any Perſon or Perſons on his or their Behalf, to inſpect the ſame at ſeaſonable Times, and ſhall, upon Demand, forthwith give Copies of the ſame or any Part thereof to any ſuch Perſon, paying at the Rate of One Shilling for every Seventy-two Words, and ſo in Proportion for any leſs Number of Words.'

Recovery of Penalties by Diſtreſs and Sale of Goods of Offenders committed.

LXVI. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed, the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed, ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Juſtice or Juſtices of the Peace acting in and for the County, City, Borough, Town, or Place where the Offence ſhall be committed, within his or their reſpective Juriſdiction, which Warrant ſuch Juſtice or Juſtices is and are hereby empowered to grant, upon the Confeſſion of the Party or Parties or upon the Evidence of any one or more credible Witneſs or Witneſſes upon Oath, and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale, ſhall be returned upon Demand to the Owner or Owners of ſuch Goods and Chattels, after deducting the Coſts and Charges of ſuch Diſtreſs and Sale; and the Penalties and Forfeitures when recovered (if not herein-before directed to be otherwiſe applied) ſhall be paid to the Treaſurer to the ſaid Commiſſioners and be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall be lawful for ſuch Juſtice or Juſtices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to cauſe the Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for the ſaid Borough or Town, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties and Forfeitures and all reaſonable Charges attending the ſame ſhall be ſooner fully paid and ſatisfied.

Commiſſioners may compound for Penalties.

LXVII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, from Time to Time to compound and agree with any Perſon or Perſons againſt whom any Action or Suit ſhall be brought, commenced, or proſecuted for any Penalty contained in any Contract to be entered into as aforeſaid for any Breach or Non-performance thereof, for ſuch Sum of Money as the ſaid Commiſſioners ſhall think proper; and alſo to mitigate, compound, or leſſen any of the Forfeitures incurred under this Act, ſo as the Sums ſo compounded or agreed for be not leſs than the Injury or Damage ſuſtained by Breach or Non-performance of any ſuch Contract, and all Coſts and Expences which ſhall be occaſioned thereby.

Commiſſioners empowered to make Bye Laws.

LXVIII. And be it further enacted, That the ſaid Commiſſioners, or any Ten or more of them, being the Majority of the Commiſſioners preſent at any Meeting to be holden in purſuance of this Act, ſhall and may make, order, and conſtitute ſuch and ſo many Bye Laws, Rules and Ordinances as to them ſhall ſeem meet and convenient for the effectually carrying into Execution the Purpoſes of this Act, and to alter, change, revoke, repeal, or make void the ſame from Time to Time, as often as the ſaid Commiſſioners, or any Ten or more of them, being ſuch Majority as aforeſaid, ſhall judge neceſſary and convenient, and to fix and appoint reaſonable pecuniary Penalties, not exceeding Ten Shillings, for the Non-obſervance or other Breach of any of ſuch Bye Laws, Rules, and Ordinances, or any Part of them; and the ſaid Commiſſioners ſhall cauſe the ſaid Bye Laws, Rules, and Ordinances to be printed and diſtributed and ſtuck up or placed in ſome conſpicuous Places in the ſaid Town; and ſuch Bye Laws, Rules, and Ordinances to be made, printed, diſtributed,

and ſtuck up, ſhall be binding upon and obſerved by all Perſons whomſoever, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame; provided that ſuch Bye Laws, Rules, and Ordinances be not contrary or repugnant to the Proviſions and Directions in this Act contained, or to the Laws of *England*, and ſhall be ſubject to Appeal as herein-after mentioned.

LXIX. And be it further enacted, That all and every Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form or to the like Effect; (that is to ſay),

Form of Conviction.

'Borough or Town of Andevor, in the County of Southampton.} BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before of His Majeſty's Juſtices of the Peace for the ſaid Borough or Town, by virtue of an Act of Parliament made in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, intituled [*here ſet forth the Title of this Act, and ſpecify the Offence, and the Time and Place where the ſame was committed, as the Caſe may be.*] Given under our Hands and Seals (*or* my Hand and Seal) the Day and Year aforeſaid.'

Power to adminiſter Oaths.

LXX. And be it further enacted, That if any Perſon or Perſons ſhall, upon his or her Examination upon Oath, before any Juſtice or Juſtices, wilfully and corruptly give falſe Evidence, ſuch Perſon or Perſons ſo offending, and being thereof duly convicted, ſhall be and is and are hereby declared to be ſubject and liable to ſuch Pains and Penalties as by any Law now in being Perſons convicted of wilful and corrupt Perjury are ſubject and liable to: Provided always, that no Perſon or Perſons ſhall be ſubject or liable to the Payment of any Penalty or Forfeiture impoſed by this Act, for any Offence againſt this Act, unleſs Information ſhall be given of the Offence within Three Calendar Months next after ſuch Offence ſhall have been committed.

Inhabitants may be Witneſſes.

LXXI. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever, relating to or concerning the Execution of this Act, any Inhabitant of the ſaid Borough or Town ſhall be deemed a competent Witneſs, notwithſtanding his or her being charged with and liable to pay any Rate or Aſſeſſment by virtue of this Act.

Power for Juſtices to make Allowances to Informers and Witneſſes.

LXXII. Provided always, and be it further enacted, That it ſhall and may be lawful for the Juſtice or Juſtices of the Peace, before whom any Offender ſhall be convicted of any Offence againſt this Act, if he ſhall think fit to deduct, allow, and pay any Part of the Fine, Penalty, or Forfeiture which ſhall be impoſed and received of any ſuch Offender convicted before him of any ſuch Offence as aforeſaid, unleſs otherwiſe directed, (not exceeding One Moiety thereof) to the Informer or Informers, Witneſs or Witneſſes, againſt ſuch Offender, in ſuch Shares and Proportions as to ſuch Juſtice ſhall ſeem meet.

Appeal.

LXXIII. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Aſſeſſment which ſhall be made or be demanded in purſuance of this Act,

Act, such Person or Persons may appeal to the said Commissioners at their First Meeting which shall be holden after the Expiration of Twenty-one Days from the Time of demanding such Rate or Assessment; and the said Commissioners, or any Seven or more of them, at such Meeting, are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Determination of the said Commissioners therein, or if any Person or Persons shall think himself, herself, or themselves aggrieved by any Bye Law, Rule, Order, Judgment, or Determination of the said Commissioners, or by any Penalty imposed, or by any Conviction made, or by any other Thing done in pursuance of this Act, (save and except in such Cases where any Order, Judgment, or Determination is herein directed to be final and conclusive, and save and except in such Cases for which any particular Method of Relief is herein appointed) such Person or Persons may appeal to the Justices of the Peace at any General Quarter Sessions to be holden for the said County of *Southampton*, within Six Calendar Months next after the Cause of Complaint shall have arisen, or at any Adjournment of such Sessions, the Person or Persons appealing first giving or causing to be given to the Treasurer to the said Commissioners Fourteen Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, and within Fourteen Days next after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order thereof, and to pay such Costs as shall be awarded by the Justices at such Sessions or Adjournment thereof, and the Justices at such Sessions or Adjournment thereof, upon due Proof of such Notice having been given and such Recognizances having been entered into as aforesaid, shall hear and finally determine every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against, as the said Justices shall think proper, and shall or may at their Discretion discharge or mitigate all or any of the Penalties or Forfeitures incurred by the Party or Parties appealing, and the Determination of the said Justices in their said General Quarter Sessions, or Adjournment thereof, shall be final, binding, and conclusive, to all Intents and Purposes whatsoever.

Distress not to be unlawful for want of Form.

LXXIV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages in an Action upon the Case: Provided always, that no Plaintiff or Plaintiffs shall recover upon any such Action for Irregularity, or for any Trespass or other wrongful Proceeding, unless Notice in Writing shall be given Fourteen Days before such Action shall be commenced, of such intended Action, signed by the Attorney or Attornies for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of sufficient Amends hath been made to him, her, or them, or his, her, or their

their Attorney, by or on Behalf of the Defendant or Defendants, 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, after such Action shall have been brought, at any Time before Issue joined, to pay into Court any Sum of Money as he or they shall think fit; whereupon such Proceeding, Order, and Judgment, shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for want of Form, nor removable by Certiorari.

LXXV. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceeding, made touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only, or be removed or removable by *Certiorari*, or any Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding.

Commissioners may bring Actions for Rates.

LXXVI. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Nine or more of them, if they shall think it expedient, to bring or cause to be brought any Action or Actions of Debt, or special Action on the Case, in any of His Majesty's Courts of Record at *Westminster*, for all or any of the Rates or Assessments to be made by virtue of this Act, in which Action or Actions it shall be sufficient for the said Commissioners to declare that the Defendant is indebted to them in the Sum of Money they shall suppose to be due for Rates or Assessments under this Act; and in case the said Commissioners shall recover such Sum so declared for, or any Part thereof, they shall have and recover full Costs, to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered; in which Action or Actions no Essoign, Protection, or Wager at Law, or more than One Imparlance shall be allowed.

Commissioners not personally answerable.

LXXVII. And be it further enacted, That no Contract entered into by the said Commissioners, or other Matter or Thing done by them in pursuance of this Act, shall be binding upon them personally as Individuals in their private Capacity, neither shall they be personally answerable for any Sum or Sums of Money borrowed or taken up at Interest under the Authority of this Act, but only as Commissioners for carrying the same into Execution.

Monies expended by or recovered against Commissioners to be paid out of the Rates.

LXXVIII. And be it further enacted, That all Monies laid out and expended by or recovered against or levied upon any Commissioner or Commissioners, or their Treasurer, or any Person or Persons acting under their Authority in the Execution of this Act, in, about, or by reason of any Prosecution, Action, or Suit, to be brought or commenced by such Commissioner or Commissioners, their Treasurer, or other Person by their Order, against any Contractor or other Person, by virtue of any Order made by the said Commissioners by virtue of this Act for that Purpose, or in or about or by reason of any Action, Suit, Prosecution, or Appeal which shall or may be brought against any Commissioner or Commissioners, or other Person acting by their Authority, by reason or on account of any Contract entered into by him or them in pursuance of any Order of the said Commissioners made in pursuance of this Act, or of any other Matter, Cause, or Thing whatsoever done by him or them, by virtue of any Order of the

said Commissioners made in pursuance of this Act, or otherwise in pursuance or in the Execution of the Powers and Authorities herein contained, or in the Performance of his or their Office or Offices, Employment or Employments under this Act, shall be borne and defrayed out of the Money arising from the Rates hereby directed to be made, or to be borrowed upon the Credit thereof; and that all Sums of Money to be recovered by any such Commissioner or Commissioners or other Person in any such Action, Suit, or Prosecution, shall be applied to the same Purposes as the Money to arise from the said Rates or Assessments are hereby directed to be applied.

Limitation of Actions.

LXXIX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Fourteen Days Notice be thereof given to the Treasurer to the said Commissioners, signed by the Plaintiff or Plaintiffs, or unless the same shall be commenced before the Expiration of Six Months after the Fact committed, or unless sufficient Satisfaction or Tender of reasonable Amends hath not been made to the Party or Parties aggrieved, nor unless such Action or Suit shall be brought and tried in the County where the Cause of Action shall arise; and the Defendant or Defendants in every such Action or Suit shall or may at his or their Election plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Fourteen Days Notice shall be given as aforesaid, or after the Time limited for bringing the same as aforesaid, or after Tender of Amends shall have been made as aforesaid, or shall be brought in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

Act not to prejudice the Rights of the Lord or Lords of the Manor.

LXXX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or defeat any Right, Interest, Property, Power, Privilege, Franchise, or Authority of the Lord or Lords of the Manor of *Andevor* aforesaid, or of the Bailiff, approved Men, and Burgesses of the said Borough or Town, in their corporate Capacity, but that all and every such Rights, Interests, Properties, Powers, Privileges, Franchises, and Authorities, may be exercised and enjoyed in as full, ample, and beneficial Manner, to all Intents and Purposes, as the same were exercised and enjoyed before the passing of this Act.

Public Act.

LXXXI. 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, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1815.