ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. vii.

An Act for paving the Footways and Croſspaths, and lighting, watching, cleanſing, widening and otherwiſe improving the Streets, Lanes, and other public Paſſages and Places, in the Town of *Baſingſtoke*, in the County of *Southampton*.

[23d *March* 1815.]

WHEREAS the Foot Ways and Croſs Paths, and the Streets, Lanes, and other public Paſſages and Places in the Town of *Baſingstoke*, in the County of *Southampton*, are very ill paved, and are become very ruinous and dangerous, and the ſaid Foot Ways and Croſs Paths, Streets, Lanes, and other public Paſſages and Places, are not ſufficiently cleanſed, lighted, and watched, and are ſubject to various Encroachments, Obſtructions, Nuiſances and Annoyances, and are in many Places very incommodious and unſafe for Travellers and Paſſengers: And whereas it would tend greatly to the Benefit, Convenience, and Safety of the Inhabitants of the ſaid Town, and all Perſons reſorting to and travelling through the ſame, if the ſaid Foot Ways and Croſs Paths were properly paved, and the ſaid Streets, Lanes, and other public Paſſages and Places were well and ſufficiently repaired, cleanſed, lighted, watched, and regulated, and alſo kept free from Obſtructions, Nuiſances and Annoyances; but as the ſeveral uſeful and neceſſary Purpoſes aforeſaid cannot be effected without the Authority of Parliament; May it therefore pleaſe Your Majeſty that it may be enacted; and be it

enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That

Commiſſioners. *John Hanbury Beaufoy, John Blackburn, Wither Bramſton, William Chute, John Croſſe Crook, George Purefoy Jervoiſe, William Lutley Sclater, Harris Bigg Wither, Edward Lane, William Apletree, Edward Adams, Matthew Aldridge, William Andrews, Edward Andrews, William Attwood, John Attwood,* the Reverend *James Blatch* Clerk, *Charles Beſt, Charles Bagnall, John Chambers, Charles Covey, Thomas Caſton, Charles Cleeve, Charles Clift, Richard Cottle, Abraham Cox, Thomas Chitty, Aaron Caſton, Ephraim Cloſe, John Carpenter, Richard Curtis,* the Reverend *James Digweed* Clerk, *Charles Henry Foyle, David Graham, Thomas Scut Gravely, John Gold, William Glover, George Glover, Thomas Gregory, John Haſker, Robert Hulbert, Charles Hawthorne, Henry Houghton, William Howard, Daniel Jackſon, Richard Jeffreys, William Jeffreys, Joſeph Jefferſon, Richard Jaques James, Edward Jayes, Thomas Knight, John Lyford, Charles Lyford, John Levy, Nathaniel Loader, William Anthony Lewis, James Loader, Thomas May, Charles May, Timothy Mullens, Percival North, William Paice, Edward Penton, William Penton, Thomas Robins, Thomas Ring, Joſeph Charles Shebbeare, John Street, John Smith, John Simmons, Charles Simmons, William Stamp, Samuel Toomer, James Tolfree, John Debil Tuckett, George Ubſdell, James Ubſdell,* the Reverend *Iſaac Williamſon* Clerk, *Maurice Workman, James Wallis, Richard Wallis, Peter Wornell, James Warne,* 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 Commiſſioners, or of their Refuſal to act in the Execution of this Act for the Space of one whole Year, or in caſe either of them ſhall be choſen High Steward, Recorder, Alderman, Burgeſs, or Town Clerk of the ſaid Town, 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 after mentioned, in the Place or Stead of the Commiſſioner ſo dying, removing, or refuſing to act, or being choſen Mayor, High Steward, Recorder, Alderman, Burgeſs, or Town Clerk, Fourteen 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 fixed to ſome public Place within the ſaid 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 or by this Act.

Qualification of Commiſſioners.

II. And be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner, in any Caſe, in the Execution of this Act (except the Mayor, High Steward, Recorder, Aldermen, Burgeſs, and Town Clerk of the ſaid Town, and the Vicar of *Baſingſtoke* for the Time being), who ſhall not in his own Right, or in the Right of his Wife, be in the actual Poſſeſſion, Enjoyment, and Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, or Hereditaments, ſituate within the ſaid Town, of the clear yearly Value of Twenty Pounds, (above Reprizes and Incumbrances), or be a Tenant or Occupier of Lands or Tenements within the

ſaid Town, of the yearly Value of Thirty Pounds, or be poſſeſſed of or entitled to a Perſonal Eſtate of the Amount or Value of One thouſand Pounds, over and above the Amount of his Debts; 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 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:

'I *A. B.* do ſwear, [*or*, being One of the People called *Quakers*, do ſolemnly affirm,] That I am really and *bonâ fide* in my own Right [*or*, in the Right of my Wife, *as the Caſe may be*] now in the actual Poſſeſſion, Enjoyment, and Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, or Hereditaments, ſituate within the Town of *Baſingſtoke*, of the clear yearly Value of Twenty Pounds above Reprizes and Incumbrances, or am a Tenant or Occupier of Lands or Tenements within the ſaid Town, of the clear yearly Value of Thirty Pounds, or poſſeſſed of a Perſonal Eſtate to the Amount or Value of One thouſand Pounds over and above the Amount of my juſt Debts; and that I will truly and impartially, according to the beſt of my Skill and Judgment, execute and perform all and every the Powers and Authorities repoſed in me as a Commiſſioner, by virtue of an Act, paſſed in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, intituled [*here ſet forth the Title of this Act*]. So help me GOD.'

And if any Perſon, not qualified in Manner herein-before mentioned to act as a Commiſſioner, ſhall preſume to 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 hereof: 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.

Meeting of Commiſſioners.

III. And be it further enacted, That the ſaid Commiſſioners, or any Five of them, ſhall meet in the Town Hall of *Baſingſtoke*, on the Third *Tueſday* after the paſſing of this Act, between the Hours of Nine in the Forenoon and Six in the Afternoon, in order to put this Act into Execution, and ſhall and may then and from Time to Time afterwards adjourn themſelves to meet at the Place aforeſaid, or at any other convenient Place

Place within the ſaid Town, as they or any Five or more of them preſent at ſuch Meeting ſhall appoint, and Seven Days Notice of ſuch Adjournment ſhall be given to the Commiſſioners reſiding within the ſaid Town by the Clerk of the ſaid Commiſſioners (except in ſuch Caſes where the Adjournment ſhall be from Day to Day), and that in every ſuch Notice the Time of Meeting of the ſaid Commiſſioners ſhall be mentioned or ſet forth; and if it ſhall happen that there ſhall not appear at any ſuch Meeting of the ſaid Commiſſioners a ſufficient Number to act, or adjourn to another Day, (Three Commiſſioners to be deemed ſufficient for the Purpoſe of Adjournment) or if the ſaid Commiſſioners ſhall refuſe or neglect to adjourn, or ſhall adjourn for any longer Time than Fourteen Days; then and in every ſuch Caſe any Seven or more of them, or their Clerk, ſhall and may call a Meeting at the Place where the laſt Meeting was to have been holden, or at any other convenient Place within the ſaid Town, by Notice to be given by the Clerk to the ſaid Commiſſioners, or left at their reſpective Houſes, at leaſt Two Days before ſuch Meeting; and that at all Meetings to be holden in purſuance of this Act, the Commiſſioners ſhall defray their own Expences; but no Act of the ſaid Commiſſioners ſhall be valid unleſs made or done at ſome public Meeting to be held in purſuance of this Act; and that all Powers and Authorities by this Act granted to or veſted in the ſaid Comſioners, ſhall and may from Time to Time be exerciſed by the major Part of them preſent at any public Meeting, the whole Number preſent at ſuch Meeting not being leſs than the Number by this Act authorized to do ſuch Buſineſs, and that a Chairman ſhall and may be appointed at every ſuch Meeting; and that in all Caſes the ſaid Commiſſioners ſhall vote by Ballot, in caſe the ſame is deſired by any Three or more of the Commiſmiſſioners then preſent, and in caſe of an equal Number of Votes upon any Queſtion (including the Chairman's Vote) the Chairman ſhall have the Caſting Vote: Provided nevertheleſs, that it ſhall and may be lawful for the ſaid Commiſſioners to hold any Specal Meeting between their laſt Meeting and the Day to which any ſubſequent Meeting ſhall be adjourned as aforeſaid, ſo that ſuch Meeting ſhall be required by Five at leaſt of the ſaid Commiſſioners, and Notice thereof given as aforeſaid, at leaſt Seven Days before the Time to be appointed for the ſame, ſigned by the Clerk to the ſaid Commiſſioners, and ſpecifying the Cauſe of ſuch Meeting.

Commiſſioners may hold Special Meeting.

IV. And be it further enacted, That no Order made by the ſaid Commiſſioners ſhall be revoked or altered at any ſubſequent Meeting, unleſs at ſome Meeting to be holden for that expreſs Purpoſe, nor unleſs Notice ſpecifying the Revocation or Alteration intended to be made, ſigned by the Commiſſioners, deſiring ſuch Rovocation or Alteration, be inſerted in ſome public Newſpaper uſually circulated in the ſaid Town, and alſo affixed on the Door of the Town Hall Seven Days at leaſt previous to the Day of holding ſuch Meeting, (excluſive of the Day of giving ſuch Notice, and the Day of ſuch intended Meeting), nor unleſs a greater Number of Commiſſioners ſhall attend at ſuch Meeting to revoke or alter ſuch Order than were preſent when the ſame was made, nor unleſs Four-fifths of the Commiſſioners preſent ſhall concur in ſuch Revocation or Alteration.

No Order to be revoked, unleſs a greater Number of Commiſſioners than thoſe who made the Order be preſent.

V. And be it further enacted, That the ſaid Commiſſioners ſhall cauſe to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of the Names of all Commiſſioners who ſhall duly qualify in purſuance of this Act, and of all their Acts, Orders, and Proceedings

Proceedings to be entered in a Book.

Proceedings relative to the Execution of this Act, and of the Names of all such Commissioners as shall be present at their respective Meetings; and the Chairman of each Meeting of the said Commissioners and their Clerk shall always subscribe their Names at theEnd of the Proceedings of the said Commissioners, at every such Meeting; and all Entries in such Books, being signed as aforesaid, shall be deemed Originals, and shall be allowed to be read in Evidence in all Cases, Suits, and Actions touching any Thing done in pursuance or by virtue of this Act; and that such Book or Books shall at any of the Meetings of the said Commissioners be open and liable to the Inspection of all and every of the said Commissioners, and all and every the Persons rated and assessed for the Purposes of this Act, and also of all and every the Creditors and Annuitants on the Rates or Assessments hereby granted and made payable, all and every the Persons rated and assessed as aforesaid, Creditors and Annuitants, having previously given One Day's Notice to the Clerk of the said Commissioners of their Intention to inspect such Book or Books, and paying to the Clerk for such Inspection the Sum of One Shilling.

Commissioners may act as Justices.

VI. And be it further enacted, That it shall and may be lawful for such of the said Commissioners as are in the Commission of the Peace, to act as Justices, within their respective Jurisdictions, for putting in Execution the several Powers and Authorities granted by this Act, notwithstanding their being Commissioners, except as to the making of any of the Rates or Assessments herein-after mentioned.

Commissioners may appoint and remove Officers.

VII. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may, from Time to Time, whenever they shall think it necessary, appoint and employ a Treasurer and Clerk, and Assessor or Assessors, Collector or Collectors of the Rates or Assessments herein-after mentioned, and also a Surveyor, and all such other Officers and Persons for the Execution of this Act, as the said Commissioners shall think proper, and from Time to Time 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, and out of the Monies to be raised by virtue of this Act, to pay such Salaries, Wages, and Allowances to the said Officers and other Persons, as they shall think reasonable; and the said Commissioners, or any Five or more of them, shall and are hereby required to take such Security from such Treasurer and other Officers, 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 shall direct), deliver to the said Commissioners, or any Five 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 Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, 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 to such Person or Persons as they shall appoint; and all the said Officers and Persons so accounting as aforesaid, shall upon Oath or Affirmation, if thereunto required by the said Commissioners, (which Oath or Affirmation the said Commissioners, or any Five or more of them, are hereby empowered and required to administer),

Commissioners to take Security from Officers for the due Execution of their Office.

Officers to account.

adminiſter), verify the ſaid Account; and if any ſuch Officer or Perſon ſhall neglect or refuſe to make and render, or to verify upon Oath or Affirmation any ſuch Account, or to produce or deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall neglect or refuſe to deliver to the ſaid Commiſſioners, or to ſuch Perſons as they ſhall appoint, within Thirty Days next after being thereunto required by the ſaid Commiſſioners, or any Five or more of them, by Notice in Writing given or to be 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 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 Five 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 Juſtice of the Peace in or for the County or Place wherein ſuch Officer or Perſon ſo neglecting or refuſing ſhall be or reſide, ſuch Juſtice may and is hereby authorized and required to iſſue a Summons under his Hand and Seal for the Officer or Perſon ſo neglecting or refuſing to appear before him, and upon his appearing, or having been ſummoned and not appearing, or not being to be found, to hear and determine the Matter 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 is hereby empowered to adminiſter), it ſhall appear to ſuch Juſtice 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 may and is hereby authorized and required, upon Non-payment thereof, by a Warrant under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Perſon; and if no Goods or Chattels of ſuch Officer or Perſon can be found ſufficient to anſwer and ſatisfy the ſaid Monies and Charges of diſtraining and ſelling the ſame; or if it ſhall in any Manner aforeſaid appear to ſuch Juſtice that ſuch Officer or Perſon ſhall have neglected or refuſed to render and give ſuch Accounts, or to verify the ſame as aforeſaid, 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 ſhall commit ſuch Offender to the Common Gaol, Bridewell, or Houſe of Correction, for the Town, County, or Place where ſuch Offender ſhall be or reſide, 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 Five 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 empowered 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 always, that no Perſon who ſhall be committed for Want of Diſtreſs, ſhall be detained in Priſon for any longer Time than Twelve Calendar Months; and in caſe any ſuch Aſſeſſor or Aſſeſſors, Collector

Collector or Collectors ſhall refuſe or neglect to take upon him or them reſpectively the ſaid Offices, or duly to execute the ſame according to the true Intent and Meaning of this Act, he and they ſo offending ſhall reſpectively forfeit and pay for every ſuch Offence the Sum of Twenty Pounds, and ſhall continue liable to be again appointed unto the ſaid Offices reſpectively, if the ſaid Commiſſioners ſo aſſembled as aforeſaid, or any Five or more of them, ſhall ſo think fit; and in caſe any ſuch Perſon or Perſons ſhall refuſe or neglect to take upon himſelf or themſelves reſpectively the ſaid Offices, or duly to execute the ſame, he or they ſo refuſing or neglecting, ſhall be again liable to the like Penalty; but no ſuch Aſſeſſor or Aſſeſſors, Collector or Collectors who ſhall have paid the ſaid Penalty for refuſing or neglecting to take upon him or them reſpectively the ſaid Offices, or duly to execute the ſame as aforeſaid, ſhall be again appointed thereto within Three Years next after the Time of his or their firſt Appointment reſpectively; nor ſhall any Perſon be liable to execute either of the ſaid Offices, who ſhall be more than Sixty Years of Age, or who on account of Infirmity or otherwiſe ſhall be incapable of executing the ſame.

Yearly Accounts.

VIII. And be it further enacted, That in the Month of *Auguſt* in every Year, a true Account ſhall be made and written, of all Monies received and paid by virtue of this Act during the preceding Year ending upon the Twenty-fourth Day of *June*, and a Copy or Duplicate of ſuch Account ſhall be depoſited with the Clerk of the ſaid Commiſſioners, who ſhall permit any Perſon or Perſons who ſhall be rated as hereinafter mentioned, or any Perſon or Perſons on his, her, or their Behalf, to inſpect the ſame at all ſeaſonable Times, paying One Shilling for ſuch Inſpection, and ſhall upon Demand forthwith give Copies of the ſame or any Part thereof, upon being paid at the Rate of Sixpence for every Seventy-two Words, and ſo in Proportion for a leſs Number of Words.

Appointment of Officers in caſes of Deaths, &c.

IX. Provided always, and be it further enacted, That as often as any Collector or Receiver of the Monies to be raiſed by virtue of this Act, ſhall die or be incapable or neglect to perform his Duty, it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, though not aſſembled at a Meeting in purſuance of this Act, by any Writing under their Hands to appoint ſome other Perſon to collect the ſame, and give ſuch Security for the due Execution of his Office, during his Continuance therein, as the ſaid Commiſſioners ſhall think proper, until the Commiſſioners ſhall, at a Meeting to be holden in purſuance of this Act, appoint a Collector or Receiver of ſuch Monies, any Thing herein contained to the contrary notwithſtanding.

Treaſurer to pay Money as ordered by the Commiſſioners;

and to make fair and regular Entries in Books.

X. And be it further enacted, That the Treaſurer to the ſaid Commiſſioners ſhall and may and is hereby authorized and required, out of the Monies to be received by him by virtue of this Act, to pay all Sums of Money which the ſaid Commiſſioners or any Five or more of them ſhall from Time to Time draw upon him for, or order him to pay; and the ſaid Treaſurer ſhall and 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 Twenty-fourth Day of *June* yearly, or at the Firſt Meeting of the ſaid Commiſſioners then next following, lay

the ſaid Account before the ſaid Commiſſioners to be audited, paſſed and allowed.

Commiſſioners empowered to make Bye Laws.

XI. And be it further enacted, That the ſaid Commiſſioners, or the major Part of them, at any Meeting where not leſs than Seven are aſſembled, 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 more 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 the major Part of them, not being leſs than Seven aſſembled as aforeſaid, ſhall judge neceſſary and convenient, to fix and appoint reaſonable pecuniary Penalties, not exceeding Five Shillings, for the Non-obſervance or other Breach of any 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 Place in the ſaid Town; and ſuch Bye Laws, Rules, and Ordinances, ſo 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 all ſuch Bye Laws, Rules, and Ordinances ſhall be ſubject to Appeal, as hereinafter mentioned.

Power to adminiſter Oaths.

XII. And be it further enacted, That in all Caſes where any of His Majeſty's Juſtices of the Peace is or are by this Act authorized or required to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Juſtice or Juſtices reſpectively to adminiſter ſuch Oath or Affirmation; and that if any Perſon or Perſons ſhall, upon his or her Examination upon Oath before the ſaid Juſtice or Juſtices reſpectively, 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 Six Calendar Months next after ſuch Offence ſhall have been committed.

Inhabitants may be Witneſſes.

XIII. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever, relating to or concerning the Execution of this Act, no Inhabitant of the ſaid Town of *Baſingſtoke* ſhall be deemed an incompetent Witneſs by reaſon of his or her being charged with and liable to pay any Rate or Aſſeſſment by virtue of this Act.

Action to be brought in the Name of the Treaſurer or Clerk.

XIV. And be it further enacted, That whenever any Action or Suit ſhall 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 the Treaſurer or Clerk on behalf of the ſaid Commiſſioners, and no ſuch Action or Suit ſhall abate or be diſcontinued by the Death or Removal of ſuch Treaſurer or Clerk, or by any Act or Default of any ſuch Treaſurer

Treaſurer or Clerk done or ſuffered without the Conſent and Directions of the ſaid Commiſſioners for the Time being, but the Treaſurer or Clerk 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 Clerk, or ſhall be brought, commenced, or defended, without the Order or Direction of the ſaid Commiſſioners or any Five or more of them.

Commiſſioners empowered to contract for the Purchaſe of Buildings, &c.

XV. And for the Purpoſe of rendering the narrow Parts of the ſaid Streets, Lanes, Public Paſſages and Places, ſafe and commodious, and for opening proper communications between any of the ſaid Streets, Lanes, public Paſſages and Places, and otherwiſe improving the ſaid Town, and for carrying the Intentions of this Act into Execution; be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners or any Five or more of them to contract and agree with any Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, Corporations whether Aggregate or Sole, Spiritual or Lay, or Feoffees in Truſt, as ſhall be deemed to be Owner or Owners, Proprietor or Proprietors, or otherwiſe intereſted in any Houſes, Buildings, or Erections, Lands, Tenements, or Hereditaments, which the ſaid Commiſſioners ſhall judge neceſſary or proper to be purchaſed for the before mentioned Purpoſes, for the abſolute Purchaſe thereof, or for any Damage to be done thereto in the Execution of any of the powers given by this Act, or for the Hire or Uſe of any temporary Carriage-way during ſuch Time as any of the ſaid Streets, Lanes, public Paſſages or Places ſhall be new-paving, amending, or repairing, and in any of the ſaid Caſes to pay for ſuch Purchaſe, Damage, or Hiring, ſuch Sum or Sums of Money as ſhall be agreed upon by the ſaid Commiſſioners and the Perſon or Perſons reſpectively ſo intereſted in the Premiſes, out of the Monies to be raiſed by virtue of this Act, and to take down ſuch Houſes, Buildings, or Erections, and throw the Scites thereof and the Lands, Tenements, and Hereditaments ſo purchaſed, or ſuch Parts thereof as the ſaid Commiſſioners ſhall think proper, into the ſaid Streets, Lanes, public Paſſages, and Places.

Enabling incapacitated Perſons to ſell.

XVI. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations whether Aggregate or Sole, Spiritual or Lay, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees of or for Lunatics and Idiots, and other Truſtees whomſoever, not only for and behalf of themſelves, their Heirs and Succeſſors, but alſo for and on behalf of their reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots or Femes Covert, or other Perſon or Perſons, and alſo to and for all Femes Covert, who are or ſhall be ſeiſed in their own Right, and to and for all Perſons whether Tenants for Life or Tenants in Tail, General or Special, or for Years determinable on any Life or Lives, and to and for all and every Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of or intereſted in any ſuch Houſes, Buildings, or Erections, Lands, Tenements, or Hereditaments,

or any Part thereof, which ſhall be thought neceſſary to be purchaſed for the Purpoſes aforeſaid, or for any other of the Purpoſes of this Act, to treat, contract, and agree with the ſaid Commiſſioners for the Sale thereof, or of any Part thereof, and to ſell, convey, ſurrender, and aſſure all or any Part thereof, and all his, her, or their Eſtate, Right, Title, and Intereſt whatſoever, of, in, and to the ſame, to the ſaid Commiſſioners and their Succeſſors, or to ſuch Perſon or Perſons and his, her, or their Heirs for ever, as the ſaid Commiſſioners ſhall direct, in Truſt for them the ſaid Commiſſioners for any of the Purpoſes of this Act, or to agree with the ſaid Commiſſioners, or any Five or more of them, for any Recompence to be made for the Damage which may be done to any ſuch Houſes, Buildings, Erections, Lands, Tenements, or Hereditaments in the Execution of any of the Powers of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, Aſſignments, Surrenders, and Aſſurances, which ſhall be ſo made by virtue and in purſuance of this Act, ſhall be good, valid, and effectual to all Intents and Purpoſes whatſoever, not only to convey the Eſtate and Intereſt of the Perſon or Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Property, Claim, and Demand whatſoever of the ſaid ſeveral and reſpective *Ceſtuique* Truſts, and all claiming or to claim by, from, or under them, any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the contrary thereof in anywiſe notwithſtanding; and all Bodies Politic, Corporate, or Collegiate, Corportions Aggregate or Sole, Spiritual or Lay, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and all other Perſons whomſoever, are and ſhall be hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

Application of Compenſation Money if amounting to 200l.

XVII. And be it further enacted, That if any Money ſhall be agreed to be paid for Lands, Tenements, Buildings, or other 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 aforeſaid, 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 there, *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, Buildings, or other Hereditaments, in the Purchaſe or Redemption of the 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, Buildings, or Hereditaments, or affecting other Lands, Tenements, Buildings, or other Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, and 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 Lands, Tenements, Buildings, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements,

nements, Buildings, or other 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 and 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 Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid 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 Annuties 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, Buildings, or other Hereditaments ſo hereby authorized to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the ſame ſhall be leſs than 200l. and not leſs than 20l.

XVIII. Provided always, and be it further enacted, That if any Money ſo agreed to be paid for any Lands, Tenements, Buildings, or other Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſabilily or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or 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 Lands, Tenements, Buildings or other Hereditaments ſo purchaſed, taken or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England* 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 therefrom may be applied, in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application if the ſame be under 20l.

XIX. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed to be paid as next before mentioned ſhall be leſs than the Sum of 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 Lands, Tenements, Buildings, or other 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, Idiotcy, or Lunacy, then ſuch Money ſhall be paid 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.

XX. And

In case of not making out Titles;

XX. 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 any Seven or more of them, 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 be lawful for the said Commissioners, or any Seven or more of them, to order the said Sum or Sums of Money so awarded, to be paid into the Bank of *England*, 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, and Hereditaments, [describing them], subject to the Order, Control, 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 said 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.

or if Persons cannot be found, the Purchase Money to be paid into the Bank;

subject to the Order of the Coutr of Chancery on Motion or Petition.

Respecting disputed Titles.

XXI. 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 Lands, Tenements, Buildings, or Hereditaments, or of any Estate, Right or Interest in any Lands, Tenements, Buildings, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, Buildings or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Pertons or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, Buildings, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends and Interest of the Bank Annudes 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 same Court that such Possession was a wronfgul Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, Buildings, or Hereditaments, or to some Estate or Inrerest therein.

XXII. Provided

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

XXII. 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, Buildings, 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, and to be applied in the Purchase of other Lands, Tenements, Buildings, 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 Expenses as the Court shall deem reasonable, to be paid by the said 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.

Commissioners empowered to sell Ground, &c. not necessary for the Purposes of the Act.

XXIII. And whereas some Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments so to be purchased as aforesaid, may happen to be more than is necessary to be made use of for this Act; be it therefore further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, and they are hereby authorized and required to sell or dispose of, and to convey, surrender, and assure, or cause to be sold or disposed of, and conveyed, surrendered, and assured, such Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments, to any Person or Persons willing to contract, agree for or purchase the same, and the Money arising therefrom shall be paid and applied for the Purposes of this Act.

Commissioners may make Rates on Occupiers.

XXIV. And for defraying the Charges and Expences of carrying the Purposes of this Act into Execution, be it further enacted, That from and after the passing of this Act one or more Rate or Rates, Assessment or Assessments, shall Twice in the Year, or oftener if it shall be thought needful by the said Commissioners, be made, laid, and assessed by the said Commissioners, or any Five or more of them, upon all and every Person and Persons who do or shall inhabit, hold, receive or occupy any Dwelling House, Shop, Warehouse, Mill, Wharf Tolls (except Turnpike and Navigation Tolls), Cellar, Vault, Stable, Coach House, Brewhouse, Brewing Offices, Granary, Malt House, Storehouse, and other Houses, Buildings, Tenements, or Hereditaments, Yard or Garden, within the said Town of *Basingstoke*, in such competent Sum and Sums of Money as the said Commissioners or any Five or more of them shall yearly and every Year order and direct, so as that such Rate or Assessment be made in the Proportions, Manner, and Form following, and do not exceed the Amount herein-after mentioned; *videlicet*, where the yearly Rent or annual Value of any such Dwelling House, Buildings, Yard, Garden, and Offices thereto belonging, shall be or amount to Twenty Pounds and upwards, the Sum of One Shilling and Sixpence in the Pound in One Year of the yearly Rent or annual Value of such Dwelling House, Buildings, Yard, Garden and Offices; and where the yearly Rent or annual Value of any such Dwelling House, Buildings, Yard, Garden, and Offices thereto belonging, shall be or amount to Fifteen Pounds and upwards, and be less than Twenty Pounds, the Sum of One Shilling and Three-pence in the Pound in One Year of the said yearly Rent or annual Value; and where the yearly Rent or annual Value of any such Dwelling House, Buildings, Yard, Garden, and Offices thereto belonging, shall be or amount to Ten

Pounds and upwards, and be leſs than Fifteen Pounds, the Sum of One Shilling in the Pound in One Year of the ſaid yearly Rents or annual Value; and where the yearly Rent or annual Value of any ſuch Dwelling Houſe, Buildings, Yard, Garden, and Offices thereto belonging, ſhall be or amount to Five Pounds and upwards, and leſs than Ten Pounds, the Sum of Nine-pence in the Pound in One Year of the ſaid yearly Rent or annual Value; and where the yearly Rent or annual Value of any ſuch Dwelling Houſe, Buildings, Yard, Garden, and Offices thereto belonging, ſhall not amount unto Five Pounds, and where ſuch Rates or Aſſeſſments ſhall be for or in reſpect of the Occupation, Receipt, or Poſſeſſion of any ſuch Shop, Warehouſe, Mill, Wharf, Tolls (except Turnpike and Navigation Tolls) Cellar, Vault, Stable, Coach Houſe, Brewhouſe, Brewing Offices, Granary, Malt Houſe, Storehouſe and other Houſes, Buildings, Tenements, or Hereditaments, Yard or Garden as aforeſaid, the Sum of Sixpence only in the Pound in One Year of the ſaid yearly Rent or annual Value of ſuch laſt mentioned Dwelling Houſe, Building, Yard, Garden, and Offices thereto belonging, and alſo of ſuch Shops, Warehouſe, Mill, Wharf, Tolls (except Turnpike and Navigation Tolls) Cellar, Vault, Stable, Coach Houſe, Brewhouſe, Brewing Offices, Granary, Malt Houſe, Storehouſe and other Houſes, Buildings, Tenements or Hereditaments, Yard or Garden as aforeſaid, whatever the yearly Rent or annual Value of the ſame laſt mentioned Premiſes may be or amount to: Provided always, that the ſaid Commiſſioners, or any Five 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 hath not been rated or aſſeſſed, or by ſtriking out the Name of any Perſon who hath been, but ought not to have 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; provided alſo, that no Perſon or Perſons whatſoever ſhall be charged or chargeable with any Rate or Aſſeſſment made by virtue of this Act, who ſhall not be rated or aſſeſſed for or towards the Relief of the Poor of the ſaid Town, except in the Caſe herein after mentioned, of Landlords or Owners of Houſes, which ſhall be let to or occupied by Two or more Tenants.

Rates to be ſigned by the Juſtices.

XXV. 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 Town of *Baſingſtoke*, and the ſaid Rates, after the ſame ſhall be ſo allowed and ſigned by the ſaid Juſtices, ſhall be collected Half-yearly or oftener, if the ſaid Commiſſioners, or any Five 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; and if any Perſon or Perſons ſhall refuſe or neglect or omit to pay the Sum or Sums of Money at which he, ſhe, or they ſhall be rated or aſſeſſed by virtue of this Act, for the Space of Seven Days after perſonal Demand made thereof, or Demand in Writing left at the laſt Place of Abode or Occupation of ſuch Perſon or Perſons, (Proof of ſuch Demand being firſt made upon Oath) then and in every ſuch Caſe it ſhall and may be lawful for any One or more Juſtice or Juſtices of the Peace acting in and

and for the ſaid Town, to iſſue a Summons under the Hand and Seal of ſuch Juſtice or Juſtices for ſuch Perſon or Perſons to appear before him or them, to ſhew cauſe (if any) why the ſaid Rates ſhould not be paid; and in caſe ſuch Perſon or Perſons ſhall not appear or ſhall appear purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, then and in every ſuch Caſe it ſhall and may be lawful for the Perſon or Perſons who ſhall be appointed as aforeſaid to collect the ſaid Rates, and he and they are hereby empowered and required, by Warrant under the Hand and Seal of ſuch Juſtice or Juſtices, which Warrant ſuch Juſtice or Juſtices is or are hereby empowered to grant, upon Proof being made upon Oath of the Sum ſo due, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting, refuſing, or omitting to pay the ſame; rendering the Overplus (if any) after deducting the Sum or Sums due in reſpect of ſuch Rates or Aſſeſſments, and all Coſts and Charges attending the Recovery thereof, to the Owners of ſuch Goods and Chattels upon Demand.

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

XXVI. And whereas ſeveral Houſes within the ſaid Town may be by the Landlords or Owners thereof let out into Lodgings or Tenements to divers Tenants or poor Perſons, 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 Five 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, or which ſhall be aſſeſſed on a Rent or annual Value not amounting to Five Pounds, and the Landlord or Owners of every ſuch Houſe ſhall pay the ſame accordingly.

Houſes, &c. unoccupied, not rateable.

XXVII. 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 Dwelling Houſe, Building, Yard, Garden, and Offices, Tenements or Hereditaments, 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.

Occupiers quitting without paying Rates, may be followed.

XXVIII. And be it further enacted, That when any Perſon who hath been rated or aſſeſſed by virtue of this Act, ſhall quit his or her Dwelling Houſe, Shop, Warehouſe, Mill, Wharf, Cellar, Vault, Stable, Coach Houſe, Brew Houſe, Brewing Offices, Granary, Malthouſe, Storehouſe, or other Houſes, Buildings, Tenements or Hereditaments, Yard or Garden, in reſpect of which ſuch Rate or Aſſeſſment ſhall have been made, before he or ſhe 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, then and in every ſuch Caſe it ſhall and may be lawful to and for ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners, or any Five 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 ſaid Town of *Baſingſtoke*, (which Warrant ſuch Juſtice is hereby empowered to grant upon Proof made of the Sum ſo due, upon 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

ing 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.

XXIX. Provided always, and be it further enacted, That in all Caſes where any Perſon or Perſons ſhall remove from or quit any Houſe, Building, Garden, Tenements, or Hereditaments, for or in reſpect of which he or they ſhall have been rated or aſſeſſed, or is or are 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, for or in reſpect of which any Perſon or Perſons ſhall have been rated or aſſeſſed, or be 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, Tenements, or Hereditaments; which ſaid reſpective Proportions, in caſe of Diſpute, ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any Five or more of them.

Perſons paying the Rate exempt from other Expences.

XXX. And be it further enacted, That all and every Perſon or Perſons paying the Rates and Aſſeſſments hereby authorized to be levied within the ſaid Town, ſhall be and they and every of them is and are hereby exempted and diſcharged from all other Charges and Expences of paving or fencing off any Part or Parts of the Footways and Croſspaths, or for lighting, watching, cleanſing, widening, improving and rendering more commodious the Streets, Lanes and other public Paſſages and Places within the ſaid Town.

Aſſeſſment not to extend to Arable or Paſture Land.

XXXI. 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, (except Gardens or Yards), 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, Stables, or other Outbuildings ſolely appropriated to the Purpoſes of Huſbandry, nor for or in reſpect of the Occupation or Poſſeſſion of any Farm or other Dwelling Houſes, or Buildings now ſtanding at a greater Diſtance than Half a Mile from the Town Hall of *Baſingſtoke* aforeſaid.

For borrowing Money.

XXXII. 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 Seven or more of them, and they are hereby authorized and empowered, from Time to Time when they

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, her, or their Truſtee or Truſtees, as a Security or Securities for the Money ſo to be borrowed, together with lawful 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 of Parliament, 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 and lent by upon the Credit and for the Purpoſes of the ſaid Act, do grant, bargain, ſell, and demiſe unto the ſaid Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Rates or Aſſeſſments ariſing by virtue of the ſaid Act, as the ſaid Sum of doth or ſhall bear to the whole Sum which may at any Time be borrowed, or become due and owing, or 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 any 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 of the Priority of advancing any ſuch Money, or the Dates of any ſuch Mortgages or Aſſignments.

Money may be raiſed by Annuities.

XXXIII. And be it further enacted, That in caſe the ſaid Commiſſioners or any Five or more of them, ſhall think it adviſable or more advantageous to raiſe all or any Part of the Money neceſſary for the Purpoſes of this Act, by granting Annuities for Lives inſtead of Aſſignments as aforeſaid, then it ſhall be lawful for the ſaid Commiſſioners or any Seven 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 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 no ſuch Annuity do exceed the Rate of Ten Pounds for every One hundred Pounds for a Year, and ſo that the whole Money be raiſed upon Mortgage, and by the granting of Annuities as aforeſaid, do not exceed the Sum of Three thouſand Pounds; and the Grant of every ſuch Annuity ſhall be in the Words or to the Effect following; *videlicet*,

Form of Grant of Annuity.

'WE, of the Commiſſioners appointed by or in
'purſuance of an Act of Parliament, paſſed in the Fifty-fifth Year
'of the Reign of His Majeſty 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
'Executors, Adminiſtrators, and Aſſigns, an Annuity or Yearly Sum of
' out of the Rates or Aſſeſſments granted or ariſing
'by virtue of the ſaid Act; which Annuity or Yearly Sum of
'ſhall be paid to the ſaid 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 the 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 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 Quarterly Payments, the Firſt Payment thereof reſpectively to be made at the Expiration of Three Calendar Months next after the Date of the reſpective Securities.

Intereſt and Annuities to be paid.

Securities may be transferred.

XXXIV. 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 Annuities 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, being entitled to the Sum of [*or*,
'I, an Annuity of] ſecured to
'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 of
'Parliament, paſſed 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
' Executors, Adminiſtrators, and Aſſigns. Dated the
'Day of in the Year of our Lord
' .'

And Copies of all Mortgages or Aſſignments and Grants of Annuities which ſhall be made in purſuance of this Act, and Extracts or 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 Sixpence, 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, Adminiſtrators, and Aſſigns, to the Benefits of the Security thereby transferred.

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

XXXV. 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 Three thouſand Pounds, or a leſs Sum as aforeſaid, the ſame or any Part thereof ſhall be paid off and diſcharged, it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, again to borrow and take up the ſame, or any other Sum or Sums of Money, ſo as that the Sum or Sums of Money to be borrowed or raiſed ſhall not at any Time exceed in the whole the ſaid Sum of Three thouſand Pounds.

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

XXXVI. 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 ſhall be ſufficient, and the Intereſt thereof at ſuch low Rate as aforeſaid, and to pay off and diſcharge the Aſſignments and Securities bearing a higher Rate of Intereſt, according to the Directions and Regulations herein preſcribed for paying off Aſſignments or Securities.

For paying Creditors by ballot.

XXXVII. 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 be more Creditors than One) ſhall cauſe the Numbers 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 then be intended to be paid off, to be written upon diſtinct Pieces of Paper of 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

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 Day 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.

Directing how Money raiſed ſhall be applied.

XXXVIII. 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 the 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 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.

Commiſſioners may order Footways to be paved.

XXXIX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Five 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 Croſſpaths of the ſaid Streets, Lanes, and other public Paſſages and Places, to be taken up, and the ſame to be paved, re-layed, re-paved, raiſed, lowered, or altered in ſuch Manner as they ſhall think proper, with Flag Stones or ſmooth Pavements, or ſuch other Materials as the ſaid Commiſſioners, or any Five or more of them, ſhall think proper; and alſo to pitch or pave ſo much and ſuch Part and Parts of the Horſe or Carriage Ways of the ſaid Streets, Lanes, and other public Paſſages and Places with Flint or other Stone, as the ſaid Commiſſioners, or any Five or more of them, ſhall think proper; and alſo to cauſe, order, and direct the ſaid Streets, Lanes, and public Paſſages and Places to be cleanſed, lighted, and watched, and all Annoyances, Obſtructions, Nuiſances, and Encroachments to be removed, and proper Sewers, Drains, Sinks, Gutters, and Water-courſes to be made along or acroſs any of the ſaid Streets, Lanes, Ways, public Paſſages, and Places, and alſo any of the Sewers, Gutters, Sinks, Drains, and Water-courſes, already made or hereafter to be made therein, to be opened, cleanſed, widened, enlarged, raiſed, and ſcoured, and the Form and Courſe thereof altered; and alſo ſhall and may cauſe ſuch and ſo many Grates or Openings to be made therein, for conveying and carrying off the Filth, foul and other Waters from the ſaid Streets, Lanes, and other public Paſſages and Places, and the ſeveral Houſes and other Buildings built or to be built in or adjoining to the ſame, and the Ground of any of the ſaid Streets, Lanes, and other public Paſſages and Places to be raiſed, lowered, or altered, in ſuch Manner as the

ſaid

ſaid Commiſſioners, or any Five 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; and all Coſts, Charges, and Expences in and about the ſame, 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.

Paviors, &c. to be appointed, and Implements furniſhed.

XL. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, from Time to Time to appoint ſuch and ſo many Paviors, Artificers, Workmen, Labourers, Carters, and others, and to provide ſuch Tools, Implements, and Things as they ſhall judge neceſſary for the Purpoſe of carrying this Act into Execution.

Where Materials for paving may be lodged.

XLI. And be it further enacted, That during the Time any Street, Lane, public Paſſage, or Place ſhall be new paving, flagging, curbing, altering, or repairing, the ſaid Commiſſioners, or any Five or more of them, ſhall have Power to order the neceſſary Materials to be lodged in that or any adjoining Street, Lane, public Paſſage, or Place, according to their Diſcretion, and alſo to ſtop up the Way through that or any adjacent Street or Lane, public Paſſage or Place, ſo long as they ſhall judge neceſſary; and the ſaid Commiſſioners, and all Perſons acting under their Directions, are hereby indemnified from any Proſecution or Action whatſoever for ſo doing.

Surveyors empowered to get Materials.

XLII. And be it further enacted, That the ſaid Commiſſioners or their Surveyor, or ſuch other Perſon or Perſons as they or any Five or more of them, or as ſuch Surveyor ſhall employ and appoint, having an Order in Writing under the Hands of the ſaid Commiſſioners, or any Five or more of them, for that Purpoſe, may, and are, and is hereby authorized and empowered to ſearch, dig for, cut, gather, take, and carry away any Stone, Gravel, Sand, or other Materials fit and proper for the raiſing, repairing, paving, covering the Pavement, and pitching of the Footways and Croſſ-paths of the ſaid Streets, Lanes, public Paſſages, and Places, or which they ſhall adjudge otherwiſe neceſſary or proper to be uſed in or about the ſame, out of, or from, and over the Lands and Grounds of any Perſon or Perſons, ſituate, lying, and being within the Limits of the Town of *Baſingſtoke* aforeſaid, (not being a Yard, Garden, Orchard, Nurſery for Trees, or other Piece or Parcel of Land or Ground adjoining or contiguous to any Dwelling Houſe or other Building, the Property of the Owner thereof), where the ſame may or are likely to be had and found; ſuch Surveyor or other Perſon filling up the Pits and levelling the Ground or ſloping down the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits, ſo as that the ſame may not remain in a dangerous State, and alſo the ſaid Surveyor or other Perſon aforeſaid paying or tendering to the Owners and Occupiers of ſuch Lands for the ſame, and for the Damage done to ſuch Lands over which any Materials gotten ſhall be conveyed, ſuch Equivalent in Money as any Two or more Juſtices of the Peace for the ſaid Town of *Baſingſtoke*, not intereſted in the Queſtion, ſhall think reaſonable and direct: Provided always, that it ſhall not be lawful for any Surveyor or Surveyors, or other Perſon or Perſons under the Authority of this Act, to dig for, cut, gather, take, or carry away any Materials for raiſing, repairing, paving, covering the Pavement,

or pitching of the Footways and Croſſpaths of the ſaid Streets, Lanes, public Paſſages or Places, or any Part thereof, out of or from any inclоſed Lands or Grounds, until Notice in Writing, ſigned by the Surveyor or Surveyors for the Time being, ſhall have been given to the Owner and Occupier of the Premiſes, or the known Agent of any ſuch Owner and Occupier reſpectively, from which ſuch Materials are intended to be taken, or left for ſuch Owner and Occupier at their reſpective uſual Places of Reſidence, to appear before Two or more Juſtices of the Peace for the ſaid Town, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Owners and Occupiers or any or either of them, or their or his Agent or Agents, ſhall not appear, or ſhall appear purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, then and in either of the ſaid Caſes, the ſaid Juſtices ſhall or may authorize ſuch Surveyor or Surveyors, or other Perſon or Perſons, to dig for, cut, gather, take, and carry away ſuch Materials at ſuch Time or Times as to the ſaid Juſtices ſhall ſeem proper, who ſhall and may make ſuch Order therein as they ſhall think fit.

Private Drains to be cleanſed.

XLIII. 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 Town, and which do or ſhall iſſue into any of the public Sewers or Drains, ſhall be repaired and cleanſed under the Inſpection and Direction of the Surveyor or other Officer to the ſaid Commiſſioners, at the Coſts and Charges of the Owner or Owners, Occupier or Occupiers of the Lands or Tenements to which the ſaid private Drains do and ſhall reſpectively belong.

Not to alter the Pavement.

XLIV. 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 Town, without the Conſent and Approbation of the ſaid Commiſſioners, or any Five 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 the Sum of Five Pounds, together with all reaſonable Coſts and Charges attending the Recovery thereof.

Surveyors to inſpect the Works.

XLV. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Five or more of them, and they are hereby directed to cauſe all and every the Works done in purſuance of this Act, to be inſpected by their Surveyor or Surveyors, or by ſuch other Perſon or Perſons as they ſhall from Time to Time appoint.

Penalty on Perſons obſtructing Works.

XLVI. And be it further enacted, That if any Perſon or Perſons ſhall obſtruct, hinder, or moleſt any Surveyor or other Officers, Workmen, or Perſons employed by virtue of this Act in the Performance or Execution of his or their Duty, every Perſon ſo offending ſhall for every ſuch Offence forfeit any Sum not exceeding the Sum of Forty Shillings, together with all reaſonable Coſts and Charges attending the Recovery thereof.

Penalty on damaging Materials.

XLVII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly break up, injure, deſtroy, or otherwiſe damage any of the Articles or Things hereby veſted in the ſaid Commiſſioners, or any of the Works done by them in purſuance of this Act, every Perſon ſo offending

offending ſhall for every ſuch Offence forfeit and pay any Sum of Money not exceeding Forty Shillings, together with all reaſonable Coſts and Charges attending the Recovery of the ſame.

Footpaths to be ſwept daily.

XLVIII. And be it further enacted, That the ſeveral Occupiers of Houſes and other Tenements, with the Offices belonging to the ſame within the ſaid 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 for every ſuch Offence any Sum not exceeding Five Shillings, together with all reaſonable Coſts and Charges attending the ſame.

No Perſon to take away Dirt, &c. but the Contractors.

XLIX. And be it further enacted, That if any Perſon or Perſons whomſoever, other than the Perſon or Perſons employed by or contracting with the ſaid Commiſſioners for cleanſing the ſeveral Streets, Lanes, Ways, public Paſſages, or Places within the ſaid Town, ſhall take or carry away, or cauſe to be taken or carried away, any Dung, Soil, or other Filth ariſing out of ſuch Streets, Lanes, Ways, or other public Paſſages or Places as aforeſaid, every ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings, together with all reaſonable Coſts and Charges attending the Recovery of the ſame.

Owners may keep Aſhes, &c. for their own uſe.

L. Provided always, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to prevent any Perſon or Perſons from preſerving or keeping any Soil, Dirt, Duſt, Dung, Aſhes, Cinders, Manure, Muck, Filth, or Rubbiſh which ſhall have ariſen or have been made within his, her, or their Houſes, Yards, or other Premiſes, or from making uſe of the ſame for the Purpoſe of manuring any Lands in his, her, or their own Occupation, or of ſelling or diſpoſing of the ſame, ſo as ſuch Soil, Dirt, Duſt, Cinders, Dung, Aſhes, Manure, Muck, Filth, or Rubbiſh be not laid down or placed in any Street, Lane, Way, public Paſſage, or Place within the ſaid Town, for any longer Time than ſhall be neceſſary for loading and carrying away the ſame, nor be ſuffered to remain ſo as to be an Annoyance to any of the Inhabitants of the ſaid Town.

Power to Commiſſioners to ſet up Lamps.

LI. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners or any Five or more of them, and they are hereby 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 of the Evening, and to be kept burning for ſo many Hours as to them ſhall ſeem neceſſary or proper for the well and ſufficiently lighting of all or any of the ſaid Streets, Lanes, and public 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 other Furniture thereof, or wilfully extinguiſh the Light of any ſuch Lamp, every Perſon ſo offending ſhall forfeit and

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 by this Act 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 the Irons, Poſts, or other Furniture thereof, and ſhall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every ſuch Caſe it ſhall be lawful for any Juſtice of the Peace for the ſaid Town of *Baſingſtoke*, upon Proof made by the Oath of One or more Witneſs or Witneſſes, or 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 Rates or Aſſeſſments aforeſaid can or may be levied and recovered.

Lamps, Pavements, &c. veſted in Commiſſioners.

LII. And be it further enacted, That from and immediately after the paſſing of this Act, the Property of all the Lamps, Lamp Irons, Lamp Poſts, Watch Houſes, and Stands, and other Conveniencies which ſhall be erected, fixed, or provided by virtue of this Act, and of all the preſent and future Pavements, not being private Property, of the Footways and Croſſpaths in the Streets, Lanes, and other public Paſſages and Places in the ſaid Town of *Baſingſtoke*, and all the preſent and future Poſts, Stones, Pales, and Rails, not being private Property, in all the ſaid Streets, Lanes, and public Paſſages and Places, and of all Materials and Implements, and all other Things which ſhall be purchaſed, provided, or made uſe of for the Purpoſes of this Act, and all the Soil, Dung, Manure, or Dirt which ſhall ariſe or be made in any of the ſaid Streets, Lanes, public Paſſages, and Places, and of all Aſhes, Cinders, and Rubbiſh to be taken and carried away from all the Houſes in the ſaid Streets, Lanes, and public Paſſages and Places, ſhall belong to and the ſame are hereby veſted in the ſaid Commiſſioners; and they, or any Five or more of them, are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions, or to prefer or order and direct the preferring of any Bill or Bills of Indictment, as the Caſe ſhall require, againſt any Perſon or Perſons whomſoever, who ſhall ſteal, take, or carry away, detain, ſpoil, injure, or deſtroy the ſame or any Part or Parts thereof, or diſturb them in the Poſſeſſion thereof; and the ſaid Commiſſioners, or any Five or more of them, ſhall have full Power and Authority from Time to Time to ſell and diſpoſe of all or any Part of the ſaid old Materials, not being private Property, and ſuch Soil, Dung, Manure, Dirt, Aſhes, Cinders, and Rubbiſh as aforeſaid (except as herein-after mentioned) to ſuch Perſon or Perſons as ſhall be willing to purchaſe the ſame, and the Money ariſing therefrom ſhall be applied to the Purpoſes of this Act.

Commiſſioners may contract.

LIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, to enter into any Contract or Contracts for paving, repairing, cleanſing, and lighting the Footways and Croſſpaths of the ſeveral Streets, Lanes, and other public

public Paſſages and Places within the ſaid Town, or for furniſhing Materials or any other Matters or neceſſary Things whatſoever, or for any other the Purpoſes of this Act; but before any ſuch Contract ſhall be entered into, Fourteen Days Notice at leaſt ſhall be given in ſome Public Newſpaper circulated in the ſaid Town, and by Writing affixed upon ſome conſpicuous Part of the Town Hall, 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; provided that no ſuch Contract ſhall be made for a longer Space of Time than Three Years from the Time of entering into ſuch Contract.

Contracts to be ſigned by the Commiſſioners.

LIV. 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 Five 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 may compound for Penalties.

LV. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Five 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, or any Five or more of them, 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 the Breach or Non-performance of any ſuch Contract, and all Coſts and Expences which ſhall be occaſioned thereby.

Appointment of Watchmen.

LVI. And be it further enacted, That the ſaid Commiſſioners, or any Five 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, public 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 erect, hire, or otherwiſe provide a proper Place or Places for the Reception of ſuch Watchmen; and it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, to remove any of ſuch Watchmen for Miſbehaviour or Neglect of Duty, and to impoſe any Fine or Sum of Money, not exceeding Twenty Shillings for every Neglect or Miſbehaviour of any ſuch

Watchman; which Fine may be deducted out of his Wages or Allowance.

Watchmen empowered to apprehend ſuſpected Perſons.

LVII. And be it further enacted, That it ſhall be lawful for ſuch 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 ſome other proper Place or Places of Confinement, all ſuch Malefactors, Diſturbers of the King's Peace, and all ſuch ſuſpected Perſons as ſhall be found wandering or miſbehaving themſelves, and to carry ſuch Perſon or Perſons, as ſoon as conveniently may be, before ſome Juſtice of the Peace for the ſaid Town, to be examined and dealt with according to Law.

Victuallers not to ſuffer Watchmen to be in their Houſes during the Hours of Duty.

LVIII. And be it further enacted, That if any Victualler or Keeper of a Public Houſe or Tap, ſhall knowingly and willingly harbour or entertain any Watchman employed by the ſaid Commiſſioners, or permit or ſuffer any ſuch Watchman to remain in ſuch 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, together with all reaſonable Coſts, Charges, and Expences attending the Recovery thereof.

Commiſſioners to reward Watchmen.

LIX. 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 Five 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.

Penalties for leaving Carriages and cauſing other Obſtructions in the Streets.

LX. And be it further enacted, That if any Perſon ſhall uſe any Waggon, Cart, Sledge, or Dray within the ſaid Town, not having the Name and Place of Abode of the Owner thereof painted in large Capital Letters on the Front or on the near Side of ſuch Waggon, Cart, Sledge, or Dray; or if any Waggon, Cart, Sledge, Dray or other Carriage ſhall be left or remain in any of the ſaid Streets, Lanes, Ways or public Paſſages or Places, which ſhall be paved by virtue of this Act, without Horſes or other Cattle, for any Purpoſe whatſoever, or with Horſes or other Cattle, for any Time longer than ſhall be neceſſary for the loading or unloading thereof; or ſhall not be ſtanding during the Time of ſuch loading or unloading thereof, as near to the Side of the Street, Lane, Way, public Paſſage or Places 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 ſuch Street, Lane, Way, public Paſſage or Place, with or without Horſes, for any longer Time than ſhall be neceſſary for the taking up or ſetting down the Paſſengers, or of loading or unloading the Baggage; or if any Stonehorſe or Stallion ſhall be exhibited in any of the Streets, Lanes, Ways, public Paſſages or Places of the ſaid Town, or if any Sort of Swine ſhall be kept or fed in any Stye or Cot, Court, Yard or Garden adjoining to any of the ſaid Streets, Lanes, public Paſſages or Places not well and ſufficiently walled in, ſo as to prevent the ſame from becoming a Nuiſance to the Inhabitants of the ſaid Town; or if any Swine or other Beaſt ſhall be permitted to wander or be at large in any of the ſaid Streets, Lanes, Ways,

Ways, public Paſſages or Places; or if any Coal, Timber, Bricks, Stones, Dung, Wood, Goods, Wares, Merchandizes or other Materials or Things ſhall be laid or placed and left to remain in any of the ſaid Streets, Lanes, Ways, public Paſſages or Places, for any longer Time than ſhall be neceſſary for moving or houſing the ſame; or if any Aſhes, Rubbiſh, Duſt, Dirt, Glaſs Bottles, Earthenware, Filth or other Nuiſance or Annoyance ſhall be thrown, caſt or laid in any of the ſaid Streets, Lanes, Ways, public Paſſages or Places, (except Aſhes, Sand or Sawduſt, in the Time of Froſt only, and to prevent Accidents), and ſuffered to remain for any longer Time than ſhall be neceſſary for removing the ſame, then and in every ſuch Caſe the Owner or Driver of every ſuch Waggon, Cart, Sledge, Dray, Wheelbarrow or Hand Cart, and the Owner of any ſuch Stonehorſe or Stallion, Swine or other Beaſt, Coal, Timber or other Things aforeſaid, and the Perſon who ſhall ſo throw, caſt, or lay any Dung, Filth, Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance, or Water, ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, together with all reaſonable Coſts and Charges attending the Recovery of the ſame; and it ſhall be lawful for any Perſon or Perſons to impound any ſuch Waggon, Cart, Sledge, Dray, Coach or other Carriage, Material or Thing ſo left or remaining as aforeſaid, and alſo any ſuch Swine or other Beaſt ſo wandering or being at large as aforeſaid in the Common Pound, and the ſame to detain in ſuch Pound until ſuch Penalty, Coſts, and Charges together with the Coſts and Charges of keeping and removing the ſame, ſhall be fully paid and ſatisfied; and if ſuch Penalty and Expences ſhall not be paid within Five Days after the ſame reſpectively ſhall be ſo impounded, it ſhall be lawful for ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners, or any Five or more of them, for that Purpoſe to ſell and diſpoſe of the ſame, and the Overplus (if any) of the Money ariſing by ſuch Sale, after Payment of the ſaid Fine and Expences, ſhall be paid to the Owner or Owners thereof reſpectively.

For removing Signs, &c.

LXI. And be it further enacted, That the ſaid Commiſſioners or any Five or more of them, ſhall and may at any of their Meetings to be held in purſuance of this Act, cauſe Notice in Writing, ſigned by their Clerk, to be given to the reſpective Owners or Occupiers of the ſeveral Houſes or Buildings within the ſaid Town, or left at their reſpective Dwelling Houſes, to take down, remove, alter or regulate in ſuch Manner as the ſaid Commiſſioners ſhall from Time to Time judge proper, all Signs or other Emblems uſed to denote the Trade or Calling of any Perſon or Perſons, which now are or hereafter ſhall belong to ſuch reſpective Houſes or other Buildings, or cauſe the ſame to be fixed and placed flat in the Front thereof, and all Sign Irons, Sign Poſts and other Poſts, Pillars and Pilaſters, Paliſadoes, Pales and Rails, Barbers Poles and other Poles, Trees, Sheds, Penthouſes, Bulks, Spouts, Stairs, Steps, Shew-boards, Stall-boards, Cellar Windows, and Doors and Grates, and Steps into Cellars and Vaults, and all other Encroachments, Obſtructions, Projections and Annoyances whether lately or anciently or at whatever Time projected or erected, which now do or hereafter ſhall belong to ſuch reſpective Houſes or other Buildings requiring to be removed, altered, regulated or reformed, and alſo to cauſe the Water to be conveyed from the Roofs, Cornices and Penthouſes of or belonging to ſuch reſpective Houſes and other Buildings, by proper and ſufficient Pipes or Trunks to be affixed on the Sides of ſuch Houſes and other Buildings reſpectively, and to be

brought down to the Ground; and in caſe the Owner or Occupier ſhall refuſe or neglect ſo to do for the Space of Twenty-eight Days next after ſuch Notice ſhall be given to him, her, or them reſpectively, or left at his, her, or their reſpective Dwelling Houſe, it ſhall and may be lawful to and for the ſaid Commiſſioners or any Five or more of them, at a Meeting to be held in purſuance of this Act, to cauſe ſuch Signs or other Emblems, Sign Irons, Poſts, Pillars and Pilaſters, Poles, Trees, Sheds, Penthouſes, Bulks, Spouts, Stairs, Steps, Boards, Cellar Windows and Doors, Grates, and Steps into Cellars and Vaults, and other Encroachments, Obſtructions, Projections, and Annoyances, or of making and affixing ſuch Pipes or Trunks, to be taken down, carried away, removed, altered, reformed, regulated and fixed in Manner aforeſaid, and ſhall return or cauſe to be returned in Manner aforeſaid to their reſpective Owners, or to be left on the Spot, or as near as conveniently may be for ſuch Owner or Owners, ſo much of ſuch Sign Irons, Sign Poſts, and other Poſts, Pillars, and Pilaſters, Paliſadoes, Pales and Rails, Poles, Trees, Sheds, Penthouſes, Bulks, Spouts, Stairs, Steps, Boards, Cellar Windows and Doors and Grates, and other Encroachments, Obſtructions, Projections, and Annoyances as ſhall not be fixed, put up or otherwiſe made uſe of in the Alterations directed by this Act; and the Charges and Expences attending the ſame ſhall and may be recovered of the Owners or Occupiers thereof reſpectively, in the ſame Manner as the Rates or Aſſeſſments hereinbefore mentioned are directed to be recovered on Non-payment thereof: Provided always, that the Tenant or Occupier ſhall be liable to pay the whole of the Expences aforeſaid, and ſhall and may deduct ſo much thereof as ought to be borne and defrayed by his or her Landlord out of the next Rent, and the Landlord ſhall and is hereby required to allow ſuch Payment on the Receipt of the Reſidue of his Rent; provided that nothing in this Act contained ſhall extend, or be in anywiſe conſtrued to extend to authorize or empower the ſaid Commiſſioners, or any Officer or Officers acting under their Authority, to cauſe or require to be removed any Pillars, Pilaſters or Balconies belonging or appertaining to any Houſe or Houſes in the ſaid Town not on the Ground Floor of ſuch Houſe or Houſes.

Power to remove Bow and other Windows.

LXII. And be it further enacted, That from and after the paſſing of this Act it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, and they are hereby authorized and empowered from Time to Time, when and as often as they ſhall judge proper, to cauſe all or any and ſo many of the Bow and other Windows projecting over any Foot or Carriage Way, ſo as to obſtruct the Paſſage thereof, to be removed, altered, regulated or reformed, on giving Fourteen Days Notice in Writing, ſigned by their Clerk, to the reſpective Owners or Occupiers thereof, and the Coſts, Charges, and Expences attending the ſame, ſhall be paid out of the Money to be raiſed by the Rates or Aſſeſſments to be made by virtue of this Act.

Protections for Corners of Buildings.

LXIII. Provided always, and be it further enacted, That if the ſaid Commiſſioners ſhall cauſe to be taken up or removed any Stumps, Poſts, or other Guards at the Corner of any Houſe or Building, forming a Corner of any Street or Lane for the Protection of ſuch Houſe or Building from Injury by Carriages, they the ſaid Commiſſioners ſhall by ſome other proper Ways or Means ſufficiently guard or protect the ſame from

ſuch

ſuch Injury; and in caſe any Damage ſhall at any Time happen to any ſuch Houſe by reaſon of taking up or removing any ſuch Stumps, Poſts or other Guards, they the ſaid Commiſſioners ſhall from Time to Time make good ſuch Damage out of the Monies to be raiſed by virtue of this Act.

No Encroachment to be hereafter erected.

LXIV. And be it further enacted, That from and after the paſſing of this Act no Surveyor, Maſter Carpenter, Maſon, or other Workman, in re-building, new fronting or altering any Houſe, Building, Wall or Fence ſituate in any Street, Lane, public Paſſage or Place within the ſaid Town, ſhall under any Pretence whatſoever carry the Foundation, or any Part of the Front thereof, beyond the Line of ſuch Street, Lane, or public Paſſage or Place, but ſhall build the ſame perpendicularly from the Foundation thereof, upon Pain of forfeiting for every Offence the Sum of Ten Pounds, and the Owner of ſuch Houſe, Building, Wall or Fence, ſhall forfeit and pay the Sum of Forty Shillings for every Month ſuch Encroachment ſhall remain; and that it ſhall not be lawful for any Perſon hereafter, without the Conſent of the ſaid Commiſſioners, or any Five or more of them, to build, make or plant any Sign, Sign Iron, Sign Poſt or other Poſt, Pillar or Pilaſter, Paliſadoe, Pale or Rail, Barber's Pole or other Pole, Tree, Shed, Penthouſe, Bow or other Window, to project over any Foot or Carriage Way ſo as to obſtruct the Paſſage thereof, Spout, Stair, Step, Shew-board, Stall-board, Cellar Window or Door or Grate or Step, into any Cellar or Vault, Pool, Ceſs-pool, Ciſtern or Reſervoir of Water, or other Encroachment, Obſtruction, Projection, or Annoyance againſt or in the Front or Side of any Houſe or other Building ſo as to project into or over any of the Foot Ways or Carriage Ways, upon Pain of forfeiting for every ſuch Offence the Sum of Five Pounds; and it ſhall be lawful for the ſaid Commiſſioners (whether any ſuch Penalties or Forfeitures ſhall be levied or not) to cauſe all ſuch Houſes and other Buildings, Signs, Sign Irons, Sign Poſts, or other Poſts, Pillars, Pilaſters, Paliſadoes, Pales, and Rails, Barbers Poles and other Poles, Trees, Sheds, Penthouſes, Bow or other Windows projecting over any Foot or Carriage Way, ſo as to obſtruct the Paſſage thereof, Spouts, Stairs, Steps, Shew-boards, Stall-boards, Cellar Windows, Doors, Grates and Steps into Cellars and Vaults, and Reſervoirs for Water, Spouts, Pipes, Trunks and other Encroachments, Obſtructions, Projections or Annoyances, or any of them, to be taken down, removed, and carried away.

Slaughter-houſes, Hogſtyes, and other noiſome Buildings to be removed.

LXV. And be it further enacted, That in caſe any Slaughter Houſe, Hogſtye, Neceſſary Houſe, or other noiſome or offenſive Building or Place whatſoever, in or near any of the Streets, Lanes, Ways, public Paſſages or Places within the ſaid Town, ſhall by the ſaid Commiſſioners, or any Seven or more of them, be deemed a Nuiſance to any of the Inhabitants of or Perſons reſiding therein, it ſhall and may be lawful to and for the ſaid Commiſſioners, upon Complaint thereof to them made by any ſuch Inhabitant or other Perſon or Perſons by Notice in Writing under the Hands of the ſaid Commiſſioners, or under the Hand of their Clerk, to order any ſuch Nuiſance or Offence to be removed, and in caſe the ſame ſhall not be removed within Fourteen Days after ſuch Notice given to the Perſon or Perſons who ought to remove the ſame, or left at his, her, or their laſt uſual Place of Abode, ſuch Perſon or Perſons ſhall forfeit and pay any Sum not exceeding Ten Shillings for every Day the ſame ſhall continue unremoved after the Expiration of the Time mentioned in ſuch Notice.

No new Buildings to be covered with Thatch.

LXVI. And be it further enacted, That it ſhall not be lawful from and after the paſſing of this Act for any Perſon or Perſons to cover or cauſe to be covered any Houſe or other Building within any Part of the ſaid Streets, Lanes, Ways, public Paſſages or Places which ſhall be paved by virtue of this Act in the whole or in Part with Thatch or Straw, and all and every Perſon and Perſons offending in ſuch reſpect ſhall forfeit and pay the Sum of Twenty Shillings for every Week ſuch Houſe or other Building ſhall continue with ſuch Covering of Thatch or Straw as aforeſaid.

Penalty on Perſons ſetting fire to Chimnies.

LXVII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully ſet fire to or wilfully cauſe, permit, or ſuffer the Chimney of any Houſe, Workſhop, Outhouſe, or other Building in the ſaid Town to be on fire, the Owner or Occupier of every ſuch Houſe, Workſhop, Outhouſe, or other Building, ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Twenty Shillings, together with all reaſonable Coſts and Charges attending the Recovery thereof.

Hoards to be erected.

LXVIII. And be it further enacted, That if any Perſon or Perſons ſhall make or cauſe to be made any Mortar, or depoſit or cauſe to be depoſited any Brieks, Stones, Lime, Sand, or any other Materials for building or repairing any Houſe, Shop, or other Building, or for any other Purpoſe whatſoever, or ſhall ſift, ſcreen, or ſlack, or cauſe to be ſifted, ſcreened, or ſlacked any Lime or Sand in any Street, Lane, Way, public Paſſage, or Place within the ſaid Town, (except within a Hoard or Incloſure to be erected for that Purpoſe, which he and they is and are hereby empowered to erect on any of the Footways of the ſaid Town, by and with the Conſent of the ſaid Commiſſioners, or any Five or more of them, but not otherwiſe), he, ſhe, or they ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, together with all reaſonable Coſts and Charges attending the Recovery thereof.

For preventing Annoyances in the Streets.

LXIX. And be it further enacted, That if any Perſon or Perſons ſhall run, draw, drive, carry, or place on the Footpaths or Pavements in any of the ſaid Streets, Lanes, public Paſſages or Places, any Coach, Waggon, Cart, Dray, Wheel, Sledge, Wheelbarrow, Handbarrow, Truck, or other Carriage whatſoever, or roll any Tub, Caſk, Wheel, or other Thing, or ſhall wilfully drive or lead any Horſe or other Beaſt or Cattle on any of the ſaid Footways, Croſſpaths, or Pavements aforeſaid, or ſhall kill, ſlaughter, ſinge, ſcald, dreſs, or cut up any Cattle, Swine, or other Beaſt in any of the ſaid Streets, Lanes, public Paſſages, and Places, or cauſe or permit any Blood to run from any Slaughter Houſe, Butchers Shop, or Shambles, into the ſame or any of them, or the Drains of any Stye, Cot, Court, or Yard wherein any Sort of Swine ſhall be kept or fed, or the Drain of any Dunghill to run into any of the ſaid Streets, Lanes, Ways, or public Paſſages and Places, to the Annoyance of any of the Inhabitants of the ſaid Town, or ſhall hoop, cleanſe, waſh, fire, or burn or ſcald any Caſk, or hew or ſaw, or cauſe to be hewn or ſawn any Stone, Wood, or Timber, or bind, make, or repair the Wheel of any Carriage, or ſhoe, bleed, or farry any Horſe or other Beaſt or Cattle, (except in Caſes of Accident), or turn or drive looſe any Horſe, or roll any Caſk or other Thing in any of the ſaid Streets, Lanes, Ways, public Paſſages, or Places; or if any Perſon ſhall ſet, place, or expoſe, or cauſe to be ſet, placed, or expoſed to Sale, any Goods, Wares, or

Merchandizes whatſoever, or any Fruit, Vegetables, or Garden Stuff, Butchers Meat or other Matter or Thing upon, or projecting over, or faſtened or fixed to the Wall adjoining the Footpaths of any of the ſaid Lanes, public Paſſages, or Places within the ſaid Town of *Baſingſtoke*, or hang up or expoſe to Sale any Goods, Wares, Merchandizes, or other Matter or Thing upon any Flap Window or otherwiſe; or if any Perſon ſhall at any Time after the paſſing of this Act leave open any Cellar Door, or Grate, in any of the ſaid Streets, Lanes, Ways, public Paſſages, or Places, or ſhall make, or aſſiſt in making any Fires commonly called *Bonfires*, or let off any Gun or Piſtol, or ſet fire to, let off, or throw any Squib, Serpent, Cracker, or Fireworks, within any of the ſaid Streets, Lanes, Ways, public Paſſages or Places; or if any of the Inhabitants of the ſaid Town ſhall cauſe or permit or ſuffer to be removed any Aſhes, Cinders, Duſt, Dirt, Filth, Soil, Dung, or Rubbiſh from any Houſe, Shop, Building, Warehouſe, or Yard within the ſaid Town, and ſhall wilfully or negligently permit or ſuffer the ſame to lie in any of the ſaid Streets, Lanes, or public Paſſages or Places in the ſaid Town for any longer Time than ſhall be neceſſary for the loading and carrying away the ſame, or ſhall ſuffer the ſame to annoy his, her, or their Neighbour or Neighbours, or other Inhabitant or Inhabitants of the ſaid Town, or permit or ſuffer the Soil or Contents of any Slaughter Houſe, Privy, or Neceſſary Houſe, Pigſtye, or Dunghill to remain in any of the ſaid Streets, Lanes, public Paſſages, or Places, after the Hour of Eight of the Clock in the Morning between the Firſt Day of *April* and the Firſt Day of *October* in each and every Year; and after the Hour of Ten of the Clock in the Morning between the Firſt Day of *October* and the Firſt Day of *April* in each and every Year; every Perſon offending in any of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings, together with all reaſonable Coſts and Charges attending the Recovery thereof.

Recovery of Penalties by Diſtreſs and Sale, or Offenders committed.

LXX. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed, and the reaſonable Coſts and Charges attending the Recovery of the ſame, the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed, ſhall be levied and recovered by Diſtreſs and Sale of the Offenders Goods and Chattels, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid Town of *Baſingſtoke*, (which Warrant ſuch Juſtice is 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 Monies ariſing by ſuch Diſtreſs and Sale ſhall be returned, upon Demand of the Owner or Owners of ſuch Goods and Chattels, after deducting the Coſts and Charges aforeſaid, and alſo 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 or Forfeitures, Coſts and Charges ſhall not be paid forthwith, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol for the ſaid County of *Southampton*, or to the Houſe of Correction or Common Bridewell for the ſaid Town, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties and Forfeitures,

Forfeitures, and ſuch Coſts and Charges as aforeſaid, and all other reaſonable Coſts and Charges, ſhall be ſooner fully paid and ſatisfied.

LXXI. 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.

Town of *Baſingſtoke*, in the County of *Southampton*, or [*as the Caſe may be*]

'BE it remembered, That on the Day of in the Year of the Reign of His Majeſty is convicted before of His Majeſty's Juſtices of the Peace in and for the ſaid Town, or County, [*as the Caſe may be*] 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 when and 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 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 or they 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 or them of any ſuch Offence as aforeſaid, unleſs herein otherwiſe directed, not exceeding One Moiety or Half Part thereof to the Informer or Informers, Witneſs or Witneſſes, againſt ſuch Offender, in ſuch Shares and Proportions as to ſuch Juſtice or Juſtices ſhall ſeem meet.

Allowing Appeal to Perſons aggrieved.

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, 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 Five 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, Judgement, or Determination is herein directed to be final or 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 ſuch Cauſe of Complaint ſhall have ariſen, the Perſon or Perſons appealing firſt giving or cauſing to be given to the Clerk to the ſaid Commiſſioners,

missioners 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 Recognizance 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 Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage 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 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 such 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 removed 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 other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding.

Limitation of Actions.

LXXVI. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done

done in purſuance of this Act, until Fourteen Days Notice be thereof given to the Treaſurer or Clerk to the ſaid Commiſſioners, or after ſufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be brought and tried in the County where the Cauſe of Action or Suit ſhall ariſe and not elſewhere; 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 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 non-ſuited, 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 Treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any other Caſes by Law.

This Act not to prejudice the Rights of the Lords of the Manor of Baſingſtoke.

LXXVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to the Injury or Prejudice of the Mayor, Aldermen, and Burgeſſes of the ſaid Town of *Baſingſtoke*, of the Right to the Soil of the ſaid Town, as Lords of the Manor of *Baſingſtoke*, or to any other Rights, Privileges or Emoluments whatſoever, which they have heretofore had, held, and enjoyed under or by virtue of all, any or either of the Charters heretofore granted to the ſaid Mayor, Aldermen and Burgeſſes, by their preſent Name or Title, or any former or other Corporate Name or Title whatſoever, by the Kings of *England*, or any Bye-Laws made in purſuance of the Powers and Authorities given and granted by the ſaid Charters, or any or either of them.

Public Act.

LXXVIII. 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.

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