ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 164.

An Act for paving, widening, cleanſing, watching, lighting, and regulating the Streets and other Public Places within the Borough of *Chepping Wycombe*, in the County of *Bucks*, and for removing and preventing Nuiſances and Obſtructions therein.

[22d *June* 1813.]

WHEREAS the Footways in the ſeveral Streets, Lanes, and other Public Paſſages and Places, within the Borough of *Chepping Wycombe*, in the County of *Buckingham*, are very ill paved; and the ſaid ſeveral Streets, Lanes, and Paſſages, are not ſufficiently cleanſed, lighted, and watched, and in ſome Places are very narrow and incommodious, and ſubject to various Encroachments, Obſtructions, and Nuiſances: And whereas it would tend greatly to the Safety, Accommodation, and Convenience of the Inhabitants of the ſaid Borough, and all Perſons reſorting to and travelling through the ſame, if the ſaid Footways and Croſs Paths were properly paved, and the ſaid ſeveral Streets, Lanes, and Paſſages, were well and ſufficiently cleanſed, lighted, watched, widened, and regulated, and kept free from Encroachments, Obſtructions, and Nuiſances: And whereas ſuch Purpoſes cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Mayor, Recorder, and

Commissioners. Aldermen of the said Borough for the Time being, Sir *John Dashwood King* Baronet, Sir *Thomas Baring* Baronet, *Henry Allnutt* Gentleman, *Reuben Allen* the younger, *William Ball*, *Joseph Burrough*, *Matthew Bates*, *Richard Barton*, *John Crafts* Gentleman, *John Carter*, *Robert Chadley*, *Charles Cannon*, *William Dancer*, *Thomas Edmonds*, *Samuel Edmonds*, *Robert Fowler*, *Francis Ford*, *Joseph Fenner*, *Richard Gellet*, *James Gomme*, *John Gibbs*, *John Hollis* Esquire, *George Harman*, *Joseph Hunt*, *John Hussey*, *Ralph Lansdale*, *John Lamley*, *William Leech*, *James Moody*, *William West Medwin*, *Thomas Morecraft*, *John Nash* the elder, Gentleman, *John Nash* the younger, Gentleman, *John Prestage*, *Daniel Page*, *William Rose*, *Francis Stevens*, *Samuel Treacher*, *John Wilkinson*, *Thomas Westwood*, *John Young*, *William Young*, *Watkin Crowther* of *West Wycombe*, in the said County of *Bucks*, Gentleman, *William Lowe* of *Piccadilly*, in the County of *Middlesex*, Gentleman, *Joseph Langton* of *Maidenhead*, in the County of *Berks*, Brewer, *John Newman* the younger, of *Buckingham*, Gentleman, *John Weller* and *William Weller*, both of *Amersham*, in the said County of *Bucks*, Brewers, and *John Winslow* of *Kingsey*, in the said County of *Bucks*, Yeoman, (and their Successors to be elected in Manner herein-after mentioned), shall be and they are hereby appointed Commissioners for putting this Act into Execution.

On Death or Refusal of Commissioners others to be chosen. II. And be it further enacted, That when any of the Commissioners herein-before particularly named, or hereafter to be elected, shall die, or shall for the Space of One Year refuse or neglect to act, (such Death, Refusal, or Neglect being declared at a Public Meeting), whereby the Number of Commissioners appointed or chosen, in or by virtue of this Act, shall not be Forty, that then and in such Case, the Inhabitants of the said Borough rated and assessed by virtue of this Act, being assembled in the Guildhall, or some other convenient Place within the said Borough, on the last *Thursday* in the Month of *July* in any Year, shall and may nominate, elect, and choose such and so many fit Persons to be Commissioners to fill up the Vacancies occasioned by Death or otherwise, as shall make up the Number of Forty Commissioners or more; and that if it shall be thought necessary or expedient to elect any other Persons to be Commissioners before the several Persons appointed Commissioners by this Act, shall by Death, Refusal, or Neglect be reduced to Forty, it shall and may be lawful to and for the Inhabitants of the said Borough, rated and assessed, and being assessed at such Place and Time as aforesaid, to nominate, elect, and choose such and so many fit Persons, not exceeding Ten, to be Commissioners in Addition to the several Persons appointed Commissioners by this Act; and every such Person so elected, after having duly qualified himself as herein-after directed, shall be and is hereby vested with the same Powers for putting this Act into Execution, as if he had been appointed a Commissioner in or by this Act.

Qualification. III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation herein-after mentioned, which Oath or Affirmation the said Commissioners, or any Five of them, are hereby empowered to administer, at their First or any subsequent Meeting to be holden in pursuance of this Act), unless (being a resident Inhabitant) he shall at the Time of his acting be in his own Right or in the Right of his Wife in the actual Possession and Receipt of the Rents and Profits

Profits of a Real Eſtate rated by virtue of this Act at the yearly Value of Ten Pounds, or be in the actual Poſſeſſion of a Meſſuage or Tenement lying within the ſaid Borough, and rated to the Poor's Rate, and under the Powers and Authorities of this Act, at the annual Value of Twenty Pounds, or ſhall be ſeiſed or poſſeſſed of Real or Perſonal Eſtate within the ſaid Borough of the Value of Five hundred Pounds, and rated under the Powers and Authorities of this Act, or (being a non-reſident Inhabitant) unleſs he ſhall at the Time of his acting be in his own Right or in the Right of his Wife in the actual Poſſeſſion and Receipt of the Rents and Profits of a Real Eſtate, ſituate within the ſaid Borough, of the yearly Value of Twenty Pounds, and until ſuch Perſon (being a Reſident Inhabitant) ſhall have taken and ſubſcribed an Oath or Affirmation to the Effect following; *videlicet*,

'I *A. B.* do ſwear, [*or*, being one of the People called *Quakers*, do affirm], That I am in my own Right or in the Right of my Wife in the actual Poſſeſſion or Receipt of the Rents and Profits of a Real Eſtate, rated by virtue of an Act of Parliament made in the Fifty-third Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act*,] at the yearly Value of Ten Pounds, [*or*, in the actual Poſſeſſion of a Meſſuage or Tenement ſituate in the ſaid Borough, and rated to the Poor's Rate and to this Act at the annual Value of Twenty Pounds, or poſſeſſed of Real or Perſonal Eſtate, ſituate within the ſaid Borough, of the Value of Five hundred Pounds, and rated to this Act.]

'So help me GOD.'

And until ſuch Perſon (being a Non-reſident Inhabitant) ſhall have taken and ſubſcribed an Oath or Affirmation to the Effect following; *videlicet*,

'I *A. B.* do ſwear, [*or*, being one of the People called *Quakers*, do affirm], That I am in my own Right or in the Right of my Wife in the actual Poſſeſſion or Receipt of the Rents and Profits of a Real Eſtate, lying within the Borough of *Chepping Wycombe*, in the County of *Buckingham*, of the yearly Value of Twenty Pounds.

'So help me GOD.'

Penalty on acting not being qualified.

And if any Perſon, not being qualified as above mentioned, ſhall nevertheleſs preſume to act as ſuch, every ſuch Perſon for ſuch Offence ſhall forfeit and pay the Sum of One hundred Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Caſe, Plaint, Suit, or Information, wherein no Eſſoign, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; and every Perſon ſo ſued or proſecuted ſhall prove that he is 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 has acted as a Commiſſioner in the Execution of this Act.

Commiſſioners not to act if intereſted.

IV. Provided alſo, 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 of Profit 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.

Meetings and Proceedings of Commissioners.

V. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet in the Guildhall of the said Borough, or any other convenient Place within the said Borough, on the Second *Thursday* 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 within the said Borough, as they or the major Part of them present at such Meeting shall appoint, and Two Days Notice of such Adjournment shall be given to the Commissioners by their Clerk, 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 to adjourn to another Day (and for such Purpose of Adjournment Three Commissioners shall be deemed sufficient), 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 Five or more of the said Commissioners, or their Clerk, shall and may call a Meeting at the Place where the last Meeting was to have been holden by Notice to be given or left by the Clerk to the said Commissioners 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 by virtue of this Act; and that all Powers and Authorities by this Act granted to or vested in the said Commissioners, 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 Commissioners 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 always, that no Order made by the said Commissioners at any of their Meetings shall be revoked or altered, unless at some Meeting to be held for that Purpose (of which Ten Days Notice in Writing shall be given to the said Commissioners, resident in the said Borough, expressing the Occasion of such Meeting); and unless Nine Commissioners shall attend at such Meeting to revoke or alter the same; any Thing in this Act contained to the contrary thereof notwithstanding.

Proceedings to be entered.

VI. 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 the Commissioners who shall duly qualify themselves in pursuance of this Act, and of all their Acts, Orders, and 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 shall subscribe his Name at the End 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

to be read in Evidence in all Cafes, Suits, and Actions touching any Thing done in purſuance or by virtue of this Act; and that ſuch Book or Books ſhall at all of the Meetings of the ſaid Commiſſioners be open and liable to the Inſpection of all and every 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 appoint Officers, and remove them.

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 neceſſary, appoint and employ a Treaſurer and Clerk, and 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 ſhall and may 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 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 they 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 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 or Perſon 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 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), verify the ſaid Account; and if any ſuch Officer ſhall neglect or refuſe to make and render, or to verify upon Oath or Affirmation, any ſuch Account, or to produce and 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 Perſon 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 uſual or laſt Place of Abode of ſuch Officer, all Books, Papers, and Writings in his Cuſtody or Power relating to the Execution of this Act, or give Satisfaction to the ſaid Commiſſioners reſpecting the ſame, then and in any of the Caſes aforeſaid, the ſaid Commiſſioners, or any Five or more of them, may and are hereby authorized and empowered to cauſe an Action to be brought againſt the Officer ſo refuſing

Penalty on Officers refuſing to account.

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 and for the ſaid Borough, or the Place wherein ſuch Officer ſo neglecting or refuſing ſhall be or reſide, ſuch Juſtice may and is hereby authorized and required to iſſue a Warrant under his Hand and Seal, for the Officer ſo neglecting or refuſing 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 which ſhall have been collected or raiſed by virtue of this Act ſhall remain due from ſuch Officer, 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; and if no Goods and Chattels of ſuch Officer can be found ſufficient to anſwer and ſatisfy the ſaid Monies, and the Charges of diſtraining and ſelling the ſame, or if it ſhall in Manner aforeſaid appear to ſuch Juſtice that ſuch Officer ſhall have neglected or refuſed to render and give ſuch Account, 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, and he ſhall have neglected or refuſed to deliver or give Satisfaction reſpecting the ſame as aforeſaid, then and in any of ſuch Caſes aforeſaid, ſuch Juſtice ſhall commit ſuch Offender to the Common Gaol for the ſaid Borough or Place where ſuch Offender ſhall 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 ſufficient Diſtreſs, ſhall be committed for any longer Space of Time than Twelve Calendar Months.

For appointing Officers in Caſes of Death, &c.

VIII. 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 another Perſon to collect the ſame, who ſhall 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

IX. And be it further enacted, That the Treaſurer to the ſaid Commiſſioners ſhall and may, and he is hereby authorized and required out of the Monies

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 at any Meeting ſhall from Time to Time draw upon him for, or order him to pay, and the ſaid Treaſurer ſhall and he is hereby required to keep regular and clear Entries in a Book or Books to be for that Purpoſe 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 Accounts before the ſaid Commiſſioners to be audited, paſſed, and allowed. ordered by Commiſſioners.

X. And, for defraying the Charges and Expences of paving and repairing the Footways and Croſspaths, and lighting, cleanſing, watching, widening, and regulating the ſaid Streets, Lanes, and other Public Paſſages and Places, and removing Encroachments, Obſtructions, Nuiſances, and Annoyances therein, and for other the Purpoſes of this Act; be it further enacted, That from and after the Firſt *Friday* next after the paſſing of this Act, One or more Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall Twice in every Year, or oftener if it ſhall be thought needful by the 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, or occupy any Houſe, Shop, Warehouſe, Wharf, Cellar, Vault, Stable, Coach Houſe, Brewhouſe, Brewing Offices, Granaries, Malt Houſes, Store Houſes, and other Buildings, Yards, and Gardens, Lands, and Tenements, within the ſaid Borough, and 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 ſuch Rates or Aſſeſſments are made in the following Proportions; *videlicet*, where the yearly Rent or yearly Value of ſuch Houſes, Shops, Warehouſes, Wharfs, Cellars, Vaults, Stables, Coach Houſes, Brewhouſes, Brewing Offices, Granaries, Malt Houſes, Store Houſes, and other Buildings, Yards and Gardens, Lands and Tenements as aforeſaid, is or ſhall be rated or aſſeſſed by virtue of this Act, at an Annual Value of more than Four Pounds and not exceeding Ten Pounds, any Sum not exceeding One Shilling in the Pound in any One Year; and where ſuch yearly Rent or yearly Value ſhall be rated and aſſeſſed at any annual Sum exceeding Ten Pounds, any Sum not exceeding One Shilling and Sixpence in any One Year, and that ſuch yearly Rent or Value ſhall be aſcertained by ſuch Ways and Means as the ſaid Commiſſioners, or any Five or more of them, ſhall think proper: 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 or Names of any Perſon or Perſons who ought to have been, but had not been rated or aſſeſſed, or by ſtriking out the Name or Names of any Perſon or Perſons who had 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 always, that no Perſon ſhall be ſubject to any Rate or Aſſeſſment who ſhall occupy any Houſe or other Premiſes, the annual Value whereof ſhall not exceed Four Pounds. Commiſſioners may make Rates on Occupiers to defray the Expences of Paving.

XI. And

Rates to be signed by Justices, who are to grant Warrants to collect and levy the same.

XI. And be it further enacted, That all Rates made by virtue of this Act, shall be allowed and signed by Two Justices of the Peace, acting in and for the said Borough, who are also hereby empowered and required to grant a Warrant or Warrants for collecting thereof, as also for levying of the same by such Person or Persons as the said Commissioners, or any Five or more of them, shall appoint, and which Warrant shall be sufficient Authority to the respective Persons thereby authorized for the Purposes therein mentioned; and the said Rates, after the same shall be 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 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 which he, she, or they shall be rated or assessed at by virtue of this Act, for the Space of Seven Days after Personal Demand made thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons, then and in every such Case it shall and may be lawful to and for the said Person or Persons who shall be authorized as aforesaid to collect the said Rates, and he and they is and are hereby empowered and required 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 of Houses let to divers Tenants to be paid by the Landlord.

XII. And whereas several Houses within the said Borough may be by the Landlords or Owners thereof let out into Lodgings or Tenements to divers Tenants, whereby it may be difficult to rate such Houses, and to recover such Rates and Assessments when made; for Remedy whereof, be it further enacted, That the said Commissioners, or any Five or more of them, shall and may rate or assess either the Landlord, Renters, or Occupiers of any House which shall be let to or occcupied by Two or more Tenants, and the Landlord, Renters, or Occupiers of every such House shall pay the same accordingly.

Houses, &c. unoccupied not rateable.

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

Occupiers quitting without paying Rates may be followed.

XIV. And be it further enacted, That when any Person who hath been rated and assessed by virtue of this Act, shall quit his or her Dwelling House, Warehouse, Wharf, Shop, Vault, Cellar, Stable, Coach House, Brewhouse, Brewing Offices, Granaries, Malt Houses, Store Houses, or other Buildings, Yard or Garden, Lands or Tenements, whereupon such Rate or Assessment has been made, before he or she shall have paid the same, and shall afterwards refuse to pay the same when due and demanded, as aforesaid, by the Person or Persons authorized and appointed to collect and receive the same, that then and in every such Case where such Person

so

ſo quitting and refuſing as aforeſaid ſhall reſide or dwell within the ſaid Borough, or not being reſident therein ſhall have any Goods or Chattels within the ſaid Borough, it ſhall and may be lawful to and for ſuch Perſon or Perſons who 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 Juſtices of the Peace acting in and for the ſaid Borough, (which Warrant ſuch Juſtice is hereby required to grant, upon Proof made of the Sum ſo due upon the Oath of One or more credible Witneſs or Witneſſes) to levy ſuch Rate or Rates by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon ſo neglecting or refuſing; and that in every ſuch Caſe where the Perſon ſo quitting and refuſing as aforeſaid ſhall not dwell or reſide within the ſaid Borough, or being reſident, ſhall have any Goods or Chattels in any other Place, it ſhall and may be lawful to and for the Perſon or Perſons ſo to be appointed by the ſaid Commiſſioners, or any Four or more of them as aforeſaid, by Warrant under the Hand and Seal of any One or more Juſtices of the ſaid Borough, to be ſigned or backed by any One or more of the Juſtices of the Peace acting in and for the County, Riding, Diviſion, City, Liberty, or Place, in or to which ſuch Perſon ſhall dwell or remove, or where any Goods or Chattels of any ſuch Perſon ſhall be found (and which ſaid Warrant ſuch Juſtice or Juſtices is or are hereby required to ſign or back), to levy ſuch Rate or Rates by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon ſo neglecting or refuſing as aforeſaid, rendering the Overplus, if any ſhall be 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.

Agreements between Landlords and Tenants not to be affected.

XV. Provided always, and be it further enacted, That nothing in this Act contained ſhall be deemed or taken to make void any Contract, Covenant, or Agreement between any Landlord and Tenant, or between any Bodies Politic or Corporate, and any other Perſon or Perſons, touching or concerning the paving or repairing the ſaid Footways, Croſspaths, Paſſages, and Places, or any Part thereof, but that every Perſon, Body Politic, or Corporate, who is or are now by virtue of any ſuch Contract or Covenant obliged to pave or keep in Repair any of the ſaid Footways, Croſspaths, Paſſages, or Places, ſhall in lieu thereof be obliged to pay the Sums of Money hereby directed to be paid and levied, or ſo much thereof as ſhall by the ſaid Commiſſioners, or any Five of them, be deemed juſt and reaſonable, according to the true Meaning of ſuch Contract, Covenant, or Agreement, for and during ſuch Time as ſuch Contract, Covenant, or Agreement ſhall remain in force; and in caſe any Diſpute ſhall ariſe concerning ſuch Contract, Covenant, or Agreement, the ſaid Commiſſioners, or any Five or more of them, ſhall and they are hereby authorized and required to hear and determine the ſame.

Rates apportioned between Occupiers quitting and coming into any Houſe, &c.

XVI. 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, Land, Tenement, or Hereditament, rated or aſſeſſed, or liable to be rated or aſſeſſed by virtue of this Act, ſuch Perſon or Perſons ſhall be liable to pay ſuch Rate or Aſſeſſment in Proportion to the Time that he, ſhe, or they occupied the ſame reſpectively, in the 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, Land, Tenement, or Hereditament, rated or aſſeſſed, or liable to be rated or aſſeſſed as aforeſaid, out of or from which any other Perſon who ſhall have been rated or aſſeſſed for the ſame ſhall have removed, or which at the Time of making ſuch Rate or Aſſeſſment was empty or unoccupied, the Perſon or Perſons coming into or occupying the ſame ſhall be liable to pay ſuch Rate or Aſſeſſment, in Proportion to the Time that ſuch Perſon or Perſons occupied the ſame, in like Manner as if he, ſhe, or they had been originally rated or aſſeſſed for ſuch Houſe, Building, Garden, Land, Tenement, or Hereditament; 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 aggrieved may apply to the Commiſſioners.

XVII. 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 in purſuance of this Act, ſuch Perſon or Perſons may apply to the ſaid Commiſſioners, or any Five or more of them, at any Meeting to be holden within not leſs than Fourteen Days next after Demand of ſuch Rate or Aſſeſſment; but if no Meeting ſhall be held within ſuch Time, then at the next Meeting which ſhall be held thenafter; and the ſaid Commiſſioners, or any Five or more of them, 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.

Commiſſioners may borrow Money at Intereſt.

XVIII. And, for the more effectually enabling the ſaid Commiſſioners to execute the Purpoſes of this Act, be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, and they are hereby authorized and empowered, from Time to Time when they ſhall judge neceſſary, to borrow and take up at Intereſt any Sum or Sums of Money upon the Credit of the Rates or Aſſeſſments herein-before granted or authorized to be raiſed, and by any Writing or Writings under their Hands and Seals, to mortgage, demiſe, grant, or aſſign over the ſaid Rates or Aſſeſſments, or any Part or Parts thereof, to the Perſon or Perſons who ſhall advance or lend ſuch Money, or his or their Truſtee or Truſtees, as a Security or Securities for the Money ſo to be borrowed, together with 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-third Year of
‘ the Reign of His Majeſty King *George* the Third, intituled [*here*
‘ *inſert the Title of the Act*] we of the Commiſſioners
‘ appointed by virtue of the ſaid Act, in Conſideration of the Sum of
‘ advanced and lent by *A. B.* upon the
‘ Credit and for the Purpoſes of the ſaid Act, do grant, bargain, ſell, and
‘ demiſe unto the ſaid *A. B.* his Executors, Adminiſtrators, and Aſſigns,
‘ ſuch Proportion of the Rates or Aſſeſſments ariſing by virtue of the ſaid
‘ Act, as the ſaid Sum of doth or ſhall bear
‘ to the whole Sum which may at any Time be borrowed or become due
‘ and owing or charged upon the Credit of the ſaid Act; to be had and
‘ holden from this Day of in the Year
‘ until the Sum of
‘ with Intereſt at *per Centum per Annum* for the ſame ſhall be
‘ repaid

‘ repaid and satisfied. In Witness whereof we have hereunto set our Hands
‘ and Seals this Day of in the Year of
‘ our Lord

And every such Assignment shall be good, valid, and effectual, and all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall, in Proportion to the Sums therein respectively mentioned, be Creditors on the said Rates or Assessments equally one with another, without any Preference in respect to the Priority of advancing any such Money, or the Dates of any such Mortgages or Assignments. No Preference in respect of Priority.

XIX. 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 of Annuities for Lives instead of Assignments as aforesaid, then it shall be lawful for the said Commissioners, or any Five 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 any 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 to be raised upon Mortgage and by the granting of Annuities as aforesaid, do not exceed the Sum of Two thousand Pounds; and the Grant of every such Annuity shall be in the Words or to the Effect following; *videlicet*, Money may be raised by Annuities.

‘ WE of the Commissioners appointed by or in
‘ pursuance of an Act of Parliament made in the Fifty-third Year
‘ of the Reign of King *George* the Third, intituled [*here set forth the Title*
‘ *of the 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 Assess-
‘ ments 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

Form of Grant of Annuity.

And every such Grant shall be good, valid, and effectual in the Law, without any Enrolment or Registry of any Memorial thereof in the High Court of Chancery, or elsewhere, except as herein-after mentioned; and every Annuity so to be granted as aforesaid, shall be and is hereby charged upon, and shall be payable and paid out of the said Rates or Assessments;

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

Intereſt Money and Annuities to be paid Half-yearly.

Securities for Money may be transferred.

XX. 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, and for the Annuities granted as aforeſaid, and their reſpective Executors, Adminiſtrators, or 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 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 made in the Fifty-third Year of the Reign of His Majeſty King *George* the Third, [*here ſet forth the Title of the 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 all Intereſt and other Money now due and owing thereon, unto Executors, Adminiſtrators, and Aſſigns. Dated the Day of

Transfers to be entered, and Books examined.

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 the Perſon to whom ſuch Transfer ſhall be made, the Sum of Three 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, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, to the Benefit of the Security thereby transferred.

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

XXI. 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 Two thouſand Pounds, the ſame or any Part thereof ſhall be paid off and diſcharged, it ſhall and may be lawful for the ſaid Commiſſioners, or any Five or more of them, again to borrow and take up the ſame, or any other Sum or Sums of Money upon Mortgage or Annuity, or both upon

Mortgage

Mortgage and Annuity in Manner aforesaid, so as that the Sum or Sums of Money so to be borrowed or raised shall not at any Time exceed in the Whole the Sum of Two thousand Pounds.

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

XXII. And be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments or Securities which shall be then in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates or Assessments in Manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such low Rate as aforesaid, and to pay off and discharge the Assignments or Securities bearing a higher Rate of Interest according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

Provision for the Payment of Creditors by Ballot.

XXIII. And, in order that no Preference may be given to any of the Persons who shall have advanced and lent Money upon the Credit of the Rates or Assessments to be made and raised respectively by virtue of this Act; be it further enacted, That the said Commissioners (if there shall be more Creditors than One) shall cause the 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 be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form, as near as may be, and be put into a Box or Wheel; and the Number or Numbers of the said Assignments or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk to be given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot; and where there is only One Creditor, to give Three Calendar Months Notice to such Creditor of the said Commissioners Intention to pay him or her as aforesaid; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same shall be paid on a Day and at a Place to be specified in such Notice, such Day not to be 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.

Application of Money to be raised.

XXIV. And be it further enacted, That all the Money to arise by the said Rates and Assessment, or to be levied and received from Time to Time by virtue of this Act, and which may be borrowed at Interest, or upon Annuities on the Credits thereof, shall be paid to the Treasurer to the said Commissioners, or to such Person or Persons as they or any Five or more of them shall appoint, and shall be applied and disposed of in the first Place in paying and defraying the Charges and Expences which shall be incident to and attending the obtaining and passing this Act, and in the next Place in defraying all Interest of Money borrowed under or by virtue

of this Act, and from Time to Time the Expences of paving the Footways and Croſspaths, and cleanſing, lighting, watching, widening, and regulating the Streets and other Public Paſſages and Places of and in the ſaid Borough of *Chepping Wycombe*, and in paying and defraying all Expences which the ſaid Commiſſioners and their Officers ſhall neceſſarily ſuſtain or be put unto in carrying this Act into Execution, or in proſecuting or defending any Proſecutions, Actions, or Suits in any Manner relative to the Execution of this Act, or of any Thing to be done under or by virtue thereof, and for ſuch other Uſes and Purpoſes as are herein expreſſed, and for no other Uſe, Intent, or Purpoſe whatſoever.

Pavements veſted in the Commiſſioners.

XXV. And be it further enacted, That the Property of all the preſent and future Pavements in the Footways and Croſspaths of the ſaid Streets, Lanes, and other Public Paſſages and Places within the ſaid Borough, and of all Lamps, Lamp Irons, and Poſts, which ſhall be erected or fixed by virtue of this Act, and of all Materials, Implements, and other Things which ſhall be purchaſed for the Purpoſes of this Act, ſhall belong to and the ſame are hereby veſted in the ſaid Commiſſioners; and they or any Five or more of them are hereby authorized and empowered to cauſe an Action to be brought, or a Bill of Indictment to be preferred (as the Caſe ſhall require) againſt any Perſon or Perſons who ſhall ſteal, take or carry away, detain, ſpoil, injure, or deſtroy any Part thereof; and the ſaid Commiſſioners, or any Five or more of them, are hereby authorized and empowered to ſell and diſpoſe of all or any Part of the old Materials to any Perſon or Perſons who ſhall be willing to purchaſe the ſame; and the Money ariſing by ſuch Sale ſhall be applied to the Purpoſes of this Act.

Commiſſioners may order the Footways to be paved.

XXVI. 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 as 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, Paſſages, and Places, to be taken up, and the ſame to be paved, re-laid, re-paved, raiſed, lowered, or altered, in ſuch Manner as they ſhall think proper, with Sand Stones, Flag Stones, or ſuch other Materials 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, Paſſages, and Places to be cleanſed, lighted, and watched, and all Annoyances, Obſtructions, Nuiſances, and Encroachments, to be removed, and proper Drains, Sinks, Gutters, and Watercourſes, to be made for conveying the Water off and from the ſaid Streets, Lanes, Paſſages, and Places, and the ſeveral Houſes and other Buildings within the ſaid Borough, in ſuch Manner as the 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.

Penalty on Perſons obſtructing the Works.

XXVII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time obſtruct, hinder, or moleſt any Surveyor or other Officer, Workman, or Perſon employed by virtue of this Act in the Performance or Execution of his Duty, every Perſon ſo offending ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings.

XXVIII. And

No Perſon to make any Alteration in the Form of the Pavement.

XXVIII. 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 other Public Paſſage or Place within the ſaid Borough, without the Conſent and Approbation of the ſaid Commiſſioners, or any Five or more of them aſſembled at one of their Meetings, firſt had and obtained, upon pain of forfeiting for every ſuch Offence any Sum not exceeding Five Pounds.

Commiſſioners may contract.

XXIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to enter into any Contract or Contracts for paving, repairing, cleanſing, and lighting the Footways and Croſspaths of the ſeveral Streets, Lanes, Paſſages, and Places within the ſaid Borough, or any of them, 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 or Contracts ſhall be entered into, Fourteen Days Notice at the leaſt ſhall be given in One or more of the Public Newſpapers circulated in the ſaid County of *Buckingham*, and by Writing affixed upon ſome conſpicuous Part of the Corn Market Houſe of the ſaid Borough, expreſſing the Purpoſe or 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.

Contracts to be for no more than Three Years.

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

Contracts to be ſigned by the Commiſſioners.

XXXI. 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.

Surveyors to inſpect the Works.

XXXII. 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 and Surveyors, or by ſuch other Perſon or Perſons as they ſhall from Time to Time appoint.

Footpaths to be ſwept daily.

XXXIII. And be it further enacted, That the ſeveral Occupiers of Houſes, and other Tenements and Hereditaments within the ſaid Borough ſhall from and after the Second *Monday* next after the paſſing of this Act, ſweep and cleanſe, or cauſe to be ſwept and cleanſed, the ſaid Footpaths, Footways, and Gutters, in the whole Length of the Front of their reſpective Houſes, Buildings, Tenements, Walls, and Premiſes every Day throughout

throughout the Year, before Ten of the Clock in the Forenoon (*Sundays* excepted), upon Pain of forfeiting any Sum not exceeding Ten Shillings.

Provision against Annoyances in the Streets.

XXXIV. And be it further enacted, That if any Perſon or Perſons ſhall run, drive, carry, or place on any of the Foot Paths in any of the ſaid Streets or Paſſages any Wheel Sledge, Wheelbarrow, Handbarrow, Truck, or Carriage, or ſhall roll any Caſk for the Space of Fifty Yards, or wilfully ride, drive, or lead any Horſe or other Beaſt or Cattle on any of the ſaid Foot Paths, or ſhall kill, ſlaughter, ſinge, ſcald, dreſs, or cut up any Beaſt or Swine, Calf, Sheep, Lamb, or other Cattle, in any of the ſaid Streets, Lanes, Paſſages, or Places, or ſhall hoop, fire, cleanſe, waſh, 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 (except in caſe of Accidents) or turn or drive looſe any Horſe or other Beaſt or Cattle in any of the ſaid Streets, Lanes, Paſſages, or Places, or ſhall place or expoſe to Sale, or cauſe, permit, or ſuffer to be ſet, placed, or expoſed to Sale, any Goods, Wares, or Merchandize, either on the Foot Paths, Croſs Paths, or Carriage Ways of any of the ſaid Streets, Lanes, Paſſages, and Places, or ſhall hang up or expoſe to Sale any Goods, Wares, or Merchandize, or any other Matter or Thing upon any Flap Window or otherwiſe, ſo as to obſtruct or incommode the Paſſage of any Foot Path, Croſs Path, or Carriage Way, or ſhall leave open any Cellar Window in the Evening, or in the Night, without the ſame being ſufficiently lighted to prevent Accidents happening therefrom, or ſhall make or aſſiſt in the making any Fire or Fires commonly called *Bonfires*, or ſhall ſet fire to, or let off or throw, or ſuffer to be thrown from his, her, or their Houſe or Houſes any Squib, Serpent, Cracker, or Firework whatſoever, within the ſaid Streets, Lanes, Paſſages, or Places, every Perſon offending in any of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings; and ſuch Offender or Offenders ſhall make full Satisfaction to the Owner or Owners, or Body Politic or Corporate, of any ſuch Dwelling Houſe or Building as aforeſaid, for the Damage done thereby or thereto, ſuch Damage to be recovered in like Manner as any Penalty is herein-after authorized or directed to be recovered.

Penalty on diſcharging Fire Arms in the Streets.

XXXV. And be it further enacted, That if any Perſon or Perſons ſhall (except for Prevention of Robbery or in Self Defence) wilfully or negligently fire or diſcharge any Cannon, Gun, Muſquet, Piſtol, or any other Fire Arms, loaded with Ball or Shot, in any of the ſaid Streets, Lanes, Paſſages, or Places, every Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Five Pounds.

Penalty on leaving any Carriages, &c. in the Streets.

XXXVI. And be it further enacted, That if any Waggon, Cart, Dray, or other ſuch Carriage ſhall be left to ſtand or remain in any of the ſaid Streets, Lanes, Paſſages, or Places, with or without Horſes or other Cattle for any longer Time than ſhall be neceſſary for the loading or unloading thereof, or if the Driver of any ſuch Carriage ſhall in the loading or unloading thereof, place the ſame acroſs any of the ſaid Streets, Lanes, Paſſages, or Places, ſo as to obſtruct or impede the Paſſage of any of the Inhabitants of the ſaid Borough, or any other Perſon or Perſons reſorting thereto, or if any Stage Coach, Diligence, Poſt Chaiſe, or other Carriage let to Hire, ſhall be left to ſtand or remain in any of the ſaid Streets,

Lanes, Paſſages, or Places as aforeſaid, any longer Time than ſhall be neceſſary for the taking up or ſetting down the Paſſengers, and for loading or unloading their Baggage, or if any Swine or other Beaſt or Cattle ſhall be permitted to wander or be in or about any of the ſaid Streets, Lanes, Paſſages, or Places, or if any Timber, Bricks, Lime, Mortar, Sand, Stone, Slates, Hay, Straw, Wood, Faggots, Tiles, Coals, Boards, Tubs, Goods, Wares, Merchandize, or other Materials or Things whatſoever ſhall be laid or placed, and left to remain in the Market Houſes or Church Yard of the ſaid Borough, or in any of the Streets, Lanes, Paſſages, or Places thereof, for any longer Time than ſhall be neceſſary for moving and houſing the ſame, or if any Coal Aſhes (except in the Time of Froſt only, and to prevent Accidents) or any Wood Aſhes, Rubbiſh, Duſt, Dirt, Dung, Filth, or any other Nuiſance or Annoyance whatſoever, be thrown, caſt, or laid in the Market Houſe or Church Yard of the ſaid Borough, or in any of the ſaid Streets, Lanes, Paſſages, or Places thereof; then and in every ſuch Caſe the Owner or Driver of every ſuch Waggon, Cart, Dray, Stage Coach, Diligence, Poſt Chaiſe, or other Carriage let for Hire, and the Owner of any ſuch Swine or other Beaſt or Cattle, and of any ſuch Timber, Bricks, Stones, Mortar, Hay, Straw, Goods, Wares, Merchandize, Materials, or Things which ſhall be left or ſuffered to remain in the Market Houſes or Church Yard of the ſaid Borough, or in any of the Streets, Lanes, Paſſages, or Places thereof, and the Perſon or Perſons who ſhall ſo throw, caſt, or lay, or cauſe to be thrown, caſt, or laid any Coal Aſhes, Wood Aſhes, Rubbiſh, Dirt, Dung, Filth, or other Annoyance whatſoever, as aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Regulations for emptying Privies.

XXXVII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times cauſe any Privy or Neceſſary Houſe within the ſaid Borough to be emptied, except between the Hours of Eleven of the Clock in the Night and Four of the Clock in the Morning, or ſhall lay or cauſe to be laid the Soil thereof in any other Place within the ſaid Streets, Lanes, or other public Paſſages or Places than ſhall be appointed for that Purpoſe by the ſaid Commiſſioners, or any Five or more of them, or ſhall wilfully or negligently ſpill or throw down any ſuch Soil in any of the ſaid Streets, Lanes, Paſſages, or Places, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings, One Half of which ſhall be paid by the Owner or Occupier of the Houſe from whence the ſame ſhall be taken, and the other Half by the Perſon or Perſons ſo carrying the ſame.

Penalty on ſtealing and damaging Lamps, &c.

XXXVIII. And be it further enacted, That it ſhall 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 as to them ſhall ſeem neceſſary or proper for the well and ſufficiently lighting of all or any of the ſaid Streets, Lanes, Paſſages, and Places; and if any Perſon or Perſons ſhall wilfully throw down, take, carry away, ſpoil, or damage any ſuch Lamps, or any of the Irons, Poſts, or other Furniture thereof, or wilfully extinguiſh the Light or Lights of any ſuch Lamp or Lamps, it ſhall and may be lawful

for any Perſon or Perſons whomſoever who ſhall ſee ſuch Offence committed, to apprehend, and alſo for any other Perſon or Perſons to aſſiſt in apprehending the Offender or Offenders by virtue of this Act, and without any other Warrant to convey and deliver him, her, or them into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the ſaid Borough of *Chepping Wycombe*; and ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Information or Evidence touching ſuch Offence; and if the Party or Parties accuſed ſhall be convicted of any ſuch Offence, either by his, her, or their own Confeſſion, or upon ſuch Information or Evidence as aforeſaid, he, ſhe, or they ſo convicted ſhall forfeit and pay any Sum not exceeding Ten Shillings for each Offence, One Moiety of which ſhall go to the Informer, and the other to the ſaid Commiſſioners, for the Purpoſes of this Act, or to the Contractor who ſhall have furniſhed ſuch Lamps; and ſuch Offenders ſhall make full Satisfaction to the ſaid Commiſſioners, or to ſuch Contractor, for the Damage done thereby, ſuch Damage to be recovered in like Manner as any Penalty is herein-after authorized or directed to be recovered; or in caſe ſuch Offender or Offenders ſhall not on Conviction pay ſuch Forfeiture, and make ſuch Satisfaction as aforeſaid, ſuch Juſtice is hereby required to commit him, her, or them to the Houſe of Correction for the ſaid Borough, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, nor leſs than One Calendar Month; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall be ſo committed, unleſs ſuch Forfeiture and Satisfaction ſhall be ſooner paid and given; 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 ſuch Caſe it ſhall be lawful for any Juſtice or Juſtices of the Peace for the ſaid Borough, upon Proof thereof made by the Oath of One or more Witneſs or Witneſſes, or on the Confeſſion of the Party, to award ſuch Sum of Money by Way of Satisfaction for Damage as ſuch Juſtice ſhall think reaſonable; and in caſe of Refuſal or Neglect to pay ſuch Sum of Money upon Demand, to cauſe the ſame to be levied and recovered in like Manner as the ſaid Rates or Aſſeſſments can or may be levied and recovered.

For appointing Watchmen.

XXXIX. 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 ablebodied Watchmen as they ſhall judge neceſſary and proper to be kept and employed in the ſaid Streets, Lanes, Paſſages, and Places for that Service, and ſhall likewiſe order and direct, in Writing, how, where, and in what Manner they ſhall be ſtationed and armed, and how often they ſhall go their Rounds, how long they ſhall continue on Duty, and under what Allowance or Wages for their Attendance; and may alſo erect, hire, or otherwiſe provide a proper Place or Places for the Reception of the Watchmen; and that it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, to remove any One or more of ſuch Watchmen on Miſbehaviour or Neglect of Duty, and to impoſe any Fine or Sum of Money not exceeding Twenty Shillings for every Neglect or Miſbehaviour of ſuch Watchmen, ſuch Fine to be deducted out of his Wages or Allowance;

and

and alſo to make ſuch further Orders and Regulations for the better Government and Direction of the ſaid Watchmen as they ſhall think proper.

Watchmen empowered to apprehend ſuſpected Perſons.

XL. And be it further enacted, That it ſhall be lawful for the ſaid Watchmen, or any of them, and they are hereby reſpectively authorized and required, during the Time of their keeping Watch and Ward, to apprehend and ſecure in the Watch-houſe or Watch-houſes, all ſuch Malefactors, Diſturbers of the King's Peace, and all ſuch ſuſpected Perſons who 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 Borough, to be examined and dealt with according to Law.

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

XLI. And be it further enacted, That if any Victualler or Keeper of a Public Houſe or Cellar ſhall knowingly and willingly harbour or entertain any Watchmen employed by the ſaid Commiſſioners, or permit or ſuffer any ſuch Watchmen to remain in ſuch his or her Public Houſe or Cellar during any Part of the Time appointed for their being on Duty as aforeſaid, every ſuch Victualler or Keeper of a Public Houſe or Cellar, ſhall for the Firſt Offence, being thereof duly convicted, forfeit and pay any Sum not exceeding Ten Shillings; and for the Second and every other Offence, any Sum not exceeding Twenty Shillings.

Commiſſioners may reward Watchmen.

XLII. And be it further enacted, That it ſhall and may be lawful to and 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 they 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.

Commiſſioners may make Sewers, Drains, &c.

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

Private Drains to be cleanſed.

XLIV. And be it further enacted, That all Private Drains which now are or which ſhall hereafter be made within any of the Streets, Lanes, Ways, Paſſages, or Places within the ſaid Borough, and which do or ſhall iſſue into any of the Public Sewers, Drains, or Vaults, ſhall be repaired and

and cleanſed under the Inſpection and Direction of the Surveyor or other proper 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.

For removing Nuiſances and Annoyances.

XLV. And be it further enacted, That the ſaid Commiſſioners, or any Five or more of them, at any Meeting, ſhall and may, at any Time after the paſſing of this Act, cauſe Notice to be given to the reſpective Owners or Occupiers of the ſeveral Houſes or Buildings within the ſaid Borough of *Chepping Wycombe*, to take down, fill up, remove, alter, or regulate all Gutters, Shew-boards, Sign-poſts or Sign-irons, ſtanding or being in or upon any of the Footways or Croſspaths aforeſaid, and all Pent Houſes, Shutes, and Spouts, projecting into or upon any of the Footpaths in any of the ſaid Streets, Lanes, and Public Paſſages aforeſaid, and all Porches, Poſts, Pales, and Rails ſtanding or being in any of the ſaid Streets, Lanes, and Public Paſſages, which Streets, Lanes, or Paſſages ſhall be of leſs Breadth than Twenty-four Feet from Houſe to Houſe, and to cauſe ſuch Shew-boards, Sign-poſts, Sign-irons, Pent-houſes, Shutes, Spouts, Porches, Poſts, Pales, and Rails, to be carried away, felled, taken down, and removed, or to cauſe all ſuch Shew-boards, Signs, and Sign-irons to be fixed or placed to the Front of the Houſes, Shops, Warehouſes, or Buildings, whereunto they reſpectively belong, and not to ſtand or project over any Part of the Footways or Croſspaths aforeſaid, or to annoy the ſame, and to cauſe all ſuch Spouts and Shutes to be alſo affixed to the Fronts of the Houſes or Buildings to which they belong, ſo as to convey the Water down the Side of ſuch Houſe or Building, and ſo into the common Channel or Drain; and to cauſe all Steps and Doors opening in or leading from any of the Footways or Croſspaths into Vaults or Cellars to be removed or altered, ſo that the ſame may not incommode or be dangerous to Paſſengers; and in caſe the reſpective Owner or Owners ſhall refuſe or neglect ſo to do for the Space of Twenty-eight Days next after ſuch Notice ſhall be given to him or them reſpectively (which Notice ſhall be given in Writing under the Hand of the Clerk to the ſaid Commiſſioners for the Time being, and delivered or left at the Dwelling Houſe or uſual Place of Abode of ſuch Owner or Occupier), it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, at a Meeting under this Act, to cauſe ſuch Gutters, Shew-boards, Signs, Sign-poſts, Sign-irons, Porches, Pent-houſes, Shutes, Spouts, Rails, and Pales, to be taken down, carried away, removed, altered, regulated, and fixed in Manner aforeſaid, and ſhall return or cauſe to be returned 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 Shew-boards, Signs, Sign-poſts, Sign-irons, Pent-houſes, Porches, Shutes, Spouts, Poſts, Rails, and Pales aforeſaid, as ſhall not be affixed or 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 Rate or Aſſeſſment hereinbefore mentioned is directed to be recovered on Non-payment thereof under this Act; and if any Perſon or Perſons ſhall at any Time or Times hereafter hang, place, erect, build, plant, or make any Gutter, Shew-board, Sign, Sign-poſt, Sign-iron, Pent-houſes, Shutes, Spouts, Porches, Poſts, Pales, Rails, Trees, or other Incroachments, Nuiſance, or Annoyance whatſoever, or cauſe the ſame to be done, contrary to the Directions aforeſaid,

aforesaid, every such Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings, and the Master or Workmen employed to erect, build, do, or perform the same, shall forfeit and pay the Sum of Twenty Shillings; and it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order the same to be taken down, removed, carried away, altered, or regulated, in such Manner as they or any Five or more of them shall think proper, without any Notice being given to the Person offending therein; and the Person or Persons so ordered shall and may take down, carry away, alter, or regulate the same accordingly; and the Charges and Expences attending the same shall and may be recovered of the Person and Persons so offending therein: Provided always, that no Brick Bow Window or projecting Window on the Ground Floor shall be hereafter permitted in any Part of the Streets, Lanes, and other Public Passages, which shall be within One Foot of the Pavement; and the said Commissioners, or any Five or more of them, are hereby empowered to take down any Brick Bow Window or Window on the Ground Floor, projecting over any Footpath or Footway which shall be hereafter set up, erected, or built, contrary to the Intent of this Act, and shall set the same Fines and Penalties as are herein directed and provided for removing and taking down any projecting Spout or Sign.

Mayor to regulate Markets and and Fairs.

XLVI. And, for better regulating the Markets and Fairs within the said Borough, so far as respects the erecting and placing the Booths and Stalls, and setting and placing the Corn and other Things brought to the said Markets and Fairs, be it enacted, That it shall and may be lawful to and for the Mayor of the said Borough for the Time being, or his Successors, to make and adopt such Regulations for the placing, setting, standing, and erecting of the Booths, Stalls, Benches, and Forms within the Market Place, and other Places in the said Borough, during the holding of any such Market or Fair therein, and for the placing and setting out and standing of the Corn, Grain, and other Provisions and Things whatsoever, which shall or may be brought to the said Market House or Places aforesaid, in such Order, Manner, and Form, as to the said Mayor for the Time being shall seem meet, and most for the Convenience and Accommodation of the several Persons resorting thereto.

Penalty on Persons refusing to comply with the Regulations adopted.

XLVII. And be it further enacted, That if any Person or Persons shall at any Time or Times refuse to adopt or to comply with such Regulations as the said Mayor for the Time being, or his Successor, shall deem most convenient for the Purposes aforesaid, or shall in any Manner obstruct or stop up any of the Avenues or Passages leading to or within the said Market House during the holding of any Market therein, every such Person so offending shall, for every such Offence, forfeit and pay any Sum of Money not exceeding Ten Shillings (nor less than Five Shillings) and the Costs which shall be incurred upon or by any such Conviction.

Expence of moving Signs, &c. to be paid by the Owners.

XLVIII. Provided always, and be it further enacted, That in all Cases where the said Commissioners, or any Five or more of them, shall cause any such Sign, Sign Post, Sign Iron, Spout, or Gutter, to be taken down and refixed, the Expence thereof respectively shall be repaid to the said Commissioners by the Person or Persons whose Property the same shall be, whether Landlord or Tenant, and in case of Refusal, the respective Sum

or Sums ſhall be recovered as Penalties and Forfeitures are by this Act directed to be recovered: Provided nevertheleſs, that the Tenant or Occupier ſhall be liable to pay the Whole of the Expence 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 he is hereby required to allow ſuch Payment on the Receipt of the Reſidue of his Rent.

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

XLIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Nine or more of them, to contract and agree with any Perſon or Perſons, or Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, as ſhall be or be deemed to be Owner or Owners, Proprietor or Proprietors, or otherwiſe intereſted in any Erection or Erections, projecting into, over, or upon any of the Footways or Groſspaths within the ſaid Borough, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or in any other Projection or Encroachment in, over, or upon any ſuch Footway, or in any Lands, Tenements, or Hereditaments, which the ſaid Commiſſioners ſhall judge neceſſary and proper to be purchaſed for the improving and widening of any of the ſaid Streets, Lanes, public Paſſages, or Places, for the abſolute Purchaſe of all ſuch Buildings, Erections, Cellars, Steps, Projections, Encroachments, Lands, Tenements, or Hereditaments, or any of them.

Power for Bodies Politic, &c. to ſell.

L. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and all Corporations, whether Aggregate or Sole, Spiritual or Lay, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees of or for Lunatics and Idiots, or other Truſtees whomſoever, not only for and on Behalf of themſelves and their Succeſſors, but alſo for and on Behalf of their reſpective *Ceſtuique* Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, or Femes Covert, 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 or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Houſes, Erections, Projections, Encroachments, Tenements, or other Hereditaments, or any Part thereof, which the ſaid Commiſſioners are by this Act enabled to purchaſe for any of the Purpoſes of this Act, to treat, contract, and agree with the ſaid Commiſſioners for the Sale thereof, or any Part thereof, and to ſell and convey all or any Part thereof, and all Eſtate, Right, Title, and Intereſt whatſoever of, in, and to the ſame, to the ſaid Commiſſioners and their Succeſſors, for any of the Purpoſes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances which ſhall be ſo made by virtue and in purſuance of this Act, ſhall without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Aſſurances in the Law whatſoever, be good, valid, and effectual to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Property, Poſſibility, 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 notwithſtanding; and

all

all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and all other Perſons whomſoever, are or ſhall be hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

Proviſion in caſe of Refuſal or Inability to ſell.

LI. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation, whether Aggregate or Sole, Spiritual or Lay, or any Feme Covert, or any Tenant for Life, or Tenant in Tail General or Special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Perſon or Perſons whoſoever, intereſted in any Building or Buildings, Erection or Erections projecting into or upon any of the Footways or Croſspaths within the ſaid Borough, or of any Door or Doors of Cellars, or of any Steps belonging thereto, or in any other Projection or Encroachment upon any ſuch Footway or Croſspath whatſoever, or in any Lands, Houſes, or other Buildings, Tenements, or other Hereditaments, which the ſaid Commiſſioners are enabled by this Act to purchaſe or treat for, ſhall refuſe to treat, contract, or agree as aforeſaid, or by reaſon of Abſence or otherwiſe ſhall be prevented from treating, contracting, or agreeing, or ſhall decline or refuſe to ſell, convey, and diſpoſe of the Premiſes whereof or wherein or whereunto they reſpectively ſhall be ſo ſeiſed, poſſeſſed, intereſted, or entitled as aforeſaid, or their reſpective Rights, Titles, Claims, or Intereſts into or upon the ſame, or any Part thereof, unto the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall nominate for ſuch Purpoſes, and according to the Tenor, true Intent and Meaning of this Act, or ſhall not or cannot produce or make out a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Commiſſioners, or if any Diſpute or Difference ſhall ariſe touching ſuch Purchaſe or Purchaſes, then and in every ſuch Caſe the ſaid Commiſſioners, or any Nine or more of them, are hereby empowered and authorized, before any General or Quarter Seſſions of the Peace to be holden for the ſaid Borough, or any Adjournment thereof, to give or cauſe to be given to ſuch Owner or Owners, or the principal Officer or Officers of ſuch Bodies Politic or Corporate, or to leave or cauſe to be left at the Houſe of the Tenant in Poſſeſſion, Twenty-eight Days Notice in Writing, denoting and particularly deſcribing the Lands, Buildings, Houſes, Tenements, or other Hereditaments intended to be purchaſed, and purporting that the Value thereof ſhall be adjuſted and ſettled by a Jury of the ſaid Seſſions, or Adjournment thereof; and the Juſtices at the ſaid Seſſions, or any Adjournment thereof, on Proof to them made of ſuch Notice having been ſo given or left, are hereby authorized and required to charge the Grand Jury at ſuch Seſſion aſſembled, or the Jury to try Priſoners at ſuch Seſſions, well and truly upon their Oaths to aſſeſs the Value of the ſaid Lands, Buildings, Houſes, Tenements, or other Hereditaments comprized in the Notice ſo given, and the Damages and Recompence to be awarded or given for the ſame to the reſpective Owner or Owners thereof, according to their reſpective Intereſt therein; and to which ſaid Jury the ſaid Commiſſioners and all Perſons intereſted in the ſaid Lands, Buildings, Houſes, Tenements, or other Hereditaments, ſhall have their lawful Challenges; and the Jury being ſo ſworn and charged as aforeſaid, and after proper Evidence on Oath to them given, concerning the Nature, Quality, or Value of the Lands, Houſes, Buildings, Tenements, or other Hereditaments ſo to be ſold and conveyed

conveyed as aforesaid, shall by their Verdict assess the Damages and Recompence to be given for the same to the respective Owner or Owners, Occupier or Occupiers thereof, according to their respective Interest therein; and such Verdict of the said Jury, and the Judgment of the said Justices upon the same shall be final, binding, and conclusive to the said Commissioners, and to all Person and Persons interested in the said Lands, Buildings, Houses, Tenements, and other Hereditaments; and such Verdict, and the Judgment of the Justices thereupon, shall be fairly entered and kept among the Records of the Sessions for the said Borough; and the same or true Copies thereof shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying Sixpence for every Seventy-two Words, and so in Proportion for any greater or less Number of Words: Provided always, that in case the Sum or Sums of Money so assessed by the said Jury, and ordered and adjudged by the said Justices as a Satisfaction to the Owners, Occupiers, or others, for their respective Interest in the said Premises, shall not be paid, tendered, or left, according to the true Intent and Meaning of this Act, within Three Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury shall not be binding upon the said Parties.

Verdicts shall not be binding unless Money paid within Three Months.

For Payment of Costs of Verdicts.

LII. And be it further enacted, That in all Cases where any Verdict shall have been given for a greater Sum or Recompence than shall have been previously offered by or on the Behalf of the said Commissioners for any such Lands, Houses, Buildings, Tenements, or other Hereditaments or Damages as aforesaid, all the Expences of taking such Inquest, and of the Witnesses attending thereon, and recording and entering the Verdict and Judgment thereupon, shall be paid by the said Commissioners out of the Money to arise by virtue of this Act; but if a Verdict shall be given for no greater or for a less Sum than shall have been previously offered by and on the Behalf of the said Commissioners, then and in every such Case such Expences shall be paid by the Owners of or Persons interested in the Premises in question: Provided, that whenever by reason of Absence any Person or Persons shall have been prevented from treating with the said Commissioners, the Whole of such Costs and Expences shall be borne and paid by the said Commissioners; and whenever any Costs or Charges shall or may be payable to the said Commissioners, such Costs and Charges shall and may be deducted out of the Sum to be paid by the said Commissioners to the said Owners or Persons respectively interested; and the Payment or Tender of the Remainder of such Monies, or disposing of the same in the Manner by this Act directed, shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment, Tender, or Disposal of the Whole Sum or Sums so assessed and adjudged.

Application of Compensation Money if amounting to 200l.

LIII. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Cestuique* Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or

Incapacity whatsoever; 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, and Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court in the Purchase of other Lands, Tenements, and Hereditaments which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making 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 the Order of the said Court 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 Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased by virtue of this Act, in case such Purchase and Settlement were actually made.

Application of Compensation Money when less than 200l. and not less than 20l.

LIV. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability 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, and 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 to be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the Commissioners for executing this Act (such Nomination and Approbation to be

signified in Writing under the Hands of the nominating and approving Parties), in order that such principal Money, and the Dividends arising thereon, may be applied in 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 of Compensation Money if less than 20l.

LV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as aforesaid shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and 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 respectively entitled.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

LVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners; or in case such Person or Persons, to whom such Sum or Sums of Money shall be awarded as aforesaid, cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known and discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered, in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends 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.

Respecting disputed Titles.

LVII. 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, or Hereditaments, or of any

any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid and applied and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid.

LVIII. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act; it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the 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.

For Payment of Purchaſe Money, and for veſting of Property in the Commiſſioners.

LIX. And be it further enacted, That upon Payment of any Sum or Sums of Money ſo agreed or aſſeſſed to the Party or Parties to whom the ſame ſhall be awarded, he, ſhe, or they ſhall execute a Conveyance or Conveyances of the Premiſes which ſhall be ſo purchaſed to the ſaid Commiſſioners or their Succeſſors for the Purpoſes of this Act; and in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be ſo awarded as aforeſaid ſhall refuſe to accept the ſame, or to execute ſuch Conveyance or Conveyances, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Commiſſioners, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known, then and in every ſuch Caſe, upon Payment thereof into the Bank of *England*, in Manner by this Act directed and required, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Poſſibility, Claim, and Demand whatſoever, both at Law and in Equity, of the Perſon or Perſons reſpectively to whoſe Credit or Uſe the ſame ſhall have been paid, into and out of ſuch Lands, Buildings, Houſes, Tenements, or other Hereditaments, ſhall veſt in the ſaid Commiſſioners and their Succeſſors, in Truſt for effecting the Purpoſes of this Act; and they ſhall be deemed in Law to be in the actual Seiſin and Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and

effectually as if every Perſon having an Eſtate in the Premiſes had been of full Age and under no Diſability, and had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale enrolled, Feoffment with Livery of Seiſin, Fine, Common Recovery, Surrender, or any other Conveyance or Aſſurance whatſoever; and ſuch Payments ſhall not only bar all Right, Title, Intereſt, Claim, and Demand of the Perſon or Perſons to whoſe Uſe or Credit ſuch Payments ſhall have been made as aforeſaid, but alſo extend to and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail and other Eſtates in Poſſeſſion, Reverſion, Remainder, or Expectancy, and the Iſſue and Iſſues of ſuch Perſon and Perſons claiming under them, as effectually as Fines or Common Recoveries would do, if levied or ſuffered by the proper Parties in due Form of Law.

Damages how to be aſcertained and ſettled.

LX. And be it further enacted, That if any Perſon or Perſons whoſoever ſhall ſuſtain any Damage in his or their Houſes, Lands, Tenements, or other Hereditaments, by reaſon of the Execution of any Powers given by this Act, then and in every ſuch Caſe, Satisfaction and Compenſation ſhall be made by the ſaid Commiſſioners to ſuch Perſons reſpectively, out of the Monies to be raiſed by virtue of this Act; and in caſe of any Difference or Diſpute between ſuch reſpective Perſons and the ſaid Commiſſioners, reſpecting the Amount of ſuch Damages, ſuch Damages ſhall be ſettled and aſcertained by a Jury, in ſuch and the like Manner as the Sum or Sums of Money to be paid by the ſaid Commiſſioners for the Purchaſe of any Lands, Tenements, or Hereditaments, is and are hereinbefore directed to be ſettled and aſcertained, in caſe of any Difference or Diſpute about the ſame, and the ſame ſhall be recovered, levied, and applied in ſuch and the like Manner.

Poſſeſſion to be delivered.

LXI. And be it further enacted, That all and every Perſon and Perſons, Body or Bodies Politic, Corporate, and Collegiate, in Poſſeſſion of any Houſes or Buildings, Lands, Tenements, or Hereditaments, which ſhall be purchaſed by virtue of this Act by the ſaid Commiſſioners, or any Part thereof, ſhall, at the End of Three Months next after Notice ſhall be given to him or her for that Purpoſe, under the Hands of Nine or more of the ſaid Commiſſioners, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes, with ſuch Fixtures as are or ſhall be the Property of the Landlord, to ſuch Perſon or Perſons as ſhall be authorized by the ſaid Commiſſioners to take Poſſeſſion thereof; and in caſe any ſuch Perſon, Body Politic, Corporate, or Collegiate, ſhall refuſe to give up ſuch Poſſeſſion as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners to iſſue out their Precept or Warrant, ſigned by any Nine or more of them, to the Sheriff of the ſaid County of *Buckingham*, to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Warrant be nominated to receive the ſame; and the ſaid Sheriff, being required to deliver ſuch Poſſeſſion accordingly, and to levy ſuch Coſts as ſhall accrue upon the Iſſuing and Execution of ſuch Precept or Warrant on the Perſon ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his or their Goods, returning the Overplus, if any, to the Owner thereof, on Demand: Provided always, that no ſuch Perſon or Perſons as aforeſaid ſhall be compelled by virtue of this Act to quit or give up the Poſſeſſion of any ſuch Premiſes until Satisfaction or Compenſation

tion shall have been made or tendered to him, her, or them by the said Commissioners, for the Injury thereby occasioned; and in case any Dispute or Difference shall arise respecting the Amount of such Satisfaction or Compensation, the same shall be ascertained and determined by a Jury, and the Costs and Expences thereof borne and defrayed in Manner herein-before directed with respect to the disputed Value of Lands purchased, taken, or used for the Purposes of this Act.

Commissioners may sell Ground, &c.

LXII. And be it further enacted, That it shall be lawful for the said Commissioners to sell, dispose of, and convey the Whole, or any Part or Parts of any Building or Buildings, Lands, Tenements, or Hereditaments by them purchased by virtue of this Act, in case the same shall appear to them unnecessary for the Purposes of this Act, as they shall judge advantageous and convenient, to any Person or Persons whomsoever: Provided that the said Commissioners do and shall in the first Place offer the whole of such Building or Buildings, Lands, Tenements, and Hereditaments, or of such Part or Share thereof, to the respective Person or Persons from whom the same Premises respectively were purchased, at such Price or Prices as the said Commissioners, or any Four or more of them shall seem reasonable; and in case such Person or Persons, his, her, or their Heirs, to whom such Offer shall be made, shall not then and thereupon agree, or shall refuse to re-purchase the same, then upon Affidavit to be made and sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the Borough where such Premises shall lie, by some Person or Persons no way interested in the said Premises, stating that such Offer was made by or on Behalf of the said Commissioners, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so made, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be; and in case any Dispute or Disagreement shall arise between such respective Person or Persons and the said Commissioners, respecting the Price so to be fixed by the said Commissioners as aforesaid, the Price or Value of such Premises shall be ascertained and fixed by a Jury, in such and the like Manner as the Sum or Sums of Money to be paid by the said Commissioners for the Purchase of any Hereditaments, is and are herein-before directed to be ascertained, in case of any Difference about the same, and the Person or Persons to whom such Premises shall be so offered as aforesaid, shall be entitled to have a Conveyance thereof at the Price or Sum so to be ascertained or fixed by such Jury as aforesaid.

Accounts of Expences, &c. to be made out and left for Inspection.

LXIII. And be it further enacted, That some Time between the Twenty-fifth Day of *March* and the Twenty-fourth Day of *June* in every Year, a fair and just Account shall be made and wrote out, of all Monies received and paid by virtue and in pursuance of this Act, and how, and to whom, and for what Purposes the same shall have been laid out, paid, and expended; and a Copy or Duplicate of such Account, signed by Five or more of the Commissioners, shall be deposited with the Clerk to the said Commissioners, who shall permit any Person so rated as aforesaid, or any other Person or Persons on his or her Behalf, to inspect the same at seasonable Times, paying One Shilling for every such Inspection, and shall upon Demand,

Demand, forthwith give Copies of the ſame, or any Part thereof, to any ſuch Perſon, paying at the Rate of Sixpence for every One hundred Words, and ſo in Proportion for any leſs Number of Words.

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

LXIV. And be it further enacted, That whenever any Action or Suit ſhall be brought by Order of the ſaid Commiſſioners, againſt any Perſon or Perſons, by virtue or in purſuance of this Act, the ſame ſhall be brought in the Name of their Treaſurer 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 or Clerk done or ſuffered, without the Conſent or Direction of the Commiſſioners, or any Five or more of them 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.

Recoveries of Penalties by Diſtreſs and Sale.

LXV. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed (the Manner of levying and recovering of which 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 One or more of the Juſtices of the Peace for the ſaid Borough, which Warrant ſuch Juſtice or Juſtices is and are hereby empowered to grant upon the Confeſſion of the Party or Parties, or upon the Evidence of any One or more credible Witneſs or Witneſſes upon Oath, and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale, ſhall be returned upon Demand to the Owner or Owners of ſuch Goods and Chattels, after deducting the Coſts and Charges of ſuch Diſtreſs and Sale, and the Penalties and Forfeitures, when recovered, (if not hereinbefore 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 cannot be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by a Warrant under his Hand and Seal, to cauſe the Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for the ſaid Borough, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the ſame, ſhall be ſooner fully paid and ſatisfied.

Commiſſioners may compound for Penalties.

LXVI. 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

ſioners ſhall think proper, and alſo to mitigate, compound, or leſſen any of the Forfeitures incurred under this Act, ſo the Sums ſo compounded or agreed for be not leſs than the Injury or Damage ſuſtained by Breach or Non-performance of any ſuch Contract, and all the Coſts and Expenſes which ſhall be occaſioned thereby.

Form of Conviction.

LXVII. 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),

The Borough of Chepping Wycombe, in the County of Bucks. } 'BE it remembered, That on the Day of in the Year 'of the Reign of His Majeſty *A. B.* is convicted before 'of His Majeſty's Juſtices of the Peace for the ſaid 'Borough, by virtue of an Act of Parliament made in the Fifty-third 'Year of the Reign of His Majeſty King *George* the Third, intituled [*ſet 'forth the Title of the 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 adminiſter Oaths.

LXVIII. And be it further enacted, That in all Caſes where the ſaid Commiſſioners or any of His Majeſty's Juſtice or Juſtices of the Peace are by this Act authorized or required to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Commiſſioners, or any Five or more of them, and 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 Commiſſioners, or 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 Three Calendar Months next after ſuch Offence ſhall have been committed.

Limiting the Time for Information of Offences.

Inhabitants may be Witneſſes.

LXIX. 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 Borough of *Chepping Wycombe* ſhall be deemed to be 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.

Power of Juſtices to make Allowances to Informers and Witneſſes.

LXX. Provided always, and be it further enacted, That it ſhall and may be lawful for the Juſtice of the Peace before whom any Offender ſhall be convicted of any Offence againſt this Act, if he ſhall think fit, to direct, allow, and pay any Part of the Fine, Penalty or Forfeiture, which ſhall be impoſed and received of any ſuch Offender convicted before him of any ſuch Offences 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 ſhall ſeem meet.

Appeal.

LXXI. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Order, Judgment, or Determination of the ſaid Commiſſioners, or by any Penalty impoſed, or by any Conviction made, or by any other Thing done in purſuance of this Act (ſave and except in ſuch Caſes where any Order, Judgment, or Determination is herein directed to be final or concluſive, 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 or Quarter Seſſions of the Peace to be holden for the ſaid Borough of *Chepping Wycombe* within Six Calendar Months next after the Cauſe of Complaint ſhall have ariſen, or any Adjournment of ſuch Seſſions, the Perſon or Perſons appealing firſt giving or cauſing to be given to the Clerk to the ſaid Commiſſioners Fourteen Days Notice in Writing of his, her, or their Intention to bring ſuch Appeal, and of the Cauſe or Matter thereof, and within Fourteen Days next after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid Borough 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 the ſaid Seſſions, or Adjournment thereof, upon due Proof of ſuch Notice having been given, and of 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 and 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 or 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.

LXXII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall afterwards be done by the Party or Parties ſo diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial 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 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 the Behalf of the Defendant or Defendants,

Plaintiff not to recover after Tender of Amends.

fendants, 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.

LXXIII. And be it further enacted, That no Order, Verdict, Assessment, Judgement, 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 any wise notwithstanding.

Limitation of Actions.

LXXIV. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Fourteen Days Notice thereof be 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 of *Buckingham*, 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 nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement 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 other Cases by Law.

Treble Costs.

Act not to prejudice the Rights of Lords of the Manor, or of the Corporation.

LXXV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or defeat any Right, Interest, Property, Power, Privilege, Franchise, or Authority of the Corporation of the said Borough, or the Lord or Lords of any Manor or Manors within the said Borough, or any other Person or Persons whomsoever, which is not by this Act expressly taken away, affected, or diminished, but that all and every such Rights, Interests, Property, Powers, Privileges, Franchises, and Authorities, (except as aforesaid) may be exercised and enjoyed in as full, complete, and beneficial Manner to all Intents and Purposes as the same were exercised before the passing of this Act.

Public Act. LXXVI. 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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