ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

Cap. 118.

An Act for paving, cleanſing, lighting, and watching the Town of *Daventry*, in the County of *Northampton*; and for regulating the Market there; and for enabling the Bailiff, Burgeſſes, and Commonalty of the Borough of *Daventry*, to purchaſe the *Moot Hall*, and to rebuild the ſame.

[12th *July* 1806.]

WHEREAS the Highways, Streets, Lanes, and other public Paſſages and Places within the Town of *Daventry*, in the County of *Northampton*, are not properly paved, cleanſed, lighted, or watched, and are ſubject to various Nuiſances and Annoyances, and in many Places unſafe for Carriages: And whereas it will tend greatly to the Comfort and Convenience of the Inhabitants of the ſaid Town, and to all Perſons reſorting thereto, or travelling through the ſame, if Proviſions were made for paving, cleanſing, lighting, watching, and improving the ſaid Town, and for regulating the Market thereof: And whereas the *Moot Hall*, being the Place of holding the General Seſſions of the Peace and the Court of Record of the Borough of *Daventry*, and the ſeveral Meetings of the Bailiff, Burgeſſes, and Commonalty of the ſaid Borough, is very much out of Repair, and it is neceſſary that the ſame ſhould be taken down, and Powers given to the ſaid Bailiff, Burgeſſes, and Commonalty, to purchaſe ſuch *Moot Hall*, and the Scite threof, for the Purpoſe of building and erecting a new *Moot Hall*: But as the ſeveral Purpoſes aforeſaid cannot be effected without the Authority of Parliament; May it therefore pleaſe Your Majesty, That it may be

enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Bailiff, Recorder, Deputy Recorder, and Burgeſſes of the Borough of *Daventry* for the Time being; *William Adams*, *John Adams*, *Thomas Adams*, *Joſeph Bull*, *Edward Bull*, *John Blencowe*, *John Plomer Clarke*, *Richard Clarke*, *Samuel Cox*, *Richard Cole*, *Thomas Dunkley*, *William Fallowfield*, Clerk, *Charles Gurden*, *Samuel Wyment Harriſon*, *John Hall*, *Samuel Johnſon* the elder, *Samuel Johnſon* the younger, *Edward Jones*, *Edward Lamb*, *John Morgan*, *Edward Mand*, *Thomas Marfell*, *William Morris*, *Andrew Mieres*, *Simon Oakden*, *William Percival*, *William Lucas Roſe*, Clerk, *William Roſe*, *Thomas Robins*, *Thomas Rogers*, *Samuel Smith*, Clerk, *Thomas Sanders*, *Charles Watkins*, *William Watkins*, *William Wilkins*, *John Wilkinſon*, *Thomas Wilkinſon*, *John Waterfield*, *Thomas Waterfield*, *John Williams*, Clerk, *John Metcalfe Wardle*, *George Watſon*, *Robert Wildegoſe*, *Webb*, and their Succeſſors to be elected as herein mentioned, ſhall be and they are hereby appointed Commiſſioners for putting this Act into Execution.

Commiſſioners Names.

II. And be it further enacted, That when and as often as any of the Commiſſioners hereby named, or to be elected as hereinafter is mentioned (ſave and except ſuch ſeveral Perſons as are herein declared to be Commiſſioners by virtue of their reſpective Offices as aforeſaid) ſhall die, or refuſe to act in the Execution of this Act, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſurviving or remaining Commiſſioners, or any Five or more of them, from time to time, at a Meeting to be held for that Purpoſe, by Writing under their Hands, to elect another Perſon in the Place of each Commiſſioner ſo dying or refuſing to act, provided that Notice of the Time and Place for every ſuch Election ſhall be given by the Clerk to the ſaid Commiſſioners, by fixing the ſame on the Door of the Pariſh Church of *Daventry* aforeſaid, and by advertiſing ſuch Notice in *The Northampton Mercury* (if then publiſhed, and if not then in ſome other Newſpaper circulated in or near the ſaid Borough) at leaſt Ten Days before the Meeting for every ſuch Election; and every Perſon ſo elected ſhall have the ſame Powers and Authorities for putting this Act in Execution, in all Reſpects whatſoever, as if he had been named a Commiſſioner in and by this Act.

For electing new Commiſſioners.

III. Provided always, and be it further enacted, That no Perſon (except the Bailiff, Recorder, Deputy Recorder, and Burgeſſes of the ſaid Borough of *Daventry* for the Time being) ſhall be capable of acting as a Commiſſioner in the Execution of this Act, except in adminiſtering the Oath hereinafter mentioned in the firſt Inſtance (which Oath any One or more of the Commiſſioners is and are hereby empowered to adminiſter) unleſs at the Time of his acting he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, within the Pariſh of *Daventry*, of the clear yearly Value of Forty Pounds, or ſhall be Heir Apparent to ſome Perſon having an Eſtate in Lands, Tenements, or Hereditaments within the ſaid Pariſh, of the clear yearly Value of One Hundred Pounds, or ſhall be poſſeſſed of and entitled to a Perſonal Eſtate of the Amount or Value of One Thouſand Pounds, or be

Qualification of Commiſſioners.

be rated by virtue of this Act at Fifteen Pounds, and until such Perſon (not being Heir Apparent as aforeſaid) ſhall have taken and ſubſcribed an Oath in the Words or to the Effect following; that is to ſay:

Oath.

'I *A. B.* do ſwear, That I am duly qualified to act as a Commiſſioner in the Execution of an Act of Parliament, made in the Forty-ſixth Year of the Reign of King *George* the Third, intituled 'An Act (*here repeat the Title of this Act*) according to the Proviſions and Directions of the ſaid Act, and that I will truly and impartially, according to the beſt of my Skill and Judgment, act in the Execution of the Powers and Authorities repoſed in me as a Commiſſioner, in and by the ſaid Act of Parliament.

'So help me GOD'.

Penalty for acting if not qualified.

And if any Perſon (except as aforeſaid) not being ſo qualified, ſhall preſume to act in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty 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 or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection or 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 hath acted as a Commiſſioner in the Execution of this Act; and the Money ſo to be recovered ſhall, after Payment of the Coſts and Expences attending the Recovery thereof, he paid one Moiety to the Informer or Proſecutor, and the other to the Treaſurer of the ſaid Commiſſioners, to be applied for the Purpoſes of this Act: Provided always, that all Acts and Proceedings of any Perſon or Perſons acting as a Commiſſioner or Commiſſioners in the Execution of this Act, although not duly qualified as aforeſaid, previous to his or their being convicted of the ſaid Offence, ſhall, notwithſtanding ſuch Conviction, be as good, valid, and effectual, as if ſuch Perſon or Perſons had been duly qualified to act as ſuch Commiſſioner or Commiſſioners according to the Directions of this Act.

One Moiety or Penalty to be paid to the Informer, the other to the Commiſſioners.

No Commiſſioner to hold any Place of Profit, or act wherein intereſted.

IV. Provided always, and be it further enacted, That no Commiſſioner appointed by virtue of this Act, ſhall be capable of acting or voting as ſuch in any Caſe wherein he ſhall be perſonally intereſted, or during the Time he ſhall hold any Office of Profit under, or be concerned in any Contract made by virtue of this Act.

Commiſſioners may act as Juſtices.

V. Provided alſo, That it ſhall and may be lawful to and for the ſaid Bailiff, Recorder, and ſuch of the ſaid Burgeſſes who ſhall be Juſtices of the Peace for the ſaid Borough, to act as Juſtices of the Peace in the Execution of this Act within their Juriſdictions, notwithſtanding their being Commiſſioners, except only in ſuch Caſes wherein they are perſonally intereſted.

Time and Place of Meetings.

VI. And be it further enacted, That the ſaid Commiſſioners, or any Two or more of them, ſhall and may meet and aſſemble at the *Wheat Sheaf* Inn, in *Daventry* aforeſaid, on the Second Thurſday after the paſſing

passing of this Act, or so soon thereafter as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon, in order to put this Act in Execution, and shall and

Adjournment.

may then, and from time to time afterwards, adjourn themselves to and meet at the *Wheat Sheaf* Inn aforesaid, or at any other convenient Place within the said Town, and between the Hours aforesaid, as they, or the major Part of them present at such Meeting, shall appoint; and if it should so happen that there shall not appear at any such Meeting of the said Commissioners a sufficient Number of Commissioners to act or to adjourn to another Day (Two Commissioners to be deemed sufficient for the Purpose of Adjournment) or if the said Commissioners shall refuse or

But if no Adjournment, another Meeting may be held, on Notice.

neglect to adjourn, or shall adjourn, and it shall be deemed necessary that a Meeting of the said Commissioners should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case any Two or more of the said Commissioners, or the Clerk for the Time being to the said Commissioners, shall and may cause such Meeting to be holden on such Day, between the Hours aforesaid, by Notice in Writing (such Notice being signed by the Commissioners so calling such Meeting, or by the said Clerk, to be affixed on the Door of the said Parish Church of *Daventry*, at least Seven Days before such Meeting) as they or he shall think proper; and 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 (except that of

But no Act valid unless at a Meeting.

Adjournment as aforesaid) shall be good or valid, unless made or done at some public Meeting held by virtue of this Act, save and except as may be herein excepted.

All Powers of the Act to be exercised by a Majority of Commissioners.

VII. Provided always, and be it further enacted, That all the 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 to be holden as herein mentioned, the whole Number present at such Meeting not being less than Five; and all the Orders and Proceedings of the said Commissioners present at such their several Meetings, shall have the same Force and Effect as if the same were made or done by all the said Commissioners for the Time being (save and except as may be herein excepted); and at every

At all Meetings, a Chairman to be appointed, and all Questions to be determined by a Majority.

Meeting of the said Commissioners a Chairman shall and may be appointed by the said Commissioners; and when and as often as it shall happen that there shall be an equal Number of Votes upon any Question (including the Chairman's Vote) the Chairman shall have the decisive or casting Vote.

No Order to be revoked, unless at a Meeting for that Purpose, and a greater Number revoke than made the same.

VIII. And be it further enacted, That no Order made by the said Commissioners at any of their Meetings shall be revoked or altered at any subsequent Meeting, unless at some Meeting to be holden for that express Purpose (of which Meeting Ten Days Notice in Writing shall be given, therein expressing the Revocation or Alteration, signed by the Commissioners desiring such Revocation or Alteration, by affixing the same on the Door of the Parish Church of *Daventry* aforesaid) nor unless a greater Number of Commissioners shall attend to revoke or alter such Order than were present when the same was made; any Thing herein contained to the contrary thereof in anywise notwithstanding.

IX. And

Proceedings to be entered in a Book.

IX. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be provided for that Purpose, of all the Acts, Orders, Directions, Regulations, and Proceedings of the said Commissioners, relative to the Execution of this Act; and of the Names of all such Commissioners as shall be present at the respective Meetings, to be holden in pursuance of this Act; and such Entries shall be signed or subscribed by the Chairman of each respective Meeting, and by the Clerk of the said Commissioners for the Time being, or either of them, and such respective Entries, being so subscribed as aforesaid, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Cases, Suits, and Actions, touching any Thing done in pursuance of or by virtue of this Act; and all such Books shall at any of the respective Meetings of the said Commissioners, and at all other seasonable Times, be open and liable to the Inspection of all and every the said Commissioners, and of all and every Person rated and assessed for the Purposes of this Act, and also of all and every the Creditors on the Rates hereby granted and made payable.

Commissioners may appoint Officers.

X. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from time to time to elect and appoint a Treasurer and a Clerk, and also one or more Assessor or Assessors, Collector or Collectors, Receiver or Receivers, of the Rates or Assessments to be raised and levied by virtue of this Act, and also a Surveyor or Surveyors, and such or so many other Officers as they shall find necessary for the Execution of this Act, and the said Commissioners shall take from every such Treasurer, Collector, and Receiver, such Security as they shall think proper for the due Execution of his Office; and it shall and may be lawful to and for the said Commissioners, from time to time to remove, suspend, or displace all or any of such Officers as they shall see Occasion, and appoint another or others in the Room or Place of them as shall be so removed, suspended, or displaced, and also in the Room of such as shall die, or resign their respective Offices, and also from time to time, by and out of the Monies to be raised by virtue of this Act, for paving, cleansing, lighting, and watching the said Town, to appoint and pay such Salaries, Gratuities, and Allowances, to the respective Officers, and to all other Persons who shall be employed by them the said Commissioners in the Execution of this Act, as they shall judge reasonable or proper; and all such Officers and Persons so to be appointed as aforesaid, 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 to such Person or Persons 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 Officers and Persons respectively received by virtue of or for the Purposes of the Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments and Disbursements, and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same; and all the said Officers and Persons respectively, so accounting as aforesaid, shall upon Oath (which Oath the said Commissioners, or any one or more of them, are and is hereby empowered and required to administer) verify their said Accounts; and

Officers to deliver in written Accounts to Commissioners,

and swear they are just.

On Refusa may be sued by Commissioners, &c.

if any such Officer, or other Person as aforesaid, shall not make and render, or shall refuse to verify upon Oath any such Account, or to produce or deliver up the Receipts or Vouchers relating to the same, or to make such Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days next after being thereunto required by the said Commissioners, by Notice in Writing given to or left at the last or usual Place of Abode of any such Officer or Person, all Books, Papers, and Writings, in his or their Custody or Power, relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts, shall appear to be in their respective Hands, to the said Commissioners, as they shall direct or appoint, then and in any of the Cases aforesaid, such Commissioners may, and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any one or more of the Justices of the Peace of the County or Place wherein such Officer or Officers, Person or Persons so neglecting or refusing, shall be or reside,

or brought before one or more Justices.

such Justice or Justices may, and is and are hereby authorized, and required, by a Warrant or Warrants under his and their Hand and Seal, or Hands and Seals, to cause the Officer or Officers, Person or Persons, so neglecting or refusing, to be brought before him or them, and upon his or their appearing, or having been summoned and not appearing or not being found to hear and determine the Matter of Complaint in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of a credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby empowered to administer) it shall appear to such Justice or Justices that any of the Monies that shall have been collected and raised by virtue of this Act, shall be in the Hands of such Officer or Officers, or other Person or Persons, such Justice or Justices may, and is and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons, respectively; and if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the Goods and Chattels distrained, or if it shall in Manner aforesaid appear to such Justice or Justices, that any such Officer or Officers, Person or Persons, shall refuse or neglect to render and give such Account, or to verify the same as aforesaid, or to produce the Receipt or Voucher relating thereto, or that any Books, Papers, or Writings, relating to the Execution of this Act, shall be in the Custody or Power of any such Officer or Officers, Person or Persons, and he or they shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid, such Justice or Justices shall and may commit every such Offender or Offenders so appearing, or when found, to the Common Gaol or House of Correction for the City, County or Place, where such Offender or Offenders shall be or reside, there to remain,

For Want of Distress, Officers may be committed.

without

without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall have compounded with the ſaid Commiſſioners, 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 or they ſhall deliver up ſuch Receipts, Vouchers, Books, Papers, and Writings, as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Commiſſioners: Provided always, that no ſuch Officer or Perſon who ſhall be ſo committed, ſhall be detained in Priſon by virtue of this Act, for Want of ſufficient Diſtreſs, for any longer Time than Three Calendar Months.

Officer dying or incapable another Perſon ro be appointed.

XI. Provided always, That as often as any Perſon holding any Office or Place under or by virtue of this Act, ſhall die or reſign his Office, or be incapable of acting in the Execution of this Act, then and in every ſuch Caſe it ſhall be lawful for the Bailiff of the ſaid Borough of *Daventry* for the Time being, by Writing under his Hand, to appoint another Officer in his Place, and the Perſon ſo appointed ſhall have the ſame Power to act in the Execution of this Act as the Perſon in whoſe Place he ſhall be ſo appointed, until the ſaid Commiſſioners ſhall, at a Meeting to be holden in purſuance of this Act, appoint another Officer in the Room of the Perſon ſo dying, reſigning, or being incapable of acting in the Execution of this Act as aforeſaid; any Thing herein contained to the contrary notwithſtanding.

Treaſurer to pay all Sums of Money by Order of the Commiſſioners, and make Entries.

XII. 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 to be collected and received by him by virtue of this Act, to pay all Sums which the ſaid Commiſſioners, or any Five or more of them ſhall from time to time draw upon him for, or order him to pay; and the ſaid Treaſurer ſhall and he is hereby required to keep regular Entries in a Book or Books to be for that Purpoſe provided and kept, of all and ſingular his Receipts and Payments on account or in purſuance of this Act; and all ſuch Accounts ſhall once at leaſt in every Year be audited, paſſed, and allowed (if approved) by the ſaid Commiſſioners.

Commiſſioners may make Contracts.

XIII. 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, flagging, repairing, cleanſing, and lighting the Market Place, Streets, Lanes, Paſſages, and Places, within the ſaid Town of *Daventry*, or anyof them, or for furniſhing Materials, or any Matters or neceſſary Things whatſoever, or for any of ſuch Purpoſes; but before any ſuch Contract or Contracts ſhall be entered into, Ten Days Notice at the leaſt ſhall be given in ſome public Newſpaper circulated in the ſaid Town of *Daventry*, 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 ontr act.

XIV. And

Contracts not to be entered into for more than Three Years.

XIV. 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.

Commissioners may compound with Persons for Breach of Contracts.

XV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from time to time and at all Times hereafter, to compound and agree with any Person or Persons on account of any Breach or Nonperformance of such Contract or Contracts, for such Sum or Sums of Money as they shall think proper, so as the Sum so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Nonperformance of such Conrract or Contracts, and all Costs, Charges, and Expences, which shall be occasioned thereby.

Contracts to be signed by the Commissioners.

XVI. 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 Nonperformance thereof, and shall be signed by the said Commissioners, 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 Commissioners.

Pavements, &c. vested in the Commissioners.

XVII. And be it further nacted, That all the present and future Pavements, Flagstones, and Curbstones, in the several Streets, Lanes, and other public Passages and Places within the said Town of *Daventry*, and the Stones, Gravel, and other Materials of which, as well the Footways as Carriageways of such Streets, Lanes, and other public Passages and Places, do and shall consist, and also all Lamps, Lamp Irons, Lamp Posts, Watch Boxes, Watch Houses, and other Houses and Buildings, which shall be erected or fixed up by virtue of this Act by the said Commissioners, and all Materials, Implements, and other Things, which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of, and the same is and are hereby vested in the said Commissioners; and the said Commissioners shall have full Power and Authority from time to time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles and Things, or any Part or Parts of the same respectively, to such Person or Persons, in and such Manner as they the said Commissioners shall

ſhall think proper; and if any Perſon or Perſons ſhall wilfully or maliciouſly break up, injure, deſtroy, or otherwiſe damage any of the Articles or Things hereby veſted in them the ſaid Commiſſioners, or any of the Works done by them in purſuance of this Act, every ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Pavement of Turnpike Road from Old Stratford to Dunchurch not veſted in the Commiſſioners.

XVIII. Provided always, and be it further enacted, That nothing in this Act ſhall extend or be conſtrued to extend to veſt in the ſaid Commiſſioners any of the Pavement of the Carriageways and Footways which have been paved, amended, and repaired, ſo long as the ſame ſhall continue to be amended and repaired by the Truſtees acting in the Execution of an Act, made in the Thirty-ſixth Year of the Reign of His preſent Majeſty, intituled, "An Act for enlarging the Term of an Act, made in "the Fifteenth Year of His preſent Majeſty, for repairing the Road "from *Old Stratford*, in the County of *Northampton* to *Dunchurch* in "the County of *Warwick*" ſave and except the ſaid Commiſſioners ſhall contract with the ſaid Truſtees of the ſaid Turnpike Road for the paving, maintaining, or repairing ſuch Carriageways and Footways, which Contract or Contracts it ſhall and may be lawful to and for the ſaid Comiſſioners, and to and for the ſaid Truſtees, to make and enter into.

Perſons who by reaſon of Tenure have been liable to the Repair of certain Parts of the Streets, exonerated from future Repairs.

XIX. And whereas certain of the Inhabitants of *Daventry*, by reaſon of the Tenure of their reſpective Houſes, have anciently been accuſtomed to maintain and repair the High Street in *Daventry*, and certain other Parts of the Streets and Places within the ſaid Town of *Daventry*, and the ſaid Inhabitants have been uſed to take and receive certain Profits and Advantages of the Space of Ground in the Front of their reſpective Houſes, by ſetting and letting to hire Stalls, Sheep Pens, and other Conveniencies on Market and Fair Days, and the ſaid Inhabitants who are ſo liable to ſuch Repairs are deſirous to be diſcharged from the Burthen thereof, and, in Conſideration thereof, have agreed that all Profits and Advantages to be from henceforth made of the vacant Ground in the Front of their reſpective Houſes, ſhall be veſted in, and received by the ſaid Commiſſioners, and applied to the Purpoſes of this Act; BE it therefore further enacted, That from and after the paſſing this Act, all Profits and Advantages to ariſe and be made from the ſetting and letting for hire of Stalls, Sheep Pens, or other Accommodations, in any of the Streets of the ſaid Town (except that Part of the Market Hill the Property of *John Plomer Clarke*, Eſquire, as Lord of the Manor of *Daventry*, and except on any Part of the Scite of the *Moot Hall*) ſhall be and the ſame is hereby veſted in the ſaid Commiſſioners; and all ſuch Profits and Advantages ſhall be paid to and received by the ſaid Commiſſioners, or their Treaſurer, and be applied and diſpoſed of for the Purpoſes of this Act; and in Conſideration thereof the ſaid Inhabitants ſhall be, and are hereby declared to be freed, exonerated, and for ever diſcharged from all future Charges and Expences of making, repairing, and cleanſing any of the Pavements, Sewers, Drains, Grates, Sinks, Gutters, and Watercourſes, within the ſaid Town (except ſuch Rates and Aſſeſſments as they may be ſubject and liable to as Owners or Occupiers of any Houſes, Lands, Tenements, or Hereditaments, by virtue of this Act, for the ſeveral Purpoſes of paving, cleanſing, lighting, and watching the ſaid Town of *Daventry*, and for the Removal of Nuiſances

and Annoyances therein); and that all such Parts of the said Town as before the passing of this Act were, or have been paved, repaired, or cleansed, at the separate Expence of any of the said Inhabitants, shall for ever hereafter be paved, repaired, and cleansed, under the Direction of the said Commissioners.

Persons chargeable to Statute Duty, to continue so.

XX. Provided also, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work towards repairing and amending the several Highways within the said Town of *Daventry*, intended to be paved, repaired, and amended by the said Commissioners by virtue of this Act, or any Part thereof, shall still remain liable thereto, in like Manner as heretofore; and it shall and may be lawful to and for

Justices to determine differences respecting Statute Work.

any Two or more Justices of the Peace for the said Borough of *Daventry*, and they are hereby required and empowered, upon Application made to them by the said Commissioners, or by their Clerk or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Highways by the Inhabitants of the Parish of *Daventry*, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of such Parish in lieu of, or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Commissioners, or to their Treasurer; and in order thereunto, it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways of the said Parish, to bring in Lists before such Justices, at some Time and Place to be expressed in such Summons, within Seven Days after the serving of such Summons, of the Names of the several Persons who within the said Parish are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of, or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as is, are, or may be directed, by any Law or Statute in Force and Effect, for the Repairs of the public Highways, and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Highways as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay Time or Harvest Time) and in such Parts of the said Highways as the said Commissioners, or their Surveyor or Surveyors, shall from time to time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Commissioners, or their Treasurer, at such Time or Times as they the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her,

or

or them, at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor of the ſaid Commiſſioners, ſhall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force and Effect for the Repair of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Highways, ſhall be found idle or negligent by any Surveyor to the ſaid Commiſſioners, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Parts of the ſaid Highways, all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Commiſſioners, and applied towards the amending of the ſaid Highways; and in caſe the ſaid Surveyor or Surveyors of the Highways for the ſaid Pariſh ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Commiſſioners may compound for Statute Work.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Statute Work to be by them done on the ſaid Highways, or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, Hereditaments, of and in the ſaid Pariſh of *Daventry*, for a certain Sum of Money by the Year, or otherwiſe, as the ſaid Commiſſioners ſhall think reaſonable, in lieu of the whole or of any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants or Occupiers done on the Highways within the ſaid Town of *Daventry*, intended to be paved, repaired, and amended by the ſaid Commiſſioners by virtue of this Act, which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer of the ſaid Commiſſioners, in advance, on or before the Twenty-ſecond Day of *November*, in each and every Year, otherwiſe the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments within the ſaid Pariſh, ſhall not be permitted to compound for that Year.

For getting Materials for Repair of Streets, &c.

XXII. And be it further enacted, That it ſhall and may be lawful to and for the Surveyor or Surveyors of the ſaid Commiſſioners, and to and for all ſuch Perſons as he or they reſpectively ſhall appoint, to ſearch for, cut, dig, get, gather, and take away any Stones, Gravel, Sand, or other Materials, for making or reparing the Higliways within the ſaid Town of *Daventry* intended to be paved, amended, and repaired by the ſaid Commiſſioners, by virtue of this Act, out of or from any Waſte Ground, River, or Brook, in the Pariſh of *Daventry*, or the Hamlet of *Drayton*, or in any neighbouring Pariſh, Townſhip, Hamlet, Diviſion, Diſtrict, or Place, without paying any Thing for the ſame, the ſaid Surveyor or Surveyors, or other Perſon or Perſons acting by his or their Appointment, filling

filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle, and alſo that ſuch Surveyor or other Perſons as aforeſaid, may, by Order of the ſaid Commiſſioners (ſuch Order to be made at ſome Meeting of the ſaid Commiſſioners to be holden in purſuance of this Act, and a Copy thereof to be given to ſuch Surveyor or Surveyors, atteſted and ſigned by the Clerk to the ſaid Commiſſioners) ſearch for, cut, dig, get, gather, and take away any ſuch Materials as aforeſaid, in, off, from, and out of the private Lands, Fields, or Grounds, of any Perſon or Perſons where the ſame may be had or found, ſuch Lands, Fields, or Grounds, not being a Garden, Orchard, Yard, Park, Paddock, Walk or Walks, or Avenue to a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees, making or tendering ſuch Satisfaction for the Damages done thereby to the Owners and Occupiers of ſuch Grounds where and from whence the ſame ſhall be cut, dug, gotten, gathered, and carried away, or over which the ſame or any other Materials for making and repairing the ſaid Highways ſhall be carried, according to their reſpective Rights and Intereſts in ſuch Grounds, as the ſaid Commiſſioners ſhall judge reaſonable; and in Caſe of any Difference between the ſaid Commiſſioners, Surveyor or Surveyors, or other Perſon or Perſons employed as aforeſaid, and the ſaid Owners or Occupiers, or any of them, concerning ſuch Damages, it ſhall and may be lawful to and for any One or more of the Juſtices of the Peace of the County or Place where ſuch Materials ſhall be ſo cut, dug, gotten, gathered, taken, and carried away, or over, on Seven Days Notice thereof in Writing being given by either Party to the other, or left at their reſpective Places of Abode, to hear, ſettle, and determine the Matters of ſuch Payment and Damages; and the Judgment or Order of the ſaid Juſtices ſhall be final and concluſive to all Parties.

Notice to be given to the Occupiers of incloſed Lands, before Materials are to be taken.

XXIII. Provided nevertheleſs, and be it enacted, That it ſhall not be lawful for any Surveyor, or other Perſon or Perſons, acting under the Authority of this Act, to dig, gather, get, take, or carry away, any Materials for repairing ſuch Highways, out of or from any incloſed Lands or Grounds, until Notice in Writing, ſigned by the Surveyor, ſhall have been given to the Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left for ſuch Occupier at his uſual Place of Reſidence, to appear before the ſaid Commiſſioners, or any One or more Juſtices of the Peace acting for the County or Place where ſuch Premiſes ſhall be, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds, and in caſe ſuch Occupier, or his Agent, ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, then and in ſuch Caſe the ſaid Commiſſioners, or ſuch Juſtices, ſhall and may authorize ſuch Surveyor, or other Perſon or Perſons, to dig, get, gather, and carry away ſuch Materials, at ſuch Time or Times as to the ſaid Commiſſioners or Juſtices ſhall ſeem proper; and if ſuch Occupier ſhall neglect or refuſe to appear by himſelf or his Agent, purſuant to ſuch Notice, the ſaid Commiſſioners or Juſtices ſhall and may make ſuch Order therein as they reſpectively ſhall think fit, as fully and effectually, to all Intents and Purpoſes, as if ſuch Occupier or his Agent had attended.

XXIV. And

Penalty on taking away Materials got by Order of the Surveyor.

XXIV. And be it further enacted, That if any Perſon or Perſons whomſoever ſhall remove or take away any Stones or Gravel, or any Materials laid upon ſuch Highways, or upon any Part thereof, for the Repair thereof, without the Order of the ſaid Commiſſioners, or of their Surveyor or Surveyors, for that Purpoſe, or if any Perſon or Perſons whomſoever ſhall take away any Stones or Gravel, or any Materials which ſhall have been dug or gathered by or by the Order of the ſaid Commiſſioners, or their Surveyor or Surveyors, in any Lands, Fields, or Waſte Grounds, River, or Brook, for the Purpoſe of amending ſuch Highways, or any Part or Parts thereof, or ſhall get or take away any Stones or Gravel, or Materials, out of any Pit or Quarry which ſhall have been made for the Purpoſe of getting ſuch Materials for amending the ſaid Highways, or any Part or Parts thereof, before the ſaid Surveyor or Surveyors, or his or their Workmen ſhall have diſcontinued working therein for the Space of Three Weeks (except the Owner or Occupier of any private Ground, and Perſons authorized by ſuch Owner or Occupier to get Materials therein for his or her own private Uſe only, and not for Sale) every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Ten Shillings.

Where Materials for paving may be lodged.

XXV. And be it further enacted, That during the Time any Street, Lane, Paſſage, or Place, ſhall be new paving, flagging, or repairing, or any of the Grates, Drains, or other Sewers therein, ſhall be altering or repairing, the ſaid Commiſſioners ſhall have Power to order the neceſſary Materials to be lodged in that or any adjoining Street, Lane, Paſſage, or Place, or Streets, Lanes, Paſſages, or Places, according to their Diſcretion, as alſo to ſtop the Way through that or any adjacent Highway, Street, Lane, Paſſage, or Place, ſo long as they ſhall judge neceſſary; and the ſaid Commiſſioners, and all Perſons acting by or under their Direction as aforeſaid, are hereby indemnified from any Proſecution or Action whatſoever reſpecting the ſame.

Paviors and Carters to be appointed, and Horſes to be purchaſed.

XXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners from Time to Time, to appoint ſuch and ſo many Paviors, Artificers, Workmen, Labourers, Carters, and others, and alſo to purchaſe ſuch Horſes, Carts, Tools, and Implements, as they ſhall judge neceſſary, for the Purpoſe of carrying this Act into Execution.

Power for Commiſſioners to pave the Streets &c.

XXVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required, from Time to Time to cauſe the ſeveral Streets, Lanes, and other public Paſſages and Places within the ſaid Town of *Daventry*, or any Part or Parts thereof, as well the Carriage as Footways, to be new paved, flagged, repaired, and amended, and the Pavements and Flagging thereof to be taken up and relaid, and the Ground thereof to be raiſed, lowered, or altered, from time to time, in ſuch Manner, and with ſuch Materials, as they the ſaid Commiſſioners ſhall think fit; and to cauſe to be cut or made in, through, over, or under any of the ſaid Streets, Lanes, public Paſſages and Places, any new Tunnels, Gutters, Sinks, Drains, Sewers, or Water-couſſes, for conveying the Water from the ſame reſpectively, and alſo to cauſe any of the preſent Gutters, Sinks, Drains, Sewers, and Watercourſes to be ſtopped up or opened, or widened, and the Form thereof

thereof to be altered, turned, varied, or changed, in such Manner as they the said Commissioners shall think fit; and it shall and may be lawful to and for the said Commissioners to take up, remove, or cause to be taken up and removed, all or any Posts, Rails, Pales, or Trees, in such Streets, Lanes, Passages, or Places, or any of them, as they the said Commissioners shall judge useless, or to be a Nuisance or Obstruction to Foot Passengers, Horses, or Carriages.

Pavement not to be altered without the Consent of the Commissioners.

XXVIII. And be it further enacted, That if any Person or Persons shall at any Time take up the said Pavements and Flagging, or any Part of the same respectively, or make or cause to be made any Alteration in any Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, in any Street, Lane, public Passage or Place, in the said Town of *Daventry*, without the previous Consent in Writing of the said Commissioners, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and in case the Person or Persons so taking up any such Pavement or Flagging, or any Part of the same respectively, or any such Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, shall not, within Two Days after Notice in Writing by the Surveyor to the said Commissioners, given to or left at the last or usual Place or Places of Abode of such Person or Persons, cause the same Pavement and Flagging respectively, which shall have been so taken up, to be reinstated, and the Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, so altered, to be put into its former State, then and in every such Case it shall and may be lawful to and for the Surveyor to the said Commissioners to cause the same respectively to be so done, the Costs and Charges whereof shall be borne and paid by the Person or Persons who shall have taken up or altered such Pavement or Flagging, Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, or any Part thereof respectively; and in Case of Non-payment thereof on Demand, such Costs and Charges shall and may be levied and recovered in such and the like Manner as any Penalty is by this Act directed to be levied and recovered.

Inhabitants to give Notice to the Surveyor when the Pavements want any Repairs.

XXIX. And be it further enacted, That if any Householder or Householders within the said Town of *Daventry*, shall make Complaint in Writing under his, her, or their Hand or Hands, and shall leave the same at the last or usual Place of Abode of the Surveyor or Surveyors to the said Commissioners, of any Defect or Want of Repair in any of the Pavements of any of the said Highways, Streets, Lanes, Passages, or Places, either before or after the same shall have been new paved or repaired by virtue of this Act, Four Days before the next Meeting of the said Commissioners, then and in every such Case the said Surveyor or Surveyors shall view the said Pavement, and report the Condition thereof to the said Commissioners at their next Meeting; and if the said Surveyor or Surveyors to whom such Notice shall be given or left as aforesaid, shall, upon such View, find the Pavements complained of to be bad or defective, the said Commissioners shall and may order their Contractor or Contractors, Pavior or Paviors, to repair the same within such Time as they the said Commissioners shall judge necessary for the Repair thereof, which Time shall be specified in such Order; and if the Contractor or Contractors, Pavior or Paviors, to whom such Order shall be given, shall not repair and amend such Pavements, within such Time as he or they shall be directed by the said Commissioners to repair and amend the same

then

then and in every ſuch Caſe the ſaid Contractor or Contractors, Pavior or Paviors, ſhall forfeit and pay any Sum not exceeding Twenty Shillings for every Day that the ſame bad or defective Pavement ſhall remain unrepaired after the Time limited by the ſaid Commiſſioners in their ſaid Order; and one Moiety of every ſuch Penalty ſhall be applied and paid to ſuch complaining Inhabitant for his or her Loſs of Time and Trouble in and about the Premiſes, and the other Moiety ſhall be applied to the Purpoſes of this Act.

If Surveyor ſhall think ſuch Pavement not defective, the Commiſſioners to view the ſame.

XXX. Provided always, and be it further enacted, That if the ſaid Surveyor or Surveyors ſhall, on any ſuch View or Views, be of Opinion that the Pavement or Pavements mentioned to be bad or defective by ſuch Houſeholder or Houſeholders in ſuch Notice, is not bad or defective, then and in ſuch Caſe the ſaid Commiſſioners, or any Five or more of them, ſhall forthwith proceed to view the ſaid Pavement, and their Opinion and Order concerning the ſame, after ſuch View, ſhall be final and concluſive; any Thing in this Act contained to the contrary notwithſtanding.

Power for the Owner of the Waterworks to take up Pavement to repair the Pipes.

XXXI. And be it further enacted, That it ſhall and may be lawful to and for the Owners or Proprietors, or his or their Leſſee for the Time being of the Waterworks for ſupplying the Town of *Daventry* with Water, and to and for any Perſon or Perſons acting by or under his or their Authority, and alſo for any other Perſon or Perſons who ſhall or may have any Pipe or Pipes for conveying Water from any public Main Pipe or other Waterworks, to take up any Part of the Pavement or Flagging within any of the ſaid Streets, Lanes, or other public Paſſages or Places, whenever it ſhall be found neceſſary, for the Purpoſe of repairing or laying down any ſuch Water Pipe, ſuch Owners or Proprietors and other Perſons reſpectively firſt cauſing Notice to be given to or left at the Houſe of the Surveyor to the ſaid Commiſſioners, of their Intention to take up ſuch Pavement or Flagging for the Purpoſes aforeſaid, and the ſaid Surveyor ſhall cauſe ſuch Pavement or Flagging to be properly relaid and repaired as ſoon as the Work for which the ſame ſhall have been taken up ſhall be completed, and all the Coſts, Charges, and Expences attending the relaying and repairing thereof, ſhall be reimburſed to the ſaid Commiſſioners by the Perſon or Perſons who ſhall have cauſed ſuch Pavement and Flagging reſpectively to have been taken up as aforeſaid; and in default of Payment thereof within the Space of Seven Days next after Notice in Writing, ſpecifying the Amount of ſuch Coſts, Charges, and Expences, left by the Surveyor to the ſaid Commiſſioners at the Dwelling Houſe or laſt or uſual Place of Abode of the Perſon or Perſons at whoſe Deſire or on whoſe Account ſuch Pavement or Flagging ſhall have been taken up, then and in every ſuch Caſe ſuch Coſts, Charges, and Expences, ſhall and may be levied and recovered in ſuch and the like Manner, as any Penalty is by this Act directed to be levied and recovered.

Penalty on Perſons damaging Water Pipes.

XXXII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly hurt, injure, damage, or take up any Pipe or Pipes laid down, or which may hereafter be laid down, for the Purpoſe of ſupplying the ſaid Town, or any Inhabitant or Inhabitants of the ſaid Town with Water, then and in every ſuch Caſe every ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings, and ſhall moreover pay ſuch Sum or

Sums

Sums of Money as ſhall be a full Satisfaction for the Damages ſo by him or her done as aforeſaid; and ſuch Damages ſhall be aſcertained by, and may, together with the ſaid Penalty, be recovered before any Juſtice of the Peace for the Borough of *Daventry*; and in caſe ſuch Offender ſhall not on Conviction pay ſuch Forfeiture, and alſo ſuch Satisfaction as aforeſaid, the Juſtice before whom ſuch Conviction ſhall take place ſhall, and he is hereby required, to commit ſuch Offender to the Common Gaol or Houſe of Correction of and for the ſaid Borough, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months; and ſuch Offender ſhall not be diſcharged before the Expiration of the Time for which he ſhall be ſo committed, unleſs ſuch Penalty and Satisfaction ſhall be ſooner paid and given.

Commiſſioners injuring Water Pipes, to make Satisfaction.

XXXIII. And be it further enacted, That if the ſaid Commiſſioners, or any Perſon or Perſons acting by or under their Authority, ſhall, in the paving, flagging, repairing, or amending of any ſuch Highways, Streets, Lanes, Paſſages, or Places, or in making or repairing any Sewer or Drain, or in otherwiſe carrying the Power of this Act into Execution, hurt, damage, or injure any ſuch Water Pipe or Pipes as aforeſaid, then and in every ſuch Caſe the ſaid Commiſſioners ſhall and they are hereby required to make Satisfaction and Compenſation for the ſame (on Demand made to their Treaſurer) to the Owner or Owners of the Pipe or Pipes ſo hurt, damaged, or injured; and in caſe of Neglect or Refuſal to make the ſame as aforeſaid, ſuch Satisfaction and Compenſation ſhall and may be recovered from the ſaid Commiſſioners, by an Action at Law in any of His Majeſty's Courts of Record at *Weſtminſter*.

Pavement and Water Pipes when broken, by whom to be repaired.

XXXIV. And be it further enacted, That when and ſo often as any Main Pipe or Pipes belonging to the ſaid Waterworks, and which now lie or ſhall hereafter be laid under Ground in any of the ſaid Highways, Streets, Paſſages or Places, ſhall happen to break, burſt, or decay, ſo as to require to be repaired, then and in every ſuch Caſe the Surveyor or Surveyors of the ſaid Commiſſioners for the Time being, or ſuch other Perſon or Perſons as the ſaid Commiſſioners, or any Five or more of them, ſhall appoint for that Purpoſe, ſhall forthwith give or cauſe to be given Notice thereof in Writing to the Owner or Leſſee of the ſaid Waterworks, or one of them, who are hereby required to take up the Pavement and open the Ground at or near the Place where ſuch Repair ſhall appear to be wanting, and ſuch Owner or his Leſſee are hereby required to cauſe or procure the Main or Mains, Pipe or Pipes to be repaired, and afterwards to fill up the ſaid Ground, and ram down the ſame, within Four Days next after ſuch Notice to be given; and as ſoon as ſuch Main or Pipe ſhall have been ſo repaired, and the Ground ſo filled up and rammed down, he or they ſhall give or cauſe to be given Notice thereof in Writing to the Pavior or Contractor for the Time being of the ſaid Commiſſioners, and if the ſaid Owner or his Leſſee, to or for whom ſuch Notice ſhall be given or left at his or their laſt Place or Places of Abode, ſhall, by the Space of Four Days next after the giving or leaving ſuch Notice as aforeſaid, refuſe or neglect to take up ſuch Pavements and open ſuch Ground, or refuſe or neglect to cauſe or procure ſuch Main or Mains, Pipe or Pipes, to be amended and repaired, or afterwards to fill up the Ground ſo taken up, or to give ſuch immediate Notice of his having ſo done to the Pavior or Contractor of the ſaid Commiſſioners for the Time being,

being, then and in every ſuch Caſe the Perſon or Perſons ſo reſpectively refuſing or neglecting ſhall for every ſuch Offence ſeverally forfeit and pay any Sum not exceeding Twenty Shillings; and if any Main or Mains, Pipe or Pipes, not belonging to the Owner of the ſaid Waterworks or his Leſſee, ſhall happen to break, burſt, or decay as aforeſaid, in any of the ſaid Streets, Lanes, Paſſages, or Places, then and in every ſuch Caſe the reſpective Owner or Owners thereof ſhall forthwith cauſe the Ground over the ſame to be opened, and ſuch Main or Mains, Pipe or Pipes to be repaired, and Notice thereof in Writing to be given to the Clerk for the Time being of the ſaid Commiſſioners, or in Caſe of Refuſal or Neglect ſo to do, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings; and if any Pavement ſhall be broken or taken up for the Purpoſe of making, repairing, or altering any Main Pipe, Vault, or Drain, or for any other Purpoſe whatſoever, then and in every ſuch Caſe the Perſon or Perſons ſo breaking or taking up, the ſaid Pavement, or cauſing the ſame to be ſo broken or taken up ſhall, as ſoon as the Nature of the Work will permit, cauſe the Ground to be filled in, and Notice thereof in Writing to be given to the Pavior or Contractor of the ſaid Commiſſioners for the Time being, or in Caſe of Refuſal or Neglect to to do, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Shillings; and if ſuch Pavior or Contractor, to whom any ſuch Notice as aforeſaid ſhall be ſo given, ſhall, by the Space of Four Days next after ſuch Notice given to him as aforeſaid, refuſe or neglect to relay and repair the Pavement ſo broken up, then and in every ſuch Caſe the Perſon ſo refuſing or neglecting ſhall forfeit and pay any Sum not exceeding Five Shillings, for every Day ſuch Pavement ſhall continue unrelaid or unrepaired after the Expiration of the ſaid Notice.

Pavement to be relaid within the Space of Four Days.

XXXV. Provided alſo, and be it further enacted and declared, That the Charges and Expences of relaying the Pavement which ſhall be broken or taken up for the Purpoſes of laying down, repairing, or amending any ſuch Main or Mains, Pipe or Pipes, ſhall be reimburſed and paid to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint to receive the ſame, by the Owner, or his Leſſee for the Time being of the ſaid Waterworks, if ſuch Main or Mains, Pipe or Pipes, ſhall belong to the Owner of the ſaid Waterworks, or his Leſſee, or if the ſame ſhall not belong to the Owner, or his Leſſee, of the ſaid Waterworks, then by the reſpective Owner or Owners of ſuch Main or Mains, Pipe or Pipes; and if the ſaid Owner, or his Leſſee, of the ſaid Waterworks, or the reſpective Owner or Owners of ſuch Main or Mains, Pipe or Pipes, liable to reimburſe and pay ſuch Charges and Expences, ſhall refuſe or neglect to pay the ſame within Seven Days next after Demand thereof in Writing, ſigned by the Clerk of the ſaid Commiſſioners, and left at the Dwelling Houſe or Dwelling Houſes, or laſt Place or Places of Abode of the ſaid Owner or Owners, or either of them, together with a Bill to be annexed to ſuch Demand, containing an Account of ſuch Charges and Expences, then and in every ſuch Caſe the Money ſo expended ſhall and may be recovered by the ſaid Commiſſioners of and from the ſaid Owner of the ſaid Waterworks, or his Leſſee, or other Perſon or Perſons ſo liable thereto, by Action or Actions of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, to be commenced within Six Calendar Months next after ſuch Demand reſpectively, in which Action or Actions, Suit or Suits reſpectively, no Eſſoign, Pro-

Owner or Leſſee of Waterworks, to pay to the Commiſſioners the Expence of new laying the Pavement when Pipes are broken.

tection, or Wager of Law, or more than one Imparlance shall be allowed.

Owners of Works may repair the Pavement by their own Workmen within Two Feet of the Plugs.

XXXVI. Provided likewise, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prevent the Owner, or his Lessee, of the said Waterworks, from time to time, as Occasion shall require, from taking up or repairing, by his or their own Workmen, Paviors, or Supervisors, any Part of the Pavement within the said Town, not exceeding the Distance of Two Feet from the Water Plugs, Drawing Plugs, and Fire Plugs belonging to the said Waterworks: Provided nevertheless, that in case such Pavement so taken up by the said Owner of the Waterworks, or by his Lessee, or his or their Workmen, Paviors, or Supervisors, shall not be properly relaid to the Satisfaction of the said Commissioners, or their Surveyor or Surveyors for the Time being, then upon Notice given to him or them, the said Pavement shall, within Four Days after such Notice, be again taken up and relaid at the Expence of the said Owner of the said Waterworks, or his Lessee, that shall have so taken up or caused to have been taken up the said Pavement; and in case the said Pavement so taken up shall not be relaid by the space of Four Days in a proper Manner, and to the Satisfaction of the said Commissioners, or their Surveyor or Surveyors for the Time being, then the Owner of the said Waterworks, or his Lessee, so neglecting to relay the said Pavement in a proper Manner, shall forfeit and pay to the said Commissioners the Sum of Ten Shillings, and the said Commissioners, or any Five or more of them, shall cause such Pavement to be taken up and relaid by their own Workmen and Paviors, and the Expence thereof shall be borne and defrayed by the said Owner of the said Waterworks, or his Lessee, so neglecting to relay the same in a proper Manner; any Thing herein contained to the contrary notwithstanding.

Commissioners may compound with Owner of Waterworks.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from time to time to compound and agree with the said Owner of the said Waterworks, or his Lessee, for a certain Sum of Money, by the Foot, or other Measure, as the said Commissioners shall think reasonable, for the Purpose of laying down or repairing such Parts of the said Market, Streets, Lanes, Passages, or Places, as shall be necessary to be taken up by the Workmen of the Owner, or of the Lessee of the said Waterworks, for the Purpose of laying down, replacing, altering, or amending any of the said Mains or Pipes.

Owners of Pipes to relay or repair them at their own Charges.

XXXVIII. Provided always, and it is hereby further enacted and declared, That the Charges and Expences of repairing or relaying the Pavement which shall be broken or taken up for the Purpose of repairing or amending any such Pipe or Pipes not belonging to the Owner of the Waterworks, or his Lessee, shall be paid to the Commissioners for putting this Act into Execution, or to such Person or Persons as they shall appoint to receive the same, by the respective Owner or Owners of such Pipe or Pipes; and that the Charges and Expences of making, repairing, altering, cleansing, or emptying any Sewer, Drain, or Vault, and of relaying and repairing the Pavement so broken or taken up for any of the Purposes aforesaid, shall be paid to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, by the

Person

Perſon or Perſons who ſhall take up, or cauſe the Pavement, or any Part thereof, to be taken up for the Purpoſes aforeſaid; and in caſe the reſpective Owner or Owners of ſuch Pipe or Pipes as aforeſaid, or other Perſon or Perſons as aforeſaid, ſhall neglect or refuſe to pay what ſhall have been ſo laid out and diſburſed for the Purpoſes aforeſaid, within Seven Days next after Notice thereof in Writing, ſigned by the Clerk to the ſaid Commiſſioners for putting this Act into Execution, and left at their reſpective Dwelling Houſes or laſt Place of Abode, together with a Bill annexed thereto (which Notice ſhall contain an Account of ſuch Charges and Expences) that then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and empowered, to bring or cauſe to be brought, any Action or Actions againſt all or any or either of the reſpective Perſons aforeſaid, for the Recovery of ſuch Sum or Sums of Money as they ſhall have ſo laid out and expended for the Purpoſes aforeſaid, in which Action or Actions no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

Commiſſioners may direct the Streets to be cleanſed.

XXXIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby required, to nominate and appoint any Perſon or Perſons, and to purchaſe any Cart or Carts, or other Carriage or Carriages, and alſo any Horſe or Horſes, for the Purpoſe of cleanſing the ſeveral Streets, Lanes, Paſſages, and Places, within the ſaid Town of *Daventry*, and of carrying away the Duſt, Dirt, Filth, Rubbiſh, Cinders, or Aſhes from any Houſe or Houſes, or other Premiſes within the ſame; or it ſhall and may be lawful to and for the ſaid Commiſſioners to contract with any Perſon or Perſons for cleanſing the ſame, and for carrying away the Duſt, Dirt, Cinders, or Aſhes, from any Houſe or Houſes, or other Premiſes within the ſame.

Scavengers Duty.

XL. And be it further enacted, That the Perſon or Perſons employed by, or contracting with the ſaid Commiſſioners for cleanſing the Market Place, and the ſeveral Streets, Lanes, public Paſſages and Places, within the ſaid Town of *Daventry*, or the Perſon or Perſons employed or acting under the Direction of ſuch Perſon or Perſons ſo contracting with the ſaid Commiſſioners, ſhall once in every Week (that is to ſay) on every Thurſday, and alſo on ſuch other Days, and at or between ſuch Hours as the ſaid Commiſſioners ſhall from time to time appoint, ſweep and collect together all Duſt, Dirt, Filth, or Rubbiſh, in ſuch Streets, Lanes, public Paſſages and Places, and alſo ſhall bring or cauſe to be brought a Cart or other proper Carriage into ſuch Streets, Lanes, public Paſſages and Places, where ſuch Cart or other Carriages can paſs, and ſhall at his or their Approach with ſuch Cart or other Carriage, and not before, by ſound of Bell or otherwiſe, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Paſſage or Place, into which ſuch Cart or Carriage cannot paſs, and ſuch Perſon or Perſons ſo employed by or contracting with the ſaid Commiſſioners, ſhall immediately take the Duſt, Dirt, Rubbiſh, Cinders, Aſhes, and other Filth (except Filth from any Privy or Neceſſary Houſe) from the reſpective Premiſes in ſuch ſeveral Streets, Lanes, public Paſſages and Places, and put the ſame into ſuch Cart or Carriage, all which Duſt, Dirt, Rubbiſh, Cinders, Aſhes, and Filth (except as aforeſaid) as well as all ſuch Duſt, Dirt, Dung, Aſhes, and other Filth, as ſhall be ſwept up and collected

collected together as aforesaid, such Person or Persons shall then immediately, or as soon as may be, carry away or cause to be carried away to the Place or Places appointed for depositing the same, upon pain of forfeiting any Sum not exceeding Ten Shillings for every Offence or Neglect therein; and the Person or Persons so employed or contracting as aforesaid, shall cause the words "Scavengers Cart" to be painted in large Roman Letters on the Front or on some other conspicuous Part of every Cart or Carriage used for the Purposes aforesaid, on pain of forfeiting any Sum not exceeding Ten Shillings for every Neglect therein.

For preventing Persons from throwing Dirt into the Streets.

XLI. And be it further enacted, That if any Person or Persons whosoever shall throw, cast, or lay, or cause to be thrown, cast, or laid, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth whatsoever, into or in any Street, Lane, or other public Passage or Place, within the said Town of *Daventry* (except as herein excepted) every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings; or if any Person or Persons whosoever shall throw or cast any such Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth or Thing whatsoever, into any Sewer, Drain, Sink, or Watercouse, under the Direction of the said Commissioners within the said Town, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings.

Penalty not to extend to Rubbish or Dirt occasioned by building or repairing Houses.

XLII. Provided always and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to subject any Person whomsoever to any Penalty by this Act inflicted for or on account of any Rubbish or Dirt being laid or placed in such Street, Lane, public Passage or Place as aforesaid, occasioned by the building, pulling down, altering, or repairing his or her House or other Building, so as there be full and sufficient Space in the Opinion of the said Commissioners, or their Surveyor for the Time being, left in or at the Side of the Street, Lane, public Passage or Place, where such Rubbish or Dirt shall lie or be placed, for Carriages to pass and repass, and a sufficient Way kept clean for Foot Passengers, by the Person or Persons laying or causing such Rubbish or Dirt to be laid or placed, and so as a sufficient Light be at his, her, or their own Expence, set and maintained at the Place where such Rubbish or Dirt shall be so laid or placed from Sunset to Sunrise, to prevent any Mischief happening to Passengers or Cattle, and so as the same be inclosed and fenced about in such Manner, and within such Time as the said Commissioners shall, by any Notice to be by their Order given to or left with such Person or Persons, direct and appoint, and so as such Rubbish or Dirt be removed at the Expence of the Person or Persons so laying or causing the same to be laid, within a Time to be expressed in a Notice to be in like Manner given by the said Commissioners.

No Person but the Scavenger to remove any Dirt, Dust, &c.

XLIII. And be it further enacted, That if any Person or Persons whosoever, other than the Person or Persons employed by or contracting with the said Commissioners for cleansing the several Streets, Lanes, or other public Passages or Places within the said Town, or the Person or Persons employed by or acting under the Direction of the Person or Persons so contracting as aforesaid, shall take or carry away, or cause to be taken or carried away, any Dust, Dirt, Dung, Ashes, or other Filth, out of any of such Streets, Lanes, or other public Passages or Places as aforesaid,

aforesaid, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings: Provided always, that nothing herein contained shall extend, or be construed to extend to prevent any Person or Persons from preserving and keeping any Soil, Dirt, Dust, Dung, Ashes, Cinders, Manure, Muck, Filth, or Rubbish, which shall have arisen or have been made within his, her, or their Houses, Yards, or other Premises, or for making Use of the same, for the Purpose of manuring any Lands in his, her, or their own Occupation, so as such Soil, Dirt, Dust, Cinders, Dung, Ashes, Manure, Muck, Filth, or Rubbish, be not laid down or placed in any Street, Lane, public Passage or Place, within the said Town of *Daventry*, for any longer Time than shall be necessary for loading and carrying away the same, nor be suffered to remain so as to be any Annoyance to any of the Inhabitants of the said Town of *Daventry*; but in case any Person or Persons, reserving such Soil, Dirt, Dust, Dung, Ashes, Cinders, Manure, Muck, Filth, or Rubbish, shall thereby annoy any of the said Inhabitants, or shall permit or suffer the same to remain in any such Street, Lane, public Passage or Place, for any longer Time than Two Days before the same shall be carried away or removed, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Shillings, for every Day that such Annoyance shall be suffered to remain after the Time limited as aforesaid.

Persons to be at Liberty to keep or dispose of Dust, &c. for their own Use.

XLIV. And be it further enacted, That the respective Occupiers of Houses and other Buildings in the several Streets, Lanes, public Passages and Places, within the said Town of *Daventry*, shall, and they are hereby required to cause to be well and sufficiently cleansed and swept the Footways or Foot Pavements before, behind, and at the Sides of their respective Houses or other Buildings (as the Situation thereof shall require) and also so much of the Carriage-way as shall extend One Foot beyond the Channel or Gutter next to such Footpaths or Ways, at such Days and Times, and before such Hours, as the said Commissioners shall from Time to Time appoint, upon pain of forfeiting and paying for every Neglect therein any Sum not exceeding Two Shillings and Sixpence.

Direction for sweeping Footways.

XLV. And be it further enacted, That if any Person shall empty any Necessary House, or carry any Night Soil along the Market Place, or any Street, Lane. or other public Passage or Place, within the said Town of *Daventry*, before the Hour of Eleven at Night, in any Part of the Year, or after the Hour of Four in the Morning between Lady Day and Michaelmas Day, or after the Hour of Six in the Morning between Michaelmas Day and Lady Day, or put or cast any Night Soil in or near the said Market Place, or any of the Streets, Lanes, or other public Passages or Places, every Person so offending shall for every such Office forfeit and pay any Sum not exceeding Twenty Shillings.

Time of emptying necessary Houses directed.

XLVI. And be it further enacted, That if any Person shall, without the previous Consent in Writing of the said Commissioners, make or branch any Drain into any public Sewer or Drain under the Management or Direction of the said Commissioners, every such Person so offending shall, for every such Sewer or Drain, forfeit and pay any Sum not exceeding Twenty Shillings, and all private Sewers or Drains

Private Drains not to be made without Consent of the Commissioners; and if made by their

Leave to be cleanſed by their Order.

now made, or which ſhall hereafter, with the Conſent of the ſaid Commiſſioners, be made within any Street, Lane, public Paſſage or Place within the ſaid Town of *Daventry*, and which do or ſhall iſſue into any public Sewer or Drain under the Management or Direction of the ſaid Commiſſioners, ſhall be repaired and cleanſed under the Direction of the Surveyor or other proper Officers of the ſaid Commiſſioners, at the Coſts and Charges of the Owner or the reſpective Owners of the Houſes, Lands, or Tenements, to which ſuch private Sewer or Drain doth or ſhall belong; and ſuch Coſts and Charges, to be aſcertained and ſettled, in Caſe of Diſpute, by ſome Juſtice of the Peace for the ſaid Borough of *Daventry*, ſhall, on Non-payment thereof on Demand, be levied and recovered by Warrant of ſuch Juſtice, by Diſtreſs and Sale of the Goods and Chattels of the Occupier or reſpective Occupiers of the Premiſes; and all ſuch Occupiers, their Executors and Adminiſtrators, are hereby empowered to deduct and retain out of their reſpective Rents, ſuch Coſts and Charges as they reſpectively ſhall pay for or on behalf of the Owner or reſpective Owners of ſuch Premiſes reſpectively, which Coſts and Charges ſo paid ſhall be conſidered as Money actually paid for Rent due, or to become due, to ſuch Owner or reſpective Owners, who ſhall allow the Deduction upon the Receipt of the Remainder of his, her, or their Rent or reſpective Rents.

Proviſion for lighting the Streets, &c.

XLVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and empowered, from Time to Time, and at any Time or Times hereafter, to purchaſe and provide ſuch and ſo many Glaſs Lamps of ſuch Sorts and Sizes, and alſo ſuch and ſo many Lamp Irons and Lamp Poſts, as they ſhall judge neceſſary, and to direct the ſame to be affixed or ſet up upon or againſt the Walls or Paliſadoes of all or any of the ſeveral Houſes or Buildings, or upon or againſt any other Walls, or in or upon ſuch other Places within the ſaid Town, and to be altered, taken down, or renewed, in ſuch Manner as they ſhall think fit, and to cauſe ſuch Lamps, or any of them, to be lighted at ſuch Seaſons of the Year, on ſuch Evenings, and on ſuch Hours of the Evening, and to be kept burning for ſo many Hours as ſhall to them ſeem neceſſary or proper for the well and ſufficiently lighting of all or any of the ſaid Streets, Lanes, public Paſſages and Places, within the ſaid Town.

Penalty for wilful Damage to Lamps.

XLVIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, throw down, diſplace, or damage any Lamp or Lamps already ſet up, or that ſhall be ſetup, by virtue of this Act, by Order of the ſaid Commiſſioners, or any Perſon or Perſons at his, her, or their own Expence, for the Purpoſe of lighting any of the ſaid Streets, Lanes, Paſſages or Places, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or ſhall throw down or damage the Poſts, Irons, Covers, or other Furniture of any ſuch Lamp, it ſhall and may be lawful to and for any Perſon or Perſons whomſoever, who ſhall ſee any ſuch Offence committed, to ſeize, and alſo for any other Perſon or Perſons whomſoever, to aſſiſt in ſeizing the Offender or Offenders, and by the Authority of this Act, and without any Warrant, to convey and deliver him, her, or them into the Cuſtody of a Watchman or Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the ſaid Borough of *Daventry*; and ſuch Juſtice ſhall proceed to examine, upon Oath,

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, either by his, her, or their Confeſſion, or upon ſuch Information or Evidence as aforeſaid, then and in every ſuch Caſe, he, ſhe, and they ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings, and ſhall moreover pay ſuch Sum or Sums of Money as ſhall be deemed by ſuch Juſtice to be a full Satisfaction for the Damage ſo by him, her, or them done as aforeſaid; and in caſe ſuch Offender or Offenders ſhall not on Conviction pay ſuch Forfeiture, and alſo ſuch Satisfaction as aforeſaid, ſuch Juſtice is hereby required to commit him, her, or them to the Common Gaol or Houſe of Correction of and for the ſaid Borough, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months; 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.

Satisfaction for accidental Damage to Lamps.

XLIX. And be it further enacted, That in caſe any Perſon or Perſons ſhall careleſsly, negligently, or accidentally break, throw down, or damage any Lamp or Lamps, hung out or ſet up by Order of the ſaid Commiſſioners, or by any Perſon or Perſons at his, her, or their private Expence, or the Poſts, Irons, Covers, or other Furniture thereof, and ſhall not immediately, upon Demand, make Satisfaction for the Damage done thereto, then and in every ſuch Caſe it ſhall and may be lawful to and for any Juſtice of the Peace for the ſaid Borough of *Daventry*, upon Complaint to him made by one or more credible Witneſs or Witneſſes, to ſummon before him the Party or Parties who ſhall be complained of for ſo doing ſuch Damage as aforeſaid, and upon hearing the Allegation and Proof on both Sides, or on Nonappearance of the Party or Parties ſo complained of, to award ſuch Sum or Sums of Money, by way of Satisfaction to the ſaid Commiſſioners, or to the other Owner or Owners of ſuch Lamp or Lamps (as the Caſe ſhall be) for ſuch Damages, as ſuch Juſtice ſhall think reaſonable; and in Caſe of Neglect or Refuſal to pay any Sum or Sums of Money ſo awarded, within Five Days after Demand, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby required, to cauſe the ſame to be raiſed and levied in ſuch and the like Manner as any Fines, Penalties, or Forfeitures, are by this Act directed to be raiſed and levied.

Power for Commiſſioners to appoint Watchmen.

L. And be it further enacted, That the ſaid Commiſſioners ſhall and may, if they think fit, from Time to Time appoint ſuch Number of able bodied Men as they ſhall judge proper, to be employed as Watchmen within the ſaid Town of *Daventry* during the Night-time, under ſuch Regulations, and ſubject to ſuch Orders as the ſaid Commiſſioners ſhall make and give from Time to Time in that Behalf, and to provide proper Watch Houſes, Watch Boxes, or Places for the Reception of ſuch Watchmen, and for ſafe Cuſtody of ſuch Perſons as may be apprehended by ſuch Watchmen while on Duty, and to pay ſuch Watchmen reaſonable Wages or Allowances, and alſo to appoint one or more fit Perſon or Perſons in the Stead of any Watchman or Watchmen who ſhall die, or who ſhall be diſcharged from his or their Office for Neglect of Duty or other Miſbehaviour in Office, and alſo

alſo to impoſe from Time to Time any Fine, not exceeding Ten Shillings, on any Watchman or Watchmen for every ſuch Neglect or other Miſbehaviour (ſuch Fine to be deducted out of the Wages of ſuch Watchman or Watchmen) and from Time to Time to make ſuch Orders and Regulations as they the ſaid Commiſſioners ſhall judge expedient for the better Government of the Watchmen to be ſo appointed, and to repeal ſuch Orders and Regulations, or any of them, and to ſubſtitute others; and it ſhall and may be lawful to and for ſuch Watchmen, and they are hereby required, in their reſpective Stations, to apprehend and ſecure, in ſome proper Place or Places of Security to be for that Purpoſe appointed, within the ſaid Town of *Daventry*, all Maleſactors, Rogues, Vagabonds, and Diſturbers of the public Peace, and all ſuſpected Perſons, who ſhall be found wandering or miſbehaving themſelves during the Hours of keeping Watch, and to conduct all ſuch Perſons, as ſoon as conveniently may be, before ſome Juſtice of the Peace for the ſaid Borough of *Daventry*, to be examined and dealt with according to Law.

Watchmens Duty.

Penalty on Victuallers harbouring Watchmen while on Duty.

LI. And be it further enacted, That if any Victualler or Keeper of any Public Houſe ſhall knowingly harbour or entertain, or ſuffer to remain in his or her Public Houſe any ſuch Watchman as aforeſaid, during any Part of the Time appointed for his being on Duty, every ſuch Victualler or Keeper ſhall, on Conviction, forfeit and pay for the Firſt Offence any Sum not exceeding Twenty Shillings, and for the Second and every other Offence of the ſame Kind any Sum not exceeding Forty Shillings.

Power to reward diſabled Watchmen.

LII. 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 the Watchmen reſpectively, to be appointed as aforeſaid, who may be diſabled or wounded in the Execution of their Office, as the ſaid Commiſſioners ſhall think reaſonable, ſuch Money to be paid out of the Monies to be raiſed for the Purpoſes of this Act.

Occupiers of Houſes to take down Poſts, Signs, &c.

LIII. And be it further enacted, That the Occupier of every Houſe, Building, or Tenement within the ſaid Town, ſhall, and he and ſhe is hereby required, at his or her own Coſts and Charges, within Fourteen Days after Notice in Writing, ſigned by any Five or more of the ſaid Commiſſioners, delivered to ſuch Occupier, or left at his or their uſual or laſt Place of Abode, to cauſe all Poſts which the ſaid Commiſſioners ſhall think uſeleſs or inconvenient, and likewiſe all Steps, Iron or other Rails, Paliſadoes, Pillars, Walls, or Fences, projecting over or upon the Footpaths within any of the ſaid Streets, Lanes, or other public Paſſages or Places, to be taken down, removed or altered, and alſo all Windows, Hatches, and Doors opening and leading over, upon, or from the ſaid Footpaths into Vaults, Cellars, Entries, or under Kitchens, to be removed or altered, ſo that the ſame may not be dangerous or incommodious to Paſſengers, and all Signs or other Emblems uſed to denote the Trade, Occupation, or Calling of any ſuch Occupier, and all Sign Poſts, Sign Irons, Penthouſes, Porches, Sheds, Shew Glaſſes and Shew Boards, Watering Tubs, Troughs, Pumps, and Stalls, projecting into any of the ſaid Streets, Lanes, public Paſſages or Places, to be taken down and removed; and in caſe any ſuch Occupier ſhall

shall neglect or refuse so to do, it shall be lawful for the said Commissioners, and they are hereby required to cause the same to be taken down, removed, carried away, altered, or reformed in such Manner as they shall think proper, and to cause such Signs or other Emblems, or such Parts thereof as they may think proper, to be affixed or placed in the Fronts of the Houses, Shops, Warehouses, or Buildings, whereto they belong or were before affixed, and not otherwise, and shall return to the Owner thereof so much of the said Signs or other Emblems, Sign Posts, Sign Irons, and Shew Boards, and of the Materials of the said Penthouses, Sheds, and other Things so taken down, removed, carried away, altered, or reformed, as shall not otherwise have been made use of; and the Costs, Charges, and Expences incurred thereby, shall be paid out of the Money to arise by virtue of this Act, and shall and may be recovered of the Occupier of such House, Building, or Tenement, in like Manner as the Rates or Assessments to be made in pursuance of this Act are hereby directed to be recovered; and if any Cellar Window, Cellar Door, or under Entry or Kitchen, shall be left open after Sunset in any Evening, or be opened before Sunrising in the Morning, without being sufficiently lighted to prevent Accidents happening therefrom, then and in every such Case the Occupier of such Cellar, Vault, under Entry or Kitchen, shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings.

On Neglect Commissioners to take down Signs, &c.

Penalty on leaving open Cellar Windows in the Night-time.

LIV. Provided always, That the said Commissioners shall and they are hereby authorized and empowered, upon Application made to them for that Purpose by the Owner or Occupier of any House or other Building, to allow and pay to such Owner or Occupier, out of the Money arising by virtue of this Act, such Sum of Money, towards the Expence which may have been incurred by such Owner or Occupier by the taking down, removing, or altering any such Posts, Steps, Iron or other Rails, Palisadoes, Walls, Fences, Windows, Hatches, and Doors, Signs or Sign Posts, Sign Irons, Penthouses, Porches, Sheds, Shew Glasses and Shew Boards, Watering Tubs, Troughs, Pumps, and Stalls, as the said Commissioners shall think reasonable or proper; provided that every such Alteration or Removal shall have been made agreeably to the Order, and under the Direction of the said Commissioners.

Commissioners may allow the Expences of Alterations, &c.

LV. And, in order to prevent Accidents by Fire, and to encourage Persons to assist in extinguishing the same; BE it further enacted, That from and after the passing of this Act, the Owner or Occupier of any House, Building, or Outhouse, in which any Chimney shall at any Time or Times hereafter happen to be on Fire, shall pay to the Person or Persons who shall bring and work the first Engine the Sum of Ten Shillings, such Money to be recovered in such Manner as any Penalties or Forfeitures by this Act are directed to be recovered.

To prevent Accidents by Fire.

LVI. And be it further enacted, That the Occupier of every House, Building, or Tenement, in the said Town of *Daventry*, shall, and he or she is hereby required, at his or her own Costs and Charges, within such Time and in such Manner as the said Commissioners shall from Time to Time, by Notice in Writing under their Hands to be delivered to every such Occupier as aforesaid, or left at his or her usual or last Place of Abode, direct to take down, or cause to be taken down, all Spouts and Gutters

Occupiers of Houses to take down Spouts and Gutters.

Gutters which now or hereafter shall belong to such House or Building in the said Town, and to cause the Water to be conveyed from the Roof or Roofs of or belonging to such House, Building, or Tenement, by proper and sufficient Pipes or Trunks, to be fixed to and down the Sides thereof, and carried under the Flag or other Pavement to the common Channel; and in case any such Person shall neglect or refuse so to do, it shall be lawful for the said Commissioners, and they are hereby required to cause the same to be done, and to levy the Costs and Charges attending the same upon or from the Persons aforesaid, in like Manner as the Rates or Assessments to be made in pursuance of this Act are hereby authorized and directed to be levied and recovered; and every such Person, being Tenant at Rack Rent, may deduct and retain the same out of his or her Rent, and the Person entitled to such Premises is hereby required to allow such Deduction.

Tenants to deduct the Expences out of their Rents.

To prevent future Projections.

LVII. And be it further enacted, That if any House or other Building, in or near any Street, Lane, or other public Passage or Place, within the said Town of *Daventry*, shall, after the passing of this Act, be made, erected, or built in such Manner and Form as in the Front or in any of the Gables or Sides thereof, to project into or over such Street, Lane, or other public Passage or Place, or in any other Manner or Form than in a perpendicular Line or Direction upwards from the Foundation of such House or Building; or if any Spout, Pipe, or Trunk for conveying Water from the Roof, Eaves, or Cornices, of any House or other Building in any Street, Lane, or other public Passage or Place in the said Town of *Daventry*, shall be affixed otherwise than from the Roofs, Eaves, or Cornices thereof, by such Spouts, Pipes, or Trunks, in the Fronts or Sides of such Houses or Buildings respectively, and brought down to the Ground; or if any Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow Window, Window Shutter, Stump, Rail, Pale, Palisadoe, Porch, Bulk, Shew Glass, Shew Board, Pool, Cesspool, Cistern, or Reservoir for Water, or any other Encroachment or Projection against or in the Front or Outside of any House or other Building, within or adjoining to any Street, Lane, public Passage or Place, within the said Town of *Daventry*, shall be made, erected, or built, so as to obstruct the free and commodious Passage along any of the Carriageways or Footways of the same; then and in every such Case the Owner and Owners of every such House or other Building, Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow Window, Window Shutter, Stump, Rail, Pale, Palisadoe, Porch, Bulk, Shew Glass, Shew Board, Pool, Cesspool, Cistern, or Reservoir for Water, or other Encroachment or Projection, which shall be so made, erected, or built as aforesaid, or of every such Spout, Pipe, or Trunk, which shall be so made or affixed otherwise than as aforesaid, contrary to this Act, shall for every such Offence forfeit and pay any Sum not exceeding Five Shillings a Day for every Day such House or other Building, Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow Window, Window Shutter, Stump, Rail, Pale, Palisadoe, Porch, Bulk, Shew Glass, Shew Board, Pool, Cesspool, Cistern, or Reservoir for Water, Spout, Pipe, or Trunk, or other Encroachment or Projection, shall continue in such State as is herein provided against; and it shall and may be lawful to and for the said Commissioners (whether any of such Penalties or Forfeitures

feitures ſhall be levied or not) to cauſe all ſuch Houſes and other Buildings, Signs, Sign Irons, Sign Poſts, and other Poſts, Sheds, Penthouſes, Steps, ſtairs, Bow Windows, Window Shutters, Stumps, Trees, Rails, Pales, Paliſadoes, Porches, Bulks, Shew Glaſſes, Shew Boards, Pools, Ceſs-pools, Ciſterns, and Reſervoirs for Water, Spouts, Pipes, Trunks, and other Encroachments and Projections, or any of them, to be taken down, and removed.

For preventing Annoyances in the Streets.

LVIII. And be it further enacted, That if any Perſon or Perſons ſhall, upon any of the Footways or Foot Pavements to be made or repaired under the Powers in this Act contained, run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatſoever, or roll any Caſk or Tub, other than for the neceſſary loading or unloading thereof, into, upon, from or out of any Carriage, for any longer Space than the Extent of the Premiſes in the Occupation of the Perſon from or to whoſe Houſe or Building ſuch Caſk or Tub ſhall be rolled (ſuch Premiſes adjoining to or having immediate Communication with the Houſe or Building from or to which ſuch Caſk or Tub ſhall be rolled); or if any Perſon ſhall wilfully ride, lead, or drive any Horſe or other Beaſt, or any Cattle whatever, on any of the ſaid Footways or Foot Pavements, or ſet any Caſk, Tub, Pail, Bucket, Stool, Bench, or any other Matter or Thing on, or ſo as in any Manner to cauſe any Obſtruction or Impediment in the Footway or on the Foot Pavement; or ſhall in any Street, Lane, or other public Paſſage or Place within the ſaid Town, or in the Churchyard hoop, fire, cleanſe, waſh, or ſcald any Caſk or Tub, or hew, ſaw, or cut any Stone, Wood, or Timber, or bore any Timber, or make or repair any Coach, Chaiſe, Waggon, Sledge, or other Carriage, except ſuch Carriage as may want immediate Repair from any ſudden Accident on the Spot, or which cannot be conveniently removed for that Purpoſe; or if any Perſon ſhall in any Street, Lane, or other public Paſſage or Place within the ſaid Town, ſhoe, bleed, or farrier any Horſe or other Beaſt or Cattle (except in Caſes of Accident); or if any Perſon ſhall in any of the ſaid Streets, Lanes, public Paſſages or Places, within the ſaid Town of *Daventry*, make or aſſiſt in the making any Bonfire, or any Fire for firing Caſks or Veſſels, or let off or fire any Serpent or Rocket, or throw any Cracker or Squib, or other Firework; or if any Perſon ſhall caſt, throw, caſt, or lay any Aſhes (except in the Time of Froſt only, and to prevent Accidents) or any Duſt, Dung, Soil, Filth, Rubbiſh, Refuſe of Garden Stuff, Blood, Offal, Skins, Carrion, or any other offenſive Matter or Thing, in any of the Streets, Lanes, public Paſſages or Places, within the ſaid Town of *Daventry*; or ſhall kill or Saughter, or ſhall ſcald, ſinge, dreſs, or cut up any Animal, either wholly or in Part, or waſh any Skins in any of ſuch Streets, Lanes, public Paſſages or Places, or cauſe or permit any Blood to run from any Slaughterhouſe, Butcher's Shop or Shamble into the ſame, or any of them, or ſhall hang up, place, or expoſe to ſale any Goods, Wares, or Merchandize whatſoever, or any Fruit, Vegetables, or Garden Stuff, Butchers Meat, or other Matter or Thing on, or projecting over the Footway or Carriageway of any ſuch Streets, Lanes, public Paſſages or Places ſo as to obſtruct or incommode the Paſſage of any Perſon or Carriage therein; or ſhall waſh or immerſe the Skin of any Animal in, or wilfully break or throw down any Part of the Wall of the Reſervoir or Ciſtern, belonging to the Waterworks aforeſaid, or ſhall throw any dead Animal, or any Soil or Filth into the ſaid Reſervoir or Ciſtern, or otherwiſe cauſe any Nuiſance therein,

or

or shall commit any other kind of Obstruction or Annoyance in any such Street, Lane, public Passage or Place, within the said Town of *Daventry*, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to impound Beasts wandering in the Streets.

LIX. And be it further enacted, That if any Horse, Cow, or any other Beast, or any sort of Swine, shall at any Time be found wandering about any of the Streets, Lanes, or other public Passages or Places within the said Town, it shall and may be lawful to and for any Person or Persons, appointed by the said Commissioners, to seize and impound such Horse, Cow, or other Beast, or such Swine, in the Common Pound of the said Town, or in such other Place as the said Commissioners shall appoint, and the same there to detain until the Owner or Owners thereof shall, for every such Horse, Cow, or other Beast, and for every such Head of Swine so impounded, pay the Sum of Five Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum, Charges, and Expences, shall not be paid within Five Days after such impounding, it shall and may be lawful to and for the said Commissioners to sell or cause to be sold the same, and the Money arising from such Sale, after deducting the said Sum, and the Charges and Expences of impounding, keeping, and selling such Horse, Cow, or other Beasts and Swine, shall be paid on Demand to the Person whose Property the Horse, Cow, or other Beast or Swine so sold, shall appear to have been.

Penalty on slaughtering or driving Cattle on the Lord's Day.

LX. And be it further enacted, That if any Person or Persons shall at any Time slaughter in any Street, Lane, public Passage or Place within the said Town, or drive for the purpose of slaughtering in any such Street, Lane, public Passage or Place, any Cow, Ox, Sheep, Swine, or other Beast or Beasts, on a Sunday, Good Friday, or Christmas Day, every Person so offending shall pay for every such Offence any Sum not exceeding Twenty Shillings.

For preventing Carts and Carriages being left in the Streets.

LXI. And be it further enacted, That if any Cart, Waggon, Sledge, Dray, or other Carriage used for the Purpose of conveying or carrying Goods, Merchandize, or any other Materials or Things whatsoever, shall at any Time be left or suffered to stand or continue in any Street, Lane, public Passage or Place, in the said Town of *Daventry*, for any longer Time than shall be necessary for the loading or unloading thereof, or shall be set or placed athwart or across any Part of any such Street, Lane, public Passage or Place aforesaid (although for the Purpose of loading or unloading the same) so as that there shall not be sufficient Room left for another Carriage to pass; or if any Timber or Stone, or other Thing whatsoever, be drawn in any such Street, Lane, public Passage or Place, without the same being placed on a Sledge or Carriage for that Purpose; or if any Timber or Iron, Lead, Bricks, Stones, Lime, Mortar, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Casks, Goods, Wares, Merchandizes, Materials or Things, Rubbish, Dust, Dirt, Dung, Filth, or other Nuisance or Annoyance whatsoever, shall be so thrown, laid, placed, or left in any such Street, Lane, public Passage or Place as aforesaid (except in building, taking down, adding to, altering, or repairing any House or Building, or for any of the Purposes authorized or required to be done in virtue or pursuance of this Act, in which Cases the same shall, if the Commissioners

Commiſſioners ſhall think proper and direct, be fenced and incloſed in the Manner herein expreſſed) and the ſame (except as laſt aforeſaid) ſhall be ſuffered to remain for a longer Space of Time than ſhall be neceſſary for the houſing or removing thereof, then and in every ſuch Caſe the Owner of any ſuch Timber, Iron, Lead, Bricks, Stones, Lime, Mortar, Hay, Straw, Faggots, Coals, Boards, Tubs, Caſks, Goods, Wares, Merchandizes, Materials or Things, Dirt, or Rubbiſh as aforeſaid, or the Perſon or Perſons cauſing ſuch Annoyance as aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Shillings.

Commiſſioners to regulate the Fairs and Markets.

LXII. And, for the better regulating the Markets and Fairs of *Daventry*, and obviating the Obſtructions and Inconveniences to which the ſame are now ſubject, and preventing Accidents and Injuries to the Perſons, reſorting to the ſaid Markets and Fairs; BE it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them (the Bailiff for the Time being of the Borough of *Daventry* aforeſaid being one) and they are hereby authorized and required, as ſoon as conveniently may be after the paſſing of this Act, at a Meeting of the ſaid Commiſſioners to be convened for that Purpoſe (of which Meeting Ten Days Notice at the leaſt in Writing, ſigned by the Clerk to the ſaid Commiſſioners, ſhall be given, by affixing the ſame on the Door of the Pariſh Church of *Daventry* aforeſaid) to make and eſtabliſh from Time to Time ſuch Rules, Orders, and Bye Laws, for regulating the Markets and Fairs of *Daventry*, and of the ſeveral Perſons reſorting thereto, as to the ſaid Commiſſioners, or any Five or more of them (the Bailiff for the Time being of the ſaid Borough being one) ſhall ſeem meet; and in and by ſuch Rules, Orders, and Bye Laws, to aſcertain, direct, and appoint in what particular Parts and Places of the Town of *Daventry* the ſaid Fairs and Markets ſhall be held, and to fix and appropriate proper Parts and Places of the ſaid Town, for the Sale and expoſing to Sale of all Cattle, Meat, Poultry, Goods, Wares, and Commodities, which ſhall or may from Time to Time be bought, ſold, or expoſed to Sale at *Daventry* aforeſaid, or in the Markets or Fairs thereof; and alſo to fix and appropriate proper Places for the loading and unloading of Waggons, Carts, and Carriages, and for the ſtanding of ſuch Waggons, Carts, and Carriages, after the ſame ſhall be unloaded at any of the ſaid Markets or Fairs, and for regulating by what Streets, Avenues, Roads, and Ways, ſuch loaded and unloaded Waggons, Carts, or Carriages, ſhall come into and go out of the Streets of *Daventry* aforeſaid during the Time of ſuch Markets or Fairs reſpectively; and all ſuch other Rules, Orders, and Bye Laws, for the well being and good Order of the ſaid Markets and Fairs, as to the ſaid Commiſſioners, or any Five or more of them (the Bailiff for the Time being of the ſaid Borough being always one) in their Judgment and Diſcretion ſhall ſeem meet, and for the Benefit of the ſaid Town of *Daventry*, and the Perſons reſorting to the Fairs and Markets thereof; and it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them (the Bailiff for the Time being of the ſaid Borough being always one) from Time to Time to repeal, alter, or amend ſuch Rules, Orders, and Bye Laws, or any of them, as to them ſhall ſeem right and proper, and to fix and appoint ſuch reaſonable pecuniary Penalties, not exceeding Forty Shillings, for every Non-obſervance or other Breach of any ſuch Rules, Orders, or Bye Laws, or of any Part or Parts thereof; and all ſuch Rules, Orders, and Bye Laws, ſhall be good

and binding upon all Persons concerned, provided that the same be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or be inconsistent with or repugnant to the Provisions and Directions in this Act contained; and all such Rules, Orders, and Bye Laws, shall be subject to Appeal in Manner herein directed.

No new Regulations to have Effect until they shall have been published 14 Days.

LXIII. Provided always, That no Rule, Order, or Bye Law, respecting the said Fairs and Markets, or any Alteration or Amendment thereof, shall have any Force or Effect until such Rule, Order, or Bye Law, shall have been signed by the said Commissioners, or any Five or more of them (the Bailiff for the Time being for the said Borough being one) and printed Copies of such Rule, Order, or Bye Law, or any Alteration or Amendment thereof, shall have been affixed in some public Place or Places in the said Town of *Daventry*, for the Space of Fourteen Days at the least.

Inhabitants not prohibited from selling in their own Houses.

LXIV. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, so as to prevent, hinder, or obstruct the Inhabitants of the said Town of *Daventry* from selling or exposing to Sale any Butchers Meat, Viands, Poultry, Goods, Wares, and Commodities, within their respective Dwelling Houses or Shops.

For Removal of Nuisances.

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

Streets to be watered.

LXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to cause such of the said Streets, Lanes, Passages and Places, as they shall think proper, to be from Time to Time watered, in such Manner, and at such Seasons of the Year, as they the said Commissioners shall direct and appoint.

Power for Commissioners to purchase Lands, &c.

LXVII. And be it further enacted, That for the Purpose of making the narrow Parts of the said Streets, Lanes, and other public Passages, safe and commodious for Carriages and Passengers, and for opening proper Communications between any of the said Streets, Lanes, and other public Passages and Places, or any of them, and for altering, widening, and improving the present Communications between the said Streets,

Lanes,

Lanes, and other public Paſſages and Places, or any of them, and for otherwiſe improving the ſaid Town of *Daventry*, in Manner by this Act directed, it ſhall be lawful for the ſaid Commiſſioners to treat and agree with ſuch Perſon or Perſons, or Body or Bodies Politic or Corporate, Spiritual or Lay reſpectively, as ſhall be or be deemed to be Owner or Owners of or intereſted in any ſuch Houſes, Buildings, Erections, Projections, Encroachments, Lands, Tenements, or other Hereditaments, within the ſaid Town of *Daventry*, as they the ſaid Commiſſioners ſhall think right and proper, to be taken or uſed for the Purpoſes of this Act, for the abſolute Purchaſe thereof reſpectively, or for the Damage to be done thereto reſpectively, in the Execution or for the Purpoſes of this Act, and to take down or alter all or any of ſuch Houſes, Buildings, Erections, Projections, Encroachments, Tenements, or Hereditaments, to be ſo purchaſed, or any Part or Parts of the ſame reſpectively, and to appropriate all or any of the Ground or Scites thereof reſpectively, and alſo to appropriate all or any of the Lands to be ſo purchaſed, for all or any of the Purpoſes aforeſaid, as they the ſaid Commiſſioners ſhall think fit.

Power for Bodies Politic to ſell.

LXVIII. 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, and to and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Houſes or other Buildings, Erections, Projections, Encroachments, Lands, Tenements, and 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, or to ſuch Perſons, and their Heirs, for ever, as the ſaid Commiſſioners ſhall direct, in Truſt for them the ſaid Commiſſioners, or 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, and Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſaid ſeveral 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 Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians,

Guardians, Committees, Truſtees, and all other Perſons, are and 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.

LXIX. 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 Femes Covert, or any Tenant for Life, or Tenant in Tail General or Special, Owner or Owners, Occupier or Occupiers, or other Perſon or Perſons whomſoever, intereſted in any Building or Buildings, Erection or Erections, projecting into, over, or upon any of the Footways within the ſaid Town, 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 whatſoever, or in any Lands, Buildings, Houſes, or other Buildings or 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 the 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, the ſaid Commiſſioners are hereby empowered and authorized, before any General or Quarter Seſſion of the Peace to be holden for the County of *Northampton*, 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 Days Notice in Writing, denoting and particularly deſcribing the Lands, Buildings, Houſes, Erections, Projections, Encroachments, Tenements, or other Hereditaments, intended to be purchaſed, and purporting that the Value thereof ſhall be adjuſted and ſettled by a Jury at the ſaid Seſſion, or Adjournment thereof; and the Juſtices at the ſaid Seſſion, or Adjournment thereof, upon 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 Seſſion, well and truly, upon their Oaths, to aſſeſs the Value of the ſaid Lands, Buildings, Houſes, Erections, Projections, Encroachments, Tenements, or other Hereditaments, comprized in the Notice ſo given, and the Damages or Recompence to be awarded or given to the reſpective Owner or Owners thereof, according to their reſpective Intereſt therein; and to ſuch Jury the ſaid Commiſſioners, and all Perſons intereſted in the ſaid Lands, Buildings, Houſes, Erections, Projections, Encroachments, 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, Buildings, Houſes, Erections, Projections, Encroachments, Tenements, or other Hereditaments,

ments, ſo to be ſold and conveyed as aforeſaid, ſhall, by their Verdict, aſſeſs the Damages and Recompence to be given for the ſame to the reſpective Owner or Owners 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 Perſons and Parties intereſted in the ſaid Lands, Buildings, Houſes, Erections, Projections, Encroachments, 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 County of *Northampton*, 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 for every Seventy-two Words Sixpence, and ſo in Proportion for any greater or leſs Number of Words: Provided always, that in caſe the Sum or Sums ſo aſſeſſed by the ſaid Jury, and ordered and adjudged to be paid by the ſaid Commiſſioners, as a Satisfaction to the Owners, Occupiers, or others, for their reſpective Intereſts 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; any Thing herein contained to the contrary in any wiſe notwithſtanding.

Verdict not to be binding unleſs the Money be paid within Three Calendar Months.

LXX. 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, Buildings, Houſes, Erections, Projections, Encroachments, Tenements, or other Hereditaments, for Damages as aforeſaid, all the Expences of taking ſuch Inqueſt, and of the Witneſſes attending thereon, and recording or entering the Verdict, and Judgment thereon, ſhall be paid by the ſaid Commiſſioners out of the Monies 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 ſo previouſly offered by or 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 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.

Proviſion for Payment of Coſts of Verdicts.

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

Proviſion for Application of Compenſation where equal to 200l.

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 ſaid Commiſſioners, to the Intent that ſuch Money may 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, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or towards the Diſcharge of any Debt or Debts, or other Incumbrances, or Part thereof, 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, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner, as the Lands, Tenements, and Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined, and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated Bank Annuities 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 of Chancery 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, or Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Proviſion for Application of Compenſation when leſs than 200l. and exceeding 20l.

LXXII. Provided always, and be it further enacted, That if any Money, ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of of Two Hundred Pounds, and ſhall exceed or be equal to 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, or Hereditaments, ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in Caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner hereinbefore 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 by Five or more of the ſaid Commiſſioners (ſuch Nomination and Approbation to be

be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money, and the Dividends ariſing therefrom, may be applied in Manner hereinbefore directed, ſo far as the Caſe may be applicable, without requiring or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

Proviſion for Application of Money where leſs than 20l.

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

In Caſe of not making out Titles.

LXXIV. 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 ſo awarded as aforeſaid, cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, 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.

If Perſons cannot be found, Purchaſe Money to be paid into the Bank.

Subject to the Order of the Court of Chancery on Motion.

Where any Queſtion ſhall ariſe touching the Title to Money to be

LXXV. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate

paid, the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase, shall be deemed entitled thereto, according to such Possession.

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, 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 by the Trustees.

LXXVI. Provided also, and be it further enacted, That when 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 said 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.

Form of Conveyance.

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

'I *A. B.* of in Consideration of the Sum of to me paid by the Commissioners for improving 'the Town of *Daventry*, acting by virtue of an Act of Parliament, made 'in the Forty-sixth Year of the Reign of King *George* the Third, intituled [*here insert the Title of this Act*] do hereby grant and convey to 'the said Commissioners, and there Successors, all [*here describe the Premises to be conveyed*] and all my Right, Title, and Interest to, and in 'the same and every Part thereof, to hold to the said Commissioners, 'and their Successors, for ever. In witness whereof I have hereunto set 'my Hand and Seal this Day of in the Year of 'our Lord ."

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

Law, Statute, Uſage, or Cuſtom to the contrary thereof notwithſtanding.

Proviſion for Payment of Purchaſe Money, &c. for veſting of Property in the Commiſſioners.

LXXVIII. And be it further enacted, That every Sum of Money to be agreed for, awarded, or aſſeſſed as aforeſaid, ſhall be paid out of the Monies to be received by virtue of this Act, to the Party or Perſons reſpectively entitled to ſuch Monies, or to their Agents; and upon Payment thereof, or in Caſe of Refuſal to accept the ſame, then on placing the ſame in the Bank of *England*, in Manner by this Act directed (whether ſuch Conveyance as aforeſaid ſhall or ſhall not be made) all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons reſpectively to whoſe Credit or Uſe the ſame ſhall have been paid, in, to, 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 or Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having any Eſtate in the Premiſes 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 Rights, 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 ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon or Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion, Remainder, or Expectancy, and the Iſſue and Iſſues of ſuch Perſon and Perſons, and every Perſon 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.

Power for Delivery of Poſſeſſion of Property purchaſed.

LXXIX. And be it further enacted, That every Leſſee or Tenant for Years, or at Will, and every other Perſon in Poſſeſſion of any Lands, Buildings, Houſes, Tenements, or other Hereditaments, which ſhall be purchaſed by virtue and for the Purpoſes of this Act, ſhall deliver up the Poſſeſſion of ſuch Premiſes to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint to take Poſſeſſion of the ſame, upon having Notice from the ſaid Commiſſioners, or the Perſon or Perſons ſo appointed by them, to quit the ſame, at ſuch Time or Times as ſhall be required by ſuch Notice, they the ſaid Commiſſioners, or ſuch Perſon or Perſons, making ſuch Satisfaction and Compenſation to every ſuch Tenant or Leſſee as aforeſaid, in caſe he or ſhe ſhall be required to quit before the Expiration of his, her, or their Term in the Premiſes, as the ſaid Commiſſioners ſhall deem juſt and reaſonable; and in caſe any Diſpute or Difference ſhall ariſe touching or concerning the ſame, ſuch Satisfaction and Compenſation ſhall be ſettled and aſcertained by a Jury, in ſuch and the like Manner as the Satisfaction and Compenſation to be made by the ſaid Commiſſioners for the Purchaſe of any Lands, Tenements, or Hereditaments, is and are herein directed to be ſettled and aſcertained, in Caſe of any Difference or Diſpute about the ſame; and ſuch Perſon or Perſons in Poſſeſſion ſhall at ſuch Time or Times as he, ſhe, or they ſhall be required by the ſaid Commiſſioners, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Commiſſioners,

ſioners, or to the Perſon or Perſons authorized by them to take Poſſeſſion thereof; and if any ſuch Perſon or Perſons, ſo in Poſſeſſion as aforeſaid, ſhall refuſe to deliver up ſuch Poſſeſſion, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners to iſſue their Precept or Precepts to the Sheriff of the ſaid County of *Northampton*, to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall, in ſuch Precept or Precepts, be nominated to receive the ſame, and the ſaid Sheriff is hereby required to deliver Poſſeſſion of the ſaid Premiſes accordingly, and to levy ſuch Coſts as ſhall accrue from the iſſuing and Execution of ſuch Precept or Precepts on the Perſon or Perſons ſo refuſing to deliver up Poſſeſſion as aforeſaid by Diſtreſs and Sale of his, her, or their Goods and Chattels.

Power for Commiſſioners to cauſe Buildings to be taken down, to be formed into Streets.

LXXX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to cauſe all and every the Houſes and other Buildings, Erections, Projections, and Encroachments, which ſhall at any Time be purchaſed under the Powers and for the Purpoſes of this Act, or any of them, or any Part of them, to be appropriated to the Purpoſes of this Act, or otherwiſe to be taken down, and to cauſe ſo much of the Scites thereof, and of any other Lands to be purchaſed under the Powers and for the Purpoſes of this Act, to be added to or laid into the Streets, Lanes, or other public Paſſages or Places, or to be formed and made into any new Streets or Lanes, or public Paſſages or Places, for the Purpoſe of making Communications between any of the preſent Streets, Lanes, or other public Paſſages or Places, in ſuch Manner as the ſaid Commiſſioners ſhall judge proper; and the Land ſo added to or laid into the reſpective Streets, Lanes, or other public Paſſages or Places reſpectively, ſhall for ever afterwards be deemed Part thereof, and the ſame, and alſo ſuch as ſhall be formed and made into any new Streets, Lanes, or other public Paſſages or Places as aforeſaid, ſhall be uſed as common public Highways: Provided always, that it ſhall and may be lawful to and for the ſaid Commiſſioners to ſell or otherwiſe diſpoſe of ſuch Part or Parts of any Houſes, Buildings, Lands, Tenements, or other Hereditaments, which may have been purchaſed under the Authority of this Act, for the Purpoſe of making ſuch Alterations or Improvements as aforeſaid, as may afterwards be found unneceſſary for the Purpoſe firſt intended, to any Perſon or Perſons willing to purchaſe the ſame; and that all Monies to be raiſed by any Sale or Sales as aforeſaid, ſhall be conſidered as Part of the General Fund applicable to the Purpoſes of this Act.

Power to reſell the Land, and to ſell uſeleſs Buildings on Land.

Perſons from whom Land ſhall have been purchaſed, to have the firſt Offer of the re-purchaſe thereof

LXXXI. Provided always, and be it further enacted, That the ſaid Commiſſioners, before they ſhall ſell and diſpoſe of any ſuch Lands, Tenements, or Hereditaments, ſhall firſt offer the ſame for Sale to the Perſon or Perſons reſpectively from whom they ſhall have purchaſed ſuch Lands, Tenements, or Hereditaments; and in caſe ſuch Perſon or Perſons ſhall not then and thereupon agree, or ſhall refuſe to re-purchaſe the ſame, then and in every ſuch Caſe an Affidavit to be made and ſworn before a Maſter Extraordinary in the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace for the ſaid Borough of *Daventry*, by ſome Perſon or Perſons no way intereſted in the ſaid Lands, Tenements, or Hereditaments, 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

the ſame was ſo offered, 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.

Damages how to be aſcertained and ſettled.

LXXXII. And be it further enacted, That if any Perſon or Perſons whoſoever ſhall ſuſtain any Damage in his, her, or their 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 any Sum or Sums of Money to be paid by the ſaid Commiſſioners for the Purchaſe of any Lands, Tenements, or Hereditaments, is and are herein directed to be ſettled and aſcertained in Caſe of any Difference or Diſputes about the ſame; and the ſame ſhall be recovered, levied, and applied, in ſuch and the like Manner.

Power to make Aſſeſſments.

LXXXIII. And, for raiſing Money to anſwer and defray the Charges and Expences of carrying this Act into Execution, BE it further enacted, That from and immediately after the paſſing of this Act, the ſaid Commiſſioners ſhall have full Power and Authority, and they are hereby required, in every Year, to aſſeſs ſuch Sum or Sums of Money as they ſhall think neceſſary, upon the ſeveral Tenants or Occupiers of all Houſes, Buildings, Tenements, or Hereditaments (except the *Moot Hall*) within the ſaid Town, ſo as the ſame do not exceed in the whole in any one Year the ſeveral Sums and Rates hereafter mentioned, and ſo as ſuch Rates and Aſſeſſments are made in the following Proportions; that is to ſay, where the annual Rent or annual Value of ſuch Houſes, Buildings, or Hereditaments ſhall amount to Fifteen Pounds or upwards, the Sum of Two Shillings in the Pound in one Year of the yearly Rent or yearly Value of ſuch Houſes, Buildings, or Hereditaments; and where the annual Rent or annual Value of ſuch Houſes, Buildings, or Hereditaments ſhall amount to Ten Pounds and be leſs than Fifteen Pounds, the Sum of One Shilling and Sixpence in the Pound of ſuch yearly Rent or yearly Value; and where ſuch yearly Rent or yearly Value ſhall amount to Four Pounds and be leſs than Ten Pounds, the Sum of One Shilling in the Pound of ſuch yearly Rent or yearly Value; all which reſpective yearly Rents or yearly Values ſhall from Time to Time be aſcertained, ſettled, and determined, according to the reſpective Rents ſuch Houſes, Buildings, Tenements, or Hereditaments, ſhall be reſpectively rated at for the Relief of the Poor of the Pariſh of *Daventry*; and the firſt Year for which ſuch Rate, or Aſſeſſment ſhall be made, ſhall commence at and be computed from the Fifth Day of July One Thouſand Eight hundred and Six; and the Monies ſo to be rated and aſſeſſed, ſhall from Time to Time be paid to the Collector or Collectors for the Time being, appointed by the ſaid Commiſſioners, and be by the ſaid Collectors immediately paid into the Hands of the Treaſurer of the ſaid Commiſſioners, or of ſuch other Perſon as the ſaid Commiſſioners ſhall direct and appoint.

LXXXIV. And,

Power for Commissioners to order the Parish Rate-book to be produced.

LXXXIV. And, in order to ascertain the Rates and Assessments to be made by virtue of this Act, BE it further enacted, That the Overseers of the Poor of the said Parish of *Daventry* shall, and they are hereby required, at all seasonable Times, to permit the said Commissioners, or their Treasurer, Clerk, or Collector, or any other Person to be appointed by the said Commissioners, to peruse and inspect the Book and Books of the Rates or Assessments made for the Relief of the Poor of the said Parish for the Year then next preceding, and to take a Copy or Copies thereof; and if any Person or Persons in whose Custody or Power any of the said Books or Assessments shall be, shall refuse or neglect to permit or suffer the said Commissioners, or any such Treasurer, Clerk, or Collector, or other Person, acting by or under the Authority of the said Commissioners, to peruse and inspect any such Book, Rate, or Assessment, or to take or cause to be taken a Copy or Copies thereof, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Power for Commissioners to amend Rates if improper.

LXXXV. And be it further enacted, That if the said Commissioners shall at any Time or Times neglect or omit to rate or assess any Person or Persons liable to pay or to be charged with any Rate or Assessment to be made by Virtue of this Act, or shall in any such Rate or Assessment, over-rate, or under-rate any Person or Persons liable to pay any such Rate or Assessment, then and in every such Case it shall and may be lawful to and for the said Commissioners to rate and assess in the said Rate or Assessment, such Person or Persons so omitted to be rated and assessed, and to lessen or raise the Rate or Rates, Assessment or Assessments, of such Person or Persons so over-rated or under-rated, or otherwise to alter or amend such Rate or Assessment as aforesaid, so as to make the same conformable to the true Intent and Meaning of this Act; and it shall and may be lawful to and for the said Commissioners, and they are hereby empowered, to strike out the Name or Names of any Person or Persons not liable to the Payment of the Rates hereby directed to be made; and that all such Additions to, or Alterations or Amendments in such Rates or Assessments, shall be as valid and effectual as if the same had been Part of the Rates or Assessments originally made; but if the actual annual Value, to be ascertained as aforesaid, of any House, Building, Land, Tenement, or Hereditament, shall not amount to the Sum of Four Pounds, or if the respective Tenant or Tenants, Occupier or Occupiers thereof, by reason of his, her, or their Poverty or Inability only, is, are, or shall be excused or left out of the Rates made for the Relief of the Poor of the said Parish, then and in either of the said Cases, such Tenants or Occupiers shall be entirely freed and exempt from Payment of such Rates or Assessments.

Tenants whose Rents do not exceed 4*l*. a Year, or who are excused on account of Poverty from paying Poor Rates, not to pay these Rates.

Houses, Buildings, &c. not to be charged when unoccupied, and no Land at a Distance to be assessed.

LXXXVI. Provided always, and be it further enacted, That no House, Building, Land, Tenement, or Hereditament as aforesaid, shall be charged or chargeable with any such Rate or Assessment during the Time the same shall be empty or unoccupied, and that no Land shall be charged or chargeable with such Rate or Assessment, which is not a Yard, Garden, Orchard, or Homestead, not exceeding One Acre, adjoining or appurtenant to, and occupied with the House or Building in *Daventry* aforesaid.

LXXXVII. And

Any one Tenant to be deemed Occupier.

LXXXVII. And be it further enacted, That where any Houſe, Building, Tenement, or Hereditament, within the ſaid Town, ſhall be let to more than one Tenant or Occupier, any one or more of ſuch Tenants or Occupiers ſhall be deemed the Tenant or Tenants, Occupier or Occupiers, for the Purpoſes of this Act; and the ſaid Rates or Aſſeſſments ſhall be levied by Diſtreſs and Sale, in Manner hereinafter mentioned, of all or any of the Goods and Chattels in ſuch Houſe, Building, Tenement, or Hereditament; and in caſe any Tenant or Tenants, Occupier or Occupiers of any Houſe, Building, Tenement, or Hereditament, ſhall remove out of or quit the ſame, before the whole of the ſaid Rates or Aſſeſſments ſhall be paid by him, her, or them as aforeſaid, or if the Goods and Chattels of any ſuch Tenant or Tenants, Occupier or Occupiers, ſhall be found inſufficient to anſwer any pay the ſaid Rates and Aſſeſſments, then and in every ſuch Caſe ſuch Houſes, Buildings, Tenements, and Hereditaments, ſhall, and are hereby made a Security for, and ſhall be charged and chargeable with all ſuch Rates and Aſſeſſments due from the former Tenants or Occupiers as aforeſaid, and the ſaid Rates and Aſſeſſments ſhall and may be levied by Diſtreſs and Sale, in Manner hereinafter mentioned, of any Goods and Chattels which ſhall be afterwards found in or upon ſuch Houſes, Buildings, Tenements, and Hereditaments as aforeſaid; and in caſe any Tenant or Occupier of any ſuch Houſe, Building, Tenement, or Hereditament, ſhall pay any Money on account of the Rates or Aſſeſſments due from any former Tenant or Tenants as aforeſaid, it ſhall and may be lawful to and for ſuch Perſon to deduct the ſame out of his or their Rent, and every Landlord ſhall, and is hereby required to allow ſuch Deduction; and in caſe any Tenant or Occupier ſhall pay to the ſaid Collector, any more Money on Account of the ſaid Rates or Aſſeſſments, than ſhall be due from him or them for the Rent of his, her, or their Houſe, Building, Tenement, or Hereditament, the Overplus thereof ſhall and may be levied on the Owner or Owners or ſuch Houſe, Building, Tenement, or Hereditament, by Diſtreſs and Sale of the Goods and Chattels of ſuch Owner and Owners, by Warrant under the Hand and Seal or Hands and Seals of any one or more Juſtice or Juſtices of the Peace for the County, City, Borough, Town, Diviſion, or Place, where ſuch Goods and Chattels ſhall be, ſuch Owner or Owners having refuſed or neglected to pay the ſame for the Space of Five Days after Demand made thereof by ſuch Tenant or Tenants, Occupier or Occupiers, his, her, or their Attorney or Agent, for that Purpoſe appointed.

Caſe of Removal.

Houſes, &c. to be a Security,

and any Goods, &c. therein liable,

Tenant paying more for Rates than ſhall be due for Rent, the Overplus to be made good by the Landlord.

Mode of Recovery of Rates

LXXXVIII. And be it further enacted, That after any Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall have been ſo rated, aſſeſſed, and charged by the ſaid Commiſſioners, for the Purpoſes of this Act, the Collector or Collectors appointed by the ſaid Commiſſioners for ſuch Purpoſe ſhall be, and he and they is and are hereby required to collect the ſame accordingly; and in caſe any Perſon or Perſons who ſhall be ſo rated or aſſeſſed, or ſubject or liable to the Payment of any Rate or Aſſeſſment to be made or laid or made payable by virtue of this Act, ſhall refuſe or neglect to pay ſuch Rate or Aſſeſſment to any Collector to be appointed as aforeſaid, for the Space of Five Days after perſonal Demand made by the Collector or Collectors thereof, or Demand in Writing under the Hand of ſuch Collector, and left at the laſt or uſual Place of Abode of the Perſon or Perſons ſo refuſing or neglecting to pay

as aforesaid, or on the Premises so charged with such Rate or Assessment then and in every such Case it shall and may be lawful, to or for any Justice of the Peace for the said Borough of *Daventry*, by Warrant under his Hand and Seal, to authorize and direct the said Collector, or any other Person, to levy such Rate or Assessment, and all Arrears thereof, by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting to pay as aforesaid, or on the Goods and Chattels found on such Premises, rendering the Overplus (if any) to the Owner or Owners of the Goods or Chattels to be so distrained on Demand, after deducting the Costs and Charges attending such Distress and Sale, or it shall and may be lawful to and for the said Commissioners to recover any such Rate or Rates, Assessment or Assessments, due and payable by virtue of this Act, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be allowed.

Power to mitigate Rates.

LXXXIX. Provided always, and be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, shall think himself, herself, or themselves, aggrieved by any Rate or Rates, Assessment or Assessments to be made in pursuance of this Act, such Person or Persons, Body or Bodies Politic, Corporate or Collegiate, may by himself, herself, or themselves, or by his, her, or their Agent, apply to the said Commissioners, at any of their Meetings; and it shall and may be lawful to and for the said Commissioners, on such Application, to mitigate or reduce any such Rate or Rates, Assessment or Assessments, and to give such Relief in the Premises as to them the said Commissioners shall seem just and reasonable; and it shall and may be lawful to and for the said Commissioners, upon the Appeal and Complaint of any Person or Persons subject and liable to the Payment of any Rate or Rates, Assessment or Assessments, by virtue of this Act, whose Rent shall not exceed the Sum of Four Pounds per Year, to mitigate, reduce, or lessen such Rate or Rates, Assessment or Assessments, and also excuse or remit the Payment thereof by reason of the Inability of such Person or Persons to pay the same.

Power to borrow Money.

XC. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from Time to Time, to borrow and take up at Interest such Sum or Sums of Money as they shall judge necessary, not exceeding in the whole the Sum of One Thousand Pounds, for the Purposes of this Act, upon the Credit of the Rates or Assessments to be laid and collected by virtue of this Act, and by Writing under their Hands and Seals, to assign all or any Part of the said Rates or Assessments to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with legal Interest for the same; and the Costs and Expences of such Assignment thereof, to be made as hereafter mentioned, shall be from Time to Time defrayed by the said Commissioners out of the Monies to be so borrowed; and every such Assignment shall be in the Words or to the Effect following:

WE,

'WE, of the Commiſſioners appointed by or in purſuance of an Act, made in the Forty-ſixth Year of the Reign of King *George* the Third, intituled, [*Here ſet forth the Title of this Act*] in Conſideration of the Sum of advanced and lent by *A. B.* upon the Credit and for the Purpoſes of the ſaid Act, do hereby grant and aſſign unto the ſaid *A. B.* or his Truſtee or Truſtees *As the Caſe may be require*] his Executors, Adminiſtrators and Aſſigns, ſuch Proportion of the Rates or Aſſeſſments ariſing by virtue of the ſaid Act as the ſaid Sum of doth or ſhall bear to the whole Sum which may at any Time be borrowed or become due and owing, or be charged upon the Credit of the ſaid Act, to be had and holden from this Day of until the ſaid Sum of with Intereſt at *per Centum per Annum* for the ſame, ſhall be repaid and ſatisfied. In Witneſs whereof we the ſaid Commiſſioners have hereunto ſet our Hands and Seals the Day of in the Year ."

And all ſuch Aſſignments ſhall be numbered, commencing with Number One, and ſo proceeding in an arithmetical Progreſſion aſcending, whereof the common Exceſs or Difference ſhall always be one; and every ſuch Security ſhall be good, valid, and effectual, and ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Payment thereof, and to all Profit and Advantage thereon, according to the true Intent and Meaning of this Act.

Power for Commiſſioners to raiſe Money by Annuities.

XCI. And be further enacted, That in caſe the ſaid Commſſioners ſhall think it adviſable, or more advantageous, to raiſe all or any Part of the Money to be borrowed under this Act by granting Annuities for Lives, inſtead of Aſſignments as aforeſaid, it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered, by Writing under their Hand and Seals, to grant an Annuity or 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 as to the ſaid Commiſſioners ſhall ſeem right and proper, for the abſolute Purchaſe of any Annuity or Annuities to be paid and payable, during the natural Life of every ſuch Contributor, or the natural Life of ſuch Perſon as ſhall be nominated by or on the Part of ſuch Contributor at the Time of Payment of his or their Contribution or Purchaſe Money, and either with or without Benefit of Survivorſhip, as the ſaid Commiſſioners ſhall think proper, ſo that no ſuch Annuity do exceed the Rate of Ten Pounds *per Centum per Annum* upou a ſingle Life, except in ſuch Caſes where the Perſon for whoſe Life any Annuity ſhall be paid be of the Age of Sixty-three Years or upwards; and the Expence of every ſuch Grant ſhall be defrayed by the ſaid Commiſſioners; and the Grant of every ſuch Annuity ſhall be in the Words, or to the Effect following:

'WE of the Commiſſioners appointed by or in purſuance of an Act of Parliament, made in the Forty-ſixth Year of the Reign of King *George* the Third, intituled [*Here ſet*

'*ſet forth the Title of this Act*] in conſideration of the Sum of
' paid by *A. B.* [*or, if intended to be*
'*granted with Benefit of Survivorſhip* by *E. F. G. H.* &c.] to *C. D.*
'the Treaſurer appointed in purſuance of the ſaid Act Do hereby grant
'unto the ſaid *A. B.* and his Aſſigns [*or, if by Survivorſhip*, unto the ſaid
'*E. F. G. H.* &c.] and to the Survivors or Survivor of them an Annuity
'or yearly Sum of out of the Rates or Aſſeſſments
'granted or ariſing by virtue of the ſaid Act, which Annuity or yearly
'Sum of
'ſhall be paid to the ſaid *A. B.* or his Aſſigns during the Term of his
'natural Life [*or, as the Caſe may be* to the ſaid *A. B.* his Executors,
'Adminiſtrators, or Aſſigns, during the natural Life of *C. D.* *or, if by*
'*Survivorſhip*, unto and among them] the ſaid *E. F. G. H.* &c. and
'the Survivors of Survivor of them upon the
'Day of in every Year during the natural
'Life of him the ſaid at the *Moot Hall* of
'the ſaid Borough, the firſt Payment thereof to be made on the
' Day of next enſuing the Date
'hereof. In Witneſs whereof we the ſaid Commiſſioners have hereunto
'ſet our Hands and Seals the Day of
' in the Year .''

And every ſuch Grant ſhall be good, valid, and effectual in the Law, without any Enrolment or Regiſtry of the Memorial thereof, and every Annuity ſo granted as aforeſaid, ſhall be, and is hereby charged upon, and ſhall be payable and paid by the Treaſurer of the ſaid Commiſſioners out of te ſaid Rates or Aſſeſſments, and other Money to be received by virtue of this Act, according to the Grant of ſuch Annuity.

Power of transferring Mortgages and Annuities.

XCII. And be it further enacted, That it ſhall and may be lawful to and for the Perſon entitled to any of the Securities for the Money to be borrowed upon legal Intereſt as aforeſaid, or to be raiſed by the granting of Annuities as aforeſaid, and their reſpective Executors, Adminiſtrators, or Aſſigns (as the Caſe may be) 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 theſe Words, or to the Effect following:

'I *A. B.* being entitled to the Sum of
'or an Annuity of ſecured to *C. D.* and his
'Aſſigns [*or*, his Executors, Adminiſtrators and Aſſigns, *as the Caſe may*
'*be*] by virtue of an Aſſignment or Grant of an Annuity, bearing Date
'the Day of under the Hands
'and Seals of of the Commiſſioners acting in
'the Execution of an Act of Parliament made in the Forty-ſixth Year of
'the Reign of King *George* the Third, intituled [*Here ſet forth the Title*
'*of this Act*] upon the Credit of the Rates and Aſſeſſments granted or
'payable by the ſaid Act, Do hereby transfer all my Right and
'Title in and to the ſame Sum [*or*, Annuity] and all Intereſt
'and other Money now due and owing thereon, unto *E. F.* his Executors,
'Adminiſtrators, and Aſſigns. Dated the Day of
' .''

And

And a Copy of every Security or Assignment, and of every Grant or Annuity which shall have been made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk of the said Commissioners, which Extract or Memorial shall signify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall, at all seasonable Times, have Access, and free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid the Sum of Three Shillings and Sixpence; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or their Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment whatsoever.

Provision for Payment of Creditors by Lot.

XCIII. 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 and 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 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 will be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Three Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money to be paid off shall from and after the Day to be 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 be so specified, shall nevertheless be payable on Demand.

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

XCIV. 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 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

Regulations herein prescribed for paying off Assignments or Securities.

Application of Money raised or borrowed.

XCV. And be it further enacted, That all Money to arise by or from the said Rates or Assessments hereby granted, or to be received from the Rents or Profits of Stalls or Sheep Pens on Market or Fair Days, or to be levied and received from Time to Time by the said Commissioners by virtue of this Act, and all the Money which may be borrowed by the said Commissioners on the Credit thereof, or advanced for Annuities as aforesaid, shall be paid to the Treasurer to the said Commissioners, or to such Person or Persons as they shall appoint, and shall be applied and disposed of, in the first place, in paying and defraying such Proportion of the Charges and Expences which shall be incident to and attending the obtaining and passing of this Act, and of the Interest for the Money which shall have been advanced for defraying such Charges and Expences, as is hereinafter directed to be paid by the said Commissioners, and in the next Place from Time to Time in defraying the Costs, Charges, and Expences of paving, cleansing, lighting, and watching the several Streets, Lanes, and other public Passages and Places in the said Town, in Manner hereby directed, and of carrying the several other Purposes of this Act into Execution, and in paying and defraying all Costs, Charges, and Expences which the said Commissioners, or any of their Officers, may sustain or be put unto in carrying this Act into Execution, or in prosecuting or defending any Prosecutions, Actions, or Suits, for or concerning any of the Monies granted or arising by virtue of this Act, or in any Manner relating to the Execution of this Act, or of any thing to be done by virtue thereof, and for such other Uses and Purposes as herein expressed, and for no other Use, Intent, or Purpose whatsoever.

Provision for bringing and defending Actions in the Name of the Clerk.

XCVI. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk for the Time being, and that all Actions or Suits that may be necessary or expedient to be brought by the said Commissioners, for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act to the said Commissioners, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of the said Clerk; and that no Action or Suit which may be brought, commenced, or prosecuted, by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk done or suffered without the Consent or Direction of the said Commissioners; but the Clerk of the said Commissioners for the Time being shall be always deemed Plaintiff or Defendant in every such Action or Suit (as the Case may be) except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being.

Bailiff, Burgesses, and Commonalty enabled to purchase the Moot Hall, &c.

XCVII. And whereas it would be of Benefit to the said Borough of *Daventry*, if the said Bailiff, Burgesses, and Commonalty, were enabled to purchase the *Moot Hall*, Shambles, Buildings, and Erections thereto attached, for the Purpose of pulling down the same, and building a new *Moot Hall*, Shambles, and other necessary Buildings, for the more

more convenient tranſacting the public Buſineſs of the ſaid Borough, and for the Accommodation of the Perſons reſorting to the Markets and Fairs of *Daventry*; BE it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Bailiff, Burgeſſes, and Commonalty of the ſaid Borough of *Daventry*, and they are hereby authorized and empowered to contract and agree with the Owner or Owners, Proprietor or Proprietors of the *Moot Hall*, with the Shambles and other Erections and Buildings attached thereto, and of the Ground and Scite, for the Purchaſe thereof, and alſo to and with the Owner or Owners, Proprietor or Proprietors of any other Meſſuages or Tenements, Lands, and Hereditaments, on or near the Market Hill, and of the Ground and Scite (ſo as the ſame does not exceed in the whole one Acre of Land) and of the Tolls of the Markets and Fairs of *Daventry* reſpectively, and to pay and apply ſuch Part of the Corporation Stock and Monies now veſted in the ſaid Bailiff, Burgeſſes, and Commonalty, as the ſaid Bailiff and Burgeſſes, or the major Part of them, ſhall think fit, in and towards the Purchaſe of the ſaid *Moot Hall*, with the Shambles and other Erections and Buildings attached thereto, and of the ſaid other Meſſuages, Lands, and Hereditaments, and of the Ground and Scite thereof reſpectively, and of the ſaid Tolls, and to cauſe the ſaid *Moot Hall*, with the Shambles and other Erections and Buildings attached thereto, and the ſaid other Meſſuages, Lands, and Hereditaments, and the Ground and Scite thereof reſpectively, and the ſaid Tolls, to be granted and conveyed unto and to the Uſe of the ſaid Bailiff, Burgeſſes, and Commonalty, and their Succeſſors, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and from and after ſuch Grant and Conveyance ſhall be ſo made as aforeſaid, the ſaid *Moot Hall*, with the Shambles and other Erections and Buildings attached thereto, and the ſaid other Meſſuages, Lands, and Hereditaments, and the Ground and Scite thereof reſpectively, and the ſaid Tolls ſhall be and the ſame is and are hereby veſted in the ſaid Bailiff, Burgeſſes, and Commonalty, and their Succeſſors, for ever: Provided always, that the Lord or Lords of the Manor, of *Daventry* aforeſaid, ſhall and may, from and after ſuch Grant and Conveyance, notwithſtanding any Cuſtom or Uſage to the contrary, hold the Court Leet of the ſaid Manor in any convenient Place or Places within the ſaid Manor, except in the ſaid *Moot Hall*; and it ſhall and may be lawful to and for the ſaid Bailiff, Burgeſſes, and Commonalty, to pull down, or cauſe to be pulled down, the ſaid *Moot Hall*, and all the Erections and Buildings thereto attached, and all other the Meſſuages, Erections, and Buildings ſo to be purchaſed, when ſo purchaſed as aforeſaid, and to build, with all convenient Speed, on the Ground and Scite thereof reſpectively, or any Part thereof, a new *Moot Hall*, and convenient Shambles and Market Place, and ſuch other Buildings and Erections as the ſaid Bailiff and Burgeſſes, or the major Part of them, ſhall think fit and neceſſary, for the holding of the Market of *Daventry*, and for the better Accommodation of the Perſons reſorting thereto, and for other the public Purpoſes of the ſaid Borough; and from and after ſuch new *Moot Hall* ſhall be ſo erected and built as aforeſaid, the General Seſſions of the Peace of the Borough of *Daventry* aforeſaid, and the Court of Record of the ſaid Borough, and the ſeveral Meetings of the ſaid Bailiff, Burgeſſes, and Commonalty, for the Purpoſe of tranſacting the public Buſineſs of the ſaid Borough, ſhall be held therein, or in the Buildings, Rooms, or Chambers attached thereto.

Bailiff and Burgeſſes may pull down and rebuild the Moot Hall.

XCVIII. And

Bailiff, Burgeſſes, and Commonalty enabled to raiſe Money.

XCVIII. And, in order to enable the ſaid Bailiff, Burgeſſes, and Commonalty, to purchaſe the ſaid *Moot Hall*, Meſſuages, Tolls, and Hereditaments, and to make and complete the ſaid Erections and Buildings; BE it further enacted, That it ſhall and may be lawful to and for the ſaid Bailiff, Burgeſſes, and Commonalty, to raiſe and contribute amongſt themſelves, or from ſuch other Perſon or Perſons who ſhall be deſirous to ſubſcribe thereto, ſuch Sum and Sums of Money, and in ſuch Proportions as to the ſaid Bailiff and Burgeſſes ſhall ſeem meet and convenient, for the Purpoſe of purchaſing the ſaid *Moot Hall*, Meſſuages, Lands, Tolls, and Hereditaments, and of making, completing and maintaining the ſaid *Moot Hall*, Buildings and Shambles, Erections, and other Works and Conveniences thereto, as the ſaid Bailiff and Burgeſſes, or the major Part of them, aſſembled at a public Meeting to be appointed for that Purpoſe, ſhall think right and proper, ſo as the Sum or Sums of Money do not exceed the Sum of Three Thouſand Pounds in the whole; and the Sum and Sums of Money ſo to be raiſed ſhall be laid out and applied in and towards the Purchaſe of the ſaid *Moot Hall*, Meſſuages, Lands, Tolls, and Hereditaments, and in and towards the Building and maintaining the ſaid *Moot Hall*, Buildings and Shambles, and ſuch other Erections and Conveniences thereto, as the ſaid Bailiff and Burgeſſes, or the major Part of them, ſhall think fit and neceſſary, for the holding of the Markets of *Daventry*, and for the better Accommodation of the Perſons reſorting thereto, and for tranſacting the public Buſineſs of the ſaid Borough; and the ſaid Money, ſo to be raiſed and contributed, ſhall be divided and diſtinguiſhed into as many equal Shares of Fifty Pounds each, as the ſame ſhall amount unto, which Shares ſhall be numbered in numerical Progreſſion, and ſhall be deemed Perſonal Eſtate, and ſhall be tranſmiſſible as ſuch; and the ſaid Shares ſhall be and are hereby veſted in the ſaid ſeveral Subſcribers, and their ſeveral reſpective Executors, Adminiſtrators, and Aſſigns, to their and every of their proper Uſe and Behoof, proportionably to the Sum which they ſhall ſeverally ſubſcribe and pay thereto; and all and every Perſon and Perſons, and their reſpective Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe for one or more Share or Shares, or ſuch Sum or Sums of Money as ſhall be demanded in lieu thereof, towards carrying on and completing the ſaid *Moot Hall*, Buildings, Shambles, and other Erections, ſhall be entitled to and receive, after the ſame ſhall be completed, the entire net Diſtribution of a proportionable Part of the Profits and Advantages that ſhall and may ariſe and accrue by the Rents and Profits of the ſaid Premiſes, and ſo in proportion for any greater Number of Shares.

If not ſufficient, the Bailiff and Burgeſſes may raiſe a further Sum by Mortgage.

XCIX. And be it further enacted, That in caſe the ſaid Sum of Three Thouſand Pounds ſhall at any Time or Times be deemed or found inſufficient for the Purchaſe of the ſaid *Moot Hall*, Meſſuages, Lands, and Hereditaments, and for making, completing, and maintaining the ſaid new *Moot Hall*, Buildings, Shambles, and Works hereby authorized to be made, and all neceſſary Charges and Expences relating thereto, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Bailiff and Burgeſſes to borrow and take up at Intereſt, of and from any Perſon or Perſons who ſhall be willing to advance and lend the ſame upon the Credit of the Rents to be paid to the ſaid Bailiff and Burgeſſes, and Commonalty, by virtue of this Act, any further Sum or Sums of Money not exceeding

exceeding the Sum of Three Thousand Pounds, as to them shall seem fit and convenient; and they are hereby authorized and empowered to assign and make over the said *Moot Hall*, Messuages, Tolls, Lands, and Hereditaments, Buildings, and Works, and the Rents to arise by virtue of this Act, or any of them, or any Part thereof, as a Security for any Sum or Sums of Money so to be borrowed with Interest, to the Person or Persons who shall advance the same, or to his or their Trustee or Trustees, under the Common Seal of the said Bailiff, Burgesses, and Commonalty, by Deed of Mortgage, according to the Form following, that is to say:

Form of Mortgage.

'WE the Bailiff, Burgesses, and Commonalty of the Borough of *Daventry*, in consideration of the Sum of
'to us paid by *A. B.* of Do hereby by virtue of an
'Act of Parliament, passed in the Forty-sixth Year of the Reign of
'King *George* the Third, intituled [*set forth the Title of the Act*] bar-
'gain, sell, and transfer unto the said *A. B.* all and singular the Rents
'arising and payable to us by virtue of the said Act, and also the *Moot*
'*Hall*, Buildings, Shambles, and other Works, Messuages, Tolls,
'Lands, and Hereditaments, conveyed to or vested in us under the Au-
'thority of the said Act, and all the Right, Title, and Interest of us
'the said Bailiff, Burgesses, and Commonalty, of, in, and unto the
'same; to hold unto the said *A. B.* his Executors, Administrators, and
'Assigns, until the said Sum of
'together with Interest for the same after the Rate of
'*per Centum per Annum*, shall be fully paid off and discharged. Given
'under our Common Seal, the Day of

And all Persons to whom such Mortgages shall be made, shall be equally entitled to the said Rents and Profits without any Preference by reason of the Priority of Date of any such Mortgage, or on any other Account whatsoever; and the Money so to be borrowed shall be laid out and applied for and towards the making, completing, and maintaining the said *Moot Hall*, Shambles, Buildings, and other Works hereby authorized to be made, and to no other Use or Purpose whatsoever, and an Entry or Memorial of every such Mortgage, containing the Date thereof, and an Account of the Name or Names of the Party or Parties (with their proper Additions) to whom the same shall have been made, and of the Sum of Money borrowed, together with the Rate of Interest to be paid thereon, shall within Thirty Days next after the Date thereof, be written and inserted *gratis*, in one or more Book or Books to be kept for that Purpose by the Town Clerk, which Book or Books shall and may be perused at all seasonable Times by the Proprietors or Creditors of the said Rents and Profits, without Fee or Reward; and all and every Person or Persons to whom any such Mortgage shall have been made, or who shall be entitled to the Money thereby secured, may from Time to Time assign or transfer his, her, or their Right, Title, Interest, or Benefit therein, to any Person or Persons whomsoever; which Transfer shall be made according to the Form following; that is to say:

Form of Transfer of Mortgages.

'I *A. B.* of in consideration of the Sum of paid by *C. D.* of Do hereby transfer a certain Mortgage made by the Bailiff, Burgesses, and Commonalty of the Borough of *Daventry*, bearing Date the Day of for securing the Principal Sum of and the Interest now due, and hereafter to become due thereon, and all my Right and Property therein, to the said *C. D.* his Executors, Administrators, and Assigns. In witness whereof I have hereto set my Hand and Seal, this Day of in the Year of our Lord .'

And every such Transfer shall, within Thirty Days after the Date thereof, be produced and notified to the said Town Clerk, who shall thereupon cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sums of Money thereby transferred, in the said Book or Books to be kept for entering the said original Mortgages, for which last-mentioned Entry the Town Clerk shall be paid the Sum of Three Shillings and Sixpence; and after such Entry made, every such Assignment shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage, and it shall not be in the Power of such Person or Persons who shall have made any such Assignment or Assignments, at any Time afterwards to make void, release or discharge the original Mortgage, or any Money thereby secured, or any Part thereof; and the Interest of the Money to be so borrowed by Mortgage as aforesaid, shall be paid Half-yearly to the several Persons entitled thereto, in preference to any Interest or Dividends due and payable by virtue of this Act to the said Bailiff, Burgesses, and Commonalty, or to any of them, or any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, being a Proprietor or Proprietors of any such Share or Shares, his, her, or their Successors, Executors, Administrators, or Assigns.

The Interest of the Money borrowed, to be paid in Preference to Dividends.

Interest of Money advanced by the Corporation, to be first paid.

C. Provided always, and be it further enacted, That, previous to any Division or Distribution of the said Rents and Profits to and amongst the Subscribers, the said Bailiff, Burgesses, and Commonalty shall, and they are hereby authorized and required to deduct and retain, and pay Interest after the Rate of Five Pounds *per Centum per Annum*, for all such Monies (except the Produce of a Legacy left by *Toby Chauncey*, Esquire, for the Purpose of building a Court Room) which have or shall be advanced by the said Bailiff and Burgesses out of the Corporation Stock, or Monies vested in them, which Interest shall be by the said Bailiff and Burgesses from Time to Time paid, applied, and disposed of, in such and the same Manner as the Interest of the said Corporation Stock, and such other Monies now are and heretofore have been paid, applied, and disposed of.

Bailiff and Burgesses to appoint Officers.

CI. And be it further enacted, That it shall and may be lawful to and for the said Bailiff and Burgesses, or the major Part of them, at a General Assembly of the said Bailiff and Burgesses to be convened for that Purpose, from Time to Time to nominate and appoint, by Writing under the Common Seal of the said Bailiff, Burgesses, and Commonalty, One or more Treasurer or Treasurers, and One or more Collector or Collectors, of the Rates, Rents, and Profits of the said Shambles, and Erections,

Erections, and Buildings, taking such Security for their respective Offices as the said Bailiff and Burgesses shall think proper; and it shall and may be lawful to and for the said Bailiff and Burgesses from Time to Time to remove any such Treasurer or Treasurers, Collector or Collectors, and appoint others in his or their room or stead; and the Town Clerk of the Borough of *Daventry* aforesaid, or his Deputy, shall in a Book or Books to be provided by the said Bailiff and Burgesses for that Purpose, enter and keep a true and perfect Account of the Names and Places of Abode of the several Persons who shall from Time to Time become Subscribers to and Owner or Owners of, or entitled to any of the said Share or Shares, and of all Proceedings and Transactions of the said Bailiff and Burgesses relative to the said Undertaking, by virtue of and under the Authority of this Act, for which he shall be paid such Recompence and Compensation as the said Bailiff and Burgesses shall from Time to Time direct; and all and every the said Owners of Shares shall and may at all convenient Times have recourse to and peruse and inspect the said Book or Books, to be kept by the Town Clerk or his Deputy, *gratis*, and may demand and have Copies thereof, or of any Part thereof, paying for every One hundred Words to be copied the Sum of Sixpence.

Bailiff and Burgesses to make Contracts, &c.

CII. And be it further enacted, That the said Bailiff and Burgesses, or the major Part of them, at a General Assembly to be holden for that Purpose, shall and may make Agreements and Bargains with the Workmen, Agents, Undertakers, and other Persons employed and concerned in making and completing the said Buildings, and all and every Part or Parts thereof, and shall by themselves, or by their Treasurer, or by some other proper Person or Persons to be employed for that Purpose, keep a full and true Account of all Money disbursed and Payments made by the said Bailiff and Burgesses, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive on behalf of or in respect of the Premises, from any Collector or Collectors, of the Rents and Profits thereof, or other Officer or Officers, or from any other Person or Persons whomsoever, employed in or having Concerns, Dealings, and Transactions with the said Undertaking, or any Part or Parts thereof; and the said Bailiff and Burgesses shall regularly by themselves or by their Treasurer, or other Person or Persons so to be employed as aforesaid, write, insert, and enter in a Book or Books, to be from Time to Time provided for that Purpose, Minutes or Copies, as the Case shall require, of every such Contract, Bargain, Receipt, or Disbursement; and every Owner of any Share or Shares, upon every reasonable Desire, shall have full Access to such Book or Books for his or her Inspection; and the said Bailiff and Burgesses shall and may, whenever they judge it expedient, by Writing under their Hands, appoint any Architect or Architects, Surveyor or Surveyors, for erecting and surveying all and every the Buildings to be made by virtue of this Act, and such Architect and Surveyor shall be paid such Salary or Compensation as the said Bailiff and Burgesses, or the major Part of them, shall direct or appoint.

Bailiff and Burgesses to make Calls.

CIII. And be it further enacted, That the said Bailiff and Burgesses shall also have Power from Time to Time to make such Call or Calls of Money from the Subscribers to, and the Proprietors of, the said Share or Shares, to defray the Expences of and for carrying on the said Undertaking,

ing, as they ſhall from Time to Time find wanting; and every Owner or Owners of any One or more Share or Shares in the ſaid Undertaking, ſhall pay his, her, or their Rateable Proportions of the Money ſo to be called for as aforeſaid, to ſuch Perſon or Perſons, and at ſuch Times and Places as the ſaid Bailiff and Burgeſſes, or the major Part of them, ſhall from Time to Time direct or appoint; and if any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their rateable or proportionate Part of the ſaid Money ſo called for as aforeſaid, at the Time and Place appointed by the ſaid Bailiff and Burgeſſes, or the major Part of them as aforeſaid, or within Twenty Days next enſuing, he, ſhe, or they ſo neglecting or refuſing ſhall forfeit and pay any Sum not exceeding Thirty Pounds for every Share; and in caſe ſuch Perſon or Perſons ſhall continue or neglect to refuſe to pay his, her, or their rateable Call or Calls as aforeſaid, for the Space of Two Calendar Months after the Time ſo appointed for Payment thereof, then and in every ſuch Caſe he, ſhe, or they ſo neglecting or refuſing ſhall forfeit his, her, or their reſpective Share or Shares in the ſaid Undertaking, and all the Profits and Benefits thereof, all which Shares ſhall go to and be veſted in the ſaid Bailiff, Burgeſſes, and Commonalty, in Truſt for and for the Benefit of all the reſt of the ſaid Subſcribers in Proportion to their reſpective Intereſts in the ſaid Undertaking.

No Advantage to be taken of Forfeiture without perſonal Notice.

CIV. Provided nevertheleſs, that no Advantage ſhall be taken of any Forfeiture of any Share or Shares in the ſaid Undertaking, until after perſonal Notice ſhall have been given to or left at the uſual Place or Places of Abode, of the Owner or Owners of ſuch Share or Shares reſpectively, by the Town Clerk or his Deputy, and the ſame Share or Shares ſhall likewiſe be declared to be forfeited, at ſome general or ſpecial Meeting of the Bailiff and Burgeſſes, or of the major Part of them, within Six Calendar Months next after ſuch Forfeiture ſhall have been incurred; and every ſuch Forfeiture ſhall be an Indemnification and Diſcharge, to and for every Proprietor ſo forfeiting, againſt all and every Action and Actions, Suits and Proſecutions whatſoever to be commenced or proſecuted for any Breach of Contract or other Agreement between the Proprietor or Proprietors incurring ſuch Forfeiture, and the reſt of the ſaid Proprietors, with regard to carrying on the ſaid intended Undertaking.

On the Death of Subſcribers, before Share completed, Executors may do it.

CV. Provided always, and be it further enacted, That if any Owner or Owners of any Share or Shares in the ſaid Undertaking ſhall happen to die before ſuch Call or Calls ſhall have been made, for the full Sum to be advanced on each Share which he, ſhe, or they ſhall have been poſſeſſed of or entitled to, without having made Proviſion by Will or otherwiſe, how or in what Manner ſuch Share or Shares ſhall be diſpoſed of, and how or by what Means the future Calls in reſpect thereof ſhall be paid to the ſaid Bailiff and Burgeſſes, for the Purpoſe of the ſaid Undertaking, then and in ſuch Caſe the Executors or Adminiſtrators of any ſuch Owner ſo dying, or the Truſtee or Truſtees, Committee or Committees, Guardian or Guardians of any Infant or Infants, or of any other Perſon or Perſons entitled to the Eſtate and Effects of ſuch Owner deceaſed, ſhall be indemnified againſt all and every ſuch Infant or Infants, and againſt all and every other Perſon or Perſons whomſoever, for or on account of his, her, or their having paid any Sum or Sums of Money when called for as aforeſaid, to compleat every ſuch Subſcription;

ſcription; and if ſuch deceaſed Owner or Owners ſhall not have left Aſſets ſufficient, or in caſe the Executors or Adminiſtrators, Truſtee or Truſtees, Committee or Committees, Guardian or Guardians ſhall refuſe or neglect to anſwer ſuch Calls, the ſaid Bailiff and Burgeſſes ſhall, and they are hereby authorized and required, to admit any other Perſon or Perſons to be Proprietor or Proprietors of the Share or Shares of ſuch deceaſed Owner or Owners, on condition that he, ſhe, or they, ſo admitted, do and ſhall, on or before ſuch Admiſſion, pay to the Executors or Adminiſtrators of ſuch deceaſed Owner or Owners, or to the Truſtee or Truſtees, Guardian or Guardians of ſuch Infant or Infants, or to any other Perſon or Perſons who may be entitled to his, her, or their Effects, the full Sum or Sums of Money which ſhall have been paid by ſuch Owner or Owners, in his, her, or their Lifetime, by virtue of any Call or Calls, or otherwiſe upon ſuch Share or Shares, or ſuch other Sum or Sums of Money as the ſame can be ſold for; and in caſe no ſuch Perſon or Perſons ſhall be found who is or are willing to be admitted on ſuch Condition, then and in every ſuch Caſe ſuch Share or Shares ſhall be forfeited to, and become veſted in the ſaid Bailiff, Burgeſſes, and Commonalty, in Truſt for and for the Benefit of all the reſt of the ſaid Proprietors, in proportion to their reſpective Intereſts in the ſaid Undertaking, and ſhall be ſubject to be ſold and diſpoſed of in like Manner as other forfeited Shares may be ſold and diſpoſed of by virtue of this Act.

Shares may be ſold.

CVI. And be it further enacted, That it ſhall and may be lawful for the ſeveral Proprietors of ſuch Shares, his, her, or their reſpective Executors or Adminiſtrators, to ſell and diſpoſe of any Share or Shares to which he, ſhe, or they may be entitled ſubject to the Rules and Conditions therein mentioned; the Conveyance of which Shares ſhall be in the Form or Effect following:

Form of Conveyance of Shares.

'I *A. B.* in conſideration of paid to me by *C. D.* Do hereby bargain, ſell, aſſign, and transfer to the ſaid *C. D.* Share of the Profits of the Moot Hall, Shambles, and other Buildings attached thereto, in *Daventry*, (being No. of the Shares) to hold to him the ſaid *C. D.* his Executors, Adminiſtrators, and Aſſigns, ſubject to the ſame Rules, Orders, and Reſtrictions, and on the Conditions that I held the ſame immediately before the Execution hereof; and I the ſaid *C. D.* do hereby agree to take and accept the ſaid Share, ſubject to the ſame Rules, Orders, Reſtrictions, and Conditions. As witneſs our Hands the Day of '

And on every ſuch Sale, the ſaid Deed or Conveyance (being executed by the Seller or Sellers, and the Purchaſer or Purchaſers of ſuch Share or Shares) ſhall be kept by the ſaid Purchaſer or Purchaſers, for his, her, or their Security, after the Town Clerk, or his Deputy, ſhall have entered, in a proper Book or Books to be kept for that Purpoſe, a Memorial of ſuch Transfer and Sale, for the Uſe of the ſaid Bailiff and Burgeſſes, and have teſtified or indorſed the Entry of ſuch Memorial on the ſaid Deed of Sale or Transfer, for which the Sum of Three Shillings and Sixpence ſhall be paid; and the ſaid Town Clerk or his Deputy is or are hereby required to make ſuch Entry or Memorial accordingly; and until ſuch Memorial

Memorial ſhall have been made and entered as above directed, ſuch Purchaſer or Purchaſers ſhall have no Part of the Profits of the ſaid Undertaking, nor any Intereſt for ſuch Share or Shares paid unto him, her, or them.

After a Call no Share to be ſold until the Money ſhall be paid.

CVII. And be it further enacted, That after any Call of ſuch Money ſhall have been made by the ſaid Bailiff and Burgeſſes, or the major Part of them as aforeſaid, no Perſon or Perſons ſhall ſell or transfer any Share or Shares which he, ſhe, or they ſhall poſſeſs in the ſaid Undertaking, upon pain of forfeiting his, her, or their reſpective Share or Shares therein to the ſaid Bailiff and Burgeſſes, in Truſt for the Benefit of all the ſaid Proprietors, unleſs he, ſhe, or they, at the Time of ſuch Call or Transfer ſhall have paid and diſcharged, to the Treaſurer of the ſaid Bailiff, and Burgeſſes, the whole and entire Sum of Money which ſhall have been called for upon each Share ſo ſold or transferred; ſuch Forfeiture, nevertheleſs, to be notified and declared at a General Aſſembly, in Manner before directed.

Regulations as to the Acquiſition of Shares.

CVIII. And whereas much Inconvenience may ariſe by frequent Transfer and Sale of the Right and Title to the Shares of and in the ſaid Undertaking, by the Marriage and Death of Proprietors, and it may be difficult in ſuch Caſes to aſcertain to whom the Dividends ariſing and becoming due upon ſuch Shares ought to be paid, and do belong; BE it therefore further enacted, That before any Perſon or Perſons who ſhall claim any Part or Share of the Profits of the ſaid Undertaking, in Right of Marriage, ſhall be entitled to receive the ſame, an Affidavit, containing a Copy of the Regiſter of ſuch Marriage, or the Effect of ſuch Regiſter, ſhall be made and ſworn by ſome credible Perſon, before a Maſter or Maſters Extraordinary in Chancery, or one of His Majeſty's Juſtices of the Peace, and ſhall be tranſmitted to the ſaid Town Clerk, or his Deputy for the Time being, who ſhall file the ſame, and make an Entry thereof in a Book or Books which ſhall be kept by the ſaid Town Clerk, or his Deputy, for the Entry of Transfers and Sales of Shares in the ſaid Undertaking; and before any Perſon or Perſons, who ſhall claim any Part or Share of the Profits of the ſaid Undertaking, by virtue of any Bequeſt or Will, or in a Courſe of Adminiſtration, ſhall be entitled to receive the ſame, the ſaid Will, or the Probate Copy thereof, ſhall be produced and ſhewn to the ſaid Town Clerk or his Deputy, or an Affidavit, containing a Copy of ſo much of ſuch Will as ſhall relate to the Share or Shares of the Teſtator, or the Letters of Adminiſtration, in caſe the Proprietor ſhall have died inteſtate, ſhall be made and ſworn to by an Executor or Executors of ſuch Will, or by an Adminſtrator or Adminſtrators of the Eſtate and Effects (as the Caſe may happen to be) before a Maſter or Maſters Extraordinary in Chancery, or one of His Majeſty's Juſtices of the Peace, and ſhall alſo be tranſmitted to the ſaid Town Clerk, or his Deputy, who ſhall file and enter the ſame in Manner hereinafter mentioned.

or Will, or in Courſe of Adminiſtration.

Names of Proprietors to be entered, and Tickets of their

CIX. And, for better ſecuring the ſeveral Shares in the ſaid Undertaking to the reſpective Proprietors thereof, BE it further enacted, That the ſaid Bailiff and Burgeſſes ſhall and they are hereby required, at ſome General Aſſembly, to cauſe the Names and proper Additions of

of the ſeveral Perſons, who ſhall be entitled to any of the Shares in the ſaid Undertaking, with the Number of Shares to which they are reſpectively entitled, and alſo the proper Number by which every ſuch Share ſhall be diſtinguiſhed, to be fairly and diſtinctly entered in a Book or Books to be kept by the ſaid Bailiff and Burgeſſes; and after ſuch Entry made, the ſaid Bailiff and Burgeſſes ſhall cauſe the Common Seal of the ſaid Bailiff, Burgeſſes, and Commonalty, to be affixed thereto, and ſhall alſo cauſe as many Certificates to be prepared as there are ſhares in the ſaid Undertaking, bearing reſpectively the correſpondent Numbers in the ſaid Books, with the Common Seal of the ſaid Bailiff, Burgeſſes, and Commonalty affixed to every ſuch Certificate, and cauſe to be delivered to every ſuch Subſcriber, upon Demand, a Certificate for every Share to which he or ſhe is entitled in the ſaid Undertaking, every ſuch Proprietor paying to the Town Clerk or his Deputy Five Shillings for every ſuch Certificate; and ſuch Certificate ſhall be admitted into all Court whatſoever as Evidence of the Title of ſuch Subſcribers, his, or her Executors, Adminiſtrators, and Aſſigns, to the Shares therein ſpecified; but the Want of ſuch Certificate ſhall not hinder or prevent the Owner of any of the ſaid Shares from ſelling or diſpoſing thereof.

Shares delivered to them.

CX. And, in Conſideration of the great Charge and Expence which the ſaid Bailiff, Burgeſſes, and Commonalty, and the ſeveral Subſcribers to the ſaid Undertaking, muſt incur and ſuffer in making and maintaining the ſaid *Moot Hall*, Shambles, Buildings, and Works, hereby authorized to be made and maintained, BE it further enacted, That it ſhall and may be lawful to and for the ſaid Bailiff, Burgeſſes, and Commonalty, from Time to Time and at all Times hereafter, to aſk, demand, take, recover, and receive, in Truſt for the Benefit of the Subſcribers to the ſaid Undertaking, ſuch reaſonable yearly or weekly or other Rents or Payments, of and from the Perſon or Perſons reſorting to the ſaid Market of *Daventry*, and who ſhall uſe and occupy the ſaid *Moot Hall* Rooms, Chambers, Seats, Shambles, Stalls, and other Conveniences, ſo to be erected and built as aforeſaid, or any of them, as the ſaid Bailiff and Burgeſſes, by Writing under their Hands ſhall from Time ſo Time think reaſonable and direct or appoint, ſo as no greater Sum ſhall be demanded or taken for any Stall, Shamble, or Seat, than Five Shillings for each ſuch Stall, Shamble, or Seat, on every Market or Fair Day; all which Rents and Payments ſhall be paid to ſuch Perſon or Perſons, at ſuch Place or Places, and under ſuch Regulations, as the ſaid Bailiff and Burgeſſes, or the major Part of them, ſhall from Time to Time direct or appoint; and in Caſe of Denial or Neglect of Payment of any ſuch Rents or Payments, or any Part thereof, by any Perſon or Perſons whomſoever, on Demand by the Perſon or Perſons appointed to receive the ſame as aforeſaid, the ſaid Bailiff, Burgeſſes, and Commonalty may ſue for the ſame by Action of Debt, or upon the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter*; or the Perſon or Perſons, to whom ſuch Rents of Payments ought to have been paid and made, may and he and they is and are hereby empowered to ſeize and diſtrain the Goods and Chattels of the Perſon or Perſons ſo refuſing or neglecting to pay ſuch Rents or make ſuch Payments as aforeſaid, or any Part or Parts thereof and to detain the ſame until Payment thereof ſhall be made, together with reaſonable Charges

Bailiff and Burgeſſes to aſcertain Rents of Stalls and Shambles, &c.

Charges for ſuch Diſtreſs, and if ſuch Diſtreſs ſhall not be redeemed within Five Days from the taking thereof, the ſame ſhall be appraiſed and ſold, as the Law directs in Caſes of Diſtreſs for Rent.

And alter and reduce the ſame.

CXI. And be it further enacted, That it ſhall and may be lawful, to and for the ſaid Bailiff and Burgeſſes, and they are hereby empowered, from Time to Time, at any General Aſſembly to be convened for that Purpoſe, to alter, vary, or reduce ſuch Rents and Payments, or any of them, as they ſhall from Time to Time think fit, reaſonable, and juſt, and again to raiſe the ſame to ſuch Sum or Sums of Money as they ſhall think fit, ſo that ſuch Sum or Sums ſhall not exceed the ſaid Sum of Five Shillings for ſuch Stall or Seat: Provided always, that nothing herein contained ſhall extend, or be conſtrued to extend, to charge the ſaid Bailiff, Burgeſſes, and Commonalty, or the Magiſtrates of the Borough of *Daventry*, with the Payment of any Rent, Rate, or Compenſation, for the Uſe of the ſaid *Moot Hall*, or any of the Rooms and Chambers atrached thereto, at all or any of the public or private Meetings for tranſacting the Buſineſs of the Borough of *Daventry* aforeſaid.

Exemption from Rent for Moot Hall.

Bailiff and Burgeſſes are empowered to grant Leaſes.

CXII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Bailiff and Burgeſſes, and they are hereby authorized and empowered, at any General Aſſembly of the ſaid Bailiff and Burgeſſes, by Writing under the Common Seal of the ſaid Bailiff, Burgeſſes, and Commonalty, at any Time or Times, to let to farm the ſaid *Moot Hall*, Shambles, Buildings, and other Works, and the ſaid Rents and Payments, or any Part or Parts thereof (ſubject to and without Prejudice to the Right of Uſe and Occupation of the ſaid Bailiff, Burgeſſes, and Commonalty and Magiſtrates of the ſaid Borough) to any Perſon or Perſons for any Time or Term they ſhall think proper, not exceeding Three Years from the Commencement of any ſuch Leaſe or Leaſes; and every ſuch Leaſe ſhall be valid and effectual, and the Leſſee or Leſſees thereof, and alſo ſuch Perſon or Perſons as ſuch Leſſee or Leſſees ſhall appoint to collect and receive the ſaid Rents and Payments, ſhall, during the Continuance of every ſuch Leaſe, be deemed Collectors of the ſaid Rents and Payments ſo let, and ſhall have the ſame Power and Authority for collecting and recovering of the ſame, as if they had been appointed for that Purpoſe by the ſaid Bailiff and Burgeſſes; provided that public Notice of the Intention ſo let the ſame be given in *The Northampton Mercury*, or ſome other Newſpaper publiſhed and circulated in the County of *Northampton*, at leaſt Ten Days previous to any General Aſſembly, at which the ſaid Rents and Payments, or any Part thereof, is or are let as aforeſaid.

Penalty on Perſons interrupting or aſſaulting Workmen.

CXIII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times obſtruct, hinder, or moleſt any of the Commiſſioners, or the ſaid Bailiff, Burgeſſes, and Commonalty, or any Treaſurer, Secretary, Clerk, Aſſeſſor, Collector, Receiver, Surveyor, Watchman, or other Officer or Officers, Workman, Perſon or Perſons whomſoever, who is, are, or ſhall be employed by virtue of this Act, in the Performance of his or their Duty, or of any of the Matters or Things to be done in virtue or in purſuance thereof, every ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Twenty Shillings.

CXIV. And

The Mode o Recovery and Application of Penalties and Forfeitures.

CXIV. And be it further enacted, That all Penalties and Forfeitures by this Act or by virtue of the Powers thereof impoſed and incurred (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County, City or Place where the Offence ſhall be committed, or where the Offender ſhall be or reſide; which Warrant ſuch Juſtice is hereby empowered and required to iſſue upon Confeſſion of the Party or Parties, or upon the Evidence of any Credible Witneſs on Oath, (which Oath, ſuch Juſtice is hereby empowered to Adminiſter); and the Overplus of the Money (if any) ariſing by ſuch Diſtreſs and Sale, ſhall be returned upon Demand to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges of ſuch Diſtreſs and Sale, and of recovering ſuch Penalties and Forfeitures; and all ſuch Penalties and Forfeitures when recovered ſhall, if not herein directed to be otherwiſe applied, be paid to the Treaſurer of the ſaid Commiſſioners, and be applied by them for ſuch of the Purpoſes of this Act as the ſaid Commiſſioners ſhall think fit; and in caſe ſufficient Goods and Chattels cannot be found; or ſuch Penalties or Forfeitures ſhall not be forthwith paid, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction, for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the ſame ſhall be ſooner paid or ſatisfied.

Form of Conviction.

CXV. And be it further enacted, That in all Caſes where any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, or any Matter in purſuance thereof, the Conviction ſhall be in the Words or to the Effect following; *(videlicet)*:

'BE it Remembered, That on this Day of
' in the Year of our Lord
' *A. B.* is duly convicted before
' of His Majeſty's Juſtices of the Peace
' for the of having
' [*Here ſtate the Offence againſt the Act, as the Caſe may be*] contrary to
' the Form of the Statute in that Caſe made and provided; and I
' [*or*, We, *as the Caſe may be*] do declare and adjudge that *A. B.* hath
' forfeited for his [*or*, her, *as the Caſe may be*] ſaid Offence, the Sum of
' Given under my Hand [*or*, our Hands *as the*
' *Caſe may be*] the Day and Year firſt above written.'

Power to adminiſter Oaths.

CXVI. And be it further enacted, That in all Caſes where the ſaid Commiſſioners or any Juſtice or Juſtices of the Peace is or are by this Act authorized or required to examine any Perſon or Perſons on Oath, it ſhall be lawful for ſuch Commiſſioners and Juſtice or Juſtices reſpectively to adminiſter ſuch Oath; and 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

For limiting the Time for Information of Offences.

corrupt Perjury are subject and liable to: Provided always, that no Person or Persons shall be subject or liable to the Payment of any Penalty or Forfeiture imposed by this Act for any Offence against this Act, unless Information shall be given of the Offence within Six Calendar Months next after such Offence shall have been committed.

Power for Inhabitants to be Witnesses.

CXVII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Inhabitant of the said Town of *Daventry* 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.

Justices to make Allowances to Informers and Witnesses.

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

Appeal.

CXIX. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved, by any Rate or Assessment which shall be made or be demanded in pursuance of this Act, or if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rule, Order, Bye Law, 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, and save and except in such Cases for which any particular Method of Relief is herein appointed) such Person or Persons may appeal to the Justices of the Peace, at any General or Quarter Sessions of the Peace to be holden for the County, City, or Place where the Cause of Complaint shall arise, within Six Calendar Months next after the Cause of Complaint shall have arisen, or at any Adjournment of such Sessions; the Person or Persons appealing first giving or causing to be given to the Person or Persons appealed against Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, and forthwith after such Notice, entering into a Recognizance before some Justice of the Peace for such County, City, or Place, with sufficient Sureties, conditioned to try such Appeal, and to abide the Order, and to pay such Costs as shall be awarded by the Justices at such Sessions or Adjournment thereof; and the Justices at such Sessions or Adjournment thereof, upon 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 make such Determination therein, and award such Costs to either of the Parties or otherwise, as they the said Justices shall think proper; and the said Justices may if they see Cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned, which shall have been levied in pursuance of any such Bye-Law, Rule, Order, Regulation, or Determination,

Determination, and may alſo order ſuch further Satisfaction to be made to the Party injured, as they ſhall judge reaſonable; and all ſuch Determinations of the ſaid Juſtices at their ſaid General or Quarter Seſſions, or Adjournment thereof, ſhall be final, binding, and concluſive, to all Intents and Purpoſes whatſoever.

Juſtices may relieve on Appeal from Rates.

CXX. And be it further enacted, That on any Appeal from any Rate or Rates, Aſſeſſment or Aſſeſſments to be made by the ſaid Commiſſioners for the Purpoſes of this Act, the Juſtices at ſuch General or Quarter Seſſions, ſhall and may amend the ſame, if they ſhall think proper, in ſuch Manner as may be neceſſary for giving Relief to the Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, aggrieved, without quaſhing or altering ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, with reſpect to any other Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, mentioned in the ſame; but if upon appeal from the whole Rate or Rates, Aſſeſſment or Aſſeſſments, it ſhall be found neceſſary to ſet aſide the ſame, then and in ſuch Caſe the ſaid Juſtices ſhall and may order a new Rate or Rates, Aſſeſſment or Aſſeſſments to be made in Manner herein directed.

Proceedings not to be quaſhed for Want of Form, nor removed by Certiorari.

CXXI. And be it further enacted, That no Order, Verdict, Rate, Aſſeſſment, Judgment, Conviction, or other Proceedings, touching or concerning any of the Matters aforeſaid, or touching or concerning any Offence againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or any Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary thereof in any wiſe notwithſtanding.

Diſtreſs not to be deemed unlawful for Want of form.

CXXII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum of Money to be levied by 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 Information, 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 be afterwards 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.

Plaintiff not to bring Actions without Notice, or after Tender of Amends.

CXXIII. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants, or left at his, her, or their laſt or uſual Place or Places of Abode Thirty 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 ſhall have been made to him, her, or them, or to his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful to and for the Defendant or Defendants in any Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he,

he, she, or they shall think fit; whereupon such Proceedings, Order, and Judgment shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

CXXIV. Provided also, and be it further enacted, That no Action or Suit shall be brought, commenced, or prosecuted against any Person or Persons, for any Thing done or to be done by virtue or in pursuance of this Act, after Six Months next after the Fact committed, or the Cause of such Action shall have arisen; and every such Action shall be brought and laid in the County wherein the Cause of such Action shall arise and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead at his, her, or their Election, 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 or by the Authority of this Act; and if upon the Trial of such Action or Suit it shall appear to have been so done, or that such Action or Suit shall have been brought before the Expiration of Thirty Days next after such Notice shall have been given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or be brought or laid in any other County than as aforesaid, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and in all Cases where a Verdict shall be found for any Defendant or Defendants in such Action or Suit, or the Plaintiff or Plaintiffs therein shall discontinue the same, after the Defendant or Defendants shall have appeared thereto, or shall be Nonsuited; or if upon Demurrer, Judgment shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such and the like Remedy for recovering the same, as any Defendant or Defendants hath or have for recovering Costs of Suit in any other Cases of Law.

General Issue.

Preserving Rights of the Lord of the Manor.

CXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or defeat any of the Rights, Royalties, Privileges, and Immunities of the Lord of the Manor of *Daventry* (except the Right of holding the Court Leet in the *Moot Hall*) or to defeat or abridge his Right or Title in or to all or any of the Quit Rents, Waste Rents, Tolls, and Profits, to which he now is and heretofore hath been entitled.

Directinghow the Expences of the Act shall be paid

CXXVI. And be it further enacted, That the Costs and Expences incident to and attending the obtaining and passing this Act, shall be paid in Manner and in the Proportions following; that is to say, one Moiety thereof by the said Commissioners for paving and improving the Town of *Daventry*, and the other Moiety thereof by the said Bailiff, Burgesses, and Commonalty, by and out of the Monies authorized to be raised by this Act,

Public Act.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1806.