ANNO QUADRAGESIMO NONO

# GEORGII III. REGIS.

## *Cap.* 4.

An Act for more effectually improving the Streets, Lanes, and public Paſſages, in the Town of *Gainſburgh* in the County of *Lincoln*; and for laying a Duty on Coals brought to the ſaid Town to be ſold. [13th *March* 1809.]

WHEREAS an Act was paſſed in the Ninth Year of the Reign of His preſent Majeſty King *George* the Third, intituled, *An Act for the more effectual paving, cleanſing, lighting and watching the Streets, Lanes, Alleys and Public Paſſages in the Town of* Gainſburgh *in the County of* Lincoln; *and for laying a Duty on all Coals brought to the ſaid Town to be ſold, and for applying the ſame to ſuch Purpoſes*; whereby certain Powers and Authorities were given to the Truſtees therein named, and their Succeſſors, for the ſeveral Purpoſes of paving, lighting, cleanſing and watching the ſaid Streets, Lanes, Alleys and public Paſſages within the ſaid Town of *Gainſburgh*, and for removing Nuiſances and Annoyances therein; and certain Duties were laid on all Coals brought to the ſaid Town to be ſold: And whereas the Truſtees for executing the ſaid Act have made great Progreſs in the Execution thereof, but the Duties thereby laid on Coals have proved inſufficient for defraying the Expences attending the ſame, and a conſiderable Sum of Money hath been borrowed on the Credit of the ſaid Duties which ſtill remains due and owing; and it is expedient that 9 G. 3. c. 21.

That certain Parts thereof are found insufficient.

ſuch Duties ſhould be increaſed, and ſuch further and other Rates and Duties ſhould be granted and charged as hereinafter is mentioned: And whereas the Powers and Proviſions of the ſaid Act, relating to the paving and lighting the ſaid Streets, Lanes, Alleys, and public Paſſages and Places, and to the maintaining a Nightly Watch, to the removing and preventing Nuiſances, Annoyances and Encroachments within the ſame, and making, raiſing and collecting of Rates and Duties for the Purpoſes aforeſaid, and for the appointing of Officers, Porters and Labourers, and regulating the Wages and Price of Labour and Porterage within the ſaid Town, have been found to be in ſeveral reſpects inconvenient, defective and inadequate to the Purpoſes of the ſaid Act; and it is therefore requiſite and expedient that the Powers and Proviſions of the ſaid Act, in relation to the Purpoſes aforeſaid, ſhould be repealed, and that other Powers and Proviſions ſhould be granted for the Purpoſes aforeſaid: But the ſame cannot be effected without the Aid and Authority of Parliament; may it therefore pleaſe your Majeſty, That it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid recited Act as

Repealing a certain Part of ſaid Act.

relates to the paving and lighting the ſaid Streets, Lanes, Alleys, and public Paſſages and Places, and to the maintaining a Nightly Watch, and to the removing and preventing of Nuiſances, Annoyances and Encroachments within the ſaid Town, and making, raiſing, and collecting of Rates and Duties, and to the appointing of Officers, Porters and Labourers, and regulating their Wages and Allowances, and the Price of Porterage and Labour, ſhall be and the ſame is hereby repealed.

Appointment of Truſtees.

II. And be it further enacted, That from and after the paſſing of this Act, the Lord of the Manor of *Gainſburgh* for the Time being, the Vicar of *Gainſburgh* for the Time being, *Martin Brumby*, *William Barnard*, *Simon Maw Bowen*, *John Bellwood*, *George Baſſett*, *William Bourn* the younger, *John Coats*, *Thomas Chapman*, *Benjamin Codd*, *James Dealtry*, *Robert Duckle*, *William Etherington*, *Robert Flower*, *John Campbell Flint* Doctor of Phyſic, *John Fretwell*, *John Garſit*, *John Gamſon*, *William Gibbins*, *John Gamble*, *Thomas Healey*, *William Charles Haſelwood*, *Thomas Hains*, *Joſeph Hough*, *Henry Lalouel*, *Charles Morehouſe Morehouſe Metcalfe*, *Henry Mozley*, *John Marſhall*, *John Maw*, *Jonathan Nettleſhip*, *John Ogleſby Gervas Parnell*, *John Burgeſs Parker*, *Jonathan Rudſdell*, *William Roberts*, *George Radley*, *George Robinſon*, *John Smith*, *Henry Smith*, *John Stuart*, *Samuel Sandars*, *Robert Swan*, *George Shore*, *Thomas Lee Stead*, *John Sooby*, *Thomas Swift*, *John Trevor*, *John Tidd*, *Joſeph Torr*, *John Thomas*, *Herbert Thornton*, *Leonard Towne* the younger, *Joſeph Wetherall*, *Henry Ward*, and *George Wilſon*, and their Succeſſors, to be appointed and qualified in ſuch Manner as in the ſaid recited Act is mentioned, ſhall be added to and joined with the Truſtees appointed or to be appointed by virtue of the ſaid recited Act, for putting the ſame and this Act in Execution; and the Truſtees hereby nominated and appointed, and their Succeſſors reſpectively, being qualified according to the Directions of the ſaid recited Act, are hereby empowered to act in Execution of the ſaid recited Act and this Act, as fully and effectually, to all Intents and Purpoſes, as if they had been appointed Truſtees by the ſaid recited Act.

For appointing a Quorum of Truſtees.

III. And be it further enacted, That all Acts, Orders, and Proceedings relative to this and the ſaid recited Act or either of them, which are directed

to be done, made or had, by or before the ſaid Truſtees, ſhall and may be done, made or had, by or before any Five or more of them (except in ſuch Caſes where any other Number is by this Act directed); and that all ſuch Acts, Orders, and Proceedings done, made or had, by or before ſuch Five Truſtees, ſhall have the ſame Force and Effect as if the ſame were done, made or had, by or before the whole Number of the Truſtees for executing this and the ſaid recited Act.

**Truſtees to be enabled to act after Neglect of One Year.**

IV. Provided always, and be it further enacted, That notwithſtanding any Thing in the ſaid recited Act contained to the contrary, it ſhall be lawful for any Perſon named or to be named as a Truſtee, in, by, or under and by virtue of the ſaid recited Act or this Act, to act as a Truſtee under this and the ſaid recited Act, although ſuch Perſon ſhall have neglected or ſhall hereafter neglect to act as a Truſtee in the Execution of this Act or the ſaid recited Act for one whole Year.

**For preventing Annoyances in the Streets.**

V. And be it further enacted, That if any Perſon or Perſons ſhall, upon any of the Footways or Foot Pavements in the ſaid Streets, Lanes, Alleys, or public Paſſages or Places, run, draw, drive or carry any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow or Carriage whatſoever (Bath and Sedan Chairs excepted) or roll any Caſk, Barrel, Tub or other Package or Parcel, 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, Barrel or Tub ſhall be rolled to ſuch Premiſes adjoining to, or having immediate Communication with the Houſe or Building from or to which ſuch Caſk, Barrel, Tub, Package or Parcel ſhall be rolled, or for any longer Space of Time than ſhall be neceſſary for the rolling the ſame to or from ſuch Buildings or Carriage reſpectively; or if any Perſon ſhall wilfully ride, lead or drive any Horſe or other Beaſt, or any Cattle whatſoever, on any of the ſaid Footways or Foot Pavements, or ſet any Caſk, Tub, Pail, Bucket, Stool, Bench, Boards, Planks, or 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, Alley, or public Paſſage or Place within the ſaid Town, or in the Churchyard, hoop, fire, cleanſe, waſh or ſcald any Caſk, Barrel or Tub, or hew, ſaw, cut or bore any Stone, Wood or Timber, or ſhall lay or place or leave any Timber, Bricks, Stones, Slates, Tiles, Mortar, Sand or other Building Materials, (except for ſo long a Time only as ſhall be neceſſary for houſing the ſame, and except for the Purpoſe of building, altering or repairing any Houſe or Building, and for ſuch laſt-mentioned Purpoſe the ſame ſhall be laid in ſuch Place only, and fenced and incloſed as the ſaid Truſtees or their Surveyor ſhall from Time to Time direct or appoint); or if any Perſon ſhall make or repair, or place or leave any Coach, Chaiſe, Waggon, Cart, Sledge or other Carriage, or Part of a Carriage, with or without Horſes or other Cattle, in any of the Streets, Lanes, Alleys, public Paſſages or Places of the ſaid Town (except for the immediate Repair of any Carriage from any ſudden Accident on the Spot, or which cannot conveniently be removed for that Purpoſe, or for any longer Time than is needful and requiſite for the neceſſary and prompt loading or unloading thereof, and the taking up and ſetting down Paſſengers or their Baggage, which ſhall not in any Caſe exceed one Hour); or ſhall ſhoe, bleed (except in Caſes of Accident) or turn looſe, or permit to wander or run looſe in any of the ſaid Streets,

Streets, Lanes, Alleys, public Paſſages or Places, any Horſe, Mare, Gelding, Aſs, Pig, Sheep, Bull, Cow, Calf, or other Beaſt or Cattle whatſoever, without ſome Perſon or Perſons to drive or guide the ſame; or if the Driver of any Waggon, Cart, Sledge, Wheels or other Carriage, or Part of a Carriage, ſhall in any Part of the ſaid Town ride on the Shafts, or in or on any Part of ſuch Waggon, Cart, Sledge, Wheels or other Carriage, or Part of a Carriage, without Reins; or if any Perſon or Perſons having the Care thereof or driving the ſame (not being a Cart or Caravan driven by a Perſon with Reins and ſitting therein) ſhall ſuffer any Horſe or Cattle drawing the ſame to go without ſome Perſon on the Side thereof on foot leading or driving the ſame; or ſhall not readily and promptly turn out of the Road on meeting Horſes and Carriages, ſo as to leave proper and ſufficient Room or Space for ſuch Horſes and Carriages; or if any Perſon or Perſons ſhall draw any Timber, Block or Blocks of Wood or Stone, or other heavy Materials, in, upon, or through any of the aforeſaid Streets, Lanes, Alleys, public Paſſages or Places, without any Nib or Carriage with Wheels, or with ſuch Nib or Carriage with Wheels, to the Detriment thereof; or if any Perſon or Perſons ſhall ſhew or expoſe any Stallion or Stonehorſe in any of the ſaid Streets, Lanes, Alleys, public Paſſages or Places (except in ſuch Place or Places as the ſaid Truſtees ſhall in that Behalf appoint); or ſhall permit any Bull-dog or Maſtiff-dog, or any ferocious Dog or Bitch, to go unmuzzled in any of the ſaid Streets, Lanes, Alleys, public Paſſages or Places; or ſhall make any Bonfire, or let off or fire any Gun, Piſtol, Cracker, Squib, Serpent, Rocket or other Fireworks within the ſaid Town; or if any Perſon ſhall ſift, throw, caſt or lay any Aſhes (except in the Time of Froſt only, and to prevent Accidents), or any Duſt, Muck, Dung, Soil, Filth, Rubbiſh, Refuſe of Garden Stuff, Blood, Offal, Carrion or any other offenſive Matter or Thing, in any of the Streets, Lanes, Alleys, public Paſſages or Places within the ſaid Town, except for ſo long Time as ſhall be neceſſary for the loading of Carts and Carriages with and carrying away the ſame, or ſhall hang up, place or expoſe to Sale any Poultry, Butter, Cheeſe, Eggs, Goods, Wares, or Merchandizes whatſoever, or any Fruit, Vegetables or Garden Stuff, Butchers Meat, or other Matter or Thing whatſoever, on or projecting over the Foot or Carriage Way of ſuch Streets, Lanes, Alleys, public Paſſages or Places, ſo as to obſtruct or incommode the Paſſage of any Perſon or Carriage therein; or if any Perſon or Perſons ſhall kill or ſlaughter, or ſhall ſinge, ſcald, dreſs, or cut up any Animal, either wholly or in part, in any of ſuch Streets, Lanes, Alleys, public Paſſages or Places, or cauſe or permit any Blood to run from any Slaughterhouſe or Butchers Shop into the ſame or any of them, every Perſon offending in any or either of the Caſes aforeſaid, ſhall for the Firſt Offence forfeit and pay any Sum not exceeding Ten Shillings; for the Second Offence, any Sum not exceeding Twenty Shillings; and for the Third and every other ſubſequent Offence, any Sum not exceeding Forty Shillings; and any one or more of the ſaid Truſtees, or ſuch Perſon or Perſons as they or any Five or more of them ſhall appoint for the Removal of Annoyances and Obſtructions may ſeize any ſuch Stall, Board, Baſket, Ware, Merchandize, Caſk, Goods, Coach, Cart, Waggon, Dray, or other Carriage, and all Goods or other Things which may be therein, together with the Horſe or Horſes (if any ſhall be thereunto belonging) with the Harneſs, Gears, and Accoutrements thereof, or any ſuch Timber, Stones, Bricks, Lime, or other Materials, or Things aforeſaid; and every ſuch Horſe, Aſs, or other Cattle aforeſaid, with the Accoutrements thereof, and alſo ſuch Wheel, Sledge,

Goods may be ſeized and detained until the Penalties paid.

Sledge, Wheelbarrow, and other Carriages as aforesaid, and all Goods or Things which may be on or in the same or other Carriage; and also such Butchers Meat, Garden Stuff, Pots, and all and every other Articles, Matters and Things whatsoever, and of what Nature or Kind soever the same may be, and cause the same to be removed to such Place or Places as he or they shall think convenient and proper, within the said Town, giving Notice to the Owner or Driver, or other Person or Persons having any Interest therein (if he, she or they can be found) of the Place or Places whereunto the same shall be so removed, and the same shall be there kept and detained until such Owner or Driver or other Person interested therein as aforesaid, shall cause to be paid the said Penalty, together with the Charges of removing the same, and of keeping such Horse or Horses or other Cattle (if any); and in case the Goods, Carriages, Drays, Horse or Horses, or other Cattle, Materials or other Thing as aforesaid so removed, shall not be claimed, and the said Penalty and Charges paid within the Space of Three Days next after such Removal thereof, then it shall be lawful for the said Trustees or any Five or more of them to order the same to be appraised and sold, and the Surplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof on demand, after deducting the said Penalty, and the Charges attending such seizing, removing, keeping, appraising and selling the same; and it shall be lawful for any Person or Persons whomsoever, who shall see any or either of the said Offences committed, by Authority of this Act, and without any other Warrant, to seize and apprehend, and also for any other Person or Persons to assist in seizing and apprehending the Offender or Offenders, and he and they is and are hereby authorized and required so to do, and to convey such Offender or Offenders before some Justice of the Peace acting or having Power to act in the Parts of *Lindsey* in the said County of *Lincoln*, who, upon Oath being made of any such Offence or Offences aforesaid, shall and may commit the Offender or Offenders to the House of Correction for the said Parts of *Lindsey*, there to be kept to hard Labour for any Time not exceeding One Calendar Month, unless the said Penalty and Charges, attending the same, shall be sooner paid and satisfied.

Persons seeing any such Offences committed, may seize the Offenders.

Offenders, in default of Payment, to be committed.

VI. And be it further enacted, That from and after the passing of this Act, the Water at the Tops or Roofs of all Houses and other Buildings now or hereafter to be made or built within the said Town, shall (if not conveyed into private Cisterns or Reservoirs belonging to such Houses or Buildings) be conveyed by Pipes or Spouts to be fixed to the Front or Sides thereof respectively into the common Channels or Drains, within Fourteen Days after a Day to be expressed in a Notice in Writing under the Hands of the said Trustees or any Five or more of them, or their Clerk for the Time being, to be for that Purpose given to or left with the Owners or Occupiers of such Houses or Buildings; and that all Penthouses, Steps, Iron or other Rails, Palisadoes, Pillars, Walls or Fences, Windows, Hatches, and Doors opening and leading over, upon or from the said Footpaths into Vaults, Cellars, Entries or under Kitchens; and all Signs or other Emblems used to denote the Trade, Occupation or calling of any such Occupiers; and all Grates, Posts, Spouts, Sign-Posts, Sign Irons, Bow Windows, Window Shutters, Fasteners, Sheds, Shew Glasses and Shew Boards, watering Tubs, Troughs, Pumps, Fall or Swing Boards, Stalls, Projections, or other Matters or Things whatsoever, which, in the Judgement of the said Trustees, shall be inconvenient to or incommode Passengers

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

upon any of the preſent or future Footways or Carriageways of ſuch Streets, Lanes, Alleys, public Paſſages or Places, ſhall within Fourteen Days after a Day to be expreſſed in a like Notice to be for that Purpoſe given to or left with the Owner or Occupier of the Houſes or other Buildings or Land to whom ſuch Matters and Things as aforeſaid, or any of them, ſhall reſpectively belong, be taken down, filled up, removed, altered, reformed, fixed, effected or done by and at the Expence of the Owner or Owners thereof reſpectively, under the Inſpection and Direction of the Surveyor appointed or to be appointed by virtue of the ſaid recited Act and this Act; and in caſe the reſpective Owners ſhall neglect or refuſe to obey ſuch Notices, and to obſerve and perform the ſeveral Matters and Things hereby reſpectively required to be done within the Time aforeſaid, then every Perſon ſo neglecting or refuſing ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Shillings for every Week the ſame ſhall ſo remain undone; and then alſo it ſhall be lawful for the ſaid Truſtees to cauſe the ſame to be taken down, filled up, removed, altered, reformed and fixed, in the Manner and for the Purpoſes aforeſaid, and they ſhall return or cauſe to be returned to the reſpective Owners thereof, or to be left on the Spot from whence the ſame ſhall be ſo reſpectively removed, or as near thereto as conveniently may be for ſuch Owners, ſo much of ſuch Matters and Things as aforeſaid as ſhall not be affixed or ſet up, or otherwiſe made uſe of in the Alterations directed by this Act, and the Charges and Expences attending the ſame ſhall be recovered of the Owners thereof reſpectively, in the ſame Manner as the Penalties and Forfeitures inflicted by this Act are hereby directed to be recovered on Non-payment; and if ſuch Owners ſhall cauſe ſuch Matters and Things to be placed, erected, built or made contrary to the Directions of this Act, every ſuch Owner for every Week he ſhall ſo offend ſhall forfeit and pay any Sum not exceeding Twenty Shillings, or otherwiſe it ſhall be lawful for the ſaid Truſtees as aforeſaid to order the ſame to be taken down, filled up, removed or altered in ſuch Manner as they ſhall think proper, without giving any Notice to the Owner or other Perſon offending therein; and the Charges and Expences attending the ſame ſhall and may be recovered of the Perſon or Perſons ſo offending, in the ſame Manner as is laſt hereinbefore directed; and if any Cellar Window, Cellar Door, or under Entry or Kitchen, ſhall be left open after Sun-ſet, or be opened before Sun-riſing, without being ſufficiently lighted to prevent Accidents therefrom, or ſhall be ſuffered to be left open in the Daytime, and in either Caſe for a longer Time than neceſſary for the taking, loading or removing Goods into, from, or out of the ſame, then and in every ſuch Caſe the Occupier of ſuch Cellar, Vault or under Entry or Kitchen, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

**Streets to be properly paved.**

VII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, when and ſo often as they ſhall think neceſſary and proper, to order and direct, and cauſe all or any of the preſent or any future Pavements in the ſeveral Streets, Lanes, Alleys, and other public Paſſages or Places within the ſaid Town of *Gainſburgh* (except as hereafter is excepted) as well in thoſe Parts uſed by Carriages as thoſe uſed by Foot Paſſengers, to be taken up, and the ſaid Streets, Lanes, Alleys, and other public Paſſages or Places to be flagged, paved, relaid, repaired, raiſed, lowered or altered in ſuch Manner as the ſaid Truſtees ſhall think proper; and the Perſon and Perſons authorized or directed by them

to

to do the ſame, hath and have and ſhall have hereby full Power and Authority to do the ſame accordingly; and all and every Perſon and Perſons, public Officer or Officers, or Inhabitants at large of the ſaid Town of *Gainſburgh*, who was or were before the paſſing of this Act liable to repair and maintain the aforeſaid preſent Pavements or any Part of them (except as herein-after mentioned) ſhall from henceforth be exonerated and diſcharged from repairing and maintaining the ſame: Provided always, that nothing herein contained ſhall extend or be conſtrued to extend to exonerate and diſcharge any Perſon or Perſons, public Officer or Officers, nor the Inhabitants at large of the ſaid Town of *Gainſburgh*, from repairing, amending and maintaining at his, her, or their own Expences, ſuch Part and Parts of the preſent Pavements as he, ſhe or they hath or have heretofore repaired, amended and maintained, or would have been liable to repair, amend and maintain (except as far only as relates to the Footways on each Side thereof, and the Flagging of the ſame) in caſe this Act had not been made.

Truſtees to aſcertain ſuch Parts as are to be repaired by Individuals.

VIII. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to aſcertain, ſet out, order and appoint the ſaid ſeveral Parts, Shares and Proportions of the ſaid Pavements (except the Footways on the Sides thereof, as aforeſaid) which have been heretofore paved, amended, repaired, ſwept or cleanſed by any Perſon or Perſons, public Officer or Officers, or Inhabitants at large of of the ſaid Town of *Gainſburgh*; and that all ſuch Parts, Shares and Proportions ſhall, from Time to Time and at all Times hereafter, be paved, amended, and kept in repair and ſhall be ſwept and cleanſed by the ſaid ſeveral Perſon or Perſons, public Officer or Officers, or Inhabitants at large of the ſaid Town of *Gainſburgh*, ſo liable to repair, amend, cleanſe and ſweep the ſame as aforeſaid, or his, her or their Tenants, Farmers or Occupiers, in ſuch Manner and Form, at ſuch Times, and under and ſubject to ſuch Orders, Rules, Regulations, and Appointments, as they the ſaid Truſtees or any Five or more of them ſhall order, direct and appoint; and in caſe any ſuch Perſon or Perſons, public Officer or Officers or Inhabitants at large of the ſaid Town as aforeſaid, or any of them, or his, her or their Tenants, Farmers, or Occupiers, or any of them, ſhall refuſe or neglect to repair, amend, cleanſe and ſweep the ſame Pavements or ſuch Part or Parts thereof as he, ſhe or they are reſpectively liable and directed ſo to do, for the Space of Eight Days as to repairing, and One Day as to cleanſing, after Notice in Writing under the Hands of the ſaid Truſtees or any Five or more of them, ſhall be given to ſuch Defaulter or Defaulters, or left at his, her or their uſual Place of Abode, then and in ſuch Caſe it ſhall be lawful for the ſaid Truſtees, and they are hereby authorized and required to order and direct, and cauſe the ſame to be forthwith, by their own Workmen, repaired and amended with their own Materials, and to be cleanſed and ſwept, and to charge the full Expences thereof to and upon ſuch Defaulter or Defaulters, and alſo to impoſe any Fine for every ſuch Neglect not exceeding Forty Shillings; and in caſe ſuch Defaulter or Defaulters, ſhall refuſe or neglect to pay ſuch Expences, together with the ſaid Fine, within Eight Days after the ſame ſhall be demanded by the Collector or Collectors, that then and in every ſuch Caſe the ſame Expences, together with the ſaid Fine, ſhall be recovered and recoverable in the ſame Manner as is herein-after directed for the Recovery and Application of Penalties; and in caſe of the Recovery of

any ſuch Expences and Fine from any of the ſaid Tenants, Farmers or Occupiers, it ſhall be lawful for them and each of them to retain and deduct all ſuch Sum and Sums of Money as they ſhall ſo reſpectively pay as aforeſaid, from Time to Time, on account of their ſeveral Landlords as aforeſaid, for and in reſpect of repairing and amending ſuch Pavements only, out of his, her, or their Rents, and ſuch Landlords or Proprietors are hereby required to allow and diſcount the ſame accordingly, unleſs there ſhall be an Agreement between them and their reſpective Tenants to the contrary.

**Pavements not to be altered without Conſent of Truſtees.**

IX. 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, or make any freſh Openings into any Tunnel, Gutter, Sink, Drain, Sewer or Watercourſe in any Street, Lane, Alley, public Paſſage or other Place in the ſaid Town, without the previous Conſent in Writing of the ſaid Truſtees or any Five or more of them, 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 Water-courſe, ſhall not, within Seven Days after Notice in Writing by the Surveyor to the ſaid Truſtees, 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 be lawful for the Surveyor to the ſaid Truſtees 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 and 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.

**Sewers, &c. to be made.**

X. And be it further enacted, That the ſaid Truſtees or any Five or more of them ſhall cauſe ſuch and ſo many new Sewers, Drains, Vaults or other Watercourſes as they may think neceſſary and ſufficient for the more effectually cleanſing and draining of the ſaid Town, to be dug and made in, along or acroſs any of the Streets, Lanes, Alleys, and other public Paſſages or Places, and along and acroſs any Yards, Lands, or Grounds, or under any Buildings within the Townſhip of *Gainſburgh* aforeſaid; and alſo any of the Sewers, and public Drains and Vaults which now or hereafter ſhall be within the ſaid Townſhip, to be enlarged, widened, deepened, raiſed, altered, removed, repaired, cleanſed and ſcoured, when and as often as to them the ſaid Truſtees or any Five or more of them ſhall ſeem meet, and for any of the Purpoſes aforeſaid ſhall from Time to Time cauſe to be dug, carted and carried out of or brought into the ſaid Streets, Lanes, Alleys, and other Paſſages or Places, or any of them, ſuch Gravel, Stones, Bricks and other Materials as they ſhall judge neceſſary; and alſo ſhall and may cauſe ſuch and ſo many Bridges, Arches, Tunnels, Grates or Openings, to be made over or in the ſame, for conveying and carrying off the Filth,

Filth, foul and other Water, from the Houſes built or to be built adjoining to ſuch Streets, Lanes, public Paſſages or Places in the Town of *Gainſburgh* aforeſaid, into the ſaid Sewers, public Drains and Vaults, and other Watercourſes, as the ſaid Truſtees or any Five or more of them ſhall and may think neceſſary and expedient for that Purpoſe; and the ſaid Truſtees or any Five or more of them are hereby authorized and empowered either to purchaſe ſuch Ground as ſhall be neceſſary for making or enlarging ſuch public Drains or Sewers, or make ſuch Satisfaction for ſuch Injury as may be done thereto, in ſuch Manner in every Reſpect as is in this Act directed for the purchaſing of Lands for effectuating any of the Purpoſes in this Act.

Private Drains to be cleanſed.

XI. And be it further enacted, That all private Drains, Sewers or Watercourſes, with the Bridges, Arches and Tunnels over or in the ſame, which now are or which ſhall hereafter be made within the Townſhip of *Gainſburgh* aforeſaid, and which do or ſhall iſſue into any of the public Drains, Sewers, Vaults or Watercourſes, ſhall be repaired, deepened, widened, altered or cleanſed under the Inſpection and Direction of the Surveyor or other proper Officer of the ſaid Truſtees, at the Coſts and Charges of the Owner or Owners, Occupier or Occupiers of the Lands and Tenements to which the ſaid private Drains, Sewers or Watercourſes do or ſhall belong.

Foot Pavements to be ſwept.

XII. And be it further enacted, That all and every Perſon and Perſons inhabiting any Houſe or other Building within the ſaid Town, ſhall, from and after the Second *Monday* next after the paſſing of this Act, ſweep and cleanſe or cauſe to be ſwept and cleanſed, the Foot Pavement before their reſpective Houſes, Buildings and Walls, on *Monday*, *Wedneſday*, and *Saturday* in every Week, before Ten of the Clock in the Morning, or oftener if thereunto required by the ſaid Truſtees or any Five or more of them, or their Surveyor or Surveyors for the Time being, upon pain of forfeiting any Sum not exceeding One Shilling for every Neglect therein.

Fixing a Time for emptying Neceſſary Houſes, &c.

XIII. And be it further enacted, That if any Perſon or Perſons ſhall empty any Neceſſary-houſe or Bog-houſe at any other Time than between the Hours of Ten of the Clock at Night and Six of the Clock in the Morning, or ſhall wilfully ſpill any of the Soil of any Neceſſary-houſe or Bog-houſe, in any of the ſaid Streets, Lanes, Ways, Paſſages or public Places, every ſuch Perſon or Perſons ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for laying Aſhes in the Streets, &c.

XIV. And be it further enacted, That no Perſon or Perſons whomſoever ſhall throw, caſt or lay, or cauſe, permit or ſuffer to be thrown, caſt or laid, any Manure, Aſhes, (except as herein-after excepted) Duſt, Dirt, Soil, or other Filth whatſoever, before any Dwelling Houſe, Shop, Stable, Building or Wall, in any of the Streets, Lanes, Alleys, public Paſſages or Places within the ſaid Town, but ſhall keep or cauſe the ſame to be kept in their reſpective Houſes or Yards until ſuch Time as the Perſon or Perſons contracted with or employed to carry away ſuch Manure, Aſhes, Duſt, Dirt, Filth or Soil, do come by or near their Houſes, Doors or Places where they dwell, with a Cart or Carts, or other Conveniencies for carrying away the ſame, nor ſuffer any Manure, Aſhes, (except as herein-after excepted) Duſt, Dirt, Soil or other Filth to be depoſited or

laid at any public Wharf, Staith or Landing Place within or contiguous to the ſaid Town, for the Purpoſe of being put into any Boat, Veſſel, Waggon or Cart, for any longer Space of Time than Six Hours from the Time of placing the ſame to the Removal thereof, upon pain of forfeiting for every ſuch Offence any Sum not exceeding Forty Shillings: Provided always, that nothing herein contained ſhall extend or be conſtrued to extend ſo as to prevent any Perſon from throwing or laying any Aſhes or Duſt for the Safety of Foot Paſſengers during the Time of hard Froſt, on any of the Footpaths in any of the Streets, Lanes, Paſſages or public Places in the ſaid Town.

**Nuiſances to be removed.**

XV. And be it further enacted, That in caſe any Slaughterhouſe, Hogſtye, Neceſſary-houſe, or Building or Place in or near any of the Streets, Ways, Lanes, Paſſages or public Places, within the Town of *Gainſburgh* aforeſaid, (Candle Houſes now erected excepted) ſhall be deemed a Nuiſance to any of the Inhabitants reſiding therein, it ſhall be lawful for the ſaid Truſtees or any Five or more of them, upon Complaint and Proof thereof to them made by any ſuch Inhabitants or other Perſon or Perſons, or upon their own View, by any Writing or Writings under the Hands of the ſaid Truſtees or any Five or more of them, 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 Fourteen Days after ſuch Notice given to the Perſon or Perſons who ought to remove the ſame, or left at his, her, or their laſt or uſual Place or Places of Abode, ſuch Perſon or Perſons ſhall forfeit and pay any Sum not exceeding Ten Shillings, for every Day that the ſame ſhall continue unremoved after the Expiration of the Time mentioned in ſuch Notice.

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

XVI. And be it further enacted, That it ſhall be lawful for the Owners or Proprietors, or his or their Leſſee for the Time being, of the Waterworks for ſupplying the Town of *Gainſburgh* 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, Alleys, 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, or other Perſons reſpectively, firſt cauſing Notice to be given to or left at the Houſe of the Surveyor to the ſaid Truſtees, 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 Truſtees 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 Truſtees 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.



XVII. And

Truſtees to order Lamps to be ſet up.

XVII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them, and they are hereby authorized and empowered, from Time to Time and at any Time 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 Paliſades of all or any of the ſeveral Houſes or Buildings, or in or upon ſuch other Places within the ſaid Town of *Gainſburgh*, 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 in 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 Part of the ſaid Streets, Lanes, Alleys, and public Paſſages or Places in the ſaid Town.

Pavements, Lamps, &c. veſted in Truſtees.

XVIII. And be it further enacted, That all the preſent and future Pavements, Flagſtones and Curbſtones in the ſeveral Streets, Lanes, Alleys, and public Paſſages or Places within the ſaid Town of *Gainſburgh*, and the Stones, Gravel, and other Materials, of which as well the Footways as Carriageways of ſuch Streets, Lanes, Alleys, and public Paſſages or Places, do and ſhall conſiſt, and alſo all Gutters, Sinks, Sewers, Grates, Tunnels, Soughs, Lamps and Covers to the Lamps, Lamp Irons, Lamp Poſts, Watch-boxes, Watch-houſes, Houſes, Buildings, and all other Erections, Matters and Things whatſoever, which ſhall be erected, fixed up, made or procured by virtue of this or the ſaid recited Act by the ſaid Truſtees; and all Materials, Implements and other Things, which ſhall be purchaſed or provided by the ſaid Truſtees for the Purpoſes of this or the ſaid recited Act, ſhall belong to and be the Property of, and the ſame is hereby veſted in the ſaid Truſtees; and the ſaid Truſtees ſhall and may cauſe to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Caſe may require) againſt any Perſon or Perſons who ſhall ſteal, take or carry away, detain, ſpoil, injure or deſtroy the ſeveral Articles and Things hereby or by the ſaid recited Act veſted in them the ſaid Truſtees as aforeſaid, or any of them, or any Part or Parts thereof; and in all ſuch Actions and Bills of Indictment reſpectively it ſhall be ſufficient to ſtate generally that the Article or Articles, Thing or Things, for or on Account of which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Truſtees for the Improvement of the Town of *Gainſ-* "*burgh* in the County of *Lincoln*," without particularly mentioning or ſpecifying the Name or Names of all or any of ſuch Truſtees; and the ſaid Truſtees ſhall have full Power and Authority, from Time to Time, to ſell and diſpoſe of, for the Purpoſes of this or the ſaid recited Act, all or any of the ſaid Articles and Things, or any Part or Parts thereof, to ſuch Perſon or Perſons, and in ſuch Manner as they the ſaid Truſtees 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 or by the ſaid recited Act veſted in them the ſaid Truſtees, or any of the Works done by them in purſuance of this Act, every ſuch Perſon or Perſons ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds, over and beſides the Damages and Expences of repairing and amending the ſame; which ſaid Penalty, together with the ſaid Damages and Expences, ſhall be recovered in the ſame Manner

ner as is herein-after directed for the Recovery and Application of Penalties.

**Penalty for wilful Damage to Lamps.**

XIX. And be it further enacted, That if any Perſon or Perſons ſhall wilfully take away, break, throw down, diſplace or damage any Lamp or Lamps already ſet up, or that ſhall be ſet up by virtue of this Act by Order of the ſaid Truſtees, or by any Perſon or Perſons at his, her or their own Expence, for the Purpoſe of lighting the ſaid Streets, Lanes, Alleys, and public Paſſages or Places, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or ſhall throw down or damage the Poſt Irons, Cover or other Furniture of any ſuch Lamp, it ſhall be lawful 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 other Warrant, to convey and deliver him, her or them into the Cuſtody of a Watchman or of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the Parts of *Lindſey* in the ſaid County of *Lincoln*, and ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Information or Evidence touching ſuch Offence; and if the Party or Parties accuſed ſhall be convicted, either by his, her or their own 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 Forfeitures, 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 Parts of *Lindſey*, 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 ſatisfied.

**Satisfaction for accidental Damage to Lamps, &c.**

XX. And be it further enacted, That in caſe any Perſon or Perſons ſhall careleſsly, negligently or accidently break, throw down or damage any Lamp or Lamps hung out and ſet up by Order of the ſaid Truſtees, 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 be lawful for any Juſtice of the Peace of the Parts of *Lindſey* aforeſaid, upon Complaint to him made by the Perſon or Perſons aggrieved, and proved by one or more credible Witneſs or Witneſſes, to ſummon before him the Party or Parties who ſhall be complained of for doing ſuch Damage as aforeſaid, and upon hearing the Allegation and Proofs on both Sides, or Non-appearance of the Party or Parties ſo complained of, to award ſuch Sum or Sums of Money by way of Satisfaction to the ſaid Truſtees, 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 be lawful for ſuch Juſtice, and he is hereby required to cauſe the ſame to be levied and

applied

applied in the ſame Manner as any Fines, Penalties and Forfeitures, are by this Act directed to be levied and applied.

Power for Truſtees to appoint Watchmen.

XXI. And be it further enacted, That the ſaid Truſtees or any Five or more of them, ſhall and they are hereby required, from Time to Time, to appoint ſuch Number of able-bodied Men as they ſhall judge proper, to be employed as Watchmen within the ſaid Town during the Night-time, and to provide proper Watch-houſes, Watch-boxes or Places for the Reception of ſuch Watchmen, and for the 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 become incapable of doing his Duty, or who ſhall be diſcharged from his or their Office for Neglect of Duty or other Miſbehaviour in Office, and 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 Truſtees or any Five or more of them 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 inſtead thereof; and it ſhall be lawful 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, all Malefactors, 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 Parts of *Lindſey*, to be examined and dealt with according to Law; and the ſaid Watchmen during the Time they ſhall reſpectively act as ſuch in the Night, ſhall act as Conſtables, and they and every of them ſhall have and be inveſted with the ſame Powers and Authorities as Conſtables have by Law.

Watchmens Duty.

Penalty on Victualler harbouring Watchmen while on Duty.

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

Power to reward Watchmen diſabled.

XXIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees 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 they the ſaid Truſtees ſhall think reaſonable, ſuch Money to be paid out of the Monies to be raiſed for the Purpoſes of this Act.

The Ground of Houſes taken down, or Buildings and of Houſes,

XXIV. And be it further enacted, That the Ground or Place whereon any Houſe or Houſes, Wall or Building, within the Town of *Gainsburgh* aforeſaid, formerly or lately ſtood, and which is or are now or at any Time

taking down, to be inclosed.

Time hereafter shall be wholly or in Part taken down, and every House, Wall or Building now making or building within the said Town, shall by the Owners or Occupiers of such Ground, Place, House or Building, immediately after the passing of this Act, be fenced and inclosed; and that the Ground on which any House or Building shall hereafter be built or taken down either wholly or in Part, until the same shall be rebuilt, shall likewise be fenced and inclosed at the Expence of such Owners or Occupiers respectively in such Manner as the Trustees shall think proper or necessary, in order to keep the Footways and Carriageways before or behind, or belonging to the same, as open and free from Impediment as the Nature of the Case will admit of, and effectually to guard and protect all Persons passing by or near the same or any Part thereof from Danger or Accident, from or in consequence of any Hole, Vault, Area, Timber, Stones, Materials or Things made, brought, placed or used in, about or relating to such Ground, Place, House or Building now made or built, or which shall hereafter be made or built within the Town of *Gainsburgh* aforesaid, which shall be taken down either in the Whole or in Part, or which shall be altered, or repaired, or added to or begun to be altered or repaired or added to whereby or in consequence whereof the Carriageway and Footway before, behind or belonging to such House, Wall, or Building, or either of the said Ways, shall be in any Manner obstructed or rendered dangerous to or unsafe for, or expose any Person passing by or near such House, Wall or Building, or any Part thereof, to Danger or Accident as last mentioned, shall be in like Manner fenced and inclosed, by and at the Expence of the respective Owners or Occupiers thereof; and the Fences and Inclosures to be made in respect of any House, Wall or Building, which shall or may hereafter be taken down, altered, repaired or added to, shall be made before such House, Wall or Building, shall be begun to be altered, repaired or added to, and all the Fences and Inclosures hereby directed to be made for all or any of the Purposes aforesaid shall be continued standing, and in good Condition, during such Time as the said Trustees shall order and direct; and if the Owner of such Ground, Place, House, Wall or Building as aforesaid, shall refuse or neglect to erect and set up any such Fence or Inclosure as aforesaid, then and in either of the said Cases every such Owner shall, for every Day such Offence shall be continued, forfeit and pay any Sum not exceeding Forty Shillings; and in case of such Refusal or Neglect, it shall be lawful for the said Trustees to cause such Ground, Place, House, Wall or Building, to be well and sufficiently fenced and inclosed as aforesaid, or the Fence or Inclosure then erected and set up to be well and sufficiently repaired, as the Case shall require, and such Fence or Inclosure to be so continued standing as aforesaid; and the Person or Persons so refusing or neglecting as aforesaid, shall, over and above the said Penalty, pay all such Charges and Expences of making such Fences and Inclosures, or repairing the same, upon Demand made by the said Trustees, or by their Clerk, and upon Refusal may, together with the Costs attending the Recovery thereof, be recovered in such Manner as the Penalties and Forfeitures by this Act inflicted are hereinafter directed and authorized to be recovered.

Penalty on Persons neglecting or refusing to make such Fence.

Lights to be fixed for preventing Accidents.

XXV. And be it further enacted, That if at any Time hereafter any Stones, Timber, Mortar, Rubbish, Materials, or other Things, shall be laid or placed, or any Hole or Opening shall be made in any of the Streets, Lanes,

Lanes, Alleys, or public Paſſages or Places already made or built, or which ſhall hereafter be made or built within the ſaid Town for any Purpoſe whatſoever, not prohibited by or contrary to the Intent and Meaning of this Act, the Owner of ſuch Stones, Materials or other Things, or the Perſon or Perſons cauſing ſuch Hole or Opening as aforeſaid to be made, ſhall, at his, her or their own Expence, cauſe a Light to be fixed in or near the ſame reſpectively, for ſecuring Paſſengers and Cattle from Accidents, every Night from Sun-ſetting to Sun-riſing during the Time ſuch Stones or other Materials, Hole or Opening, ſhall remain; and alſo if the ſaid Truſtees ſhall think proper and direct, ſhall, at his, her or their own Expence, cauſe ſuch Stones, Materials or other Things, Holes or Openings, or either of them (as the Caſe may be) to be fenced and incloſed in ſuch Manner as the ſaid Truſtees ſhall think proper, and continue the ſame ſo fenced and incloſed until the Stones, Materials or other Things, or Hole or Opening, as the Caſe may be, ſhall be removed or filled up, and in Default thereof ſhall forfeit and pay any Sum not exceeding Forty Shillings for every Day or Night ſuch Neglect or Default ſhall be continued; and the ſaid Truſtees, on ſuch Default being made, are hereby empowered to cauſe ſuch Light to be affixed, and to fence and incloſe ſuch Stones, Materials and Things, or Hole or Opening, and continue the ſame ſo fenced and incloſed, and charge ſuch Owners or other Perſon or Perſons as aforeſaid with the Expences thereof reſpectively, and to recover ſuch Expences on Refuſal to pay the ſame to the ſaid Truſtees, and the Expence attending ſuch Recovery, in the ſame Manner as is mentioned in the Caſe of Fences and Incloſures to be made in taking down or altering any Houſe or Building as herein-before mentioned.

Lands to be purchaſed.

XXVI. And be it further enacted, That the ſaid Truſtees ſhall have Power and Authority to agree with the Proprietors of and Perſons intereſted in any Lands, Tenements, Buildings, Erections and Hereditaments which the ſaid Truſtees ſhall judge neceſſary and expedient to be cut, dug, pulled down, thrown up, carried away, damaged, or otherwiſe made uſe of for the Purpoſes of this Act, for the Purchaſe of ſuch Lands, Tenements, Buildings and Hereditaments, or for the Recompence to be made to ſuch Proprietors and Perſons intereſted for the Damage they may ſuſtain; and alſo to ſettle and aſcertain in what Proportion the Sum or Sums ſo agreed ſhall be paid to the ſeveral Perſons intereſted in the Premiſes; and it ſhall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees and Feoffees in Truſt, Committees, Executors and Adminiſtrators, and all other Truſtees whatſoever, not only for and on behalf of themſelves, their Heirs and Succeſſors, but alſo for and on behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſon or Perſons, and to and for all Femes Covert who are or ſhall be ſeized in their own Right, and to and for all and all and every other Perſon and Perſons whomſoever who are or ſhall be ſeiſed, poſſeſſed of or intereſted in any ſuch Lands, Tenements, Buildings or Hereditaments, to contract for, ſell and convey, aſſign and ſurrender unto the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, any Lands, Tenements, Buildings, or Hereditaments, for the Purpoſes aforeſaid, or to agree with the ſaid Truſtees for any Recompence to be made for the Damage which may be done to any ſuch Lands, Tenements, Buildings, or Hereditaments, by the Execution of any of the Powers of this or the ſaid recited Act; and all ſuch Contracts and

and Agreements, Sales, Conveyances, Aſſignments, Surrenders and Aſſurances, ſhall be valid and effectual in the Law to all Intents and Purpoſes whatſoever, not only to convey the Eſtate and Intereſt of the Perſon or Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Truſt, Property, Claim and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes Covert or other Perſons whomſoever, and all claiming or to claim by, from or under them, any Law, Statute, Uſage, Cuſtom, or any other Matter or Thing whatſoever to the contrary notwithſtanding; and all Bodies Politic, Corporate or Collegiate, and all Perſons whomſoever, are hereby indemnified for what they or any of them ſhall do in the Premiſes purſuant to this Act, notwithſtanding any Omiſſion or Miſtake of Matter or Form whatſoever.

Contracts, &c. to be lodged among the Records of the Court of Quarter Seſſions.

XXVII. And be it further enacted, That all the Agreements, Contracts, Sales and Conveyances, which ſhall be made in relation to any ſuch Lands, Tenements, Buildings or Hereditaments as aforeſaid, ſhall be copied into the Book or Books of the ſaid Truſtees, and be lodged for ſafe Cuſtody among the Records of the Court of Quarter Seſſions with the Clerk of the Peace or his Deputy, who ſhall give to the ſaid Truſtees a Receipt for the ſame, when they ſhall be ſo lodged, which Receipt ſhall be preſerved by the ſaid Clerk to the ſaid Truſtees, and ſhall alſo be copied into the ſaid Truſtees Book or Books; and the ſaid Clerk of the Peace or his Deputy and Clerk to the ſaid Truſtees, ſhall permit and ſuffer any Perſon or Perſons, from Time to Time and at all Times within the Office Hours of Attendance, to peruſe and inſpect the ſaid Originals and Copies reſpectively, and to take Copies thereof or of any Part thereof, upon paying for every ſuch Peruſal, Inſpection, and taking of Copies, the Sum of One Shilling and no more.

Upon Payment of the Value agreed, the Eſtate to be conveyed.

XXVIII. And be it further enacted, That upon Payment of the Sum or Sums of Money ſo to be contracted or agreed for as aforeſaid, after ſuch Deduction as aforeſaid, to the Perſon or Perſons to whom the ſame ſhall be ſo agreed to be paid for the Purchaſe of the ſaid Lands, Tenements, Buildings or Hereditaments, or for the Purchaſe of any Eſtate or Intereſt therein, ſuch Perſon or Perſons ſhall make and execute, or procure to be made and executed, good, valid and legal Conveyances, Surrenders, Aſſignments and Aſſurances in the Law, to the ſaid Truſtees and their Succeſſors, in Truſt for the Purpoſes hereby intended, or any Perſon or Perſons in Truſt for them, of the ſaid Lands, Tenements, Buildings and Hereditaments, or of ſuch Eſtate or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo agreed to be paid, and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Surrenders, Aſſignments and Aſſurances, and ſhall do all Acts, Matters and Things neceſſary and requiſite to make and derive a good, clear and perfect Title thereto, to the ſaid Truſtees and their Succeſſors, in Truſt for effecting the Purpoſes hereby intended; and ſuch Conveyances, Surrenders, Aſſignments and Aſſurances, ſhall contain all ſuch reaſonable and uſual Covenants as ſhall on the Part of the ſaid Truſtees be required.

Immediately after Conveyances,

XXIX. And be it further enacted, That immediately after the Execution of ſuch Conveyances, Surrenders, Aſſignments and Aſſurances, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim and

Demand in Law and Equity, of the Perſon or Perſons thentofore intereſted in the Lands, Tenements, Buildings, Hereditaments and Premiſes to be purchaſed as aforeſaid, ſhall veſt in the Truſtees for executing this Act, in Truſt for effecting the Purpoſes hereby intended, 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 inrolled, Feoffment with Livery of Seiſin, Fine, Common Recovery, Surrender, or any other Conveyance or Aſſurance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim and Demand of the Perſon or Perſons to whoſe Credit ſuch Payment ſhall have been made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion, Remainder or Expectancy, and the Iſſue and Iſſues of ſuch Perſon and Perſons, 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.

Eſtates to veſt in the Truſtees.

XXX. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, Buildings or other Hereditaments purchaſed, taken or uſed by virtue of the Powers of this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two Hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing this and the ſaid recited Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way, by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, Buildings, or other Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements, Buildings or other Hereditaments, or affecting other Lands, Tenements, Buildings, or other 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, Buildings or other 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, Buildings or other Hereditaments which ſhall be ſo purchaſed, taken or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the meantime and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the meantime and until the ſaid Annuities ſhall be ordered by the

Application of Compenſation Money when exceeding 200l.

ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities, ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Buildings or other Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application when the Compenſation Money does not exceed 200l. and above 20l.

XXXI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, Buildings or other Hereditaments purchaſed, taken or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two Hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon for the Time being entitled to the Rentsand Profits of the Lands, Tenements, Buildings, or other Hereditaments ſo purchaſed, taken or uſed, or of his, her or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and to beplaced to his Account as aforeſaid, in order to be applied in manner herein-after directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Three or more of the ſaid Truſtees (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20l.

XXXII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next beforementioned, ſhall be leſs than the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Buildings or other Hereditaments ſo purchaſed, taken or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees or any Three or more of them ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles; or if Perſonscannot be found, Purchaſe Money to be paid into the Bank;

XXXIII. And be it further enacted, That in caſe the Perſon orPerſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of the Lands, Tenements, Buildings 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 Truſtees; 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, Buildings or Hereereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid. to be paid into the Bank of England in the Name

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, Buildings, 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 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 mentioned and ſpecified for what or 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.

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

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

Where any Queſtion ſhall ariſe touching the Title to Money to be 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, unleſs, &c.

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

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

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.

Bargains and Sales to have the Force of Fines and Recoveries.

XXXVI. And be it further enacted, That the Surrender or Conveyance of any such Estate or Interest of any Feme Covert to the said Trustees, or any Person or Persons in Trust for them, by Indenture or Indentures of Bargain or Sale, sealed and delivered by such Feme Covert in the Presence of and attested by Two credible Witnesses, and duly acknowledged, shall as effectually and absolutely convey the Estate and Interest of such Feme Covert in the Premises, as any Fine or Fines, Recovery or Recoveries would or could do if levied or suffered thereof in due Form of Law; and that all Bargains and Sales whatsoever to be made of any such Lands, Tenements, Buildings, and Hereditaments as shall be purchased by the said Trustees by virtue of and for the Purposes of this and the said recited Act, shall have the like Force, Effect, and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever, would have had if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seised of any Estate in the Premises, in Trust for such Bargainer or Bargainers, in any legal Manner or Form whatsoever.

Tenant at Will, &c. to deliver Possession.

XXXVII. And be it further enacted, That every Lessee or Tenant for Years or a Year or at Will, or any other Person or Persons in possession of any such Lands, Tenements, Buildings, or Hereditaments, which shall be purchased by virtue of and for the Purposes of this and the said recited Act, shall deliver up the Possession of such Premises to the said Trustees, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Six Calendar Months Notice in Writing from the said Trustees, or the Person or Persons so authorized by them to give the same, at such Time or Times as shall be required by such Notice, they the said Trustees, or such other Person or Persons making such Recompence to every such Tenant or Lessee as aforesaid, in case such Tenant or Lessee shall be required to quit before the Expiration of his, her, or their Term in the Premises, as the said Trustees shall deem just and reasonable; and in case any Dispute or Difference shall arise concerning the same, such Dispute or Difference shall be referred to the Determination of any Two Justices of the Peace (not interested in the Premises) acting in and for the Parts of *Lindsey* in the said County; and such Person or Persons in possession shall at such Time or Times as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Trustees, or to the Person or Persons authorized by them to take Possession thereof; and in case any such Person or Persons so in possession as aforesaid, shall refuse to give up such Possession as aforesaid, then it shall be lawful for the said Trustees to issue their Precept or Precepts to the Sheriff of the County of *Lincoln*, 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 such 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 give Possession as aforesaid, by Distress and Sale of his, her, and their Goods and Chattels.

XXXVIII. And

For paying off Mortgages on Lands used by the Truſtees.

XXXVIII. And be it further enacted, That in caſe any Lands, Tenements, Buildings, or Hereditaments to be uſed for the Purpoſes of this Act, ſhall happen to be in Mortgage to any Perſon or Perſons, it ſhall and may be lawful for the ſaid Truſtees, upon Application being made to them by ſuch Mortgagee or Mortgagees, his, her, or their Executors or Adminiſtrators, and the ſaid Truſtees are hereby authorized and required to pay ſuch Sum or Sums of Money, after the ſame ſhall have been ſo agreed for in Manner aforeſaid, for ſuch Lands, Tenements, Buildings, or Hereditaments in Mortgage, in Part of the Principal Money that ſhall be due upon ſuch Mortgage or Mortgages, unto ſuch Mortgagee or Mortgagees, his, her, or their Executors or Adminiſtrators: Provided always, that upon Receipt of ſuch Sum or Sums of Money, an Indorſement ſhall be made upon the Back of ſuch Mortgage or Mortgages, and ſigned by ſuch Mortgagee or Mortgagees, his, her, or their Executors or Adminiſtrators reſpectively, in the Preſence of One or more credible Witneſs or Witneſſes, in Satisfaction of ſo much of the Principal Money due upon ſuch Mortgage or Mortgages.

Purchaſe Money to be paid or tendered before any Uſe made of the Eſtate.

XXXIX. And be it further enacted, That all Sums of Money or other Conſideration, Recompence, or Satisfaction to be paid or made purſuant to any ſuch Agreement, Surrender, or Conveyance as aforeſaid, or in Diſcharge of any ſuch Mortgage, ſhall be paid or tendered to the Party or Parties entitled to the ſame, or be paid into the Bank of *England* as aforeſaid, before the ſaid Truſtees, or any Perſon or Perſons authorized by them, ſhall proceed to take down any Houſe or Houſes, or other Erections or Buildings, or to make uſe of any Lands, Tenements, Buildings, or Hereditaments comprized in or affected by ſuch Agreement, Conveyance, Surrender, or Mortgage reſpectively.

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

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

Former Proprietors to have Preference of taking, renting, or purchaſing the ſame.

XLI. Provided always nevertheleſs, and be it further enacted, That the former Proprietor or Proprietors of ſuch Part or Parts of the ſame Lands, Tenements, Buildings, or Hereditaments as may not be neceſſary to be made uſe of for the Purpoſes of this Act, ſhall have the Preference of taking or purchaſing the ſame, if ſuch former Proprietors, on Notice given to them of ſuch Intention of the ſaid Truſtees to ſell, ſhall within Three Calendar Months agree to pay as much Money for any ſuch Lands as ſhall have been or ſhall be offered by any other Perſon or Perſons for the ſame; and if ſuch Proprietor or Proprietors and the ſaid Truſtees cannot agree in the Premiſes, the ſame ſhall be ſettled by Two Juſtices of the Peace, not intereſted in the Premiſes, acting for the Parts of *Lindſey* in the ſaid County of *Lincoln*.

Declaring what shall be Evidence of former Proprietors having refused to purchase Lands offered to them, and not wanted for the Purposes of this Act.

XLII. Provided also, and be it further enacted, That in case such former Proprietor or Proprietors of such Part or Parts of the said Lands, Tenements, Buildings, or Hereditaments, as shall or may not be necessary to be made use of for the Purposes of this Act, shall not agree or shall refuse to purchase the same as herein-before mentioned, any 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 Parts of *Lindsey* aforesaid, by some Person or Persons no way interested therein, stating that such Offer was made by or on Behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the former Proprietor or Proprietors respectively, to whom 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 such Offer was made, as the Case may be.

Duties on Coals and Lime,

XLIII. And whereas it is expedient that the Duties granted by the said recited Act on Coals brought into the said Town should be increased, and that Lime (except Lime for Manure) should be subject to the Duties herein-after mentioned; be it therefore further enacted, That, from and after the passing of this Act, for all Coals or Lime which shall be brought to any Part of the Township of *Gainsburgh* aforesaid, either by Land or Water Carriage, and shall be there landed or unloaded, except from one Vessel to another for the Purpose of being forwarded by Water, there shall be paid unto the Collector or Collectors, to be nominated and chosen by the said Trustees in Manner herein-after mentioned, the Rates and Duties following; that is to say,

For every Chaldron of Coals containing Forty-eight Strikes, or heaped *Winchester* Bushels, *bonâ fide* used for the sole Purpose of working a Steam Engine or Engines, the Sum of One Shilling:

For every like Chaldron of Coals used for any other Purpose, the Sum of One Shilling and Sixpence:

For every Ton of Coals sold by the Weight, and *bonâ fide* used for the sole Purpose of working a Steam Engine or Engines, the Sum of Eightpence:

For every Ton of Coals sold by the Weight, and used for any other Purpose, the Sum of One Shilling: And

For every Chaldron of Lime containing Thirty-two Bushels of heaped *Winchester* Measure, the Sum of One Shilling; and so in Proportion for every greater or less Quantity of Coals or Lime.

And that the said Sum and Sums of Money to be paid for such Rates or Duties as aforesaid, shall be paid by the Master or Owner or other Person or Persons having the Care or Conduct of the Ship, Boat or Vessel, Waggon, Carriage, or other Mode of Conveyance wherein or whereupon such Coals or Lime shall be shipped, loaden, carried, or conveyed, immediately after such Coals or Lime shall be delivered or unloaded from such Ship, Boat, Vessel, Waggon, Carriage, or other Mode of Conveyance respectively; any Thing in the said Act to the contrary notwithstanding.

Coals and Lime to be measured.

XLIV. And be it further enacted, That, from and after the passing of this Act, all Coals or Lime brought into any Part of the said Township as aforesaid,

aforeſaid, and there landed or unloaded, ſhall be meaſured or weighed reſpectively in the Preſence of the Collector or Collectors, Meaſurer or Meaſurers, or of ſome other Perſon or Perſons appointed by the ſaid Truſtees to meaſure or weigh the ſame reſpectively; and that if any Perſon or Perſons ſhall deliver or cauſe to be delivered any Coals or Lime, without being meaſured or weighed reſpectively by the proper Officer or Officers hereby appointed or authorized to be appointed to meaſure or weigh the ſame, or by falſe or leſs Meaſure than is hereby directed to be provided for the meaſuring of Coals or Lime as aforeſaid, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay to the ſaid Truſtees the Sum of Five Pounds, over and beſides the ſaid Rates or Duties aforeſaid; and it ſhall be lawful for the ſaid Truſtees to cauſe the ſaid Coals and Lime ſo delivered as aforeſaid, to be meaſured by the proper Officer and Officers hereby appointed, with ſuch Aſſiſtant or Aſſiſtants as he or they may deem requiſite, and to charge the Expences thereof to ſuch Offender or Offenders; and which Penalty and Expences ſhall be recovered and levied in ſuch Manner as is herein-after directed for the Recovery and Application of Penalties: Provided always, that the ſaid Truſtees, or any Five or more of them, out of the Monies to be raiſed by virtue of this Act, ſhall find and provide a ſufficient Number of Buſhels of Standard Meaſure, and a ſufficient Number of Beams, Scales, and Weights, to be delivered to and kept by the Collector or Collectors in order to meaſure and weigh ſuch Coals and Lime as ſhall be delivered as aforeſaid; and that all Labourers, and other Perſons requiſite and neceſſary to be employed in meaſuring or weighing ſuch Coals and Lime as aforeſaid (except the Meaſurer or Meaſurers, Weigher or Weighers appointed by the ſaid Truſtees), ſhall be found and provided by the Perſon or Perſons ſo delivering the ſaid Coals or Lime as aforeſaid.

**Truſtees to find Meaſures, &c.**

XLV. Provided always, and be it further enacted, That in any Caſe where the Owner or Owners of any Coals which ſhall have been landed or unloaded within the Townſhip of *Gainſburgh* aforeſaid, and which ſhall have paid the Duties impoſed by this Act, ſhall make it appear to the Satisfaction of the ſaid Truſtees, that the ſame were ſo landed or unloaded for the *bonâ fide* Purpoſe of being forwarded in Veſſels by Water to any other Place or Places, it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby authorized and required to return and pay to ſuch Owner or Owners, a Drawback of the Sum of One Shilling and One Penny Halfpenny for every Chaldron of Coals ſo delivered as aforeſaid, and which ſhall have been re-ſhipped and forwarded by Water to any other Place or Places for Sale or Conſumption.

**For allowing a Drawback on Coals landed for the Purpoſe of being forwarded in Veſſels to other Places.**

XLVI. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to charge or impoſe any Duties upon any Lime which ſhall or may be brought into the Townſhip of *Gainſburgh* aforeſaid for the Purpoſes of Manure, nor ſhall any ſuch Lime be liable or ſubject to any of the Powers, Clauſes, or Proviſions contained in this Act as to Meaſuring or otherwiſe howſoever.

**Exemption of Duties, &c. on Lime uſed as Manure.**

XLVII. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may, by Writing under their Hands, at their firſt or any ſubſequent Meeting held in purſuance of this or the ſaid recited Act, appoint One or more Treaſurer or Treaſurers, Clerk or Clerks, Meaſurer

**Truſtees to appoint Treaſurer, Clerk, Meaſurers, &c. and deliver up the Books, &c.**

Meaſurer or Meaſurers, Weigher or Weighers, Collector or Collectors, Surveyor or Surveyors, and ſuch other Officer or Officers, for the Execution of this and the ſaid recited Act, as they the ſaid Truſtees, or any Five or more of them, ſhall think proper, and from Time to Time remove him or them and appoint others, as they ſhall find neceſſary and convenient; and by and out of the Monies to be raiſed by virtue of this Act, may and they are hereby empowered to pay ſuch Salaries and Allowances to ſuch Officers, and to all other Perſons employed by them the ſaid Truſtees in the Execution of this Act, as they ſhall think reaſonable; and the ſaid Truſtees, or any Five or more of them, ſhall and may take ſuch Security for the due Execution of the reſpective Offices by ſuch Perſon and Perſons as aforeſaid, as the ſaid Truſtees, or any Five or more of them, ſhall think proper; and ſuch Perſon or Perſons as is or are hereby made liable to pay the ſeveral Rates, Duties, or Sums of Money hereby granted, ſhall pay the ſame to ſuch Collector or Collectors; 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 Truſtees, or any Five or more of them, ſhall direct, deliver to ſuch Truſtees true and perfect Accounts in Writing of all Matters and Things committed to their Care or Charge by virtue of this or of the ſaid recited Act, and alſo of all the Monies which ſhall have been by ſuch Officer and Officers, or Perſon and Perſons reſpectively, received by virtue and for the Purpoſes of the ſaid recited Act or of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint; and all the ſaid Officers and Perſons ſo accounting as aforeſaid, ſhall, upon Oath if thereunto required (which Oath the ſaid Truſtees, or any One or more of them is or are hereby empowered and required to adminiſter), verify their ſaid Accounts; and if any ſuch Officer or Perſon ſhall not make and render, or ſhall refuſe to verify upon Oath any ſuch Account, or to deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, within Ten Days next after being thereunto required by any Five or more of them the ſaid Truſtees, all Books, Papers, and Writings in his Cuſtody or Power relating to the Execution of this or of the ſaid recited Act, 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 Truſtees, or any Five or more of them, or as they ſhall direct or appoint, then and in either of the Caſes aforeſaid, ſuch Truſtees, or any Five or more of them, may and they are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions in the Names of ſuch Truſtees, or any Five or more of them, againſt the Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting 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; or if Complaint ſhall be made by the ſaid Truſtees, or by any Five or more of them, 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 for the Parts aforeſaid, wherein ſuch Officer or Officers, Perſon or Perſons ſo refuſing or neglecting as aforeſaid ſhall be and reſide, ſuch Juſtice or Juſtices may and is

and

and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cauſe the Officer or Officers, Perſon or Perſons ſo refuſing or neglecting to be brought before them, and upon his or their appearing or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtices that any of the Monies that ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Officer or Officers, 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 offending in the Premiſes 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 ſame, or in caſe it ſhall appear to ſuch Juſtice or Juſtices by the Confeſſion of the Party ſo offending, or by the Teſtimony of any credible Witneſs upon Oath, 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 refuſe to deliver the ſame as aforeſaid, then and in either of the ſaid Caſes ſuch Juſtice or Juſtices ſhall commit every ſuch Offender to the Common Gaol of the County or Place where ſuch Offender ſhall be and reſide, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Truſtees, or any Five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby empowered to make), and until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Truſtees, or any Five or more of them: Provided always, that no Perſon, who ſhall be committed on account of his having no Goods or Chattels, ſhall be detained in Priſon for any Term longer than Six Calendar Months.

Officers under former Acts to hold their Situations until removed.

XLVIII. Provided always, and be it further enacted, That the Treaſurer, Clerk, Surveyors, Meaſurers, Weighers, Beadles, Watchmen, and all other Servants and Officers appointed by virtue and in purſuance of the ſaid recited Act, ſhall hold and enjoy their ſeveral and reſpective Offices and Employments, together with the ſeveral and reſpective Salaries, Gratuities, and Allowances thereto annexed, until he or they ſhall be removed therefrom reſpectively by the ſaid Truſtees, or any Five or more of them; and every ſuch Treaſurer, Clerk, Surveyors, Beadles, Watchmen, and other Servants and Officers, ſhall be ſubject to the like Pains and Penalties and Powers of Removal, and to the like Rules and Regulations, as if he, ſhe, or they had been nominated or appointed by virtue of this Act.

No Officer to take any Reward but his Salary, or be intereſted in any Bargain made by the Truſtees.

XLIX. And be it further enacted, That if any Perſon who as a Treaſurer, Clerk, Surveyor, Weigher, Meaſurer, or any other Officer or Servant, ſhall be any Ways employed by the ſaid Truſtees in putting this or the ſaid recited Act or any of the Powers thereof in Execution, ſhall exact,

exact, take, or accept any Fee or Reward whatſoever, other than ſuch Salaries, Allowances, and Rewards as ſhall be appointed, allowed, and approved of by the ſaid Truſtees, or any Five or more of them, for or on Account of any Thing done or to be done by virtue of this or the ſaid recited Act, or on any Account whatſoever, relative to the putting this or the ſaid recited Act in Execution; or ſhall any Ways be concerned in Intereſt in any Bargain or Contract made or to be made by the ſaid Truſtees or any of them, for the Purpoſes of putting this or the ſaid recited Act in Execution, every ſuch Perſon ſo offending ſhall be incapable of ever ſerving or being employed under this or the ſaid recited Act, and ſhall over and above forfeit the Sum of One hundred Pounds, to any Perſon or Perſons who ſhall ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, within Six Calendar Months after the Offence committed, in which ſaid Suit no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance, ſhall be allowed.

**Weighers and Meaſurers of Coals to take an Oath.**

L. And be it further enacted, That no Perſon ſhall be capable of acting as a Weigher or Meaſurer to be appointed as aforeſaid, until he ſhall take an Oath before One of His Majeſty's Juſtices of the Peace for the ſaid Parts (who is hereby authorized and required to adminiſter the ſame) in the Words or to the Effect following; (that is to ſay),

Oath.

'I *A. B.* do ſolemnly ſwear, That I will truly and faithfully, according 'to the beſt of my Skill and Ability, execute and perform the Office 'of Weigher and Meaſurer of Coals and Lime, for the Townſhip of '*Gainſburgh*, and that I will well and truly meaſure or weigh the ſame 'between Buyer and Seller, without Favour or Affection, Prejudice or 'Partiality, to any Perſon or Perſons whomſoever.

'So help me GOD.'

Which Oath the ſaid Juſtice is hereby required to certify in the Minute Book of the ſaid Truſtees.

**Duties to be paid to the Collector on Demand.**

LI. And be it further enacted, That all ſuch Perſon and Perſons as is or are hereby made liable to pay ſuch Duties as aforeſaid, ſhall pay the ſame to ſuch Collector or Collectors as ſhall from Time to Time be appointed for that Purpoſe upon Demand; and ſuch Collector and Collectors reſpectively ſhall, from Time to Time, pay the ſame over into the Hands of the Treaſurer or Treaſurers, within ſuch Time as the ſaid Truſtees, or any Five or more of them, ſhall order and appoint.

**Remedy in caſe of Non-payment of the Duties.**

LII. And be it further enacted, That in caſe of Neglect or Refuſal to pay the ſaid Duties or any Part thereof in Manner as aforeſaid, it ſhall be lawful for ſuch Collector or Collectors, by Order or Warrant under the Hands and Seals of the ſaid Truſtees or any Five or more of them (which Warrant ſuch Truſtees or any Five or more of them are hereby empowered to grant without calling any Meeting for that Purpoſe) ſo ſoon as ſuch Coals ſhall be landed or delivered out of any Ship, Boat, Veſſel, Waggon, Carriage or other Mode of Conveyance, to ſeize and diſtrain ſuch Ship, Boat, Veſſel, Waggon, or Carriage, or other Mode of Conveyance, whereſoever the ſame may be found, and whether the ſame ſhall be then empty or wholly unladen, or ſhall be Part loaded or laden with any other Goods, and the ſame to keep and detain until the Duties, together with all the Coſts

and

and Expences of ſuch Warrant and Diſtreſs, ſhall be ſatisfied and paid according to the true Intent and Meaning of this or the ſaid recited Act; and in caſe the ſaid ſeveral Sums of Money for which ſuch Diſtreſs ſhall be ſo taken or any Part thereof, ſhall not be duly paid within Three Days after ſuch Diſtreſs taken, together with the Coſts and Expences of ſuch Diſtreſs, that then it ſhall be lawful for ſuch Collector and Collectors ſo diſtraining, to cauſe the ſaid Ship, Boat, Veſſel, Waggon, Carriage or other Conveyance ſo diſtrained, to be appraiſed by Two ſkilful Perſons, in the Preſence of both or one of the Conſtables of the ſaid Town where the ſame ſhall be ſeized, and after ſuch Appraiſement to ſell and diſpoſe of the ſame; rendering to the Owner or Owners thereof, or to his, her or their Agent or Agents, or leaving with the Maſter or Conductor of ſuch Ship, Boat, Veſſel, Waggon, or other Carriage ſo diſtrained, the Overplus, if any there be, and the ſame be demanded, reaſonable Charges being firſt allowed out of the ſame, unto ſuch Collector or Collectors, for the taking, keeping and ſelling ſuch Diſtreſs.

To appoint Coal Porters.

LIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them, and they are hereby authorized and empowered, by any Writing or Writings under their Hands, to nominate, appoint and licence ſuch and ſo many Perſon and Perſons as they ſhall find requiſite and neceſſary, as Porters or Labourers for the Purpoſe of delivering and carrying Coals or Lime for Hire, from any Veſſel or Place of Delivery upon or near the River *Trent*, within the Townſhip of *Gainſburgh* aforeſaid, into any Part of the Town of *Gainſburgh* aforeſaid, and into any Houſe, Outhouſe, Cellar or Yard in ſuch Town, or into any Carriage ſtanding in any Part of the ſaid Town; and alſo to remove, ſuſpend or diſplace all or any of ſuch Porters or Labourers as they ſhall ſee Occaſion, and appoint another or others in his or their Place and Stead; and alſo to order, direct, regulate, ſettle and aſcertain the Rates, Prices and Wages of ſuch Porters or Labourers, and from Time to Time to make ſuch Bye Laws, Rules and Orders, as to them the ſaid Truſtees ſhall ſeem neceſſary and expedient (ſuch Bye Laws, Rules, and Orders, not being repugnant to the Laws of that Part of the United Kingdom called *England*) and to print and publiſh all ſuch Rates, Prices and Wages, and alſo the ſeveral Orders, Rules, Bye Laws and Regulations to be made as aforeſaid, by affixing true Copies thereof on the Market Place, Pump, Town Hall, or ſome other public Place within the ſaid Town; and that the Names of all ſuch Porters or Labourers ſo to be appointed as aforeſaid, ſhall be entered in a Book to be kept by the Collector or Clerk for that Purpoſe, and he and they ſhall be deemed to be a Porter or Labourer, Porters or Labourers, by virtue of this Act, until he or they ſhall be diſcharged as aforeſaid, or until he or they ſhall deliver his or their Reſignation or Reſignations reſpectively, to the ſaid Collector or Clerk for the Time being; and that ſuch Porters or Labourers ſhall be obliged to accept and take ſuch fair and reaſonable Rates, Wages and Prices, as the ſaid Truſtees or any Five or more of them, ſhall from Time to Time order and direct as aforeſaid; and that if any of the ſaid Porters or Labourers ſhall demand and receive any greater or larger Sum for ſuch his or their Labour or Porterage as aforeſaid, or ſhall neglect or refuſe to carry Coals, or Lime, according to the Rates and Prices ſo to be ſet by the ſaid Truſtees as aforeſaid, after Tender to him and them made of ſo much Money as ſhall be due, conformable to ſuch Rates and Prices as aforeſaid, every Porter or Labourer ſo offending ſhall for every

such Offence forfeit and pay any Sum of Money not exceeding Twenty Shillings.

No Perſons to carry Coals, &c. unleſs appointed by Truſtees.

LIV. Provided always, and be it further enacted, That no Perſon or Perſons ſhall on any Account or Pretence whatſoever, carry or deliver any Coals, or Lime for Hire, in any Part of the ſaid Town of *Gainſburgh* as aforeſaid, unleſs he or they ſhall be previouſly duly appointed and licenſed by the ſaid Truſtees as aforeſaid, under the Penalty for every ſuch Offence of any Sum not exceeding Twenty Shillings.

Truſtees to provide Sacks.

LV. Provided always, and be it further enacted, That no Coals or Lime ſhall be carried by any Porter or Labourer in the ſaid Town, or landed, unloaded or taken out of any Boat, Veſſel or Carriage, but in Sacks to be provided by the ſaid Truſtees, of the Width of Twenty-ſeven Inches at the leaſt, and of Depth ſufficient to contain Two heaped Winchester Buſhels below the Lap or Slit, and on which ſome Mark or Stamp ſhall have been ſet by Order of the ſaid Truſtees, which Sacks ſhall be bought and provided by the ſaid Truſtees, and ſuch Stamp or Mark fixed by their Order thereon; and the ſame ſhall be delivered by the Collector or Collectors to all ſuch Porters or Labourers ſo to be appointed as aforeſaid, when and as often as they ſhall require the ſame upon Payment of the prime Coſt thereof; and each Porter or Labourer ſo offending, ſhall for each and every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Rates.

LVI. And, for more effectually raiſing Money towards defraying the Expences of obtaining this Act, and of carrying the ſame into Execution, in aid of the Duties before laid and impoſed by this Act, but not otherwiſe; be it further enacted, That the ſaid Truſtees or any Five or more of them, ſhall and they are hereby authorized and required once or oftener in every Year, as they ſhall ſee Occaſion, to cauſe ſuch Sum of Money to be raiſed by a Rate or Aſſeſſment, upon the ſeveral Tenants or Occupiers of all Meſſuages, Houſes, Warehouſes, Shops, Cellars, Vaults, Stables, Coach-houſes, Brewhouſes, Brewing Offices, Granaries, Malthouſes, Storehouſes, and other Buildings lying within the Town aforeſaid, and of the ſeveral Gardens, Yards and Orchards adjoining to or upon any of the Streets, Lanes, or other public Paſſages or Places within the ſaid Town, and which ſhall be paved, cleanſed, lighted or watched by virtue or in purſuance of this or the ſaid recited Act, according to the annual Rent or Value of the ſame Premiſes reſpectively (not exceeding in any one Year the Sum of One Shilling and Sixpence in the Pound upon ſuch annual Rent or Value) as the ſaid Truſtees or any Five or more of them, ſhall think proper and neceſſary, ſuch annual Rent or Value to be from Time to Time aſcertained by or according to the reſpective Rents at or upon which ſuch Meſſuages, Houſes, Warehouſes, Shops, Cellars, Vaults, Stables, Coach-houſes, Brewhouſes, Brewing Offices, Granaries, Malthouſes, Storehouſes and other Buildings, Gardens, Yards, and Orchards reſpectively, ſhall from Time to Time be rated or aſſeſſed in or by the Rate or Rates made for or towards the Relief of the Poor of the ſaid Town, and exiſting at or immediately before the Time of making the Rate or Aſſeſſment under this Act: Provided always, that if ſuch Rate or Rates for the Relief of the Poor ſhall be computed at or upon any proportionate Part or Parts of the full annual Rent or Value of ſuch Lands, Tenements and Hereditaments, the Rate or

Aſſeſſment

Aſſeſſment under this Act ſhall not be computed upon ſuch proportionate Part or Parts, but upon the full annual Rent or Value upon which ſuch proportionate Part or Parts hath or have been computed and taken; and if in any ſuch Rate or Rates for the Relief of the Poor, any Perſon or Perſons ſhall be omitted to be rated, the Name or Names of ſuch Perſon or Perſons ſo omitted ſhall be added to the Rate or Aſſeſſments ſo hereby directed to be from Time to Time made, and he, ſhe or they ſhall be rated and aſſeſſed according to the juſt and true annual Value of ſuch Lands, Tenements and Hereditaments, by him, her or them occupied; and the firſt Year for which ſuch Rates or Aſſeſſments ſhall be made, ſhall commence at and be computed from the firſt or ſuch ſubſequent Quarter Day after the paſſing of this Act, as the ſaid Truſtees ſhall appoint.

Power for the Truſtees to relieve Poor Perſons in certain Caſes from the Payment of the Rates, &c.

LVII. Provided always, and be it further enacted, That in caſe any Inhabitant of the Town of *Gainsburgh* aforeſaid, ſhall make it appear to the Satisfaction of the ſaid Truſtees, at a Meeting of Appeal to be held for that Purpoſe, of which Eight Days Notice ſhall be given on the Door of the Pariſh Church of *Gainsburgh*, and affixed on ſome conſpicuous Place at the Poſt Office, that he is unable to pay the whole or part of ſuch Rate, and a fit Object to be relieved, that it ſhall and may be lawful to and for the ſaid Truſtees at ſuch Meeting to relieve ſuch Perſon, either from the Payment of the whole or any part of the ſaid Rate, as to them ſhall ſeem expedient; and that ſuch Rate ſhall notwithſtanding ſuch Alterations be good, valid and effectual to all Intents and Purpoſes whatſoever, notwithſtanding any ſuch Alterations being ſo made therein.

Aſſeſſors to be appointed.

LVIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them, when and as often as they ſhall ſee Occaſion, to nominate and appoint one or more of the Inhabitants of the ſaid Town, at ſuch Salary as ſhall be agreed upon, to be the Aſſeſſor or Aſſeſſors of ſuch Rates or Aſſeſſments; and ſuch Aſſeſſor or Aſſeſſors is and are hereby authorized and required to make ſuch Rates and Aſſeſſments from Time to Time accordingly, and to appear at ſuch Time and Place as the ſaid Truſtees ſhall by Writing under their Hands order and appoint, and then and there produce and deliver to them Two Copies or Duplicates of the Aſſeſſments made and ſubſcribed by ſuch Aſſeſſor or Aſſeſſors, and alſo from Time to Time upon reaſonable Notice to him or them given by the ſaid Truſtees or any Five or more of them, to attend them the ſaid Truſtees at any of their Meetings to explain the reſpective Rates and Aſſeſſments, and the ſaid Truſtees ſhall from Time to Time as ſoon as may be after any ſuch Rate or Aſſeſſment ſhall be made and delivered to them by ſuch Aſſeſſor or Aſſeſſors ſettle and ſign the ſame, and cauſe a Duplicate thereof alſo ſigned by them to be delivered to the Collector or Collectors to be appointed in that Behalf, and ſhall alſo iſſue their Orders to the ſaid Collector or Collectors requiring him or them to collect and receive the reſpective Sums of Money made payable by ſuch Rate or Aſſeſſment, and ſuch Collector or Collectors is and are hereby authorized and required to collect and receive the ſame accordingly; and alſo once at leaſt in every Month, or oftener if directed ſo to do by the ſaid Truſtees or any Five or more of them by Writing ſigned by their Clerk for the Time being, to pay the Money ſo to be collected and received by virtue of this Act, to the Treaſurer for the Time being to the ſaid Truſtees, or to ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint to receive the ſame, to be

applied to and for the Uſes and Purpoſes of this and the ſaid recited Act; and all and every ſuch Collector or Collectors ſhall and is and are hereby required at the Time of making every ſuch Payment of the Money ſo by them reſpectively collected as aforeſaid, to deliver to ſuch Treaſurer or other Perſon or Perſons empowered to receive the ſame, a true and exact Account of all Sums of Money received by him or them reſpectively, and alſo of ſuch Sums of Money, Rates or Aſſeſſments (if any) as ſhall remain uncollected, together with the Reaſons whereby the ſame have not been collected; and if any Perſon who ſhall be appointed to the Office of Aſſeſſor by virtue of this Act, ſhall neglect the due Execution and Performance of ſuch Office, without ſhewing ſome reaſonable Cauſe to the Satisfaction of the ſaid Truſtees for ſuch Neglect, or ſhall wilfully make Default in the Performance of the Duty of his ſaid Office, or ſhall otherwiſe miſbehave himſelf therein, he ſhall for every ſuch Neglect, wilful Default or Miſbehaviour, forfeit and pay any Sum not exceeding Five Pounds, to be recovered as other Penalties are herein-after directed to be recovered, and alſo be diſcharged from his ſaid Office, if the ſaid Truſtees ſhall think fit.

Power for Truſtees to order the Parith Rate Books to be produced, &c.

LIX. And, in order to aſcertain the Rates and Aſſeſſments to be made by virtue of this Act, be it further enacted, That the ſaid Truſtees ſhall and may and they are hereby authorized and empowered to cauſe all or any of the Books or Aſſeſſments of Rates towards the Relief of the Poor of the ſaid Town to be brought before them, and to take a Copy or Copies of ſuch Books or Aſſeſſments, or of any Part or Parts thereof, without Fee or Reward; 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 attend the ſaid Truſtees with ſuch Books or Aſſeſſments in his, her or their Cuſtody or Power, or to permit or ſuffer the ſaid Truſtees 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 Ten Pounds.

Power for Truſtees to amend Rates if improper, &c.

LX. And be it further enacted, That if ſuch Aſſeſſor or Aſſeſſors ſo nominated and appointed, 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 be lawful for the ſaid Truſtees to rate or aſſeſs in the ſaid Rate or Aſſeſſment ſuch Perſon or Perſons ſo omitted to be rated or 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 be lawful for the ſaid Truſtees, 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.

LXI. Provided

Apportionment of Rates between quitting and incoming Occupiers.

LXI. Provided always, and be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any Property, for or in respect of which such Persons shall be rated or assessed or be liable to be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay such Rate or Assessment in proportion to the Time that he, she or they occupied the same respectively, in like Manner as if he, she, or they had not removed from or quitted such Property; and in all Cases where any Person or Persons shall come into or occupy any Property, for or in respect whereof he, she or they shall be rated or assessed, or be liable to be rated or assessed as aforesaid, out of or from which any other Person or Persons shall be removed, or which at the Time of making any such Rate or Assessment was empty or unoccupied, the Person or Persons coming into or occupying the same Property (although his, her or their Name or Names may not be inserted in the Rate) shall be liable to pay such Rate or Assessment in proportion to the Time that such Person or Persons shall occupy the same in like Manner as if he, she or they had been originally rated or assessed by Name for such Property, such Proportion to be settled and ascertained in case of Dispute by the said Trustees.

Rates on Houses let into ready-furnished Lodgings.

LXII. And be it further enacted, That where any Messuage, House or Tenement within the said Town, shall be let into ready-furnished Lodgings, the Landlord or Owner of every such Messuage, House, or Tenement, shall be deemed and taken to be the Occupier thereof, for the Purposes of this Act, and shall be charged with and liable to pay the whole of the Rate or Rates to be from Time to Time assessed for or in respect of every such Messuage, House, or Tenement.

Provision in Cases where there are more Owners or Occupiers than one.

LXIII. And be it further enacted, That where any Messuage or other Property, for or in respect of which any Rate or Assessment ought to be made by virtue of this Act, shall be let or demised to more than one Tenant or Occupier, or shall belong to more than one Owner, any one or more of such Tenants or Occupiers, or any one or more of such Owners, shall be deemed to be the sole Tenant or Occupier or sole Owner thereof, for the Purposes of this Act, so far as relates to the Payment or Recovery of all or any Rates, Assessments, Costs, Charges and Expences, chargeable on such Tenants or Occupiers and Owners respectively by virtue of this and the said recited Act; and all such Rates, Assessments, Costs, Charges and Expences may be levied and recovered by Distress and Sale of the Goods and Chattels of any one or more of such Tenants or Occupiers, or of such Owners as the Case may be, in the same Manner as if such Tenant or Occupier or Owner were in Fact the sole Tenant or Occupier or sole Owner: Provided always, that such Occupier or Occupiers shall not at any Time be required to pay, or be subject or liable to pay any greater Sum or Sums of Money for or towards the Discharge of the said Rates or Assessments or any of them, and the Arrears thereof, than the Amount of the Rent actually due by such Occupier or Occupiers to the Owner or Owners of the Premises so occupied by him, her, or them.

Houses, &c. unoccupied not rateable.

LXIV. Provided always, and be it further enacted, That no Person or Persons shall be liable to pay any Rate or Assessment to be made under the Authority of this Act, for or in respect of any Messuage, House or other Building, or of other Premises which shall be unoccupied during

the whole of the Quarter of a Year in or for which the Quarterly Portion of Rate or Aſſeſſment demanded ſhall have become or accrued due.

Mode of Recovery of Rates.

LXV. And be it further enacted, That in caſe any Perſon or Perſons who ſhall be 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 Ten Days next after Demand made by the Collector or Collectors thereof in Writing under the Hand of ſuch Collector, and left at the laſt or uſual Place or Places of Abode of the Perſon or Perſons ſo refuſing or neglecting to pay as aforeſaid, then and in every ſuch Caſe it ſhall be lawful for any Juſtice of the Peace for the ſaid Parts of *Lindſey*, 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, rendering the Overplus (if any) upon Demand, to the Owner or Owners of the Goods or Chattels ſo diſtrained, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale.

Rates on Church, Meeting Houſes, Almſhouſes, &c.

LXVI. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees to determine the Number of ſquare Yards of Pavement belonging to or in the Charge of the Churchwardens and Chapelwardens of the Church and Chapels, the Feoffees, Guardians or Truſtees of or for the reſpective Meeting-houſes or Places of Divine Worſhip, and the Governors of the reſpective Hoſpitals or Alms-houſes and Workhouſe within the ſaid Town, for or in reſpect of ſuch Church, Chapels, Meeting-houſes, Hoſpitals, Alms-houſes and Workhouſe reſpectively, and of the Yards thereto reſpectively belonging, and to rate and aſſeſs ſuch Churchwardens, Chapelwardens, Feoffees, Guardians, Truſtees and Governors reſpectively, with ſuch yearly Sum or Sums of Money as they the ſaid Truſtees ſhall judge reaſonable to be paid; and that ſuch yearly Sum or Sums to be rated, aſſeſſed and charged as aforeſaid, ſhall be paid by the reſpective Officers or Perſons to be ſo rated, aſſeſſed or charged therewith, to the reſpective Collectors to be appointed in that Behalf, in ſuch Quarterly or other Portions as the ſaid Truſtees ſhall appoint; and in caſe of Default in Payment of the ſaid Rates or Aſſeſſments reſpectively, ſhall and may from Time to Time cauſe the ſame to be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of any one or more of the reſpective Officers or Perſons reſpectively charged, in the ſame Manner as if ſuch Officers or Perſons reſpectively were actual Owners and Occupiers of the Property, and were or had been charged as ſuch; and all ſuch Officers or Perſons reſpectively may charge the Sum or Sums to be ſo rated, aſſeſſed, and charged on them reſpectively, after Payment thereof to or in their reſpective Accounts.

Payment of Rates, &c. not to gain Settlement.

LXVII. And be it further enacted, That no Perſon or Perſons ſhall gain any legal Settlement within the Town aforeſaid, by reaſon only of his, her, or their being rated and aſſeſſed to or paying any Rate or Aſſeſſment to be made under or by virtue of this Act, or by reaſon only of his or their being appointed to or accepting, holding or executing any Office or Place of Appointment whatſoever under or by virtue of this Act.

LXVIII. And

Power to borrow Money.

LXVIII. And be it further enacted, That it shall be lawful for the said Trustees or any Five or more of them (but subject and without Prejudice to any Sum or Sums of Money already raised under the Powers of the said recited Act) from Time to Time to borrow and take up at Interest, such further Sum or Sums of Money as they shall judge necessary for the Purposes of this or the said recited Act upon the Credit of the Rates, Duties or Assessments to be laid and collected by virtue of this Act, and by Writing under their Hands and Seals, or under the Hands and Seals of any Five or more of them, to assign all or any Part of the said Rates, Duties 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 hereinafter mentioned, shall be from Time to Time defrayed by the said Trustees out of the Monies to be so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say)

Form of Assignment.

'WE of the Trustees appointed by or in pursuance of an Act passed in the Forty-ninth Year 'of the Reign of King *George* the Third, intituled, An Act, &c. [*here insert the Title of this Act*] in Consideration of the Sum of 'advanced and lent by *A. B.* of '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 require*] his Executors, Administrators, and Assigns, such Proportion of 'the Rates, Duties 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 the Rate of 'Pounds *per Centum per Annum* for the same, shall be 'repaid and satisfied. In Witness whereof we the said Trustees have 'hereunto set our Hands and Seals, the Day of 'in the Year of our Lord

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 in the Law to all Intents and Purposes whatsoever, 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 of Trustees to raise Money by Annuities.

LXIX. And be it further enacted, That in case the said Trustees 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 be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals or under the Hands and Seals of any Five or more of them (but subject and without Prejudice to any Sum or Sums of Money already raised under the Powers of the said recited Act) to grant an Annuity or Annuities to any Person or Persons who shall con-

tribute, advance and pay into the Hands of the Treaſurer to the ſaid Truſtees any Sum or Sums of Money, as to the ſaid Truſtees 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, her or their Contribution or Purchaſe Money, and either with or without Benefit of Survivorſhip, as the ſaid Truſtees ſhall think proper, ſo that no ſuch Annuity ſhall exceed the Rate of Ten Pounds *per Centum per Annum* upon 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 Truſtees, and the Grant of every ſuch Annuity ſhall be in the Words or to the Effect following; (that is to ſay)

Form of the Grant of Annuity.

'WE of the Truſtees appointed by or in
'purſuance of an Act, paſſed in the Forty-ninth Year of the Reign
'of King *George* the Third, intituled, An Act, &c. [*here inſert 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, Duties 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 na-
'tural Life [*or*, *as the Caſe may be*,] to the ſaid *A. B.* his Executors, Ad-
'miniſtrators 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 or Survivor of them] upon the Day of
'in every Year during the natural Life of him the
'ſaid at the Town Hall in *Gainsburgh* aforeſaid, the
'Firſt Payment thereof to be made on the Day of
'next enſuing the Date hereof. In Witneſs whereof, we the ſaid Truſtees
'have hereunto ſet our Hands and Seals, the Day of
'in the Year of our Lord

And every ſuch Grant ſhall be good, valid and effectual in the Law, 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 to the ſaid Truſtees out of the ſaid Rates, Duties 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.

LXX. And be it further enacted, That it ſhall be lawful 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) from Time to Time and at all Times thereafter, by Writing under their Hands and Seals, to transfer ſuch Securities to any Perſon or Perſons whomſoever, which Transfer may be in the Words or to the Effect following; (that is to ſay):

Form of Transfer.

'I *A. B.* being entitled to the Sum of or an
Annuity of ſecured to *C. D.* and his
'Aſſigns

‘ 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 Truſtees acting in the
‘ execution of an Act, paſſed in the Forty-ninth Year of the Reign of
‘ King *George* the Third, intituled, An Act, &c. [*here inſert the Title of*
‘ *this Act*] upon the Credit of the Rates, Duties, or Aſſeſſments, granted
‘ or made 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, Adminiſ-
‘ trators and Aſſigns. Dated the Day of
‘ in the Year of our Lord

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 to the ſaid Truſtees, 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 have free Liberty to inſpect the ſame without Fee or Reward, and for the Entry of every ſuch Transfer the ſaid Clerk ſhall be paid the Sum of Six Shillings and Eight-pence, 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 Enrollment whatſoever; and every ſuch Aſſignee may in like Manner aſſign or transfer the ſame again, and ſo *toties quoties*, and it ſhall not be in the Power of any Perſon or Perſons (except ſuch Perſon or Perſons to whom the ſame ſhall be laſt transferred) to releaſe, diſcharge or make void the original Mortgage or Annuity, Security or the Monies due thereon, or any Part thereof; and all Perſons to whom any Mortgage, Annuity or Transfer ſhall be made as aforeſaid, ſhall, in proportion to the Sum or Sums of Money thereby ſecured, be Creditors on the Rates, Duties or Aſſeſſments by this Act granted (without Prejudice to any Sum or Sums of Money already received under the Powers of the ſaid recited Act) in equal Degree one with another, and ſhall have no Preference in reſpect of the Priority of advancing their Monies, or of the Dates of their Securities.

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

LXXI. And be it further enacted, That in caſe the ſaid Truſtees 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 Truſtees from Time to Time to charge the ſaid Rates, Duties 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 (except Annuities or Aſſignments thereof) bearing a higher Rate of Intereſt, according to the Directions and Regulations herein prescribed for paying off Aſſignments or Securities.

Penalty on Perſons interrupting or aſſaulting Workmen.

LXXII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times obſtruct, hinder, abuſe, moleſt or diſturb any of the Truſtees, or any Treaſurer, Clerk, Meaſurer or Weigher, Aſſeſſor, Collector, Receiver, Surveyor, Scavenger, Watchman, or any other Officer

ficer or Officers, Workman, Perſon or Perſons whomſoever, who is, are or ſhall be employed under and by virtue of this Act, in the Performance or Execution of his or their Duty, or of any of the Matters or Things to be done by virtue or in purſuance thereof, every ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

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

LXXIII. And be it further enacted, That the ſaid Truſtees may ſue and be ſued in the Name of their Clerk for the Time being, and that all Actions, Suits, Proſecutions, Informations, Appeals and other Proceedings whatſoever, that may be neceſſary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, to be had, taken, proſecuted or defended by or againſt the ſaid Truſtees, ſhall be had, taken, proſecuted or defended in the Name of their Clerk; and that no Action, Suit, Proſecution, Information, Appeal or other Proceeding to be had, taken, proſecuted or defended by or againſt the ſaid Truſtees or any of them, by virtue of this or the ſaid recited 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 Truſtees; but that the Clerk to the ſaid Truſtees for the Time being ſhall be always deemed the Plaintiff, Proſecutor, Informant, Appellant, Defendant or Reſpondent in any ſuch Action, Suit, Proſecution, Information, Appeal or other Proceedings, as the Caſe may be, except in ſuch Action or Actions, Suit or Suits, as ſhall be proſecuted between the ſaid Truſtees and their Clerk for the Time being, in which Action or Suit any one of the ſaid Truſtees ſhall or may be Plaintiff or Defendant, as the Caſe may be: Provided always, that all and every ſuch Clerk, in whoſe Name or Names any ſuch Action, Suit, Proſecution, Information, Appeal or other Proceeding ſhall be had, taken, proſecuted or defended in purſuance of this or the ſaid recited Act, ſhall be fully reimburſed and paid out of the Monies ariſing by virtue of this or the ſaid recited Act, all ſuch Coſts, Charges, Damages, and Expences as by the Event or in conſequence of any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceedings, he or they ſhall pay, bear, ſuſtain, expend, or be put unto or become chargeable with or liable for, or be fairly entitled to, by reaſon of his or their being ſo made Plaintiff or Plaintiffs, Defendant or Defendants, Informant or Informants, Appellant or Appellants, Reſpondent or Reſpondents as aforeſaid, unleſs ſuch Action or Suit ſhall ariſe in conſequence of his own wilful Neglect or Default, or have been brought or commenced or be defended without the Order or Direction of the ſaid Truſtees.

The Mode of Recovery and Application of Penalties and Forfeitures.

LXXIV. And be it further enacted, That all Penalties and Forfeitures by this or the ſaid recited Act impoſed and incurred, or by any Bye Law, Rule or Order to be made in purſuance thereof; and all Coſts, Charges, and Expences allowed, ordered or directed to be paid by the Authority of this or the ſaid recited Act, or any ſuch Bye Law, Rule or Order (for the Recovery whereof no other Method hath been directed by this Act) together with reaſonable Coſts, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Juſtice of the Peace for the Parts of *Lindſey* aforeſaid, which Warrant ſuch Juſtice is hereby empowered and required to iſſue, either upon his own View or upon the Confeſſion of the Party or Parties,

or upon the Evidence of any one or more credible Witneſs or Witneſſes upon Oath; and the Overplus 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, Forfeitures, Sum or Sums of Money; and all ſuch Penalties, Forfeitures, and Sums of Money when recovered, ſhall, if not herein directed to be otherwiſe applied, be paid to the Treaſurer to the ſaid Truſtees, and be applied by him for ſuch of the Purpoſes of this or the ſaid recited Act as the ſaid Truſtees ſhall think fit; and in caſe no ſufficient Diſtreſs or Diſtreſſes can be found, or ſuch Penalties, Forfeitures or Sums of Money ſhall not be forthwith paid, it ſhall be lawful 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, of and for the ſaid Parts of *Lindſey*, there to be kept to hard Labour, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the ſame, ſhall be ſooner paid and ſatisfied.

Form of Conviction of Offenders.

LXXV. And be it further enacted, That in all Caſes where any Perſon or Perſons ſhall be convicted of any Offence againſt this or the ſaid recited Act, or any Matter in purſuance thereof, the Conviction ſhall be drawn up in the Words or to the Effect following; (that is to ſay),

Lincolnſhire, Lindſey. } ‘BE it remembered, That on this Day of in the Year of our Lord ‘*A. B.* is convicted before me, [*or*, us, *as the Caſe may be*] One [*or*, Two, ‘*as the Caſe may be*] of His Majeſty's Juſtices of the Peace for the Parts ‘of *Lindſey* in the County of *Lincoln*, by virtue of an Act paſſed in the ‘Forty-ninth Year of the Reign of His Majeſty King *George* the Third, ‘intituled, An Act, &c. [*here inſert the Title of this Act*] of having [*here ‘ſtate the Offence, and the Time and Place when and where the ſame was ‘committed, as the Caſe may be*] contrary to this or the ſaid recited Act ‘[*as the Caſe may be*] or contrary to a certain Bye Law made on the ‘Day of purſuant to the ſaid ‘Act or Acts [*as the Caſe may be*] for which Offence I [*or*, we, *as the Caſe ‘may be*] do declare and adjudge that the ſaid *A. B.* hath forfeited the ‘Sum of but if mitigated, which I [*or*, we, *as the Caſe may ‘be*] mitigate to the Sum of Given under my Hand ‘and Seal [*or*, our Hands and Seals, *as the Caſe may be*] the Day and Year ‘firſt above written.’

Power to adminiſter Oaths.

LXXVI. And be it further enacted, That in all Caſes where the ſaid Truſtees, or any Juſtice or Juſtices of the Peace are by this Act authorized or required to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Truſtee or Truſtees, or Juſtice or Juſtices reſpectively, to adminiſter ſuch Oath or Affirmation; and that if any Perſon or Perſons ſhall, upon his or her Examination upon Oath or Affirmation, before the ſaid Truſtees or Juſtice or Juſtices reſpectively, wilfully and corruptly give falſe Evidence, ſuch Perſon or Perſons ſo offending, and being thereof duly convicted, ſhall be and is and are hereby declared to be ſubject and liable to ſuch Pains and Penalties as by any Law now in being, Perſons convicted of wilful and corrupt Perjury are ſubject and liable to.

Limiting the Time for Information of Offences.

LXXVII. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be ſubject or liable to the Payment of any Penalty, Forfeiture, or Sum of Money impoſed by this or the ſaid recited Act, or by virtue of any Bye Law, Rule, or Order to be made in purſuance thereof, for any Offence againſt this or the ſaid recited Act, or the ſaid Bye Law, Rule, or Order, unleſs Information ſhall be given of the Offence within Two Calendar Months next after ſuch Offence ſhall have been committed.

Power for Inhabitants to be Witneſſes.

LXXVIII. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever, relating to or concerning the Execution of this or the ſaid recited Act, no Perſon acting under the Authority of the ſaid Truſtees, or holding any Office or Situation under them, nor any Inhabitant of the ſaid Town of *Gainſburgh*, ſhall be deemed to be an incompetent Witneſs, by reaſon of his or her being ſo appointed as aforeſaid, or by reaſon of his or her being charged with and liable to pay any Rate or Aſſeſſment under or by virtue of this Act.

For compelling Attendance of Witneſſes.

LXXIX. And be it further enacted, That if any Perſon or Perſons ſhall be ſummoned as a Witneſs or Witneſſes to give Evidence before any Juſtice or Juſtices of the Peace, touching any Matters of Fact contained in any Information or Complaint for any Offence againſt this or the ſaid recited Act, or againſt any Bye Law, Rule or Order made or to be made in purſuance thereof, whether on the Part of the Proſecutors or of the Perſon or Perſons complaining of, and which Summons ſuch Juſtice or Juſtices as aforeſaid is and are hereby authorized to iſſue, where and in ſuch Caſes only as ſuch Juſtice or Juſtices as aforeſaid is and are made competent by this Act to hear and determine the ſame; and if any ſuch Perſon or Perſons ſo ſummoned, as aforeſaid, ſhall refuſe or neglect to appear at the Time and Place to be for that Purpoſe appointed, without any reaſonable Excuſe for ſuch his, her or their Refuſal or Neglect, to be approved of by ſuch Juſtice or Juſtices, or appearing ſhall refuſe to be examined on Oath or ſolemn Affirmation, and to give Evidence before ſuch Juſtice or Juſtices, then and in every ſuch Caſe every ſuch Perſon ſhall forfeit for every ſuch Offence any Sum not exceeding Five Pounds.

Power for Juſtices to make Allowances to Informers and Witneſſes.

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

Diſtreſſes not unlawful for want of Form merely.

LXXXI. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum of Money to be levied by virtue of this or the ſaid recited 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,

Irregularity, ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

Proceedings not to be quaſhed or removed by Certiorari.

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

Plaintiff not to recover without Notice or after Tender of Amends.

LXXXIII. 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 or the ſaid recited 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 Twenty-eight Days before ſuch Action ſhall be commenced, of ſuch intended Action, ſigned by the Attorney or 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 be lawful for the Defendant or Defendants in any ſuch Action by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe or they ſhall 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.

Proceedings to be entered in a Book.

LXXXIV. And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees at their Meetings, ſhall be entered in a Book or Books to be kept for that Purpoſe; and ſuch Orders and Proceedings ſo entered ſhall be ſigned by the Clerk or Clerks at any Meeting of Five or more of the ſaid Truſtees aſſembled (as the Caſe ſhall require) and ſuch Orders ſhall be deemed and taken to be original Orders; which ſaid Book or Books and alſo the Book or Books kept for the ſame Purpoſe under the ſaid recited Act, ſhall and may be produced and read in Evidence in all Courts whatſoever, without ſpecially pleading or proving the ſame.

Appeal.

LXXXV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf or themſelves aggrieved by any Rate or Aſſeſſment which ſhall be made or be demanded in purſuance of this Act, ſuch Perſon or Perſons may appeal to the ſaid Truſtees at their Firſt Meeting which ſhall be holden after the Expiration of Fourteen Days from the Time of demanding ſuch Rate or Aſſeſſment; and the ſaid Truſtees at ſuch Meeting are hereby authorized and empowered, if they ſhall think ſuch Perſon or Perſons aggrieved, to give ſuch Relief in the Premiſes as to them ſhall ſeem reaſonable; and if any Perſon or Perſons ſhall be diſſatisfied with the Determination of the ſaid Truſtees therein, or if any Perſon or Perſons ſhall think himſelf, herſelf or themſelves aggrieved by any Order, Judgment or Determination of the ſaid Truſtees, or ſuch Two Juſtices as herein-before mentioned, or by any Penalty impoſed, or by any

Conviction made, or by any Rule, Order or Bye Law made or to be made in purſuance of this or the ſaid recited 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 Quarter Seſſions of the Peace to be holden at *Kirton* in *Lindſey* in the ſaid County, within Four Calendar Months next after the Cauſe of Complaint ſhall have ariſen, or at any Adjournment of ſuch Seſſion, the Perſon or Perſons appealing firſt giving or cauſing to be given to the Clerk to the ſaid Truſtees Twenty-eight Days Notice in Writing of his, her or their Intention to bring ſuch Appeal, and of the Cauſe or Matter thereof; and within Ten Days next after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace for the ſaid Parts, with Two ſufficient Sureties conditioned to try ſuch Appeal, and to abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſion or Adjournment thereof; and the Juſtices at the ſaid Seſſion or Adjournment thereof, upon due Proof of ſuch Notice having been given, and of ſuch Recognizance having been entered into as aforeſaid, ſhall hear and finally determine every ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing or appealed againſt as the ſaid Juſtices ſhall think proper, and ſhall and may at their Diſcretion diſcharge or mitigate all or any of the Penalties, Forfeitures or Sums of Money incurred by the Party or Parties appealing; and the Determination of the ſaid Juſtices in their ſaid General Quarter Seſſions or Adjournment thereof, ſhall be final, binding and concluſive to all Intents and Purpoſes whatſoever.

Limitation of Actions.

LXXXVI. Provided always, and be it further enacted, That no Action Suit or Information 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 or the ſaid recited Act, or of the Orders and Directions thereby reſpectively given and granted, or in exerciſe and execution of any of the Powers and Authorities thereof reſpectively, after Six Calendar 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 of *Lincoln* and not elſewhere; and the Defendant or Defendants

General Iſſue.

in every ſuch Action or Suit ſhall and may plead the General Iſſue, and give this and the ſaid recited 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 or the ſaid recited Act, or of ſome Bye Law, Rule, or Order made in purſuance thereof; and if upon the Trial of ſuch Action,, Suit or Proſecution, it ſhall appear to have been ſo done, or that ſuch Action, Suit, or Proſecution ſhall have been brought before the Expiration of Twenty-eight 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 ſuch Caſe 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, Suit or Proſecution, 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 a Verdict or Judgement ſhall be given for the Defendant or Defendants therein, or if upon Demurrer or otherwiſe Judgement ſhall be given againſt ſuch Plaintiff or Plaintiffs, then and in every ſuch Caſe the Defendant or Defendants

fendants 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 Caſe by Law.

Saving Clauſe for the Lady of the Manor.

LXXXVII. Provided always, and be it further enacted and declared, That nothing in this Act contained ſhall extend or be conſtrued to extend to take away, leſſen or diminiſh the Right of *Frances Hickman*, Lady of the Manor of *Gainſburgh* aforeſaid, or of any other Perſon or Perſons who ſhall reſpectively for the Time being be Lord or Lords, Lady or Ladies of the ſaid Manor, or any of her or their Officers or Servants, to make, erect, ſet or place Booths, Stalls, Benches, Forms and other Things within the Market Place (except the Footways) in the ſaid Town on Market Days, or within the ſaid Market Place, Streets, Lanes, or other publick Places during the uſual Times of holding any Market, Fair or Mart, within the ſaid Town, nor the Right of the ſaid Lady of the Manor to any Ground Rents, or other Rents, Tolls, Duties or Profits whatſoever, heretofore payable to the ſaid *Frances Hickman*, Lady of the Manor aforeſaid, for or in reſpect of any ſuch Markets, Fairs, or Marts or otherwiſe, or of any Booths, Stalls, Benches, Forms or other Things to be then made, erected, ſet or placed as aforeſaid, nor in any other Manner to leſſen or defeat any legal Power, Privilege, Franchiſe or Authority of the ſaid Lady or Lord of the ſaid Manor or any of the Juries or Officers of her or his Courts or Leets within the ſaid Manor, nor any other Right, Liberty or Franchiſe whatſoever belonging to the ſaid *Frances Hickman*, Lady of the Manor aforeſaid, which is not by this Act expreſsly taken away, leſſened or diminiſhed; but that the ſaid *Frances Hickman*, Lady of the Manor aforeſaid, and her Succeſſors, ſhall continue to enjoy all ſuch Powers, Rights, Privileges, Franchiſes and Authorities, and alſo all ſuch Rents, Tolls, Duties and Profits in like Manner as ſhe or they could or might or ought to have done in caſe this Act had not been made.

Proviſions of the former Act extended to this Act, except, &c.

LXXXVIII. And be it further enacted and declared, That all and every the Clauſes, Proviſions, Powers, Authorities, Directions, Regulations, Limitations, Reſtrictions, Indemnities, Protections, Exemptions, Puniſhments, Penalties, Forfeitures, Matters and Things contained in the ſaid recited Act (ſave and except ſuch Parts thereof reſpectively as relates to the Exemptions from Stamp Duties, and as are repealed, altered or varied by this Act) ſhall continue in full force, and ſhall be exerciſed and put in execution, and ſhall be applicable and applied in all and every Caſes and Caſe which ſhall or may ariſe under this as well as under the ſaid recited Act, by all Perſons whomſoever, in ſuch and the like Manner and as fully and effectually to all Intents and Purpoſes whatſoever, and in all Reſpects (as far as the Circumſtances of the Caſe will admit) as if the ſaid ſeveral Clauſes, Proviſions, Powers, Authorities, Directions, Regulations, Limitations, Reſtrictions, Indemnities, Protections, Puniſhments, Penalties, Forfeitures, Matters and Things were or had been particularly repeated and re-enacted in the Body of this Act.

Not to remove a certain Poſt in Caſk Gate Lane.

LXXXIX. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or ſhall be deemed or conſtrued to extend to empower the ſaid Truſtees to remove a Poſt now ſtanding in a certain Street in *Gainſburgh* aforeſaid, called *Caſk Gate Lane*, for preventing Carriages from coming into the ſaid Lane or Street.

Not to repeal the Clauſes relating to the Payment of 25l. per Annum.

XC. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to repeal and make void ſo much of the ſaid recited Act, as relates to the Payment and Recovery of the Sum of Twenty-five Pounds *per Annum*, paid and payable Yearly by the Conſtable of the ſaid Town of *Gainsburgh* to the ſaid Truſtees, for the Purpoſes in the ſaid recited Act mentioned.

Expences of this Act how to be paid.

XCI. And be it further enacted, That the Coſts, Charges and Expences preparatory to and attending the applying for and obtaining and paſſing this Act, ſhall be borne, paid, and defrayed out of any Money which hath ariſen by virtue of the ſaid recited Act, or out of the firſt Money which ſhall ariſe by virtue thereof and of this Act, before and in preference to all other Payments whatſoever.

Public Act.

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

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