ANNO SEXTO

GEORGII IV. REGIS.

Cap. clxxvii.

An Act for paving, lighting, watching, and otherwise improving the Town of *Godalming* in the County of *Surrey*. [22d *June* 1825.]

WHEREAS the Town of *Godalming* in the County of *Surrey*, (which is in the main Route to *Portsmouth*, *Chichester*, *Arundel*, and other principal Towns), is a Place of considerable Extent, and has a large and increasing Population; and it would tend to the Protection and Preservation of the Lives and Property of the Inhabitants of the said Town, and be of great Advantage to all Persons resorting to and travelling through the same, if the Highways, Streets, Lanes, and other public Passages and Places, now made or hereafter to be made within the Limits herein-after mentioned, were properly paved, repaired, lighted, watched, and otherwise improved, and the Nuisances, Obstructions, and Encroachments therein removed, and prevented for the future; but such beneficial Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Limits of this Act shall, for all the Purposes of this Act, be deemed and taken to comprise the several Roads, Streets, Ways, Lanes, and other public Passages and Places, Lands and Grounds, bounded on the North by the River *Wey*; on the East by the *Godalming Wharf*, the South Side of a Lane leading to *Catshall*, a Farm and

Limits of the Act.

and Lands known by the Name of *Taylor's Farm*, in the Occupation of *William Hull*, and the Western Side of a public Road leading to *Crownpits*; on the South by a certain Lane called *Butts Lane*, a Coppice known by the Name of *Keen's Coppice*, and in the Occupation of *James Keen*, a Part of a Field known by the Name of the *Pidgeon House Field*, in the Occupation of *William Ford*, (the Northern Part whereof is intended to be comprised within the Limits of this Act), and a Dwelling House and Garden in the Occupation of *John Smith*; and on the West by an Osier Bed and Garden in the Occupation of *Robert Moline*, a public Bridle Road leading from *Godalming* to *Easbing* called the *New Way*, and by the Eastern Wall and Entrance into *Westbrook Park*, in the Occupation of *Nathaniel Godbold* and *Samuel Godbold*, Esquires, and a Mill Stream emptying itself into the River *Wey*; and for the better defining the same, and ascertaining the Limits of this Act in future, the said Commissioners herein appointed shall, and they are hereby authorized and required, within Three Calendar Months next after the passing of this Act, to erect and set up, or cause to be erected and set up, Boundary Marks or Stones, at such convenient Distances from each other as the said Commissioners may think necessary, and from Time to Time renew and replace the same as often as they may become broken, obliterated, or defaced; and also to cause a Map or Plan of the said Limits, and the Boundary Line thereof, to be prepared by some competent Surveyor who shall sign the same; and a Copy thereof shall be forthwith deposited with the Clerk of the Peace for the County of *Surrey*, or his Deputy, to be kept amongst the Records of the said County, in the Custody of such Clerk of the Peace or his Deputy, to the end that Recourse may be had to the same at all Times hereafter by all Persons whomsoever interested therein; for which depositing the Sum of Twenty Shillings shall be paid to the said Clerk of the Peace or his Deputy; and such Map or Plan, or a true Copy under the Hand of the said Clerk of the Peace or his Deputy for the Time being, shall be allowed and admitted as Evidence in all Courts of Law and Equity; and every such Map or Plan shall be from Time to Time inspected by all Persons, on Payment of the Sum of One Shilling to the said Clerk of the Peace for such Inspection; and such Map or Plan shall be binding and conclusive upon all Persons whomsoever for the Purposes of this Act, so far as the same is made and done in pursuance of this Act; and One other Copy of the said Map or Plan, signed by Seven of the said Commissioners, shall be deposited with the Clerk to the said Commissioners, to be fixed up in his Office for the free Inspection of all Persons at convenient Hours, without Fee or Reward.

Appointment and Qualification of Commissioners.

II. And be it further enacted, That every Person resident within the Limits of this Act, seised or possessed either in his own Right or in the Right of his Wife, as Owner, Tenant, or Occupier, of any Messuage or Messuages, Buildings, Lands, or Tenements, situated within such Limits, amounting to the clear yearly Value of Twenty Pounds or upwards, or shall be rated or assessed in any Sum amounting to or exceeding the Sum of Ten Pounds in any Rates or Assessments to be from Time to Time made for the Relief of the Poor of the said Parish of *Godalming*, or shall be possessed of a Personal Estate of the clear Amount of One thousand Pounds; and every Person not resident within the aforesaid Limits seised or possessed of, either in his own Right or in the Right of his Wife, as

Owner

Owner of any Messuage or Messuages, Buildings, Lands, or Tenements, situated within the Limits herein-before mentioned, amounting to the clear yearly Value of Fifty Pounds or upwards, or Occupier of any Messuage or Messuages, Buildings, Lands, or Tenements within the same Limits, of the clear yearly Value of Twenty Pounds or upwards, shall be and he is hereby appointed a Commissioner for putting and carrying this Act into Execution.

Commissioners Oath.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, (except in administering the Oaths or Affirmations herein-after mentioned), until he shall have taken and subscribed before Two or more of the said Commissioners, who are hereby empowered to administer the same, One of the Two next following Oaths or Affirmations, as the Case may require; and no Person shall be capable of acting as a Commissioner in the Execution of this Act, (except for the Purposes herein-before mentioned), until he shall have taken and subscribed in like Manner the Third Oath or Affirmation herein-after set forth.

First Oath:

First Oath of Qualification.

'I *A. B.*, now resident within the Limits of the Town of *Godalming*, do swear, [*or being One of the People called Quakers*, do solemnly affirm and declare], That I am really and *bonâ fide*, in my own Right [*or* in the Right of my Wife, *as the Case may be*], Owner [*or* Tenant or Occupier, *as the Case may be*] of a Messuage or Messuages, Buildings, Lands, or Tenements, situated within such Limits, of the clear yearly Value of Twenty Pounds; *or* am rated or assessed at the Sum of Ten Pounds or upwards in the Poor's Rate of the said Parish of *Godalming*; [*or* am possessed of a Personal Estate of the clear Amount or Value of One thousand Pounds exclusively of my Debts].

'So help me GOD.'

[*Or being a Quaker, omit the Words* 'So help me God.']

Second Oath:

Second Oath of Qualification.

'I *A. B.*, now resident without the Limits of the Town of *Godalming*, do swear, [*or being One of the People called Quakers*, do solemnly affirm and declare], That I am really and *bonâ fide* in my own Right [*or* in the Right of my Wife, *as the Case may be*], Owner of a Messuage or Messuages, Buildings, Lands, or Tenements, situated within such Limits, of the clear yearly Value of Fifty Pounds, [*or* Occupier of a Messuage or Messuages, Buildings, Lands, or Tenements, within the same Limits, of the clear yearly Value of Twenty Pounds.]

'So help me GOD.'

[*Or being a Quaker, omit the Words* 'So help me God.']

Third Oath:

Third Oath.

'I *A. B.* do swear, [*or being One of the People called Quakers*, do solemnly affirm and declare], That I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me by virtue of an Act passed in the Sixth Year of the Reign of His Majesty King

'*George*

'*George* the Fourth, intituled *An Act* [*here insert the Title of this* '*Act*]. So help me GOD.'

[*Or being a Quaker, omit the Words* 'So help me God.']

Penalty on acting without being qualified.

Which Oath or Affirmation it shall be lawful for any One of the said Commissioners to administer at any public Meeting to be holden by virtue of this Act, and they the said Commissioners are hereby authorized and required to administer the same to each other accordingly; and if any Person, not being qualified as aforesaid, or not having taken and subscribed or made and subscribed the Oaths and Affirmations hereby required, shall act as a Commissioner in the Execution of this Act, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is so qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified, shall, previously to his or their being so convicted, be as valid and effectual as if such Person or Persons had been duly qualified as aforesaid.

Meetings of the Commissioners.

IV. And be it further enacted, That the said Commissioners shall meet in the Town Hall in *Godalming* aforesaid, or at some other convenient Place there, on the Second *Monday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, in order to put the same in Execution, and shall and may then and from Time to Time afterwards adjourn themselves to and meet at the Place aforesaid, or any other convenient Place within the said Town; and if it shall happen that there shall not appear at any such Meeting a sufficient Number of Commissioners to act, any Three or more of the said Commissioners who shall be present may adjourn the Meeting to another Day; and in case of any Neglect or Omission to adjourn as aforesaid, any Two or more of the said Commissioners, or their Clerk, shall and may call a Meeting, to be held at the Place where the last Meeting was appointed to be held, by Notice thereof, expressing the Purpose of such Meeting, to be affixed on that Part of the Town Hall where Notices are usually affixed, at least Seven Days before such intended Meeting; and at all Meetings to be held in pursuance of this Act the Commissioners shall defray their own Expences.

No Act valid unless made at a Meeting.

V. Provided always, and be it further enacted, That no Act of the said Commissioners shall be valid unless made or done at some Meeting to be held by virtue of this Act, except the calling of a Meeting as aforesaid.

Acts to be executed by a Majority of

VI. And be it further enacted, That all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may

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from Time to Time be exercised by the major Part of them present at any Meeting to be holden as aforesaid, such major Part not being less than Seven in Number; and a Chairman shall be appointed at every such Meeting; and in case of an equal Number of Votes upon any Occasion (including the Chairman's Vote) the Chairman shall have the casting and decisive Vote; and at every Meeting to be held under or in pursuance of this Act, the first Business thereof shall be the Election of One of the Commissioners present to be Chairman to preside at the same Meeting.

Commissioners present at any Meeting, not being less than Seven in Number.

VII. And be it further enacted, That no Order made by the said Commissioners shall be revoked or altered at any subsequent Meeting, unless at a Meeting to be holden for that express Purpose, nor unless a greater Number of Commissioners shall attend at such Meeting to revoke or alter such Order than were present when such Order was made; any thing herein contained to the contrary thereof notwithstanding.

Revocation of Alteration of Orders.

VIII. And be it further enacted, That in case any Five or more of the said Commissioners shall on any Occasion think it necessary or expedient to convene a Special General Meeting of the said Commissioners, it shall be lawful for any Five or more of the said Commissioners to require the Clerk of the said Commissioners (by Notice in Writing signed by them, specifying the particular Occasion of such Special General Meeting) to summon a Special General Meeting of the said Commissioners within Seven Days next after the Receipt of such Notice; and of such Special General Meeting a written or printed Notice shall be affixed on the Town Hall as aforesaid, specifying the particular Occasion of such Meeting.

Commissioners may call Special General Meetings.

IX. And be it further enacted, That there shall be provided and kept a proper Book or Books in which fair and regular Entries shall be made of all the Acts, Orders, and Proceedings of the said Commissioners relative to the Execution of this Act, and the Names of the Commissioners who shall be present at the respective Meetings to be holden in pursuance thereof; and such Entries being signed by the Chairman of each respective Meeting shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Cases, Prosecutions, Suits, and Actions, touching or concerning any thing done in pursuance of this Act; and such Book and Books shall, at all the Meetings of the said Commissioners, be open and liable to their Inspection, and to the Inspection of all Persons affected by this Act, without Fee or Reward.

Proceedings to be entered in a Book.

X. And be it further enacted, That no Order made by the said Commissioners shall be revoked or altered at any subsequent Meeting, unless at some Meeting to be held for that express Purpose, of which Seven Days Notice of the Intention of such Meeting shall be given by the Clerk to the said Commissioners, by affixing the same at the usual Place for affixing Notices upon the Town Hall aforesaid.

No Order to be revoked unless at a Special Meeting.

XI. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during such Time as he shall hold any Office or Place of Profit under the said Commissioners, or during such Time as he shall have any Share or Interest in any Contract or Work to be performed or done under any of the Powers of this Act, or in any Matter wherein he shall be in anywise personally

Commissioners not to act when interested.

personally or beneficially interested (except as a Creditor on the Rates, Assessments, or Monies herein-after directed to be made, levied, collected, and received), but it shall be lawful for such of the said Commissioners as are or may be Justices of the Peace, to act as such Justices in the Execution of this Act, notwithstanding their being Commissioners, except only in Cases where they shall be personally interested.

Accounts to be kept; and be open for Inspection.

XII. And be it further enacted, That the said Commissioners shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended in the Execution of this Act, and the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall, at all reasonable Times, be open to the Inspection of the said Commissioners, and any Creditor or Creditors on the Rates hereby authorized to be made, without Fee or Reward; and the said Commissioners and Creditors shall and may take Copies of or Extracts from the said Book or Books, without paying any thing for the same; and in case the Clerk shall refuse to permit, or shall not permit, any of the said Commissioners or Creditors to inspect such Book or Books, or to take such Copies or Extracts as aforesaid, when required, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered as herein-after directed.

Accounts to be audited annually.

XIII. And be it further enacted, That a Meeting of the said Commissioners shall be held on the First *Thursday* in the Month of *August* yearly, at the Place herein-before mentioned, or any other Place within the Limits of this Act to be appointed by the said Commissioners, at which the Accounts of all Monies received and paid from Time to Time by virtue or in Execution of this Act, by any Person or Persons whomsoever, shall be produced and stated to, and examined and settled by the said Commissioners.

Appointment of Officers.

XIV. And be it further enacted, That the said Commissioners shall and may from Time to Time, whenever they shall think necessary, by Writing under their Hands, appoint and employ One or more fit and proper Person or Persons to act as a Treasurer or Treasurers, Clerk or Clerks, Assessor or Assessors, Collector or Collectors, Receiver or Receivers of the Rates, Assessments, and Monies to be raised by them or by their Order, and also a Surveyor or Surveyors, and such other Officer and Officers, Person and Persons, for the Execution of this Act, so far as the same shall relate to the paving, lighting, watching, and otherwise improving the said Highways, Streets, Lanes, and other public Passages and Places situate within the Limits of this Act, as they the said Commissioners shall think proper; and the said Commissioners shall and may from Time to Time remove them or any of them, and in like Manner appoint others in the Room of those removed; and out of the Monies to be raised by virtue of this Act the said Commissioners shall or may pay such Salaries, Wages, or Allowances to the said Officers and other Persons as they the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby required to take such Security from every such Treasurer, Collector, and other Officers as they the said

Officers to account.

Commissioners shall think right; and all such Officers so to be appointed shall, under their Hands (at such Time and Times, and in such Manner as the said Commissioners shall direct), deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Commissioners, by Notice in Writing, to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Commissioners respecting the same, then and in every such Case, upon Complaint made by the said Commissioners or any Two or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place wherein such Officer or Person so neglecting or refusing shall reside or be, such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Officer or Person so refusing or neglecting to be brought before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Money which shall have been collected or raised by the said Commissioners by virtue of this Act, shall be in the Hands of such Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer and Person; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same; or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Offender to the Common Gaol or House of Correction for the County where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners

missioners are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be committed by virtue of this Act, on account of his not having sufficient Goods or Chattels, shall be detained in Prison for any longer Time than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties; but such Officer or Officers, or Persons, and his and their Surety or Sureties, shall remain liable to the Payment thereof, in the same Manner as if such Officer or Person had not been committed to Prison.

Clerk and Treasurer not to be the same Person.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act; or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall act as Treasurer in the Execution of this Act, or if any Person being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer or of his Partner, shall act as Clerk in the Execution of this Act, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Actions to be brought in the Name of the Clerk.

XVI. And be it further enacted, That the said Commissioners may sue and be sued in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk for the Time being; and all Actions and Suits which may be necessary or expedient to be brought for the Recovery of any Penalty, or Sum or Sums of Money due or payable from or to them by virtue of this Act, or for or in respect of any other Matter or Thing done by them relating to this Act, may be brought in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of any such Commissioner, Treasurer, or Clerk, or by any Act or Default of any such Commissioner, Treasurer, or Clerk done or suffered without the Consent or Direction of the said Commissioners, but any One of such Commissioners,

missioners, or the Treasurer or Clerk to the said Commissioners for the Time being, shall always be deemed Plaintiff or Defendant in every such Action or Suit (as the Case may be), except in such Action or Suit as shall be prosecuted between the said Commissioners and their Treasurer or Clerk for the Time being, in which Action or Suit any One of the said Commissioners shall or may be Plaintiff or Defendant (as the Case may be): Provided always, that every such Commissioner, or Treasurer or Clerk, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid out of the Monies to arise by virtue of this Act, all such Damages, Costs, Charges, and Expences as such Commissioner, or Treasurer or Clerk shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein; and no such Commissioner, or Treasurer or Clerk shall be personally answerable or liable to the Payment of the same or any Part of the same, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Commissioners at a Meeting held for that Purpose; provided also, that such Commissioner or Commissioners, or Treasurer or Clerk, shall not by reason of his or their being such Commissioner or Commissioners, or Treasurer or Clerk, be deemed an incompetent Witness or Witnesses in any such Action or Suit, unless it be on his or their own personal Account.

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

XVII. And be it further enacted, That the Treasurer to the said Commissioners for the Time being shall and may and is hereby authorized and required, out of the Monies to be collected and received by him under and by virtue of this Act, to pay all Sums of Money which the said Commissioners shall draw upon him for or order him to pay; and the said Treasurer for the Time being shall and he is hereby required to keep regular and clear Entries, in a Book or Books to be for that Purpose by him provided and kept, of all and singular his Receipts and Payments on account or in pursuance of this Act.

Provision for recovering Monies of the Executors or Administrators of Officers dying, &c.

XVIII. And be it further enacted, That in case of the Death of any such Officer or other Person to be appointed as aforesaid, before he shall have paid and delivered up all the Monies he shall have received by virtue of this Act, or made such Composition for the same as aforesaid, then and in every such Case the Executors or Administrators of such respective Officer, or other Person or Persons possessing the Estate and Effects of every such Person so dying, shall be liable to pay and make good all such Sums of Money by such Officer or other Person so received and not paid, out of such Estate and Effects in the regular Course of Administration; and the same shall be recoverable by Action or Suit in any of His Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, Person or Persons as aforesaid.

Certain public Buildings and the Pavements, Lamps, &c. of the Town, vested in the Commissioners.

XIX. And be it further enacted, That the present Edifice or Building situated in the Centre of the Market Place in the Town of *Godalming* aforesaid, and used by the Inhabitants of the said Town as a Town Hall, for the Purposes of Public Business, with the Town Clock fixed therein and its Appendages, and the present Edifice or Building called *The Engine House*, situated in *Moss Lane* in the said Town of *Godalming*, lately

lately erected by the said Inhabitants as a Place of Security for their Fire Engines, together with the Sites on which such Buildings stand, and also all the present and future Pavements in the several Highways, Streets, Lanes, and other public Passages and Places within the Limits of this Act, and the Stones, Gravel, and other Materials of which as well the Footways as Carriageways of such Highways, Streets, Lanes, and public Passages and Places do and shall consist, and all the Dirt, Dust, Dung, Ashes, and Filth, to be swept, gathered, and collected in or from those Places or any of them, and also all Lamps, Lamp Irons, Lamp Posts, Fire Engines, and the Pipes, Buckets, and other Materials thereunto belonging, Watchboxes, Watch-houses, Fire Engine Houses, and other Houses and Buildings, and all other Matters and Things which shall hereafter be used, erected, or fixed up by virtue of this Act, and all Materials, Implements, and other Things which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of, and are hereby vested in the said Commissioners, which Commissioners shall be known by the Name of "The "Commissioners for improving the Town of *Godalming* in the County of "*Surrey*;" and the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring 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 or Things hereby vested in them the said Commissioners 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 deemed and taken to 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 Commissioners for improving the Town of *Godalming* in the County of *Surrey*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles and Things, or any Part or Parts of the same respectively, to such Person or Persons, and in such Manner as they the said Commissioners shall think proper.

Commissioners to allow the Town Hall to be used for public Business.

XX. Provided always, and be it further enacted, That the said Commissioners shall and they are hereby required, on reasonable Notice being given to them, or to their Clerk or Treasurer for the Time being, or to such other Person as the said Commissioners may from Time to Time depute to keep or have the Custody of the Key belonging to the said Town Hall, to allow and permit the said Town Hall to be used upon all seasonable Occasions, and when the same may not be required for the Purposes of this Act, for all other Purposes of public Business in anywise connected with the Courts of the Lord of the Manor of *Godalming*, the Parish and other public Meetings of the Inhabitants of the said Town, the public Revenue, and the Administration of public Justice, in such and the same Manner as the same has been accustomed to be used on Occasions of public Business previously to the passing of this Act.

Power to erect a Bar near the

XXI. And be it further enacted, That for the greater Safety and Protection of the Inhabitants of the said Town of *Godalming* and others, in

passing and repassing to and from the Parish Church of *Godalming* aforesaid, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, on every *Sunday* to set up and affix, or cause to be set up and affixed, a Bar or Rail across the public Road or Highway on the North Side of the Town Hall in the said Town, communicating with the Street there called *Church Street*, in such a Manner and so as effectually to prevent the passing of Horses and Carriages by and along such public Road or Highway for and during the Time of Divine Service being performed in such Church, and for One Hour before and One Hour after the same shall begin and be concluded; and if any Person or Persons shall remove or wilfully damage or injure such Bar or Rail, he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Church on Sunday.

XXII. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time to appoint One or more Person or Persons, as they shall judge proper, to be employed as a Watchman or Watchmen within the Limits of this Act, under such Regulations and subject to such Orders as the said Commissioners shall make and give from Time to Time in that behalf; and to provide proper Watch-houses, Watchboxes, 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 while on Duty reasonable Wages or Allowances, and also to impose from Time to Time any Fine not exceeding Forty Shillings on any Watchman for every Neglect or Misbehaviour, (such Fine if not forthwith paid to be deducted out of his Wages), and from Time to Time to make such Orders and Regulations as the said Commissioners shall deem expedient for the better Government of the Watchmen to be so appointed, and to repeal such Orders and Regulations or any of them, and to substitute others; and it shall be lawful for such Watchmen or any of them, and they are hereby required, to apprehend and secure in some proper Place or Places of Security, to be for that Purpose appointed and provided within the Limits of this Act, all Malefactors, Rogues, Vagabonds, Idle and Disorderly Persons, Disturbers of the public Peace, Prostitutes, 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 County of *Surrey*, to be examined and dealt with according to Law.

Commissioners to appoint Watchmen.

XXIII. And be it further enacted, That all Watchmen to be appointed as aforesaid shall be sworn in as Constables before some Justice of the Peace for the said County of *Surrey*, and act as such Constables while in the Execution of the Powers and Authorities of this Act; and they are hereby invested with, and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with, or have and enjoy by Law.

Watchmen to act as Constables.

XXIV. And be it further enacted, That if any Victualler or Occupier of any Public House, Tap, or Liquor Shop, or other Person, shall knowingly harbour or entertain, or suffer to remain in his or her Public House, Tap, Liquor Shop, or private Dwelling House, any such Watchman or Watchmen

Penalty on Victuallers, &c. harbouring Watchmen.

Watchmen as aforesaid, during any Part of the Time appointed for his or their being on Duty, every such Victualler or Occupier as aforesaid shall on Conviction forfeit and pay any Sum not exceeding Twenty Shillings for each Offence.

Commissioners to cause Streets, &c. to be paved, &c.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, empowered, and required, from Time to Time to cause the present or any future Streets, Ways, Lanes, and other public Passages and Places, within the Limits of the said Town, to be paved, made, repaired, amended, raised, lowered, widened, or altered, both in the Carriage and Footways, and to be from Time to Time amended and kept in good Repair, upon such Levels, and in such Manner, and with such Sorts and Kinds of Materials, as they shall judge necessary and proper; and also to cause the said Streets, Ways, Lanes, and other public Passages and Places to be cleansed, lighted, watched, and watered, in such Manner as the said Commissioners shall think proper, and all Encroachments, Obstructions, Nuisances, and Annoyances therein to be removed, and Drains, Sinks, Gutters, and Watercourses to be made for conveying Water off and from the said Streets, Ways, Lanes, and other public Passages and Places, in such Manner as they the said Commissioners shall think proper; and no Persons shall, without the Consent of the said Commissioners, alter the Form, or break up the Ground or Pavement of the Carriage or Footways within any of the said Streets, Ways, Lanes, or other public Passages or Places, or make the same otherwise than as directed by the said Commissioners, upon pain of forfeiting any Sum not exceeding Five Pounds for every such Offence; and such Person so offending shall also pay to the Surveyor or other Person appointed by the said Commissioners to receive the same, all Costs, Charges, and Expences of restoring the Ground or Pavement of such Carriageway or Footway to its former State.

No Person to alter the Pavement without Consent of Commissioners.

Commissioners authorized to postpone the Paving.

XXVI. Provided always, and be it further enacted, That if the said Commissioners shall deem it expedient, they shall and may be at liberty and are hereby authorized to cause such Parts of the said Town as are intended to be paved, watched, lighted, watered, and cleansed by virtue of this Act, to be watched, lighted, watered, and cleansed, and all other Matters and Things intended to be done under the Authority of this Act to be done and completed, before the said Streets, Ways, Lanes, and other public Passages and Places or any Part thereof shall be paved, and to postpone the Pavement thereof until after all the other Works, Matters, and Things to be done by virtue of this Act shall be completed; and the said Commissioners shall and may cause the Pavement of the said Streets, Ways, Lanes, public Passages and Places, to be commenced and done from Time to Time, and at such Time or Times, and in such Part or Parts of the said Streets, Ways, Lanes, public Passages and Places, intended to be paved by virtue of this Act, when, where, and as the said Commissioners shall think proper and convenient, and when and as the Funds to be produced by the Rates and Assessments, and other the Means herein-after mentioned and provided, shall in the Judgment of the said Commissioners be adequate thereto.

Persons paying to the Rates under

XXVII. Provided always, and be it further enacted, That from and after the Expiration of One Calendar Month from the passing of this Act, all and

and every Person and Persons who shall be so rated or assessed for the Purposes of this Act, for or in respect of any Messuages, Buildings, Lands, or Tenements situated within the Limits of the said Town, shall be and they are in respect of the same Messuages, Buildings, Lands, and Tenements hereby exonerated, released, and discharged from the Payment of all Rates and Assessments whatsoever, and Performances of Statute Duty, or Composition for the same, for or towards or in respect of the Repair and Amendment of all or any of the public Highways in the Parish of *Godalming* situated out of the Limits of the said Town, or any Costs, Charges, or Burthens in respect thereof, except any Arrears of Rates or Compositions as may be then due from such Person or Persons respectively.

this Act, to be relieved from the Repairs of the Highways without the Limits of the Town.

XXVIII. And be it further enacted, That from and after the passing of this Act, all such Part or Parts of the said Public Carriage Roads or Highways, situate and being within the Limits of this Act, which are now deemed or reputed to belong to any Turnpike Road or Turnpike Roads heretofore made under or by virtue of any Act or Acts of Parliament, shall from henceforth cease to belong to the said Turnpike Roads, and be deemed and taken to be a Part or Parts of the said Public Carriage Roads or Highways within the Limits of this Act, and shall be vested in the Commissioners for carrying this Act into Execution, for the Purposes of this Act: Provided always, that such Portion of the said Turnpike Road at the West End of the said Town of *Godalming*, now forming Part of the Limits of this Act, and extending from a Messuage or Tenement in the Occupation of *John Fry*, to another Messuage or Tenement in the Occupation of *John Smith*, comprising the whole Length of Road in front of a Close or Parcel of Ground called *Barton Field*, shall, until such Portion of the said Turnpike Road, by the Erection of Houses and Buildings on each Side thereof, be made to form a Street in the Line of and communicating with the present public Street at the Entrance of the said Town, and until such Houses and Buildings shall be rated under and by virtue of the Powers contained in this Act, be kept in repair and maintained by the Trustees of the said Turnpike Roads, in such and the same Manner as they would have been liable to repair and maintain the same before the passing of this Act, or in case this Act had not been passed: Provided also, that nothing in this Act contained shall extend or be construed to extend to release or exonerate the Inhabitants of the County of *Surrey*, or the Treasurer or Surveyor, or any other public Officer appointed on behalf of the said County, from the Liability of keeping in repair and maintaining so much and such Part of the Turnpike Road, and the western Approach to and extending over the Bridge called *Godalming Bridge* at the Eastern Entrance of the said Town, and now forming Part of the Limits thereof, as has been repaired and maintained by the Inhabitants of the said County previously to the passing of this Act.

Turnpike Roads within the Limits of this Act to be vested in the Commissioners.

XXIX. And be it further enacted, That the respective Owners and Occupiers of Houses and other Buildings within the several Streets, Ways, Lanes, and other public Passages and Places aforesaid, shall and they are hereby required, at their own Costs and Charges, within such Time as the said Commissioners shall from Time to Time, by Notice in Writing signed by their Clerk, to be delivered to such Owners or Occupiers,

Water to be conveyed from the Roofs of Houses, &c. by Pipes.

piers, or left at their respective Dwelling Houses, direct or appoint, cause the Water to be conveyed from the Roofs, Cornices, and Penthouses of or belonging to such respective Houses and other Buildings, by proper and sufficient Pipes or Trunks, to be affixed on the Sides of such Houses and other Buildings; and in case any such Owner or Occupier shall neglect or refuse so to do, it shall be lawful for the said Commissioners to cause the same to be done, and to cause the Costs and Charges attending the same to be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Surrey*, which Warrant such Justice is hereby authorized and required to grant, rendering the Overplus (if any) when demanded, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold; and if the Tenant of any such House or other Building at Rack Rent shall incur the Expence of providing such Pipes or Trunks for the Purpose aforesaid, it shall be lawful for him or her to deduct and retain the reasonable Charge and Expence thereof, and also any Money which shall or may have been levied upon his or her Goods and Chattels as aforesaid, out of his or her Rent; and the Owner, Proprietor, or Landlord of every such House or other Building is hereby required to allow the same accordingly.

Commissioners authorized, out of the Funds to be raised under the Act, to remove Projections and Obstructions.

XXX. And be it further enacted, That it shall be lawful for the said Commissioners, by and out of the Monies to be raised by virtue of this Act, from Time to Time to take down and remove all or any Signs or Emblems used to denote the Trade, Occupation, or Calling of the respective Owners and Occupiers of Houses and other Buildings within the Limits of this Act, or to fix or place the said Signs or Emblems flat on the Fronts of such Houses or Buildings; and also to remove all Sign Irons, Sign Posts, and other Posts, Pillars, and Pilasters, Palisadoes, Pales and Rails, Barbers Poles, and other Poles and Trees projecting over any Foot or Carriageway, so as to obstruct the Passage thereof, Spouts, Steps, Show Boards, Stall Boards, Cellar Windows and Doors, and Gates, and Steps into Cellars and Vaults, whether lately or anciently, or at whatever Time projected or erected, and now belonging to or connected with such respective Houses or other Buildings aforesaid.

Protections for Corners of Buildings.

XXXI. Provided always, and be it further enacted, That if the said Commissioners shall cause to be taken up or removed any Stumps, Posts, or other Guards at the Corner of any House or Building, forming a Corner of any Street or Lane, for the Protection of such House from Injury by Carriages, they the said Commissioners shall, by some other proper Ways or Means, sufficiently guard or protect the same from Damage as aforesaid; and in case any Damage shall at any Time happen to any such House, by reason of taking up or removing any such Stumps, Posts, or other Guards by the said Commissioners, they the said Commissioners shall from Time to Time make good such Damage out of the Monies to be raised by virtue of this Act.

For preventing future Projections.

XXXII. And be it further enacted, That if any House or other Building, Wall, or Fence, in or near any Street, Way, Lane, or other public Passage or Place within the Limits of this Act, shall, after the passing of this Act, be made, erected, or built in such Manner or Form as, in the Front, or in any of the Gables or Sides thereof, to project in to

or over such Street, Way, Lane, or other public Passage or Place, or in any other Manner or Form than in a perpendicular Line or Direction upwards from the Foundation of such House or Building; or if any Spout, Pipe, or Trunk for conveying Water from the Roof, Eaves, or Cornices of any House or other Building, in any Street, Way, Lane, public Passage or Place, within the Limits of this Act, shall be affixed otherwise than from the Roofs, Eaves, or Cornices thereof, on the Fronts or Sides of such Houses or Buildings respectively, and brought down to the Ground; or if any Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Cellar Door, Cellar Lid, Bow Window or other projecting Window, Window Shutter, Window Flap, Stump, Rail, Palisado, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir for Water, or any other Encroachment or Projection against or in front or outside of any House or other Building within or adjoining to any Street, Way, Lane, public Passage or Place within the Limits of this Act, shall be made, erected, or built, or restored after the Removal thereof for the Purposes of this Act, or otherwise so as to obstruct the free and commodious Passage along the Carriage or Footways of the same; then and in every such Case the Owner and Owners of every such House or other Buildings, Wall or Fence, Sign, Sign Irons, Sign Post, Shed, Penthouse, Step, Stair, Cellar Door, Cellar Lid, Bow or other projecting Window, Window Shutter, Window Flap, Stump, Rail, Pale, Palisado, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir for Water, or other Encroachment or Projection which shall be so made, erected, or built as aforesaid, or of every such Spout, Pipe, or Trunk which shall be so made or affixed otherwise than aforesaid, contrary to this Act, shall for every such Offence, after Seven Days Notice shall have been given by the said Commissioners or any One of them, or by their Clerk by their Order, for the Removal of any such Projections, Encroachments, or Obstructions aforesaid, forfeit and pay any Sum not exceeding Ten Shillings a Day for every Day such House or other Building, Wall or Fence, Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Cellar Door, Cellar Lid, Bow or other projecting Window, Window Shutter, Window Flap, Stump, Rail, Pale, Palisado, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir for Water, Spout, Pipe, or Trunk, or other Encroachment or Projection, shall continue in such State as herein provided against; and it shall be lawful for the said Commissioners (whether any such Penalties or Forfeitures shall be levied or not,) to cause all such Houses and other Buildings, Walls, Fences, Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Cellar Doors, Cellar Lid, Bow Windows or other projecting Windows, Window Shutters, Window Flaps, Stumps, Trees, Rails, Pales, Palisadoes, Porches, Bulks, Show Glasses, Show Boards, Pools, Cesspools, Cisterns and Reservoirs for Water, Spouts, Pipes, Trunks, and other Encroachments and Projections, or any of them, to be taken down, removed, and carried away.

Notice to be given first by the Commissioners.

XXXIII. And be it further enacted, That the Occupier of every House or other Tenement in the Streets, Ways, Lanes, public Passages and Places to be paved and cleansed by virtue of this Act, shall, from and after the Foot Pavement in front of or adjoining such House or Tenement shall be made and completed, sweep and cleanse, or cause to be swept and cleansed, the said Foot Pavement before such House or Tenement,

Inhabitants to cleanse the Foot Pavements.

nement, upon such Days in every Week, between the Hours of Six and Ten of the Clock in the Forenoon, as the said Commissioners shall order and direct, by Writing to be affixed upon the said Town Hall, or on such other conspicuous Place as aforesaid, upon pain of forfeiting the Sum of Five Shillings for each Neglect.

Power to make Cesspools, Drains, &c.

XXXIV. And be it further enacted, That it shall be lawful for the said Commissioners to make or cause to be made proper Cesspools, Sinks, Sewers, Gutters, Drains, Watercourses, and other Works for conveying the Water off and from the several Streets, Ways, Lanes, Passages, and Places, and the several Houses and Buildings within the Limits of this Act, into the present public and private Sewers within the said Limits, making good any Damage that may be occasioned thereby; and all such public and private Sewers shall be from Time to Time and at all Times hereafter repaired and maintained by and out of the Money to be raised by virtue of this Act.

Regulating Cellar Doors or Flaps.

XXXV. And be it further enacted, That where any Opening is now or may be made in the paving or flagging of any of the said Streets, Ways, Lanes, public Passages or Places, as an Entrance into or for the Purpose of conveying Coals or other Articles into any Vault or Cellar, whether such Vault or Cellar be inhabited or uninhabited, or for the Purpose of conveying Light into any Room or Cellar, or for any other Purpose, the Door, Lid or Lids, Flap or Flaps, Covering or Grating to such Opening, shall be made at the Expence of the Person or Persons requiring the same, and shall be made of Iron or such other durable Materials, of such Dimensions and in such Manner and Form as the said Commissioners shall direct and approve of; and every such Door, Lid, Flap, Grating, and Covering, shall from Time to Time be repaired, varied, and altered at the like Expence of the Person or Persons for whose Use and Benefit the same shall be possessed and enjoyed, and in such Manner and Form as the said Commissioners shall direct or appoint; and in case any Person or Persons shall neglect or refuse to make, repair, vary, or alter such Grating or Covering, contrary to such Direction or Appointment as aforesaid, or shall cause or permit any such Cellar Door, Cellar Lid, Flap, or Cover, within the Limits of this Act, to be left open, or not well and sufficiently secured, at any Time between Sun-setting in the Afternoon, and Sun-rising in the Morning, on any Pretence whatsoever, without the same being well and sufficiently lighted and guarded so as to prevent Accidents from happening, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings, and also any further Sum not exceeding Forty Shillings for every Week the said Offence shall be continued.

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

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

offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Persons may keep the Dust, &c. occasioned within their own Premises.

XXXVII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to any Dust, Dung, Manure, Dirt, Ashes, or other Filth which any of the Inhabitants within the Limits of this Act shall have Occasion and think fit to preserve and keep within their own respective Houses, Yards, Gardens, and Premises, but the same shall respectively belong to and be at the Disposal of the Person or Persons so reserving the same, so as such Dust, Dung, Manure, Dirt, Ashes, or other Filth be not laid down or placed in any of the said Streets, Ways, Lanes, or other public Passages or Places for any longer Time than shall be necessary for the loading and carrying away the same, and so as the same do not annoy the Neighbour or Neighbours of such Person or Persons, nor the Public in general; and in case such Person or Persons so reserving such Dust, Dung, Manure, Dirt, Ashes, or other Filth, shall wilfully or negligently permit or suffer the same to be in any of the said Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act, for any longer Time than Three Hours, for the Purpose of loading and carrying away the same, or shall suffer the same to annoy his, her, or their Neighbour or Neighbours, or the Public in general, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for the Person or Persons to be appointed by or contracting with the said Commissioners for cleansing the said Streets, Ways, Lanes, or other public Passages and Places, and they are hereby authorized and directed to take and convert such Dust, Dung, Manure, Dirt, Ashes, or other Filth to his, her, or their own Use and Uses, and to sell and dispose of the same, without rendering any Satisfaction for the same.

Commissioners to direct Streets to be cleansed, and to purchase and hire Carts, &c.

XXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby required to nominate and appoint any Person or Persons, and to purchase or hire any Cart or Carts, or other Carriage or Carriages, and also any Horse or Horses, for the Purpose of cleansing and watering the several Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, and of carrying away the Dust, Dung, Manure, Dirt, and Soil thereof; or it shall be lawful for the said Commissioners to contract with any Person or Persons for cleansing and watering the same, and for carrying away the Dust, Dung, Manure, Dirt, and Soil thereof, upon such Terms and Conditions as they shall deem necessary, and to do and perform all such Acts, Matters, and Things for carrying such Contract into complete Execution, as they shall think proper.

For preventing Annoyances in the Streets.

XXXIX. And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Footpavements in any of the Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, run, draw, drive, or carry thereon any Wheelsledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever; or roll any Cask or Tub, other than for the necessary filling or emptying thereof, upon, from, or out of any Carriageroad or Footway, further than the Extent of the Premises in the Occupation of the Person from or to whose House or Building such Cask or Tub shall be rolled; or if any Person shall

shall wilfully drive any Cart or other Carriage whatsoever, or shall ride, lead, or drive any Horse or other Beast, or any Cattle whatsoever, on any of the said Footways and Footpavements, or shall wilfully break up, damage, or remove any Part of the Pavements; or set up, affix, or use any Stall, Standing, Block, or Working Place thereon, or so near thereto as to obstruct the Passage thereon; or put or place any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall, or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the front of or before any House, Shop, or other Building, and suffer it to remain so as in any Manner to cause any Obstruction or Impediment in the Footway or on the Footpavement; or shall, in any Street, Way, Lane, or other public Passage or Place within the Limits of this Act, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, or make or repair, or wash or clean, any Coach, Chaise, Gig, Waggon, Cart, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, or which cannot be conveniently removed for that Purpose, such unavoidable Repair to be done and completed with all convenient Speed); or if any Person shall hang out, or cause to be hung out, any Linen or Cloth, or any Article of Wearing Apparel, or other Article, for the Purpose of Sale, or of airing or drying the same, upon or from any Door or Window within any Street, Way, Lane, or other public Passage or Place within the Limits of this Act; or fix or tie up any Line, Rope, or Cord for any such Purpose; or if any Person shall, in or upon any such Street, Way, Lane, or other public Passage or Place, shoe, bleed, farry, or kill any Horse or other Beast or Cattle, (except in case of Accident); or if any Person shall within any such Street, Way, Lane, or other public Passage or Place, show or expose any Stallion or Stone-horse, or expose to Sale any Horse or other Beast, (except only in such Places as the said Commissioners shall direct), or turn loose any Horse, Mule, Ass, Pig, or other Beast; or if any Person shall make or assist in making any Bonfire, or shall wantonly let off or fire any Gun, Pistol, Blunderbuss, or other Fire-arms, or shall wantonly let off any Serpent or Rocket, or throw any Cracker, Squib, or other Fireworks, or slide upon any Flagging, Pavement, or Footway, or play at Football or Bandy, or trundle or turn any Hoop or Hoops, or fly any Kite or Kites, or play at any other Game or Games, to the Annoyance of any Inhabitant or Passenger; or shall wilfully break, or aid, abet, or assist in wilfully breaking, any Glass Pane or Window, Panes or Windows, in or belonging to any Dwelling House or other Building; or if any Person shall throw, cast, lay, or sift any Ashes, (except in the Time of Frost only and to prevent Accidents), or any Coals, Stones, Lime, Bricks, Mortar, Timber, or other heavy Substances, (except Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building or rebuilding or repairing any House or Premises, which shall be placed and inclosed so as to prevent any Accident or Mischief happening to Passengers), or any Dung, Soil, Filth, Rubbish, Refuse of Garden Stuff, Blood, Offal, Carrion, or any other offensive Matter or Thing, in any of such Streets, Lanes, Ways, and other public Passages and Places, and suffer the same to remain in any of the said Streets, Ways, Lanes, and other public Passages or Places after Sunset, without placing a sufficient Light upon or near the same to prevent Accidents; or if any Person shall kill or slaughter, or scald, singe, dress, or cut up any Pig or Animal, either wholly or in part, in any of such Streets, Ways, Lanes,

public Passages and Places, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shambles, into the same or any of them; or shall, for the Purpose of obtaining or collecting Manure, or for any other Purpose, stop up or impede the Passage of any common Sewer, Ditch, Drain, or Watercourse, or shall empty, convey, or discharge any Filth or Rubbish into any common Sewer or public Drain; or if any Person or Persons shall, in any of the said Streets, Ways, Lanes, or other public Passages and Places, bait or cause to be baited any Bull, Bear, Badger, or other Animal, or shall fight, or set on to fight, any Dogs or Cocks, or shall permit or suffer his, her, or their Mastiff, Bulldog, or other Kind of Dog, or any other dangerous Animal, to go at large without being safely and sufficiently muzzled, or shall not, after public Notice given by Order of any Justice or Justices of the Peace for the said County of *Surrey*, tie up and keep safely secured his, her, or their Dog or Dogs, in order to prevent any Danger or Mischief happening by reason of Hydrophobia or otherwise; or if any Driver of any Waggon, Cart, or other Carriage shall, in any of the said Streets, Ways, Lanes, or other public Passages and Places, ride on the Shafts, or in or upon any Part of such Waggon, Cart, or other Carriage, without Reins, or any of the Horses or Cattle drawing the same; or if any Person riding any Horse or Beast, or driving any sort of Carriage, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Passenger or other Person, or if any Person or Persons shall wilfully hinder, obstruct, or prevent the free Passage of any of the said Streets, Ways, Footways, Lanes, public Passages and Places; or if the Driver of any Sort of Carriage whatever, meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side of the Road or Way, or shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage, or of any of His Majesty's Subjects within the Limits of this Act; or shall suffer any Stage Coach, Diligence, Postchaise, Waggon, Cart, Dray, or other Carriage, to remain longer than may be necessary either for taking up or setting down of any Passenger, or for the loading or unloading of Goods or Baggage; or if any Person or Persons shall air and exercise, or cause to be aired and exercised, any of his, her, or their Horses or Cattle in or upon any of the Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act; or if any Person shall fix up or suffer to remain any Flowerpot or Boughpot at any Window without sufficiently guarding the same, so as to prevent the same being blown or thrown down; or shall commit or permit any other Kind of Obstruction or Annoyance in or upon any Street, Way, Lane, or other public Passage or Place within the Limits of this Act; then and in every such case every Person so offending, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing as aforesaid, as the Case may be, (in case the Person actually offending cannot afterwards be found), shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Person acting under the Authority of the said Commissioners, or appointed by virtue of this Act, or for any Constable or other Peace Officer, to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person whomsoever; and it shall be lawful for any Constable or other

other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said County, in order to his, her, or their being convicted of such Offence: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Person from selling or exposing to Sale any Horse, Beast, Cattle, Sheep, or Swine, or placing any Stall, Booth, Stool, Bench, or Form, for the Sale of Goods or Wares, or from exposing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing, in any Market Place within the Limits of this Act, on the usual Days of the Markets and Fairs within the said Town.

Slaughter-houses, &c. to be removed if deemed a Nuisance.

XL. And be it further enacted, That in case any Slaughter-house, Hogstye, Necessary-house, or other noisy, noisome, or offensive Building or Place whatsoever, or any Stone-yard, in or near any of the said Roads, Streets, Ways, Lanes, or other public Passages and Places within the Limits of this Act, shall, upon Complaint made to the said Commissioners by any or either of the Inhabitants within the said Limits, be deemed a Nuisance to any such Inhabitant, it shall be lawful for the said Commissioners, by Notice in Writing under the Hands of any Five or more of them, to order any such Nuisance or Offence to be removed or abated; and in case the same shall not be removed or abated within Two Calendar Months next after such Notice given to the Person or Persons who ought to remove or abate the same, or for or on whose Behalf the same is carried on, or left at his, her, or their last usual Place of Abode; and in case such Notice shall not be appealed against at any General or Quarter Sessions of the Peace to be holden for the said County of *Surrey*, within Four Calendar Months after such Notice shall have been given as aforesaid, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremoved after the Expiration of the said Four Calendar Months from the Time of giving such Notice as aforesaid: Provided always, that in case any Damage or Injury shall be sustained by the Person or Persons removing or abating any such Slaughter-house, Hogstye, Necessary-house, or other noisy, noisome, or offensive Building or Place whatsoever, or any Stone-yard as aforesaid, which shall or may exist at the Time of the passing of this Act, then and in such case the said Commissioners shall and they are hereby authorized and required to make Compensation to such Person or Persons so sustaining such Damage or Injury by such Removal as aforesaid; and in case the said Commissioners and such Person or Persons as aforesaid cannot agree as to the Amount of such Compensation, then the same shall be ascertained and settled by a Jury in manner herein-after mentioned.

Persons sustaining Damage by Removal of Slaughter-houses to receive Compensation.

Offensive Substances to be removed between certain Hours.

XLI. And be it further enacted, That if any Person or Persons shall hereafter empty or cause to be emptied any Slaughter-house, Privy, or Necessary-house within the Limits of this Act, or carry or cause to be carried any of the Soil or other offensive Substances thereof through any of the Streets, Ways, Lanes, or other public Passages and Places within the said Town, at any Time of the Year between *Lady Day* and *Michaelmas*, except between the Hours of Eleven of the Clock in the Evening and

Four

Four of the Clock in the Morning, or at any Time of the Year between *Michaelmas* and *Lady Day*, except between the Hours of Eleven of the Clock in the Evening and Five of the Clock in the Morning; or if any Person or Persons shall lay or cause to be laid or spilt in or upon any of the said Streets, Ways, Lanes, or other public Passages and Places, any Night Soil or other Filth, or shall suffer the same to remain there longer than may be necessary for removing the same; every Person offending in any of the Cases aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds: Provided always, nevertheless, that nothing herein contained shall be construed to extend to prevent the carrying or causing to be carried of any Ashes, Dung, or other Manure through such Streets, Ways, Lanes, and other public Passages and Places at any Hour or at any Time or Times whatever.

Power to impound Beasts wandering in the Streets.

XLII. And be it further enacted, That if any Sort of Cattle, Swine, or Pigs shall at any Time be found wandering about any of the Streets, Ways, Lanes, or other public Passages and Places within the Limits of this Act, the Owner or Owners thereof shall for every such Head of Cattle, Swine or Pigs, forfeit and pay any Sum not exceeding Ten Shillings; and it shall be lawful for any Person or Persons appointed by the said Commissioners, if he or they shall think proper, to seize and impound such Cattle, Swine, or Pigs, and to keep the same impounded in the common Pound of the said Town, or in such other Place as the said Commissioners shall appoint, and the same there to remain until the Owner or Owners thereof shall, for every such Head of Cattle, Swine, or Pigs so impounded, pay the Sum of Two Shillings and Sixpence to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum of Two Shillings and Sixpence, and the Charges and Expences attending such impounding shall not be paid within Four Days next after such impounding, it shall be lawful for the said Commissioners to sell or cause the same to be sold, and the Money arising from such Sale, after deducting the said Sum of Two Shillings and Sixpence, and the Charges and Expences of impounding, keeping, and selling such Cattle, Swine, or Pigs, shall be paid to the Person or Persons whose Property the Cattle, Swine, or Pigs so sold shall appear to have been.

Punishmetn of Persons guilty of Pound-breach.

XLIII. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cattle, Swine, or Pigs which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Cattle, Swine, or Pigs seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the said County of *Surrey*, either on Confession of the Party or Parties offending, or upon the Oath of One credible Witness, (and which Oath the said Justice is hereby authorized and empowered to administer), be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of

Correction of the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Lamps to be set up.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, for the Purpose of lighting the Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, from Time to Time, and at any Time or Times after the passing of this Act, to purchase and provide such and so many Glass Lamps, of such Sorts and Sizes, and such and so many Lamp Irons and Lamp Posts, and all such other Materials and Things for lighting such Lamps, either by Oil or Gas, or in any other Manner as they shall think proper, and to direct the same to be affixed and set up on or against the Walls or Palisadoes of all or any of the Houses, Tenements, or Buildings, or against any other Walls in any of the Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act; or for supplying such Lamps with Gas, to be laid under any of the said Streets, Ways, Lanes, and other public Passages and Places, or in any other Manner as they shall think proper and convenient; and from Time to Time to take or cause the same to be taken down, altered, or removed, when and as often 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, in such Manner and at such Hours as shall to them the said Commissioners seem necessary or proper for the well and sufficiently lighting all or any of the said Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act: Provided always, that if any Injury or Damage shall be occasioned to any Rail, Palisado, Building, or Wall, by the affixing, setting up, taking down, altering, or removing any such Lamp or Lamps, or any Lamp Iron or Lamp Irons, or other Fastener thereof, the said Commissioners shall immediately cause the said Injury or Damage to be well and sufficiently repaired by and out of the Money to be raised by virtue of this Act.

Penalty for wilfully breaking Lamps.

XLV. And be it further enacted, That if any Person or Persons shall wilfully break, take away, throw down, or otherwise injure, destroy, or damage any Lamp or Lamps already erected, or which shall be erected by or by Order of the said Commissioners, or by any Person or Persons at his, her, or their own Expence, for the Purpose of lighting any of the said Streets, Ways, Lanes, public Passages and Places, or any Post, Iron, Cover, or Furniture thereof, or shall wilfully extinguish the Light or Lights of or in any such Lamp or Lamps, it shall be lawful for any Justice of the Peace for the said County, and he is hereby required, upon Complaint to him made by any One or more credible Witness or Witnesses of any such Offence having been committed, to issue a Warrant for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace of the County or Place where the Offence shall be committed; and on the Party or Parties accused being brought before such Justice, such Justice shall and he is hereby required to proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching

such Offence, and if the Party or Parties accused shall be convicted of such Offence, either on his, her, or their own Confession, or upon such Evidence as aforesaid, then and in every such Case he, she, or they shall for every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds, and shall besides make a full Satisfaction (to be ascertained by such Justice) to the said Commissioners or other Party injured for the Damage so done; and in case such Offender or Offenders shall not upon Conviction forthwith pay such Penalty by him, her, or them incurred, and also such Satisfaction as aforesaid, such Justice is hereby authorized, empowered, and required to commit such Offender or Offenders to the Common Gaol or House of Correction of the said County or Place, there to be kept to hard Labour for any Time not exceeding Six Calendar Months, unless such Penalty and Satisfaction as aforesaid shall be sooner paid.

Persons negligently breaking Lamps to make Satisfaction.

XLVI. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, throw down, or otherwise injure, destroy, or damage any such Lamp or Lamps so being hung out or set up as aforesaid, or any Post, Iron, Cover, or Furniture thereof respectively, or extinguish or put out the Light therein, and shall not upon Demand make Satisfaction for the Damage so done, then and in every such Case it shall be lawful for any Justice of the Peace for the County or Place where the Offence shall be committed, and he is hereby required, upon Complaint thereof made by One or more credible Witness or Witnesses, by Warrant under his Hand, to summon before him the Party or Parties complained of for doing such Damage, and upon his, her, or their appearing or making Default to appear, (Oath being made that the Party complained against had been served with such Summons, or that the same had been left at his, her, or their usual Dwelling or Place of Abode, if known, or that he, she, or they could not be found), such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either upon the Confession of the Party or the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party or Parties complained against, for the Damage so done, to the said Commissioners, or other Owner or Owners of such Lamp or Lamps, as to such Justice shall appear just and reasonable; and in case the Sum so awarded shall not be paid forthwith, it shall be lawful for such Justice, and he is hereby required to cause the same to be levied and recovered in such and the same Manner as any other Fine or Penalty can or may be levied and recovered by virtue of this Act.

Commissioners empowered to cause Streets, &c. to be lighted with Oil or Gas.

XLVII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to light or cause to be lighted the several Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, or such of them as they shall think proper, either with Oil Lamps, or by means of Gas or Inflammable Air, as the said Commissioners shall think fit, and to direct what Part or Parts of the said Town shall be lighted with Oil, and what Part or Parts by means of Gas or Inflammable Air; and it shall be lawful for the said Commissioners from Time to Time to contract and agree with any Company or Companies of Proprietors, or other Person or Persons, to light the same by means of Oil or Gas or Inflammable Air, in such Manner, and upon or under such Terms and Conditions, Stipulations and Agreements, as the said

said Commissioners shall think proper, so as any such Contract or Contracts to be made under or by virtue of this Act shall not exceed the Term of Fourteen Years; and in case it shall be determined to light all or any of the said Streets, Ways, Lanes, and other public Passages and Places in the said Town with Gas or Inflammable Air, then it shall be lawful for the said Commissioners to break up, or authorize to be broken up, the Soil and Pavement of any of the Footways or Carriageways of any such Street, Way, Lane, or other public Passage or Place, and permit to be dug, sunk, and constructed Trenches and Pipes, and Stopcocks, Plugs, or Branches, and all other Works and Machinery, to be laid down and made by any Company or Companies of Proprietors, or other Person or Persons with whom the said Commissioners may contract, for the Conveyance of the said Gas or Inflammable Air for the Purpose of lighting the several Streets, Ways, Lanes, and other public Passages and Places in the said Town, or any Part or Parts thereof; and from Time to Time to permit and suffer such Pipes, Stopcocks, Plugs, or Branches, Works and Machinery, to be altered, varied, and repaired; but nothing herein contained shall authorize or empower the said Commissioners, or any Person or Persons acting by or under their Authority, to carry, lay, or fix, or continue any Pipe or Pipes, or other Thing for the Conveyance of the said Gas or Inflammable Air, through or against any Dwelling House or Dwelling Houses, or public or private Buildings, Hereditaments, and Premises, without the Consent in Writing of the Owner and Occupier of every such Dwelling House or Building respectively; and nothing herein contained shall extend, or be construed to extend, so as to authorize or empower the said Commissioners, or any Person or Persons acting by or under their Authority, to lay or carry any Pipe or Pipes in, through, over, or upon any private Lands or Grounds, without the Consent of the Owner and Owners and Occupier and Occupiers of such private Lands or Grounds first had and obtained for that Purpose.

Commissioners may erect Apparatus to make Gas themselves.

XLVIII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners (in case they shall deem it expedient) to light the said Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act with Gas or Inflammable Air (without contracting for the same), and to erect or cause to be erected Gasometers, Cisterns, Pillars, and all the other necessary Apparatus to produce, conduct, supply, and receive such Gas or Inflammable Air, in such Manner as they shall think expedient and necessary; and for that Purpose to take or rent from any Person or Persons any Building or Buildings, Erection or Erections, Lands, Tenements, or Hereditaments, in or near the said Town, (who shall be willing to let the same), or to purchase of any Person or Persons any Building or Buildings, Erection or Erections, Lands, Tenements, and Hereditaments, in the said Town, not exceeding Three Statute Acres, (who shall be willing to sell or dispose of the same), to erect and make such suitable Buildings thereon, for the manufacturing of Gas or Inflammable Air as aforesaid.

Works to be inspected Twice in every Year.

XLIX. And be it further enacted, That the said Commissioners, and the Company or Companies, or Person or Persons with whom they shall or may contract, shall and they are hereby required to have the said Works inspected at least Twice in every Year by One or more experienced Person or Persons, to see the same are in a fit State, and properly conducted

conducted and managed; and in case of any Error, Want of Repair, Insufficiency or other Mismanagement being pointed out, to cause the same to be forthwith corrected, amended, and repaired, according to the Opinion of such Person or Persons as aforesaid.

Commissioners empowered to supply Gas Lights.

L. And be it further enacted, That in case the said Commissioners shall deem it expedient to erect such Gas Apparatus, and to light the said Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, with Gas or Inflammable Air, without contracting for the same as aforesaid, it shall be lawful for the said Commissioners, after sufficiently lighting the said Streets, Ways, Lanes, and other public Passages and Places as aforesaid, to let out or grant to any Person or Persons whomsoever who shall be willing to take the same, any Light or Lights, or Argand, Cockspur, Batwing, or any other Kind of Burner or Burners, and to supply the same with Gas or Inflammable Air, upon such Terms and Conditions, and at such annual Rents for the same, and in such Manner as they the said Commissioners shall from Time to Time think proper: Provided nevertheless, that all Money to proceed therefrom or arise thereby be in the first Place applied to defray the Expences of the Gas Apparatus and other Things connected therewith; and if there shall be any Overplus, then the same shall be applied generally for the Purposes of this Act.

Penalty on using more Gas than contracted for.

LI. And be it further enacted, That if any Person or Persons shall enlarge the Aperture of any such Burner or Burners, so as to consume a larger Quantity of Gas than such Burner or Burners would otherwise consume, every such Person or Persons so offending shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Service Pipes to be kept fully charged with Gas.

LII. And be it further enacted, That the Branch or Service Pipes which shall or may be put down by the said Commissioners for lighting the Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, shall be kept fully charged with Gas; and the Stopcocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

To prevent the Escape of Gas.

LIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or any Body Politic or Corporate, or any Person or Persons whosoever, making, furnishing, or supplying any Gas used, burnt, or consumed for lighting any Street, Highway, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall immediately after receiving Notice, by Parol or in Writing, of any such Escape of Gas, from any Inhabitant or Inhabitants of the said Town, cause the most speedy and effectual Measures to be taken to prevent any such Escape of Gas in future; and in case the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall not within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually prevent the Gas from escaping in future, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case

Case the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before some One or more Justice or Justices of the Peace for the said County, and shall be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, Body Politic or Corporate, or Person or Persons as aforesaid, by Warrant of any such Justice or Justices of the Peace as aforesaid, in manner herein-after mentioned.

Directing how any Gas Pipes shall be laid.

LIV. And be it further enacted, That every Pipe or other Conduit to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any of the Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriage-way in such Street, Way, Lane, and other public Passage and Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by or by the Order of any Company of Proprietors, for the Conveyance of Water in, under, through, along, across, or round any of the Streets, Ways, Lanes, or other public Passages and Places within the Limits of this Act, (unless in Cases where it shall be unavoidably necessary to lay such Pipes across any of the Pipes of any Waterworks, in which Cases the Pipes shall be laid over and above such Water Pipes (as the Case may be) at the greatest practicable Distance therefrom, and shall form therewith a Right Angle,) and in such Cases the said Pipes so crossing the said Pipes of any Waterworks Company shall be at least Nine Feet in Length, so that no Joint of any of the Pipes shall be nearer to any Part of the said Pipes of any Waterworks Company than Four Feet at least; and in laying down the said Pipes, in no Case shall Two or more Gas Pipes be joined together previously to their being laid in the Trench, but each Pipe shall be laid as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures or Openings therein respectively, shall be made and kept air-tight, and shall in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Five Pounds, to be recovered as any Penalty is herein directed to be recovered, and shall be paid to such Company of Proprietors of Waterworks.

For preventing the Contamination of Water.

LV. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks, or any Person or Persons who shall be supplied with the Water of any Company of Proprietors of Waterworks, shall be contaminated or affected by the Gas of the said Commissioners, or of any Body Corporate or Politic, or of any Person or Persons whosoever, the said Commissioners, or Body Corporate or Politic, or Person or Persons, shall forfeit and pay for every such Offence a Sum

not exceeding Five Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of such Company of Proprietors of Waterworks, or such Person or Persons as aforesaid; and in case any such Water shall be contaminated or affected by Gas in any Way whatsoever, then and in every such Case the said Commissioners, or Body Corporate or Politic, or Person or Persons, their Successors and Assigns, shall within Twenty-four Hours next after Notice thereof in Writing, signed by any of the Directors, or by the Treasurer, or by the Manager or Chief Clerk for the Time being of and for such Company of Waterworks, or such Person or Persons as aforesaid, to be left at the usual Office or Place of transacting Business of the said Commissioners, Body Corporate or Politic, or Person or Persons, to cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water of such Company of Proprietors of Waterworks, or other Person or Persons as aforesaid; and in case the said Commissioners, Body Corporate or Politic, or Person or Persons, their Successors or Assigns, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Commissioners, Body Corporate or Politic, or Person or Persons, their Successors or Assigns, shall on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of such Company of Proprietors of Waterworks, or other Person or Persons whose Water shall be so contaminated, for the Use and Benefit of the same Proprietors, and Person or Persons as aforesaid, over and above the before-mentioned Penalty of Five Pounds, to be recovered as aforesaid, the Sum of Five Pounds for each and every Day during which the Water of such Company of Proprietors, or other Person or Persons, shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners, Body Corporate or Politic, or Person or Persons; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall or may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer, or by and in the Name of the Manager and Chief Clerk for the Time being of such Company of Proprietors of Waterworks, or by and in the Name of any One or more of the Directors of such Company of Proprietors of Waterworks, at the Option of the Party or Parties prosecuting such Information, or by and in the Name of any other Person whose Water shall be so contaminated as aforesaid, against the said Commissioners, Body Corporate or Politic, Person or Persons, their Successors or Assigns, before any Justice of the Peace for the County or Place where the Offence shall have been committed, with Costs to be assessed by such Justice; and the same shall be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, Body Corporate or Politic, or Person or Persons, their Successors or Assigns, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties,

and

and Costs, when so levied, shall be paid to the Treasurer, or to One of the Directors for the Time being of such Company of Proprietors of Waterworks, for the Use of the same Proprietors, or to the Person or Persons who shall sue or prosecute for the same.

For ascertaining if the Water be contaminated.

LVI. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Commissioners, or Body Corporate or Politic, or other Person or Persons; be it therefore enacted, That in every such Case it shall be lawful for any such Company of Proprietors of Waterworks, whose Water is contaminated or affected, to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, or Body Corporate or Politic, or other Person or Persons, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, or Bodies Corporate or Politic, or other Person or Persons; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Commissioners, Body Corporate or Politic, or other Person or Persons, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, Body Corporate or Politic, or Person or Persons; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, Body Corporate or Politic, or Person or Persons, then and in such Case the Company of Proprietors of Waterworks shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, Body Corporate or Politic, or other Person or Persons, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, Body Corporate or Politic, Person or Persons, in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

Notice to be given to Proprietors of Waterworks of opening Ground to lay Gas Pipes.

LVII. And be it further enacted, That when and as often as the said Commissioners, or any Body Corporate or Politic, or other Person or Persons whomsoever, supplying Gas within the Limits of this Act, their Successors or Assigns, or their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Pipe or Pipes for the Conveyance of Gas or other Apparatus, or shall open any Ground in or upon or near to which any Water Pipe or Pipes belonging to any Company of Proprietors of Waterworks, for conveying Water into, through, or about the Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, or any Branch or Service Pipe or Pipes for the Supply of any Dwelling House or Building shall be laid, the said Commissioners, or Body Corporate or Politic, or Person or Persons, their Successors or Assigns, Servants, Agents,

Agents, or Workmen, shall and they are hereby required to give Two Days previous Notice thereof in Writing to the Manager or Chief Clerk for the Time being of the Proprietors of such Waterworks, to be left at the principal Office of the same Proprietors; and on every such Occasion the said Commissioners or Company, their Servants, Agents, and Workmen, shall, under the Direction and Inspection of the Manager and Chief Clerk or Engineer for the Time being of such Company of Proprietors of Waterworks, or under the Direction and Inspection of any other Person or Persons authorized by the Directors for the Time being of such Company of Proprietors of Waterworks, protect and secure such Water Pipe or Pipes from any Injury or Damage, and shall also, within Two Days thereafter, repair and make good any Damage that shall or may be done to any such Pipe or Pipes on any such Occasion; and in default of giving such Notice as aforesaid, and also of repairing and making good any such Damage within the Time aforesaid, the said Commissioners, or Body Corporate or Politic, or Person or Persons, their Successors or Assigns, shall for each and every such Default forfeit and pay to the Manager and Chief Clerk, or One of the Directors for the Time being of such Company of Proprietors for the Time being of Waterworks, for the Use of the said Company of Proprietors, any Sum not exceeding Five Pounds for each and every Day, and for each and every such Default; and also the Costs and Expences which shall have been incurred by the said Water Company in and about the securing and protecting of any such Water Pipe or Pipes, or in repairing and making good any Injury or Damage that may have been done to any such Water Pipe or Pipes, or repairing or making good the Pavement over or adjoining the same, by the Ways and Means aforesaid; and all which Damages, Costs, Charges, and Expences are to be ascertained by any Justice of the Peace for the said County of *Surrey*, and to be recovered in the same Manner as any Expences or Penalties under this Act may be recovered.

Company to remove Pipes, &c. on private Property on Notice.

LVIII. Provided always, and be it further enacted, That in case any Pipe, Cock, or Branch shall be carried or laid from any Main or Pipe belonging to the said Commissioners, or any Body Politic or Corporate, or Person or Persons whomsoever, into or through or against any private Dwelling House, Manufactory, Warehouse, Wharf, Building, Yard, or Ground within the Limits of this Act, for the Purpose of lighting the same or any other Dwelling House, Manufactory, Building, Yard, or Ground, in pursuance of and in conformity to any Powers and Authorities in this Act contained, and the Owners or Occupiers of any such private Dwelling House, Manufactory, Warehouse, Wharf, Building, Yard, or Ground within the said Limits, into or through or against which such Pipe, Cock, or Branch shall pass or be laid, shall be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such their Desire shall give Notice in Writing to the said Commissioners or Body Politic or Corporate, or Person or Persons whomsoever, then and in every such Case the said Commissioners, or Body Corporate or Politic, or Person or Persons, shall within Ten Days after Receipt of such Notice, alter or remove and take away, or cause to be altered or removed and taken away, all or any of such Pipes, Cocks, and Branches as shall have been so introduced and laid therein or thereupon from any such Main or Pipe of the said Commissioners, or Body Corporate or Politic, or Person or Persons as aforesaid; and

in default thereof it shall be lawful for such Owner or Occupier, or any such Person or Persons acting under their Authority, to cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require, and the Costs and Expences of such Removal shall be recovered from the said Commissioners, or Body Corporate or Politic, or other Person or Persons, on Complaint before a Justice, as any Penalty is recoverable under this Act, if the same be not paid on Demand by such Commissioners, or Body Corporate or Politic, or other Person or Persons liable thereto.

Ingredients used in manufacturing Gas not to be conveyed into any River.

LIX. And be it further enacted, That it shall not be lawful for the said Commissioners, or any Body Politic or Corporate, or Person or Persons whomsoever, to carry or convey or cause to be carried or conveyed any Washings or Liquids, or any Lime or other Ingredients, Matter, or Thing whatsoever, which shall arise or be produced in manufacturing or producing any Gas or Inflammable Air whatsoever, in or by the prosecuting of any of the Gas Works, into any River, Pond, Ditch, Brook, or Canal, or into any Sewer, Conduit, or other Place whatsoever, by which it may ultimately be carried or conveyed into any River, Pond Ditch, Brook, or Canal.

Penalty for conveying Washings into any River, Stream, &c.

LX. Provided always, and be it further enacted, That if the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever, making, furnishing, or supplying any Gas used, burnt, or consumed for lighting any Street, Highway, or Place, or any House, Manufactory, Building, or Premises within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings, or other waste Liquids or Substances or Things whatsoever, which shall arise or be produced in the Prosecution of Gas Works, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, then and in every such Case the said Commissioners, or Body Politic or Corporate, or Person or Persons so offending, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than one Imparlance shall be allowed; and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time of such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been sued for or recovered or not), in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run

or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the Person or Persons so offending, and such Person or Persons shall not, within Twenty-four Hours next after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case such Commissioners, or Body Politic or Corporate, or Person or Persons so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage, by any such Act so done or committed.

This Act not to prevent Persons supplying Gas being proceeded against for a Nuisance.

LXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever, making, furnishing, or supplying any Gas used, burnt, or consumed for lighting any Street, Highway, or Place, or any House, Manufactory, Building, or Premises within the Limits of this Act, or against any of his, her, or their Officers, Servants, or Workmen, in respect of any Works of the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever as aforesaid, or the Means which shall be by him, her, or them used in obtaining, making, or preparing the said Gas or Inflammable Air, or in using the same, as a public or private Nuisance.

Power for Commissioners to purchase and take Property in the Schedule of the Act.

LXII. And be it further enacted, That for the more effectually improving the said Town of *Godalming*, it shall be lawful for the said Commissioners, or the Majority of such of the said Commissioners as may be present at any public Meeting to be held, of which Fourteen Days Notice at least shall be given by the Clerk to the said Commissioners of the Purpose of such Meeting, and they the said Commissioners are hereby authorized and empowered, to purchase and take the several Messuages, Buildings, Lands, Tenements, and Hereditaments within the said Town of *Godalming*, mentioned and specified in the Schedule to this Act annexed, or so many or such Part or Parts thereof as they the said Commissioners shall think necessary and proper to be taken and used for the Purposes

of

of this Act, and to take down, alter, or remove all or any of the said Messuages, Buildings, Tenements, or Hereditaments so to be purchased, or any Part or Parts thereof respectively, and to erect and build any new Messuage or Messuages, Erections or other Buildings on any of the Ground or Sites thereof respectively, or to appropriate and dispose of all or any of the same Ground or Sites, and also all or any of the Land or Ground so to be purchased as aforesaid, for all or any of the Purposes of this Act, as they the said Commissioners shall think fit.

Such Property to be contracted and paid for within Five Years.

LXIII. Provided always, and be it further enacted, That if the said Commissioners shall not, within the Space of Five Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for as herein-after mentioned, the several Messuages, Buildings, Lands, Tenements, and Hereditaments, which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities hereby granted to them for such Purpose shall cease, determine, and be utterly void, (save and except with the Consent in Writing of the Owners and Occupiers thereof respectively).

Power for Commissioners to purchase other Property for the Purposes of this Act.

LXIV. And be it further enacted, That it shall be lawful for the said Commissioners, or the Majority of such of the said Commissioners as may be present at any public Meeting to be convened as last aforesaid, to contract and agree with any Person or Persons, Body or Bodies Politic, Corporate, Collegiate or Sole, as shall be or be deemed to be the Owner or Owners, Proprietor or Proprietors, or Person or Persons otherwise interested in any House or Houses, Building or Buildings, Erection or Erections, Lands, Tenements, or Hereditaments within the Limits of this Act, or of any Door or Doors, Cellar or Cellars, or of any Steps belonging thereto, or in any Building whatsoever which the said Commissioners shall think necessary and proper to be purchased for the Purpose of widening, opening, and otherwise improving all or any of the said Streets, Ways, Lanes, public Passages and Places, or any of them, or any Part thereof, or for the Purpose of opening any Communication between any one or more Streets, Ways, Lanes, public Passages and Places, and for otherwise improving and rendering more commodious the several Streets, Ways, Lanes, public Passages and Places within the Limits of this Act, for the absolute Purchase of the said Houses, Buildings, Erections, Doors, Cellars, Steps, Projections, Encroachments, Lands, Tenements, or Hereditaments or any of them, or for the Damage to be done thereto respectively in the Execution or for the Purposes of this Act; and to take down or alter all or any of such last-mentioned Houses, Buildings, Erections, Steps, Projections, Encroachments, Tenements, and Hereditaments so to be purchased, or any Part or Parts thereof respectively, and to appropriate the same as they the said Commissioners shall think fit: Provided always, that nothing herein contained shall authorize or empower the said Commissioners to take or use, for the Purposes of this Act, any Houses, Buildings, Erections, Lands, Tenements, or Hereditaments whatsoever, without the Consent in Writing of the Owners and Occupiers thereof first had and obtained (other than and except those mentioned in the Schedule to this Act annexed).

LXV. And

Power for Bodies Politic and incapacitated Persons to sell.

LXV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, and all Corporations, whether Aggregate or Sole, for charitable or other Purposes, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, and their Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and also for all Femes Covert who are or shall be seised in their own Right, and for all Persons, whether Tenants for Life, or Tenants in Tail, General or Special, or for Years determinable on any Life or Lives, and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any Messuages, Buildings, Erections, Cellars, Steps, Projections, Encroachments, Lands, Tenements, or other Hereditaments, or any Part thereof, which the said Commissioners are by this Act enabled to purchase for any of the Purposes of this Act, to treat, contract, and agree with the said Commissioners for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Commissioners and their Successors, for any of the Purposes of this Act; and all Contracts, Agreements, Bargains, Sales, and Conveyances which shall be made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual to all Intents and Purposes, not only to convey all Estate, Right, Interest, Use, Property, Claim, and Demand whatsoever of the said several and respective Cestuique Trusts, and all claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, for charitable or other Purposes, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

In case of Refusal to treat, &c. the Value to be assessed by a Jury.

LXVI. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation, whether Aggregate or Sole, or any Feme Covert, or any Tenant for Life, or Tenant in Tail, General or Special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Person or Persons whomsoever, interested in any Messuages, Buildings, Lands, Tenements, or Hereditaments within the Limits of the said Town, and specified in the said Schedule to this Act annexed, which the said Commissioners are authorized to purchase and take for the Purposes of this Act, shall refuse to treat, contract, or agree as aforesaid, or by reason of Absence or otherwise shall be prevented from treating, contracting, or agreeing, or shall decline or refuse to sell, convey, and dispose of the Premises whereof or wherein or whereunto they respectively shall be so seised, possessed, interested, or entitled as aforesaid, or their respective Rights, Titles, Claims, or Interests into or upon the same, or any Part thereof, unto the said Commissioners, or to such Person or Persons as they shall nominate, for the Purposes and according to the Tenor, true Intent, and Meaning of this Act, or shall not or cannot produce or make out a clear Title to the Premises they are in

Possession of, or to the Interest they claim therein, to the Satisfaction of the said Commissioners, or if any Dispute or Difference shall arise touching such Purchaser or Purchasers, then and in every such Case the said Commissioners are hereby empowered and authorized, before any General or Quarter Sessions of the Peace to be holden for the said County, or any Adjournment thereof, to give or cause to be given to such Owner, or the Clerk or other Officer or Officers of such Bodies Politic, Corporate, or Collegiate, or to leave or cause to be left at the House of the Tenant in Possession, Ten Days Notice in Writing, denoting and particularly describing the Lands, Buildings, Houses, Tenements, or other Hereditaments intended to be purchased, and purporting that the Value thereof shall be adjusted and settled by a Jury at the said Sessions, or Adjournment thereof; and the Justices at the said Sessions, or any Adjournment thereof, upon Proof to them made of such Notice having been given or left, are hereby authorized and required to charge the Grand Jury at such Session assembled, or the Jury to try Prisoners at such Session, well and truly upon their Oaths to assess the Value of the said Lands, Buildings, Houses, Tenements, or other Hereditaments comprised in the Notices so given, and the Damages and Recompence to be awarded or given for the same to the respective Owner or Owners thereof, according to their respective Interests therein, and to which said Jury the said Commissioners, and all Persons interested in the said Lands, Buildings, Houses, Tenements, or other Hereditaments, shall have their lawful Challenges; and the Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given concerning the Nature, Quality, or Value of the Lands, Houses, Buildings, Tenements, or other Hereditaments so to be sold or conveyed as aforesaid, shall by their Verdict assess the Damages and Recompence to be given for the same to the respective Owner or Owners, Occupier or Occupiers thereof, according to their respective Interests therein; and such Verdict of the said Jury, and Judgment of the said Justices upon the same, shall be final, binding, and conclusive to the said Commissioners, and to all Person and Persons interested in the said Lands, Buildings, Houses, Tenements, and other Hereditaments; and such Verdict, and the Judgment of the Justices thereupon, shall be fairly entered and kept among the Records of the Sessions of the said County; and the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever, and all Persons may have recourse to the same *gratis*, and take Copies thereof, paying Sixpence for every Seventy-two Words, and so in proportion for any greater or less Number of Words.

Verdict of Jury not to be binding, unless Money paid within Three Months.

LXVII. Provided always, and be it further enacted, That in case the Sum or Sums so assessed by the said Jury, and ordered and adjudged to be paid by the said Commissioners as a Satisfaction to the Owners, Occupiers or others, for their respective Interests in the said Premises, shall not be paid, tendered, left, or deposited according to the true Intent and Meaning of this Act, within Three Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury shall not be binding upon the said Parties; any thing herein contained to the contrary thereof in anywise notwithstanding.

By whom Expences of Juries shall be paid.

LXVIII. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously

viously offered for or on behalf of the said Commissioners, as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Commissioners out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same, within Ten Days after Demand made thereof from the said Commissioners, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Commissioners, or of any Goods or Chattels of the Treasurer or Treasurers of the said Commissioners, (unless such Treasurer or Treasurers shall pay such Costs and Charges out of the Monies received by him by virtue of this Act, which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Surrey*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Commissioners, as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Commissioners; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Commissioners, the Costs and Charges so incurred shall be borne by the said Commissioners in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County of *Surrey*, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Commissioners from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

LXIX. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said

said Commissioners, shall be made in the Form or to the Effect following; (that is to say,)

Form of Conveyance, &c.

'I of in consideration of the Sum of to me paid by the Commissioners appointed by virtue of an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act, &c.* [*here set forth the Title of this Act*], do hereby grant and convey to the said Commissioners and their Successors, all, &c. [*here describe the Premises to be conveyed*], and all my Estate, Right, Title, and Interest to and in the same and every Part thereof, to hold to the said Commissioners and their Successors for ever. In witness whereof I have hereto set my Hand and Seal this Day of in the Year of our Lord .'

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Provision for Payment of Purchase Money.

LXX. And be it further enacted, That every Sum of Money to be agreed for, or awarded or assessed as aforesaid, shall be paid out of the Monies to be received by the said Commissioners by virtue of this Act; and upon Payment thereof to the Party or Persons respectively entitled to such Monies or their Agents, or depositing the same in the Bank of *England* (as the Case may be), in manner by this Act directed and required, within Three Calendar Months after such Money shall have been adjudged, awarded, or assessed, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity of the Person or Persons respectively to whose Credit or Use the same shall have been paid, in, to, and out of such Lands, Tenements, or other Hereditaments, shall vest in the said Commissioners, in trust for effecting the Purposes of this Act by them, and they shall be deemed in Law to be in the actual Seisin and Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment, with Livery of Seisin, Fine, Common Recovery, Surrender, or any other Conveyance or Assurance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Use or Credit such Payments shall have been made as aforesaid, but also extend to and be deemed and construed to bar the Dower 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 of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Application of Compensation Money if amounting to 200*l.*

LXXI. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for charitable or other

Purposes, or for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or other Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall be equal 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 Court of Exchequer, to be placed to his Account there, *ex parte* the Commissioners for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood limited or settled, 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 said Court, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

1 G. 4. c. 35.

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

LXXII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of

the Person or Persons, or Body Politic or Corporate for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of the Guardian or Guardians, Committee or Committees of such Person or Persons, in case of his, her, or their Infancy, Idiotcy, or Lunacy, to be signified in Writing under the Hand or respective Hands of such Person or Persons, Guardian or Guardians, Committee or Committees, or under the Seal of such Body Politic or Corporate, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons or Body Politic or Corporate, making such Option, and approved of by Three or more of the said Commissioners for executing this Act, (such Nomination and Approbation to be signified under the Seal of the Body Politic or Corporate nominating, or in Writing under the Hands of other nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

Application of Compensation when less than 20*l.*

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

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

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

of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise as to the Title to Money, &c.

LXXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, 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, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

LXXVI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Exchequer to order the Expences incident and relating to all Purchases to be from Time to Time made in pursuance of this Act, or so much of the said Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Possession to be delivered up.

LXXVII. And be it further enacted, That all and every Person and Persons, Body and Bodies Politic, Corporate, and Collegiate, in Possession of any Houses or Buildings, Lands, Tenements or Hereditaments, which

which shall be purchased by virtue of this Act by the said Commissioners, or any Part thereof, shall at the End of Twelve Calendar Months next after Notice shall be given to him, her, or them for that Purpose, under the Hands of Five or more of the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises to such Person or Persons as shall be authorized by the said Commissioners to take Possession thereof, they the said Commissioners making such Satisfaction to every such Person or Persons, Bodies Politic, Corporate, or Collegiate, in case he, she, or they shall be required to quit before the Expiration of his, her, or their Term in the Premises, as the said Commissioners shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction or Compensation shall be settled and ascertained by a Jury in manner herein-before mentioned; and in case any such Person or Persons, or Body Politic, Corporate, or Collegiate, shall refuse to give up such Possession as aforesaid, it shall be lawful for the Sheriff of the said County to issue his Precept or Warrant, signed by him, to the Constable of and for the said Town of *Godalming*, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same, and the said Constable is hereby required to deliver such Possession accordingly, and to levy such Costs as shall accrue upon the issuing or execution of such Precept or Warrant on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, and their Goods, returning the Overplus (if any) to the Owner thereof on Demand.

Power for Commissioners to sell such Lands as shall not be wanted by them.

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

First Offer to be made to the Owners of adjoining Lands.

LXXIX. Provided always, and be it further enacted, That the said Commissioners, before they shall sell and dispose of any such Piece or Pieces of Land or Ground, shall first offer to resell the same to the Owner or Owners of the adjoining Lands; and in case such Person or Persons shall be desirous of repurchasing the same, and shall signify such his, her, or their Desire and Intention in that behalf to the said Commissioners, within Twenty-one Days after such Offer of Resale shall have been made; and in case such Person or Persons shall refuse or decline to avail himself, herself, or themselves of such Offer, or shall neglect or omit to signify his, her, or their Desire and Intention to repurchase such Messuages, Lands, Tenements, and Hereditaments, for the Space of Twenty-one Days, then and in every such Case an Affidavit made and sworn to before a Master

or

or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said County of *Surrey*, by some Person or Persons not interested in the same Piece or Pieces of Land or Ground, stating that such Offer was made by or on behalf of the said Commissioners, and that such Offer was refused or declined, or was not accepted or agreed to by the Person or Persons to whom the same was made, within the said Space of Twenty-one Days from the Day or Time of making the same, shall in all Courts whatever be sufficient Evidence and Proof that such Offer was made, and was refused or declined, or was not accepted and agreed to within the Time aforesaid by the Person or Persons to whom such Offer was made, as the Case may be; and in case such Person or Persons shall be desirous of purchasing or repurchasing the same, and he, she, or they and the said Commissioners shall differ and not agree with respect to the Price thereof, then and in such Case the Price or Prices thereof shall be ascertained by a Jury, in the Manner in this Act directed with respect to the disputed Value of Premises to be purchased by the said Commissioners in pursuance thereof; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in and by this Act is directed with respect to Purchases made by the said Commissioners, *mutatis mutandis*; and the Money produced by the Sale or Sales which may be made by the said Commissioners of such Piece or Pieces of Land or Ground as aforesaid, shall be applied to the Purposes of this Act.

Commissioners not answerable in their private Capacity;

LXXX. Provided always, and be it further enacted and declared, That no Contract which shall be made by the said Commissioners for any of the Purposes of this Act shall be binding upon the said Commissioners as Individuals, or in their private Capacity; nor shall any of the said Commissioners personally, or their respective Estates, be answerable for or subject to the Payment of any of the Mortgages or Annuities to be granted in pursuance of this Act; and all Money which shall be expended by or recovered against any of the said Commissioners, or any Person or Persons employed by them, by means of any Action, Prosecution, or Appeal to be brought by or against them, or any of them, touching the Execution of this Act, shall be borne and defrayed out of the Money which shall come to the Hands of the Treasurer to the said Commissioners, or any other Person appointed by them by virtue of this Act; provided nevertheless, that nothing herein contained shall extend to exonerate or discharge any of the said Commissioners, their Houses, Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, from the Payment of the Rates or Assessments to be raised by virtue of this Act.

but to be subject to Rates.

Power to raise Money by Rates or Assessments.

LXXXI. And for raising Money towards answering and defraying the Charges and Expences of carrying this Act into Execution, be it further enacted, That the said Commissioners shall and they are hereby authorized and required to raise and levy such Sum or Sums of Money as they shall from Time to Time judge necessary, not exceeding in any One Year the Sum of One Shilling and Sixpence in the Pound, by One or more Rate or Assessment, Rates or Assessments, upon the respective Tenants or Occupiers of all Houses, Shops, Warehouses, Stables, Gardens, Lands, Tenements, and other Hereditaments lying within the Limits of this Act, amounting to or exceeding the annual Value of Four Pounds and Ten Shillings, but not amounting to the annual Value of Seven Pounds and

Ten Shillings; and also such Sum or Sums of Money, not exceeding in any One Year the Sum of Three Shillings in the Pound, upon the respective Tenants or Occupiers of all Houses, Shops, Warehouses, Stables, Gardens, Lands, Tenements, and other Hereditaments lying within the said Limits, amounting to or exceeding the annual Value of Seven Pounds and Ten Shillings; such respective annual Values to be ascertained from the relative or comparative Scale of Value on which the Rates or Assessments shall be from Time to Time made for the Relief of the Poor of the Parish of *Godalming*, estimating and computing the present Rates or Assessments at Two-third Parts only of the actual annual Value or Rack Rent of the Property thereby rated or assessed; the First Year for which any Rate or Assessment shall be made by virtue of this Act shall commence at and be computed from the Twenty-fourth Day of *June* One thousand eight hundred and twenty-five; and the Money so to be rated or assessed shall from Time to Time be paid to the Collector or Collectors to be appointed as aforesaid, at such Time or Times in every Year, and in such Manner as the said Commissioners shall direct, and shall be paid over by him or them into the Hands of the Treasurer to the said Commissioners: Provided always, that no Rate or Assessment to be made in pursuance of this Act shall be valid until the same shall be signed by Five or more of the said Commissioners; and the said Commissioners are hereby empowered to amend any such Rate or Assessment after the same shall have been so signed, by inserting the Name of any Person who ought to have been rated or assessed, or striking out the Name of any Person who ought not to have been so rated or assessed, or to raise or lower the Assessment or Assessments on any Person or Persons who shall be underrated or over-rated in the said original Rate or Assessment.

Annual Value to be ascertained by the Poor's Rate.

Provision in case the Principle of making the Poor Rates should be altered.

LXXXII. And be it further enacted, That if at any Time hereafter any Alteration in the Laws relating to the Poor, or the Rates made for the Relief of the Poor of the said Parish of *Godalming*, shall be made on a Scale of comparative Value different from the existing Scale or Mode of rating to the Poor as aforesaid, and which, in the Opinion of the said Commissioners, at any General Meeting to be convened for the Purpose, shall not be deemed a fair and equal Criterion by which the Rates or Assessments authorized to be made by virtue of this Act should or ought to be made, then and in such Case or Cases it shall be lawful for the said Commissioners, and they are hereby empowered and required, in all future Rates or Assessments to be thereafter made by them under and for the Purposes of this Act as aforesaid, to make such Rates or Assessments upon Two-third Parts of the annual Value or Rack Rent of such respective Premises as herein-before mentioned, notwithstanding the Power herein-before contained to make the same on a comparative Scale with the Rates to be made for the Relief of the Poor of the said Parish of *Godalming* as aforesaid.

Commissioners may peruse the Poor Rates for the preceding Year.

LXXXIII. And be it further enacted, That in order to make such Rates or Assessments, the Overseers of the Poor of the said Parish of *Godalming* shall and are hereby required, at all seasonable Times, to permit the said Commissioners, or the Treasurer, Clerk, or Collector to the said Commissioners, or any other Person to be appointed by the said Commissioners, to peruse and inspect the Rates made for the Relief of the Poor at any Time within a Year then next preceding, and to take a Copy

thereof; and if any such Overseer shall refuse or neglect to permit any such Perusal or Inspection, or the taking of any such Copy, he shall for every such Refusal or Neglect forfeit and pay any Sum not exceeding Ten Pounds.

Proportion of Rates to be paid by Persons removing.

LXXXIV. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Building, or Tenement, which shall be rated or assessed by virtue of this Act, such Person shall be liable to such Rate or Assessment in proportion to the Time that he or she occupied the same; and in all Cases where any Person shall come into or occupy any House, Building, or Tenement rated or assessed as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making any Rate or Assessment was empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment, in respect thereof, in proportion to the Time that he or she occupied the same; which said respective Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners.

Landlords of Houses let to Lodgers to pay the Rates.

LXXXV. And be it further enacted, That the Lessee, Landlord, or Owner of every House within the Limits of this Act, which is or shall or may be let out ready-furnished to a Lodger or Lodgers, shall be liable or subject to the Rates or Assessments directed by this Act to be made, raised, and levied; and every Person renting or occupying any such ready-furnished House as aforesaid, shall be liable and compellable to the Payment of the said Rates or Assessments, not exceeding in any Case the Amount of the Rent reserved or payable for the same, to be recovered in manner herein-after mentioned; and every such respective Occupier or Occupiers who shall pay any such Rate or Assessment, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of his or her next Rent, and the Lessee, Landlord, or other Person or Persons who shall be in the actual Receipt of the Rack or Improved Rent of such House is and are hereby required to allow the same accordingly, and the Receipt for such Payment shall be a sufficient Discharge to such Tenant or Tenants, Occupier or Occupiers, for so much Money as he, she, or they shall pay, or shall be levied on him, her, or them by virtue of this Act.

Persons not to be assessed.

LXXXVI. Provided always, and be it further enacted, That no Person or Persons who by reason of his, her, or their Poverty or Inability only, as are or shall be excused from the Payment of or left out of the Rates and Assessments made for the Relief of the Poor of the said Town, shall be subject or liable to be rated or assessed in any Rate or Assessment to be made by virtue of this Act.

Rate Book Evidence.

LXXXVII. And be it further enacted and declared, That the Book of Rates to be delivered to the Collectors or other Officers to the said Commissioners, and all Entries afterwards made therein, or examined Copies thereof respectively, being signed by any Five or more of the said Commissioners, shall be received as Evidence of the Rates improved by virtue of this Act, and of the Payment of such of them, or any Part thereof, as shall by such Entries appear to have been paid to such Collectors.

LXXXVIII. And

Arrears of Rates, how to be recovered.

LXXXVIII. And for the better enforcing Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the Rates or Assessments to be made by virtue of this Act, shall refuse or neglect to pay the Money rated or assessed upon him, her, or them, and all Arrears due thereon; or if any Person or Persons liable to pay any of the said Rates or Assessments shall at any Time begin to remove his, her, or their Goods, Chattels, Furniture, Cattle, or other Effects from the Messuage, Building, Land, Tenement, Hereditaments, or Premises in his, her, or their Occupation within the said Town, or to sell and dispose of, or cause to be sold or disposed of, such Goods, Chattels, Furniture, Cattle, or other Effects therein by public Auction; or sell, dispose of, or carry away his, her, or their Goods, Chattels, Cattle, or other Effects as aforesaid, without first paying all Arrears due or rated in respect of such Messuage, House, Building, Lands, Tenements, Hereditaments or Premises, (including the current Quarter, which shall be considered as due,) then and in any of the said Cases it shall be lawful for the Collector or Collectors for the Time being to be appointed in pursuance of this Act, to collect and levy such Rates and Assessments, and all Arrears due thereon, and the Rate or Assessment for such Quarter wherein such Removal or Sale shall begin to be made as aforesaid, in case the same shall not be forthwith paid, (although previous to the Time for Payment of the Rate or Assessment for such Quarter,) by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said County of *Surrey*, by Distress and Sale of the Goods, Chattels, Furniture, and other Effects of or belonging to the Person or Persons whose Rate or Rates shall then be due or payable as aforesaid; and if within Four Days next after such Distress shall be made, the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Costs and Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods, Chattels, Furniture, Cattle, and other Effects to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Costs and Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any) upon Demand to the Owner or Occupier of such Goods, Chattels, Furniture, Cattle, and other Effects respectively.

Not to affect Agreements between Landlords and Tenants.

LXXXIX. And be it further enacted, That nothing herein contained shall be deemed or taken to make void any Contract, Covenant, or Agreement between any Landlord and Tenant, touching or concerning the paving or repairing any of the Footways within the said Town, or touching or concerning the Payment of any Rates or Assessments to be made by virtue of this Act.

Appropriation of Part of Rates as a Sinking Fund for paying off the Money borrowed.

XC. And be it further enacted, That the said Commissioners shall and they are hereby required, yearly and every Year, to appropriate and set apart, by and out of the Monies and Rates to be raised by virtue of this Act, a Sum not exceeding Two Pounds for every One hundred Pounds so raised; and such Sums of Money shall be placed out at Interest in the Public Funds, and separately managed as a Sinking Fund for the Discharge of all such Monies as shall be borrowed by way of Mortgage upon the Credit of the Rates to be raised by virtue of this Act; and such yearly

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Appropriations shall continue until the Purposes for which they are intended shall have been effected: Provided always, that if a greater Appropriation can at any Time or Times be made consistently with the other Objects of this Act, the said Commissioners are hereby authorized and empowered to appropriate, in such Proportions as aforesaid, such further Sum or Sums of Money, whether yearly or otherwise, accordingly.

Power to raise Money on the Credit of the Rates.

XCI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time to borrow and take up at Interest, in the Manner herein-after mentioned, any Sum or Sums of Money as they shall think necessary for the Purposes of this Act, upon the Credit of the said Rates or Assessments to be made as aforesaid; and the said Commissioners shall and may, by Writing under their Hands and Seals, mortgage or assign over all or any Part of such Rates or Assessments so to be made, raised, levied, and collected within the Limits of this Act, for which the said respective Sums shall be borrowed, to the Person or Persons who shall advance or lend the Money so to be borrowed, or by his, her, or their Trustee or Trustees, as a Security for such Money, together with Interest for the same; and the Charges and Expences of such Mortgage or Assignment thereof, to be made as hereafter mentioned, shall be from Time to Time defrayed by the said Commissioners out of the Monies so borrowed: Provided always, that before any Money shall be borrowed for the Purposes of this Act, Notice thereof shall be given by the said Commissioners, or their Treasurer or Clerk, Once in some One Newspaper printed or circulated in the Neighbourhood of the said Town, and affixed on the principal outer Door of the Parish Church of *Godalming* aforesaid, at least Fourteen Days before the borrowing of such Money; and in which Notice the Sum of Money so intended to be borrowed as aforesaid shall be particularly mentioned and set forth; and the Form of every such Mortgage or Assignment shall be in the Words or to the Effect following; (that is to say),

Form of Mortgage.

'WE of the Commissioners acting in Execution of an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act, &c.* [*here set forth the Title of this Act*], in consideration of the Sum of advanced and lent by to the Treasurer appointed in pursuance of the said Act, upon the Credit and for the Purposes of the said Act, do grant and assign unto the said [*or* to his Trustee or Trustees, *as the Case may require*], his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments to be raised, levied, and collected by virtue of the said Act in the said Town of *Godalming*, 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 Rates or Assessments to be made in the said Parish of *Godalming*; to be had and holden from this Day of until the said Sum of with Interest at the Rate of *per Centum per Annum*, shall be repaid and satisfied. In witness whereof, we the said Commissioners have hereunto set our Hands and Seals the Day of in the Year of our Lord '

And every such Mortgage or Assignment shall be good, valid, and effectual in Law, and 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 thereof, according to the true Intent and Meaning of this Act.

Power of transferring Securities.

XCII. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed upon legal Interest as aforesaid, and their respective Executors, Administrators, or Assigns (as the Case may be), at any Time by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following; (that is to say),

Form of Assignment.

'I being entitled to the Sum of , by
'virtue of an Assignment bearing Date the Day of
' under the Hands and Seals of
'of the Commissioners acting in the Execution of an Act passed in the
'Sixth Year of the Reign of King *George* the Fourth, intituled *An Act*,
'*&c.* [*here set forth the Title of this Act,*] upon the Credit of the Rates
'or Assessments granted or made payable by the said Act in the said
'Town of *Godalming*, do hereby transfer all my Right and Title in and
'to the same Sum, and all Interest now due and arising thereon, unto
' his Executors, Administrators, and Assigns.
'Dated the Day of '

And a Copy of every Security or Assignment which shall be made in pursuance of this Act, and Extracts or Memorials of all Transfers thereof, shall be entered by the Clerk to the said Commissioners in a Book to be kept for that Purpose, which Extracts or Memorials shall specify and contain the Dates, Names of the Parties, and the Sums of Money thereby transferred, to which Book any Person interested shall at all reasonable Times have Access, and shall have Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more; and after such Entry made of any such Transfer, every Transfer so entered shall entitle the Person to whom the same shall be made, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Commissioners may borrow Money at a lower Rate of Interest, to pay off Securities at a higher Rate.

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

Application of the Money.

XCIV. And be it further enacted, That all the Money to arise by the said Rates, Assessments, and other Monies hereby granted, or to be levied or recovered by virtue of this Act, and which may be borrowed on the Credit thereof, shall be paid to the Treasurer to the said Commissioners,

sioners, or to such other Person or Persons as they shall appoint to receive the same, and shall be applied and disposed of, in the first Place, in paying and discharging all the Costs, Charges, and Expences of obtaining and passing this Act, and in paying and discharging the Interest of the Monies which shall be borrowed under this Act, and then from Time to Time in defraying the Charges and Expences of lighting, cleansing, and watching the Streets, Ways, Lanes, and other public Passages and Places of and in the said Town of *Godalming*, and in defraying and paying all Expences which the said Commissioners and other Officers shall necessarily sustain and be put unto in carrying this Act into Execution, or in prosecuting or defending any Prosecutions, Actions, or Suits, in any Manner relative to the Execution of this Act, or of any thing to be done under or by virtue of the same, and for such other Uses and Purposes as are in this Act expressed; and the Residue of all such Money shall be paid and applied in reducing, paying off, and discharging all such Principal Sums as shall be borrowed as aforesaid.

Creditors to be paid off by Ballot.

XCV. And in order that no undue Preference may be given to any of the Persons entitled to the Principal Money which shall be borrowed as aforesaid, in discharging and paying off the same, be it further enacted, That whenever the said Commissioners shall think proper to pay off any of the Principal Money to be borrowed as aforesaid, they shall cause all the Mortgages or Assignments to be granted or made and then in force, for securing the Principal Monies to be borrowed as aforesaid, to be numbered, and the Numbers to be written upon distinct Pieces of Paper of an equal Size, and all such Papers to be rolled up in the same Manner as near as may be, and put into a Box or Glass, and One Number of the said Mortgages or Assignments shall be drawn out of the said Box or Glass by the Clerk to the said Commissioners, in the Presence of Three or more of the said Commissioners; and the Person or Persons holding the Security, the Number of which shall be so drawn out, shall be entitled to receive the Sum so to be paid off, or so much thereof as may be due upon such Security: Provided always, that if it shall happen that any Mortgage or Assignment, the Number whereof shall be drawn out as aforesaid, shall be for a greater Sum than Fifty Pounds, no more than Fifty Pounds shall be discharged in consequence of such Number being so drawn; and if more than One Fifty Pounds shall at any such Time be intended to be paid off, then and in such Case the said Ballot shall be repeated.

Notice to be given to the Persons whose Mortgages are to be paid off.

XCVI. Provided always, and be it further enacted, That after any Ballot shall be had as aforesaid, the said Commissioners shall cause a Notice signed by their Clerk to be given to or left at the usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Sum to be paid, together with the Interest due thereon, and that the same will be paid at the Place to be mentioned in such Notice, at the Expiration of Six Calendar Months from the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money so to be paid off shall, from and after the End of the said Six Calendar Months, cease and be no longer paid or payable, unless such Principal Money shall be demanded pursuant to such Notice and not paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Six Calendar Months, shall nevertheless be payable on Demand.

XCVII. And

Penalty on obstructing Collectors, &c.

XCVII. And be it further enacted, That if any Person or Persons shall at any Time or Times hereafter hinder or molest the Collector or Collectors, or other Officer or Officers, or any Workman or Workmen, or any other Person or Persons whomsoever, who shall be employed by virtue of this Act, or in any Manner concerned in the Execution thereof, in the Performance and Execution of his or their Duty or Work, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

In case of Nonpayment of Compensation for Damages, &c. the same to be levied by Distress of the Goods of the Company or their Treasurer.

XCVIII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Commissioners, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made from the said Commissioners, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order made by such Justice or Justices shall be stated, then and in such Case, the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Commissioners, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences, as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Damages and Charges, in case of Dispute, to be settled by Justices.

XCIX. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Recovery and Application of Penalties.

C. And be it further enacted, That all Penalties, Forfeitures, and Fines, Costs, Charges, and Expences, by this Act imposed, the Manner of

of levying or recovering whereof is not hereby particularly directed, shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Surrey*, (which Warrant such Justice is hereby required and empowered to grant), upon the Confession of the Party or Parties, or upon the Oath of One or more credible Witness or Witnesses, (which Oath such Justice is hereby empowered to administer), rendering the Overplus (if any) of the Money arising by such Sale, on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained; and after deducting the Charges of such Distress and Sale, all such Penalties, Forfeitures, and Fines, Costs, Charges, and Expences, when recovered, (if not herein directed to be otherwise applied), shall be paid, One Half to the Informer or Informers, and the other Half to the Poor of the said Town of *Godalming*; and in case such sufficient Distress cannot be found, and such Penalties, Forfeitures, and Fines, Costs, Charges, and Expences, shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice, for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no such sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that such Offender or Offenders hath or have not sufficient Goods and Chattels within the Jurisdiction of such Justice, whereon the Penalty, Forfeiture, or Fine, Cost, Charge, or Expence, and Charges of levying the same, can be raised, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the said County, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, Costs, Charges, and Expences, and all reasonable Charges thereon, shall be sooner paid or satisfied.

Plaintiff shall not recover after Tender of sufficient Amends.

CI. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or wrongful Proceeding, if sufficient Tender of Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceeding, 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 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 see fit, whereupon such Proceeding or Order and Judgment shall be had, made, or given by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Appeal.

CII. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he or she may apply to the said Commissioners at their First Meeting to be holden after the Expiration of Five Days after demanding of such Rate or Assessment, and the said Commissioners are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person shall be dissatisfied with the Determination of the said Commissioners therein, or if any Person shall think himself or herself aggrieved by any Act, Matter, or Thing to be done in pursuance of this Act, every such Person may appeal to the Justices at any General or Quarter Sessions of the Peace to be holden for the said County of *Surrey*, within Three Calendar Months next after the Cause of Complaint shall have arisen, such Appellant first giving Fourteen Days Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Respondent or Respondents, and also to the Clerk to the said Commissioners, and within Five Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with a sufficient Surety or Sureties, conditioned to try such Appeal, and abide the Order of and pay such Costs as shall be awarded by the Justices at such Sessions; and the Justices at such Sessions shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination therein shall be final, binding, and conclusive to all Parties to all Intents and Purposes.

Justices may amend Rates appealed against, without altering the other Rates.

CIII. Provided always, and be it further enacted, That upon all Appeals from and against any of the Rates or Assessments to be made or imposed by Authority of this Act, the Justices of the Peace (where they shall see just Cause for Relief) shall and they are hereby empowered to amend the said Rates or Assessments in such Manner only as shall be necessary for giving Relief to the Person or Persons so appealing, in case they shall think proper so to do, without quashing or altering such Rates or Assessments with respect to any other Person or Persons mentioned in the same.

Rates and Proceedings not to be quashed for Want of Form, or be removed by Certiorari.

CIV. And be it further enacted, That no Rate or Assessment, or any Proceedings to be had touching any Order made, or other Matter or Thing to be done or transacted in or relating to any Complaint or Appeal, or any Order or Determination thereon, in pursuance of this Act, shall be quashed or vacated for Want of Form only, or be removed or removable into any of His Majesty's Courts of Record at *Westminster* by Certiorari, or by any other Writ or Process whatsoever; any Law, Statute, or Usage to the contrary in anywise notwithstanding.

For compelling the Attendance of Witnesses.

CV. 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 Matter of Fact contained in any Information or Complaint to be made for any Offence against this Act, whether on the Part of the Prosecutors or of the Person or Persons complained of; or if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence at any General Quarter Sessions of the Peace for the County of *Surrey* or Adjournment thereof, upon any Appeal

by virtue of this Act, whether upon the Part of the Appellant or of the Respondent, and any such Person or Persons so summoned as aforesaid shall refuse or neglect, after Payment or Tender of his or her Expences, Costs, and Charges, to appear at the Time and Place to be for that Purpose appointed, without a 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 upon Oath, and to give Evidence before such Justice or Justices of the Peace, or at any such Sessions or Adjournment thereof, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Inhabitants may give Evidence.

CVI. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, any Inhabitant residing within the said Town of *Godalming* shall not be deemed incompetent to give Evidence by reason of his being such Inhabitant, or of his being charged with or liable to pay, or having paid any Rate or Assessment made or to be made under or by virtue of this Act.

For securing transient Offenders.

CVII. And be it further enacted, That it shall be lawful for the said Commissioners, or any one of them, or for any of their Surveyors, Collectors, and other Officers, and such Person or Persons as they or any of them shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons, being unknown to such Commissioners or Commissioner, Surveyors, Collectors, and other Officers, who shall commit any Offence or Offences against this Act, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said County of *Surrey*; and such Justice or Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of Conviction.

CVIII. And for the more speedy and easy Conviction of Offenders against this Act, be it further enacted, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or any other Form of Words to the like Effect (as the Case shall happen); that is to say,

'*Surrey*, to wit.' BE it remembered, That on the Day of in the Year of our Lord *A. B.* is 'convicted before me, *C. D.* One of His Majesty's Justices of the Peace 'for the said County, [*specifying the Offence, and the Time and Place when 'and where the same was committed, as the Case may be*]; and I the said '*C. D.* do therefore adjudge him to forfeit and pay the Sum of 'Given under my Hand and Seal the Day and Year above 'mentioned.'

Persons distraining not to be deemed Trespassers for Want of Form.

CIX. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto; nor shall

shall the Party or Parties distraining be deemed a Trespasser or Trespassers on account of any Irregularity, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the special Damages in an Action on the Case.

Limitation of Actions.

CX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done under this Act, until Fourteen Days Notice thereof shall be given in Writing to the Clerk for the Time being to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Meeting at which the Cause of Complaint arose, or after the Fact was committed at which such Action or Suit shall be brought; and all such Actions or Suits shall be laid and tried in the County where the Cause of Action shall have accrued, and not elsewhere; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if it shall appear to have been so done, or that such Action or Suit was brought before Fourteen Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid; or if any such Action or Suit shall not be commenced within the Term for that Purpose herein-before limited, or shall be laid in any other County or Place than as aforesaid, then and in any or either of the said Cases the Jury shall find for the Defendant or Defendants; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in any such Action or Suit shall become nonsuited, or shall suffer a Discontinuance of any such Action or Suit, or if upon Demurrer Judgment shall be given for the Defendant or Defendants, then and in any or either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and have such and the like Remedy for recovering the same as any Defendant or Defendants hath or have in other Cases by Law.

General Issue.

Public Act.

CXI. 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.

The SCHEDULE referred to by the aforegoing Act.

Several Messuages or Tenements adjoining each other, with the Outbuildings, Yards, Gardens, Hereditaments, and Premises thereto belonging, now the Property of the Worshipful the Company of the Skinners, situated on the South Side of the High Street of the Town of Godalming, in the several Occupations of Hales, Thomas Elwin, Benjamin Cæsar, Edward Paddington, John Bailey, William Mile, James Collyer, Thomas Smith, and John Wakeford.

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