ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. xxvi.

An Act for amending and enlarging the Powers of Two Acts of His present Majesty, for paving, lighting, cleansing and improving the Town of *Ipswich*, in the County of *Suffolk*, and removing and preventing Encroachments, Obstructions and Annoyances therein; and for Watching the said Town. [2d *May* 1815.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act for paving, lighting, cleansing, and otherwise improving the Town of* Ipswich, *in the County of* Suffolk, *and for removing and preventing Encroachments, Obstructions, and Annoyances therein:* And whereas another Act was passed in the Thirty-seventh Year of the Reign of His said present Majesty, intituled, *An Act for amending and rendering more effectual an Act passed in the Thirty-third Year of the Reign of His present Majesty, for paving, lighting, cleansing, and otherwise improving the Town of* Ipswich, *in the County of* Suffolk, *and for removing and preventing Encroachments, Obstructions, and Annoyances therein:* And whereas, in the Execution of the said Acts, considerable Sums have been expended, and a very large Debt hath been contracted, which now remains due and owing; and the Income arising under the said Acts is insufficient for the Purposes thereof; and it is expedient that more effectual Provision should be made for paying the Interest of the said Debt, and for completing and maintaining in Repair the Pavement of the said Town, and for carrying into Execution the several other Purposes of the said Acts: And whereas the Powers and Provi-

33 G. 3. c. 92.

37 G. 3. c. 44.

sions of the said Acts have been found in many Respects defective and insufficient, and it is therefore expedient that the same should be amended and enlarged; and it is also expedient that Provision should be made for Watching the said Town: 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 High Steward, Bailiffs, Recorder, Deputy Recorder, Portmen and Common Councilmen of the Town and Borough of *Ipswich*, for the Time being, and such other Persons as were appointed by or by virtue of the said recited Acts, and their Successors to be appointed as therein mentioned, shall be and they are hereby constituted and appointed Commissioners for executing this Act and the said recited Acts, except such Parts of the said recited Acts as are or shall be repealed or altered by this Act.

Commissioners.

Commissioners Qualification.

II. Provided always, and be it further enacted, That no Person shall act as a Commissioner in the Execution of this Act and the said recited Acts, or of either of them, (save and except the High Steward, Bailiffs, Recorder, Deputy Recorder, Portmen, and Common Councilmen of the Town and Borough of *Ipswich* for the Time being) unless he is or shall be in his own Right, or in the Right of his Wife, possessed of or shall be Occupier of a House or Houses, Lands, Tenements, or Hereditaments, situate within the said Town and Borough of *Ipswich*, of the yearly Value of Fifty Pounds, or possessed of a Personal Estate to the amount of One thousand Pounds; and that if any Person, not being so qualified, shall act as a Commissioner in the Execution of this Act and the said recited Acts, or of either of them, every such Person shall for every such Offence, forfeit and pay the Sum of Fifty Pounds, to be recovered, on the Information of any Person or Persons, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection or Wager of Law, nor more than one Imparlance, shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or shall pay the said Penalty, without any other Proof on behalf of the Plaintiff than that such Person, after the passing of this Act, shall have acted as a Commissioner in the Execution of this Act and the said recited Acts or of either of them; and the Money so to be recovered shall, after Payment of the Costs and Expences attending the Recovery thereof, be paid, One Moiety to the Informer or Prosecutor, and the other Moiety to the Treasurer of the said Commissioners, to be applied for the Purposes of this Act and of the said recited Acts.

Commissioners to take an Oath.

III. Provided also, and be it further enacted, That no Person (except the High Steward, Bailiffs, Recorder, Deputy Recorder, Portmen and Common Councilmen as aforesaid) shall be capable of acting as a Commissioner in the Execution of this Act and the said recited Acts, or of either of them, until he shall have taken an Oath, or (being one of the People called *Quakers*) have made a solemn Affirmation, before any Two or more of the said Commissioners, at a Meeting to be held in pursuance of the said Acts (except in administering the Oath or Affirmation, which Oath or Affirmation such Commissioners, or any Five of them, are and is hereby authorized and required to administer); and which Oath or Affirmation shall be in the Words following; *videlicet*,

'I *A. B.*

'I *A. B.* do ſwear [*or*, being one of the People called *Quakers*, do ſolemnly affirm] That I am duly qualified, according to the Directions of an Act paſſed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *An Act for amending and enlarging the Powers of Two Acts of His preſent Majeſty, for paving, lighting, cleanſing and improving the Town of* Ipſwich, *in the County of* Suffolk, *and removing and preventing Encroachments, Obſtructions, and Annoyances therein, and for Watching the ſaid Town,* to act as a Commiſſioner in the Execution of the ſaid Act, and of the ſeveral Acts of Parliament paſſed for paving, lighting, cleanſing, and otherwiſe improving the Town of *Ipſwich*, in the County of *Suffolk*, and for removing and preventing Encroachments, Obſtructions and Annoyances therein. So help me GOD.'

Meetings to be held on the Firſt Friday in every Month.

IV. And be it further enacted, That from and after the paſſing of this Act, all Meetings of the Commiſſioners for executing this Act and the ſaid recited Acts, or either of them, ſhall be held upon the Firſt *Friday* inſtead of the Firſt *Tueſday* in every Month as heretofore, or by Adjournment on any ſuch other Day as ſhall be deemed proper; any Thing in the ſaid Acts to the contrary notwithſtanding.

No Order to be revoked without Notice given at a previous Meeting, &c. nor unleſs a greater Number of Commiſſioners were preſent than made the Order.

V. And be it further enacted, That no Order heretofore made, or which ſhall be hereafter made at any Meeting in Execution of the ſaid recited Acts or this Act, ſhall be revoked or altered at any ſubſequent Meeting, unleſs Notice be given at a Meeting of the ſaid Commiſſioners, of the Intention to revoke or alter ſuch Order at the next Meeting of the ſaid Commiſſioners; nor unleſs One Week's Notice at leaſt ſhall be given in each of the *Ipſwich* Newſpapers (if ſuch Newſpapers ſhall continue to be publiſhed, and if not, then in ſome one Newſpaper publiſhed or circulated in the ſaid Town) of the Intention to revoke or alter the ſame; nor unleſs a greater Number of Commiſſioners ſhall attend at ſuch Meeting ſo to be called, to revoke or alter ſuch Order, than were preſent when the ſame was made; nor in any Caſe where there are a leſs Number than Nine Commiſſioners preſent.

VI. And whereas, by the ſaid recited Act of the Thirty-ſeventh Year of His Majeſty's Reign, it was enacted, that for all Coals, Coke and Cinders imported or brought into, landed, or delivered within the River *Orwell*, or Town of *Ipſwich*, or the Harbour thereof, the Sum of One Shilling for every Chaldron of Thirty-ſix Buſhels, and ſo in Proportion for any leſs Quantity than a Chaldron, was charged and impoſed; for all ſuch Coals, Coke and Cinders, as were or ſhould or might be uſually ſold by the Ton, for every Ton thereof containing Twenty Hundred Weight, the Sum of Eight-pence, and ſo in proportion for any leſs Quantity than a Ton; now be it enacted, That from and after the Twenty-fourth Day of *June* One thouſand eight hundred and fifteen, that for all Coals, Coke and Cinders which ſhall be imported or brought into, landed or delivered within the River *Orwell*, or Town of *Ipſwich* aforeſaid, or the Harbour thereof, there ſhall be paid, by way of Impoſition, over and above all other Impoſitions and Duties now due and payable thereon, as well by virtue of the ſaid recited Act as otherwiſe, the Rates herein-after mentioned, that is to ſay, for all ſuch Coals, Coke and Cinders, as are or ſhall, or may be uſually ſold by the Chaldron, for every Chaldron thereof, containing Thirty-ſix Buſhels *Wincheſter* Meaſure, the further Sum of One Shilling, and ſo in Pro-

portion for any leſs Quantity than a Chaldron; and for all ſuch Coals, Coke and Cinders as are or ſhall or may be uſually ſold by the Ton, for every Ton thereof containing Twenty Hundred Weight, the further Sum of Eight-pence, and ſo in Proportion for any leſs Quantity than a Ton; which further Impoſitions of One Shilling and Eight-pence reſpectively for every Chaldron or Ton of Coals, Coke and Cinders, ſhall from Time to Time be paid to the ſaid Commiſſioners, or to ſuch Perſon and Perſons as they ſhall from Time to Time appoint to receive the ſame; and they the ſaid Commiſſioners, and ſuch Perſons and Perſon as they ſhall from Time to Time appoint as aforeſaid, are and is hereby authorized and empowered to demand, collect, receive and take of and from the Maſter and Owner, Maſters and Owners, or other Perſon or Perſons having the Care and Management or Command of every Ship, Sloop, Bark or other Veſſel, and of and from all and every Perſon and Perſons bringing or cauſing to be brought into or through the ſaid River *Orwell*, or Town of *Ipſwich*, or Harbour thereof, any Coals, Coke or Cinders, upon which no Duty ſhall have been before paid by virtue of this Act, the ſaid further Sums of One Shilling and Eight-pence reſpectively for each and every Chaldron or Ton of Coals, Coke and Cinders; and ſo in Proportion for a leſs Quantity than a Chaldron or Ton, which ſhall be imported, brought into, landed, delivered, or diſcharged out of any Ship, Sloop, Bark, or other Veſſel, Waggon, Cart or other Carriage, within the ſaid River *Orwell*, or Town of *Ipſwich*, or Harbour thereof, or brought within or through the ſame.

For allowing a Drawback on Coals, Coke, and Cinders, in certain Caſes.

VII. Provided always, and be it further enacted, That for all Coals, Coke and Cinders, for which the ſaid further Duties or Impoſitions of One Shilling and of Eight-pence hereby impoſed, or either of them, ſhall have been paid, and which ſhall be afterwards carried from the ſaid Town of *Ipſwich*, or Harbour thereof, in any Barge, Boat or other Veſſel, upon the Navigable Communication between *Stowmarket* and *Ipſwich*, and ſhall not be landed below the Bridge at *Sproughton*, in the ſaid County of *Suffolk*, or ſhall by any other Mode of Conveyance be carried from the ſaid Town or Harbour beyond the Bounds of the Juriſdiction of the ſaid Town and Borough of *Ipſwich*, a Drawback ſhall be allowed and made of all ſuch Duties over and above and in addition to the ſaid Drawbacks of One Shilling *per* Chaldron and Eight-pence *per* Ton, granted by the ſaid recited Act made in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, as ſhall have been ſo paid, upon Proof by Oath, made at ſome Monthly Meeting of ſuch Commiſſioners, or before One Juſtice of the Peace for the ſaid Town and Borough (which Oath the ſaid Commiſſioners or any One of them at ſuch Meeting, or any Juſtice of the Peace for the ſaid Town and Borough, are and is hereby empowered to adminiſter,) that ſuch Coals, Coke and Cinders have been ſo carried from the ſaid Town of *Ipſwich*, or the Harbour thereof, upon the ſaid Navigable Communication, or beyond the Bounds of the Juriſdiction of the ſaid Town and Borough as aforeſaid; which Drawback of the ſaid Duties or Impoſitions ſhall be returned and paid by the ſaid Treaſurer or his Deputy, to the Perſon ſo making Proof as aforeſaid.

Commiſſioners to appoint Watchmen.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered, from Time to Time, to appoint and employ ſuch a Number of able-bodied Men as they ſhall think proper, as Watchmen in the ſaid Town during the Night, under ſuch Orders and

and Regulations as the said Commissioners shall consider expedient from Time to Time to make; and to provide proper Watch-houses, Watch-boxes, and Places for the Reception of Watchmen, and for the safe Custody of Persons who may be apprehended by such Watchmen, or otherwise, and to pay such Watchmen reasonable Wages; and also to impose upon any such Watchman or Watchmen any Fine or Penalty, not exceeding Twenty Shillings, to be deducted out of his or their Wages, for any Neglect of Duty or other Misconduct in Office, and to repeal such Orders and Regulations as aforesaid, and make others; and that it shall be lawful for any such Watchman or Watchmen to apprehend and secure Malefactors, Rogues, Vagabonds, and Disturbers of the public Peace, and all Persons suspected of being such, or who shall be found wandering or misbehaving themselves, and to detain such Persons, and to conduct them, as soon as conveniently may be, before some Justice of the Peace of the said Borough, to be dealt with according to Law.

Power to reward Watchmen.

IX. And be it further enacted, That it shall be lawful for the said Commissioners, at their Discretion, to give Rewards in Money to any such Watchman or Watchmen, who shall be wounded or hurt in the Execution of his or their Office, or otherwise deserve Reward, to be paid out of the Money to be raised for the Purposes of this Act and the said recited Acts.

Penalty on Victuallers harbouring Watchmen when on Duty.

X. And be it further enacted, That if any Victualler, or Keeper of any Public House, shall knowingly harbour or entertain any such Watchman, or suffer him to remain in his or her Public House, during any Part of the Time appointed for his being upon Duty, every such Victualler or Keeper of a Public House, shall, on Conviction, for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Commissioners to order Doors or Gates to open from the Streets, &c.

XI. And be it further enacted, That the respective Owners and Occupiers of Houses, Buildings, Yards, Gardens, or Lands within the said Town and Borough of *Ipswich* shall, and they are hereby required at their own Costs and Charges, within such Time and in such Manner 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, or left at their respective Dwelling Houses, direct and appoint, cause all Doors or Gates to such respective Houses, Buildings, Yards, Gardens, or Lands that now or shall hereafter open outwards and into any of the Streets, Lanes, public Passages, or Places, within the said Town, to be altered, so as that the Doors or Gates shall thenceforward open from the said Streets, Lanes, public Passages, or Places inwards, and into the said Houses, Buildings, Yards, Gardens, or Lands; 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 doing thereof 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 Two of His Majesty's Justices of the Peace for the said Town and Borough of *Ipswich*, (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 or Occupier of any such House, Building, Yard, or Garden shall remove or alter any such Doors or Gates as 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; provided that nothing herein contained ſhall extend to the Door or Window of any Cellar; and provided alſo, that it ſhall be lawful for the ſaid Commiſſioners out of the Monies to ariſe by virtue of the ſaid laſt recited Act, or of this Act, to allow and pay to ſuch Owner and Owners, Occupier and Occupiers as aforeſaid, all or any Part of the Expence he, ſhe, or they ſhall be at in removing or altering any ſuch Door or Gate, as the ſaid Commiſſioners in their Diſcretion ſhall ſee fit.

Perſons not to ride on Footways or Cauſeways.

XII. And be it further enacted, That no Perſon ſhall, at any Time or Times after the paſſing of this Act, ride or drive any Horſe, Mule, Aſs, Beaſt, or other Cattle, on any of the Foothpaths or Cauſeways within the Juriſdiction of the ſaid Town and Borough, raiſed or kept up for the Accommodation of Perſons coming, going, or returning to or from the Town of *Ipſwich* aforeſaid on Foot; and if any Perſon or Perſons ſhall wilfully commit any ſuch Offence, ſuch Perſon or Perſons ſo offending ſhall forfeit and pay for each and every ſuch Offence any Sum not exceeding Five Pounds.

For preventing Annoyances in the Streets.

XIII. And be it further enacted, That after the paſſing of this Act no Perſon or Perſons ſhall drive, carry, or place on any of the Footways of any of the ſaid Streets, Lanes, Ways, or public Paſſages, any Wheelbarrow, Handborough, Wheelſledge, Truck, or Carriage, or ſhall roll any Caſk for the Space of Ten Yards thereon, nor ride, lead or drive any Horſe, or other Beaſt or Cattle, or permit or ſuffer any Horſe or other Beaſt or Cattle that ſuch Perſon or Perſons may be driving to go thereon, nor kill, ſlaughter, ſinge, ſcald, dreſs, or cut up any Beaſt, Swine, Calf, Sheep, Lamb, or other Cattle, in any of the ſaid Streets, Lanes, Ways, or public Paſſages, nor throw at or ſet up any Cock or Fowl to be thrown at within the ſaid Town, nor hoop, cleanſe, waſh, or ſcald any Caſk, nor hew or ſaw any Stone, Timber, or Wood, nor bind, make, or repair the Wheel of any Carriage, (unleſs the ſame ſhall be injured by Accident,) nor ſhoe, bleed, dreſs, or farry, nor drive or turn looſe any Horſe, nor ſift or ſlake, or cauſe to be ſifted or ſlaked any Lime, in any of the ſaid Highways, Streets, Lanes, Ways, or public Paſſages, nor ſet, place, or expoſe to Sale any Goods, Wares, or Merchandizes, either on the Footways or Carriageways of any of the ſaid Streets, Lanes, Ways, or public Paſſages, nor hang or expoſe to Sale any Goods, Wares, or Merchandizes, or any other Matter or Thing, nor hang out any dried or other Cloth or Linen, for the Purpoſe of drying the ſame, upon or from any Window, or otherwiſe, within the ſaid Town, nor make or aſſiſt in the making of any Fire or Fires, commonly called Bonfires, nor wantonly fire off any Gun or Blunderbuſs, nor ſet fire to, or let off, or throw any Squib, Serpent, Rocket, Cracker, or Firework whatſoever in or into, or play at Football, or any other Game or Games in any of the ſaid Streets, Lanes, or other public Paſſages within the ſaid Town, nor cauſe any Bull or other Beaſt to be baited within the ſaid Town, nor cauſe any Privy or Neceſſary Houſe within the ſaid Town to be emptied at any other Time or Times than between the Hours of Twelve of the Clock at Night, and Seven

of

of the Clock in the Morning, nor ſpill or throw down any Night Soil, or any Muck, Manure, or Dung, in any of the ſaid Streets, Lanes, or public Paſſages or Places; and in caſe any Perſon or Perſons ſhall offend in the Caſes aforeſaid or any of them, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Shillings: Provided that nothing in this Act contained ſhall prevent the holding of Fairs and Markets in or near the ſaid Town of *Ipſwich*, in the ſame Places and in the ſame Manner as the ſaid Fairs and Markets are now held.

Penalty on Perſons carrying Sedan Chairs after Sunſet and without a lighted Lanthorn.

XIV. And be it further enacted, That no Perſon ſhall, from and after the paſſing of this Act, carry any Sedan Chair after Sunſet in any Street, Lane, public Paſſage or Place within the ſaid Town, without having a lighted Lanthorn in the Front thereof; and if any Perſon ſhall commit any ſuch Offence, ſuch Perſon or Perſons ſo offending ſhall, for each and every Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Obſtructions not to be left in the Streets.

XV. And be it further enacted, That after the paſſing of this Act no Waggon, Cart, Dray, or other Carriage, ſhall be left to ſtay or remain in any public Street, Lane, Paſſage or Place, within the ſaid Town, with or without Horſes or other Cattle, for any longer Time than ſhall be neceſſary for unloading or loading thereof; nor ſhall any Stage Coach, Poſt Chaiſe, or other Carriage let to hire, be left to ſtand or remain in any of the public Streets, Lanes, Paſſages or Places aforeſaid, with or without Horſes, for any longer Time than ſhall be neceſſary for taking up or ſetting down Paſſengers or Travellers, and for loading or unloading their Baggage, ſo as to obſtruct or incommode the Paſſage of any Footway or Carriage Way; nor ſhall any Horſe, Mare, or Gelding, be ridden backwards and forwards for the Purpoſe of ſhewing the ſame, nor ſhall any Stone Horſe or Stallion be brought and exhibited, in any of the Streets, Lanes, or public Paſſages, or on the *Cornhill* of the ſaid Town; nor ſhall any Horſe, Mare, or Gelding, nor any Beaſt, Sheep, Swine or Cattle, be brought and exhibited for Sale in any of the Streets, Lanes, or public Paſſages, or on the *Cornhill* of the ſaid Town, or in any other Place, except the new Market Place for the Sale of Cattle; nor ſhall any Swine, Beaſt, or other Cattle be permitted to wander or be in and about any of the ſaid Streets, Lanes, public Paſſages or Places; nor ſhall any Timber, Bricks, Lime, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, or Merchandize, or other Materials or Things whatſoever, be laid or placed, and left to remain in any of the ſaid Streets, Lanes, Paſſages, or Places, for any longer Time than ſhall be neceſſary for moving and houſing the ſame; nor ſhall any broken Glaſs or Earthenware, Aſhes, Rubbiſh, Duſt, Dirt, Dung, Filth, or any other Nuiſance or Annoyance whatſoever, be thrown or caſt into or laid in any of the ſaid Streets, Lanes, public Paſſages or Places; and in caſe any Perſon or Perſons ſhall offend in any of the Caſes aforeſaid, then and in every ſuch Caſe the Owner or Driver of every ſuch Waggon, Cart, Dray, Chaiſe, Coach, or other Carriage, and the Owner, Rider, or Shewer of any ſuch Horſe, Mare, or Gelding, and the Owner of any ſuch Stallion or Stone Horſe, Swine, Beaſt, or other Cattle, and the Owner of ſuch Timber, Bricks, Lime, Goods, Wares, and Merchandizes, Materials or other Things, which ſhall be ſo left or ſuffered to remain in any of the ſaid Streets, Lanes, or public Paſſages or Places, and the Perſon or Perſons who ſhall throw, caſt, or lay, or cauſe to be thrown, caſt, or

or laid, any broken Glaſs or Earthenware, Aſhes, Rubbiſh, Duſt, Dirt, Dung, Filth, or any other Nuiſance or Annoyance, into any of the ſaid Streets, Lanes, public Paſſages or Places, ſhall, for every Offence in any of the Caſes aforeſaid, forfeit and pay the Sum of Twenty Shillings: Provided nevertheleſs, that no Perſon ſhall be ſubject to any Penalty by virtue of this Act, on account of any Building Materials, Rubbiſh, or Dirt, being in any of the ſaid Streets, or public Paſſages or Places, before the Houſe or Tenement of ſuch Perſon, occaſioned by the building, pulling down, rebuilding or repairing ſuch Houſe or Tenement, ſo as there be ſufficient Room left for Carriages to paſs, and a ſufficient Way kept clean for Foot Paſſengers, by the Perſon laying or occaſioning ſuch Building Materials, Rubbiſh, or Dirt to be laid, and ſo as the Owner or Occupier of ſuch Houſe or Tenement do cauſe ſuch Materials, Rubbiſh, and Dirt, to be removed out of ſuch Street or Place within a reaſonable Time after ſuch building, pulling down, or repairing ſhall be finiſhed, or upon Notice to be given to him or her, or left at ſuch Houſe or Tenement for that Purpoſe, in Writing, ſigned by the Clerk to the ſaid Commiſſioners, and ſo that during the Time the ſame ſhall be lying in ſuch Street or Place, ſuch Owner or Occupier ſhall ſet up and maintain a Light during the Night-time, to prevent Miſchief happening to Paſſengers or Cattle.

Drivers of Carriages puniſhable for Miſbehaviour.

XVI. And be it further enacted, That if the Driver of any Cart, Car, Dray, or Waggon, ſhall ride upon any ſuch Carriage in any Street, Lane, public Paſſage or Place within the ſaid Town, not having ſome other Perſon on Foot or on Horſeback to guide the ſame (ſuch Carriages as are uſually conducted by ſome Perſon holding the Rein of the Horſe or Horſes drawing the ſame excepted); or if the Rider of any Horſe, Mare, or Gelding ſhall furiouſly ride the ſame, or if the Driver of any Carriage whatſoever ſhall furiouſly drive the ſame in any ſuch Street, Lane, public Paſſage or Place, and ſhall thereby by Negligence or wilful Miſbehaviour terrify, annoy, or endanger, or cauſe any actual Hurt or Damage to any Perſon paſſing therein, or hurt or injure any Carriage there ſtanding, drawing or being, or ſhall wilfully be at ſuch diſtance from ſuch Carriage whilſt it ſhall be paſſing in any ſuch Street, Lane, public Paſſage or Place, that he cannot have the Direction and Government of the Horſe or Horſes, or other Cattle drawing the ſame, or ſhall by Negligence or wilful Miſbehaviour prevent, hinder, or interrupt the free Paſſage of any other Carriage, or any Perſon or Perſons in any ſuch Street, Lane, public Paſſage or Place; or if the Driver of any empty or unloaded Waggon, Cart, or other Carriage, ſhall refuſe or neglect to turn aſide and make Way for any Coach, Chariot, Chaiſe, loaded Waggon, Cart, or loaded Carriage, then and in every ſuch Caſe every ſuch Driver ſo offending, and being convicted of any ſuch Offence, either by his own Confeſſion, the View of a Juſtice of the Peace, or by the Oath of One or more credible Witneſs or Witneſſes, before any Juſtice of the Peace for the ſaid Borough, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Shillings, in caſe the Driver ſhall not be the Owner of ſuch Carriage; and in caſe ſuch Driver be the Owner of ſuch Carriage, then any Sum not exceeding Twenty Shillings; and every ſuch Driver offending in any of the ſaid Caſes ſhall and may by Authority of this Act, with or without Warrant, be apprehended by any Perſon or Perſons who ſhall ſee ſuch Offence committed; and it ſhall and may be lawful to and for the Perſon or Perſons ſo apprehending ſuch Driver, to convey ſuch Driver, or cauſe him to be conveyed or delivered to a Conſtable or other Peace

Officer, in order to be conveyed before ſome Juſtice of the Peace for the ſaid Borough, to be dealt with according to Law; and if any ſuch Driver, in any of the Caſes aforeſaid, ſhall refuſe to diſcloſe his Name, it ſhall and may be lawful to and for the Juſtices of the Peace before whom he ſhall be taken, or to whom any ſuch Complaint ſhall be made, to commit him to the Houſe of Correction within the ſaid Borough, for any Time not exceeding Three Calendar Months, or to proceed againſt ſuch Offender for the Penalty aforeſaid, by a Deſcription of his Perſon and the Offence, and expreſſing in ſuch Proceedings that ſuch Driver refuſed to diſcloſe his Name.

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

XVII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Ten of them, to contract and agree with any Perſon or Perſons, Body or Bodies Politic, Corporate, Collegiate or Sole, or any other Perſons or Parties being Owner or Owners, Proprietor or Proprietors of, or otherwiſe intereſted in any Building or Buildings, Erection or Erections, Lands, Tenements, or Hereditaments, ſituate within the ſaid Town, (except the Cuſtom Houſe in the ſaid Town) which the ſaid Commiſſioners ſhall judge neceſſary and proper to be purchaſed, for the Purpoſe of improving and widening any of the ſaid Streets, Lanes, Carriage Ways, public Paſſages or Places, or any of them, and for otherwiſe improving the ſaid Town in Manner by this Act directed, or who ſhall be the Owner or Owners, Proprietor or Proprietors of or otherwiſe intereſted in any of the Lands, Tenements, or Hereditaments, which the ſaid Commiſſioners ſhall judge meet and proper to be purchaſed for the Purpoſe of this Act, for the abſolute Purchaſe of all ſuch Buildings, Erections, Cellar Doors, 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 and alter all or any of ſuch Buildings, Erections, Steps, Projections, Encroachments, Tenements and Hereditaments, ſo to be purchaſed or any Part or Parts of the ſame reſpectively; and alſo to appropriate all or any of the Lands, Tenements, or Hereditaments, ſo to be purchaſed, for all or any of the Purpoſes of this Act, as they the ſaid Commiſſioners ſhall think fit.

Power for Bodies Politic to ſell, &c.

XVIII. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and all Corporations whether Aggregate or Sole, 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, Infants, or Femes Covert, and alſo to and for all Femes Covert, who are or ſhall be ſeiſed in their own Right, and to and for all Perſons whether Tenants for Life or Tenants in Tail General or Special, or for Years determinable on any Life or Lives, and to and for all and every Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Houſes, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or other Hereditaments, or any Part thereof, which the ſaid Commiſſioners are by this Act enabled to purchaſe, for any of the Purpoſes of this Act, to treat, contract, and agree with the ſaid Commiſſioners for the Sale thereof or any Part thereof, and to ſell and convey all or any Part thereof, and all Eſtate, Right, Title, and Intereſt whatſoever,

ſoever, of, in, and to the ſame, to the ſaid Commiſſioners and their Succeſſors, for any of the Purpoſes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by virtue and in purſuance of this Act, ſhall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances and Aſſurances in the Law whatſoever, be good, valid, and effectual to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying but alſo to convey all 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, 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.

Proviſion in Caſes of Refuſal or Inability to ſell.

XIX. 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 Building or Buildings, Erection or Erections, projecting in or upon any of the Footways within the ſaid Town, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or in any other Projection or Encroachment upon any ſuch Footway whatſoever, or in any Lands, Houſes, or other Buildings, Tenements, or Hereditaments, which the ſaid Commiſſioners are enabled by this Act to purchaſe or treat for, ſhall refuſe to treat, contract, or agree as aforeſaid, or by reaſon of Abſence or otherwiſe ſhall be prevented from treating contracting or agreeing, or ſhall decline or refuſe to ſell, convey, and diſpoſe of the Premiſes, whereof or wherein or whereunto they reſpectively ſhall be ſo ſeiſed, poſſeſſed, intereſted, or entitled as aforeſaid, or their reſpective Rights, Titles, Claims, or Intereſts, into or upon the ſame or any Part thereof, unto the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall nominate for the Purpoſes and according to the Tenor, true Intent, and Meaning of this Act; or ſhall not or cannot produce or make out a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Commiſſioners; or if any Diſpute or Difference ſhall ariſe touching ſuch Purchaſe or Purchaſes; then and in every ſuch Caſe, the ſaid Commiſſioners are hereby empowered and authorized, before any General Seſſions of the Peace to be holden for the ſaid Borough, or any Adjournment thereof, to give or cauſe to be given to ſuch Owner or Owners or the principal Officer or Officers of ſuch Bodies Politic, Corporate, or Collegiate, or to leave or cauſe to be left at the Houſe of the Tenant in Poſſeſſion, Thirty 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 ſo given or left, are hereby authorized and required to charge the Grand Jury at ſuch Seſſions aſſembled, or the Jury to try Priſoners at ſuch Seſſions well

well and truly upon their Oaths to assess the Value of the said Lands, Buildings, Houses, Tenements, or other Hereditaments, comprised in the Notice so given, and the Damages and Recompence to be awarded or given for the same to the respective Owner or Owners thereof, according to their respective 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 and conveyed as aforesaid, shall by their Verdict assess the Damages and Recompence to be given for the same to the respective Owner or Owners, Occupier or Occupiers thereof, according to their respective Interests therein; and such Verdict of the said Jury, and the Judgment of the said Justices upon the same, shall be final, binding, and conclusive to the said Commissioners, and to all Person and Persons interested in the said Lands, Buildings, Houses, Tenements, and other Hereditaments; and such Verdict and the Judgment of the Justices thereupon, shall be fairly entered and kept among the Records of the Sessions for the said Borough, and the same or true Copies thereof shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever; and all Persons may have recourse to the same, *gratis*, and take Copies thereof, paying Sixpence for every Seventy-two Words, and so in Proportion for any greater or less Number of Words.

Provision that Verdicts shall not be binding, unless Money paid within Six Calendar Months.

XX. 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, and 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 Six 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.

Provision for Payment of Costs of Verdict.

XXI. And be it further enacted, That in all Cases where any Verdict shall have been given for a greater Sum or Recompence than shall have been previously offered by or on the Behalf of the said Commissioners, for any such Lands, Houses, Buildings, Tenements, or other Hereditaments, or Damages as aforesaid, all the Expences of taking such Inquest, and of the Witnesses attending thereon, and recording or entering the Verdict and Judgment thereupon, shall be paid by the said Commissioners out of the Monies to arise by virtue of this Act; but if a Verdict shall be given for no greater or for a less Sum than shall have been so previously offered by or on the Behalf of the said Commissioners, then and in every such Case such Expences shall be paid by the Owners or Persons interested in the Premises in Question; provided, that whenever by reason of Absence, any Person or Persons shall have been prevented from treating with the said Commissioners, the whole of such Costs and Expences shall be borne and paid by the said Commissioners; and whenever any Costs or Charges shall or may be payable to the said Commissioners, such Costs and Charges shall and may be deducted out of the Sum to be paid by the said Commissioners to the said Owners or Persons respectively interested, and the Payment or Tender

Tender of the Remainder of ſuch Monies, or diſpoſing of the ſame in Manner by this Act directed, ſhall be deemed and taken to all Intents and Purpoſes whatſoever to be a Payment, Tender, or Diſpoſal of the whole Sum or Sums ſo aſſeſſed and adjudged.

Money to be paid out of Duties, &c.

XXII. And be it further enacted, That every Sum of Money, Recompence, and Satisfaction which ſhall be agreed for or aſſeſſed or awarded as aforeſaid, ſhall be paid out of the Monies which ſhall ariſe and be produced by virtue of this Act and the ſaid recited Acts, or either of them, to the Parties or Perſons reſpectively entitled thereto, or to their Attornies or Agents; and upon Payment or Tender thereof to ſuch Perſon or Perſons, or upon Payment thereof into the Bank of *England*, in Manner by this Act directed, and after Fourteen Days Notice to quit being given to ſuch Parties or Perſons, or their Attornies or Agents, all Owners and Occupiers of and Perſons intereſted in ſuch Lands, Tenements, or Hereditaments, ſhall thenceforth be diveſted of all Right, Title, Claim, Intereſt, and Property of, in, to, or out of the ſame, and ſuch Lands, Tenements, or Hereditaments ſhall thenceforth be abſolutely veſted in the ſaid Commiſſioners for the Purpoſes of this Act; and that from and immediately after Payment of the Purchaſe Money for the Lands, Tenements, and Hereditaments ſo to be purchaſed, to the Perſon or Perſons entitled thereto, or their Attornies or Agents as aforeſaid, or upon ſuch Payment thereof into the Bank of *England*, it ſhall and may be lawful for the ſaid Commiſſioners to enter upon the Premiſes ſo to be purchaſed, and every Part thereof, and to convert the ſame to ſuch of the Purpoſes of this Act, as they ſhall think proper.

Power for Commiſſioners to enter on Premiſes.

No Purchaſe to be made until Notice given at a Meeting, &c.

XXIII. Provided nevertheleſs, and be it further enacted, That it ſhall not be lawful for the ſaid Commiſſioners to contract or agree for the Purchaſe of any Meſſuages, Tenements, Buildings, or Lands for the Purpoſes before mentioned, until a General Meeting of the Inhabitants of the Town of *Ipſwich* ſhall be called for that Purpoſe, by a Week's Notice at leaſt in each of the *Ipſwich* Newſpapers, to obtain an Order, authorizing the Commiſſioners at their next monthly Meeting to make ſuch Contract or Agreement; any Thing herein contained to the contrary thereof notwithſtanding.

Firſt Offer to whom to be made.

XXIV. And be it further enacted, That in caſe the ſaid Commiſſioners ſhall think proper to ſell or diſpoſe of any Piece or Pieces of Ground, not wanted for the Purpoſes of this Act or the ſaid recited Acts, they ſhall firſt offer the ſame for Sale to the Perſon or Perſons of whom the ſame ſhall have been purchaſed; and if ſuch Perſon or Perſons ſhall then and thereupon refuſe, or ſhall not agree (except with reſpect to or on Account of the Price thereof) to purchaſe the ſame, an Affidavit, to be made and ſworn before a Maſter or Maſter Extraordinary in the High Court of Chancery, or before Two of His Majeſty's Juſtices of the Peace for the ſaid Town and Borough (who are hereby reſpectively empowered to take ſuch Affidavit) by ſome Perſon or Perſons no Way intereſted in the ſaid Piece or Pieces of Ground, ſtating that ſuch Offer was made by or on the Behalf of the ſaid Commiſſioners, and that ſuch Offer was then and thereupon refuſed, or was not agreed to by the Perſon or Perſons to whom the ſame was made, ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made, and was refuſed or not agreed to 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 ſuch Piece or Pieces of Ground, and he, ſhe, or they and the ſaid Truſtees ſhall differ or not agree with reſpect to the Price thereof, then the Price or Prices thereof ſhall be aſcertained by a Jury, in Manner in this Act directed with reſpect to diſputed Value of Premiſes to be purchaſed by the ſaid Commiſſioners in purſuance of this Act; and the Expence of hearing and determining ſuch Difference ſhall be borne and paid in Manner herein-before directed with reſpect to ſuch Purchaſes made by the ſaid Commiſſioners, *mutatis mutandis*; and the Money to ariſe by the Sale or Sales of ſuch Pieces or Parcels of Ground, ſhall be applied to the Purpoſes of this Act.

In caſe of Difference, Price to be aſcertained by a Jury.

XXV. And be it further enacted, That ſo much of the recited Act of the Thirty-third Year of His preſent Majeſty, as relates to the Notice for ſcraping, ſweeping, and cleanſing the Footways before and on the Sides of the Houſes, Buildings, Walls, and Premiſes within the ſaid Town, to be ſigned by the Clerk to the Commiſſioners, and affixed on the Market Croſs and on the Door of the Pariſh Church, for which Notice was intended, ſhall be and the ſame is hereby repealed.

Repealing Part of former Act relating to certain Notices.

XXVI. And be it further enacted, That from and after the paſſing of this Act, the Notice to be ſigned by the Clerk to the ſaid Commiſſioners, for the Occupiers of Houſes, Lands, Tenements, and Hereditaments, in the ſeveral Streets and other public Paſſages and Places within the ſaid Town, to ſcrape, ſweep, and cleanſe the Footways before and on the Sides of their reſpective Houſes, Buildings, Walls, and Premiſes, ſhall be publicly proclaimed by the Common Cryer of the ſaid Town, through ſuch Streets, Lanes, public Paſſages or Places, as by ſuch Notice ſhall direct the Footways thereof to be ſcraped, ſwept, and cleanſed.

Certain Notices how to be given.

XXVII. 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, to be purchaſed, taken, or uſed, by virtue of the Powers of the ſaid recited Acts or this Act, which ſhall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Ceſtuique Truſt, or to any Perſon or Perſons whoſe Lands, Tenements, or Hereditaments are limited, in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Truſtees for executing the ſaid recited Act and this Act, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or in or towards the Diſcharge of any Debt or Debts, or other Incumbrances affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding

Application of Compenſation Money if amounting to 200l.

ſettled therewith to the ſame or the like Uſes, Truſts, Intents, or Purpoſes as the ſaid High Court of Chancery ſhall authorize to be purchaſed or paid, or ſuch Part thereof as ſhall be neceſſary; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under and with the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed, limited, and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments, which ſhall be ſo purchaſed, taken or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined or capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid High Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends or Intereſt and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments ſo to be purchaſed, in caſe ſuch Purchaſe or Settlement was made.

Where leſs than 200l. and above 20l.

XXVIII. 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 Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed or amount to the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, Lunacy, or other Incapacity, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England* in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid, at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Three or more of the ſaid Commiſſioners for executing the ſaid recited Acts and this Act, (ſuch Nomination or Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends and Produce ariſing thereon and therefrom, may be applied in any Manner herein-before directed, ſo far as the Caſe ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

Where under 20l.

XXIX. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next herein-before mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be

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 for the Purpoſes of the ſaid recited Acts or this Act, in ſuch Manner as the ſaid Commiſſioners, or any Three or more of them, ſhall think fit; or in caſe of Infancy, Idiotcy, Lunacy, or other Incapacity, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Truſtee or Truſtees, to and for the Uſe and Benefit of ſuch Perſon or Perſons reſpectively entitled thereto.

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

XXX. 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, taken, or uſed under or by virtue of the Powers of the ſaid recited Acts or 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 any Three or more of them, or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments be not known or diſcovered; then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, or any Ten 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 High Court of Chancery, to be placed to his Account there, 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 High Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, 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 therein 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 of *England* as aforeſaid.

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

XXXI. 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 High Court of Chancery, in purſuance of the ſaid recited Acts or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, Title, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Acts or this Act, for the Purpoſes aforeſaid, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time

of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid High Court of Chancery; and the Dividends or 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 Chancery may order Expences, &c.

XXXII. 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, taken, or uſed under the Authority of the ſaid recited Acts or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the High Court of Chancery, and be applied in the Purchaſe of other Lands, Tenements, or Hereditaments to be ſettled to the like Uſes in purſuance of the ſaid recited Acts and this Act, it ſhall be lawful for the ſaid High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as to the ſaid Court ſhall ſeem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Commiſſioners, or any Ten or more of them, out of the Monies to be received by virtue of the ſaid recited Acts or this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Commiſſioners to apply 100l. annually to form a Sinking Fund.

XXXIII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required Yearly and every Year, to appropriate and ſet apart the Sum of One hundred Pounds out of the Rates, Duties, and Money to be received by virtue of this Act, and the ſaid recited Acts, and to place the ſame at Intereſt on Government Securities, and ſuch Intereſt alſo to be placed at Intereſt on ſuch Security, to form together a Sinking Fund, until the ſame ſhall be ſufficient to pay and diſcharge all the Money already borrowed, or that ſhall hereafter be borrowed by virtue of this Act or of the ſaid recited Acts; and no Part of the ſaid Sinking Fund ſhall be diverted to any other Purpoſe.

How Intereſt Money may be recovered.

XXXIV. And be it further enacted, That in caſe the Intereſt of any Money lent, or any Part thereof, on the Security of the Rates and Duties impoſed by the ſaid Two recited Acts, or either of them, ſhall be in Arrear and unpaid for the Space of Three Calendar Months next after the ſame ſhall reſpectively become due, and ſhall have been demanded, then and in ſuch Caſe it ſhall and may be lawful for the Creditor or Creditors, upon his, her, or their firſt giving Ten Days Notice in Writing to the Treaſurer to the ſaid Commiſſioners for the Time being, to commence an Action on the Caſe, or of Debt, in any of His Majeſty's Courts of Record at *Weſtminſter*, againſt the ſaid Treaſurer, for the Recovery of the ſaid Intereſt of any ſuch Money, provided that the Venue of ſuch Action be laid in the ſaid Town of *Ipſwich*, or in the County of *Suffolk*, and not elſewhere; and in ſuch Action no Eſſoign, Privilege, Protection or Wager of Law, or more than One Imparlance ſhall be allowed.

XXXV. And

Repealing Part of former Act respecting Notice for Materials.

XXXV. And whereas Powers are given by the said recited Act of the Thirty-third Year of the Reign of His present Majesty, to dig, cut, gather, take and carry away, any Stone, Gravel, Clay, Sand, Chalk, or other Materials, out of or from and over certain Lands or Grounds, for the Purposes of the said recited Act; now be it enacted, That so much of the said recited Act of the Thirty-third Year of the Reign of His present Majesty as enacts, that it shall not be lawful for any Person under the Authority of this Act, to dig, gather, take or carry away any Materials for any of the Purposes aforesaid from any inclosed Lands, until Notice in Writing under the Hands of Three or more of the said Commissioners shall have been given to the Occupier of such Lands, or left for him at his usual Place of Residence, to appear before the said Commissioners, or Two Justices of the Peace for the said Borough of *Ipswich*, at such Time and Place as shall be mentioned in such Notice, to shew Cause why such Materials should not be had from such Lands; and in case such Occupier shall attend pursuant to such Notice, the said Commissioners or Justices shall if they think fit, after having heard the Matter, authorize any such Person as aforesaid to dig, gather, take, and carry away such Materials, at such Time or Times as the said Commissioners or Justices shall think proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent, the said Commissioners or Justices shall and may make such Order therein as they shall think fit in like Manner, and the same shall be as effectual as if such Occupier or his Agent had attended, shall be and the same is hereby repealed.

Notice to be given before Materials taken.

XXXVI. Provided always, and be it further enacted, That it shall not be lawful for any Person under the Authority of the said recited Acts, or this Act, to dig, gather, take, or carry away any Materials for any of the Purposes aforesaid, from any inclosed Lands, until Notice in Writing under the Hands of Three or more of the said Commissioners shall have been given to the Occupier of such Lands, or left for him at his usual Place of Residence, to appear before Two Justices of the Peace for the said Borough of *Ipswich*, at such Time and Place as shall be mentioned in such Notice, and shall not shew sufficient Cause to the contrary, to shew Cause why such Materials should not be had from such Lands; and in case such Occupier shall attend pursuant to such Notice, the said Justices shall, if they think fit, after having heard the Matter, authorize any such Person as aforesaid to dig, gather, take, and carry away such Materials, at such Time or Times as the said Justices shall think proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent, the said Justices shall and may make such Order therein as they shall think fit, in like Manner, and the same shall be as effectual as if such Occupier or his Agent had attended.

Authorizing the laying of Pipes for Gas Lights.

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered from Time to Time, and at any Time after the passing of this Act, to lay down Mains or Pipes in and along the Streets, Lanes, public Passages and Places in the said Town of *Ipswich*, and to place and affix Pipes against the Houses, Tenements, Walls, or Buildings within the said Town, for the conducting Gas or Gas Lights for the Purpose of lighting such Streets, public Passages or Places.

Expences of this Act.

XXXVIII. And be it further enacted, That the Expences of obtaining and passing this Act, together with legal Interest for Money advanced or

to be advanced by any Perſon or Perſons for that Purpoſe, ſhall be paid out of the Money already raiſed by virtue of the ſaid recited Acts, or out of the Firſt Money which ſhall be collected or received by virtue of the ſaid recited Acts and this Act.

Proviſions of former Acts extended to this Act.

XXXIX. And be it further enacted and declared, That the ſeveral Clauſes, Proviſions, Powers, Authorities, Limitations, Reſtrictions, Indemnities, Exemptions, Puniſhments, Penalties, Forfeitures, and Power of Appeal, and all other Matters and Things contained in the ſaid recited Acts (except ſuch and ſo much thereof as is and are by this Act varied, altered, or repealed) ſhall continue in full Force, and ſhall be exerciſed and put in Execution, and ſhall be applicable and applied to all Caſes that ſhall ariſe under this Act as well as under the ſaid recited Acts, by all Perſons whomſoever, as well for enforcing the Collection and Payment of the ſaid ſeveral Rates or Aſſeſſments, Duties and Impoſitions to be made, aſſeſſed, impoſed, or collected for the Purpoſes of this Act, as for doing and performing all ſuch other Matters and Things as are authorized to be done and performed by virtue of the ſaid recited Acts and of this Act, in ſuch and the like Manner in all Reſpects (as far as the Circumſtances of the Caſe will admit) as if the ſaid ſeveral Clauſes, Proviſions, Powers, Authorities, Limitations, Reſtrictions, Indemnities, Exemptions, Puniſhments, Penalties, Forfeitures, and Power of Appeal, and the ſeveral other Matters and Things contained in the ſaid recited Acts, were repeated and re-enacted in the Body of this Act.

Allowing an Appeal to Seſſions againſt Rates.

XL. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Aſſeſſment to be made by virtue of the ſaid recited Act of the Thirty-ſeventh Year of the Reign of His preſent Majeſty, ſuch Perſon or Perſons may appeal to the Juſtices of Peace at the next General Seſſions of the Peace to be holden for the ſaid Borough of *Ipſwich*, on giving Fourteen Days Notice in Writing to the Clerk of the ſaid Commiſſioners, of his, her or their Intention to bring ſuch Appeal and of the Matter thereof, and within Two Days after ſuch Notice, entering into Recognizance before ſome Juſtice of the Peace of the ſaid Borough, with Two ſufficient Sureties, 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 ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice being given, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſe and Matter of ſuch Appeal, in a ſummary Way, and award ſuch Coſts to either Party as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Seſſions ſhall be final and concluſive to all Intents and Purpoſes, any Thing in the ſaid recited Act to the contrary thereof in anywiſe notwithſtanding.

Public Act.

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

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