

ANNO NONO

GEORGII IV. REGIS.

Cap. xxvii.

An Act for paving, lighting, watching, and improving the City of *Lincoln*, and the Bail and Close of *Lincoln*, in the County of *Lincoln*, and for regulating the Police therein. [9th *May* 1828.]

WHEREAS an Act was passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving the Footways of certain Streets within the City of* Lincoln, *for cleansing, lighting, and watching the said Streets, and other Streets, Lanes, and public Passages and Places within the said City, and for removing and preventing Nuisances, Annoyances, and Encroachments therein:* And whereas since the passing of the said Act the Population of the said City of *Lincoln*, and the Number of Houses and Buildings therein, have been greatly increased, and several of the Streets have become considerable Thoroughfares; and the Powers and Provisions of the said Act are found to be insufficient for effectually paving the Footways, and for cleansing, lighting, and watching the Streets, Lanes, and public Passages and Places in the said City, and for preventing Nuisances, Annoyances, and Encroachments therein; and it is therefore expedient that the Powers and Provisions of the said Act should be amended and enlarged, and that the Rates thereby authorized to be raised and collected should be increased; and it is also expedient that

31 G. 3. c. 80.

that such enlarged Powers and Provisions should be extended to the Bail and Close of *Lincoln* in the County of *Lincoln*, which adjoin and lie contiguous to the said City, and also to such other Parts of the said City as are not comprised in the said Act; and it would be advantageous to the Public, as well as to the Inhabitants of the said City, Bail, and Close, if Provision were made for effectually paving the Roads of certain Streets within the said City of *Lincoln*, and within the said Bail and Close of *Lincoln*, and for widening and improving and keeping in repair the Streets, Lanes, and public Passages and Places within the said City and Bail and Close of *Lincoln*, and also the public Wharfs and Staiths within the said City, and for regulating the Police of the said City and Bail and Close of *Lincoln*: And whereas it would also be advantageous to the Inhabitants of the said City and Bail and Close of *Lincoln*, and the Public, if Provision were made for regulating Hackney Coachmen and Chairmen, and public Porters and Labourers, and their Fees or Charges, and also Coal Meters and Coal Porters, and for regulating the Sale and Measurement of Coals and Milk, within the said City, Bail, and Close, and the mooring and loading of Vessels at or near the Staiths and Landing Places in the said City: And whereas the said City and Bail and Close of *Lincoln* comprise Fifteen Parishes; that is to say, the Parishes of *Saint Botolph*, *Saint Peter at Gowts*, *Saint Mark*, *Saint Mary le Wigford*, *Saint Benedict*, *Saint Swithin*, *Saint Peter at Arches*, *Saint Martin*, *Saint Michael*, *Saint Peter in Eastgate*, *Saint Nicholas*, and *Saint John*, which are situate within the said City of *Lincoln*, and the Parish of *Saint Paul* situate in the Bail of *Lincoln*, and the Parish of *Saint Mary Magdalen* situate partly in the Bail and partly in the Close of *Lincoln*, and the Parish of *Saint Margaret* which is situate partly in the Close and partly in the City of *Lincoln*: And whereas the several Purposes before mentioned might be more conveniently effected if the said recited Act were repealed, and if further and other Powers and Provisions were granted and made instead thereof: 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 from and after the Fifth Day of *August* next after the passing of this Act the said Act passed in the Thirty-first Year of the Reign of His late Majesty shall be and the same is hereby declared to be repealed.

Recited Act repealed.

Rates and Monies due under former Act may be recovered by Commissioners for executing this Act.

II. And be it further enacted, That all Rates and Assessments which have been or shall be duly and legally made by the Commissioners for executing the said recited Act, (and which shall remain uncollected or in arrear at the Time of the Commencement of this Act,) and all Fines and Penalties which have been or shall be incurred under or in pursuance of the said recited Act, (and which shall remain unpaid or unrecovered at the Time of the Commencement of this Act,) and all Contracts which have been or shall be entered into with the Commissioners for executing the said recited Act, (and which shall be in existence and be unperformed or undetermined at the Time of the Commencement of this Act,) at any Time before the Commencement of this Act, shall and may be collected,

recovered, and enforced by the Commissioners for executing this Act, in the same Manner and by the same Ways and Means as if such Rates and Assessments had been made by the Commissioners for executing this Act, and as if such Fines and Penalties had been incurred under the Provisions of this Act, and as if such Contracts had been entered into in pursuance of this Act; and all Treasurers, Collectors, Officers, and Persons who at the Time of the Commencement of this Act shall have in their Hands or in their Possession or Custody any Monies, Books, Deeds, Papers, Writings, or Effects belonging to the Commissioners for executing the said recited Act, shall be liable to account for and pay to and to deliver up all such Monies, Books, Papers, and Writings and Effects to the Commissioners for executing this Act, in the same Manner, and subject to the same Process, and Pains and Penalties for Refusal or Neglect, as if such Treasurers, Collectors, Officers, and Persons had been appointed by the Commissioners for executing this Act; and all other Persons who shall owe any Sum or Sums of Money to the Commissioners for executing the said recited Act, for or in respect of any Matter or Thing affecting or relating to the Execution of the said recited Act, at the Time of the Commencement of this Act, shall be liable to the Payment thereof to the Commissioners for executing this Act, and be subject to the Provisions of this Act for Recovery thereof, in case of Refusal or Neglect to pay.

Officers under former Act to account to Commissioners under this Act.

III. And be it further enacted, That this Act, and the Rates hereby authorized to be made and assessed, shall be and the same are hereby made subject and liable to the Payment of all Monies which at the Time of the Commencement of this Act are or shall be due and owing on the Credit of the said recited Act or of the Rates thereby authorized to be made and assessed, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act or of the Rates hereby authorized to be made or assessed.

Rates authorized by this Act made liable to Debts under former Act.

IV. And be it further enacted, That all Books for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Commissioners for executing the said recited Act hereby repealed, kept according to the Directions or Provisions of the said Act, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and all Books of Accounts of Receipts and Disbursements made under the said recited Act, shall be preserved and kept by the Commissioners for executing this Act, or as they shall direct, and shall at all reasonable Times be open to the Inspection of the said Commissioners, and any Creditor or Creditors of the Rates, without Fee or Reward; and the said Commissioners and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the Clerk or Clerks to the said Commissioners, or other Person having the Care of such Book or Books, shall refuse to permit or shall not permit the said Commissioners or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk or Clerks or other

Books under former Act to be Evidence, and to be open to Inspection.

other Person shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Commissioners.

V. And be it further enacted, That the Mayor, Aldermen, Town Clerk, and Deputy Town Clerk of the City of *Lincoln*, and the Dean, Precentor, Chancellor, and Subdean of the Cathedral Church of the Blessed Virgin *Mary* of *Lincoln*, and their Chapter Clerk for the Time being respectively, together with Thirty Persons, (that is to say,) Two Persons from each of the Parishes in the said City, Bail, and Close of *Lincoln*, to be chosen and elected in manner herein-after mentioned, shall be Commissioners for putting this Act in execution.

Qualification of Commissioners.

VI. And be it further enacted, That no Person shall be chosen and elected a Commissioner for putting this Act in execution unless he be an Inhabitant Householder in the Parish for which he shall be chosen, nor unless he shall have or be seised of in his own Right or in Right of his Wife, and be in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of a Real Estate in Law or Equity, and situate within the said City or Bail or Close of *Lincoln*, of the clear annual Value of Thirty Pounds above all Reprizes, or unless he shall be a Tenant or Occupier of Lands, Tenements, or Hereditaments, situate in the said City or Bail or Close of *Lincoln*, of the annual Value of Thirty Pounds.

Election of Thirty Parochial Commissioners.

VII. And be it further enacted, That for the Purpose of choosing and electing Thirty Persons, (that is to say,) Two Persons from each of the Parishes in the said City, Bail, and Close of *Lincoln*, to be Commissioners for carrying this Act into Execution, it shall and may be lawful to and for the several Parishioners of the said respective Parishes, qualified by Law to vote in Vestry, and they are hereby required, to assemble and meet together on the First Day of *July* in the Year of our Lord One thousand eight hundred and twenty-eight, at the Hour of Ten of the Clock in the Morning, in the Vestry Rooms of their respective Parishes, or at such other Place within the said Parishes respectively at which Vestry Meetings are or for the Time being shall be usually held for each of the said Parishes; and a Chairman shall be appointed at every such Meeting, who shall proceed to take down in Writing the Names of the Parishioners so attending, and the Names and Descriptions of the respective Persons, not exceeding Two in Number, qualified as herein-before mentioned, for whom each of such Parishioners so attending shall vote for, to be Commissioners for such Parish; and the Chairman shall ascertain and declare in whose Favour the Election shall be; and on the *Monday* next after such Vestry or Parochial Meetings the Chairman of every such Meeting, or any Two Parishioners of each Parish, who shall have been present at the said Meetings respectively, shall attend at the Guildhall of the said City, and shall there make Returns to the Mayor of the said City, or in his Absence to the Recorder, or in his Absence to any Two of the Aldermen of the said City, of the Names of the Persons so elected; and all such Persons so elected, being qualified as herein-before mentioned, shall be and are hereby declared to be Commissioners (along with the Mayor, Aldermen, and other Persons herein-before mentioned,) for executing this Act; and the said

said Mayor or Aldermen, or the Town Clerk, shall also, within Three Days after such Returns shall have been made, cause to be affixed a List in Writing, containing the Names and Descriptions of the said Persons so chosen for each of the said Parishes, on the Door of the Guildhall of the said City, for public Inspection; and such Thirty Commissioners, or the several Persons who shall be chosen or elected in any of their Places as herein-after mentioned, shall continue in Office until the Fifth Day of *August* which will be in the Year of our Lord One thousand eight hundred and thirty-one, or until other Commissioners shall be chosen in their Places in manner herein-after mentioned: Provided always, that if any Parish or Parishes shall refuse or neglect to meet for the Purposes of any Election on the Day or Days appointed for that Purpose in or by virtue of this Act, or shall refuse or neglect to make such Return as is hereby required of the Votes taken in such Vestry or Parochial Meeting as aforesaid, or in case any One or more of the said Thirty Persons so chosen and elected shall, before the first Meeting of the Commissioners for executing this Act, to be held as herein-after mentioned, die or become disqualified, or refuse to act as a Commissioner or Commissioners, such Refusal or Neglect of any such Parish or Parishes, or such Death, Disqualification, or Refusal of such Person or Persons, shall not make void the Acts or Proceedings of the Commissioners under this Act, although the full Number of Thirty Commissioners shall not be complete at the Time of the Commencement of this Act.

In what Cases the Offices of Parochial Commissioners shall be or be deemed to be vacated.

VIII. And be it further enacted, That in case any of the Commissioners to be chosen and elected by or from any of the Parishes in the said City, Bail, or Close, shall die, or become incapable to act, or shall refuse to act, or shall become one of the Officers by this Act appointed or constituted Commissioners by virtue of their Office, or shall reside out of the Parish for which he or they shall have been elected, for the Space of Six Calendar Months at any one Time, or shall neglect to attend for one whole Year at any Meetings to be held in pursuance of this Act, or shall cease to be qualified in manner by this Act directed, or shall be or become disqualified by any of the Causes in this Act mentioned, then and in any of the said Cases the Place and Places of such Commissioner or Commissioners shall thereby become and be deemed, and is and are hereby declared to be vacant.

Vacancies of Parochial Commissioners how to be supplied.

IX. And be it further enacted, That in case the Place or Places of any Commissioner or Commissioners by this Act directed to be chosen and elected from the several Parishes in the said City and Bail and Close of *Lincoln* shall, under any of the Provisions of this Act, at any Time or Times be or become vacant, then and in every such Case the Commissioners for carrying this Act into Execution shall and they are hereby directed and required, at their first Meeting after any such Vacancy shall happen or be known, to proceed to direct and cause Notice of every such Vacancy to be given in Writing, signed by any Five of such Commissioners, or by their Clerk by their Order, to the Churchwardens and Overseers of the Poor, or One of them, of the Parish or Parishes respectively which the Commissioner or Commissioners whose Office or Offices shall so become vacant represented or had been chosen and elected from; and the said Churchwardens

and Overseers shall and they are hereby required with all convenient Speed to summon the Parishioners of their respective Parishes (qualified by Law to vote in Vestry) to meet in the Vestry Rooms of and belonging to such Parish, or in the usual Place for holding such Meetings, on some Day not exceeding Twelve Days nor less than Six Days from the Receipt of such Notice, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall specify in such Summons the Purpose of such Meeting; and the Parishioners then and there attending, and being qualified to vote as aforesaid, shall proceed to elect some Person or Persons (qualified according to the Provisions of this Act to be Commissioners for executing this Act) to be a Commissioner or Commissioners for supplying such Vacancy or Vacancies; and such Churchwardens and Overseers, or One of them, shall ascertain and declare in whose Favour such Election shall be, and shall make a Return in Writing, under their or his Hands or Hand, of the Name or Names of the Person or Persons so elected, within Four Days after such Election, to the Clerk or Clerks to the Commissioners; and every such Person so to be elected a Commissioner (being duly qualified) shall, after taking or making the Oath or Affirmation hereinafter mentioned, be a Commissioner for executing this Act, and shall continue in Office until the Day of Entry into Office of the Commissioners to be chosen and elected at the next Triennial Election of Commissioners in pursuance of the Provisions of this Act: Provided always, that in case the said Churchwardens and Overseers, or any of them, shall neglect to summon a Vestry Meeting in manner or within the Time aforesaid, or shall neglect to make any Return to the Clerk or Clerks to the Commissioners, in manner or within the Time aforesaid, then and in every such Case it shall be lawful for any Five or more of the Parishioners of any such Parish or Parishes respectively in or for which any such Default of the Churchwardens and Overseers shall happen, by Notice to be given in their Names in some Newspaper published or circulated in the said City or Bail or Close of *Lincoln*, to call a Parochial Meeting of the Parishioners of such Parish or Parishes respectively, for the Purpose of supplying any such Vacancy or Vacancies, and which Meetings it shall be lawful for such Parishioners (being qualified by Law to vote in Vestry) respectively to hold, after the Expiration of Ten Days after Publication of such Notice; and at every such Meeting a Chairman shall be appointed; and the Parishioners present at such Meeting (qualified by Law to vote in Vestry) shall proceed to elect by Majority of Votes some Person or Persons (qualified according to the Provisions of this Act to be Commissioners for executing this Act) to be a Commissioner or Commissioners for supplying such Vacancy or Vacancies; and such Chairman shall ascertain and declare in whose Favour such Election shall be, and shall make a Return in Writing under his Hand of the Name or Names of the Person or Persons so elected, within Four Days after such Election, to the Clerk or Clerks to the Commissioners; and every such Person so to be elected a Commissioner (being duly qualified) shall, after taking or making the Oath or Affirmation hereinafter mentioned, be a Commissioner for executing this Act, and shall continue in Office until the Day of Entry into Office of the Commissioners

sioners to be chosen and elected at the next Triennial Election of Commissioners in pursuance of the Provisions of this Act.

Parishioners to vote only in One Parish, and not to give more than One Vote in respect of joint Property.

X. Provided always, and be it further enacted, That at all Vestry and Parochial Meetings for the Election of Commissioners in pursuance of this Act, no Person shall be entitled to vote in more than One Parish; and in all Cases where more than One Person shall be assessed in respect of the same Property, no more than One Vote shall be given in respect of such Property; and no Person who shall not be a Tenant or Occupier of any Dwelling House or Premises within the Parish for which he shall desire to vote, which shall be of no greater annual Value than Six Pounds, or which shall be of a less annual Value than Six Pounds, shall be entitled to vote in the Election of Commissioners under this Act; and if any Person or Persons shall presume to vote contrary hereto, every such Person shall forfeit and pay the Sum of Ten Pounds to any Person who shall inform and sue for the same; but nevertheless no such Offence, nor any Conviction thereupon, shall be deemed to make void any such Election.

Commissioners virtute Officii to make Oath or Affirmation.

XI. And be it further enacted, That no Person by this Act appointed a Commissioner by virtue of his Office shall be capable of acting as a Commissioner in the Execution of this Act, except in administering the Oath or Affirmation herein-after mentioned, until he shall, at a Meeting to be holden by virtue of this Act, have taken and subscribed an Oath, or made and subscribed an Affirmation, in the Words or to the Effect following:

Form of Oath.

'I *A. B.* do swear, [*or, being one of the People called Quakers*, do solemnly declare and affirm,] 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 Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*set forth the Title of this Act.*] So help me GOD.'

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

Parochial Commissioners to make Oaths or Affirmations.

XII. And be it further enacted, That no Person who shall be chosen or elected a Commissioner for any Parish in the said City and Bail and Close of *Lincoln* shall be capable of acting as a Commissioner in the Execution of this Act, until he shall, at a Meeting to be holden by virtue of this Act, have taken and subscribed an Oath, or made and subscribed an Affirmation, in the Words or to the Effect following:

Form of Oath.

'I *A. B.* do swear, [*or, being one of the People called Quakers*, do solemnly declare and affirm,] That I am seised of in my own Right, [*or* in Right of my Wife,] and am in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, situate in the City or Bail or Close of *Lincoln*, of the clear annual Value of Thirty Pounds above all Reprizes, [*or* that I am an Occupier of Messuages, Lands, Tenements, or Hereditaments, situate in the City or Bail or Close of *Lincoln*, of the annual Value of Thirty Pounds]; and that I will truly

'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 Ninth 'Year of the Reign of His Majesty King *George* the Fourth, in- 'tituled *An Act* [*set forth the Title of this Act.*]

'So help me GOD.'

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

And an Entry or Minute of the taking and subscribing such Oaths or Affirmations, and of the Date of administering the same, shall be made in the Book of Proceedings of the Commissioners herein-after mentioned.

Penalty on Commissioners acting while concerned in Contracts under the Act, or without being qualified.

XIII. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during the Time he shall hold or enjoy any Office or Place of Profit under this Act, or be concerned or interested (except as a Creditor on the Rates or Assessments, or as a Shareholder in any Company of Proprietors for the Manufacture of Gas,) in any Contract made under or by virtue of this Act, or in any Case wherein he shall be personally interested in the Matter in question; and if any Person, not being qualified in the Manner by this Act directed, or not having taken and subscribed the Oath as aforesaid, or, being a Quaker, not having made and subscribed the Affirmation as aforesaid, or being or becoming disqualified by any of the Causes in this Act mentioned, shall act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same in any of His Majesty's Courts of Record at *Wesminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall upon the Trial prove that he was at the Time of acting qualified as aforesaid, or otherwise shall be liable to the said Penalty and Costs, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person acting as such Commissioner, although not duly qualified, had or done previously to his being convicted of any such Offence, shall be as valid and effectual, notwithstanding such subsequent Conviction, as if such Person had been duly qualified.

Election of future Parochial Commissioners every Three Years.

XIV. And be it further enacted, That on the first *Monday* in the Month of *July* which will be in the Year of our Lord One thousand eight hundred and thirty-one, and on the first *Monday* in the Month of *July* which will be in every Third following Year, Parochial Meetings shall be held in the several and respective Parishes in the said City and Bail and Close of *Lincoln*, for choosing and electing Two Persons from each Parish to be the future Parochial Commissioners for executing this Act, in the same Manner and Form as is herein-before directed or appointed respecting the calling and holding of Meetings for choosing and electing the first Parochial Commissioners under this Act; and the Appointment of such future Parochial

Commissioners shall be ascertained and take place in the same Manner and Form, and subject to the same Rules and Regulations as are herein-before provided or mentioned respecting the Appointment of the first Parochial Commissioners under this Act; and the several Persons who shall be so triennially elected as Parochial Commissioners, and the several Persons who shall be chosen in any of their Places pursuant to the Provisions of this Act, shall, on the Fifth Day of *August* after every such new Election, enter into Office as Commissioners for executing this Act, and shall continue in Office for the Term of Three Years, or until other Persons shall be chosen or elected Commissioners pursuant to the Provisions of this Act: Provided always, that all Persons who shall have served as Commissioners previously to, or who shall be in Office at the Time of any such Triennial Election, shall nevertheless be re-eligible as Commissioners for the same or any other Parish.

First Meeting of Commissioners.

XV. And be it further enacted, That the first Meeting of the Commissioners for carrying this Act into Execution shall be held at the Guildhall of the said City on the Fifth Day of *August* in the Year of our Lord One thousand eight hundred and twenty-eight, between the Hours of Ten and Twelve in the Forenoon, at which Meeting, so soon as Five or more Persons shall have assembled, the Persons assembled shall proceed to elect a Chairman; and such Chairman shall take or make and subscribe, before the other of such Persons then present at such Meeting, or any Two of them, the Oath or Affirmation herein-before prescribed and required to be taken or made and subscribed; and after such Chairman shall have so taken or made and subscribed the same, it shall be lawful for such Chairman, and he is hereby required to administer the Oath or Affirmation herein-before prescribed and required to be taken or made and subscribed, to the other of such Persons present at such Meeting; and when such Chairman, and any other Four or more of such Persons, shall have so taken or made and subscribed such Oath or Affirmation, such Commissioners, or any Five or more of them, shall and may proceed to carry the Powers of this Act into Execution.

Adjournment of Meetings.

XVI. And be it further enacted, That it shall be lawful for the said Commissioners present at their First Meeting, or at any subsequent Meetings for the Execution of this Act, from Time to Time to adjourn, and to appoint their next Meeting to be holden at any future Day and Time, not exceeding Three Calendar Months from the last Day of Meeting, and at the same or any other convenient Place within the said City; and if at any Time and Place appointed for any Meeting there shall not be Five Commissioners present before the Hour of Three of the Clock, then and in every such Case the Commissioners or Commissioner present shall adjourn the Meeting to some future Day, not later than that Day Seven-night; or in case no Commissioner shall attend, or in case the Commissioners at any Meeting assembled shall omit to adjourn, then and in every such Case the Clerk or Clerks to the Commissioners shall adjourn the Meeting to some future Day, not less than Ten Days then next ensuing, of which adjourned Meeting such Clerk or Clerks shall cause Notice to be affixed on the Door of the Guildhall of the said City, and also to be advertised in some

some Newspaper published or circulated in the said City Three Days before such adjourned Meeting; and if at any Time no Adjournment, nor any Notice of an adjourned Meeting, shall be made or given as aforesaid, then it shall and may be lawful for any Two or more of the said Commissioners, or for such Clerk or Clerks, being authorized by an Order in Writing signed by any Two or more of the said Commissioners, although not assembled at a public Meeting, to call a Meeting of the said Commissioners, by affixing and advertising Notice thereof in manner aforesaid.

Meetings on Emergencies.

XVII. Provided always, and be it further enacted, That if after any Adjournment of any Meeting by the said Commissioners, or by their Clerk or Clerks as aforesaid, it shall on any Emergency be considered necessary that a Special Meeting should be appointed for an earlier Day than the Day for which any Meeting shall stand by Adjournment as aforesaid, then it shall be lawful for any Two or more of the said Commissioners, or for such Clerk or Clerks, being authorized by an Order in Writing signed by Two or more of the said Commissioners, although not assembled at a public Meeting, to appoint such Special Meeting for such earlier Day, by affixing a Notice in Writing upon the Door of the said Guildhall, and by advertising the same in some Newspaper published or circulated in the said City, Three clear Days at the least before the Day to be appointed for such Special Meeting, mentioning the Time and Place, and specifying the Purpose of such Special Meeting; and all Acts, Orders, and Proceedings of the said Commissioners at such earlier Meeting, the Purpose of which shall have been specified in such Notice, shall be as valid and effectual, to all Intents and Purposes whatsoever, as they would have been in case such Commissioners had then met in pursuance of any Adjournment.

Regulation of Proceedings at Meetings of Commissioners.

XVIII. And be it further enacted, That at all Meetings of the said Commissioners Five Commissioners shall constitute a Meeting competent to execute the Powers of this Act, and all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at any such Meeting to be holden in pursuance of this Act, and at every such Meeting One of the Commissioners present shall be elected to preside as Chairman, and all Questions shall be decided by a Majority of Votes of the Commissioners present, and the Commissioners shall vote by Ballot, in case the same shall be demanded by any Three or more of the Commissioners present, and the Chairman shall have as well an original Vote in the Proceedings of such Meeting, as also (in case of an Equality of Votes upon any Question) an additional or casting Vote; and all Acts, Orders, and Proceedings of the said Commissioners shall be entered in the Books of Proceedings, and the Chairman of every such Meeting shall subscribe his Name at the End of the Proceedings at every such Meeting (except Entries of Adjournments, which may be signed by the Clerk or Clerks to the Commissioners); and it shall be lawful for the Chairman of any Meeting of the said Commissioners to administer the Oath or Affirmation by this Act directed to be taken or made and subscribed by Commissioners; and no Acts or Orders of the said Commis-

Commissioners shall be in Law valid, or deemed to be made by the Commissioners under this Act, unless the same shall be made at a Meeting of the said Commissioners held according to the Provisions of this Act, and signed by the Chairman, as herein-before mentioned.

Commissioners to pay their own Expences.

XIX. And be it further enacted, That the Expences of the said Commissioners at all or any of their Meetings shall be defrayed by the Persons incurring the same, and not out of the Monies to be raised by virtue of the Provisions of this Act.

Half-yearly Meetings for rescinding Orders.

XX. And be it further enacted, That Half-yearly Meetings of the said Commissioners shall be held on the first *Tuesday* in *January* and the first *Tuesday* in *July* in every Year, at which Meetings all Acts and Orders made at previous Meetings of the said Commissioners may be rescinded, reversed, or altered; and no Act or Order made at such Half-yearly Meeting shall be rescinded, reversed, or altered, except at a Half-yearly Meeting, or except at a Special Meeting of the said Commissioners, to be called for the Purpose by Seven or more Commissioners, nor except a Notice signed by Seven at least of the said Commissioners, specifying the particular Acts or Orders of the Commissioners intended to be rescinded, reversed, or altered, shall be affixed on the Door of the Guildhall of the said City, and also advertised in One or more Newspaper or Newspapers published or circulated in the said City, Ten Days at least before the Day appointed for such Special Meeting: Provided also, that no Act or Order of the said Commissioners made at any ordinary Meeting, or at any Half-yearly Meeting, or at any Special Meeting, shall be rescinded, reversed, or altered, unless Notice in Writing, specifying the particular Act or Order intended to be rescinded, revoked, or altered, and the Reason for rescinding, revoking, or altering the same, shall have been given to or left at the last or usual Place of Abode of each of the Commissioners whose Names shall appear on the Books of Proceedings of the Commissioners as having concurred in the making of such Act or Order, Ten Days at least before the Meeting for rescinding, revoking, or altering such Act or Order.

Proceedings to be entered in a Book, which shall be Evidence.

XXI. And be it further enacted, That the said Commissioners shall cause to be provided proper Books for entering all their Acts, Orders, and Proceedings, and all Rates to be made by virtue of this Act, and for registering all Mortgages and Assignments thereof, and shall cause fair and regular Entries to be made therein of all Acts, Orders, and Proceedings relative to the Execution of this Act; and all such Books, and the Entries therein, signed by the Chairman, as herein-before mentioned, shall be admitted in Evidence in all Courts and Places, and by and before all Judges, Justices, and others, in all Causes, Suits, and Actions touching any thing done in pursuance or by virtue of this Act.

Accounts to be kept of Receipts and Disbursements, which shall be open to Inspection.

XXII. And be it further enacted, That the said Commissioners shall and they are hereby required to cause a Book or Books to be provided and kept, and true and regular Accounts to be entered therein, of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and

and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Person or Persons paying the Rates or Assessments hereby granted, or any Creditor or Creditors on the same, without Fee or Reward; and the said Commissioners and Persons aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and if the Clerk or Clerks to the Commissioners, or other Person or Persons with whom the Books, Accounts, and Papers belonging to the said Commissioners shall have been deposited, shall, on any reasonable Demand, refuse to permit or shall not permit the said Commissioners, or such Creditors or other Persons as aforesaid, or any of them, to inspect the said Books, Accounts, and Papers, or to take such Copies or Extracts as aforesaid, such Clerk or Clerks, or other Person or Persons, shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds.

Penalty on Clerk refusing Inspection.

Accounts to be audited and published annually.

XXIII. And be it further enacted, That all Accounts of Monies received and paid in pursuance of the Powers and Provisions of this Act shall be produced and stated to the said Commissioners at their Half-yearly Meeting to be held as aforesaid in the Month of *July* yearly, and be examined, audited, and settled by them; and an Abstract of such Accounts shall be made, and shall, within Ten Days from the auditing and Settlement thereof, be published in some Newspaper printed or circulated in the said City.

Officers to be appointed, &c.

XXIV. And be it further enacted, That the said Commissioners shall or may from Time to Time at any Meeting or Meetings elect and appoint a Treasurer or Treasurers, Clerk or Clerks, Assessor or Assessors, Collector or Collectors, Receiver or Receivers of the Monies to be raised and paid under or by virtue of this Act, and also Surveyors, Scavengers, Rakers, Cleansers, Lighters of Lamps, and such other Officers or Persons as the said Commissioners shall think proper for carrying this Act into Execution, and also shall and may from Time to Time remove and displace them or any of them, and appoint others in the Room of those removed, and out of the Monies to be raised by virtue of this Act also shall and may pay such Salaries, Wages, or Allowances to the said Officers and other Persons, as the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby authorized, directed, and required to take sufficient Security from every such Treasurer and Collector, for the true and faithful Execution of his Office, and may also take such Security from any other Officer as they shall think reasonable; which Security or Securities shall or may be taken either in the Name or Names of the Clerk or Clerks to the Commissioners, or in the Name of any Three or more of the said Commissioners for the Time being.

Treasurer and Collectors to give Security.

Officers to continue after a new Election of Commis-

XXV. And be it further enacted, That notwithstanding such new Elections of Commissioners as are by this Act required to take place at the End of every Third Year, the respective Officers, Clerks, Surveyors, and other Persons who shall have been appointed by the last

preceding Body of Commissioners to any Office or Employment under the said Commissioners, and who shall not have been removed or dismissed by them, shall continue to act until they shall be respectively removed and dismissed by the said Commissioners.

sioners, unless removed.

XXVI. Provided always, and be it further enacted, That after the Second Meeting of the said Commissioners, no Officer shall be appointed unless Three clear Days Notice at the least shall have been given, specifying the Intention of proposing the Appointment of such an Officer, in the like Manner as is herein-before directed for calling Meetings on Emergencies.

Regulations as to the Election of Officers.

XXVII. Provided always, and be it further enacted, That as often as any Collector or Receiver of the Monies to be raised by virtue of this Act shall die, or become incapable of acting in the Execution of this Act, or neglect to perform his Duty therein, it shall be lawful for the said Commissioners, or any Three or more of them, although not assembled at a Meeting to be held pursuant to this Act, by any Writing under their Hands, to appoint another Person to be Collector or Receiver thereof, until a Collector or Receiver shall be appointed by the said Commissioners at a Meeting to be holden in pursuance of this Act, any thing herein contained to the contrary notwithstanding; and such temporary Collector or Receiver shall be subject to all the Provisions of this Act, in the same Manner as if he had been appointed by the Commissioners at a Meeting in pursuance of this Act.

For appointing temporary Officers in case of Necessity.

XXVIII. Provided always, and be it further enacted, That if any Clerk or Clerks, Treasurer or Treasurers, or other Officer or Officers employed by the said Commissioners for the Purposes of this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever, other than such Salary or Allowance as shall be appointed and allowed by the said Commissioners, for or on account of any thing done by virtue of this Act, or for forbearing to do any thing ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his or their Employment or Duty, every such Person so offending shall be incapable afterwards of serving or being employed under the said Commissioners, and shall forfeit and pay the Sum of Ten Pounds for every such Offence.

Penalty on Officers taking any Fee or Reward.

XXIX. And be it further enacted, That all such Officers so to be appointed as aforesaid shall under their Hands (at such Time and Times and in such Manner as the said Commissioners shall direct) deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and other Persons respectively by virtue or for the Purposes of this Act, specifying how much thereof hath been paid and disbursed, and for what Purposes; and shall also produce and deliver the Vouchers and Receipts for such Payments; and shall also pay all such Money as shall remain in their Hands, or be due from them respectively upon such Accounts, to the said Commissioners, or to such Person or Persons as they shall

Officers to account to Commissioners.

appoint; and if any such Officer or Person shall, for the Space of Ten Days next after Notice in Writing from any One or more of the said Commissioners requiring him so to do (to be given to or left at the last or usual Place of Abode of such Officer or Person), refuse or wilfully neglect to make and render 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, all Books, Papers, Writings, and Effects belonging to the said Commissioners in his Custody or Power, or to give sufficient Information to the said Commissioners respecting the same, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to commence or cause to be commenced, in any of His Majesty's Courts of Record at *Westminster*, an Action or Actions against the Officer or Person making such Default as aforesaid, for the Recovery of the Monies which shall be in the Hands of such Officer or Person so refusing or making Default as aforesaid, and to recover the same with full Costs of Suit; or it shall and may be lawful for the said Commissioners, or any Person or Persons whom they shall appoint for that Purpose, to make Complaint to any Justice of the Peace having Jurisdiction in the City or Place wherein such Officer or Person so neglecting or refusing shall reside or be, and such Justice may and he is hereby authorized and empowered, by a Warrant under his Hand and Seal, to summon the Officer or Person so refusing or making Default as aforesaid to appear before him; and upon his Appearance, or having been summoned and not appearing (except from some reasonable Cause to be allowed by such Justice), 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 upon Oath or Affirmation, it shall appear to such Justice that any of the Money which shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Person, or shall be unaccounted for by him, 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 or Person, together with the Costs and Charges of making such Complaint and of making such Distress and Sale; 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 as aforesaid, or if it shall appear and be proved to the said Justice, after such Summons as aforesaid, that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce and deliver the Vouchers relating thereto, or that any Books, Papers, Writings, or Effects belonging to the said Commissioners shall be retained in the Custody or Power of such Officer or Person, and that he hath refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in either or any of the said Cases such Justice shall commit such Offender to the Common Gaol or House of Correction for the City or Place 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 Payment and Account as aforesaid, or until he shall have compounded with the said Commissioners

for

for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), or until he shall have delivered up such Books, Papers, Writings, and Effects 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 on that Account for any longer Term than Six Calendar Months: Provided also, that if any Money shall be due from such Officer or Person, his Commitment to Prison as aforesaid shall not (without the Consent of the said Commissioners) be deemed a Discharge for the same, nor exonerate the Surety or Sureties for such Officer or Person, but such Officer or Person, and his 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 not to act as Treasurer, and vice versâ.

XXX. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint any Person who has been or 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 any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Commissioners; and if any Person shall accept both the Offices 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 any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Commissioners may hire Rooms for the Purposes of this Act.

XXXI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to hire any Room or Building in any convenient Place within the said City, for the Purpose of making

making use thereof as and for an Office or Offices for keeping their Accounts, holding their Meetings, and transacting the Business relating to this Act; and also to hire, rent, purchase, erect, or provide any other Room or Building within the said City, to be used as a Storehouse or Storehouses for keeping their Implements and Materials, and for other the Purposes of this Act; and to pay such Rent or Rents, or Sum or Sums of Money, as the said Commissioners shall from Time to Time agree upon; and also to accept and take a Lease of any Room, Building or Buildings, to themselves or any of them, for any Term or Number of Years, at and under such Rent or Rents as they shall from Time to Time think fit.

Commissioners may sue or be sued in the Name of their Clerk, or of any Commissioner.

XXXII. And be it further enacted, That the said Commissioners may sue and be sued for or concerning any thing which shall be done by virtue or in pursuance of this Act, or for or concerning any Matter or Thing relating or incident to the obtaining and passing of this Act, in the Name or Names of their Clerk or Clerks for the Time being, or in the Name of any One or more of the said Commissioners; and no Action or Suit to be so brought or commenced by or against the said Clerk or Clerks, or Commissioner or Commissioners, shall abate or be discontinued by his or their Death, Removal, or Default, but shall be continued and carried on in his or their Name or Names; and such Clerk or Clerks, or Commissioner or Commissioners, shall be deemed Plaintiff or Defendant, or Plaintiffs or Defendants, in such Action or Suit (as the Case may require): Provided always, that any such Clerk or Clerks, or Commissioner or Commissioners, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall not, by reason of his or their being such Clerk or Clerks, or Commissioner or Commissioners, be rendered incompetent or inadmissible as a Witness or Witnesses in any such Action or Suit as aforesaid, unless such Clerk or Clerks, or Commissioner or Commissioners, shall be personally or individually interested or concerned therein.

Commissioners not personally liable.

XXXIII. And be it further enacted, That nothing in this Act, or in any Deed, Mortgage, Contract, or Agreement by this Act authorized to be entered into or made by or on the Behalf of the said Commissioners, for any of the Purposes or in the Execution of this Act, shall extend to charge or affect the Person or Persons of any of the said Commissioners, or their Clerk or Clerks, Treasurers, or other Officers authorized by the said Commissioners in their Behalf, executing any such Deed, Mortgage, Contract, or Agreement, or the Heirs, Executors, or Administrators of any such Commissioner, Clerk, Treasurer, or Officer, or their or any of their own proper Lands, Tenements, or Hereditaments, Goods, Chattels, Effects, or Property, with or for the Performance of all or any of the Covenants, Conditions, Provisoes, Stipulations, Matters, or Things in the same Deeds, Mortgages, Contracts, or Agreements contained or mentioned on the Part of any such Commissioner, Clerk, Treasurer, or other Officer; but the Amount of all Damages, Costs, Charges, and Expences which shall or may be recovered in any Action or Actions, Suit or Suits, at Law or in Equity, or in or upon any Arbitration, Reference, Award, or otherwise, against any such Commissioner, Clerk, Treasurer, or other

Officer, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such Deed, Mortgage, Contract, or Agreement, or the Covenant, Condition, Proviso, Stipulation, Matter, or Thing therein contained, and also all the Damages, Costs, Charges, and Expences which any such Commissioner, Clerk, Treasurer, or other Officer shall bear, pay, expend, or be put unto, or which shall be occasioned to them or any or either of them for or by reason or means of any such Deed, Mortgage, Contract, or Agreement, or any Covenant, Condition, Proviso, Stipulation, Matter, or Thing therein contained, or any Action or Actions, Suit or Suits, Awards, or otherwise, to be brought, prosecuted, or made by or against them, or any or either of them, thereupon, shall respectively be paid, satisfied, and discharged by and out of the Monies to be raised, or which shall or may arise or be received by virtue of this Act, unless such Action or Suit, Matter or Thing, shall arise in consequence of their or his own wilful Neglect or Default, or have been brought, commenced, carried on, or done without the Order or Direction of the said Commissioners in Writing; but every such Commissioner, Clerk, Treasurer, and other Officer shall be personally liable for all Acts done by them respectively, without the Order of the said Commissioners made in pursuance of this Act.

Commissioners may compound Actions.

XXXIV. And be it further enacted, That when and so often as any Action or Information shall be brought against the said Commissioners, for any thing done by them in pursuance or by virtue, or supposed to be done in pursuance or by virtue of this Act, or when and so often as the said Commissioners shall bring any Action or lay any Information against any Person or Persons, for any alleged Grievance done to the said Commissioners, as to any Matter respecting this Act, then and in all such Cases it shall be lawful, as well for the said Commissioners, as for all and every other Person or Persons, to compound such Actions, Suits, or Informations, without bringing the same to Trial.

Roads within the Limits of this Act to be discontinued as Turnpike.

XXXV. And be it further enacted, That from and after the Commencement of this Act so much and such Part of the Turnpike Roads passing into or through the said City of *Lincoln*, and Bail and Close of *Lincoln*, on both Sides whereof Houses now are or hereafter shall be erected or built, as lies within the Limits of this Act, shall cease to be Part of such Turnpike Roads, and the Trustees of such Turnpike Roads shall not contribute towards the Repairs thereof.

Materials, &c. vested in the Commissioners.

XXXVI. And be it further enacted, That all the present and future Stones, Gravel, and other Materials of all the Foot Pavements and Footways in the Streets, Lanes, and other public Passages and Places in the said City and Bail and Close of *Lincoln*, and all the present and future public Drains, Ditches, Sewers, Tunnels, Gutters, Grates, and Sinks in the said City and Bail and Close, and also all the Lamps, Lamp Irons, Lamp Posts, Pillars, Pilasters, Pipes, and other Articles, Materials, Matters, and Things, erected, set up, fixed, or provided, or to be erected, set up, fixed, or provided for the Purposes of the said recited Act hereby directed to be repealed, or for the Purposes of this Act, and all Materials, Tools, Utensils, Carriages, Implements, and

other Things purchased or provided by the Commissioners for executing the said recited Act, for the Purposes thereof, or which shall be purchased or provided by the Commissioners acting in execution of this Act, for the Purposes of this Act, and all the Soil, Manure, Ashes, Dirt, and Rubbish which shall be deposited or laid, or be swept, gathered, or collected in the said Streets, Lanes, and other public Passages and Places, or any of them, shall belong to and be the Property of the Commissioners for executing this Act, and shall be and are hereby vested in the said Commissioners; and the said Commissioners shall and may cause any Action or Actions to be brought, or direct any Bill or Bills of Indictment to be preferred, (as the Case may require,) against any Person or Persons who shall steal, take, or carry away, detain, deface, damage, injure, or destroy the several Articles and Things hereby vested in 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 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 such Bill or Bills of Indictment shall be preferred, is or are the Property of "The Commissioners for lighting, cleansing, and improving the City of *Lincoln* and the Bail and Close of *Lincoln*," without mentioning or specifying the Names of all or any of the said Commissioners.

In what Manner Commissioners shall be described in Proceedings.

XXXVII. And be it further enacted, That where any Information, Complaint, Conviction, or other Proceeding shall at any Time or Times be made, preferred, had, or take place before any Justice of the Peace, for wilfully, maliciously, negligently, or accidentally breaking, injuring, spoiling, damaging, destroying, or unlawfully pawning, pledging, or making away with any Property by this Act vested in the said Commissioners, or for or in respect of such Property, or where any Indictment or Indictments shall at any Time or Times be preferred for feloniously stealing, taking, or carrying away, or unlawfully receiving, buying, taking, or having any such Property, or embezzling, secreting, or making away with the same, or any Monies, Notes, Effects, or other Property whatsoever of or belonging to the said Commissioners, or for or in respect of any Offence whatsoever touching or relating to the same respectively, it shall be sufficient to state generally in such Information, Complaint, Conviction, or other Proceeding, or in such Indictment as aforesaid, that such Property, Monies, Notes, Effects, Article or Articles, Matters or Things, is or are the Property of the Commissioners for lighting, cleansing, and improving the City of *Lincoln* and the Bail and Close of *Lincoln*, without mentioning or specifying the Name or Names of all or any of the said Commissioners; which Name and Description of the said Commissioners shall also be sufficient for all the Purposes of this Act.

Useless Articles, &c. may be disposed of.

XXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, and at their Discretion, to sell and dispose of all or any of the said Articles, Matters, and Things which shall at any Time be purchased or provided by them for the Purposes of this Act, and all other Materials, Matters, and

Things by this Act vested in them, which shall become useless, or shall not be wanted for the Purposes of this Act, to such Person or Persons, and in such Manner, as the said Commissioners shall think proper, and to apply the Money to arise thereby towards the Purposes of this Act.

Commissioners may make Contracts.

XXXIX. 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 to enter into any Contract or Contracts with any Person or Persons, or Body or Bodies Politic or Corporate, or Company or Companies, for the widening, altering, amending, and improving of the Streets, Lanes, and other public Passages and Places in the said City of *Lincoln*, and Bail and Close of *Lincoln*, and for the stopping up, altering, extending, or enlarging and cleansing any Drains, Sewers, Gutters, Sinks, and Watercourses, and for lighting with Oil or Gas or Inflammable Air, and for watching, watering, sweeping, cleansing and draining the said Streets, Lanes, and other public Passages and Places, and for furnishing Materials, and doing and performing all other Matters and Things necessary for completing any of the Works hereby authorized to be done: Provided always, that every such Contract shall specify the several Works to be done, and the Prices to be received or paid for the same, and the Time or Times when the said Works are to be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by the said Commissioners, or any Three or more of them, and also by the Person or Persons, or sealed with the Seal of the Body or Bodies Politic or Corporate, or Company or Companies contracting to perform such Works respectively; and all such Contracts shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the Commissioners: Provided also, that in case any such Contract shall amount to the Sum of Thirty Pounds or upwards, Notice of the Intention of entering into such Contract, and of the Time when and Place where the same is intended to be considered, shall be given by Advertisement in some Newspaper published or circulated in the said City, Ten Days at least before the Day of meeting for making or entering into the same; and the said Commissioners shall and they are hereby required to take Security from every such Contractor for the due Performance of his, her, or their Contract; and in case the same shall not be well and sufficiently performed, according to the true Intent and Meaning of such Contract or Contracts, the said Commissioners shall and may bring or cause to be brought any Action or Actions at Law, or Suit or Suits in Equity, against the Person or Persons so neglecting to perform such Contract or Contracts, for any Injury suffered or sustained on account of the Non-performance thereof; and upon proving the signing of the said Contract or Contracts, and Non-performance thereof, the said Commissioners shall be entitled to and shall recover such Penalty or Damage as may be awarded, with full Costs of Suit.

Commissioners may compound for Breaches of Contract.

XL. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time and at all Times hereafter to compound and agree with any Person or Persons against whom the said Commissioners shall bring or cause to be brought

brought any Action or Suit for any Penalty incurred in any Contract to be made or entered into in pursuance of this Act, on account of any Breach or Non-performance of such Contract, for such Sum or Sums of Money as they shall think proper, so as the Sums compounded and agreed for be not less than the Injury sustained by the Breach or Non-performance of such Contract, and the Costs, Charges, and Expences which shall have been or which may be occasioned thereby.

Owners or Proprietors of Houses to pave Footways.

XLI. And be it further enacted, That the respective Owners or Proprietors, Feoffees, Trustees, and Occupiers of the several Houses, Shops, Malthouses, Warehouses, Stables, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments lying before or opposite and adjoining to the several Streets, Lanes, public Passages and Places in the said City of *Lincoln*, and Bail and Close of *Lincoln*, shall from Time to Time, within Forty Days next after Notice given them in Writing by the said Commissioners or their Surveyor or other Officer, well and sufficiently pave or cause to be paved, and at all Times hereafter repair or cause to be repaired, the Footway before or beside their respective Houses and other Premises as aforesaid, together with a sufficient Gutter or Channel by the Side of such Footway; such Paving nevertheless, both with respect to Materials and Regularity and Extent, to be made and afterwards continue in such Manner and Form as the said Commissioners in their Discretion shall think proper and order and direct; and in case any Owner or Proprietor, Feoffee, Trustee, or Occupier of any Messuage, Tenement, Building, Land, or Ground as aforesaid, shall neglect or refuse, for the Space of Forty Days next after Notice to him, her, or them given as aforesaid, to make or lay such Foot Pavement and Gutter or Channel, or to repair the same, as the Case may be, and to such Extent and in such Manner and Form as the said Commissioners shall order and direct, it shall be lawful for the said Commissioners, and they are hereby required to cause the same to be properly laid, paved, made, or repaired; and in case any such Owner or Proprietor, Feoffee, Trustee, or Occupier, shall cause any such Footway, Gutter, or Channel, or any Part thereof, to be paved, made, or repaired otherwise than according to the Order or Direction of the said Commissioners, then the said Commissioners shall direct the same to be taken up and re-laid in such Manner as they shall think proper; and the Costs and Charges of such paving and repairing, and of taking up and re-laying such Pavement, Gutter, or Channel as aforesaid, shall be reimbursed to the said Commissioners, and be paid and payable by the respective Tenants or Occupiers of such Houses and Premises; and if any Tenant or Occupier of any such Premises shall neglect or refuse to pay such Charges within Three Days after personal Demand made thereof, or by Notice in Writing under the Hand of the Surveyor, Clerk, or other Person appointed by the said Commissioners, to be delivered to or left at the Dwelling House of such Tenant or Tenants, Occupier or Occupiers, the same shall and may be levied on every such Tenant or Tenants, Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace, which Warrant the said

If Paving not done by the Owners, &c. the Commissioners to do it, and recover the Expences.

Justice

Justice or Justices is and are hereby authorized, empowered, and required to grant upon Information on Oath of such Neglect or Refusal, returning the Overplus (if any) of the Monies raised by such Distress and Sale, after deducting all Costs and Charges attending the same, to the Owner or Owners of such Goods or Chattels so distrained, on Demand.

Where any House, &c. is let to several Tenants, the Goods of any one Tenant may be distrained.

XLII. And be it further enacted, That where any House, Shop, Malthouse, Warehouse, Stable, Building, Court, Yard, Garden, Land, Tenement, or Hereditament shall be let or demised to more than One Tenant or Occupier, any One or more of such Tenants or Occupiers shall be deemed the actual Tenant or Tenants, Occupier or Occupiers, for the Purposes of this Act, and the said Charges shall be levied by Distress and Sale of all or any of the Goods and Chattels on such respective Premises; and in case any Tenant or Tenants, Occupier or Occupiers shall remove out of such House, Shop, Malthouse, Warehouse, Stable, Building, Court, Yard, Garden, Land, Tenement, or Hereditament, before such Charges shall be paid by him, her, or them, or if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall not be sufficient to defray such Charges, or if it shall happen that any of the said Premises shall be untenanted, then and in every such Case such Houses, Shops, Malthouses, Warehouses, Stables, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments shall be and the same are hereby made a Security for and chargeable with all such Charges and Expences, and the same shall and may be levied by Distress and Sale (by Warrant as aforesaid) of any Goods and Chattels which shall afterwards be found in and upon the same respective Premises, or of the Goods and Chattels of the Owner or Proprietor, Feoffee or Trustee thereof, in case such Owner or Proprietor, Feoffee or Trustee, shall neglect or refuse to pay the same for the Space of Seven Days next after the same shall be personally demanded of him, her, or them, or by Notice in Writing under the Hand of the said Surveyor or Clerk or other Person, to be delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee or Trustee, in case such Owner or Proprietor, Feoffee or Trustee, shall then reside within the said City or Bail or Close of *Lincoln*, as the Case may be: Provided always, that no incoming Tenant or Occupier shall be liable to pay any such Charges and Expences, or Part thereof, which shall have been incurred more than One Year before the Commencement of his Tenancy or Occupancy of the Premises.

The Premises to remain as a Security, in certain Cases;

and the Expences levied upon the next Tenant, or upon the Owner, &c.

Expences to be allowed to the Tenants paying.

XLIII. And be it further enacted, That it shall be lawful for any Tenant or Occupier who shall have new paved, amended, or repaired the Foot Pavement, Gutter, or Channel before his or her House or Houses and Premises, in manner as directed by this Act, or who shall have paid and reimbursed to the said Commissioners the Expences of doing the same, or on whom any such Expences shall have been levied, to retain and deduct out of his or her Rent the Charges and Expences which such Tenant or Occupier shall pay or have levied upon him or her on any of the Accounts aforesaid, and the Owner or Proprietor, Feoffee or Trustee of such Premises, is hereby required to allow such Deductions and Payments, upon the Receipt of the

Tenants may recover of the Owner, where they shall have paid more than they owed for Rent.

Residue of his or her Rent; and in case any Tenant or Occupier shall pay or have levied upon him or her more Money, on account of such new paving, amending, or repairing as aforesaid, than shall be due from him or her for the Rent of his or her House, Shop, Malt-house, Warehouse, Stable, Building, Court, Yard, Garden, Land, Tenement, or Hereditament, the Overplus thereof shall be repaid to such Tenant or Occupier by the Owner or Proprietor, Feoffee or Trustee of such Premises respectively; and in case of Nonpayment of such Overplus within Ten Days after Demand made thereof by such Tenant or Occupier, or by some Person on his or her Behalf, then the same shall and may be levied on the Owner or Proprietor, Feoffee or Trustee of such respective Premises, by Distress and Sale of the Goods and Chattels of such Owner or Proprietor, Feoffee or Trustee, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace, in manner aforesaid, together with the Costs and Charges of such Warrant, Distress, and Sale.

For paving the Entrance of Gateways.

XLIV. Provided always, and be it further enacted, That nothing herein-before contained shall extend, or be construed, deemed, or taken to compel any Person or Persons to pave so much of the Foot Pavement before their respective Premises aforesaid, as shall extend across the Gateway or Passage for Horses or Carriages into any Yard or Court, with Flag Stones, but such Person or Persons shall and they are hereby required to cause such Crossings to be paved with Mount Sorrel Stones, or such other Stones as the said Commissioners shall direct, in such a Manner as to form a good Footway across such Gateways or Passages; any thing herein-before contained to the contrary notwithstanding.

For paving before public Buildings.

XLV. And be it further enacted, That the Footway, Gutter, or Channel of any Bridge, or in the Front of any Piece or Pieces of Open or Waste Land, or of any Gaol, House of Correction, Sessions House, Town Hall, Butchery, or other Building belonging to the Mayor, Sheriffs, Citizens, and Commonalty of the said City, and situate in the said City, shall be paved, made, and kept in repair by the said Mayor, Sheriffs, Citizens, and Commonalty, and their Successors, subject to the same Regulations and Penalties as are by this Act provided and inflicted with respect to the other Foot Pavements within the Limits of this Act; and the Footway, Gutter, or Channel in the Front or on the Sides of any Parish Church, or the Churchyard thereto belonging, within the Limits of this Act, shall be made and kept in repair in manner aforesaid by the Churchwardens of each respective Parish; and the Foot Pavement, Gutter, or Channel in the Front or on the Sides of any Meeting House or Meeting House Yard within the said Limits, shall be paved, made, and kept in repair in manner aforesaid by the respective Ministers and Deacons, or other Persons usually officiating therein; and in case of any Neglect in the Premises by the said Mayor, Sheriffs, Citizens, and Commonalty, Churchwardens, Ministers, or Deacons, or other Person or Persons aforesaid, the said respective Foot Pavements shall be made and from Time to Time repaired by the said Commissioners; and the Expences thereof, if not paid upon Demand, shall be by them recovered by

Distress and Sale of the Goods and Chattels of the Mayor of the said City, or of the Churchwardens of such Parishes, and the Ministers and Deacons of such Meeting Houses respectively, for the Time being, as the Case may be, in like Manner as the Expences of paving or repairing the other Footways within the Limits of this Act are by this Act directed to be recovered.

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

XLVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to cause the several Streets, Lanes, and other public Passages and Places within the said City, Bail, and Close of *Lincoln*, or such of them as they shall from Time to Time think proper, to be well and sufficiently lighted with Oil, or with Gas or Inflammable Air, or partly with Oil and partly with Gas, or otherwise, and either at all Times, or at such Times or Seasons as the said Commissioners shall think proper; and it shall and may be lawful for the said Commissioners from Time to Time to provide and set up all necessary Lamps, Lamp Posts, Lamp Irons, and other Works necessary for the Purposes of this Act, in the said Streets, Lanes, and other public Passages and Places, and also to affix, set up, and place any such Lamps, Posts, Irons, and Works to, upon, or against the Walls of any Houses or Buildings therein, or Palisades or Railings adjoining any Houses or Buildings, or to or against or in or upon any other Walls or Premises in any such Streets, Lanes, and other public Passages and Places, and to alter, remove, take down, or replace the same, in such Manner as shall be necessary for effectually lighting the said Streets, Lanes, Passages and Places; and in case it shall be determined to light all or any of the said Streets, Lanes, and other public Passages and Places with Gas or Inflammable Air, then it shall be lawful for the said Commissioners to break up, or to direct the breaking up the Soil or Pavement of any of the Footways or Carriageways of any of the said Streets, Lanes, and other public Passages and Places, and to dig, sink, construct, lay, and fix, or to direct the digging, sinking, constructing, laying, and fixing of Mains and Pipes, Stopcocks, Plugs, Branches, and all other Works and Machinery for the Conveyance and Use of Gas or Inflammable Air, for the Purpose of lighting the said several Streets, Lanes, and other public Passages and Places, or any of them, or any Part or Parts thereof; and from Time to Time to direct such Main Pipes, Stopcocks, Plugs, Branches, Works, and Machinery to be repaired, altered, or removed.

Commissioners, &c. to repair Damage done to Walls, &c. by affixing Lamps.

XLVII. Provided always, and be it further enacted, That if any Injury or Damage shall be occasioned to any Building or Wall, or other Erection, by the affixing, setting up, taking down, altering, or removing any Lamp, or any Lamp Iron or other Fastening thereof, the said Commissioners shall immediately cause the said Injury or Damage to be well and sufficiently repaired, and the Expences attending the same shall be paid out of the Money to be raised by virtue of this Act.

Not to fix or continue Gas Pipes, without Consent.

XLVIII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Commissioners, or any Company or Companies, or Body or Bodies Politic or Corporate,

porate, or any Person or Persons whomsoever, to carry, lay, place, or fix any Pipe or Pipes, or other Thing, for the Conveyance of Gas or Inflammable Air, through, over, against, or into any Dwelling House or private Building, or through or into any private Lands, Tenements, or Hereditaments, or so to continue the same, without the special Licence, Consent, and Authority of the Owner and Occupier of every such Dwelling House, Building, Land, Tenement, or Hereditament.

Branch and Service Pipes to be kept charged with Gas.

XLIX. And be it further enacted, That the Branch or Service Pipes which shall be laid or placed for lighting the said Streets, Lanes, or other public Passages and Places, 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.

Commissioners and Contractors to prevent the Escape of Gas.

L. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall have been laid down or set up by the said Commissioners, or by any Body Politic or Corporate, or by any Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, the said Commissioners, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall, immediately after Notice given to them, or any or either of them, either verbally or in Writing, of any such Escape of Gas, by any Inhabitant or Inhabitants within the said City, Bail, or Close, or any other Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent the further Escape of such Gas; and in case the said Commissioners, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any further Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, as the Case may be, shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Time of giving such Notice, during which the said Gas shall be suffered to escape; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of any credible Witness or Witnesses, by Information to be laid before some Justice or Justices of the Peace, and shall and may be levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, or Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, as the Case may be.

Gas Pipes to be laid at a Distance from Water Pipes.

LI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round the said Streets, Lanes, Passages, or Places, shall be so laid at the greatest practicable Distance, and (whenever the Width of the Carriageway in such Street or 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 for

for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, Passages, or Places (except in Cases where it shall be unavoidably necessary to lay the said Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Cases the Length of the said Gas Pipes so crossing the said Water Pipes shall always exceed Nine Feet, in order that no Joint of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least); and that in laying down the said Gas Pipes the Party or Person laying the same shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall then in such Trench, and not before, properly form and complete, with proper and sufficient Materials, the Jointing with the other Pipe or Pipes to be connected therewith, and shall also make and keep air-tight all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, and in all and every respect prevent the said Gas from escaping therefrom, or from any Part thereof, upon pain of forfeiting for every Default the Sum of Fifty Pounds, to be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*.

To prevent the Contamination of Water by the Escape of Gas.

LII. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks, or other Owners or Proprietors of any Waterworks within the said City, Bail, or Close, or the Water in any Well or Pond belonging to or used by any Party or Person in the said City, Bail, or Close, shall be contaminated or affected by any Gas of the said Commissioners, or of any Body or Bodies Politic or Corporate, Company or Companies, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, the said Commissioners, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or Party or Person using such Water, and suing for the same; 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, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Treasurer or by the Clerk for the Time being, to any such Company of Proprietors, or by any One or more of the Members of such Company, or by other the Owners or Proprietors of any Waterworks, or by any other Party or Person whomsoever interested in or using such Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, Body or Bodies, or Company or Companies, or at the last

or usual Place of Abode of such other Person or Persons as aforesaid, cause Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes so contaminating or affecting any such Water; and in case the said Commissioners, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, 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 or Bodies, Company or Companies, or other Person or Persons as aforesaid, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to such Company of Proprietors, or the Owners or Proprietors of any such Waterworks, or other Parties or Persons aforesaid, for the Use and Benefit of the same Proprietors or Owners or Parties or Persons, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which any such Water shall be and remain contaminated, tainted, or affected by any such Gas; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness by and in the Name of the Treasurer or Clerk for the Time being to such Company of Proprietors, or by and in the Name of any One or more of the Members of such Company, or by other the Owners or Proprietors of any Waterworks, or by any such other Parties or Persons as aforesaid, at the Option of the Parties prosecuting such Information against the said Commissioners, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, before any Justice of the Peace having Jurisdiction in the said City, Bail, or Close, as the Case may be, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, 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 Costs, when so levied, shall be paid to the Treasurer for the Time being to such Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or to such other Parties or Persons as aforesaid, for the Use of the same Proprietors or Owners.

For ascertaining if the Water be contaminated.

LIII. 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, Body or Bodies, Company or Companies, or other Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act; be it therefore enacted, That in every such Case it shall and may be lawful for the Owners or Proprietors of any Waterworks to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, Body or Bodies, Company or Companies, or other Person or Persons as

aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Commissioners, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Commissioners, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, 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 or Bodies, Company or Companies, or other Person or Persons as aforesaid; 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 or Bodies, Company or Companies, or other Person or Persons as aforesaid, then and in such Case the said Company, or other the Owners or Proprietors of any Waterworks, or other Party or Person making Complaint of such Contamination, 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 or Bodies, Company or Companies, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets and Places so broken up 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.

Penalty on Commissioners, &c. suffering Liquids produced by Manufacture of Gas to flow into any Stream, &c.

LIV. And be it further enacted, That if the said Commissioners, or any Body or Bodies Politic or Corporate, or Company or Companies, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, shall at any Time empty, carry, or convey, or cause or suffer to be emptied, carried, or conveyed, or to run or flow, any Washings or other Liquids, Substances, or Things whatsoever which shall be used, made, or produced from the Manufacture of Gas, or in the Prosecution of any Gas Works, into any River, Brook, Stream, Reservoir, Aqueduct, Canal, Feeder, Pond, or Springhead or Well, or shall commit or cause to be committed any Annoyance, Act, or Thing whatsoever to the Water contained in any such River, Brook, Stream, Reservoir, Aqueduct, Canal, Feeder, Pond, or Springhead or Well, whereby the said Water shall or may be soiled, damaged, or corrupted, then and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or Company or Companies, or such other Person or Persons, as the Case may be, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, with full Costs of Suit, to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt

Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, or more than One Imparlance, shall be allowed: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Act, and Thing shall have been committed or have ceased: Provided also, that in addition to the said Penalty or Forfeiture of Two hundred Pounds, (and whether such Penalty shall or shall not be sued for or recovered,) in case any of the said Washings or other waste Liquids, Substances, or Things shall be emptied, drained, conducted, or conveyed, or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Canal, Feeder, Pond, or Springhead or Well, 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 the said Commissioners, or Body or Bodies Politic or Corporate, or Company or Companies, or such other Person or Persons as aforesaid, and the said Commissioners, or Body or Bodies Politic or Corporate, or Company or Companies, or such other Person or Persons as aforesaid, shall not, within Twenty-four Hours after such Notice, stop and prevent the further Continuance of such of the Causes of Complaint as shall be expressed in such Notice, then and in every such Case the said Commissioners, or the said Body or Bodies Politic or Corporate, or Company or Companies, or such other Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each Day such Cause or Matter of Complaint shall continue; and any Justice of the Peace, upon Conviction of the Offender or Offenders before him, upon the Oath or Affirmation of any credible Witness, (which Oath or Affirmation the said Justice is hereby authorized and empowered to administer and take,) shall and may, by Warrant under his Hand and Seal, cause the said Penalty or Forfeiture, and also the Costs attending such Conviction, to be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders; which Penalty when recovered shall, at the Discretion of the said Justice, either be paid to the Informer, or to the Person or Persons who in the Judgment of the said Justice shall have sustained any Annoyance, Injury, or Damage by any such Cause or Matter of Complaint as aforesaid.

Act not to protect Persons, &c. lighting with Gas from being indicted for a Nuisance.

LV. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend or be construed to extend to protect the said Commissioners, or any Body or Bodies Politic or Corporate, or any Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, or any of the Servants or Officers or Workmen of the said Commissioners, or of any such Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, from any Indictment or Prosecution for a public or private Nuisance in respect of any Gas Works, or the Means which shall be employed in making such Gas and using the same, nor from any Action or Actions for any Injury or Damage sustained by reason of any such Gas Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use

Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Penalty for wilfully breaking or damaging Lamps, &c.

LVI. And be it further enacted, That if any Person or Persons shall wilfully break, destroy, remove, throw down, displace, or otherwise injure or damage any Lamp which shall be erected by the said Commissioners, or by any such Contractor or Contractors, or any other Person or Persons at his, her, or their own Expence, for the Purpose of lighting any of the Streets, Lanes, Passages, or Places in the said City, Bail, or Close of *Lincoln*, or any Post, Iron, Cover, or Furniture thereof, or any Appurtenances thereto, or shall wilfully extinguish the Light or Lights of or in any such Lamp or Lamps, or molest or prevent the Lighter from either lighting or extinguishing any such Lamp or Lamps, or mischievously re-light any of them after the same shall have been extinguished by such Lighter, it shall and may be lawful for any Justice of the Peace, and he is hereby authorized, upon Complaint on Oath of any such Offence having been so committed, to issue his Warrant for the Apprehension of such Offender or Offenders; and it shall and may also be lawful for any Person or Persons who shall see such Offence committed to apprehend and secure, without any such Warrant as aforesaid, and also for any other Person or Persons to assist such first-mentioned Person or Persons in apprehending and securing such Offender or Offenders, and to deliver him, her, or them into the Custody of a Constable or other Peace Officer, in order to be detained in Custody and conveyed before some Justice of the Peace; and every such Justice before whom such Offender or Offenders shall be brought, either by Warrant or otherwise as aforesaid, shall and he is hereby required to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Offender or Offenders shall be thereof lawfully convicted, 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 the said Commissioners or to the Party injured by the Damage so done.

Satisfaction to be made for accidental Injury to Lamps, &c.

LVII. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, thrown down, destroy, or otherwise injure or damage any such Lamp as aforesaid, or the Post, Iron, Cover, or Furniture thereof respectively, or any Appendage thereto, and shall not upon Demand make Satisfaction for the Damage done, then and in every such Case it shall be lawful for any Justice of the Peace, and he is hereby required, upon Complaint thereof, to summon before him the Party or Parties so complained of, and upon his, her, or their Appearance or Default therein, such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by Confession of the Party or by the Oath or Affirmation of any credible Witness, shall award and order such Satisfaction to be made by the Parties or Party complained against unto the said Commissioners, or the 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 forthwith paid, it shall and may 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 Fine or Penalty is by this Act directed to be levied and recovered.

Streets may be cleansed and watered.

LVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Streets, Lanes, and other public Passages and Places within the said City, Bail, and Close of *Lincoln*, to be cleansed and watered at such Seasons and Times as the said Commissioners shall direct.

Commissioners may appoint a Scavenger.

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

Scavenger's Duty.

LX. And be it further enacted, That the Person or Persons employed by or contracting with the said Commissioners for cleansing the several Streets, Lanes, Passages, and Places within the said City and Bail and Close of *Lincoln*, or the Person or Persons employed by or acting under the Direction of such Person or Persons so contracting with the said Commissioners, shall, on such Days and at or between such Hours as the said Commissioners shall from Time to Time appoint, sweep and collect together all Dust, Dirt, Filth, or Rubbish in such Streets, Lanes, Passages, and Places, and shall also bring or cause to be brought a Cart or other proper Carriage in such Streets, Lanes, Passages, or Places, where such Cart or other Carriage can pass; and such Person or Persons so employed by or contracting with the said Commissioners shall immediately take all such Dust, Dirt, Filth, and Rubbish, and put the same in such Cart or Carriage, and shall also take all the Dust, Dirt, Filth, and Rubbish, and Cinders and Ashes, (except Filth from any Privy or Necessary House,) from the respective Premises in such several Streets, Lanes, Passages, and Places, and put the same in such Cart or Carriage; and such Person or Persons shall then immediately, or as soon as may be, carry away or cause to be carried away all such Dust, Dirt, Filth, and Rubbish, Cinders and Ashes, in such Cart or Carriage, to the Place or Places appointed for depositing the same, upon pain of forfeiting any Sum not exceeding Five Pounds for every Offence or Neglect therein.

Persons may keep Dust, &c. in their own Yards for their own Use.

LXI. And be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any of the Inhabitants within the Limits of this Act from preserving and keeping any Dust, Dirt, Filth, Rubbish, Cinders, or Ashes, within their own

respective

respective Houses, Yards, or Gardens, for their own Use, so as such Dust, Dirt, Filth, Rubbish, Cinders, or Ashes be not laid down or placed in any of the said Streets, Lanes, or public Passages or Places for any longer Time than shall be necessary for the loading and carrying away the same, or suffered to annoy any of the Inhabitants within the Limits of this Act; but in case the Person or Persons so reserving such Dust, Dirt, Filth, Rubbish, Cinders, or Ashes, shall thereby annoy any of the said Inhabitants, and shall not remove the same within the Space of Two Days after Notice in Writing given to him, her, or them, under the Hands of any Five or more of the said Commissioners, or their Clerk or Clerks, or left at the House or Houses of such Person or Persons, to remove the same, such Person or Persons shall forfeit and pay the Sum of Ten Shillings a Day for every Day any such Annoyance shall be permitted to remain next after such Notice given as aforesaid.

Footways to be swept.

LXII. And be it further enacted, That the respective Occupiers of Houses or other Buildings, with the Yards, Gardens, Pleasure Grounds, and other Appurtenances next adjoining the Streets, Lanes, and other public Passages and Places within the said City and Bail and Close of *Lincoln*, the Churchwardens and Chapelwardens of every Church or Chapel, or any One or more of them, the Owner or Owners and Proprietor or Proprietors of every unoccupied Tenement and of every dead Wall or other Fence and vacant Piece of Ground, (not used as Arable, Meadow, or Pasture Land only,) or any One or more of them, the Proprietor and Proprietors, Trustee and Trustees, Treasurer, and Minister of every Meeting House or other Place of public Worship, or any One or more of them, and the Person or Persons who for the Time being shall be the ostensible Director or Directors, Manager or Managers of every Hospital, Prison, School, and other public Building respectively, situate or being in the several Streets, Lanes, Passages, and Places within the said City and Bail and Close of *Lincoln*, shall and they are hereby required to cause to be well and sufficiently swept, scraped, and cleansed the Foot Pavements, Footways, and Gutters or Channels, the whole Length of the Front of their respective Houses, Buildings, Churches and Churchyards, Chapels and Chapelyards, unoccupied Tenements, dead Walls, vacant Pieces of Ground, Meeting Houses, Hospitals, Prisons, Schools, and other public Buildings, Tenements, Yards, Gardens, Pleasure Grounds, or other Hereditaments (except as aforesaid), and to the full Extent of the said Foot Pavements, Footways, and Gutters or Channels, before, behind, and on the Side or Sides of the same respectively, previous to the Hour of Ten of the Clock in the Morning on every *Wednesday* and *Saturday* in every Week, and on such other Days and at such other Times as the said Commissioners shall from Time to Time order or require the same; and shall also cause the Dirt and Soil, Snow and Ice, to arise from such sweeping and cleansing, to be collected and put together (so as not to obstruct either the Carriage or Footway), in order that the same may be removed by the Person or Persons employed by or contracting with the said Commissioners for cleansing the said Streets, Lanes, Passages, and Places; and every such Occupier or Person offending in

in any of such Cases shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Neglect.

Power to compound with the Inhabitants for cleansing, &c.

LXIII. Provided also, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, as they shall think proper, to compound with any of the Inhabitants of any Street, Lane, or other public Passage or Place within the said City and Bail and Close of *Lincoln*, by the Year or otherwise, for such Sum or Sums of Money as such Commissioners shall think proper, for the sweeping and cleansing to be done by such Inhabitants respectively by virtue of this Act, provided such Composition Money be always paid in advance.

Regulations as to removing Night Soil, &c.

LXIV. And be it further enacted, That no Person shall empty or begin to empty any Privy, or take or carry away the Soil of any Privy, or the Refuse of any Slaughter House, or bring or place any Cart or other Carriage for removing the same respectively from any House, Building, or Place already or hereafter to be erected, built, or made in the said City, Bail, or Close, at any other Time than between the Hours of Ten of the Clock at Night and Four of the Clock in the Morning, nor draw or cause to be drawn within the Limits of this Act any such Soil after the Hour of Six of the Clock in the Morning; and if any Person shall offend herein, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulations as to laying Soil, &c. on Staiths.

LXV. And be it further enacted, That no Person shall lay or cause to be laid any Soil, Manure, Dung, or Ashes upon or near any of the public Staiths or Landing Places within the Limits of this Act, at any other Time than between the Hours of Twelve of the Clock of each Night and Ten of the Clock of the following Morning; and if any Person shall offend herein, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Carts used in removing Soil, &c. to have Flush Boards.

LXVI. And be it further enacted, That no Person shall at any Time drive or cause to be driven any Cart or other Carriage with Soil from any Privy, Ammoniacal Liquor, Lime, Mortar, Slop, Filth, Channel Mire or Dirt therein, through, in, or over any of the Streets, Lanes, or other Passages or Places in the said City, Bail, or Close, unless such Cart or other Carriage shall be constructed with proper Side or Flush Boards, or otherwise so as to prevent the Contents thereof from slopping, spilling, or escaping from such Cart or other Carriage in or upon any of the said Streets, Lanes, or other Passages or Places; and if any Person shall offend herein, or wilfully or negligently spill or suffer to be spilled in any such Street, Lane, Passage, or Place, the Contents of any such Cart or Carriage, he or she shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Commissioners may establish a Watch and Patrol.

LXVII. 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 to cause the said Streets, Lanes, Passages, and Places, or such of them as they shall think fit, to be safely and properly

perly watched, and for that Purpose from Time to Time to appoint such a Number of able-bodied Men as they shall consider necessary to be employed as Constable of the Night, Watchmen, and Patrol, and to direct and appoint how and where they shall be stationed, and how often they shall go their Rounds, and how long they shall continue on Duty, and in what Manner they shall be armed, and what Wages or Recompence shall be paid or allowed them for their Services, and generally to make such Orders and Regulations for the good Government of such Constable of the Night, Watchmen, and Patrol, as the said Commissioners shall from Time to Time think proper and appoint; and also from Time to Time, and at their Discretion, to remove and displace such Constable of the Night, Watchmen, or Patrol, or any of them, and to appoint others in their Place and Stead; and also to provide proper Watchboxes and a Watch-house or Watch-houses, or Places for the Reception of such Constable of the Night, Watchmen, or Patrol, and for the safe Custody of such Persons as may be apprehended by them respectively while on Duty; and every Constable of the Night, Watchman, or Patrolman, who shall be guilty of Neglect or Misbehaviour in his Office, shall forfeit any Sum not exceeding Forty Shillings; and the said Commissioners are hereby further authorized and empowered from Time to Time to give and allow such Rewards or Allowances as the said Commissioners shall think fit to any Constable, Watchman, or Patrolman, or Person or Persons assisting them, who may be disabled, hurt, or wounded in the Execution of his or their Office or Duty.

Duty of Watchmen.

LXVIII. And be it further enacted, That it shall and may be lawful for such Watchmen or Patrolmen, or any of them, and they are hereby required in their respective Stations to apprehend, arrest, detain, and secure, in some proper Place or Places of Security to be for that Purpose provided as aforesaid, or elsewhere in the meanwhile, all Felons, Malefactors, Rogues, Vagabonds, Vagrants, and idle Persons, and all disorderly Persons, Disturbers of the public Peace, and all Prostitutes and Nightwalkers, and suspected Persons, who shall be found wandering or misbehaving themselves, and to convey all such Persons, as soon as conveniently may be, before some Justice of the Peace, to be examined and dealt with according to Law.

Watchmen to be sworn in as Constables.

LXIX. Provided always, and be it further enacted, That all such Watchmen or Patrolmen as aforesaid shall, before they respectively begin to act, be approved of and sworn in as Constables by any Justice or Justices of the Peace having Jurisdiction in the District for which they shall be appointed, 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; and such Justices of the Peace are also hereby authorized and empowered to remove and displace any such Watchmen, Patrolmen, or Constables, in case of Neglect or Misbehaviour in their Office; and all Persons so sworn in as Constables shall and they are hereby directed and required to fix up and keep constantly placed over the Door of their Dwelling, or on some other conspicuous Part thereof, a Board with the Words "Constable, N° ," [mentioning

[mentioning the Number in his Appointment,] inscribed thereon, in plain legible Characters, and which Boards so inscribed shall be provided by the said Commissioners.

Victuallers not to harbour Watchmen during the Hours of Duty.

LXX. And be it further enacted, That if any Victualler, Alehouse Keeper, or other Person selling Ale, Beer, Cider, Spirituous or other Liquors by Retail, shall entertain or harbour in his or her House or Premises any Watchman or Patrolman during any of the Hours or Times appointed for the Attendance on Duty of such Watchman or Patrolman under this Act, every such Victualler, Alehouse Keeper, or other Person so offending, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power of Committee for regulating Watchmen, &c.

LXXI. And be it further enacted, That it shall be lawful for any Three or other Number of the Commissioners, although not assembled at a Meeting, (who shall be appointed a Committee or Committees for the Purpose by the Commissioners assembled at any Meeting or Meetings to be held in pursuance of this Act,) to suspend, remove, appoint, and order the Constable of the Night, Watchmen, and Patrolmen, or any of them, as Occasion may from Time to Time require, between the Times of holding the Meetings of the said Commissioners, and to regulate and manage the Duties and Offices of such Constable, Watchman, and Patrolman; and it shall be lawful for any such Committee of Commissioners to provide for the occasional Absence of any such Constable, Watchman, or Patrolman, to provide or procure any approved Substitute for any limited Time, as such Committee of Commissioners (subject as aforesaid) shall from Time to Time think proper; and every such Substitute shall be subject to the same Provisions and Regulations as if he had been appointed a Constable of the Night, Watchman, or Patrolman at a Meeting of the Commissioners for executing this Act, and shall have the same Protection in the Exercise of his Duty.

Commissioners may appoint Beadles, &c.

LXXII. 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, when and as often as they shall think it expedient, or Occasion shall require, by Writing under their Hands, to appoint One or more suitable and proper Person or Persons to be Beadles and Streetkeepers, and Deputy or Assistant Constable or Constables, within and for the said City and Bail and Close of *Lincoln*, for so long a Time, and in such Manner, and with such Salary or Salaries, as the said Commissioners shall from Time to Time authorize and direct, such Salaries to be paid out of the Rates herein-after mentioned; and it shall be lawful for the said Commissioners from Time to Time to dismiss, suspend, or remove any such Beadles or Streetkeepers, and Deputy or Assistant Constable or Constables, and appoint another or others in like Manner in his or their Stead; which said Beadles and Streetkeepers, and Deputy or Assistant Constables, shall, before they enter upon Office, be sworn before any One or more of His Majesty's Justices of the Peace well and truly to execute the same; and such Beadles and Streetkeepers shall be subject to the Orders and Directions of the said Commissioners, and shall vigilantly exert themselves, and use all lawful

Ways and Means, to prevent Tumults and Disorders within the Limits of this Act on the Days for holding Fairs and Markets, and on other public Occasions, and on *Sunday* Evenings, and such other Days as they shall be directed to attend by the said Commissioners, and also at all Times to prevent Obstructions and Nuisances, and detect Offences against this Act, and to apprehend and assist in apprehending all Offenders against the Provisions of this Act, and, if necessary, to take and assist in taking such Offenders before a Justice of the Peace, to be dealt with according to Law; and every such Beadle, Streetkeeper, and Constable shall, in case of any Neglect of Duty or improper Conduct in the Discharge of his Duty in the Premises, forfeit and pay any Sum of Money not exceeding Five Pounds for each Offence.

Commissioners may compensate Owners of Buildings agreeing to make or alter them in such Manner as shall be an Improvement to the City.

LXXIII. Provided also, and be it further enacted, That for the Purpose of widening and improving the Streets, Lanes, and other public Passages and Places in the said City, Bail, and Close, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to enter into any Agreement relative to the Mode of erecting, altering, or building any Houses, Edifices, or Buildings fronting or adjoining any of the said Streets, Lanes, Passages, and Places, or relative to the Line or Direction or Mode of building any new Houses, Edifices, or Buildings within the Limits of this Act, or to any Alteration or Change of the Line or Direction in which any old Houses or Buildings now stand, or relative to any Projections or other Changes thereof, with the Owners or Proprietors thereof, and to make or give such Compensation or Satisfaction for any Injury, Loss, or Damage which any such Owners or Proprietors may sustain by acceding to any such Plan of Improvement, or for Goodwill for the same, as the Commissioners shall think reasonable for the Object or Purposes of Improvement to be thereby obtained, and to pay such Compensation or Satisfaction out of any Monies to be raised by virtue of this Act, and from any voluntary Subscription which may be raised and placed in their Hands for that Purpose.

Regulation as to building or re-building Fronts of Houses.

LXXIV. And be it further enacted, That all Houses and Buildings in any of the present or future Streets, Lanes, or other public Passages or Places in the said City or Bail or Close of *Lincoln*, which hereafter shall be erected or built, or new fronted or rebuilt, shall be made to rise perpendicularly from the Foundations thereof; and no Part of the Front of any ancient House or Building which shall hereafter be new fronted, nor any Part of the Front of any new House or Building which shall hereafter be rebuilt upon the Site of any ancient House or Building in any of the said Streets, Lanes, Passages, or Places, shall on any Pretence whatsoever be brought forwards beyond the old Foundation, without the Order and Consent in Writing of the said Commissioners first obtained for the Purpose; and if any Person or Persons shall, without such Consent first obtained, at any Time hereafter erect or build, or new front or rebuild, or cause to be erected or built, or new fronted or rebuilt, any House or Building in any of the said Streets, Lanes, Passages, or Places, in any other Manner than so as to rise perpendicularly from the Foundation

tion thereof, or so that any Part of the Front thereof shall be brought forward beyond the old Foundation of any such ancient House or Building as aforesaid, or otherwise than as shall be directed or authorized by the said Commissioners in any such Order or Consent, then and in every such Case such House or Building shall be deemed an Encroachment, Nuisance, and Annoyance within the Intent and Meaning of this Act; and it shall be lawful for the said Commissioners to cause the same House or Building so erected, new fronted, or rebuilt, or so much of the Front thereof as shall have been so erected, new fronted, or rebuilt contrary to the Directions of this Act or of the said Commissioners, to be pulled down and removed by any Person or Persons who shall be directed so to do by an Order in Writing signed by Five or more of the said Commissioners; and the Costs and Charges of pulling down and removing the same shall be paid and reimbursed to the said Commissioners by the Owner or Owners of such House or Building; and in default of Payment thereof within Twenty Days next after Demand in Writing made in that Behalf by the Clerk or Clerks to the Commissioners, the same, having been ascertained by some Justice or Justices of the Peace for the City or Place in which the Premises shall be situate, shall and may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when received the same shall be paid to the Treasurer or Treasurers to the said Commissioners, to be applied to the general Purposes of this Act.

Existing Projections, &c. may be removed by Commissioners, making Satisfaction to the Parties.

LXXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all and every or any of the projecting Windows, Palisadoes, Rails, Posts, Fences, Steps, Scrapers, Cellar Windows, Cellar Doors, Hatchways, Frontsteads, and other Obstructions and Projections whatsoever, and of what Nature or Kind soever, which are already erected, affixed, set up, laid down, or being against or in front of or belonging to any Houses or other Buildings whatsoever in any of the Streets, Lanes, Passages, or Places within the said City, Bail, or Close, which shall be public Annoyances or Nuisances by reason of their projecting into or encroaching upon or otherwise obstructing, annoying, or endangering the public Passage along any of the aforesaid Streets, Lanes, Passages, or Places, and also any Hogsties therein, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, by the said Commissioners, or any other Person or Persons acting under their Authority, in such Manner as shall be thought most proper and expedient by the said Commissioners, and also from Time to Time to pull down and remove, or cause to be pulled down and removed, all or any Posts, Rails, Pales, Trees, or Fences in or near the Streets, Lanes, Passages, or Places, or any of them, which shall be useless, or be a Nuisance or Obstruction to Passengers, Horses, or Carriages; they the said Commissioners nevertheless first causing Twenty Days Notice in Writing, under the Hands of Five or more of the said Commissioners, or their Clerk or Clerks, to be given to the respective Owners or Occupiers of such Houses or other Buildings, of their Intention to take down, fill up, remove, alter, or reform such Obstructions or Projections, and to remove such Hogsties respectively, and causing as little Damage to be done in effecting every such Removal

or

or Alteration as the Nature of the Case will allow, and also defraying the whole Costs and Charges of executing the same: Provided nevertheless, that the said Commissioners shall and they are hereby required to make reasonable Satisfaction and Compensation for any Loss or Damage to the several Owners, Proprietors, and Occupiers of Tenements, Buildings, Lands, or Premises, in consequence of such taking down, filling up, Removal, carrying away, or Alteration of Obstructions, Projections, or Annoyances existing or being at the Time of the Commencement of this Act, for any Damage and Injury which shall be thereby done to any Property of such Owners and Proprietors; and if the said Commissioners and such Person or Persons cannot agree as to the Sum to be paid by the said Commissioners, the Amount thereof shall be ascertained, fixed, and determined by any Two or more Justices of the Peace having Jurisdiction in the City or Place in which such Claim for Compensation shall arise.

Future Projections to be removed by Occupiers.

LXXVI. And be it further enacted, That the several Occupiers of Houses and other Buildings situate in the several Streets, Lanes, Passages, or Places in the said City and Bail and Close of *Lincoln*, and every of them, are hereby required, at their own respective Costs and Charges, within Twenty Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Five or more of the said Commissioners, or their Clerk or Clerks, to cause all and every the projecting Windows, Posts, Fences, Steps, Scrapers, Cellar Windows, Cellar Doors, Hatchways, Frontsteads, Courtyards, and other Obstructions and Projections which shall in future be erected, set up, affixed, laid down, or be against or in front of or belonging to their respective Houses or other Buildings, which shall be public Annoyances or Nuisances by reason of their projecting into or encroaching upon or otherwise annoying or endangering the public Passage along any of such Streets, Lanes, Passages, or Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such projecting Window, Post, Fence, Step, Scraper, Cellar Window, Cellar Door, Hatchway, Frontstead, Courtyard, or other Projection or Obstruction whatsoever which shall in future be so erected, set up, affixed, laid down, or be against or in front of or belonging to his or her House or other Building, which shall be considered an Annoyance or Nuisance as aforesaid, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by some Person or Persons acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace for the City or Place in which the Premises shall be situate, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when received, the same shall be paid to the Treasurer or Treasurers of the said Commissioners, to be applied to the general Purposes of this Act; and it

shall be lawful for the Occupier of any such House or Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

Encroachments to be removed by Occupiers.

LXXVII. And be it further enacted, That the several and respective Occupiers of Houses and other Buildings situate in the several Streets, Lanes, Passages, and Places in the said City, Bail, or Close, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Twenty Days next after their respectively receiving Notice in Writing, signed by the said Commissioners, to cause all Signs, Sign Irons, Sign Posts, Barbers Polls, Stalls, Blocks, Bulks, Show Boards, Butchers Hooks, Spouts, and Water Pipes, which now are or hereafter shall be in anywise affixed or set up, and which shall be public Annoyances or Nuisances by reason of their projecting into or encroaching upon or otherwise annoying or endangering the public Passage along any of such Streets, Lanes, Passages, or Places, to be taken down, removed, and carried away, or otherwise altered or reformed, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Sign, Sign Iron, Sign Post, Barber's Poll, Stall, Block, Bulk, Show Board, Butcher's Hook, Spout, or Water Pipe, which shall be so considered an Annoyance or Nuisance as aforesaid, to be taken down, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by some Person or Persons acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace for the City or Place in which the Premises shall be situate, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when received, the same shall be paid to the Treasurer of the said Commissioners, to be applied to the general Purposes of this Act; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Costs and Expences of altering or removing the same.

Names of Streets and Numbers of Houses to be put up.

LXXVIII. And be it further enacted, That the said Commissioners shall or may cause to be painted, engraved, or otherwise described and placed on a conspicuous Part or Parts of any One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of every Street, Lane, or other public Passage or Place in the said City or Bail or Close of *Lincoln*, the Name by which such Street, Lane, Passage, or Place now is or shall be called or known; and shall or may also cause every House and Building in the said Streets, Lanes, Passages, and Places to be marked and numbered with Figures, either on the Door thereof or otherwise, and in such Manner as they shall think most proper for distinguishing the same, and from Time to Time to vary the same Numbers and Figures as Occasion may require; and if any Person or Persons shall wilfully destroy, obliterate, deface, remove, or, without the Consent of the said Commissioners first obtained, alter any such Name, Number, or Figures, or any Part thereof, or cause or procure the same to be so done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Numbers to be renewed.

LXXIX. And be it further enacted, That when any such Numbers or Figures painted or placed on any House or other Building, or on the Door thereof, shall, by Accident, Decay, or otherwise, be defaced or rubbed out, the Occupier or Occupiers of such House or Building shall, upon Notice in Writing being given in that Behalf, signed by the Clerk or Clerks to the Commissioners, cause the same Numbers or Figures to be painted or placed on such House or other Building, or on the Door thereof, within Ten Days after such Notice; and in case of Neglect or Refusal to comply with such Order, every such Occupier shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Doors and Gates to open inwards.

LXXX. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, and Gardens within the Limits of this Act, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, within Twenty-one Days next after receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Five or more of the said Commissioners, or by their Clerk or Clerks for the Time being, to cause all such of the Doors and Gates leading into the several Houses, Buildings, Yards, and Gardens in their respective Occupations, (and not being Cellar Doors or Trap Doors, which now do or shall hereafter open outwards upon or over any Footpath in any of the said Streets, Lanes, Passages, or Places,) and all Gates or Bars which do or shall open outwards upon or over any Footpath or public Way within the Limits of this Act, to be altered so as that the same Doors or Gates shall thenceforward open inwards, or into their respective Premises, or so as to cause no Obstruction to the public Passage; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by the said Commissioners in any such Door or Gate, within the Period specified in such Notice, such Occupier making Default therein shall forfeit and pay the Sum of Two Shillings a Day for every Day during which any such Gate or Door shall be suffered to remain opening outwards as aforesaid, after the

Expiration

Expiration of the Time specified in such Notice: Provided nevertheless, that when the Occupier of any such House, Building, Yard, and Garden, being a Tenant at Rack Rent, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him or her to deduct and retain out of his or her Rent the necessary Charges of altering the same; and the Proprietor or Landlord of every such House, Building, Yard, or Garden so held at Rack Rent, is hereby required to allow the same accordingly, except only in Cases where such Door or Gate opening outwards, and so altered, shall have been originally put up by or under the Authority of the Person or Persons occupying the Premises at the Time the Alteration is made, in which Case such Occupier shall bear the Expence of altering the same: And provided also, that it shall be lawful for the said Commissioners to allow to such Occupier or such Proprietor all or any Part of the Expence of making any such Alteration, if the said Commissioners shall think it reasonable so to do.

Regulating Cellar Doors or Flaps.

LXXXI. And be it further enacted, That where any Opening is now or may hereafter be made in the Paving of any Footpath in the said Streets, Lanes, or other public Passages and Places, as an Entrance into or for the Purpose of carrying Coals or other Articles into any Vault or Cellar, whether such Vault or Cellar be inhabited or uninhabited, or for the Purpose of carrying 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 Occupier of the Cellar, Kitchen, Building, or other Premises to which such Opening shall communicate,) of Iron, or such other Materials, and 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 or Covering shall from Time to Time be repaired, varied, and altered at the 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 cause any such Grating or Covering to be made, repaired, varied, or altered, or 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 the same to be or remain not sufficiently secured or fastened, or shall cause or permit any such Cellar Door, Cellar Lid, Flap, or Cover within the said Limits to be left open at any Time between Sun-setting and Sun-rising, 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 Forty Shillings.

Water from Roofs of Houses to be carried off by Spouts and Pipes.

LXXXII. And be it further enacted, That the Owner or Owners, or Proprietor or Proprietors, or Occupier or Occupiers for the Time being, of each House or Building next any of the said Streets, Lanes, or other public Passages or Places, shall, within Twenty-one Days next after Service of any Order or Direction for the Purpose, signed by Five or more of the said Commissioners, on him, her, or them personally, or left at his, her, or their last or usual Place of Abode, put up

up and place, and for ever afterwards keep in repair and condition, a Spout or Trough of the whole Length of such House or Building, with a Pipe or Trunk, to be fixed to the Front or Side of such House or Building, from the Roof down to the Ground, to carry off or conduct the Water from the Roof of such House or Building in such a Manner that such Water shall pass underneath the Foot Pavement or Footway into the common Channel, and so as not to fall upon or incommode the Persons passing over or along any Footpath; and every Tenant or Occupier at Rack Rent of any such House or other Building, who shall put up or place any such Spout, Trough, Pipe, or Trunk, or keep the same in repair, shall be entitled to deduct and retain, out of the Rent payable to the Owner or Proprietor, or Owners or Proprietors of such House or Building, so much Money as such Tenant or Occupier shall have expended in putting up or placing, or in keeping in repair any such Spout, Trough, Pipe, or Trunk; and the Payment of such Expences by any such Tenant or Occupier shall be a sufficient Discharge for him, her, or them, for so much of his, her, or their Rent as the Amount of such Expences shall be equal to, and shall be abated and allowed to him, her, or them, by the Owner or Owners, or Proprietor or Proprietors of such House or Building, out of such Rent; and if any such Owner or Owners, Proprietor or Proprietors, or Occupier or Occupiers, shall, for the Space of Twenty-one Days after Service as aforesaid of any such Order or Direction, neglect to put up or place, or neglect to repair, any Spout, Trough, Pipe, or Trunk as aforesaid, then and in any and in every such Case it shall be lawful for the said Commissioners to cause any such Spout, Trough, Pipe, and Trunk to be put up or placed against any such House or Building, at the Expence of the Owner or Proprietor thereof; and in case any such Owner or Proprietor shall refuse to pay such Expences, the same shall and may be levied and recovered by the said Commissioners by the same Ways and Means as the Rates or Assessments by this Act granted may be levied and recovered.

Hoards or Fences to be made round Houses or Buildings under repair or erecting.

LXXXIII. And be it further enacted, That all Persons who at the Time of the Commencement of this Act shall have already taken down or partly taken down, or who shall at any Time or Times hereafter take down or begin to take down, any House or other Building whatsoever within the said City, Bail, or Close, or cause the same to be so done, or who shall alter or repair, or begin to alter or repair, the outward or external Part or Parts of any such House or other Building, shall cause One or more proper and sufficient Hoard or Fence, or Hoards or Fences, in case the said Commissioners, or their Clerk or Clerks or Surveyor, shall require it, to be erected or set up to guard all such Houses or other Buildings, and the Grounds whereon such Houses or other Buildings stood respectively, from the Street, Lane, or other public Passage or Place near thereto, at such Time as the said Commissioners, or their Clerk or Clerks or Surveyor, shall require, either before or after such Houses or Buildings shall be begun to be altered, repaired, or taken down, and shall continue such Hoard or Fence, Hoards or Fences, standing and in good Condition during the Time such Buildings, Alterations, or Repairs shall be going on; and if any such Person or Persons shall refuse or

neglect to erect and set up any such Hoard or Fence, Hoards or Fences as aforesaid, or shall not continue the same standing and in good Condition as aforesaid, then and in every such Case every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in case of such Refusal or Neglect it shall be lawful for the said Commissioners, or for their Clerk or Clerks or Surveyor by their Order, to cause such House or Houses, Building or Buildings, Ground or Grounds, to be well and sufficiently fenced in, or the Hoard or Fence set up to be well and sufficiently repaired, and such Fence or Fences to be continued as aforesaid, as the Case may require; and the Person or Persons so neglecting or refusing shall, over and above the aforesaid Penalty, pay all such Charges and Expences of such fencing or repairing, upon Demand made by the said Commissioners or by their Clerk or Clerks.

Materials may be laid in Streets for Repair of Houses, &c. under Restrictions.

LXXXIV. Provided nevertheless, and be it further enacted, That no Person shall be subject to any Penalty under this Act for or on account of any Materials for building, Rubbish, or Dirt being in or upon any of the said Streets, Lanes, Passages, or Places, before or near the Dwelling House or other Building of such Person, occasioned by the building or pulling down, rebuilding or repairing such Dwelling House or Building, so as there be convenient Room left for Carriages conveniently to pass and repass, and also a sufficient Way kept clean for Foot Passengers, and so as the Owner or Occupier of such Dwelling House and other Building do cause such Materials, Rubbish, and Dirt to be removed out of the said Streets, Lanes, Passages, and Places as soon as may be after such Dwelling House or other Building shall be finished, or forthwith thereafter, upon Notice from the said Commissioners or their Surveyor, requiring such Materials, Rubbish, or Dirt to be removed, and so as during the Time the same shall be lying in such Street, Lane, Passage, or Place as aforesaid, such Owner or Occupier shall securely guard and fence off such Materials, Rubbish, or Dirt, either by a temporary Railing or otherwise, and also set up and maintain a sufficient Light or Lights during the Night-time, to the Satisfaction of the said Commissioners, in order to prevent Accidents and Mischief happening therefrom: Provided also, that in case any Person so placing such Materials, Rubbish, or Dirt in any of the said Streets, Lanes, Passages, or Places as aforesaid, shall not effectually guard and fence off the same, and also set up and maintain a sufficient Light during the Night-time, so as to prevent Accidents or Mischief happening therefrom, or shall make Default in any or either of the said Cases, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Communication Drains not to injure public Drains.

LXXXV. And be it further enacted, That no Person shall cause any private Drain to be made or enlarged which shall communicate with any public Drain now made or hereafter to be made, so as such public Drain shall be obstructed or injured thereby; and in all Cases whatever of enlarging or altering a private Drain which communicates with a public Drain, or of making any new Communication between any private Drain and a public Drain, Three Days Notice at least shall be given to the said Commissioners or their Surveyor, of

of the Intention to enlarge, alter, or make such Communication; and all Alterations, Enlargements, or Communications made shall be made and done under the Direction of the said Commissioners; and if any Person shall be convicted of altering or enlarging any such private Drain, or making Communication between a private and a public Drain, without such Notice as is herein-before stated, or contrary to the Directions of the said Commissioners to be given respecting the same, he shall forfeit and pay a Sum not exceeding Ten Pounds.

Houses not to be covered with Thatch.

LXXXVI. And be it further enacted, That no Person or Persons whomsoever shall at any Time hereafter cover any House or other Building within the Limits of this Act, (other than the Houses or Buildings now so covered,) either wholly or in part, with any Straw or Thatch, nor shall renew or repair the Covering of any such House or other Building, (other than as aforesaid,) either wholly or in part, with any Straw or Thatch, nor shall cause or procure any such House or Building (other than as aforesaid) to be so covered, or the Covering of any such House or Building (other than as aforesaid) to be renewed or repaired with such Materials, under pain of forfeiting and paying for every such Offence the Sum of Ten Pounds; and it shall also be lawful for the said Commissioners to order and cause any Straw or Thatch which shall be placed on any House or Building (other than as aforesaid) within the Limits of this Act, contrary to the Provisions aforesaid, to be taken down and removed at such Time and in such Manner as to them shall seem meet, and the same shall and may accordingly be taken down and removed by any Person or Persons authorized or employed by the said Commissioners or their Surveyor for such Purpose, without any previous Notice given to the Owner or Occupier of such House or other Building, and without such Person or Persons so authorized or employed being deemed a Trespasser or Trespassers, or being liable to any Action, Indictment, or other Proceeding at Law, for or by reason of taking down or removing the same; and it shall be lawful for the said Commissioners to allow and pay to the Owners or Tenants of any House or Building within the Limits of this Act, now covered with Straw or Thatch, and who shall be willing, on the Request of the said Commissioners, to remove the same, the Costs and Expences of removing and recovering the same with such Materials as the said Commissioners shall direct.

Preventing Injury to Buildings, &c.

LXXXVII. And be it further enacted, That if any Person or Persons shall fix up any Bills or Papers (other than such Notices as may be directed by Parliament or other competent Authority) against any of the aforesaid Walls or Edifices, or any Part thereof, without the Consent of the Proprietor or Occupier thereof, or shall write with Chalk or any other Matter thereupon, or shall play at Ball or Fives upon or against the same, or shall deposit any Filth or commit any Nuisance upon, in, about, or against any of the aforesaid Edifices, or any Part thereof, or in or about any Churchyard, Burial Ground, Dwelling House, Wall, or other Building, then and in any of the said Cases every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

LXXXVIII. And

For preventing Nuisances in the Streets.

LXXXVIII. And be it further enacted, That if any Person or Persons shall, upon any of the Foot Pavements or Footways in any of the Streets, Lanes, Passages, or Places in the said City, Bail, or Close, run, draw, drive, haul, drag, or carry any Wheel Sledge, Wheelbarrow, Handbarrow, Bier, Sedan Chair, or other Carriage whatsoever, or any Ladder, or long Piece of Timber or Iron or Stone; or thereon beat or shake any Carpet; or thereon roll any Cask or Tub, further than the Extent of the Premises in the Occupation of the Person or Persons from or to whose House or Building such Cask or Tub shall be rolled, for the loading or unloading thereof; or thereon wilfully drive any Cart or Carriage whatsoever; or thereon ride, lead, or drive any Horse or other Beast, or any Cattle whatsoever; or thereon fix or use, without the Consent and Leave of the said Commissioners, any Stall, Tent, Shed, or Standing Place, for the Exhibition or Sale of any Goods, Wares, or Merchandize; or fix or use thereon any Block or Working Place, or place the same respectively, without such Leave and Consent as aforesaid, so near to any of the said Foot Pavements or Footways as in any Manner to obstruct the passing thereon; or thereon put, place, or lay, and suffer to remain, any Cask, Tub, Pail, Bucket, Stool, Bench, or any other Matter or Thing, so as to cause any Obstruction or Impediment to Passengers; or throw, cast, lay, or sift any Ashes, (except in Time of Frost only, to prevent Accidents,) or slide or skate during Frost, on any Pavement or Footway, or on the Road or Way in any such Streets, Lanes, Passages, or Places; or do or cause to be done any Injury, Damage, or Nuisance in or to any public Walk or Walks, or Footpaths or Causeways, or to any Trees, Plantations, Shrubs, Hedges, Posts, Rails, or Fences in or upon or near to the same, or bathe in any River, Stream, or Water adjoining the same; or if any Person or Persons shall, in any Street, Lane, Passage, or Place in the said City, Bail, or Close, burn any Cork; or hoop, fire, cleanse, wash, scour, or scald any Cask or Tub; or hew, saw, bore, or cut any Stone, Wood, or Timber; or make or repair any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, such immediate Repair to be done and completed with all convenient Speed); or therein hang out or place, or cause to be hung out or placed, any Linen or Woollen Cloth, or any Article of Wearing Apparel, or other Article, Matter, or Thing, either for Sale or for any other Purpose, at the Outside of any House or Shop, or of any Door, Window, or Balcony, or fix or tie up any Line, Rope, or Cord for any of such last-mentioned Purposes; or draw out, to project over the Footway, any Awnings or Blinds to any Shop or Building, so as to impede Passengers; or therein shoe, bleed, farry, or kill any Horse or other Beast or Cattle (except in case of Accident), or clean, dress, or exercise any Horse, or clean any Carriage, or exhibit or expose any Stallion, or turn loose or suffer to stray any Horse, Mule, Ass, or Cattle or Pig or other Beast, or expose for Sale (except upon the usual Market Days and Fairs, or in the Place or Places appointed by the said Commissioners,) any Horse or other Beast or Cattle; or wilfully break, or aid, abet, or assist in wilfully breaking, any Window or Window Pane in or belonging to any Dwelling House or other Building; or kill or slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part; or cause or permit any Blood or noisome

noisome Fluid to run or flow from any Slaughter House, Butcher's Shop, Shambles, or other Place, or any Soap Suds or noisome Fluid to run or flow from any Malt Kiln or other Premises, into the said Streets, Lanes, Passages, or Places, or any of them; or at any Time throw out of any Door, Window, or other Place, into or upon any of the said Streets, Lanes, Passages, or Places, any Filth or other noisome or offensive Matter or Thing; or stop up or impede the Course or Passage of any Common Sewer, Drain, Ditch, or Watercourse, or carry, empty, convey, or discharge therein any Filth, Rubbish, or offensive or noisome Matter or Thing; or permit or suffer any Mastiff or Bulldog, or any other dangerous Animal, to go at large without being safely or securely muzzled, or suffer or permit any Dog whatever to go at large in any of the said Streets, Lanes, Passages, or Places, after any public Notice given by the public Crier or Bellman, by Order of any Two Justices of the Peace, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of Hydrophobia or Canine Madness; or therein drive any Cart, Waggon, or other Carriage, without holding the Reins for the Guidance thereof in his or her Hands, or not keep his or her Left Side of the Street or Way, or not readily and promptly turn out of the Way on meeting any Horse, Coach, Waggon, Cart, or other Carriage, so as to leave proper and sufficient Quarter for such Horse and Carriage, or (being the hindermost of Two or more Coaches, Waggons, Carts, or other Carriages travelling in the same Course or Direction) attempt to pass the foremost Coach, Waggon, Cart, or other Carriage, so as to impede or obstruct the Passage of any Coach or other such Carriage, or any Horse or Horses, coming from the opposite Direction, and being on their proper or Left Side of the Street or Way, or by any other Means needlessly obstruct the Passage so as not to leave proper and sufficient Room for other Horses and Carriages; or ride any Horse or Beast furiously, or drive any Sort of Carriage whatsoever furiously, so as to endanger or excite a reasonable Apprehension of Danger to the Life or Limb of any other Person, or do any Injury to public or private Property by furious or negligent riding or driving; or attach or suffer to be attached any Cart or Carriage, without a Horse or Horses thereto, behind or at the Side of any other Carriage or Vehicle (except Wheel Carriages, attached to Stage Waggons), or drag or cause to be dragged any Timber, Stone, or other heavy Substance, otherwise than on Wheels or Wheel Carriages, or suffer any Timber, Stone, or other heavy Substance, which shall be carried principally or in part on Wheels or Wheel Carriages, to drag or trail upon the Street, Pavement, or Way, to the Prejudice thereof, or in any Manner whatever wilfully hinder, obstruct, or prevent the free Passage in any of the said Streets, Lanes, Passages, or Places, by placing therein any Timber, Wood, Stone, or other Matter or Thing, or any unloaded Carriage of any Sort or Kind soever, or by tying up any Horse or Animal at the Side or Sides of the said Streets, Lanes, Passages, or Places, or by any other Means whatsoever, or assist in so doing; or fire any Blunderbuss, Musket, Gun, Pistol, or other Fire Arms, (except in case of Necessity,) or make or cause to be made, or assist in the making, of any Bonfire or Fire, or tie up or exhibit with Intent to burn any Effigy, or throw or let off any Cracker, Squib, Rocket, Fireball, or other Firework, or fly any Kite, or trundle any Hoop, or play at

Football or any other Game, to the Annoyance of any Inhabitant or Passenger; or indecently expose his or their Person or Persons, or be drunk, and make, excite, or join in any Brawl, or otherwise disturb the public Peace, or use any obscene or abusive Language; or if any Person shall sell or assist in selling by Auction, Outcry, or Blast of Horn, without the Leave of the said Commissioners, any Cattle, Goods, Chattels, Wares, Merchandize, or other Matters or Things whatsoever; or if any Person shall throw, cast, lay, strew, scatter, or place any Fruit, Herbs, Refuse of Fruit or Garden Stuff, Fish, Offal, Filth, Night Soil, Manure, Soot, Ashes, or Rubbish, or any Lime, or slake or sift or screen (except in Hoards to be erected as herein-before mentioned) any Lime; or bait or cause to be baited any Bull, Bear, or other Animal; or throw at any Cock or other Fowl, or set up any Cock or other Fowl to be thrown at; or throw or cast any Animal or Carcass, or any Offal, Filth, or offensive Matter or Thing, into any Stream or Water, or any public or private Well, Pump, Pool, or Reservoir for Water; or wilfully fire or set on fire any Chimney within the Limits of this Act; or if any Person or Persons whomsoever driving or having the Care or Management of any Waggon, Cart, Caravan, Stage Coach, Chaise, Gig, or any other Carriage or Vehicle of any Sort or Kind whatsoever, shall suffer the same to remain or continue standing in any of the said Streets, Lanes, Passages, or Places, longer than shall be actually necessary for the loading or unloading of such Carriage or Vehicle; or if any Person or Persons, driving or having the Care or Management of any such Carriage or Vehicle, shall, during the Time the same shall be in motion, withdraw, or place himself, herself, or themselves, or other-wise stand or be in such a Situation as not to have the absolute Control, Power, and Management of the Horse or Horses or other Animal or Animals drawing such Carriage or Vehicle; or if any Blacksmith, Whitesmith, Coachsmith, Nailmaker, Chainmaker, Cutler, or other Person using or working at a Forge, and having a Door or Window fronting any Street, Lane, or Way, shall not by good and close Doors and Shutters every Evening after Sunset bar and prevent the Light from such Shop shining into or upon the said Street, Lane, or Way; or if any Blacksmith shall omit or neglect to rail or guard in front his Shoeing Shed; or if any Hawker, Higgler, Showman, Gipsy, or other Person or Persons travelling with any Carriage, Vehicle, or Machine, with or without any Horse, Mule, or Ass, shall abide or remain or fix any Tent, Stall, Booth, or stand in any Street, Lane, Passage, or Place in the said City, Bail, or Close, without the Consent of the said Commissioners, or place and leave, or cause to be placed and left, any Wood, Tree, or Timber, Manure or Rubbish, on the Sides of any Street, Lane, Passage, or Place within the Limits of this Act; or in case any Person or Persons shall commit any Obstruction, Disturbance, or Annoyance whatsoever in or upon any Street, Lane, Passage, or Place within the Limits of this Act, every Person offending in any or either of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners, or any Officer appointed by virtue of this Act, or for any Constable or Peace Officer, to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not forthwith

remove the same within a reasonable Time after being required so to do by any Person or Persons whomsoever.

For preventing dangerous Annoyances.

LXXXIX. And be it further enacted, That from and after the Commencement of this Act, if any Person or Persons shall place or put out, or cause or permit to be placed or put out, any Garden or other Pots, (except the same shall be perfectly secured, to the Satisfaction of the said Commissioners or their Surveyor, from falling,) or any other Matter or Thing, from or on the Outside of the Front or any other Part of any House or Houses, Buildings or Premises, over or next unto any Street, Lane, Passage, or Place within the Limits of this Act, and shall not immediately remove all such Matters or Things on being thereunto required by the said Commissioners, or their Surveyor, Inspector, or other Person or Persons employed by them, or having removed such Matters or Things on being required so to do as aforesaid, shall again be guilty of any such Offence; or shall at any Time leave the Coal Plate or other Covering of or belonging to any Hole or Funnel leading to any Cellar unfastened, or without being properly fastened and secured from moving; or shall leave open after Sunrise and before Sunset the Aperture of any Coal or other Cellar, or the Door or Window of or Opening leading into any Area, Cellar, or other Underground Room or Apartment, without having placed or left a sufficient Fence round the same to warn and prevent Persons passing in the Streets, Lanes, Passages, and Places within the Limits of this Act, from falling into such Apertures, Coalholes, Areas, Cellars, or other Underground Rooms, Apartments, or Openings; or shall leave open after Sunset and before Sunrise the Aperture of any Coal or other Cellar, or the Door or Window of or Opening leading into any Area, Cellar, or other Underground Room or Apartment, without having sufficiently guarded or protected the same, and placed and left a sufficient Light therein to warn and prevent Persons passing in the Streets, Lanes, Passages, and Places within the Limits of this Act, from falling into such Apertures, Areas, Cellars, or other Underground Rooms, Apartments, or Openings; then and in every such Case the Person or Persons who shall be guilty of any such Offence shall forfeit and pay any Sum not exceeding Five Pounds; and the Occupier of the House or Building, or of any Part thereof, where any such Matter of Annoyance shall happen, shall also be deemed and taken to be a principal Offender, and shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Forimpounding Cattle suffered to stray.

XC. And be it further enacted, That if any Horse, Ass, Mule, Swine, or other Beast or Cattle shall be found straying in any of the Streets, Lanes, or other public Passages or Places within the Limits of this Act, the Owner thereof shall for every such Beast or Head of Cattle forfeit and pay any Sum not exceeding Five Shillings; and it shall be lawful for any Officer appointed by the said Commissioners to impound such Beast or Cattle in the common Pound, or in any Pound which the said Commissioners may provide, (and which they are hereby authorized and empowered to provide and maintain for common Use,) and to detain the same therein until the said Penalty, and the Expence of impounding and feeding and keeping the same in Pound, shall be paid and satisfied; and if in any such Case the said

Penalty

Penalty and Expence shall not be paid within Three Days after such Beast or Cattle shall have been impounded, it shall be lawful for the Person appointed by the said Commissioners for that Purpose to sell the same; and the Costs and Charges of impounding, feeding, and keeping such Beast or Cattle in Pound, and of selling the same, and the said Penalty, shall be defrayed by such Sale; and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner of the said Beast or Cattle upon Demand: Provided always, that whether such Beast or Cattle shall be impounded or not, the Owner thereof shall forfeit and pay for every Head of Cattle found straying as aforesaid the Penalty herein-before imposed on Persons suffering Cattle to stray within the Limits of this Act.

Punishing Persons guilty of Pound-breach.

XCI. And be it further enacted, That in case any Person shall release or attempt to release any Horse, Ass, Swine, or other live Stock or Cattle which shall be impounded, or seized for the Purpose of being impounded, under the Authority of this Act, or shall pull down, damage, or destroy the Pound in which the same shall be impounded, or any Part thereof, or any Door, Gate, 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 Horse, Ass, Swine, or other live Stock or Cattle seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof by any Justice of the Peace, be committed to the Common Gaol or to the House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Justices may order Destruction of Dogs, on Suspicion of Madness.

XCII. And be it further enacted, That it shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, in case of Suspicion of the Existence or Prevalence of Canine Madness in the said City, Bail, or Close, by an Order under their Hands and Seals, to order or authorize any Person or Persons, to be named in such Order, to destroy all Dogs which shall be found at large in any of the Streets, Lanes, and other public Passages and Places within the Limits of this Act, on the Expiration of Twelve Hours after Notice thereof shall have been given by the public Crier or Bellman in the said several Streets, Lanes, Passages, and Places, and after a printed Notice shall have been posted up in such several Streets, Lanes, Passages, and Places, by Direction of the said Justices, setting forth the Order of such Justices, and requiring all Persons to confine their Dogs.

For the Removal of Slaughter Houses and other Nuisances.

XCIII. And be it further enacted, That if any Candle House, Soap House, Slaughter House, Tanning Pits, Skin Yards, Boiling House for Offal, Hogstye, Swinecote, Necessary House, Dunghill, Midden, or Manure Heap, which after the Commencement of this Act shall be erected or made in or near any of the Streets, Lanes, Passages, public Walks or Places, shall be offensive to any of the Inhabitants within the Limits of this Act, or any other Person or Persons, the same shall and may be deemed a Nuisance by the said Commissioners,

Commissioners, and an Offence against this Act; and it shall be lawful for the said Commissioners, upon Complaint thereof to them made, by an Order in Writing under the Hands of Five or more of them, or under the Hand or Hands of their Clerk or Clerks, to direct any such Nuisance to be removed; and in case the same shall not be removed within Fourteen Days after Notice of such Order shall have been given to or left at the last or usual Place of Abode of the Person or Persons who ought to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Ten Shillings for every Day that the same shall continue unremoved after the Expiration of the said Fourteen Days: Provided nevertheless, that where any Person or Persons thinking himself, herself, or themselves aggrieved by such Order as aforesaid, shall give Notice to the said Commissioners, or their Clerk or Clerks, of his, her, or their Intention to appeal against the said Order, and shall enter into Recognizance within the Time and in manner herein-after mentioned and provided in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person or Persons shall not be subject to or liable to pay any such Penalty or Forfeiture as aforesaid, until the Expiration of Fourteen Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Commissioners.

Surveyors of Nuisances to be appointed.

XCIV. And be it further enacted, That the said Commissioners shall and may at their Discretion appoint Surveyors, who shall inspect, and from Time to Time report to the said Commissioners, all Nuisances and Offences against the Provisions of this Act committed; and every Surveyor so to be appointed shall in case of any Neglect of Duty in the Premises forfeit and pay any Sum of Money not exceeding Five Pounds for each Offence.

Justices of the Peace to license and regulate Coaches, Chairs, &c.

XCV. And be it further enacted, That it shall and may be lawful for the Justices of the Peace acting in and for the City of *Lincoln* and County of the same City, and they are hereby required in any General or Quarter Sessions of the Peace to be held in and for the said City and County thereof, or any Adjournment of such Sessions, to license and authorize all such Hackney Coaches, Chaises, Cars, and Gigs, and Sedan Chairs, and such other Carriages and Vehicles as shall be kept or used by any Person or Persons for Hire in the said City, Bail, and Close; and they are hereby authorized and empowered to make, constitute, ordain, and provide from Time to Time such Bye Laws, Rules, Orders, and Regulatious, for licensing the said Hackney Coaches. Chaises, Cars, Gigs, and Sedan Chairs, Carriages and Vehicles, and for the Management and ordering of the Owners, Coachmen, Drivers, Chairmen, Carriers, and Conveyers thereof, as they shall think expedient; and shall, by such Bye Laws, Rules, Orders, and Regulations, order and direct how and in what Manner such Owners, Coachmen, Drivers, Chairmen, Carriers, and Conveyers shall conduct and demean themselves in their several Employments, and also how and in what Manner and Order such Hackney Coaches, Chaises, Cars, Gigs, Carriages, Vehicles, Sedan Chairs, and other Conveyances and Accommodations shall be furnished, provided, kept, numbered, and distinguished, and what

Number of Persons may be carried and conveyed in each of such Hackney Coaches, Chaises, Cars, Gigs, Carriages, Vehicles, Sedan Chairs, and other Conveyances and Accommodations respectively, and what Number of Horses, Ponies, and Cattle shall draw the same, and for fining and punishing such Owners, Coachmen, Drivers, Chairmen, Carriers, and Conveyers, for Misconduct, Ill-behaviour, and for the Breach, Non-observance, or Non-performance of any of such Bye Laws, Rules, Orders, or Regulations, and also for ascertaining, fixing, and determining the Distances within which they shall respectively travel, drive, go, or come, or be obliged or compelled to travel, drive, go, or come, within the said City, Bail, or Close, or the Neighbourhood thereof, not exceeding Seven Miles from the Guild-hall of the said City, and the Rates, Fares, and Prices, as well for Time as Distance, which shall be allowed to be demanded, received, or taken by such Owners, Coachmen, Drivers, Chairmen, Carriers, and Conveyers; and also that it shall and may be lawful for the said Justices respectively from Time to Time, and they are hereby authorized and empowered to make and constitute such other Bye Laws, Rules, Orders, and Regulations, as to them shall seem necessary, fit, or expedient, for establishing, regulating, managing, and ordering the said Hackney Coaches, Chaises, Cars, Gigs, Carriages, Vehicles, Sedan Chairs, and other Conveyances, and the Owners, Coachmen, Drivers, Chairmen, Carriers, and Conveyers thereof; and it shall be lawful for the said Justices respectively from Time to Time, as they may think fit or expedient, to repeal, alter, vary, and amend any such Bye Laws, Rules, Orders, and Regulations, and to make and substitute others in their Stead, and to make, fix, and determine what Penalties or Forfeitures shall be incurred and paid for breaking, evading, avoiding, refusing, or neglecting to perform the same, so that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for each Offence; provided that all such Bye Laws, Rules, Orders, and Regulations, and the repealing, altering, varying, and amending the same, and substituting others in their Stead, be not repugnant to any Law or Statute of that Part of the United Kingdom called *Great Britain*, and that the same shall from Time to Time be made, declared, and done at some General or Quarter Sessions of the Peace, or Adjournment thereof, within their respective Districts.

Manner of granting Licences.

XCVI. And be it further enacted, That every Licence to be granted for the keeping of any Hackney Coaches, Sedan Chairs, or other Carriages or Vehicles, under this Act, shall be granted by the Justices of the Peace for the said City of *Lincoln* and County of the same City, at any General or Quarter Sessions of the Peace to be held in and for the same City and County thereof, or Adjournment thereof, and the same shall be written or printed, and signed by any Two or more of the said Justices; and every Licence not so granted shall be void; and every such Licence shall express or contain the Number or other distinguishing Mark of such Coach, Chaise, Car, Gig, Carriage, Vehicle, Sedan Chair, and other Conveyances and Accommodations, and shall continue in force for One Year, or for such less Time as shall be expressed therein; and no such Licence shall include more than One such Coach, Chaise, Car, Gig, Carriage, Vehicle, Sedan Chair, or other Conveyances; and the same shall be

made out by the Clerk of the said Justices, and shall be duly entered in Books to be provided for that Purpose; and there shall be paid to such Clerk for every Licence granted to such Owner, Coachman, Driver, Chairman, Carrier, or Conveyer, the Sum of One Shilling.

Penalty for plying with Hackney Coaches, &c. without Licence; or for Misbehaviour.

XCVII. And be it further enacted, That if any Owner, Coachman, Driver, Chairman, Carrier, or Conveyer of any Hackney Coach, Chaise, Car, Gig, Carriage, Vehicle, Sedan Chair, or other Conveyance as aforesaid, or the Person or Persons attendant thereon or plying with the same, shall be found standing or plying for Hire with or using any Coach, Car, Gig, Carriage, Vehicle, Sedan Chair, or other Conveyance for Hire, in any Part of the said City, Bail, or Close, which shall not have been licensed by the said Justices for that Purpose, or if any such Owner, Coachman, Driver, Chairman, Carrier, Conveyer, Person or Persons, plying with, driving, or carrying any Hackney Coach, Sedan Chair, or other Carriage which shall have been duly licensed, shall neglect or refuse to carry or convey any Person or Persons when called, or shall demand more than his due Fare, or use improper Language, or otherwise misbehave or transgress, or do any other Matter or Thing contrary to and against any of the Bye Laws, Rules, Orders, and Regulations relating to or concerning the same, to be from Time to Time made as aforesaid, the Owner or Owners, or the Coachman, Driver, Chairman, Carrier, or Conveyer of any such Coach, Chaise, Car, Gig, Carriage, Vehicle, Sedan Chair, or other Conveyance, or the Person or Persons plying therewith or attendant thereon, and every other Person so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Owners of Coaches, &c. to be liable for Damage done by their Drivers.

XCVIII. And be it further enacted, That every Owner or Owners of any such licensed Coach, Chaise, Car, Gig, Carriage, Vehicle, Sedan Chair, or other Conveyance, shall be answerable for the Misconduct of all Persons employed in driving or carrying the same; and any Fine or Penalty may be imposed or levied on such Owner or Owners, on account of the Misconduct of such Driver or Carrier, which might or could or should have been imposed on such Driver or Carrier.

Porters and Labourers plying for Hire to be regulated.

XCIX. And be it further enacted, That it shall and may be lawful for the Justices of the Peace acting in and for the said City of *Lincoln* and County of the same City, at any General or Petty Sessions, and they are hereby authorized and empowered to make, constitute, ordain, and provide, from Time to Time, and also from Time to Time to repeal, alter, vary, and amend and add to, all such Bye Laws, Rules, Orders, and Regulations, for the Management and ordering of all and every the Porters and Labourers plying for Hire within the said City, Bail, and Close, as they shall think expedient, both for ordering and directing how and in what Manner such Porters and Labourers shall conduct and demean themselves in their several Employments, and for fining and punishing them for Misconduct or Ill-behaviour, and for the Breach of any of such Bye Laws, Rules, Orders, or Regulations, and also for ascertaining and determining the Rates, Fares, and Prices, as well for Time as Distance, which shall

shall be allowed to be demanded, received, or taken by such Porters and Labourers, and to make, fix, and determine what Penalties or Forfeitures shall be incurred and paid for breaking, evading, avoiding, refusing, or neglecting to perform the same Orders and Bye Laws, so that no such Penalty or Forfeiture shall exceed the Sum of Forty Shillings for any One Offence.

Provision for Recovery of Coach Fares, &c. and Compensation for Injuries done.

C. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay, on Demand, to any Owner or Owners of any such Hackney Coach, Chaise, Car, Gig, Carriage, Vehicle, Sedan Chair, or such other Conveyance, or to the Coachman, Driver, Carrier, or Conveyer thereof, or to the Person or Persons plying therewith or attending thereon, or to any Porter or Labourer, the Fare, Hire, or Reward, or the Sum or Sums of Money due and payable to them respectively for the Use and Services of the same, according to the Terms or Rules by any Bye Law, Rule, Order, or Regulation to be made in that Behalf as aforesaid; or if any Person or Persons shall do or commit any Damage, Injury, or Spoil unto or upon any such Hackney Coach, Chaise, Car, Gig, Carriage, Vehicle, Sedan Chair, or such other Conveyances as aforesaid, or any Part or Parts thereof, or the Harness, Gearing, or other Matters or Things belonging to the same, and shall not, on Demand thereof, tender or pay the Amount of such Damage, Injury, or Spoil; it shall be lawful for any Justice or Justices of the Peace for the said City, Bail, or Close, within their respective Jurisdictions, upon Complaint thereof made to him or them, to grant his or their Summons against the Person or Persons complained of, to appear before him or them at some Time and Place to be mentioned in such Summons, to answer the Matter of the said Complaint; and on the Appearance of the Person or Persons so summoned, or, in his or her Absence, upon due Proof of the Service thereof, such Justice or Justices shall proceed to hear the Matter of the said Complaint, and to order Payment of the Fare, Hire, Reward, and Sum or Sums of Money to be made by the Person or Persons complained of, as to such Justice or Justices shall appear to be justly due, and also such Sum or Sums of Money as shall appear to the said Justice or Justices to be a reasonable Recompence for such Damage, Injury, or Spoil, or otherwise to dismiss the said Complaint, and also may award such Costs to be paid by either of the said Parties to the other, as the said Justice or Justices shall think just and reasonable; and if the Person or Persons against whom such Order or Award shall be so made shall not pay down or cause to be paid down such Fare, Hire, Reward, Sum or Sums of Money, and Costs, so to be ordered and awarded as aforesaid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and empowered to grant his and their Warrant or Warrants of Distress against the Goods and Chattels of the Person or Persons so refusing, declining, or neglecting to pay the same, and the same to sell and dispose of, and out of the Monies arising by or from such Sale to pay the Money or Monies ordered or awarded to be paid as aforesaid, together with such Costs and Charges as the said Justice or Justices shall think reasonable, returning the Overplus (if any), upon Demand, to the Owner of the said Goods so distrained; and it shall be lawful for the said Justice or Justices (if it shall appear to him or them expedient)

to

to detain in Custody the Person or Persons against whom such Order or Award shall be made as aforesaid, and refusing, declining, or neglecting to pay such Money or Monies as aforesaid, until a Return can be made to the said Warrant or Warrants of Distress, not exceeding Twenty-four Hours; and if no sufficient Distress can be found, then to commit the Person or Persons against whom such Order or Award shall be made to Prison, for any Time not exceeding Three Calendar Months, there to remain without Bail or Mainprize, unless the Money be sooner paid.

Coals to be sold by Measure or Weight.

Meters to be appointed.

CI. And be it further enacted, That all Coals which shall be sold and disposed of within the Limits of this Act shall be sold either by Measure or Weight, at the Option of the Purchaser; and that, for the Purpose of measuring or weighing the same, a sufficient Number of proper Persons shall be appointed and licensed to be Coal Meters or Weighers of Coals within the Limits of this Act, which Appointments and Licences shall from Time to Time be made and granted by the Justices of the said City at any General or Quarter Sessions of the Peace; and such Coal Meters or Weighers so to be appointed shall or may be removed by the said Justices, or by any Two Justices in Petty Sessions, upon Complaint of Misconduct or Misbehaviour; and the Fees or Rates for meting or weighing Coals within the Limits of this Act (to be paid by the Seller or Purchaser, as may be agreed,) shall from Time to Time be fixed and directed by the said Justices at any General or Quarter Sessions, or any Adjournment thereof; and when and as often as any such Persons so appointed to be Coal Meters or Weighers shall die, or decline to act, or become incapable of acting, or shall be removed as aforesaid, the said Justices in Sessions shall appoint other Persons to be Coal Meters or Weighers in the Place of the Persons so dying, declining to act, or becoming incapable of acting, or being removed as aforesaid; and every Person so licensed shall, before he shall be capable of acting as such Coal Meter or Weigher, take, before a Justice of the Peace, an Oath in the following Form of Words:

Coal Meters to take an Oath.

'I . . . . . do swear, That I will honestly, truly, faithfully, and impartially measure or weigh and inspect all such Coals as I shall be required to measure, weigh, or inspect, between Buyer and Seller, or otherwise; and that I will return, give, and deliver to such Buyers and Sellers a true Account of the Quantities of such Coals in Measure or Weight, as the Case may be; and that I will in all other respects honestly, fairly, and truly do, execute, and perform the several Duties incumbent on me as a Coal Meter or Weigher, without Favour or Affection, Prejudice or Malice, to, for, or against any Person or Persons whomsoever. So help me GOD.'

And in case any Person shall act as Coal Meter or Weigher without such Licence as aforesaid, or without having taken such Oath as aforesaid, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and it shall also be lawful for any Two Justices in Petty Sessions, on Proof of any Misconduct or Misbehaviour of any such Coal Meter or Weigher, to suspend or annul the Licence.

Persons buying Coals may have them measured or weighed.

CII. And be it further enacted, That in case any Person shall think himself or herself aggrieved respecting the Measure or Weight of Coals by him or her purchased, such Person may, by himself or herself, or his or her Servant or Agent, apply to a Coal Meter to measure or weigh the same, who shall forthwith, or as soon as conveniently may be after such Application, cause the same to be measured or weighed, as the Case may be, in the Presence of the Vendor, or his or her Servant or Agent, or other Person delivering such Coals; and the Charge of such Coal Meter for so measuring or weighing such Coals shall be paid by the Seller thereof, in case the Measure or Weight complained of shall be incorrect, and by the Purchaser thereof, in case such Measure or Weight shall be correct.

Bushels to be heaped Measure.

CIII. And be it further enacted, That all Coals to be measured by such Coal Meters shall be heaped up in the Bushel in the Form of a Cone, such Cone to be of the Height at least required by an Act of the Sixth Year of the Reign of His present Majesty, Cap. 12.

Descriptive Boards to be put on Heaps of Coals in Yards.

CIV. And be it further enacted, That where Coals shall be sold from any private Coal Yard, or from any Vessel, the Owner or Owners of such Coals shall fix in each Heap of Coals in such Yard or Vessel a Board or Boards, descriptive of the Qualities or Names of the Coals therein; and every such Owner neglecting so to do shall forfeit and pay any Sum not exceeding Five Pounds for each such Offence.

Commissioners to make Regulations respecting the measuring of Coals.

CV. And be it further enacted, That the said Commissioners shall be and they are hereby authorized and empowered from Time to Time to make such Orders and Regulations respecting the measuring and weighing of Coals, and the Conduct of the Meters and Weighers to be appointed under this Act, as they shall think expedient, so as such Orders and Regulations be not inconsistent with the Provisions of this Act, and be approved of and confirmed by the Justices of the Peace for the said City of *Lincoln* at any General or Quarter Sessions of the Peace, or some Adjournment thereof; and that all Persons who shall give short Measure or Weight on the Sale of Coals, or shall put up a Board giving a false Description of the Coals to which it is affixed, or shall transgress or neglect any of the Orders and Regulations so to be made and confirmed, shall forfeit and pay for each Offence any Sum not exceeding Five Pounds.

Meters not to be Sellers of Coals.

CVI. And be it further enacted, That if any Meter or Measurer or Weigher of Coals, to be appointed under the Provisions of this Act, shall himself, either directly or indirectly, sell or deal in, or be a Purchaser or Agent for, or otherwise interested or concerned in the Sale of any Coals whatsoever, (except in the Discharge of their said respective Offices or Employments,) such Meters, Measurers, or Weighers of Coals at any Time so offending shall for each such Offence forfeit and pay any Sum not exceeding Fifty Pounds, to be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint,

or Information, in any of His Majesty's Courts of Record at *Westminster*.

For appointing and regulating Coal Porters.

CVII. And be it further enacted, That it shall be lawful for the said Commissioners to appoint and license a sufficient Number of proper Persons to be Coal Porters within the Limits of this Act, with such Badges as the said Commissioners shall direct, to be worn by the Persons so licensed whilst plying for or in the Performance of their Duty, and to remove them or any of them, and to appoint and license others in their Stead, or in the Stead of any of them; and the Charges or Fares of such Coal Porters shall or may be fixed and regulated from Time to Time by the Justices of the said City in Petty Sessions; and in case any Person so licensed shall charge or attempt to charge any greater Sum for his Services than shall be so allowed by such Justices, or shall misconduct himself by using abusive Language towards his Employers or otherwise, or shall refuse to act as such Coal Porter when called upon, or shall ply or act as such Coal Porter without wearing his Badge in the Manner required by the Commissioners, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings, and it shall also be lawful for any Two Justices to suspend or annul the Licence; and if any Person shall ply or act as Coal Porter, or deliver any Coals within the Limits of this Act, for Pay or Reward, without such Licence, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on fraudulent Delivery of Coals.

CVIII. And be it further enacted, That if any Person employed to carry and deliver Coals within any Part of the said City, Bail, or Close of *Lincoln*, shall fraudulently neglect to deliver the same, or wilfully deliver short Measure or Weight, such Person shall forfeit and pay for each such Offence any Sum not exceeding Twenty Shillings.

Regulating the Measures used for the Sale of Milk.

CIX. And be it further enacted, That it shall not be lawful for any Person or Persons selling or retailing Milk within the Limits of this Act, to sell or retail any Milk within the Limits of this Act otherwise than in or by Measure of the Imperial Standard Gallon, Quart, or Pint, or in Measures of such Fractional Parts of the Imperial Standard Gallon, Quart, or Pint, as shall be ordered by the Justices of the said City in any General or Quarter Sessions, consistently with the Provisions of an Act of the Fifth Year of the Reign of His present Majesty, Cap. 74., and of another Act of the Sixth Year of the Reign of His present Majesty, Cap. 12., nor in such last-mentioned Measures, unless the same respectively shall have been previously stamped or marked by an Officer to be appointed for the Purpose by such Justices; and such Justices are hereby authorized, empowered, and required to ascertain and order such Measures, and the Capacity or Content thereof respectively, consistently with the Regulations and Provisions of the said Two last-mentioned Acts, on the Application of the Clerk or Clerks to the Commissioners, by the Order of the said Commissioners, and also to appoint (and also from Time to Time, at their Discretion, remove and re-appoint) an Officer for stamping or marking the same, such

Stamp

Stamp or Mark to be stamped or marked on the uppermost Edge of the Vessel or Measure by such Officer, for which such Officer shall be paid the Sum of Two-pence for each Stamp or Mark, and no more; and a Proof or Gauge approved by such Justices shall be kept at the Guildhall of the said City, of every such Measure of or Fractional Part of a Pint; and if any Seller or Retailer of Milk within the Limits of this Act, or his, her, or their Servant or Servants, shall sell or retail any Milk otherwise than according to the Provisions of this Act, or decrease or diminish any such Measure, then and in every such Case every such Seller or Retailer of Milk shall for each such Offence forfeit and pay any Sum not exceeding Twenty Shillings: Provided always, that no Retailer of Milk shall be subject to the Penalty aforesaid, in respect of Vessels or Measures of any Fractional Part of a Pint, until after the Expiration of One Calendar Month from the making of such Order by the Justices, and the Appointment of such stamping or marking Officer; and provided also, that in case any such Officer shall refuse or neglect to stamp or mark any Vessel or Measure when required so to do, he shall forfeit and pay any Sum not exceeding Five Pounds.

Regulations as to Staiths.

CX. And be it further enacted, That for the better Management and Regulation of the Staiths, Wharfs, and Landing Places of the Pool of *Brayford*, within the Limits of this Act, and the Maintenance of such Staiths, Wharfs, and Landing Places, and the Convenience of Persons resorting thereto for the loading and unloading of Goods from Vessels, His Majesty's Justices of the Peace for the said City shall or may and they are hereby empowered to make such Rules, Bye Laws, Orders, and Regulations, touching the mooring and unmooring of Vessels, and the fixing of Mooring Posts and Rings, and the placing of Goods previous to the Embarkation, and upon and after the Disembarkation thereof, and the Manner of loading or unloading Vessels at or near the said Staiths, Wharfs, or Landing Places, as they shall from Time to Time see Occasion; and also to impose any Fines or Forfeitures for the Breach of such Rules, Bye Laws, Orders, and Regulations, not exceeding for any One Offence the Sum of Forty Shillings; and also shall and may from Time to Time alter, revoke, or add to such Rules, Bye Laws, Orders, and Regulations, and make such new Rules, Bye Laws, Orders, and Regulations, for the Purposes aforesaid, as they shall think expedient.

Commissioners may purchase Property for the Improvement of the Streets, &c.

CXI. And be it further enacted, That for the further Improvement of the said City, Bail, and Close, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, at any Time or Times hereafter, and from Time to Time, to contract and agree with any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, Spiritual or Lay, or any Tenant for Life, or Tenant in Fee Tail, General or Special, Trustees and Feoffees of Church and Parish Lands and Property, or other the Owner or Owners, Proprietor or Proprietors of, and any Feoffee or Feoffees, Trustee or Trustees, Husbands, Guardians, Committees, Party, Person or Persons whomsoever interested in any Manner in any Messuages, Tenements, Shops, Buildings, Erections, Lands, Grounds, or Hereditaments, or any Part or Parts thereof, which the said Commissioners

missioners shall think necessary or proper to be purchased, for widening, altering, enlarging, extending, or otherwise improving and rendering more commodious or convenient any Streets, Lanes, public Passages, Footways, or Places within the Limits of this Act, or for making any Communication to or with the same respectively.

Bodies Politic and others may sell Lands for the Purposes of this Act.

CXII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or Years, or in Fee Tail, General or Special, and all Trustees and Feoffees of Church and Parish Lands and Property, Feoffees in Trust, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whatsoever, not only for and on behalf of themselves, and their respective Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, and other Persons under any Disability of acting for themselves, who are or shall be seised or interested in their own Right, and for all and every other Person or Persons whomsoever who now are or shall at any Time or Times hereafter be seised or possessed of or in any way interested in any Messuages, Houses, Shops, Buildings, Lands, Tenements, or Hereditaments within the said City or Bail or Close of *Lincoln*, which the said Commissioners shall at any Time or Times hereafter be desirous to purchase for any of the Purposes aforesaid, to contract and agree at any Time or Times, and from Time to Time, with the said Commissioners, for the absolute Sale thereof, or any Part or Parts thereof, and to sell and convey the same, or any Part or Parts thereof, and all the Estate, Right, Title, and Interest whatsoever of, in, and to the same, unto the said Commissioners for the Purposes aforesaid; and all Contracts, Bargains, Sales, Conveyances, and other Assurances which shall be made by virtue and in pursuance of the Provisions of this Act, shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment or Registry, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Persons so conveying, but also to convey all the Right, Estate, and Interest, Trust, Use, Property, Possession, Claim, or Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them, and of all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be considered and deemed to bar and shall bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of the same Party or Parties claiming under them or any of them respectively, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Tenants for Life or in Fee Simple or Fee Tail, General or Special, and all Feoffees in Trust, Husbands, Guardians, Committees, and Trustees, Executors and Administrators, and all other Persons whomsoever, are and shall be

and they are hereby fully indemnified for what they shall respectively do by virtue and in pursuance of this Act.

Form of Conveyance.

CXIII. And be it further enacted, That all Sales, Conveyances, and Assurances to be from Time to Time made to the said Commissioners, of any Messuages, Houses, Shops, Buildings, Lands, Tenements, or Hereditaments, by virtue of this Act, may be in the Form or to the Effect following; (that is to say,)

'I [*or* We] in consideration of the Sum of to me [*or* us] paid by the Commissioners for carrying into Execution an Act of Parliament passed in the Ninth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*], do hereby grant and convey to the said Commissioners all [*describe the Premises,*] and all my [*or* our] Right, Title, and Interest to and in the same and every Part thereof, to hold to the said Commissioners for ever. In witness whereof I [*or* we] have hereunto set my Hand and Seal [*or* our Hands and Seals], this Day of in the Year of our Lord .'

And every such Sale, Conveyance, and Assurance, made in Manner or to the Effect aforesaid, shall be valid and effectual to all Intents and Purposes, and shall be sufficient in Law to vest the Property of and in any such Messuages, Houses, Shops, Buildings, Lands, Tenements, and Hereditaments, in the said Commissioners, for the Uses and Purposes of this Act; any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding.

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

CXIV. 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 this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, 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, 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 Court of Exchequer, to be placed to his Account there *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth,
1 G. 4. c. 35. 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; and shall, when so paid in, there remain, until the same shall, by Order

of the said Court, made upon a Petition to be preferred to the said Court 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, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order 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 meantime, and until such Order can be made, the said Money may, 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, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities 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, or Government or Real Securities, 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 such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

When less than 200*l.* and amounting to 20*l.*

CXV. 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 of this Act, 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, with the Approbation of the said Commissioners, or any Three or more of them, 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 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 may be paid, at the like Option and with the like Approbation,

bation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Commissioners for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

When less than 20*l.*

CXVI. 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 paid to 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 this Act, for his, her, or their own Use and Benefit; 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.

Persons in Possession to be deemed entitled until the contrary be shown.

CXVII. 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 said Court of Exchequer, in pursuance of 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 this Act, for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, 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; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, 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.

CXVIII. Pro-

Court may order Expences of Purchases to be paid.

CXVIII. 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 this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court 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 out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

For Payment of Purchase Money.

After Payment, Property to vest in the Commissioners.

CXIX. And be it further enacted, That every Sum of Money to be agreed for as aforesaid shall be paid, out of the Rates or Assessments by this Act authorized to be raised and levied, to the Party or Persons respectively entitled to such Monies, or their Agents; and upon Payment thereof, or in case of Inability to receive and give a Discharge for the same, on placing the same in the Bank of *England* in manner by this Act directed, whether such Conveyance as aforesaid shall or shall not be made, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons respectively (unto or to whose Credit or Use the same shall have been paid), of, in, to, or out of such Messuages, Buildings, Houses, Warehouses, Shops, Lands, Tenements, or Hereditaments, shall vest in the said Commissioners and their Successors, in Trust for effecting the Purposes of this Act, and they shall be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons unto or to whose Use or Credit such Payments shall have been made as aforesaid, but also shall extend to and be deemed and construed to bar the Dower and Dowers, and all Right and Title thereto, of the Wife and Wifes of such Person or Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons, and every Person claiming under them.

Power to pull down Buildings purchased for the Purposes of the Act.

CXX. And be it further enacted, That after Payment of the Purchase Money as herein-before mentioned, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, from Time to Time, to cause all and every the Messuages, Tenements, Buildings, and Erections which shall at any Time or Times be purchased or taken by the said Commissioners under the Powers and for the Purposes of this Act, or any of them, or any Part or Parts thereof, to be appropriated to any of the Purposes of this Act, or otherwise to be pulled down and removed, and to cause all or any Part or Parts of the Sites thereof, and any other Land or Ground to be purchased or taken under the Powers and for the

the Purposes of this Act, to be added or laid to or into and made Part of the public Streets, Lanes, Passages, and Places and Footways aforesaid, in such Manner as the said Commissioners shall judge proper; and it shall be lawful for the said Commissioners to cause all or any of the Materials of the several Messuages, Tenements, Buildings, or Erections, or Parts of Messuages, Tenements, Buildings, or Erections, which shall be taken down in pursuance of this Act, to be sold; and all the Monies to be produced by the Sale thereof (after deducting the Expences of taking down such Messuages, Tenements, Buildings, or Erections, and of such Sale,) shall be applied and disposed of in aid of the Rate and Assessment out of which the Expence of such Purchases repectively shall be defrayed or paid.

Power to sell Premises not wanted.

CXXI. And be it further enacted, That it shall and may be lawful for the said Commissioners to sell so much or such Part or Parts of the Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased by or vested in them by virtue of the Powers herein contained, as shall at any Time or Times be found by them to be unnecessary or more than sufficient for the Purposes of this Act; and for completing and carrying any such Sales into Effect, the said Commissioners are hereby authorized and empowered to make any Conveyances, under the Hands and Seals of any Five or more of them the said Commissioners, of such of the said Premises as shall be so sold, unto the Purchasers thereof; and such Conveyances shall in all Cases be deemed sufficient in Law to vest such of the said Premises as shall be expressed in and intended to be granted by such Conveyances in the Purchasers thereof, and his, her, or their respective Heirs and Assigns; and all Monies to arise by any Sales which may be made by the said Commissioners of the said Premises, or any Part or Parts thereof, shall be applied for the Purposes of this Act; and the Purchaser or Purchasers thereof, having paid his, her, or their Purchase Money to the said Commissioners, and obtained their Receipt or Receipts for the same, shall not be liable to see to the Application of the said Monies, or be answerable or accountable for the Misapplication or Non-application of the same.

The Words "grant, bargain, and sell" to operate as Covenants.

CXXII. And be it further enacted, That in all Grants and Conveyances to be made by the said Commissioners under or by virtue of the several Powers and Authorities by this Act granted, the Words "grant, bargain, and sell" shall be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee or Purchaser, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Commissioners, for themselves and their Successors, that the said Commissioners, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant or Conveyance seised of the Lands, Hereditaments, and Premises thereby granted, conveyed, and sold, of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof against the said Commissioners and their Successors, and all Persons claiming under them; and all such Purchasers shall be indemnified and saved harmless by the said Commissioners and their Successors.

CXXIII. And

Provision in case of Mortgages.

CXXIII. And be it further enacted, That all and every Person or Persons who shall have any Mortgage or Mortgages on any Houses, Buildings, Lands, Tenements, or Hereditaments so to be from Time to Time purchased for any of the Purposes of this Act, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Commissioners, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Commissioners, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners, or such Person or Persons as they shall appoint, that they the said Commissioners will pay off and discharge the Principal Money and Interest which shall be due on such Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then, at the Expiration of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Commissioners, or such Person or Persons as shall be appointed as aforesaid in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey or assign as aforesaid, on such Tender or Payment, then and in such Case all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, or the Part or Parts thereof which shall be taken for the Purposes of this Act, then the said Commissioners shall not be liable to pay such Mortgagee or Mortgagees more than the real Value of such Premises.

For defraying the Expences of the Act.

CXXIV. And for raising Money for defraying the Expences attending the obtaining and passing of this Act, and for carrying the several and respective Purposes thereof into effectual Execution, be it further enacted, That from and after the Commencement of this Act an equal Pound Rate shall be made, laid, and assessed by the said Commissioners, once in every Year, or oftener if they shall judge it needful, upon all and every the Tenants and Occupiers of Houses, Shops, Malthouses, Warehouses, Coach-houses, Stables, Buildings, Cellars, Vaults, Yards, Gardens, Orchards, Paddocks, Closes, Tenements, or Hereditaments (except as herein-after is excepted) within or adjoining any of the Streets, Lanes, or other public Passages or Places within the Limits of this Act, and of Houses, Shops, Malthouses, Warehouses, Coach-houses, Stables, Buildings, Cellars, Vaults, Yards, Gardens, Orchards, Paddocks, Closes, Tenements, or Hereditaments (except as herein-after mentioned), any Part whereof shall be situate within One hundred Yards of any such Street, Lane, or other public Passage or Place, and within the Limits of this Act, according to the respective annual Rent or Value thereof, so as such Rate do not exceed Two Shillings in the Pound in the first Year, and One Shilling in the Pound in any succeeding Year, of the yearly Value

Value of such Houses or other Premises; all which Rates shall be signed and allowed by Two of His Majesty's Justices of the Peace for the said City, who are also hereby empowered and required to grant at the same Time, to the Collector or Collectors appointed by the said Commissioners as aforesaid, a Warrant or Warrants for the collecting thereof, and for recovering and levying the same; and all such Rates, when so allowed and signed, shall and are hereby declared to be valid and legal for the Purposes for which they shall be made, any Law, Statute, or Usage to the contrary notwithstanding, and may be collected Half-yearly, or oftener, if the said Commissioners shall think it necessary.

Houses of no greater Value than 6*l.* not to be rated.

CXXV. Provided always, and be it further enacted, That none of the said Rates or Assessments hereby authorized shall at any Time be made or assessed upon or in respect of any Dwelling House within the Limits of this Act which shall be of no greater annual Value than Six Pounds, or which shall be of a less annual Value than Six Pounds.

Unoccupied Houses, &c. not to be rated.

CXXVI. Provided also, and be it further enacted, That no House, Shop, Malthouse, Warehouse, Stable, Building, Cellar, Vault, Yard, Garden, Orchard, Paddock, Close, or Tenement within the Limits of this Act, shall be charged or chargeable with any Rate as aforesaid during the Time the same shall be empty or unoccupied.

Markets, Tithes, &c. not chargeable with the Rates.

CXXVII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Commissioners to charge or make chargeable the present or future Occupier or Occupiers of any Markets, Tolls, or Tithes lying and being within the Limits of this Act, in respect of such Markets, Tolls, or Tithes, with the Rates or Assessments directed to be made, laid, and assessed by this Act, or with the Payment thereof.

Tenants to pay Rates, and Persons removing to pay in proportion.

CXXVIII. And be it further enacted, That the Money or Monies so rated or assessed shall be paid, by the Tenants or Occupiers of Houses and Premises to be rated and assessed as aforesaid respectively, to the Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same; and in all Cases where any Person or Persons shall remove from or quit the Possession of any such House, Building, Land, or Premises, the Tenant or Occupier whereof shall be rated or assessed, or be liable to be rated or assessed by virtue of this Act, every such Person or Persons so removing from or quitting the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person or Persons occupied the same respectively, and in like Manner as if such Person or Persons had not removed from or quitted the Possession of the same; and in all Cases where any Person or Persons shall come into or occupy any House, Building, Land, or Premises rated or assessed, or liable to be rated or assessed as aforesaid, out of or from which any other Person or Persons shall have removed, or which at the Time of making any such Rate or Assessment was empty and unoccupied, the Person or Persons coming in or occupying the same shall

shall be liable to pay such Rate or Assessment, although his, her, or their Name or Names may not be inserted in such Rate or Assessment, in proportion to the Time that such Person or Persons shall occupy the same respectively, and in like Manner as if such Person or Persons had been originally rated or assessed by Name in such Rate or Rates, Assessment or Assessments; which said Proportions, in case of Dispute, shall be settled and ascertained by any Two Justices of the Peace for the District in which the Houses, Lands, and Premises rated shall be situate.

Ready-furnished Houses.

CXXIX. And be it further enacted, That the Lessee, Landlord, or Owner of all Houses, Buildings, or Tenements within the Limits of this Act, which is or shall or may be let out ready-furnished, or in separate Apartments, Rooms, or Floors, shall be deemed and taken to be the Tenant or Occupier thereof for the Purposes of this Act, and shall be liable and subject to the Rates or Assessments directed by this Act to be made, raised, and levied, according to the yearly Rent or yearly Value of the Premises; and every such Lessee, Landlord, or Owner, and all and every Person or Persons renting or occupying any such ready-furnished House, or separate Apartments, Rooms, or Floors as aforesaid, shall be liable and compellable to pay the said Rates and Assessments, to be recovered in manner herein directed; and every such Tenant or Occupier who shall pay any such Rates or Assessments, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable from him, her, or them to such respective Lessee, Landlord, or Owner, and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Occupier, to his or her Landlord, for so much Money as he or she shall pay, or as shall be levied on him or her by virtue of this Act; but no such Tenant or Occupier shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due and payable by such Tenant or Occupier to the Lessee, Landlord, or Owner of the Premises so let out ready-furnished, or in separate Apartments, Rooms, or Floors, to him or her: Provided always, that nothing herein contained shall extend to prejudice or vacate any Agreement between Landlords and Tenants.

Public Buildings to be rated by the Yard.

CXXX. Provided always, and be it further enacted, That all Churches, Chapels, Meeting Houses, and Places for Religious Worship, and other public Buildings whatsoever, and all Churchyards and Meeting House Yards, or Premises belonging to any public Buildings situate on the Sides of or forming Part of any of the Streets, Lanes, or other public Passages or Places within the Limits of this Act, shall also once in every Year be rated and assessed by the said Commissioners for raising Money for the Purposes aforesaid, by the Yard, running Measure; that is to say, at One Shilling *per* Yard, running Measure, of the whole Length of such Churches, Chapels, Meeting Houses, and Buildings, Yards, and Premises, fronting or abutting upon any of such Streets, Lanes, or public Passages or Places; and that every of the said Rates or Assessments so made from Time to Time shall be

paid for such Churches, Chapels, Meeting Houses, Places for Religious Worship, and other public Buildings, Churchyards, and Burying Places, by the Persons following; (that is to say,) such Rates or Assessments of or for any Churches or Churchyards shall be paid by the Churchwardens of the respective Parishes, out of the Church Rates for such Parishes respectively; and such Rates or Assessments of or for any Chapels or Meeting Houses, and Places for Religious Worship, shall be paid by the respective Ministers and Deacons or Persons usually officiating therein, or by the Owner or Owners or Proprietor or Proprietors thereof respectively, or any Person or Persons who shall receive or collect any Money for the Seats or Pews therein, or any other Money arising therefrom; and such Rates or Assessments of or for any Meeting House Yards or other Burial Places, not being Churchyards, shall be paid by the Owners or Proprietors thereof respectively, or by the Persons who for the Time being shall receive the Money which shall be paid for the Interment of the Dead therein; and such Rates or Assessments of or for any Hospitals, by the Stewards or Housekeepers of such Hospitals for the Time being; and the Rates or Assessments of or for any public Schools, by the Masters or Mistresses of such public Schools for the Time being; and the Rates or Assessments of or for any other public Buildings, by the Housekeeper or other Keepers, or other Person or Persons having the Care of such other public Buildings as aforesaid for the Time being; and that all and every such Persons respectively shall be charged with and shall pay such Sums of Money as shall from Time to Time be rated, assessed, or imposed on or in respect of or for such Premises respectively; and that the same Rates and Assessments may be recovered from all and every such Persons respectively, in such Manner as other Rates and Assessments are directed to be recovered and applied in and by this Act.

Corporation Buildings not to be rated.

CXXXI. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge with the said Rate or Assessment of One Shilling *per* Yard, any Bridge, Gaol, House of Correction, Sessions House, Town Hall, Butchery, or any other Building belonging to the Corporation of the said City of *Lincoln*.

Certain Sum to be paid annually by the Corporation.

CXXXII. And be it further enacted, That the Mayor, Sheriffs, Citizens, and Commonalty of the said City of *Lincoln*, and their Successors for the Time being, shall and they are hereby required to pay or cause to be paid, yearly and every Year, to the Treasurer or Collector to be from Time to Time appointed by virtue of this Act, the Sum of Sixty Pounds; and the Money so from Time to Time to be paid shall be applied by the said Commissioners to the Purposes of this Act, and shall be deemed and accepted as an Equivalent or Compensation for the Exemption from the Rates to be laid by virtue of this Act, and herein-before granted to certain public Buildings and Places within the said City.

Recovery of Rates from Persons neg-

CXXXIII. And be it further enacted, That if any Tenant or Occupier, or Person liable to pay any such Rate or Assessment, shall neglect or refuse to pay the same, or his or her Proportion or Pro-

portions of any such Rate or Assessment, to the said Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same; for the Space of Three Days after Demand made thereof at the Dwelling House or usual Place of Abode of such Tenant or Occupier or Person, the same shall be levied and recovered on and from all and every such Tenant or Tenants, Occupier or Occupiers, and Person or Persons so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace having Jurisdiction in the District in which the Houses, Buildings, or Premises rated as aforesaid shall be situate, such Defaulter having been first duly summoned by such Justice or Justices to appear before him or them, at a Time and Place to be mentioned in such Summons, to show Cause for such Neglect or Refusal; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned, on Demand, to the Owner or Owners of the Goods and Chattels so distrained and sold, together with what shall remain unsold after deducting all Costs, Charges, and Expences previous to and attending such Distress and Sale, such Costs, Charges, and Expences to be ascertained and directed by the said Justice or Justices; and in default of such Distress it shall be lawful for any such Justice or Justices to commit such Person to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, or until Payment of such Sum or Sums of Money as shall have been found to be due and in arrear upon all or any such Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and directed by the said Justice or Justices.

lecting or refusing to pay them.

CXXXIV. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, upon the Complaint of any Occupier of any Dwelling House or other Hereditaments subject to the Payment of the said Rates or Assessments, to mitigate, reduce, lessen, or wholly remit or excuse, for or on account of his or her Poverty or Inability only, Payment of the said Rate or Assessment by such Occupier for such Dwelling House or other Hereditaments, in such Manner as the said Commissioners shall in their Discretion think just and reasonable.

Commissioners may remit Payment of Rates in Cases of Poverty.

CXXXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been rated, or by striking out the Name or Names of any Person or Persons who ought not to have been rated therein, or by raising or reducing the Sum or Sums at which any Person or Persons shall have been rated therein, who shall appear to them to have been under-rated or over-rated, or by making such other Amendments therein as will in the Judgment of the said Commissioners make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and no such Amendment so to be made by the said Commissioners in any such Rate or Assessment shall be held to vitiate the same.

Commissioners may amend Rates.

CXXXVI. And

Commissioners may inspect Books of Assessment.

CXXXVI. And be it further enacted, That it shall and may be lawful for the said Commissioners, and for the Collector or Collectors of the Rates or Assessments to be made by virtue of this Act, or for any other Person or Persons authorized by the said Commissioners, at all convenient Times to inspect the Books of Assessment made from Time to Time for the Relief of the Poor in the several Parishes within the said City, Bail, and Close, and also the Books of Assessment of the Land Tax, House Tax, and Assessed Taxes, and also to take Copies thereof and make Extracts therefrom, which Inspection, Copies, and Extracts, the Collectors of the Poor's Rates, Land Tax, and other Taxes, or other Officer or Officers, Person or Persons having the Custody of such Books and Assessments, are hereby required to permit and suffer to be made, without Fee or Reward; and in case any such Collector or Collectors of the Poor's Rates, Land Tax, and other Taxes, or other Officer or Officers, Person or Persons, shall neglect or refuse to permit such Inspection by any of the said Commissioners, or by any Person or Persons producing the Order of the said Commissioners for that Purpose to him or them, then and in every such Case he or they so refusing or neglecting shall forfeit and pay for each and every such Offence any Sum not exceeding the Sum of Five Pounds.

Appeal may be made to Petty Sessions against the Rates.

CXXXVII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he, she, or they may appeal to Two Justices of the Peace of the District in Petty Sessions, who are hereby authorized and empowered to hear the same in a summary Way, and, if they shall think fit, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Determination of the said Two Justices therein, he, she, or they may appeal, in the Manner herein-after mentioned, to the General or Quarter Sessions of the Peace to be holden for the District, and the Determination of the Justices in such Sessions therein shall be final and conclusive.

Duplicates of Rates to be deposited with the Clerk of the Commissioners, and may be inspected.

CXXXVIII. And be it further enacted, That Duplicates of all Rates and Assessments made, allowed, and signed by virtue of this Act, shall be deposited with the Clerk or Clerks to the Commissioners; and such Clerk or Clerks shall, and he and they is and are hereby required to make fair and regular Entries of all such Rates and Assessments in a Book or Books to be kept for the Purpose; and such Clerk or Clerks shall permit any Person rated by virtue of this Act, or any Creditors on any of the said Rates or Assessments, to inspect such Duplicates and Books at all seasonable Times, upon Payment of One Shilling each Time; and such Clerk or Clerks shall, within Four Days after Demand, deliver a true Copy of such Rates or Assessments, or any of them, or of any Part thereof, to any Person rated as aforesaid, or any such Creditor on the said Rates, being first paid for the making of such Copy after the Rate of Sixpence for every One hundred Words or Figures thereof.

CXXXIX. And

Rate Book to be received as Evidence.

CXXXIX. And be it further enacted, That the Book or Books of Rates to be delivered to the Collector or Collectors or other Officers by 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 imposed 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 Collector or Collectors.

Power to borrow Money on Mortgage or Assignment.

CXL. And for the more speedy and effectual raising of Money for the several Purposes of this Act, 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, upon the Credit of the Rates or Assessments to be laid and levied by virtue of this Act, any Sum or Sums of Money as shall be necessary for the Purposes of this Act; and the said Commissioners shall and may, by Writing under their Hands and Seals, or under the Hands and Seals of so many of such Commissioners as are competent to form a Meeting, to mortgage or assign over the said Rates or Assessments, or any Part thereof, to the Person or Persons who shall advance or lend such Money, or his, her, or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment shall be framed according to the Form following; (that is to say,)

Form of Mortgage

'BY virtue of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*set forth the Title of this Act*], We of the Commissioners appointed for carrying the said Act into Execution, in consideration of the Sum of paid to us by *A. B.* [*insert the Name, Place of Abode, and other necessary Addition of the Lender,*] for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his [*or* her] Executors, Administrators, and Assigns [*or* to his or her Trustee or Trustees, *as the Case may require*], such Proportions of the Rates or Assessments arising by virtue of the said Act as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Rates or Assessments, to be had and holden from this Day until the said Sum of with Interest henceforth for the same at the Rate of *per Centum per Annum*, to be paid , shall be fully repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals, this Day of in the Year of our Lord .'

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law.

Securities may be transferred.

CXLI. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money borrowed as aforesaid, by Writing under their Hands, to transfer the same respectively to any Persons, according to the Form following, or any other Form of Words to the like Purport or Effect, as the Case may be; (*videlicet,*)

Form of Transfer.

'I *A. B.* [*insert the Name, Place of Abode, and other necessary* 'I *Addition of the Person assigning,*] do hereby assign the within 'Mortgage, and all my Right and Title in and to the Principal 'Money and Interest, and all Arrears now due thereon and thereby 'secured, unto *C. D.* [*insert the Name, Place of Abode, and other* 'necessary *Addition of the intended Assignee*], his Executors, Administrators, and Assigns. Dated this Day of 'in the Year of our Lord '.

Entries to be made of Securities.

And Entries or Memorials of all such Mortgages or Assignments which shall be made in pursuance of this Act, and of all Transfers thereof, expressing in Words at Length the Names, Additions, and Places of Abode, and other necessary Descriptions of all such Persons as shall from Time to Time be entitled to the Principal Money and Interest thereby secured, shall be entered in Books to be kept for that Purpose by the Clerk or Clerks to the Commissioners; which Books any Person interested shall at all seasonable Times have free Liberty to inspect, without Fee or Reward; and for the Entry of every such Mortgage or Assignment the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence, and no more; and every such Mortgage and Transfer or Assignment, after such Entry thereof as aforesaid, shall entitle the Person or Persons to whom the same shall be made, and his, her, and their Executors, Administrators, or Assigns, to the Benefit of the Security or Grant thereby made or transferred; and all Persons to whom such Mortgages and Transfers or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Assessments charged therewith, equally one with another, without any Preference in respect of the Priority of advancing such Monies, or the Dates of any of such Mortgages or Transfers or Assignments respectively.

Application of the Rates and Monies borrowed.

CXLII. And be it further enacted, That all the Monies which shall be raised by virtue of this Act from and by the Rates and Assessments herein-before authorized to be assessed and levied, and all the Monies which shall be borrowed on the Credit of the same Rates and Assessments, shall be and the same are hereby vested in the said Commissioners, and the same shall from Time to Time and at all Times be paid, applied, and disposed of, by and under the Order of the said Commissioners, in manner following; (that is to say,) in the first place in paying and defraying and discharging all the Costs, Charges, and Expences of applying for or incident to the obtaining and passing of this Act, with Interest for the Money which shall have been advanced for those Purposes; and afterwards in paying all other Costs, Charges, and Expences relating or incident to the Execution of this Act, or any of the Directions herein contained, and the Powers and Authorities hereby given and granted to the said Commissioners, and for paying the annual Interest of the Principal Monies borrowed or due and owing at the Time of the Commencement of this Act, on account of or on the Credit of the Rates authorized by the said recited Act, or to be borrowed on the Credit of the Rates and Assessments by this Act authorized, and for

paying off the Principal Monies borrowed or to be borrowed as aforesaid, and for carrying the Intents and Purposes of this Act into full and complete Execution, or in or for any of the aforesaid Purposes, and for no other Use, Intent, or Purpose whatsoever.

Penalty for Persons obstructing the Officers in the Performance of their Duty.

CXLIII. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, molest, or hinder any Surveyor, Collector, Watchman, Beadle, or other Officer, who shall be appointed or employed by virtue of this Act, in the Performance or Execution of any Duty, Matter, or Thing hereby authorized or directed to be done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on Witnesses not attending to give Evidence upon Information under this Act.

CXLIV. And be it further enacted, That if any Person or Persons shall be summoned to appear as a Witness or Witnesses before any Justice or Justices of the Peace acting under the Authority of this Act, touching or concerning any Information or Complaint exhibited to such Justice or Justices for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person or Persons accused, and shall refuse or neglect to attend and appear at the Time and Place mentioned and appointed for that Purpose in and by such Summons, after having been paid or tendered a reasonable Sum for his, her, or their Costs and Expences in giving such Attendance, without a reasonable Excuse for such Refusal or Neglect, or shall after attending and appearing refuse to be sworn and examined upon Oath, or, in case of a Quaker or Quakers, to be affirmed and examined upon solemn Affirmation, or after having been so sworn or affirmed shall neglect or refuse to give Evidence before such Justice or Justices of the Peace, touching or concerning the Subject or Matter of the said Information or Complaint, or upon any Matter or Thing incidental or relating thereto, then and in every such Case every Person making such Default as aforesaid shall for every such Default forfeit and pay any Sum not exceeding Ten Pounds, to be recovered in the same Manner as any other Penalty imposed by this Act is herein directed to be recovered.

Compensation ordered to be paid by Commissioners may be levied by Distress of Goods.

CXLV. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid by the said Commissioners, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, 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 or Direction, and such Sum or Sums of Money, together with the reasonable Costs and Charges of hearing and determining the Matter, shall not be paid by the said Commissioners or their Treasurer to the Party or Parties entitled to receive the same, within Five Days after Demand thereof in Writing shall have been made and delivered to the Clerk or Clerks or Treasurer to the said Commissioners for the Time being, then and in such Case the Amount of such Compensation or Satisfaction and Costs as aforesaid shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Commissioners vested in them by virtue

virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, together with the Costs also of such Distress and Sale, under a Warrant to be issued for that Purpose by any Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant upon Application made to him or them for that Purpose by the Party or Parties entitled to receive such Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid.

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

CXLVI. And be it further enacted, That in all Cases where by this Act any Damages or Charges are directed to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, the Amount of such Damages and Charges, in case of Nonpayment or of any Dispute respecting the same, shall be settled, ascertained, and determined by some Justice or Justices of the Peace; and in all Cases where by this Act any Damages or Charges are directed or authorized to be paid, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Nonpayment or of any Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences; and the Justice and Justices aforesaid respectively is and are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

CXLVII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed, and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons, without Information, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was or had been exhibited.

Recovery and Application of Penalties.

CXLVIII. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by or under any Bye Law, Rule, or Order to be made in pursuance thereof, (the Manner of levying and recovering whereof is not herein-before particularly specified,) shall be recovered in a summary Way upon Complaint to any One or more of the Justices of the Peace within their respective Jurisdictions, who shall summon the Party or Parties complained against to answer the said Complaint; and upon his, her, or their Attendance in pursuance of such Summons, or in case the Party or Parties complained against shall not appear in pursuance of such Summons, the said Justice or Justices shall in either Case proceed

ceed to examine the Cause and Matter of such Complaint, and make such Order or Adjudication in the Premises, either for the Conviction or Acquittal of the said Party or Parties complained against, as such Justice or Justices in his or their Discretion shall determine; and upon the Conviction of any Party or Parties of any Offence against this Act, for which a pecuniary Penalty is hereby imposed or inflicted, such Penalty shall be immediately paid, together with the Costs attending such Conviction, to be ascertained by the said Justice or Justices, and in default thereof the said Justice or Justices, or any other of His Majesty's Justices of the Peace within their respective Jurisdictions, shall forthwith issue a Warrant for levying the same by Distress and Sale of the Goods and Chattels of the said Defaulter or Defaulters.

Application of Penalties imposed on Commissioners.

CXLIX. Provided always, and be it further enacted, That all Penalties imposed by this Act on the said Commissioners or their Treasurer, and which are not by this Act specially directed to be applied or disposed of, shall be paid to the Overseers of the Poor of the Parish in which the Penalty shall be incurred, and be by them applied in aid of the Poor's Rates of such Parish; any thing hereinbefore contained to the contrary notwithstanding.

Justices may order Persons convicted of Offences against this Act to be detained in Custody until a Return shall be made to a Warrant of Distress.

CL. Provided always, and be it further enacted, That it shall be lawful for the said Justice or Justices, upon the Conviction of any Person or Persons of any Offence under this Act for which a pecuniary Penalty is hereby imposed, to order him, her, or them to be detained in safe Custody until a Return can be conveniently made to any Warrant or Warrants of Distress which shall or may have been issued by such Justice or Justices for levying such Penalty, and the Costs attending such Conviction, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, (who is and are hereby empowered to accept the same by way of Recognizance or otherwise,) for his, her, or their Appearance before the said Justice or Justices at such Time and Place as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being later than Seven Days from the Time of taking any such Security; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, or if it shall appear to such Justice or Justices, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereupon to levy such Penalty or Forfeiture, or such Costs as aforesaid, on a Warrant of Distress being issued, it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained

In case no sufficient Distress can be had, and the Penalty is not paid, Justices may commit the Offenders.

ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Commissioners may reward Informers.

CLI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, if they shall see Cause, to pay and apply such Part of any Penalties and Forfeitures as they shall think proper, not exceeding One Moiety thereof respectively, to and for the Use of the Informer or Informers of any Offence or Offences against this Act, any thing herein contained to the contrary notwithstanding.

For securing unknown Offenders.

CLII. And whereas Offences may be committed against this Act by Persons unknown to the said Commissioners or their Officers; be it therefore further enacted, That it shall be lawful for any of the said Commissioners, or any Officer to be appointed by them respectively under this Act, and also for such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than is herein contained, to apprehend and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and to take and convey him, her, or them before any Justice of the Peace, to be dealt with according to this Act.

Form of Conviction.

CLIII. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of an Offence against this Act shall and may cause such Conviction to be drawn up according to the Form or to the Effect following; (that is to say,)

'} to wit. } BE it remembered, That on the [*here set forth the Day and Year upon which the Conviction takes place, and the Name and Addition of the Offender or Offenders*] is convicted before me [*or* as the Case may be] of His Majesty's Justices of the Peace for the City and County of the City of *Lincoln* [*or* Parts of *Lindsey* in the County of *Lincoln*, *as the Case may be*], of an Offence against a certain Act made and passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], for that he the said [*here repeat the Name of the Offender or Offenders*], on the [*here set forth the Day and Year upon which the Offence was committed*], at [*here set forth the Parish or Place wherein the Offence was committed*], did [*here describe the Offence*], contrary to the said Act; for which Offence I [*or* we, *as the Case may be*] do hereby adjudge the said [*here repeat the Name of the Offender or Offenders*] to have forfeited the Sum of [*here set forth the Amount of the Penalty*], which I [*or* we, *as the Case may be*] do hereby order and adjudge him forthwith to pay, together with the further Sum of [*here set forth the Amount of Costs*] which I [*or* we, *as the Case may be*] have ascertained and fixed as the reasonable Costs attending this Conviction. Given under my [*or* our, *as the Case may be*] Hand [*or* Hands] and Seal [*or* Seals], the Day and Year first above written.'

CLIV. And

Distress not to be deemed illegal for Want of Form.

CLIV. And be it further enacted, That where any Distress shall be made or levied for any Sum or Sums of Money, or any Warrant of Commitment executed by virtue of this Act, such Distress or Commitment itself shall not be deemed unlawful, nor shall the Party or Parties making or executing the same be deemed a Trespasser or Trespassers, on account of any Defect in Substance or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties executing such Warrant of Distress be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity that shall be subsequently committed by such Party or Parties, but the Person or Persons aggrieved by any Irregularity herein-before mentioned may maintain an Action on the Case for the special and actual Damage (if any) sustained thereby, but not otherwise.

Appeal.

CLV. Provided always, and be it further enacted, That any Person or Persons, Body or Bodies Politic or Corporate, who may consider himself, herself, or themselves aggrieved by any Matter or Thing to be done by the said Commissioners in the Execution of this Act, or by any Bye Law, Rule, or Order, Rate or Assessment to be made by virtue of this Act, or under the Powers and Authorities hereby granted (except in Cases where any other particular Method of Relief has been herein-before specified), or by any Order or Judgment of the said Commissioners, or any Order or Adjudication of any Justice or Justices of the Peace in pursuance of this Act, may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden for the City or Place where the Cause or Matter of Appeal shall have arisen, upon giving Notice in Writing of such Appeal to the Clerk or Clerks to the Commissioners, or other the Respondent or Respondents, One Calendar Month at least before the said General or Quarter Sessions at which such Appeal is intended to be made, in which Notice shall be clearly and distinctly set forth and expressed the Ground, Cause, and Matter of such Appeal; and such Appellant or Appellants shall also within Ten Days after such Notice enter into a Recognizance, with Two sufficient Sureties, before some Justice or Justices of the Peace for such City or Place, conditioned to try such Appeal, and to abide the Order and Award of the said Court of General or Quarter Sessions; and in the said Notice of Appeal so directed to be given as aforesaid the said Appellant or Appellants shall appoint a Place and Time, not earlier than Three Days from the Date thereof, at which the said Recognizance is intended to be entered into, and shall also state the Name, Residence, and Profession of his, her, or their Sureties; and the said Justices at such General or Quarter Sessions as aforesaid, upon due Proof of such Notice and Recognizance having been respectively given and entered into, shall in a summary Way hear and determine the Matter and Subject of such Appeal, and shall also at their Discretion award such Satisfaction to the Party injured, or such Costs to either of the said Parties, as the said Justices shall adjudge reasonable and proper; and all such Determinations of the said Justices at such General or Quarter Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

CLVI. Pro-

Justices may amend Rates, or quash the same.

CLVI. Provided always, and be it further enacted, That upon any Appeal against the said Rates or Assessments hereby authorized, or any of them, the Justices at any General or Quarter Sessions of the Peace shall and may amend the same in such Manner as may be necessary for giving Relief to the Appellant or Appellants personally, without wholly quashing such Rates or Assessments; but if upon an Appeal against the whole Rate or Assessment it shall be found necessary to supersede the same, then and in every such Case it shall and may be lawful to and for such Justices to quash such Rate or Assessment altogether, and to order a new Rate or Assessment to be made by the Commissioners under this Act.

Commissioners sitting on Applications for Relief, not afterwards to sit upon Appeals.

CLVII. Provided always, and be it further enacted, That no Person who shall sit and act as a Commissioner upon any Application for Relief against any Rate to be made by virtue of this Act, shall be capable of sitting and acting as a Justice of the Peace in Sessions, to judge and determine upon any such Appeal touching the Matter in question relative to the said Rate which he himself had before determined upon as a Commissioner.

Inhabitants to be competent Witnesses.

CLVIII. And be it further enacted, That no Person shall in any Action, Prosecution, or other Proceeding whatsoever, relating to or concerning the Execution of this Act, be deemed an incompetent Witness on account of his or her being charged with or liable to pay any Rate or Assessment to be raised, levied, and collected by virtue of this Act, save in any Case where such Person shall be immediately interested.

Plaintiff in any Action not to recover after Tender of Amends.

CLIX. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action commenced against any Person or Persons for any thing done or performed in execution of or under the Authority of this Act, unless Notice thereof in Writing shall be previously given to the Person or Persons intended to be sued Twenty-eight Days before such Action shall be commenced, which Notice shall be signed by the said Plaintiff or Plaintiffs, or his, her, or their Attorney or Attornies, and shall clearly and distinctly specify the Cause of such Action; nor shall such Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the said Defendant or Defendants, before such Action shall be commenced; and in case no such Tender shall be made, it shall be lawful for the said Defendant or Defendants in any such Action, by Leave of the Court, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think proper, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

CLX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Act or Thing done in execution of or under the Authority of this Act after Three Calendar Months from the Time when the Cause of such Action shall have arisen or been committed, or have ceased and been determined; and

and in every such Action or Suit the Venue shall be laid and the Cause tried in the City, County, or Place where the Cause of Action shall have arisen or been committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may, at his or their Election, plead specially or the General Issue, and give this Act and the Special Matter in Evidence at any such Trial, and that such Cause of Action arose or was committed in pursuance or under the Authority of this Act; and if the same shall so appear upon the said Trial, or if such Action or Suit shall have been commenced before such Notice shall have been given as aforesaid, or before the Expiration of Twenty-eight Days from the Service thereof, or after sufficient Amends and Satisfaction made or tendered as aforesaid, or after the Time limited for commencing the same, or shall be commenced in any other City, County, or Place than as aforesaid, then and in any of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs upon the said Trial shall be nonsuited, or shall discontinue his, her, or their Action or Suit after the said Defendant or Defendants shall have entered an Appearance thereto, or if upon any Demurrer Judgment shall be given against the said Plaintiff or Plaintiffs, then and in every such Case the said Defendant or Defendants shall recover Treble Costs, and have such Remedies for recovering the same as any other Defendant or Defendants hath or have in other Cases by Law.

Proceedings not to be quashed for Informality.

CLXI. And be it further enacted, That no Order, Judgment, Record of Conviction, or other Proceeding whatsoever, touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for any Informality therein.

Justices may order a Compensation to be made to Prosecutors, &c.

CLXII. And be it further enacted, That it shall be lawful for any Three or more of the Justices of the Peace, upon the Application of any Person or Persons who shall have prosecuted or given Evidence against any Offender or Offenders duly convicted of any Felony, Assault, Nuisance, Misdemeanor, or other Crime or Offence whatsoever, committed within the Limits of this Act, or tried and acquitted thereof, by Writing under their Hands to order and direct the respective Treasurer or Treasurers for the Time being of the Monies hereby directed to be raised and levied, to pay, out of the Monies to be received by him or them by virtue of this Act, to the Person or Persons making such Application, and having so prosecuted or given Evidence against such Offender or Offenders as aforesaid, such Sum of Money (in addition to the Allowance from the County Rates in Cases of Felony) as such Justices shall think a reasonable Compensation and Allowance for his, her, and their Expences and Loss of Time, and for the Expences and Loss of Time of any other Person or Persons duly and properly employed in and about the Apprehension, Examination, or Prosecution of any such Offender or Offenders as aforesaid, or such other Sum of Money as such Justices shall think proper to allow to such Prosecutor or Prosecutors, Witness or Witnesses, towards or in part Satisfaction of such Expences and Loss of Time as aforesaid, for which Order the Sum of One Shilling and no more shall be paid; and the said Treasurer or Treasurers is and are hereby authorized and required, upon Sight of such Order, forth-

with to pay such Prosecutor or Prosecutors, or other Person or Persons, such Sum of Money as aforesaid, and shall be allowed the same in his or their Accounts.

Justices may offer Rewards for the Apprehension of Offenders against this Act.

CLXIII. And be it further enacted, That for the more effectual Discovery and Punishment of Offenders any Three or more of the said Justices of the Peace shall and may, and they are hereby authorized and empowered, from Time to Time, if they shall see Cause, by Advertisement in any public Newspaper or Newspapers, or by such other Ways or Means as they shall think fit, to offer such Sum and Sums of Money, not exceeding the Sum of Ten Pounds, as they shall think proper, as a Reward and Encouragement to any Person or Persons for the discovering, apprehending, prosecuting, or convicting any Offender or Offenders whomsoever of any Offence by him, her, or them committed within the Limits of this Act, and by Writing under the Hands of such Justices to order and direct such Treasurer or Treasurers as aforesaid to pay, out of the Monies in his or their Hands by virtue of this Act, as well all or any such Sum or Sums of Money so to be offered as aforesaid, as also all and every the Costs and Expences attending the Advertising, Publication, or other Notice of such Offer, to such Person or Persons and in such Manner as such Justices shall think fit; and also that any Three or more of such Justices of the Peace shall and may, by Writing under their Hands as aforesaid, order any Sum or Sums of Money, not exceeding the Sum of Ten Pounds in any one Case, to be paid, out of the Monies hereby directed to be raised and levied, to any Person or Persons whomsoever, as a Compensation and Reward for the Discovery, Apprehension, Prosecution, or Conviction of any Offender or Offenders whomsoever, though no previous Offer of Reward shall have been made.

Bye Laws to be printed and made public.

CLXIV. And be it further enacted, That Copies of the several Orders, Bye Laws, and Rules by this Act authorized to be made by the said Commissioners, or by any Justices of the Peace, shall be signed by the Commissioners or Justices respectively making the same, as the Case may be, and shall be printed, and shall also be published by the respective Clerks to the Commissioners or Justices, by affixing Copies thereof on the outer Door of the Guildhall of the said City, and shall also be painted on Boards, which shall be hung up and affixed on the Front of the Common Gaol, or on the Front of some other public Building within the Limits of this Act; and the Inscriptions on such Boards shall from Time to Time be renewed as often as the same or any Part thereof shall at any Time be obliterated, defaced, or destroyed; and such Orders, Bye Laws, and Rules shall be binding on and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall in the Execution of this Act act under the same; provided that such Orders, Bye Laws, and Rules shall not be repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or any Directions in this Act contained.

Notices, &c. how to be served.

CLXV. And be it further enacted, That in all Cases of Notices or Demands in Writing directed or required by this Act to be given or served, or which shall or may be necessary for carrying into Execution

any of the Powers of this Act, the Services of any such Notices or Demands, by delivering the same or a true Copy thereof to the Person or Persons to whom the same ought to be given, or by leaving the same or a true Copy thereof at his, her, or their Dwelling House or usual or last Place of Abode, shall be a sufficient Service thereof (except only in Cases where personal Service is herein-before expressly required); or in case it shall be necessary to serve Notice upon the said Commissioners, or upon any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, then the leaving such Notice, or a true Copy thereof, at the Office or Place of Residence of the Clerk or Clerks, or of any other Officer or Servant to the Commissioners, or at the Office or Place of Residence of the Chief Officer of any such Body Politic, Corporate, Collegiate, Ecclesiastical or Civil, shall be deemed sufficient Service thereof.

Inhabitant Justices not disqualified from acting in the Execution of this Act.

CLXVI. And be it further enacted, That no Justice of the Peace shall be disqualified from acting as such Justice in any Case whatsoever within his Jurisdiction, in the Execution of this Act, only by reason of his being one of the said Commissioners for the Time being, or being an Inhabitant within the Limits of this Act, or being rated or liable to be rated to any of the Rates or Assessments to be made by virtue of this Act.

Justices in their respective Jurisdictions to take Cognizance of this Act.

CLXVII. And be it further enacted, That in all Cases where by this Act any Justice or Justices of the Peace is or are mentioned or referred to, or is or are empowered, ordered, or directed to do, order, receive, take cognizance of, or perform any Act, Matter, or Thing, all Justices of the Peace acting for the said City of *Lincoln*, and all Justices of the Peace acting for the Parts of *Lindsey* in the County of *Lincoln*, shall and they are hereby authorized, directed, and required, in their respective Jurisdictions, to do, order, receive, take cognizance of, and perform all Acts, Matters, and Things by this Act authorized or directed or intended to be done by any Justice or Justices of the Peace.

Saving of Manorial Rights.

CLXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent or hinder the said Mayor, Sheriffs, Citizens, and Commonalty of the City of *Lincoln* aforesaid, or their Successors, or any other Person or Persons, from having or taking any legal Remedy against any Person or Persons for any Encroachments or Nuisances that are or shall be within the said City, or for any of the Annoyances or Obstructions herein-before authorized to be avoided and prevented, or in any other Manner to lessen or defeat any legal Power, Privilege, Franchise, or Authority of the Lords of any Manor or Manors, or any of the Juries or Officers of their Courts or Leets within the said City, (save only the Power or Authority, if any such there shall be, of preventing or hindering in any respect the Execution of this Act, or of punishing any Person or Persons who shall have been before punished by Authority of this Act for the same Offence,) but that the Lords, Juries, and Officers respectively shall and may exercise and enjoy all and every such Powers, Privileges, Franchises, and Authorities, (save only and except as before is saved,) in as full and ample

ample a Manner, to all Intents and Purposes, as they have heretofore used to do, and of Right could or might have done in case this Act had not been made.

Commissioners not to act within the Close of Lincoln, without the Consent of the Dean and Chapter.

CLXIX. Provided also, and be it further enacted, That no Order to be made by the said Commissioners for executing this Act, which shall relate to lighting, watching, cleansing, or improving any Streets, Lanes, or other public Passages and Places situate within the Close of *Lincoln*, or to the establishing of any Regulations within the same Close, under the Provisions of this Act, (except such Orders as shall relate to the making, laying, assessing, and collecting the Rates by this Act authorized to be made and assessed,) shall be valid and put in force within the said Close, without the Consent of the Dean and Chapter of the Cathedral Church of *Lincoln*, to be signified by the Person for the Time being acting as their Chapter Clerk.

Public Act.

CLXX. 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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