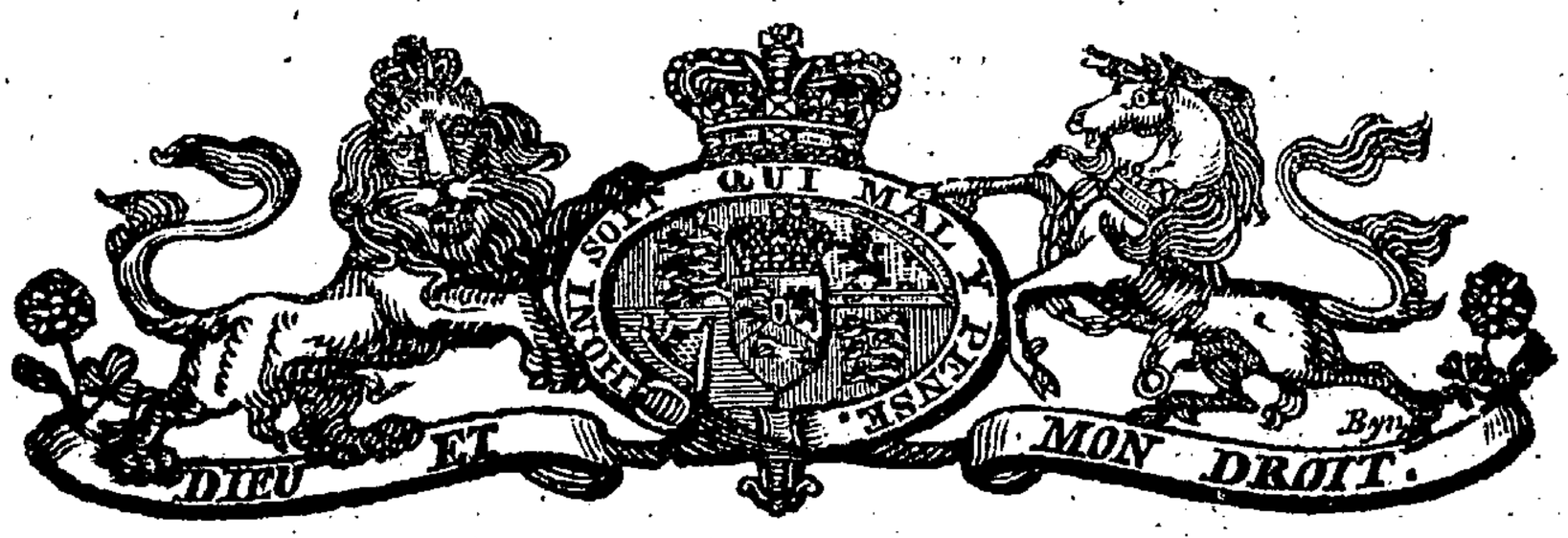


ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. vi.

An Act for lighting, watching, paving, cleansing, and improving the Streets, Highways, and Places within the Town and Borough of *Newport*, in the County of *Monmouth*.

[22d *March* 1826.]

WHEREAS the Town and Borough of *Newport*, in the County of *Monmouth*, is an ancient and populous Place, and the Trade and Population thereof have of late greatly increased and are still increasing: And whereas the Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Borough are not sufficiently lighted, paved, repaired, cleansed, and regulated, but are subject to various Nuisances, Annoyances, Encroachments, and Obstructions, nor are the same watched; and it would materially tend to the Safety, Comfort, Convenience, and Advantage, not only of the Inhabitants of the said Town and Borough, but also of all other Persons resorting to and travelling through the same, if the said Streets, Lanes, Roads, Highways, Passages, and other public Places were properly and effectually paved, repaired, widened, cleansed, lighted, watched, regulated, and otherwise improved, and the Nuisances, Annoyances, Encroachments, and Obstructions removed and abated, and prevented in future, and

and if a full Supply of Water were secured for the Inhabitants of the said Town and Borough; but as the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and

Commissioners Names.

by the Authority of the same, That the Knights of the Shire for *Monmouth*, the Member of Parliament for the Boroughs of *Monmouth*, *Newport*, and *Usk*, the Mayor, Aldermen, Recorder, Steward, and Town Clerk of the said Borough of *Newport*, and the Vicar of the said Town for the Time being, the Most Honourable *Henry Somerset*, commonly called Marquis of *Worcester*, the Right Honourable *Granville, Charles Henry Somerset*, commonly called Lord *Granville, Charles Henry Somerset*, Sir *Charles Morgan* Baronet, *John Armitage, Charles Brewer, William Brewer, Marmaduke Brewer, John Brewer* the Elder, *Joseph Beaumont, Benjamin Batchelor, Thomas Cooke, Lewis Edwards, Thomas Fothergill, Robert Gething, George Gething, George Griffiths, David Harrhy, Thomas Hughes, James Hawkins, John Homfray, Watkin Homfray, Samuel Homfray*, the Reverend *Anthony Allett Isaacson, John Jones* of *Lanarth, Philip Jones, William Jones* of *Clytha, William Jones* (Coal Merchant), *Abraham Jones, Edmund Jones, Richard Jenkins, John Lewis, Joseph Latch, William Henry Lowe, Charles Morgan, Robinson Morgan, George Gould Morgan*, the Reverend *Augustus Morgan, Octavius Morgan, John Morgan, Samuel Morgan, William Morgan, Morgan Morgan, John Hodder Moggridge, Callaghan M'Carthy, Richard Mulloch, John Owen, Rowland Nicholas, Thomas Jones Phillips, Thomas Phillips* the Elder, *Thomas Phillips* the Younger, *Thomas Prothero, Hopkin Perkins, Richard Rogers, Charles Robinson, Robert Sallows, William Thomas* (Shopkeeper), *John Williams, William Williams, David Williams*, Attorney at Law, *Arthur Wyatt, Thomas Waters* of *Duckpool*, Doctor *Hawkins*, and *Henry Hawkins*, shall be and they are hereby appointed Commissioners for carrying this Act into Execution.

Qualification of Commissioners.

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in any Case in the Execution of this Act, who or whose Partner shall sell Ale, Wine, Cider, or any Spirituous Liquor by Retail, or who is or shall be a Victualler, or during the Time he or his Partner shall hold or enjoy any Office or Place of Profit under this Act, or be concerned in any Contract made by virtue or in pursuance of this Act, or in any Case wherein he or his Partner shall be in anywise personally or beneficially interested in the Matter in question (except as a Creditor on the Rates or Assessments); nor unless he shall be in his own Right, or the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, of an Estate of Inheritance, or for Life or Lives, or for any Term of Years exceeding Sixty Years, either absolutely or determinable on any Life or Lives, of the Yearly Value of Fifty Pounds, or possessed of such Estate or Estates as last mentioned and a Personal Estate jointly,

jointly, or a Personal Estate alone, to the Amount or Value of One thousand five hundred Pounds; nor (except in administering the Oath or Affirmation to the Chairman of the Meeting as herein-after mentioned), until he shall have taken and subscribed an Oath, or being a Quaker, until he shall have made and subscribed an Affirmation, in the Form or Words following, and an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the taking or making and subscribing of such Oath or Affirmation, and of the Date of administering the same.

Oath.

'I *A. B.* do swear [*or, being One of the People called Quakers,* do solemnly declare and affirm], that I am really and *bonâ fide* in my own Right [*or,* in the Right of my Wife, late *or* present, *as the Case may be*] now in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, of an Estate of Inheritance, or for a Life or Lives, or for a Term or Terms exceeding Sixty Years, either absolutely or determinable on a Life or Lives, of the clear Yearly Value of Fifty Pounds, or possessed of such Estate or Estates as last mentioned and a Personal Estate jointly, or a Personal Estate alone, to the Amount or Value of One thousand five hundred Pounds; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here insert the Title of this Act*]. So help me GOD. [*Or, being a Quaker, omit the Words,* So help me God.]'

For supplying Decrease in Number of Commissioners.

III. Provided always, and be it further enacted, That when and as often as any of the Commissioners hereby nominated and appointed, or hereafter to be nominated or appointed by virtue of this Act (except such as are Commissioners by virtue of their Situation or Office) shall resign, die, refuse to act, or become bankrupt, or become incapable of acting, or disqualified, it shall and may be lawful for the Inhabitants of the said Town and Borough paying Rates under this Act, at a General Meeting thereof to be called for that Purpose, to elect and appoint a Person being resident within the said Town and Borough of *Newport*, or within Three Miles thereof, and duly qualified according to the Provisions of this Act, to be a Commissioner in the Room of every such Commissioner so resigning, dying, refusing to act, or becoming bankrupt, or incapable of acting, or becoming disqualified; and every Person who shall be elected and appointed a Commissioner as aforesaid shall be joined with the surviving or remaining Commissioners, and be vested with the same Powers and Authorities to act in the Execution of this Act to all Intents and Purposes as if such Person had been particularly named and appointed as Commissioner by this Act.

Commissioners may act as Justices.

IV. Provided always, and be it further enacted, That such of the said Commissioners as are Justices of the Peace may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Commissioners, or assessed to any of the Rates or Assessments to be made by virtue of this Act, or by reason of their being entrusted with the Appropriation of any of the Penalties hereby imposed.

V. Pro-

Penalty on disqualified Persons acting.

V. Provided always, and be it further enacted, That if any Person not being qualified as aforesaid, or not having taken and subscribed an Oath as aforesaid, or being a Quaker, not having made and subscribed an Affirmation as aforesaid, or being disqualified by any of the Causes aforesaid, shall act as a Commissioner in the Execution of this Act, every Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty and Costs, without any 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 or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified, done previous to his or their being so convicted, shall be as valid and effectual as if such Person or Persons had been duly qualified as aforesaid.

Proceedings by Five Commissioners at Meetings valid.

VI. And be it further enacted, That all the Powers and Authorities by this Act given to, and all the Provisions, Matters, and Things by this Act directed or authorized to be done by the Commissioners for executing the same, shall and may be executed and done by or before any Five or more of the said Commissioners, assembled at any Meeting to be held in pursuance of this Act, and shall be of as full Force and Effect as if executed or done by or before all the Commissioners (except in such Cases where any such Power, Authority, Provision, Matter, or Thing is by this Act particularly directed or authorized to be executed or done by any other Number of Commissioners, or in any other Manner); and all Acts, Orders, Proceedings, and Determinations of the Commissioners acting in the Execution of this Act, made at any such Meeting consisting of Five or more Commissioners, wherein the major Part of the Commissioners present at such Meeting shall concur, shall be as valid and effectual as if all the Commissioners present at such Meeting had concurred therein; and

Chairman to be appointed.

at all such Meetings a Chairman shall be appointed, and in all Cases where there shall be an Equality of Votes upon any Question, (including the Vote of the Chairman), such Chairman shall have the decisive or casting Vote; and at all such Meetings the Commissioners present shall pay and defray their own Expences.

No Order to be revoked or altered, except after special Notice, and a greater Number of Commissioners present.

VII. And be it further enacted, That no Order, Appointment, or Proceeding whatsoever, made at any Meeting of the Commissioners holden in pursuance of this Act, shall be revoked or altered at any subsequent Meeting, unless at a Meeting to be holden for that express Purpose, nor unless Notice, specifying the Revocation or Alteration intended to be made, signed by One or more of the said Commissioners, or by the Clerk or Clerks to the said Commissioners, shall be affixed to the outer Door of the Parish Church of the said Town and Borough at least Fourteen Days before such subsequent Meeting,

Meeting, nor unless a Majority of the Commissioners present at such subsequent Meeting shall decide in Favour of such Revocation or Alteration, and a greater Number of Commissioners shall be present at such subsequent Meeting than were present at the Meeting when such Order, Appointment, or Proceeding was had or made.

First and other Meetings.

VIII. And be it further enacted, That the said Commissioners shall hold their First Meeting for the Execution of this Act at the *King's Head* Inn, or some other convenient Place in the said Town and Borough of *Newport*, within Forty Days next after the passing of this Act, between the Hours of Twelve in the Forenoon and Three in the Afternoon, or on such other Day and Time as the said Commissioners, or any Five or more of them, although not assembled at a Meeting, shall think fit to appoint, by Notice in Writing to be affixed on the outer Door of the Parish Church of the said Town and Borough, at least Seven Days before the Day of Meeting; and it shall be lawful for the Commissioners present at such First Meeting, or at any subsequent Meeting for the Execution of this Act, from Time to Time to adjourn, and from Time to Time to appoint their next Meeting, to be holden at any future Day and Time, not exceeding Thirty Days from the last Day of Meeting, and at the same or any other convenient Place within the said Town and Borough; and if at the Time and Place appointed for any Meeting there shall not be a sufficient Number of Commissioners to act, or in case the Commissioners at any Meeting assembled shall omit to adjourn, then and in every such Case any Commissioner present, or the Clerk or Clerks of the said Commissioners, shall adjourn the Meeting to some future Day, not exceeding Thirty Days from the said Day of Meeting; of which Adjournment such Clerk or Clerks shall cause Notice in Writing to be affixed on the outer Door of the said Parish Church, Seven Days at least before the Day appointed for the next Meeting; and in case no Adjournment or Notice shall be made or given as aforesaid, then it shall and may be lawful for any Five or more of the said Commissioners, although not assembled at a Meeting, or their Clerk or Clerks, to call a Meeting of the Commissioners by Notice in Writing to be affixed on the Place aforesaid, appointing a Meeting to be held on some future Day not sooner than Seven Days nor exceeding Fourteen Days from the Day of affixing such Notice.

Power of Adjournment.

Meetings on Emergencies.

IX. Provided always, and be it further enacted, That if it shall at any Time be thought necessary to hold a Meeting before the Time at which a Meeting is hereinbefore directed or required to be held, or shall be appointed to be held as aforesaid, then and in such Case it shall be lawful for the said Commissioners, or any Five or more of them, or their Clerk or Clerks, by the Direction in Writing of any Five or more of the said Commissioners, and such Clerk or Clerks is and are hereby required to call an earlier Meeting, of which at least Seven Days previous Notice shall be given, in the same Manner as last hereinbefore mentioned.

Appointment of Clerks, Trea-

X. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required from Time

surers, and other Officers.

Time to Time to nominate and appoint a Clerk or Clerks, a Treasurer or Treasurers, a Collector or Collectors of the Rates hereinafter mentioned, and such other Officers as the said Commissioners shall think necessary and proper for the due Execution of this Act; and the said Commissioners are hereby required to take Security from their Treasurer or Treasurers, or such of the said Officers as shall be entrusted with the Receipt and Disbursement of Money for the due Execution of his or their respective Offices; and it shall be lawful for the said Commissioners from Time to Time to remove and displace any of such Officers, and to nominate and appoint another or others in the Room or Place of any of them who shall be so removed or displaced, or who shall die or resign such Offices, or become incapable of acting therein, and out of the Monies to be raised as hereinafter mentioned, to make and pay such Salaries or other Allowances to such Officers respectively, and also to such other Person or Persons as shall be aiding and assisting to the said Commissioners in the Execution of this Act, as to the said Commissioners shall from Time to Time seem reasonable.

Clerk and Treasurer not to be the same Person.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person or Persons who may be appointed to act as Clerk or Clerks, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or other Person in the Service or Employ of any such Clerk or Clerks, or of his Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or other Person in the Service or Employ of any such Treasurer or Treasurers, or of his Partner or Partners, the Clerk or Clerks of the said Commissioners; and if any Person or Persons shall act in both the Capacities of Clerk and Treasurer, Clerks and Treasurers, for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or other Person in the Service or Employ of any such Clerk or Clerks, or of his Partner or Partners, shall act as Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or other Person in the Service or Employ of any such Treasurer or Treasurers, or of his Partner or Partners, shall act as Clerk or Clerks in the Execution of this Act, every 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 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, nor more than One Imparlance, shall be allowed.

Officers to account.

XII. And be it further enacted, That all such Officers as shall be so appointed to any of the Offices aforesaid shall 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

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

have

have given Satisfaction in respect thereof to the said Commissioners or to such Justice: Provided always, that no Person who shall be committed by virtue of this Act on account of not having sufficient Goods and Chattels, shall be detained in Prison for a longer Term than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Officers, Person or Persons, and his and their Surety or Sureties, shall remain liable to the Payment thereof in the same Manner as if such Officer or Officers, or Person or Persons, had not been committed to Prison.

In case an Officer dies, Executor to account.

XIII. And be it further enacted, That in case of the Death of any Officer before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of this Act, or made such Composition for the same as aforesaid, then and in every such Case the Executors or Administrators of such Officer so dying shall pay and satisfy the same in the due Course of Administration out of the Estate and Effects of such Officer unto the said Commissioners, or any Person appointed by them in that behalf, and also shall deliver up all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators, who shall and may plead such Payment in any Action or Suit which may be brought against them on account of the said Estate, and give the same in Evidence; and in case of the Non-payment of such Monies, or the Non-delivery of such Books, Papers, Writings, and Things, for the Space of Twenty-one Days after Demand made thereof in Writing by or on the Behalf of the said Commissioners, it shall be lawful for the said Commissioners to commence and prosecute an Action or Actions in any of His Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, for the Recovery of the said Monies, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action or Actions full Costs of Suit shall be recoverable by the said Commissioners.

Proceedings, &c. to be entered in a Book.

XIV. And be it further enacted, That the said Commissioners shall cause proper Books to be provided and kept, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings, relative to the Execution of this Act, and of the Names of all such Commissioners as shall be present at their several Meetings, and all Entries in such Books shall be signed by the Commissioners at each Meeting concurring in the Act, Order, or Proceedings so made and entered; and all Entries so signed shall be deemed Originals, and the said Books shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and such Books shall be kept by the Clerk or Clerks to the said Commissioners, and shall at all seasonable Times be open to the Inspection of the Commissioners, and of any other Person or Persons charged to the Rates hereinafter granted and made payable, and of the Creditors on the said Rates, without Fee or Reward.

XV. And

Books of Account to be kept by Clerks.

XV. And be it further enacted, That the said Commissioners shall, and they are hereby required from Time to Time and at all Times hereafter, to order and direct a Book or Books to be provided and kept by the Clerk or Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money which shall be received, paid, laid out, and expended in pursuance of the Powers and Provisions of this Act, by, or for, or on account of the said Commissioners, and of the several Articles, Matters, and Things for which such Sums of Money shall have been paid, laid out, and expended, which Books shall at all seasonable Times be open to the Inspection of the Commissioners, and any Creditor or Creditors on the Rates hereby granted, and any Person or Persons who shall be rated to the same, without Fee or Reward; and the said Commissioners and Creditors, and such Persons rated as aforesaid, or any of them, shall and may take Copies of or Extracts from the said last-mentioned Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk or Clerks shall refuse to permit, or shall not permit the said Commissioners, or such Creditors, or such Person so rated as aforesaid, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, he and they shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Accounts to be audited at an Annual Meeting.

XVI. And be it further enacted, That an Annual Meeting of the said Commissioners shall be held on the First Day of *July* One thousand eight hundred and twenty-six, and on the First Day of *July* in each and every succeeding Year, which shall be called the Annual General Meeting of the Commissioners, and at such Annual General Meetings, or some Adjournment thereof, the Accounts of all Monies received and paid in pursuance of the Provisions and Powers of this Act, by, or for, or on the Account of the said Commissioners, shall be produced, stated, examined, audited, and settled.

Commissioners may sue or be sued in the Name of their Clerk, or in the Name of One of themselves.

XVII. 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, in the Name or Names of their Clerk or Clerks for the Time being, or in the Name or Names of any One or more of the said Commissioners; and no Action or Suit so to be brought or commenced by or against the said Commissioners, shall abate or be discontinued by the Death, Removal, or Default of any such Clerk or Clerks, or Commissioner or Commissioners, but shall be continued and carried on in the Name or Names of the Clerk or Clerks for the Time being, or of the Commissioner or Commissioners in whose Name or Names the same shall have been brought; and the Clerk or Clerks for the Time being, or such Commissioner or Commissioners, shall always be Plaintiff or Plaintiffs, or Defendant or Defendants, in such Action or Suit, as the Case may be: Provided always, that all Costs and Expences to be incurred by the said Commissioners, or their Clerk or Clerks for the Time being, in prosecuting or defending any Action or Suit touching the Execution of this Act, shall be defrayed out of the Money hereinafter directed to be collected and raised under the Provisions of this Act: Provided always,

that such Commissioner or Commissioners, or Clerk or Clerks, shall not on that account be deemed an inadmissible Witness or Witnesses in any such Action or Suit, except only in such Action or Suit as shall be on his or their own personal Account.

Indemnity to Commissioners when acting legally.

XVIII. Provided always, and be it further enacted, That all and every the Commissioners hereinbefore named and hereafter to be appointed shall from Time to Time and at all Times hereafter be fully indemnified, from and out of the Monies hereinafter directed to be raised under and by virtue of this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them, or their Treasurer, or Clerk or Clerks as aforesaid, shall or may pay, sustain, or be put unto, for or by reason of any Action, Suit, or Proceedings which may be had, sued, commenced, or prosecuted against them, or any or either of them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of this Act, and the Trusts reposed in them under the same.

Pavements, Lamps, and Pumps, to be vested in the Commissioners.

XIX. And be it further enacted, That all the present and future Pavements, Flag Stones, Curb Stones, Stone, Gravel, and all the other Materials of the several present and future Streets, Lanes, Roads, Highways, Passages, and other public Places in the said Town and Borough, and also all Lamps, Lamp Irons, Lamp Posts, Pumps, Pipes, and other Articles, Matters, and Things to be erected, set up, and fixed by the said Commissioners by virtue of this Act, and the present and future public Wells, Pumps, Mains, Pipes, and other Works for supplying the Inhabitants thereof with Water, and all Materials and other Articles, Matters, and Things purchased or provided for the Purposes of this Act, shall belong to and be the Property of, and the same are hereby vested in the said Commissioners; and the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Case may require) against any Person or Persons who may steal, take, or carry away, or detain, spoil, injure, damage, or destroy the several Articles, Matters, and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively, it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners for the Improvement of the Town and Borough of *Newport*," without particularly mentioning or specifying the Name or Names of all or any of such Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part or Parts of the same respectively, for the Purposes of this Act, to such Person or Persons, at such Time or Times, and in such Manner as they the said Commissioners shall think proper; and if any Person or Persons shall wilfully or maliciously break, injure, damage, or destroy any of the Articles, Matters, or Things hereby vested in the said Commissioners or any of them, or any Part or Parts thereof, or any of the Works done or to be done in pursuance of this

Act,

Act, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to pave, light, water, and improve Streets, and to erect and repair Pumps.

XX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized to cause the present and future Streets, Lanes, Entries, and other public Passages and Places within the said Town and Borough, or any Part or Parts thereof, as well the Carriage as Footways, to be pitched, paved, flagged, watered, or otherwise made, repaired, or amended, and the same Pavements, Pitching, Flagging, and other Materials thereof to be taken up and relaid, and the Ground thereof to be raised or lowered, and the Form and Situation thereof altered in such Manner as the said Commissioners shall think fit, and also to make Common Sewers, Drains, or Watercourses in any of the Streets, Lanes, Entries, or other public Passages and Places within the said Town and Borough, for the Purpose of carrying or conveying Water and Refuse from the same, and to cleanse, alter, and amend such Sewers in such Manner as they shall from Time to Time think necessary; and it shall be lawful for the said Commissioners to take up and remove, or cause to be taken up and removed, all or any Posts, Rails, Pales, Trees, or Fences, in such Streets, Lanes, Passages, or Places, or any of them, as they the said Commissioners shall judge to be an Obstruction or Nuisance to Foot Passengers, Horses, or Carriages, or to erect or set up any other Posts, Rails, Fences, or Pales, as they shall think proper, for the better Security of Passengers, Horses, or Carriages, or preserving the said Pave Stones and Curb Stones from Damage, and also to remove or cause to be removed all or any of the public Pumps now standing and being in any of the said Streets, Lanes, or Places, so that the said Commissioners do erect, place, and set up Pumps in lieu of such Pumps removed as aforesaid, in such Places within the said Town and Borough as shall be thought by the said Commissioners to be more convenient and proper; and such Pumps, and the Wells and Shafts in which the same are or shall be placed, shall for ever hereafter be kept in Repair, and be under the sole Management, Direction, and Controul of the said Commissioners, and be so vested in them for the Use of the Inhabitants of the said Town and Borough, and of Persons and Vessels frequenting the same; and the Expences attending such Reparation, and also the Erection of any new Pump or Pumps, and the removing of the present Pumps, and of sinking any fresh Well or Wells, and also of such making, pitching, paving, flagging, renewing, watering, draining, repairing, and improving, shall at all Times be payable and paid out of the Monies to be raised by virtue of this Act.

Trustees of Turnpike Roads not to repair Streets.

XXI. Provided always, and be it further enacted, That it shall not be lawful for the Trustees of any Turnpike Roads leading into the said Borough, to apply any Part of the Tolls arising on any of the said Roads towards the paving, repairing, amending, stoning, or gravelling, lighting, or watching any of the Streets, Lanes, or other public Passages or Places within the said Borough, and which said Streets, Lanes, Passages, or Places shall not from henceforth be deemed or taken to be Part of any Turnpike Road: Provided also, that none of the Inhabitants of the said Borough shall be subject or liable, in

in respect of any Lands or Hereditaments by them held or enjoyed within the Limits of the said Borough, to the Performance of any Statute Duty on any Turnpike Road leading into the said Borough, and out of the Limits thereof, or to the Payment of any Commutation in lieu of such Statute Labour, any thing in any Act or Acts to the contrary notwithstanding.

Commissioners to appoint Surveyors of the Streets.

XXII. Provided always, and be it further enacted, That at all Times from and after the passing of this Act, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by Warrant under the Hands and Seals of any Five or more of them, at some Meeting to be held as aforesaid, yearly and every Year to appoint One or more substantial Inhabitant or Inhabitants of the said Town and Borough of *Newport* to be Surveyor or Surveyors of the Streets, Lanes, Roads, Highways, Passages, and public Places within the Limits of the said Town and Borough, and from Time to Time to remove any such Surveyor or Surveyors, and to appoint any other such Person or Persons in his or their Place or Stead, and to allow to any Surveyor or Surveyors so to be appointed by them as aforesaid such Salary or other Recompence for executing the said Office as the said Commissioners shall think proper; and all and every Person and Persons who shall be so appointed Surveyor or Surveyors by the said Commissioners as aforesaid, shall be subject to such Orders and Directions as shall from Time to Time be made and given for the Execution of his or their Office or Offices of Surveyor or Surveyors by the said Commissioners for the Amendment and Preservation of the Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Borough.

Private Drains to be repaired and cleansed at the Expence of the Owners.

XXIII. And be it further enacted, That all private Drains which now are or by Permission of the said Commissioners shall hereafter be made within any of the said Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Borough, and which do or shall issue into or communicate with any of the Public Sewers, Drains, or Vaults, shall be repaired and cleansed under the Inspection and Direction of the Surveyor or other proper Officer of the said Commissioners, at the Costs and Charges of the Owner or Owners, Occupier or Occupiers of the Houses, Lands, or Tenements to which the said private Drains do or shall respectively belong, such Costs and Charges to be recovered in like Manner as the Rates hereby authorized to be raised are made recoverable.

If Owners neglect after Notice, Surveyors to alter, make, or stop up Drains.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or their Surveyor or Surveyors for the Time being, and the Person or Persons appointed by them, and they are hereby respectively authorized and empowered, from Time to Time to widen, straighten, make deeper, turn, alter, vary, or stop any of the present or future private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses running into, over, under, through, adjoining, or upon any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Borough, or to make or cause to be made any new private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses in, through, under,

under, over, or adjoining to any such Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Borough, for the Purpose of conveying, draining, and taking away any Sink Float or other refuse Water, and preventing the same from running over the Surface of the Streets, Lanes, Roads, Highways, Passages, and other public Places, in case the Owner or Owners, or Occupier or Occupiers, of the Messuages, Buildings, Lands, or Tenements adjoining the same, shall neglect or refuse so to do for Ten Days next after Notice in Writing, signed by the said Commissioners or any Five or more of them, and delivered to or left at the last or usual Place or Places of Abode of such Owners or Occupiers, requiring them so to do.

The Costs and Charges thereof how to be paid.

XXV. And be it further enacted, That the Costs, Charges, and Expences of the Works so to be done or made by Order of such Surveyor or Surveyors, (such Costs, Charges, and Expences being first settled and ascertained by Five or more of the said Commissioners,) shall be reimbursed to such Owner or Owners, or Occupier or Occupiers, on Demand, or within Seven Days next afterwards, by the said Commissioners, and in case of Nonpayment of such Costs, Charges, and Expences, the same shall be levied and recovered of the said Commissioners: Provided always, that such Alterations in the said private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses, and the making of any such anew, shall not be disadvantageous or injurious to such Owner or Owners, Occupier or Occupiers, or in case it shall be so disadvantageous or injurious, then that the said Commissioners shall pay to the said Owner or Owners, Occupier or Occupiers, a fair Compensation for such Injury.

Paviors to be appointed.

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

Penalty for taking up Pavement without Consent of Commissioners.

XXVII. And be it further enacted, That if any Person or Persons shall at any Time hereafter take up, remove, or alter, or cause to be taken up, removed, or altered, any Part of the Pavements, Flags, or other Materials of the Carriageways or Footways in the said Streets, Lanes, Highways, Passages, or other public Places, or any of them, or shall make or cause to be made any Alteration in any of the Tunnels, Gutters, Soughs, Drains, or Watercourses therein, without the previous Consent or Authority of the said Commissioners in Writing, and made or given at some Meeting held in pursuance of and according to the Directions of this Act, every Person so offending shall forfeit and pay for every such Offence the Sum of Five Pounds.

New Streets when paved to be Public Streets.

XXVIII. And be it further enacted, That it shall be lawful for any Two or more Justices of the Peace acting for the said Town and Borough, when and so often as any new Street, Road, or Passage which has heretofore been or shall be hereafter laid out and made in the said Town

and Borough of *Newport*, shall be well and effectually paved, stoned, or otherwise be put into good Order and Repair, to the Satisfaction of such Justices, and from Time to Time by any Writing under their Hands to declare the same to be Public Streets, Roads, Highways, Passages, and Places; and from and after such Declaration made, such new Streets, Roads, Lanes, Passages, or Places as aforesaid, and every of them shall be deemed and taken to be Public Streets, Roads, Highways, Passages, and Places to all Intents and Purposes, and shall be repaired and kept in Repair by the said Commissioners under the Powers and Provisions of this Act.

No new Streets to be less than Ten Yards in Width.

XXIX. And be it further enacted, That no new Street or Road which shall hereafter be set out or made within the said Town and Borough shall be less than Ten Yards in Width.

Provision for lighting the Streets, &c.

XXX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter, to purchase and provide such and so many Glass Lamps, of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts, as they shall judge necessary, and to direct the same to be affixed or set up upon or against the Walls, Posts, or Palisadoes of all or any of the several Houses or Buildings, or upon or against any other Walls, or in or upon such other Places within the said Town and Borough, and to be altered, taken down, or renewed in such Manner as they shall think fit, and to cause such Lamps or any of them to be lighted, either with Gas, Oil, or otherwise, at such Times and Seasons in the Year, and on such Evenings, and at such Hours of the Evening, and to be kept burning for so many Hours, as to them shall seem necessary or proper for the well and sufficiently lighting of all or any of the said Streets, Lanes, Passages, and Places within the said Town and Borough, and also the Wharfs, Piers, and Shipping Places within the same; and that it shall be lawful for the said Commissioners, from Time to Time, to contract with any Gas Light Company now or hereafter to be established within the said Town and Borough, or in the Neighbourhood thereof, or with any other Person or Persons, Body or Bodies Politic or Corporate whatsoever, for lighting the said Town and Borough with Gas, Oil, or otherwise, or for providing Lamps, Lamp Irons, and Lamp Posts, for any Number of Years or other Time, and upon such Terms and Conditions in all Respects as the said Commissioners shall from Time to Time think proper; or otherwise of their own proper Authority to light the said Town and Borough with Gas, and to purchase Ground, not exceeding Two Acres, and erect the necessary Buildings, Apparatus, and Machinery, and also by themselves, or by any other Person or Persons, Company or Companies, Body or Bodies, with whom they shall contract as aforesaid, and by and with their Authority, to lay and place Mains or Main Pipes and other Pipes in the said Streets, Lanes, Passages, and Places, as well as elsewhere within the said Town and Borough, for the Purpose of well and sufficiently lighting the said Town and Borough, and the several Streets, Lanes, Passages, and Places therein, generally to effect all other Matters or Things necessary thereto, or for the Purposes thereof: Provided nevertheless, that nothing herein contained

tained shall authorize or empower the said Commissioners, or any other Person or Persons, to carry, lay, or affix any Pipe or Pipes, Lamp Iron or Lamp Irons, through, against, or upon any Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds, for the Purpose of lighting the said Streets, Lanes, Highways, Passages, and other Place or Places with Gas, or to continue the same, without the Consent of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, public or private Building, Yards, or Grounds, through or against which any Pipe or Pipes shall be carried or laid for the Purposes aforesaid.

Commissioners may contract with private Persons for Gas Lights.

XXXI. And be it further enacted, That in case the said Commissioners shall at any Time or Times after the passing of this Act light the said Streets and other public Places, or any of them, within the said Town and Borough, with Gas, it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered to contract with any Inhabitant or Inhabitants of the said Town and Borough, or the Vicinity thereof, or the Occupier or Occupiers of any Building or Tenement, Buildings or Tenements therein, or in the Vicinity thereof, or with any Company or Corporation, for supplying him, her, or them with Light for private Purposes, by Means of Gas from any Establishment of the said Commissioners, the Rates or Compensation Monies for such private Supply being from Time to Time fixed or altered and regulated by them the said Commissioners at some General Meeting; and such Rates or Compensation Monies shall be applied for the Purposes of this Act, and when in arrear shall and may be recovered by the same Means as the Rates hereinafter directed to be made for the Purposes of this Act are authorized to be recovered.

Penalty for conveying Washings into Rivers, Streams, &c.

XXXII. And be it further enacted, That if the said Commissioners, or Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which may arise or be produced in the Prosecution of the Works of the said Commissioners, or of any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Spring Head or Well, or in any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Spring Head, Well, Drain, Sewer, or Ditch, then and in every such Case the said Commissioners, Body or Bodies Politic, Corporate, or such Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case,

or

or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed; and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Three Calendar Months from the Time in which such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, and in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, into any River, Brook, or Running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Spring Head or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Commissioners, or Body or Bodies Politic or Corporate, or to such Person or Persons as aforesaid, and the said Commissioners, or the Person or Persons, Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall not, within Twenty-four Hours after such Notice shall have been given, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in Manner aforesaid, and every such Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Penalty for allowing Escape of Gas.

XXXIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at their own Expence, immediately after Notice thereof by Parol or in Writing from any Person or Persons whomsoever, given to the said Commissioners, or to the Clerk or other

other Officer or Agent of the said Commissioners, or any such Body or Bodies Politic or Corporate, or Person or Persons, stop and prevent such Gas from escaping; and in case the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons, shall not within Twelve Hours next after such Notice by Parole or in Writing being given of any such Escape of Gas, as far as possible stop and prevent the Gas from escaping, and thereby remove the Cause of Complaint, that then and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable in a summary Way on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before One or more Justice or Justices of the Peace for the County of *Monmouth*, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, or such Body or Bodies Politic or Corporate, or Person or Persons, by the Warrant of any Justice or Justices of the Peace as aforesaid, in Manner hereinafter directed.

Commissioners or Persons contracting to light with Gas liable to be indicted.

XXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Commissioners, or any Body or Bodies Politic or Corporate, or any of his or their Servants, Workmen, or Officers, or Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, in respect of any Works, or the Means which shall be employed by them in making the said Gas and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance; or from bringing any Action or Actions against the said Commissioners, or Body or Bodies Politic or Corporate, or any of their Servants, Workmen, or Officers, or Person or Persons, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Rersons employed therein, or from any other Cause whatsoever.

For preventing the Contamination of Water by Gas.

XXXV. And be it further enacted, That whenever the Water of any Company of Proprietors, or other the Owners or Proprietors of any Waterworks within the said Town and Borough, shall be contaminated or affected by the Gas of the said Commissioners, or of the Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons as aforesaid, 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 Company of

Proprietors, or other the Owners or Proprietors of any Waterworks; 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 any of the Directors, or by the Treasurer, or by the Manager or Chief Clerk for the Time being of and for the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, to be left at the usual Office or Place of transacting Business of the said Commissioners, Body or Bodies, Company or Companies, or 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, or contaminating or affecting the Water of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks; and in case the said Commissioners, Body or Bodies, 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, or other Person or Persons as aforesaid, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use and Benefit of the same Proprietors or Owners, 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 the Water of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid; 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, Manager, or Chief Clerk for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or by and in the Name of any One or more of the Directors of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, at the Option of the Parties prosecuting such Information against the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid, before any Justice of the Peace for the said Borough, 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, 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, or to One of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use of the same Proprietors or Owners.

XXXVI. And

For ascertaining if the Water is contaminated.

XXXVI. 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, or other Person or Persons as aforesaid; be it therefore enacted, That in every such Case it shall and may be lawful to and for the said Company of Proprietors, or other 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, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, Body or Bodies, 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, 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, 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, or other Person or Persons as aforesaid, then and in such Case the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, Body or Bodies, 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, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets 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.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

XXXVII. 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 any Street, Lane, Passage, or other Place in the said Town and Borough, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street, Lane, Road, Passage, or Place will allow thereof, at the Distance of Four Feet at least, as well from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Passages, or other Places in the said Town and Borough, as also from the nearest Part of any Main or Conduit Pipe already laid down or hereafter to be laid down by or by the Order of the said Commissioners, or of any Gas Light Company, or Person or Persons whomsoever, for the Conveyance of Gas in, under, through, along, across, or round any Street, Road, Passage, or other Place in the said

said Town and Borough, unless in Cases where it shall be unavoidably necessary to lay any such Pipes across any of the Pipes of any Water Company, or any Gas Light Company, or of any Person or Persons whomsoever, in which Cases the said Pipes shall be laid over and above such Water Pipes, or such Pipes of any Gas Light Company, or of any Person or Persons whomsoever (as the Case may be), at the greatest practicable Distance therefrom, and shall form therewith a right Angle; and that in such Cases the said Pipes so crossing the said Pipes of any Waterworks Company, or any Gas Light Company, or of any Person or Persons whomsoever, shall be at least Nine Feet in Length, so that no Joint of any of the said Pipes shall be nearer to any Part of the said Pipes of any Waterworks Company, or any Gas Light Company, than Four Feet at least; and that in laying down the said Pipes the said Commissioners, or Person or Persons, Body or Bodies Politic or Corporate, or Person or Persons whomsoever, shall in no Case join Two or more Gas Pipes together previous 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 in such Trench properly form the jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and also to make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom, and from any Part thereof, upon Pain of forfeiting for every Offence the Sum of Five Pounds, to be recovered as any Penalty is herein directed to be recovered, and shall be paid to the Company of Proprietors of the Waterworks or Gas Light Company, as the Case may be.

Time for laying Pipes.

XXXVIII. And be it further enacted, That no Part of the Streets, Highways, or public Places within the said Town and Borough shall be broken or taken up for the Purpose of laying down any new Main of Pipes, or any new Service of Pipes, in the Months of *December*, *January*, or *February*; and that if any Water or Gas Company, or other Person, shall break or take up any Part of such Streets, Highways, or public Places, in Violation hereof, then such Company or other Person so offending shall forfeit and pay the Sum of Ten Pounds for every square Foot of such Street, Highway, or public Place so broken or taken up.

Penalty for wilfully breaking Lamps, &c.

XXXIX. And be it further enacted, That if any Person or Persons shall wilfully or maliciously take away, break, throw down, or otherwise deface, injure, damage, or destroy any Lamp or Lamps which shall have been set up by or by the Order of the said Commissioners, or by any Person or Persons who may contract with them as aforesaid for the public lighting of any Part of the said Town and Borough, or any Post, Pillar, Pilaster, Lamp Iron, Pipe, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, it shall be lawful for any Justice or Justices of the Peace in and for the said Town and Borough of *Newport*, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party

or

or Parties accused; or it shall be lawful for any Person or Persons who shall see any such Offence committed, to apprehend, and for any Person or Persons to assist in apprehending the Offender or Offenders; and by the Authority of this Act, and without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer in order to be secured and conveyed before some Justice or Justices of the Peace for the said Town and Borough, and upon the Party or Parties accused being brought before such Justice or Justices, such Justice or Justices shall proceed to Examination upon Oath of any Witness or Witnesses who shall appear to give Evidence touching such Offence or Offences; and if the Party or Parties so accused shall be convicted of such Offence or Offences, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and the Offender or Offenders shall also make full Satisfaction to the said Commissioners, or the Person or Persons who may contract with them, for the Damage so done; and such Damages, having been ascertained by such Justice or Justices, shall and may be levied and recovered from such Offender or Offenders in Manner hereinafter directed for the Recovery of Penalties incurred by virtue of this Act, and when received the same shall be paid to the Treasurer or Treasurers to the said Commissioners, or to the Person or Persons so contracting as aforesaid, as the Case may happen, to be applied for the Purposes of this Act.

Damages to be paid for Lamps accidentally broken.

XL. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, throw down, or otherwise destroy, deface, or damage any Lamp or Lamps which shall have been set up by, or by Order of the said Commissioners, or by the Person or Persons contracting with them as aforesaid, for the Purpose of lighting any Part of the said Town and Borough, or any Post, Pillar, Pilaster, Lamp Iron, Pipe, Cover, or other Furniture thereof, and shall not immediately upon Demand made by any Officer of the said Commissioners, make Satisfaction for the Damage done, then, and in every such Case, it shall be lawful for any Justice of the Peace in and for the said Town and Borough, upon Complaint to him thereof made, to summon before him the Party or Parties who shall be so charged with having done such Damage as aforesaid; and upon hearing the Allegations and Proofs on both Sides, or upon the Contempt in not appearing of the Party or Parties so complained of, to award such Sum or Sums of Money as the Damage proved on Oath before such Justice shall amount to; and in case of Refusal or Neglect to pay the Money so awarded within Five Days after Demand, then the same shall and may be levied and recovered from the Party or Parties so complained of in Manner hereinafter directed for the Recovery of Penalties incurred by virtue of this Act, and when received, the same shall be paid to the Treasurer or Treasurers of the said Commissioners, or to the Person or Persons so contracting as aforesaid, as the Case may happen.

Occupiers of Houses to cleanse Foot-paths.

XLI. And be it further enacted, That the several and respective Occupiers of Houses and Buildings in the several Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Borough, shall and they are hereby required to cause the several

Foot Pavements along the whole Length of their respective Houses and Buildings to be well and sufficiently swept and cleansed every *Tuesday*, *Thursday*, and *Saturday* in each and every Week in the Year, or oftener if the Commissioners shall think necessary, before Nine of the Clock in the Morning of each of the aforesaid Days; and in case of any Default in the Premises, every such Occupier so making Default shall forfeit and pay any Sum not exceeding Ten Shillings for each Default.

Commissioners may cleanse Footpaths and compound with Occupiers.

XLII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, and as they shall think proper, to compound by the Year, or otherwise, at their Discretion, with all or any of the Occupiers of Houses or Buildings within the said Town and Borough, for relieving the Person so compounding from the Burthen of sweeping and cleansing of any of the said Foot Pavements to which the said Occupiers would have been liable under the Provisions of this Act, at or for such Sum or Sums of Money as the said Commissioners shall think reasonable in that Behalf, upon Condition nevertheless that such Composition Monies shall always be paid in Advance; and such Compositions when so made shall, during the Existence thereof, protect the Occupiers so compounding from incurring any Penalty for neglecting to sweep or clean any of the said Foot Pavements.

Scavengers may be appointed to cleanse Streets.

XLIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby required from Time to Time to appoint and employ any proper Person or Persons to be and act as a Scavenger or Scavengers for cleansing the Streets, Lanes, Roads, Passages, and other public Places within the said Town and Borough, and for carrying all Dirt, Dust, Dung, Filth, and Soil away from the same, and from Time to Time to order and direct on what Days in every Week and at what Times the particular Streets, Lanes, Roads, Passages, and other public Places within the said Town and Borough shall be cleansed, and the Dirt, Dust, Dung, Filth, and Soil carried away therefrom, and how and in what Manner the same shall be carried away, and where the same shall be deposited, and to give such Orders and Directions to any such Scavenger or Scavengers as shall appear necessary to such Commissioners; or otherwise it shall be lawful for the said Commissioners from Time to Time to contract with any Person or Persons willing to act as such Scavenger or Scavengers for cleansing the said Streets, Lanes, Roads, Passages, and other public Places within the said Town and Borough, for carrying all Dirt, Dust, Dung, Filth, and Soil away from the same, at such Times and in such Manner as shall appear expedient to the said Commissioners.

Scavengers not performing Contracts.

XLIV. And be it further enacted, That if any Person or Persons who shall have entered into any Contract or Contracts with the said Commissioners for cleansing the Streets, Lanes, Roads, Passages, and other public Places within the said Town and Borough, or any of them, shall omit or neglect to perform, execute, and fulfil the Conditions of such Contract in every respect, according to the true Intent and Meaning thereof, every Person shall for every such Omission or Neglect forfeit

forfeit and pay any Sum not exceeding Ten Pounds, to be recovered by Information before a Justice of the Peace for the said Town and Borough in Manner hereinafter directed; or it shall and may be lawful for the said Commissioners, instead of proceeding by Information for the Recovery of the Penalty aforesaid, to commence and prosecute any Action or Actions against any such Person or Persons so contracting, for any Breach of such Contract.

For preventing Persons throwing Dirt, &c. into the Streets, &c.

XLV. And be it further enacted, That if any Person or Persons whosoever shall throw, cast, or lay, or cause to be thrown, cast, or laid, any Bricks, Stones, Dust, Dirt, Mould, Dung, Offal, Vegetables, or Refuse of Vegetables, broken Glass, broken Earthenware, China, or Pottery, Rubbish, Ashes, or other Filth whatsoever, into or on the Side of any Street, Lane, or other Passage or Place within the said Town and Borough (except as herein is excepted), every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; or if any Person or Persons whomsoever shall throw or cast any such Stones, Bricks, Dust, Dirt, Mould, Dung, Offal, Vegetables, or Refuse of Vegetables, Rubbish, Ashes, or other Thing whatsoever, into any Sewer, Drain, Sink, or Watercourse under the Direction of the said Commissioners within the said Town and Borough, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty not to extend to Rubbish occasioned by Buildings.

XLVI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to subject any Person or Persons to any such Penalty or Penalties for or on account of any Building Materials, Dirt, or Rubbish being laid or placed in any such Street, Lane, Road, Passage, or other public Place as aforesaid, in the Course of erecting, pulling down, altering, or repairing any Building or Buildings, so as there be full and sufficient Space left in or at the Side of the Street, Lane, Road, Passage, or public Place where such Materials, Dirt, or Rubbish shall be or be placed, for Carriages to pass and repass, and a sufficient Way to be kept clean for Foot Passengers by the Person or Persons laying or causing to be laid or placed such Materials, Dirt, or Rubbish as aforesaid, and so as a sufficient Light be at his or their own Expence set and maintained at the Place where such Materials, Dirt, or Rubbish shall be so laid or placed, from Sun-set to Sun-rise, to prevent any Accident to Passengers or Cattle, and so as such Materials, Dirt, or Rubbish be inclosed or fenced off in such Manner and within such Time as the said Commissioners shall by any Notice signed by their Clerk or Clerks, to be given to such Person or Persons, direct or appoint, and so as such Materials, Dirt, or Rubbish be removed at the Expence of the Person or Persons so laying or causing the same to be laid, within such Time as shall be expressed in any Notice in like Manner given by the said Commissioners.

No Ashes, &c. to be taken from Streets except by Scavengers.

XLVII. And be it further enacted, That no Person or Persons shall take or carry away, or cause to be taken and carried away, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, Drift, Filth, or Soil (other than Rubbish or Dirt occasioned by building as aforesaid), out of or from any of

of the said Streets, Lanes, Roads, Passages, or other public Places, except by the Person or Persons so to be by the said Commissioners appointed or contracted with as Scavenger or Scavengers for the Purpose of cleansing the same, upon Pain of forfeiting and paying any Sum not exceeding Five Pounds for every such Offence.

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

XLVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person or Persons from preserving and keeping any Soil, Dirt, Dust, Dung, Ashes, Cinders, Manure, Muck, Filth, or Rubbish which shall have arisen or have been made within his, her, or their Houses, Yards, or other Premises, or making use of, or selling or otherwise disposing of the same, so as such Soil, Dirt, Dust, Dung, Ashes, Cinders, Manure, Muck, Filth, or Rubbish be not laid down or placed in any Street, Lane, Passage, or Place within the said Town and Borough, but on Removal thereof be at once deposited in the Waggon, Cart, or other Carriage used for carrying away the same; and that no Person or Persons so reserving such Soil, Dirt, Dust, Dung, Ashes, Cinders, Manure, Muck, Filth, or Rubbish shall permit or suffer the same to remain on his, her, or their respective Premises, to the Annoyance of any of the Inhabitants, or of the Persons resorting to the said Town and Borough; and that every Person offending in any or either of the Matters aforesaid shall for every Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulation as to Fronts of Houses.

XLIX. And be it further enacted, That all Houses and Buildings in any of the present or future Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Borough, which hereafter shall be erected or built, or new-fronted or rebuilt, shall be made to rise perpendicularly from the Foundation thereof; and no Part of the Front of any ancient House or Building within any of the said Streets, Lanes, Roads, Highways, Passages, or other public Places, 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 present or future Streets, Lanes, Roads, Highways, Passages, and public Places, shall, on any Pretence whatsoever, be brought forwards beyond the old Foundation, without the Consent of the said Commissioners; and if any Person or Persons shall 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 other Building in the said present or future Streets, Lanes, Roads, Highways, Passages, or other public Places, or any of them, in any other Manner than so as to rise perpendicularly from the Foundation 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 nearer than Five Yards from the Centre of any new Street or Road which shall hereafter be laid out or made in the said Town and Borough, 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,

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or rebuilt contrary to the Directions of this Act, 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 Fourteen Days next after Demand in Writing made in that Behalf by the Clerk or Clerks to the said Commissioners, the same having been ascertained by some Justice or Justices of the Peace for the said Town and Borough, 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.

Compensation may be made to the Owners of Buildings agreeing to erect them in such Manner as shall be an Improvement to the Town.

L. Provided also, and be it further enacted, That for the Purpose of improving the said Town and Borough, and widening the said Streets, Lanes, Roads, Passages, and public Places, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, 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, Roads, Highways, Passages, and public Places in the said Town and Borough, 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 any Five or more of the said 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, so as that in any one Instance the Compensation or Satisfaction shall not exceed the Sum of Two hundred Pounds.

Directions for the Removal of Signs, &c.

LI. And be it further enacted, That the several and respective Occupiers of Houses and other Buildings situate in the several Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Borough, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the said Commissioners, signed by any Five or more of the said Commissioners, to cause all Signs, Sign Irons, Sign Posts, Barbers Poles, Stalls, Blocks, Bulks, Show Boards, Butchers Hooks, Spouts, and Waterpipes, which now are or hereafter shall be anywise affixed or set up, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances, by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Borough, to be taken

down, removed, and carried away, or otherwise altered or reformed, and to cause the Water from the Roofs, Cornices, and Penthouses of their respective Houses or other Buildings to be carried down by proper and sufficient Pipes to be fixed to and down the Sides of the same Houses or Buildings, 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, Barbers Pole, Stall, Block, Bulk, Show Board, Butchers Hook, Spout, or Waterpipe, which shall be so considered an Annoyance or Nuisance as aforesaid, to be taken down, removed, and carried away, or otherwise altered or reformed, and to cause the Water to be carried down from the Roof, Cornice, or Penthouse of any such House or other Building as aforesaid, 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 said Town and Borough, 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 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.

For removing future Projections.

LII. And be it further enacted, That the several Occupiers of Houses and other Buildings, situate in the several Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Borough, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Fourteen 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, to cause all and every the Penthouses, Porches, Sheds, projecting Windows, Palisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Frontsteads, Court Yards, 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, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances, by reason of their projecting into, or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Borough, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner

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ner 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 Penthouse, Porch, Shed, projecting Window, Palisade, Rail, Post, Fence, Step, Cellar Window, Hatchway, Frontstead, Court Yard, 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, and 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 Charging attending the same having been ascertained by some Justice or Justices of the Peace for the said Town and Borough, 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 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 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, 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.

Doors and Gates to open inwards.

LIII. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Town and Borough, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, from Time to Time within Fourteen 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, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their respective Occupations (and not being Cellar Doors or Trap Doors), which now do or shall hereafter open outwards, and into any of the Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Borough, to be altered, so as that the same Doors or Gates shall thenceforth open inwards and into their respective Premises; 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 Five Shillings a Day for every Day during which any such Gate or Door shall be suffered to remain opening outwards after the Expiration of the Time specified in such Notice: Provided nevertheless, that when the Occupier of any such House,

House, Building, Yard, Garden, or Land, 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 reasonable Charges of altering the same; and the Proprietor or Landlord of every such House, Building, Yard, Garden, or Land 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 such Occupier, 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.

Regulations as to Privies.

LIV. And be it further enacted, That if any Person or Persons shall hereafter empty, or cause to be emptied, any Privy or Necessary House within the said Town and Borough, or carry, or cause to be carried, any of the Soil thereof through any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Borough at any Time of the Year except between the Hours of Twelve of the Clock in the Evening and Four of the Clock in the Morning, or shall at any Time lay, spill, or cast, or cause to be laid, spilt, or cast, any of the Soil from any Privy or Necessary House, or any Night Soil, in or near any of the said Streets, Lanes, Roads, Highways, Passages, or other public Places, or shall erect or continue any Privy or Necessary House so as to annoy the Passengers passing along the same, every Person offending in any of the Cases aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Slaughter Houses, &c. to be removed if deemed Nuisances.

LV. And be it further enacted, That in case any Slaughter House, Hogsty, Necessary House, or other noisome or offensive Building or Place whatsoever, in or near any of the Streets, Lanes, Roads, Highways, Passages, or other public Places, shall (upon Complaint made to the said Commissioners by any of the Inhabitants residing therein) be by such Commissioners deemed a Nuisance to any such Inhabitant or Person, it shall and may be lawful to and for the said Commissioners, by Notice in Writing under the Hands of any Five or more of the said Commissioners, or under the Hand of their Clerk or Clerks for the Time being, to order any such Nuisance or Offence to be removed; and in case the same shall not be removed within Fourteen Days after such Notice given to the Person or Persons who ought to remove the same, or for or on whose Behalf the same is carried on, or left at his, her, or their last or usual Place of Abode, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremoved after the Expiration of the Time mentioned in such Notice: Provided always, that when any Person or Persons shall think himself, herself, or themselves aggrieved by such Order as aforesaid, shall give Notice to the said Commissioners or their Clerk of his, her, or their Intention to appeal against the said Order, and shall enter into Recognizance within the Time and in the Manner

Manner hereinafter mentioned and provided for 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 or liable to pay any such Penalty or Forfeiture 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.

For preventing Annoyances and Nuisances.

LVI. And be it further enacted, That if any Person or Persons shall beat any Drum, or use any other musical or noisy Instrument in any of the Streets or Lanes of the said Town and Borough, or shall parade the Streets of the said Town and Borough with Flags, or shall, by exposing Bears, Monkeys, Dogs, or other Animals, beg and endeavour to gather Alms, or shall, in any of the Streets or Lanes of the said Town and Borough, blow any Horn, or use any other noisy Instrument for the Purpose of hawking, selling, or distributing any Article whatsoever, or for the Purpose of making any Proclamation or convening any Meeting, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Exception for Music used at Processions of Benefit Society.

LVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Drums or other Musical Instruments used at the Annual Procession of any Benefit Society in the said Town and Borough, or to any Flags borne and carried at any such Procession, or to any Military Band or Musical Instruments used by Soldiers in His Majesty's Service while in Performance of their Duty, or in Obedience to the Commands of their Officers, or to any Musical Instruments or Flags used or borne in any of the said Streets with the Licence or Consent of the Mayor of the said Town and Borough for the Time being.

Exception for Town Crier.

LVIII. Provided also, That nothing herein contained shall extend or be construed to extend to the Public Crier of the said Town and Borough, appointed by the Mayor and Aldermen thereof, who may use a Bell or such other Instrument as may be thought proper for the Purpose of making such Proclamations as are usually made by him within the said Town and Borough.

For preventing Nuisances.

LIX. And be it further enacted, That if any Person or Persons shall in any of the present or future Streets, Lanes, Roads, Highways, Passages, or other public Places in the said Town and Borough, expose for Sale or sell any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, except in any public Market or Fair, or in such Place or Places as shall be appointed for that Purpose by the Mayor of the said Borough for the Time being, and the said Mayor is hereby required to appoint a convenient Place or Places, or expose or show any Stallion, except in such Place or Places as shall be appointed for that Purpose by the Mayor of the said Town and Borough for the Time being, or shoe, bleed, or farry any Horse or Beast (except in Cases of Accident), or clean or dress any Horse or other Beast, or exercise any Horse or Beast, or turn loose or suffer to be at large any Horse, Ass, Sheep, Bull, Cow, Swine, Goat, or other Beast, or any Bull Dog, Mastiff, or other ferocious Dog of any other Species, not being muzzled, or

permit or suffer any Dog whatsoever to go at large, after any public Notice given by the Town Crier or Bellman, by Order of the Mayor of the said Town and Borough, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of canine Madness, or ride on the Shafts of any Waggon, Dray, Cart, Sledge, or other Carriage, or on any other Part of such Waggon, Dray, Cart, Sledge, or other Carriage, or Part of a Carriage, or on any of the Horses, Asses, Mules, or Cattle drawing the same, without the Reins of such Horses, Asses, Mules, or Cattle being held, or be at such a Distance from the same as not to possess the complete Direction over the Horses, Asses, Mules, or Cattle drawing the same, or when driving any empty or unloaded Waggon, Cart, or other such like Carriage, shall refuse or neglect to turn the same aside and make Way for any Coach, Chaise, or loaded Carriage of any Description, or when driving any Waggon, Cart, Sledge, or other Carriage or Wheels, shall not readily and promptly turn the same out of the Road on meeting Horses and Carriages, so as to leave proper and sufficient Quarter for such Horses and Carriages, or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or drive the same against and injure or damage any Curb Stone, or Foot Pavement, or Causeway, or suffer any Waggon, Cart, Dray, or other Carriage to stand or remain with or without Horses longer than may be necessary for loading or unloading thereof, or suffer the same during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary, or suffer any Stage Coach, Diligence, Post Chaise, or other Carriage let to hire, to remain longer than may be necessary for the taking up or setting down of any Passenger or Passengers, or for loading or unloading their Baggage, or draw any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials (except the same be wholly in or on some Carriage), or make or repair any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose), or let off or fire any Musket, Gun, or Pistol, or other Fire Arms (except in case of Necessity for Self-defence), or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Fireworks, or play at Football, or any other Game or Games, to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers, or wilfully break, or abet or assist in wilfully breaking any Glass or Window Panes or Windows, or burn, dress, or cleanse any Cask, or hoop, or fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or throw, cast, lay, or place any Hay, Straw, Coals, Stones, Slates, Tiles, Lime, Bricks, Mortar, Timber, Boards, Iron, or other heavy Substance, (except Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building, or Dirt or Rubbish thereby occasioned, which shall be placed or enclosed in Manner mentioned in this Act, so as to prevent any Mischief happening to Passengers,) or any Dust, Dirt, Dung, Soil, Filth, Carrion, Blood, Offal, Refuse of Garden Stuff,

Stuff, or any Sort of Rubbish, or throw or cast any such Matters or Things, or any Rubbish, into any Common Sewer, Drain, Sink, or Watercourse, or throw or cast any Animal or Carcase, or any noxious or offensive Materials, Ingredients, Offal, or Filth, into any public or private Well, Pump, Canal, Pool, Watercourse, or Reservoir for Water, or common River or Brook, within the said Town and Borough, or hang up, place, or expose to Sale the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or any other Matter or Thing, in or upon, or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of the Window or Windows of the House or Shop at which the same shall be so hung up or placed or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage, or kill or slaughter, or singe, scald, or dress any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any Shop or other Place adjoining and exposed to any of such Streets, Lanes, Roads, Highways, Passages, or other public Places, or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter House, Shambles, Butcher's Shop, Hogsty, or Dunghill, or shall in any of the said Streets, Lanes, or other public Places or Passages within the said Town and Borough, sift, screen, wet, slack, or mix any Lime, or fix up any Flower Pot, or Bow Pot or Pots, at any Window or Windows, without sufficiently guarding the same, so as to prevent their being blown or thrown down, or leave open (after Sun-set) the Door, Hatchway, or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to any Cellar, Coalhole, Vault, Office, or other under-ground Room or Apartment, or of any Area, without having placed or left a sufficient Light to warn or prevent Persons from falling into such Cellars or other under-ground Rooms or Apartments, or Areas, or leave open, or not effectually fasten and secure any Grate, Stone, Plate, Board, or other Covering placed over any Opening in any Pavement, and used for putting Coals or other Articles into any Cellar or other Place under-ground, or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner, or bait or cause to be baited any Bull, Bear, or other Animal in any Part of the said Town and Borough, or commit any public Nuisance or Annoyance whatever within the said Town and Borough, or run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever, upon any Footway or Causeway, (except only for the Purpose of crossing such Footway or Causeway), or drag thereon any Timber or Log of Wood, or any Stone or Metal, or roll thereon any Cask or Tub, (other than for the necessary loading or unloading thereof), into, upon, from, or out of any Cart or Carriage, or set or place thereon any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Barrel, Box, Pail, Bucket, Stool, Bench, or Stall, or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, or so as in any way to cause any Obstruction or Impediment in any such Footway or Causeway, or slide upon any such Footway or Causeway, or by standing loitering or remaining on any such Footway or Causeway (without some

some reasonable or good and sufficient Cause), or in any other Manner obstruct or incommode, hinder or prevent the free Passage of any such Footway or Causeway, or prejudice, insult, jostle, or annoy any Person or Persons travelling, passing, or going thereon, or throw, cast, lay, or sift any Ashes (except in the Time of Frost only, and to prevent Accidents), or wilfully ride, lead, or drive on any Footway or Causeway any Horse, Mule, Ass, Swine, or other Beast or Cattle of any Kind whatsoever, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, drawing, or leading, to go thereon, or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway, each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing aforesaid, as the Case may be, in any of such Cases where the Person actually offending cannot be found or discovered, or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Beasts wandering in the Streets may be impounded.

LX. And be it further enacted, That if any Horse, Ass, Bull, Sheep, Cow, Swine, Goat, or other Beast shall at any Time be found wandering about any of the Streets, Ways, Lanes, Passages, or Places within the said Town and Borough, it shall be lawful for any Officer or Officers to be appointed by the said Commissioners, or for any of the Inhabitants residing in the same Town and Borough, to seize and impound such Horse, Ass, Bull, Sheep, Cow, Swine, Goat, or other Beast in such Place as the said Commissioners shall appoint, and the same there to detain until the Owner or Owners thereof shall for each Beast, or any other Animal so impounded, pay a Sum of Money not exceeding Ten Shillings to the Treasurer for the Time being to the said Commissioners, towards the Purposes of this Act, and also a Sum of Two Shillings and Sixpence to the Person impounding the same, besides the reasonable Charges and Expences of impounding and keeping; and in case the said Sums, Charges, and Expences shall not be paid within Three Days after such impounding, it shall be lawful for the Person who shall be appointed by the said Commissioners for that Purpose, to sell or cause any such Beast or other Animal to be sold, but previous to such Sale Seven Days Notice shall be given to or left at the Dwelling House or Place of Abode of the Owner or Owners of such Beast or other Animal so impounded, of such Sale, if known, or if not known, then such intended Sale shall be advertised in some Newspaper usually circulated in the said Town and Borough; and the Money arising from such Sales, after deducting the said Sums, and the Charges and Expences aforesaid, and such other Charges and Expences as may attend the keeping and Sale of any such Beast so impounded, shall be paid to the said Treasurer, to be by him paid, on Demand, to the Person or Persons whose Property the Beast so sold shall appear to have been.

Punishing Persons guilty of Pound-breach.

LXI. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cow, Horse, Ass, Swine, or other Live Stock or Cattle which shall be seized for the Purpose of being

being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release or shall attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Swine, or other Live Stock or Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law; every Person so offending shall upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County or Place where the Offence shall have been committed, either upon Confession of the Party or Parties offending, or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the said Town and Borough, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Unwholesome Meat may be destroyed.

LXII. And be it further enacted, That it shall be lawful for the Clerk of the Markets of the said Borough, and he is hereby authorized and required to seize all unwholesome Flesh Meat which shall be brought into or offered for Sale within the said Markets, and to carry the same before a Justice of the Peace for the said Borough; and such Justice is hereby authorized and empowered, in case such Flesh Meat shall be by him deemed to be unwholesome, to order the same to be publicly destroyed.

Power to employ Watchmen.

LXIII. 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 they shall think it expedient, to provide and set up Watchhouses and Watchboxes in such Situations as they shall judge proper and expedient, in any of the Streets, Lanes, Roads, Highways, Passages, and other public Places of the said Town and Borough, and on the Wharfs and Shipping Places within the same, and to employ such and so many Watchmen and Night Patrols as they shall think expedient and necessary to be employed for the Security and good Order of the said Town and Borough, and such Watchmen and Night Patrols from Time to Time to remove and displace, and to appoint others in their Stead, and also to order and direct how many of the said Watchmen and Patrols shall attend nightly, and how they shall be armed, and at what Stations they shall be placed, and for what Number of Hours they shall watch, and how often they shall go their Round; and the said Commissioners are hereby empowered to make such further Orders and Regulations from Time to Time, for the better Government and Direction of the said Watchmen and Patrols, as the Nature of their Services shall require.

Duties of Watchmen.

LXIV. And be it further enacted, That the said Watchmen and Night Patrol shall exert themselves in the Prevention of Fires, and also of Murders, Burglaries, Robberies, and other Outrages, Disorders, and Breaches of the Peace, and they are hereby required and empowered

to apprehend all Felons, Malefactors, Vagrants, Night Walkers, Disorderly Persons, and Disturbers of the Peace, and all suspected Persons who shall be found wandering or misbehaving themselves within the said Town and Borough during the Hours of keeping Watch, and to lodge them in a Watchhouse or other Prison, or Place of Security, to be there detained until they can conveniently be carried before some Justice of the Peace for the said Town and Borough, to be examined and dealt with according to Law; and all such Watchmen and Night Patrols are hereby respectively vested with such and the same Powers, Authorities, Privileges, and Protections, as Constables are invested with and entitled to by Law.

Penalty on Persons harbouring Watchmen.

LXV. And be it further enacted, That if any Victualler, Alehouse Keeper, or other Person selling Ale, spirituous or other Liquors, shall harbour in his or her House or Outhouse any Watchman or Night Patrol during any of the Hours appointed for his Attendance on Duty, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Commissioners to return to Justices Persons to be appointed Constables.

LXVI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to nominate and return to any Two or more of the Justices of the said Town and Borough of *Newport*, such and so many Persons as they shall respectively think necessary, for the Purpose of preventing or discovering Thefts, Frauds, and other Offences and Disorders in the said Town, Port, and Borough of *Newport*; and it shall be also lawful for the said Justices, or any Two or more of them, to appoint such Person or Persons, so to them returned, to be Constables for the Purposes aforesaid; and all and every the Person and Persons so appointed Constables by the said Justices, or any Two of them, shall respectively take an Oath, to be administered by any of the said Justices, duly to execute their respective Offices; and each of such Persons, being so appointed and sworn as aforesaid, shall have Power to act within the said Town, Port, and Borough of *Newport* as a Constable, for apprehending all Offenders, as well by Night as by Day, and doing all Acts, Matters, and Things for the Prevention, Discovery, and Prosecution of all Felonies, Frauds, Embezzlements, and other Offences, and the Protection of Property, the Preservation of the Peace, and the Prevention of Disturbances, for the Apprehension of all Vagrants, Malefactors, and other disorderly Persons who shall be found loitering or misbehaving themselves, or committing any Disorders or Offences within the said Town, Port, and Borough; and for executing the Warrants, Precepts, and Commands of the said Justices for the said Town, Port, and Borough, or any of them, the said Constables shall have, use, exercise, and enjoy all such and the like Powers, Authorities, Privileges, Protections, and other Advantages, as Constables duly appointed now have or shall or may have by the Laws and Statutes of this Kingdom; and it shall be lawful for the said Commissioners to suspend or dismiss any such Constable or Constables who may be negligent or remiss, or be guilty of any Misconduct in the Exercise of his or their Office, or otherwise unfit for the same, and to appoint any other in his or their Room in Manner aforesaid; and upon every such Dismission, all Powers, Privileges, Authorities, Protections, or Advantages vested in any such Person

so dismissed, by virtue of any such Appointment as aforesaid, shall wholly cease and determine.

Allowance to Constables and Watchmen.

LXVII. And be it further enacted, That the said Commissioners shall and may pay the said Watchmen or Night Patrol so to be appointed by them, and the said Constables so to be returned and sworn as aforesaid, such Salaries and Allowances as they may think fit and reasonable, and any reasonable Rewards and Allowances to any Watchman, Night Patrol, or Constable who may be disabled or hurt in the Performance of his Duty as Watchman, or Night Patrol, or Constable, or may, by reason of Age and long Service as such Watchman, Night Patrol, or Constable, become unable to perform his Duty.

Penalty for Neglect of Duty.

LXVIII. And be it further enacted, That if any Watchman or Night Patrol shall not attend in his respective Turn of Service to keep Watch at the Hour appointed, or shall cease keeping Watch during the several Hours appointed, or if any such Watchman or Night Patrol, or any Constable so to be appointed and sworn as aforesaid, shall refuse or neglect to arrest any Night Walker, Felon, Malefactor, Vagrant, Disturber of the Peace, or other disorderly or suspected Person, or shall not observe the Rules, Orders, and Regulations of the said Commissioners, or shall in any other Manner neglect his Duty or misbehave, or if any such Constable shall refuse or neglect to execute and perform the Warrants, Precepts, and Commands of any Justice of the Peace for the said Town and Borough, such Watchman, Night Patrol, or Constable so offending, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and shall also, if the Commissioners think fit, be dismissed from his Employment.

Penalty for firing Chimnies.

LXIX. And be it further enacted, That if any Person or Persons shall wilfully set fire to, or cause, permit, or suffer the Chimney of any House, Workshop, Outhouse, or other Building in the said Town and Borough to be on fire, the Person setting fire to the same, or the Owner or Occupier of every such House, Workshop, Outhouse, or other Building, or of any Part or Parts thereof, where such Fire shall commence or happen, shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Respecting Fire Engines.

LXX. And be it further enacted, That it shall be lawful for the said Commissioners to contract with any fit Person from Time to Time to keep the Fire Engine belonging to the said Town and Borough of *Newport*, with the Pipes, Buckets, or other Things belonging thereto, in good working Repair and Order; and it shall also be lawful for the said Commissioners from Time to Time to purchase any new Engine or Engines, Pipes, Buckets, or other Things belonging thereto, which they shall consider necessary for the Use of the said Town and Borough, and to pay and defray all Costs and Expences attending the same respectively out of the Rates to be levied and raised by virtue of this Act.

Commissioners may enter into Contracts.

LXXI. 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 they may think proper, for paving, repairing,

ing, amending, cleansing, widening, fencing, improving, and watching the several Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Borough, or any of them, or for doing any other of the Works by this Act authorized to be done relating thereto, or for furnishing any Materials, Labour, or other necessary Matters and Things whatsoever for the Performance thereof, or for any other of the Purposes of this Act, with any Person or Persons who shall be willing to undertake and engage in the same: Provided always, that no such Contract or Contracts shall be made for a longer Term than Three Years from the making thereof, and that before any such Contract or Contracts shall be entered into, Fourteen Days Notice at the least shall be given in some Newspaper or Newspapers circulated in the said County of *Monmouth*, expressing the Purpose or Purposes of the Contract or Contracts intended to be made, in order that Persons willing to undertake the same may make Proposals to the said Commissioners, at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works are to be completed, together with the Penalties to be incurred in case of Nonperformance thereof, and the same shall be signed by the said Commissioners or any Five or more of them, and also by the Person or Persons contracting to perform such Works respectively, and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk or Clerks of the said Commissioners.

Composition for Breach of Contract.

LXXII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person or Persons, or Body or Bodies Politic or Corporate, who shall have entered into any Contract or Contracts with the said Commissioners, in pursuance or under the Authority of this Act, for any Penalty or Penalties contained in any such Contract or Contracts, or in any Bond or Bonds, or other Security or Securities, for such Sum or Sums of Money, or other Recompence, as the said Commissioners shall think proper.

Commissioners exempt from personal Responsibility in Contracts.

LXXIII. And be it further enacted, That nothing in this Act, or in any Deed, Lease, Contract, or other Instrument hereby authorized to be entered into or made by the said Commissioners for executing this Act, or any of them, shall extend to charge the Persons of all or any of the Commissioners executing any such Deed, Lease, Contract, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, or any of them, or their or any of their own proper Lands and Tenements, Goods and Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Deed, Lease, Contract, or other Instrument contained on the Part of the same Commissioners, or any of them, but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or Equity against them the said Commissioners, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such Lease, Deed, Contract, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges,

Charges, Damages, and Expences which the said Commissioners, or any of them, shall pay, bear, expend, or be put to, or which shall be occasioned to them, for or by reason or means of any such Deed, Contract, Agreement, Lease, or other Instrument therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised, or to arise or be received by virtue of this Act.

Commissioners may purchase other Hereditaments.

LXXIV. And be it further enacted, That the said Commissioners shall or may, and they are hereby authorized and empowered at any Time or Times to contract and agree with the Owner or Owners of any Messuages, Buildings, Lands, Grounds, Tenements, or Hereditaments whatsoever, situate within the said Town and Borough, for the absolute Purchase thereof, or of any Part or Parts thereof which the said Commissioners shall think proper and necessary to be purchased, for the Purposes of this Act as aforesaid, at or for such Prices as shall be mutually agreed upon for the same.

Form of Conveyance.

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

'I, [*or* we, *as the Case may be*],
'of in Consideration of the Sum
'of paid to me, [*or* to us, *as the Case be*],
'by the Commissioners acting under the Authority of an Act passed
'in the Seventh Year of the Reign of King *George* the Fourth,
'intituled [*here insert the Title of this Act*], do hereby grant and con-
'vey unto the said Commissioners all [*here describe the Premises to*
'*be conveyed*], and all my [*or* our] Right, Title, and Interest in and
'to the same, to hold the same for the Uses and Purposes of the said
'Act unto the said Commissioners and their Successors from hence-
'forth for ever. In Witness whereof I [*or* we] have hereunto set
'my Hand and Seal, [*or* our Hands and Seals, *or* our Common Seal,
'*as the Case may be*,] this Day of
'in the Year of our Lord .'

And that every such Sale, Conveyance, and Assurance, made in Manner 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, Buildings, Lands, Tenements, or Hereditaments so purchased and conveyed as aforesaid, in the said Commissioners for the Time being, for the Uses and Purposes of this Act, any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding.

Property purchased to vest in Commissioners.

LXXVI. And be it further enacted, That from and immediately after actual Payment being made of the Monies contracted and agreed to be paid by the said Commissioners as the Purchase Money or Recompence for any Messuages, Lands, Buildings, Tenements, or Hereditaments which shall be purchased by the said Commissioners

by virtue or in pursuance of this Act, to the Person or Persons, Party or Parties respectively entitled to receive the same Monies, all and every the Messuages, Buildings, Lands, Tenements, and Hereditaments, for or in respect whereof such Monies shall have been so paid, shall absolutely vest in the said Commissioners for the Purposes as aforesaid of this Act, and the said Commissioners for the Time being shall be deemed in Law to be in the actual Possession thereof to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Power to pull down Buildings.

LXXVII. 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 all and every the Messuages and other Buildings 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 of the Part or Parts of the Sites thereof, and any other Land and Ground to be purchased or taken under the Powers and for the Purposes of this Act, to be added or laid to or into and made Part of any of the Streets, Lanes, Roads, Passages, or other public Places within the said Town and Borough, for the Purpose of widening or otherwise improving the same, or for making any Communication or Communications between any of the Streets, Lanes, Roads, Passages, or other public Places within the said Town and Borough, in such Manner as the said Commissioners shall think proper; and that it shall be lawful for the said Commissioners to cause all or any of the Materials of the several Messuages or other Buildings, or Parts of Messuages or Buildings 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 Buildings and of such Sale, shall be applied and disposed of for or towards the general Purposes of this Act.

The Word 'grant' to operate as a Covenant.

LXXVIII. And be it further enacted, That 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 and 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 the 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.

LXXIX. And

Power to re-sell Premises not wanted.

LXXIX. And be it further enacted, That it shall 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, or any Five or more of them, are hereby authorized and empowered to make and execute any Conveyances 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 and intended to be granted or demised 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 to the general Purposes of this Act; but the Purchasers thereof, having paid his, her, or their Purchase Money to the Treasurer or Treasurers of the said Commissioners, and obtained his or their Receipt or Receipts for the same, shall not be liable to see to the Application of the said Monies, or answerable or accountable for the Misapplication or Nonapplication of the same.

Rates.

LXXX. And for raising Money to enable the said Commissioners to defray the Expences attending the obtaining of this Act, and to carry into Execution the Purposes thereof, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required to raise and levy annually such Sum or Sums of Money as shall from Time to Time be necessary, by One or more Rate or Assessment, Rates or Assessments, to be made and levied upon the Tenants or Occupiers of the several Houses, Shops, Warehouses, Wharfs, Shipping Places, Towing Paths, Canals, Tram Roads, Offices, Cellars, Vaults, Founderies, Furnaces, Steam and other Mills, Stables, Coach Houses, Counting Houses, Warehouses, Granaries, and other Buildings, Erections, Works, Lands, Tenements, and other Hereditaments within the said Town and Borough of *Newport*, according to the Annual Value of the same respectively, not exceeding in the whole in any One Year the Sum of One Shilling and Three Pence in the Pound upon such Annual Rent or Value, such Annual Rent or Value to be from Time to Time ascertained, settled, and fixed in such Manner as the said Commissioners shall direct or appoint; and the Monies to be raised and assessed as aforesaid shall from Time to Time be paid Quarterly or otherwise, as the said Commissioners shall think fit, by the Tenants or Occupiers of such respective Premises to the Collector or Collectors of the Rates to be appointed as directed by this Act, and the Money so collected shall be paid over by such Collector or Collectors into the Hands of such Person or Persons, and at such Times as the said Commissioners shall appoint, and the said Rates and Sums of Money shall be and are hereby vested in the said Commissioners.

To appoint Assessors.

LXXXI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time

Time to Time, by Warrant under the Hands and Seals of any Three or more of them, to appoint Two or more Inhabitants of the said Town and Borough of *Newport*, liable to serve Parish Offices there, and not being of the Number of the said Commissioners, to be Assessors, for any Period not exceeding Two Years from the Time of their Appointment, of the several Rates or Assessments hereinbefore authorized to be made; and such Persons so from Time to Time appointed Assessors are hereby empowered and required to make and assess all such Rates and Assessments as shall be ordered and directed by the said Commissioners upon all Occupiers of Houses, Shops, Warehouses, Wharfs, Shipping Places, Offices, Cellars, Vaults, Founderies, Furnaces, Steam and other Mills, Stables, Coach Houses, Counting Houses, Brew Houses, Granaries, Calenders, and all other Buildings, Erections, Works, or Tenements, Gardens, Yards, Orchards, Paddocks, and other Conveniences, Tenements, and Hereditaments within the said Town and Borough which shall be liable to be rated under the Directions of this Act, such Assessors being previously sworn before any Justice of the Peace for the said Town and Port, (who is hereby authorized to administer the Oath in that Behalf,) truly, faithfully, and impartially to make such several Rates or Assessments: Provided nevertheless, that no Rate or Assessment to be made by virtue of this Act shall be valid or of any Force or Effect until the same shall be allowed, confirmed, and signed by Three or more of the said Commissioners; and after the said several Rates or Assessments shall respectively have been so made, allowed, confirmed, and signed as aforesaid, the same shall and may respectively be demanded, collected, levied, raised, recovered, and received by such Collector or Collectors as the said Commissioners by their Warrant, under the Hands and Seals of any Three or more of them, shall from Time to Time appoint for that Purpose, and who are hereby respectively invested with full Power and Authority to demand, collect, levy, raise, recover, and receive the same; and if any Person who shall be appointed an Assessor or Collector of the said Rates or Assessments, or any of them as aforesaid, shall refuse or neglect to take upon himself such Office within Seven Days next after Notice in Writing of such Appointment, without assigning some reasonable Cause to be allowed by the said Commissioners for his Refusal, or if such Person who shall be so appointed as an Assessor or Collector shall refuse to be sworn, or being a Quaker to affirm, faithfully, truly, and impartially to execute such Office, every Person so neglecting or refusing shall for every such Neglect or Refusal forfeit and pay the Sum of Ten Pounds: Provided nevertheless, that no Person shall be obliged to serve the said Office of Assessor or Collector for a longer Period than Two Years together, nor be liable to be appointed to either of the said Offices within Two Years next after his having served the same, or paid the said Penalty as aforesaid, and that no Person above the Age of Sixty Years shall be compellable to serve or undertake the said Offices of Assessor or Collector as aforesaid.

Assessors to attend the Commissioners when re-

LXXXII. And be it further enacted, That such Assessor or Assessors shall appear at such Time and Place as the said Commissioners shall by Writing, signed by any Three or more of them, order and appoint, and shall

shall then and there produce and deliver to the said Commissioners Two Copies or Duplicates of such Rates or Assessments, made and subscribed by such Assessor or Assessors, and shall from Time to Time, upon reasonable Notice to him or them given by the said Commissioners, attend the said Commissioners at any of their Meetings, and shall then and there explain any such Rates or Assessments.

quired with Duplicates of Assessments.

LXXXIII. Provided always, and be it further enacted, That no Person shall pay the several Rates or Assessments which shall be made by virtue or in pursuance of this Act, who shall occupy a House or Houses within the said Town and Borough of less than the Yearly Value of Ten Pounds; and no Rate or Assessment shall by virtue of this Act be payable by any Person, who by reason of his or her own Poverty only is or shall be excused from paying any Rate made for the Relief of the Poor of the said Town and Borough.

Exemptions from Rates.

LXXXIV. And be it further enacted, That where any House shall be divided into or let into Two or more separate Apartments, Stories, or Tenements, and shall be occupied or inhabited by different Persons or Families, the same shall nevertheless be subject to the several Rates and Assessments granted by this Act, and the Landlord or Proprietor, or Lessee of every such House, shall be assessed to and pay the Rates and Assessments in respect of such House, in such and the like Manner as if he or she were the actual Occupier thereof.

Where Houses are let in separate Tenements or Apartments, the Landlord shall pay the Rates.

LXXXV. Provided always, and be it further enacted, That every Person receiving or claiming the Rent of any House, Building, Tenement, or Hereditament, for his or her own Use, or for the Use of any Corporation Aggregate, or of any Landlord or Lessor who shall be a Minor, under Coverture, or insane, or for the Use of any Person who shall not be resident at the Time such Rates shall become due within Twenty Miles of the Town and Borough aforesaid, shall for the Purposes aforesaid be deemed and taken to be the Owner or Lessor of such Premises, and shall be rateable in respect thereof.

Person receiving Rent to be deemed Owner.

LXXXVI. And be it further enacted, That in all Cases where any Person or Persons shall have removed from or quitted any House, Building, or other Property, for and in respect of which he, she, or they shall have been rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay a Portion of the Rates or Assessments to which such Person or Persons would have been subject to or chargeable with in case he, she, or they had not removed from or quitted the same, in proportion to the Time he, she, or they shall have continued to occupy the same; and in all Cases where any Person or Persons shall enter into the Occupation of any House, Building, or other Property liable to be rated by virtue of this Act, out of or from which any other Person or Persons who shall have been rated or assessed for the same shall have removed, or which at the Time of making such Rates or Assessments was or were empty or unoccupied, the Person or Persons so entering into the Occupation of the same shall be liable to pay a Portion of such Rates or Assessment in the Proportion to the Time during which he, she, or they shall occupy the same, in like Manner as if he, she, or they had been originally rated or assessed for such

Apportionment on Change of Tenants.

House, Building, or other Property, all which respective Portions, in case of Dispute, shall be settled and ascertained by the said Commissioners, or any Justice of the Peace acting in or for the said Town and Borough, on the Application of any Parties interested therein.

Collectors to pay over Monies received by them to the Treasurer.

LXXXVII. And be it further enacted, That the said Commissioners shall from Time to Time, as soon as may be after such Rate or Assessment shall be made, allowed, and signed as aforesaid, cause a Duplicate thereof, signed by them as aforesaid, to be delivered to the said Collector or Collectors; and such Collector or Collectors is and are hereby authorized and required to collect the same accordingly, and also once at least in every Month, or oftener if required so to do by the said Commissioners by Writing signed by their Clerk or Clerks for the Time being, to pay the Money so to be collected or received to the Treasurer or Treasurers for the Time being of the said Commissioners, or to such Person or Persons as the said Commissioners shall appoint to receive the same, to be applied to and for the Uses and Purposes hereinbefore mentioned; and all and every such Collector or Collectors shall and is and are hereby required, at the Time of making every such Payment of Money as aforesaid, to deliver to the Person or Persons empowered to receive the same, true and exact Accounts of all Sums of Money received by them respectively, and also of all such Sums of Money, Rates, or Assessments, if any, which shall remain uncollected, together with the Reason why the same have or hath not been collected, to the End that it may appear whether such Nonpayment or Noncollection happened through the Insolvency of the Person or Persons rated, or through the Default of the Collector or Collectors; and no such Collector or other Officer acting in the Execution of this Act (except the Treasurer), shall at any Time retain in his or their Hands any Sum arising from such Collection for a longer Period than Three Days, upon Pain of forfeiting to the said Commissioners the Sum of Twenty Shillings *per* Day as long as he shall retain the same.

Assessors and Collectors overrating or misbehaving subjected to a Penalty and Dismissal.

LXXXVIII. And be it further enacted, That if any Assessor or Assessors, Collector or Collectors, shall wilfully overrate any Person or Persons, or collect more than the respective Sum or Sums which shall have been rated or assessed as aforesaid, or shall otherwise misbehave himself or themselves in his or their respective Office or Offices, he or they shall, for every such Offence or Misbehaviour, forfeit and pay any Sum not exceeding Five Pounds, and also be discharged from his or their respective Office or Offices, if the said Commissioners shall think fit.

Power to inspect Poor's Rate and Land-Tax Books.

LXXXIX. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered from Time to Time, when and as they shall think fit, to inspect and examine any of the Books or Assessments of Rates for the Relief of the Poor of the said Town and Borough of *Newport*, or any of the Books of Assessments of the Land Tax, and to cause Copies or Extracts of or from such Books or Assessments, or any Part thereof, to be taken without Fee; and if any Person or Persons in whose Custody or Power any of the said Books or Assessments shall be shall refuse or neglect to

to permit and suffer the said Commissioners, or any of them, at all seasonable Times, to examine such Books or Assessments, or cause Copies or Extracts thereof to be taken, then and in every such Case such Person who shall so refuse or neglect shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Commissioners may amend Rate.

XC. And be it further enacted, That if any such Assessor or Assessors shall at any Time or Times hereafter, in any Rate or Assessment by him or them to be made by virtue or in pursuance of this Act, neglect or omit to rate or assess any Person or Persons liable to pay such Rate or Assessment, or shall in any such Rate or Assessment underrate or overrate any Person or Persons liable to pay any such Rate or Assessment, then and in every such Case it shall be lawful for the said Commissioners to rate and assess in the said Rate or Assessment such Person or Persons so omitted to be rated or assessed, and to raise or reduce such Person or Persons so underrated or overrated, or otherwise to amend such Rate or Assessment in such Manner as to the said Commissioners shall seem just and reasonable; and the said Commissioners shall and may, and they are hereby empowered to strike out the Name or Names of any Person or Persons whom they shall determine to be not liable to the Payment of the Rates hereby directed respectively to be raised; and that all such Additions to or Alterations in any Rate or Assessment shall be valid and effectual to all Intents and Purposes whatsoever.

Power of Recovery of Rates.

XCI. And be it further enacted, That if any Person or Persons shall neglect or refuse to pay any Sum or Sums of Money on him or them respectively rated or assessed by virtue of this Act to the Collector or Collectors for the Time being of such Rates or Assessments, to be appointed by the said Commissioners, for the Space of Seven Days next after a personal Demand made thereof by such Collector or Collectors, or any of them, or a Demand in Writing under the Hand or Hands of any such Collector or Collectors, left at the last or usual Place or Places of Abode of such Person or Persons, or on the Premises for which such Person or Persons shall be rated or assessed, or any Part thereof, then and in every such Case it shall be lawful for such Collector or Collectors, or any of them, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said Town and Borough of *Newport* (which Warrant or Warrants the said Justice or Justices is and are hereby authorized and required to grant upon due Proof on Oath or Confession made before him or them of the Demand and Nonpayment of such Rates or Assessments), with the Assistance of some Constable or other Peace Officer, to enter into any Dwelling Houses, Buildings, Lands, Tenements, or Hereditaments in the Occupation of the Person or Persons so neglecting or refusing to pay such Rates or Assessments, and there or elsewhere to distrain the Goods and Chattels of such Person or Persons, and the Goods and Chattels so taken to impound, keep, and detain; and if the full Amount of the Monies so distrained for shall not be paid within Seven Days next after such Distress being made, together with the Costs and Charges incurred about the same, then and in every such Case such Collector or Collectors is and are hereby authorized to sell the Goods and Chattels so distrained,

distrained, or such Part or Parts thereof as will be sufficient to pay the said Rates or Assessments, together with the Costs and Charges of the said Warrant, and of making, keeping, and selling such Distress, returning the Overplus, if any, of the Money arising by such Sale to the Owner or Owners of such Chattels on Demand; and in case sufficient Goods and Chattels belonging to such Owner or Owners to make Payment of such Rates and Assessments and such Costs and Charges as aforesaid cannot be found, and the same or any Part thereof shall remain unpaid, then and in every such Case it shall be lawful to and for the said Commissioners to recover any such Rates or Assessments by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed.

Recovery of Rates from Persons removing.

XCII. And whereas it may happen that many Persons liable to and who may be rated and assessed under this Act, may, before the Payment of the Sum which may be rated on them respectively, quit and leave their Grounds, Dwelling Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and remove out of the said Town and Borough of *Newport*; be it therefore further enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit or be about to quit his or their Lands, Grounds, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he, she, or they shall have paid such Rate or Rates, Assessment or Assessments as may be then due, and shall refuse to pay the same when demanded by the Collector or Collectors authorized and appointed by virtue of this Act to receive the same, then and in every such Case it shall be lawful for the said Collector or Collectors, or any One of them, (Oath or Affirmation having been made by him or them before some Justice of the Peace for the said Town and Borough of *Newport* that he or they hath or have Cause to suspect that such Person or Persons is or are removing, or hath or have removed his, her, or their Goods and Chattels,) by Warrant under the Hand and Seal or Hands and Seals of any One or more of His Majesty's Justices of the Peace in and for the said Town and Borough, which Warrant such Justice or Justices is or are hereby authorized and required to grant immediately, and in case such Person or Persons shall have removed, such Warrant being backed and countersigned by some Magistrate of the County, Riding, City, or Liberty to which such Person or Persons shall have removed (which Warrant such Magistrate is hereby required to back or countersign), to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the said Rates or Assessments, or any of them, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, upon Demand, to the Owner or Owners of such Goods and Chattels respectively.

Power of Appeal against Rates.

XCIII. 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, such Person or Persons

Persons having first paid such Rate or Assessment, shall or may apply for Relief in the Premises to the said Commissioners at their First or Second Meeting to be holden next after he, she, or they shall have paid the same; and the said Commissioners are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Order or Determination thereupon, then such Person or Persons may appeal against such Order or Determination to the General Quarter Sessions of the Peace for the said County of *Monmouth*, or some Adjournment thereof, within the Time and in Manner hereinafter directed in that Behalf.

Rates may be inspected, and Copies thereof demanded.

XCIV. And be it further enacted, That Duplicates of all Rates and Assessments made and assessed by virtue of this Act shall be deposited with the Clerk or Clerks of the said Commissioners, who shall permit any Person rated by virtue of this Act, or any Creditor on any of the said Rates or Assessments, to inspect the same at all seasonable Times, without Fee or Reward; and such Clerk or Clerks shall, within Three Days after Demand, deliver a true Copy of such Rates or Assessments, or any of them, or 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.

Power to mortgage Rates.

XCV. And for the more speedily enabling the said Commissioners to discharge the Costs, Charges, and Expences of and attending and incident to the obtaining and passing of this Act, and executing the several Powers therein contained, 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 so often as they shall think it expedient, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Two thousand Pounds upon the Credit of the said Rates or Assessments hereby authorized to be made and collected, and by this Act placed under the Management of the said Commissioners, and by any Writing or Writings under the Hands and Seals of the said Commissioners, or any Three or more of them, to mortgage, grant, or assign the same Rates or Assessments, or any Part or Parts thereof, to the Person or Persons who shall lend or advance such Money, or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with the lawful Interest for the same; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Commissioners out of the Money so borrowed; and every such Mortgage or Security shall be in the Words or to the Effect following; (that is to say,)

'BY virtue of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*], We, whose Names and Seals are hereunto subscribed and set, being Three of the Commissioners acting in the Execution of the said Act, in Consideration of the Sum of

' advanced and lent by upon the Credit and ' for the Purposes in the said Act set forth, and paid by him [*or* her, ' *or* them, *as the Case may be*,] to the Treasurer of the said Commis- ' sioners, do hereby grant and assign unto the said ' [*or*, to his, her, or their Trustee or Trustees, *as the Case may be*], ' his [her *or* their] Executors, Administrators, and Assigns, such ' Proportions of the Rates or Assessments authorized by the said ' Act to be raised, levied, and collected, as the said Sum of doth or shall bear to the whole ' Sum to be borrowed upon the Credit of the same Rates or Assess- ' ments, to be had and holden from the Day of the Date of these Pre- ' sents, until the said Sum of with ' Interest for the same after the Rate of *per* ' *Centum per Annum* shall be fully paid and satisfied. In witness ' whereof we have hereunto set our Hands and Seals the ' Day of in the Year of our Lord .'

And all such Mortgages or Securities shall be numbered, commencing with Number One, and so proceeding in an arithmetical Progression ascending, whereof the common Excess and Difference shall always be One; and every such Mortgage or Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Payment thereof.

Power of transferring Mortgages in a prescribed Form.

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

' I being entitled to the Sum of ' secured to me, my Executors, Administrators, and Assigns, ' by virtue of an Assignment bearing Date the Day of under the Hands and Seals of Three of ' the Commissioners acting in Execution of an Act passed in the ' Seventh Year of the Reign of King *George* the Fourth, intituled ' [*here set forth the Title of this Act*] upon the Credit of the Rates or ' Assessments authorized to be raised and collected by virtue of the ' said Act, do hereby transfer all my Right and Title in and to the ' same Sum, and all Interest and other Money now due and owing ' thereon, or hereafter to become due for the same, unto ' his Executors, Administrators, and Assigns. Dated ' the Day of in the Year of our Lord .'

No Preference in Payment of Mortgages.

XCVII. And be it further enacted, That the several Persons to whom any such Mortgage shall have been made, shall be severally entitled to their respective Quota of the said Rates and Assessments respectively, in proportion to the Annual Amount of the Interest of the Monies borrowed on Mortgage, without any Preference by reason of

of the Priority in Date of any such Mortgage, or on any other account whatsoever.

Register Book to be kept.

XCVIII. And be it further enacted, That a Book shall be provided by the said Commissioners, and kept by their Clerk or Clerks, in which Book shall be entered and registered Copies of all Mortgages made in pursuance of this Act and of every Transfer thereof; which Book shall be open to the Inspection of the several Holders of Mortgages made by virtue of this Act and the Transfers thereof, and their respective Executors, Administrators, and Assigns, at all reasonable Times, without Fee or Reward; and for the Entry of every such Transfer, the Clerk or Clerks shall be paid by the Person or Persons to whom such Transfer shall be made the Sum of Two Shillings and Sixpence and no more; and every such Transfer, after such Entry as aforesaid, but not before, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Provision for Payment of Mortgages by Ballot.

XCIX. And in order that no undue Preference may be given in paying off the aforesaid Mortgages, be it further enacted, That when and so often as the said Commissioners shall think it expedient to pay off One or more of the said Mortgages, they shall cause the several Numbers of all the Mortgages granted and then in force to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form, and be put into a Box, and the Clerk or Clerks of the said Commissioners shall, in the Presence of Three or more of the said Commissioners, draw separately out of the said Box One of the said Numbers for each Mortgage then intended to be paid off by the said Commissioners, and thereupon the Mortgage or Mortgages corresponding with the Number or Numbers which shall be so drawn shall be accordingly paid off by the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice, signed by their Clerk or Clerks, to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall from and after the End of the said Three Calendar Months cease, and be no longer paid and payable, unless the Money shall be demanded pursuant to such Notice and not paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

Application of Rates.

C. And be it further enacted, That the Rates, Assessments, and other Monies which the said Commissioners are hereby authorized and required to borrow, raise, levy, and collect, shall be, and the same are hereby vested in the said Commissioners, and shall be by them applied, in the first place, to pay and discharge the Expences of procuring and passing this Act, together with legal Interest for Monies advanced or to be advanced by any Person or Persons for that

that Purpose, and afterwards to pay the Annual Interest of all Principal Monies which they may borrow on the Credit of such Rates and Assessments, and lastly, in carrying the several Purposes and Provisions of this Act into Execution; and the Surplus thereof (if any) shall be applied by the said Commissioners in paying off the said Principal Money, at such Time and Times and in such Manner as to the said Commissioners shall seem proper.

Treasurer not to pay without an Order.

CI. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the said Commissioners by or from any of the aforesaid Rates or Assessments, or which shall be by them borrowed on Mortgage for the Purposes of this Act, or which shall be otherwise payable to them under any of the Provisions of this Act, shall from Time to Time be paid into the Hands of the Treasurer or Treasurers of the said Commissioners for the Time being; and no Sum or Sums of Money shall be disbursed or paid by such Treasurer or Treasurers of the said Commissioners on Behalf or on the Account of the said Commissioners, without an Order in Writing, signed at a Meeting of the said Commissioners, to be held in pursuance of this Act, by the Chairman of such Meeting.

Penalty for obstructing Officers.

CII. And be it further enacted, That if any Person or Persons shall at any Time hereafter obstruct, assault, hinder, or molest any Officer or other Person whomsoever who shall be employed by virtue of this Act, in the Performance of his or their Duty, or of any of the Matters or Things to be done by virtue or under the Authority of the same respectively, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Commissioners may direct Prosecutions for Nuisances.

CIII. And be it further enacted, That it shall be lawful for the said Commissioners to direct any Prosecution or Prosecutions at the Assizes or Quarter Sessions for the said County for any public Nuisance whatsoever which shall be committed or suffered within the said Town and Borough, and to direct and order the Expences of such Prosecution to be paid and borne by and out of the Rates and Assessments hereby authorized to be collected.

In case of Nonpayment of Compensation for Damages by the said Commissioners, the same to be levied on their Treasurer.

CIV. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by such Commissioners or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same within Fourteen Days after Demand in Writing shall have been made from the Clerk to the said Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods

Goods and Chattels vested in such Commissioners, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

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

CV. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of 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, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in Manner hereby directed for the levying of any Penalties or Forfeitures.

Process on laying Informations of Offences.

CVI. And be it further enacted, That the Surveyors, Collectors, and Assessors for the Time being of the said Commissioners shall and they are hereby respectively directed and expressly enjoined, upon any Complaint to be made by any Inhabitant of the said Town and Borough, forthwith personally to view and inspect all Nuisances, Annoyances, Obstructions, and other Offences done, committed, or suffered within the said Town and Borough, contrary to any of the Provisions of this Act, and thereupon to lay an Information or Informations against the Offender or Offenders before any Justice or Justices of the Peace for the said Town and Borough, in order that such Offender or Offenders may be dealt with for the same according to the Powers and Provisions of this Act; and if any such Surveyor, Collector, or Assessor, shall wilfully neglect or refuse to examine into such Nuisances, Annoyances, Obstructions, or other Offences as aforesaid, or after any such Complaint made to him as aforesaid, personally to view or inspect the Matters of such Complaint, or shall neglect or refuse to lay any such Information or Informations against any such Offender or Offenders as aforesaid, then and in every such Case, such Surveyor, Collector, or Assessor so refusing or neglecting shall forfeit and pay for every such Refusal or Neglect any Sum not exceeding Five Pounds.

Justices may proceed by Summons in the Recovery of Penalties.

CVII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall and may 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 exhibited.

Recovery and Application of Penalties, Fines, and Forfeitures.

CVIII. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to, or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is hereinbefore made, shall and may in every Case be heard, adjudged, and determined by or before any Justice or Justices of the Peace in and for the said Town and Borough, in a summary Way, upon Information or Complaint made and exhibited in Writing (and which shall in every Case be made and exhibited within Three Calendar Months next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice or Justices shall summon the Party accused, and examine into the Matter thereof, and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall have been convicted of having committed such Offence or Offences, then and in every such Case the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices, (which he and they is and are hereby authorized and empowered to grant), be levied and recovered, together with the Costs of Conviction and Recovery, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods and Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any), after deducting the reasonable Charges of taking, keeping, and selling such Goods and Chattels, to the Party or Parties whose Goods or Chattels shall be so distrained; and the whole of such Penalty shall be paid to the Overseers of the Poor of the said Borough of *Newport*, and applied to the Relief of the Poor of the said Borough; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction

Satisfaction of such Justice or Justices for his or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case 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 whereon such Penalties, Fines, or Forfeitures, and Costs may be levied, were a Warrant of Distress issued, such Justice or Justices, shall not be required to issue a Warrant of Distress; and thereupon 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 House of Correction for the said Town and Borough, or for the County of *Monmouth*, 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, Fine or Fines, Forfeiture or Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

For securing transient Offenders.

CIX. And be it further enacted, That it shall and may be lawful for the said Mayor and Aldermen, and any of the said Commissioners, or their Collectors, Surveyors, Watchmen, Constables, and other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Mayor, Aldermen, Commissioners, Collectors, Surveyors, Watchmen, Constables, or Officers), who shall commit any Offence or Offences against this Act, and deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said Town and Borough, and such Justice or Justices shall, and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of Conviction.

CX. And for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; (that is to say,)

‘ Borough of *Newport*, in the County of *Monmouth*, to wit. } BE it remembered, That on the Day of in the Year of our Lord is [*or* are, *as the Case may be*,] convicted before me, [*or* us, *as the Case may be*,] of His Majesty's Justices for the said Town and Borough, of having

'having [*here state the Offence, and the Time and Place when and where the same was committed*], contrary to an Act of Parliament passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], for which Offence I [*or* we, *as the Case may be*,] do adjudge the said to have forfeited the Sum of [*here state the Amount of the Penalty, Fine, or Forfeiture for the Offence*], according to the said Act of Parliament; [*and in any Case where the said Justice or Justices may see Cause to mitigate the Penalty, here insert*, and I [*or* we] the said Justice or Justices, seeing Cause to mitigate and lessen the said Penalty, do, according to the Provision of the said Act of Parliament, mitigate and lessen the same to the Sum of ;] which said Sum of [*here state the Amount of the Penalty, or mitigated Penalty, as the Case may be*,] is to be paid to the Commissioners for putting this Act into Execution. Given under my Hand and Seal [*or*, our Hands and Seals, *as the Case may be*,] the Day and Year first above written.'

Witnesses may be summoned.

CXI. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on Behalf of the Prosecution or on Behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Nonappearance, or appearing shall refuse to be examined upon Oath or Affirmation, or to give Evidence touching the Matter in Question before such Justice or Justices, then and in every such Case every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered as hereinbefore mentioned.

Justices may administer Oaths, &c.

CXII. And be it further enacted, That in all Cases where the Provisions of this Act direct or require the Oath or Affirmation of any Witness or Witnesses to be had or taken in any Proceeding or Proceedings before any Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace, and he and they is and are hereby respectively authorized and required to administer such Oath or Affirmation.

Persons paying Rates, &c. may be Witnesses.

CXIII. And be it further enacted, That no Person shall be disqualified from being a competent Witness, and being admitted to give Evidence in any Informations, Prosecutions, Appeals, Causes, or Proceedings whatsoever relating to the Execution of this Act, by reason of paying, or being charged with or liable to pay any of the Rates or Assessments hereby authorized to be made, or any other Rate or Assessment within the said Town and Borough, or being One of the Commissioners for putting this Act into Execution, or holding any Office under the said Commissioners.

CXIV. And

Distresses not to be avoided for Want of Form.

CXIV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect of Form in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress; but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for Special Damages in an Action upon the Case.

Commissioners may reward Informers.

CXV. And be it further enacted, That it shall be lawful for the said Commissioners to reward any Person or Persons who shall lay any Information for any Offence or Offences under this Act, in such Manner as to them shall seem proper, so that such Reward does not exceed One Moiety of the Penalty or Forfeiture recovered by the Information of such Person or Persons, any thing hereinbefore contained to the contrary thereof notwithstanding.

Proceedings not to be quashed nor removed by Certiorari.

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

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

CXVII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Party for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be 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.

CXVIII. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against the said Commissioners, or any of them, or any other Person or Persons, for any thing done or to be done in pursuance or under the Authority of this Act, after the Expiration of Three Calendar Months next after the Fact committed; and all such Actions and Suits shall be laid and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evi-

dence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done, or if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered, or paid into Court as aforesaid, or after the Time hereinbefore limited for bringing the same, or if the same shall be brought in any other 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 being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared thereto, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Treble Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law.

Direction as to Service of Notices.

CXIX. 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 Service 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 good and sufficient Service thereof (except only in Cases where personal Service is hereinbefore expressly required); and in all Cases whatsoever where any such Notices or Demands ought to be given to Two or more Persons, for or respecting the joint Act or Omission of any such Person, whether the said Person be in Partnership or Trade, or otherwise jointly concerned in any such Act or Omission, the like Service of any such Notice or Demand on any One of such Partner or Persons, shall be a good and sufficient Service thereof.

Power of Appeal.

CXX. 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 made and assessed under or by virtue of this Act, or by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Act, Matter, Order, Judgment, or Thing made or done by the said Commissioners, or otherwise, in pursuance of this Act, he, she, or they may within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at some General Quarter Sessions of the Peace, or some Adjournment thereof, to be holden for the said County of *Monmouth*, or other the County or Place where the Cause or Matter of Appeal shall arise, the said Party or Parties, Appellant or Appellants, having given at least Fourteen clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall

happen

happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any other Act, Matter, or Thing made or done by the said Commissioners, or by any Justice or Justices of the Peace, and then to the Clerk or Clerks of the said Commissioners, Justice or Justices, and within Five Days next after such Notice causing a Recognizance to be entered into before some Justice of the Peace of the said Town and Borough, by Two sufficient Persons, in the Sum of Ten Pounds each, conditioned for the Party or Parties, Appellant or Appellants, to try such Appeal, and abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such Sessions, upon due Proof upon Oath of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, or Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Justices on Appeal may alter and quash Rates.

CXXI. Provided always, and be it further enacted, That on any Appeal from or against any Rate or Assessment to be made in pursuance of or for any of the Purposes mentioned in this Act, the Justices of the Peace at such General Quarter Sessions of the Peace to which such Appeal shall happen to be made, shall and may alter and amend any such Rate or Assessment, in such Manner as they shall think necessary for giving Relief to any Party or Parties injured or aggrieved thereby, without quashing or altering such Rate or Assessment, with respect to any other Persons mentioned in the same; but if upon any such Appeal it shall by such Justices be thought necessary to set aside the whole Rate or Assessment, then and in such Case it shall be lawful for such Justices so to do, and to order a new Rate or Assessment to be made in the Manner hereinbefore directed.

Public Act.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1826.