ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 141.

An Act for paving the Footways and Croſs-paths, and lighting, cleanſing, and regulating the Streets, Lanes, and other public Paſſages and Places in the Town and Pariſh of *Romſey Infra*, and in the Pariſh of *Romſey Extra*, in the County of *Southampton*.

[2d *June* 1810.]

WHEREAS the Streets, Lanes, Highways, Roads, Paſſages, and Places, within the Town and Pariſh of *Romſey Infra*, and the Pariſh of *Romſey Extra*, in the County of *Southampton*, are in general much out of Repair, and very inconvenient for Foot Paſſengers: And whereas the ſaid Town of *Romſey Infra* hath a conſiderable Corn Market, and is a very great Thoroughfare, and it would be a material Benefit and Convenience to the Inhabitants of the ſaid Town and Pariſhes and all Perſons reſorting to the ſame, if Proviſions were made for paving, amending, and keeping in Repair, the Footways and Croſs Paths, and alſo for cleanſing, lighting, watering, and regulating, the Streets, Lanes, and other Public Paſſages and Places in the ſaid Town and Pariſhes, and eſtabliſhing a Nightly Watch, and for removing and preventing Encroachments, Obſtructions, Nuiſances, and Annoyances therein; but the ſeveral uſeful and neceſſary Purpoſes aforeſaid cannot be effected without the Aid of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Mayor, Recorder, and Aldermen of the Town of *Romſey Infra*, and the Vicar of *Romſey* for the Time being, Commiſſioners.

John Bartlett, the Reverend *James Bennett*, *Aaron Burling*, *Cooper William Brookman*, *James Butler*, *John Comley*, *Thomas Comley*, *Thomas Coleman*, *Joseph Crabb*, *George Doswell*, *William Charles Dawson*, *William Elderfield*, *Richard Hazard*, *William Footner*, *Josiah George*, *Henry Haines*, *Joseph Samuel Hollis*, *Thomas Hall*, *Charles Hall*, *Joseph Jervis Caldwell Hall*, *John Latham*, M. D. *John Latham* Junior, *James Lynes*, *William Lintott*, *William Lampard*, *Charles May*, *John Moore*, *Samuel Mizell*, *Richard Newman*, *Abraham Naish*, *William Ploughman*, *William Price*, *Moses Pepper*, *Thomas Sharp*, *William Sharp*, *Stephen Sharp*, *Daniel Sharp* Junior, *Benjamin Sharp*, *Samuel Sharp*, *Clement Sharp*, *Richard Sweeper*, *John Smith*, *James Tarver*, *William Tarver*, *John Undy*, *Thomas Warner*, *Stephen Warner*, the Reverend *Daniel Williams*, *John Young*, *Benjamin Chandler*, *John Skeats*, *James Skeats*, *James Randall*, *William Randall*, *Thomas Newell*, *Thomas Skeats*, *William Watts*, *William Grist*, *James Colcott*, *John Dawkins*, *Charles Godfrey*, *William Soffe*, *Richard Holmes*, *William Jesser*, *John Comley*, *Richard Randall*, *Robert Fryer* Junior, *John Arnold*, *Thomas Dawkins*, *Thomas Figes*, *Thomas Figes* Junior, *James Perry*, *Nathaniel Sherry*, *Robert Clarke*, *George Dawkins*, *John Jenvey*, *Thomas Jenvey*, *Richard Figes*, *Peter Figes*, and their Succeſſors, ſhall be, and they are hereby appointed Commiſſioners for carrying this Act into Execution, ſuch Commiſſioners being reſpectively duly qualified, and taking and ſubſcribing the Oath or Affirmation in the Words or to the Purport herein-after mentioned and required; and in caſe of the Death of any of the above Commiſſioners, or of not being a Houſeholder in the ſaid Town and Pariſhes aforeſaid, or of their Refuſal or Neglect to act in the Execution of this Act for the Space of One whole Year, or, in caſe either of them ſhall be choſen Recorder or an Alderman for the ſaid Town, it ſhall and may be lawful for the ſurviving or other Commiſſioners, or any Ten of them, from Time to Time, by Writing under their Hands and Seals, to elect ſome other Perſon qualified in the Manner after-mentioned, in the Place or Stead of the Commiſſioners ſo dying, removing, neglecting, or refuſing to act, or being choſen Recorder or an Alderman, Ten Days Notice of the Time and Place of Meeting for every ſuch Election being given in Writing, ſigned by the Clerk to the ſaid Commiſſioners for the Time being, and fixed to ſome public Place within the ſaid Town; and every Perſon ſo elected ſhall from the Time of his Election have the ſame Power and Authority for putting this Act into Execution, as if he had been expreſsly named and appointed a Commiſſioner in or by this Act.

Qualification of Commiſſioners.

II. 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, except the Mayor, Recorder and Aldermen of the ſaid Town, and the Vicar of *Romſey* for the Time being, who ſhall not, in his own Right or in the Right of his Wife, be in the actual Poſſeſſion, Enjoyment, and Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, or Hereditaments, ſituate within the ſaid Town and Pariſhes, or one of them, of the clear yearly Value of Twenty Pounds, (above Repriſes and Incumbrances), 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 Pounds, over and above the Amount of his Debts; nor ſhall any Perſon be capable of acting as a Commiſſioner in the Execution of this Act, (except in adminiſtering the Oath or Affirmation herein-after mentioned), until

until he shall have taken and subscribed before One or more of the said Commissioners (who is and are hereby empowered to administer the same) an Oath or Affirmation in the Words or to the Effect following:

'I *A. B.* do swear, [*or*, being one of the People called *Quakers*, do solemnly affirm], That I am really and *bonâ fide* in my own Right [*or*, in the Right of my Wife, *as the Case may be*], now in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, situate within the Town and Parish of *Romsey Infra*, or within the several Turnpike Gates, and the Commencement of the Turnpike Road leading to *Salisbury*, in the Parish of *Romsey Extra*, [*as the Case may be*] of the clear yearly Value of Twenty Pounds above Reprises and Incumbrances, or possessed of such Estate or Estates as last mentioned, or a Personal Estate jointly, or a Personal Estate alone, to the Amount or Value of One thousand Pounds, over and above what will pay my just Debts; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me as a Commissioner, by virtue of an Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, intituled, [*Here set forth the Title of this Act*]. Oath.

'So help me GOD.'

And if any Person not qualified in Manner herein-before mentioned to act as a Commissioner shall presume to act as such in the Execution of the Powers hereby given, or any of them, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Prosecution of any Person or Persons whomsoever, 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, Privilege, or 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, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person had acted as a Commissioner in the Execution of this Act; and the Money so to be recovered shall, after Payment of the Costs and Expences attending the Recovery thereof, be paid as follows; (that is to say), One Moiety thereof to the Informer or Prosecutor, and the other Moiety thereof to the Treasurer, to be appointed by virtue of this Act, to be by him applied to the Purposes thereof: Provided always, that no Person shall be capable of acting as a Commissioner in the Execution of this Act, during the Time he shall hold any Office under the said Commissioners (except the Office of Treasurer) or during such Time as he shall have any Share or Interest in any Contract to be performed relating to the Execution of any of the Powers of this Act. Penalty on Persons not qualified acting as Commissioners. Commissioners not to act if interested.

III. And be it further enacted, That the said Commissioners, or any Seven of them, shall meet in the Guildhall in the Town of *Romsey Infra* on the Fourth *Monday* after the passing of this Act, between the Hours of Nine in the Forenoon and Six in the Afternoon, in order to put this Act into Execution, and shall and may then and from Time to Time afterwards adjourn themselves to meet at the Place aforesaid, or at any other convenient Place within the said Town and Parishes, or Meeting of Commissioners.

either of them, as they or the major Part of them present at such Meeting shall appoint, and Ten Days Notice of such Adjournment shall be given to the Commissioners residing within the said Town and Parishes by the Clerk of the said Commissioners, except in such Cases where the Adjournment shall be from Day to Day, and that in every such Notice the Time of Meeting of the said Commissioners shall be mentioned or set forth; and if it shall happen that there shall not appear at any such Meeting of the said Commissioners a sufficient Number to act or to adjourn to another Day, (Three Commissioners to be deemed sufficient for the Purpose of Adjournment) or if the said Commissioners shall refuse or neglect to adjourn, or shall adjourn for any longer Time than Fourteen Days, then and in every such Case any Seven or more of the said Commissioners, or their Clerk, shall and may call a Meeting at the Place where the last Meeting was to have been holden, by Notice to be given by the Clerk to the said Commissioners, or left at their respective Houses at least Two Days before such Meeting, and that at all Meetings to be holden in pursuance of this Act, the Commissioners shall defray their own Expences, but no Act of the said Commissioners shall be valid unless made or done at some public Meeting to be held in pursuance of this Act; and that all Powers and Authorities by this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by the major Part of them present at any public Meeting, the whole Number present at such Meeting not being less than the Number by this Act authorized to do such Business, and that a Chairman shall and may be appointed at every such Meeting, and that in all Cases the said Commissioners shall vote by Ballot in case the same is desired by any Three or more of the said Commissioners then present, and in case of an equal Number of Votes upon any Question (including the Chairman's Vote) the Chairman shall have the casting Vote.

No Order to be revoked, unless a greater Number of Commissioners than those who made the Order be present.

IV. And be it further enacted, That no Order made by the said Commissioners shall be revoked or altered at any subsequent Meeting, unless at some Meeting to be holden for that express Purpose, nor unless Notice specifying the Revocation or Alteration intended to be made, signed by the Commissioners desiring such Revocation or Alteration, be inserted in some public Newspaper usually circulated in the said Town and Parishes and also affixed on the Door of the Guildhall within the said Town Ten Days at least previous to the Day of holding such Meeting, (exclusive of the Day of giving such Notice and the Day of such intended Meeting) nor unless a greater Number of Commissioners shall attend at such Meeting to revoke or alter such Order than were present when the same was made, nor unless Four Fifths of the Commissioners present shall concur in such Revocation or Alteration.

Proceedings to be entered.

V. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books and fair and regular Entries to be made therein of the Names of all the Commissioners who shall duly qualify in pursuance of this Act, and 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 respective Meetings, and the Chairman of each Meeting of the said Commissioners and their Clerk shall always subscribe their Names at the End of the Proceedings of the said Commissioners at every such Meeting, and all Entries in such Books

Books being ſigned as aforeſaid ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Caſes, Suits, and Actions touching any Thing done in purſuance or by virtue of this Act, and that ſuch Book or Books ſhall at any of the Meetings of the ſaid Commiſſioners be open and liable to the Inſpection of all and every of the ſaid Commiſſioners, and all and every the Perſons rated and aſſeſſed for the Purpoſes of this Act, and alſo of all and every the Creditors and Annuitants on the Rates or Aſſeſſments hereby granted and made payable, all and every the Perſons rated and aſſeſſed as aforeſaid, Creditors and Annuitants, having previouſly given One Day's Notice to the Clerk of the ſaid Commiſſioners of their Intention to inſpect ſuch Book or Books, and paying to the Clerk for ſuch Inſpection the Sum of One Shilling.

Commiſſioners may act as Juſtices.

VI. And be it further enacted, That it ſhall and may be lawful for ſuch Commiſſioners as are in the Commiſſion of the Peace for the Town of *Romſey Infra* or for the ſaid County of *Southampton*, to act as Juſtices of the Peace within their reſpective Juriſdictions for putting in Execution the ſeveral Powers and Authorities granted by this Act, notwithſtanding their being Commiſſioners, except in ſuch Caſes where they ſhall be perſonally intereſted, and except as to the making of any of the Rates or Aſſeſſments herein-after mentioned; and in all Caſes where Cognizance is given by this Act to any Juſtice or Juſtices of the Peace, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon or Perſons for more certain Information in the Matter depending; and in all Caſes where the Commiſſioners are hereby authorized to bring or inſtitute any Action or Actions at Law, the ſame ſhall be brought or inſtituted in the Name of the Treaſurer or Clerk to be appointed by virtue of this Act.

Commiſſioners may appoint and remove Officers.

VII. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may from Time to Time whenever they ſhall think it neceſſary, appoint and employ a Treaſurer and Clerk and Collector or Collectors of the Rates or Aſſeſſments herein-after mentioned, and alſo a Surveyor and all ſuch other Officers and Perſons for the Execution of this Act, as the ſaid Commiſſioners ſhall think proper, and from Time to Time remove him or them and appoint others in the Room of ſuch of them as ſhall be ſo removed, or ſhall otherwiſe relinquiſh or diſcontinue ſuch Office, and out of the Monies to be raiſed by virtue of this Act pay ſuch Salaries, Wages, and Allowances to the ſaid Officers and other Perſons as they ſhall think reaſonable; and the ſaid Commiſſioners, or any Seven or more of them, ſhall and are hereby required to take ſuch Security from ſuch Treaſurer and other Officers for the due Execution of their reſpective Offices as they ſhall think proper, and all ſuch Officers and Perſons ſo to be appointed ſhall under their Hands (at ſuch Time and Times and in ſuch Manner as the ſaid Commiſſioners ſhall direct) deliver to the ſaid Commiſſioners, or any Seven or more of them, or to ſuch Perſon as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Officer and Perſon reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſe, together with the proper Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain due from them reſpectively to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint, and all the

ſaid Officers and Perſons ſo accounting as aforeſaid, ſhall upon Oath or Affirmation if thereunto required by the ſaid Commiſſioners (which Oath or Affirmation the ſaid Commiſſioners, or any Seven or more of them, are hereby empowered and required to adminiſter), verify the ſaid Account; and if any ſuch Officer or Perſon ſhall neglect or refuſe to make and render or to verify upon Oath or Affirmation any ſuch Account, or to produce or deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall neglect or refuſe to deliver to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint, within Thirty Days next after being thereunto required by the ſaid Commiſſioners, or any Seven or more of them, by Notice in Writing given or to be 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, or give Satisfaction to the ſaid Commiſſioners reſpecting the ſame, then and in any of the Caſes aforeſaid the ſaid Commiſſioners may and are hereby authorized and empowered to cauſe an Action to be brought againſt the Officer or Perſon ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall remain due from him, with Coſts of Suit, or if Complaint ſhall be made by the ſaid Commiſſioners, or any Seven or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Neglect or Refuſal as aforeſaid, to any Juſtice of the Peace in and for the County or Place wherein ſuch Officer or Perſon ſo neglecting or refuſing ſhall be or reſide, ſuch Juſtice may and is hereby authorized and required to iſſue a Warrant under his Hand and Seal for the Officer or Perſon ſo neglecting or refuſing 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 upon the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtice is hereby empowered to adminiſter) it ſhall appear to ſuch Juſtice that any of the Monies that ſhall have been collected or raiſed by virtue of this Act, ſhall remain due from ſuch Officer or Perſon, ſuch Juſtice may and is hereby authorized and required upon Non-payment thereof by a 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 or Chattels of ſuch Officer or Perſon can be found ſufficient to anſwer and ſatisfy the ſaid Monies and the Charges of diſtraining and ſelling the ſame, or if it ſhall in Manner aforeſaid appear to ſuch Juſtice that ſuch Officer or Perſon ſhall have neglected or refuſed to render and give ſuch Accounts, or to verify the ſame as aforeſaid, 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 neglected or refuſed to deliver or give Satisfaction reſpecting the ſame as aforeſaid, then and in any of the Caſes aforeſaid ſuch Juſtice ſhall commit ſuch Offender to the Common Gaol for the County where ſuch Offender ſhall be or reſide, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Commiſſioners, or any Seven or more of them, for ſuch Money, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, (which Compoſition the ſaid Commiſſioners are hereby empowered to make and receive) and until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Commiſſioners as aforeſaid: Pro-

vided always, that no Perſon who ſhall be committed for Want of Diſtreſs, ſhall be committed or detained in Priſon for any longer Space or Time than Twelve Calendar Months.

Appointment of Officers in Caſes of Deaths, &c.

VIII. Provided always, and be it further enacted, That as often as any Collector or Receiver of the Monies to be raiſed by virtue of this Act ſhall die or be incapable, or neglect to perform his Duty, it ſhall be lawful for the ſaid Commiſſioners or any Seven or more of them, though not aſſembled at a Meeting in purſuance of this Act, by any Writing under their Hands, to appoint another Perſon to collect the ſame, and to give ſuch Security for the due Execution of his Office during his Continuance therein, as the ſaid Commiſſioners ſhall think proper, until the Commiſſioners ſhall at a Meeting to be holden in purſuance of this Act, appoint a Collector or Receiver of ſuch Monies, any Thing herein contained to the contrary notwithſtanding.

Treaſurer to pay Money as ordered by Commiſſioners.

IX. And be it further enacted, That the Treaſurer to the ſaid Commiſſioners ſhall and may, and he is hereby authorized and required out of the Monies to be received by him by virtue of this Act, to pay all Sums of Money which the ſaid Commiſſioners or any Seven or more of them ſhall from Time to Time draw upon him for, or order him to pay; and the ſaid Treaſurer ſhall, and he is hereby required to keep regular and clear Entries in a Book or Books for that Purpoſe, to be by him provided and kept, of all and ſingular his Receipts and Payments on Account, or in purſuance of this Act, and ſhall on the Twenty-fourth Day of *June* yearly, or at the Firſt Meeting of the ſaid Commiſſioners then next following, lay the ſaid Accounts before the ſaid Commiſſioners to be audited, paſſed, and allowed.

Commiſſioners may make Rates on Occupiers, to defray the Expence of paving, &c.

X. And, for defraying the Charges and Expences of carrying the Purpoſes of this Act into Execution, be it further enacted, That from and after the Twenty-fourth Day of *June* One thouſand eight hundred and ten, One or more Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall Twice in the Year, or oftener if it ſhall be thought needful by the ſaid Commiſſioners, be made, laid, and aſſeſſed, by the ſaid Commiſſioners, or any Seven or more of them, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, receive or occupy any Dwelling Houſe, Shop, Warehouſe, Mill, Wharf, Tolls, (except Turnpike Tolls) Cellar, Vault, Stable, Coach Houſe, Brewhouſe, Brewing Offices, Granary, Malt Houſe, Storehouſe and other Building, Yard, or Garden, within the ſaid Town and Pariſh of *Romſey Infra*; and alſo in or near ſuch of the ſaid Streets, Lanes, and other public Paſſages, and Places, as are ſituate within the Turnpike Gates, on the ſeveral Roads leading from *Romſey* aforeſaid, to *Wincheſter*, *Portſmouth*, *Southampton*, and *Ringwood*, and the Commencement of the Turnpike Road leading to *Saliſbury*, near the *Ringwood* Turnpike Gate, in ſuch competent Sum and Sums of Money as the ſaid Commiſſioners, or any Seven or more of them, ſhall yearly and every Year order and direct, ſo as that ſuch Rate or Aſſeſſment be made in the Proportions, Manner, and Form following, and do not exceed the Amount herein after mentioned; *videlicet*, where the yearly Rent or annual Value of any ſuch Dwelling Houſe, with the Garden and Offices thereto belonging, ſhall be or amount to Twenty Pounds and upwards, the Sum of One Shilling and Sixpence in the Pound in One Year, of the yearly Rent or annual Value of ſuch Dwelling Houſe, Garden,

Garden, and Offices; and where the yearly Rent or annual Value of any ſuch Dwelling Houſe, with the Garden and Offices thereto belonging, ſhall be or amount to Fifteen Pounds, and upwards, and be leſs than Twenty Pounds, the Sum of One Shilling and Three-pence in the Pound, in One Year of the ſaid yearly Rent or annual Value; and where the yearly Rent or annual Value of any ſuch Dwelling Houſe, with the Garden and Offices thereto belonging, ſhall be or amount to Ten Pounds and upwards, and be leſs than Fifteen Pounds, the Sum of One Shilling in the Pound, in One Year of the ſaid yearly Rent or annual Value; and where the yearly Rent or annual Value of any ſuch Dwelling Houſe, with the Garden and Offices thereto belonging, ſhall be or amount to Five Pounds and upwards, and be leſs than Ten Pounds, the Sum of Nine-pence in the Pound, in One Year of the ſaid yearly Rent or annual Value; and where the yearly Rent or annual Value of any ſuch Dwelling Houſe, with the Garden and Offices thereto belonging, ſhall not amount unto or be leſs than Five Pounds; and where ſuch Rates or Aſſeſſments ſhall be for or in reſpect of the Occupation, Receipt, or Poſſeſſion of any ſuch Shop, Warehouſe, Mill, Wharf, Tolls, (except Turnpike Tolls) Cellar, Vault, Stable, Coach Houſe, Brewhouſe, Brewing Offices, Granary, Malt Houſe, Storehouſe and other Building, Yard, or Garden as aforeſaid, the Sum of Sixpence only in the Pound, in One Year of the ſaid yearly Rent or annual Value of ſuch laſt mentioned Dwelling Houſe, with the Garden and Offices thereto belonging, and alſo of ſuch Shop, Warehouſe, Mill, Wharf, Tolls, (except Turnpike Tolls), Cellar, Vault, Stable, Coach Houſe, Brewhouſe, Brewing Offices, Granary, Malt Houſe, Storehouſe, and other Building, Yard or Garden as aforeſaid, whatever the yearly Rent or annual Value of the ſame laſt mentioned Premiſes may be or amount to: Provided always, that the ſaid Commiſſioners, or any Seven or more of them, ſhall and may if they think proper, at any Meeting, amend any ſuch Rate or Aſſeſſment, Rates or Aſſeſſments, after the ſame ſhall have been made and ſigned, by inſerting the Name of any Perſon who ought to have been but hath not been rated or aſſeſſed, or by ſtriking out the Name of any Perſon who hath been but ought not to have been rated or aſſeſſed, or by altering the Sum or Sums charged in any ſuch Rate or Aſſeſſment, on any Perſon or Perſons, or in any other Manner which the ſaid Commiſſioners ſhall think proper, for making the ſame a juſt and equal Rate or Aſſeſſment without wholly ſetting aſide or quaſhing the ſame.

Rates to be ſigned by Juſtices, &c.

XI. And be it further enacted, That all Rates made by virtue of this Act, ſhall be allowed and ſigned by Two Juſtices of the Peace, acting in and for the ſaid Town of *Romſey Infra*, or the ſaid County of *Southampton*, who are alſo hereby empowered and required to grant a Warrant or Warrants for collecting thereof, as alſo for levying the ſame, by ſuch Perſon or Perſons as the ſaid Commiſſioners, or any Seven or more of them ſhall appoint, and which Warrant ſhall be ſufficient Authority to the reſpective Perſons thereby authorized for the Purpoſes therein mentioned; and the ſaid Rates, after the ſame ſhall be ſo allowed and ſigned by the ſaid Juſtices, ſhall be collected half-yearly or oftener if the ſaid Commiſſioners or any Seven or more of them ſhall think it neceſſary, by the Collector or Collectors, or other Perſon or Perſons to be appointed as aforeſaid, and to be paid over by ſuch Collector or Collectors as aforeſaid, into the Hands of the Treaſurer to the ſaid Commiſſioners; and if any Perſon or Perſons

ſhall

ſhall refuſe or neglect or omit to pay the Sum or Sums of Money at which he, ſhe or they ſhall be rated or aſſeſſed by virtue of this Act, for the Space of Seven Days, after perſonal Demand made thereof, or Demand in Writing, left at the Place of Abode or Occupation of ſuch Perſon or Perſons, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Perſon or Perſons who ſhall be authorized as aforeſaid, to collect the ſaid Rates, and he and they is and are hereby empowered and required to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting, refuſing, or omitting to pay the ſame, rendering the Overplus (if any) after deducting the Sum or Sums due in reſpect of ſuch Rates or Aſſeſſments, and all Coſts and Charges attending the Recovery thereof, to the Owners of ſuch Goods and Chattels upon Demand.

Rates on Houſes let to divers Tenants to be paid by the Landlord.

XII. And whereas ſeveral Houſes within the ſaid Town and Pariſhes may be by the Landlords or Owners thereof let out into Lodgings or Tenements to divers Tenants or to poor People, whereby it may be difficult or inconvenient to rate ſuch Houſes, and to recover ſuch Rates and Aſſeſſments when made; for Remedy thereof, be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may rate or aſſeſs the Landlord or Owner of any Houſe which ſhall be let to or occupied by Two or more Tenants, or which ſhall be aſſeſſed on a Rent or Annual Value not amounting to Five Pounds, and the Landlord or Owner of every ſuch Houſe ſhall pay the ſame accordingly.

Houſes, &c. unoccupied, not rateable.

XIII. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be liable to pay any Rate or Aſſeſſment to be made under the Authority of this Act, for or in reſpect of any Meſſuage, Houſe, or other Building, which ſhall be unoccupied during the whole Quarter of a Year in or for which the quarterly Portion or Rate or Aſſeſſments demanded ſhall have become or accrued due.

Occupiers quitting without paying Rates may be followed.

XIV. And be it further enacted, That when any Perſon who hath been rated or aſſeſſed by virtue of this Act, ſhall quit his or her Dwelling Houſe, Shop, Warehouſe, Mill, Wharf, Cellar, Vault, Stable, Coach-houſe, Brew-houſe, Brewing Offices, Granary, Malt-houſe, Store-houſe, or other Building, Yard, or Garden, whereupon ſuch Rate or Aſſeſſment ſhall have been made before he or ſhe ſhall have paid the ſame, and ſhall afterwards neglect or refuſe to pay the ſame when due and demanded as aforeſaid, by the Perſon or Perſons authoriſed and appointed to collect and receive the ſame, then and in every ſuch Caſe it ſhall and may be lawful to and for ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners, or any Seven or more of them, by Warrant under the Hand and Seal of any One or more Juſtice or Juſtices of the Peace acting in and for the ſaid Town of *Romſey Infra*, or the ſaid County of *Southampton*, or for the County, Riding, Diviſion, City, Liberty, Town, or Place where ſuch Perſon ſhall remove to or reſide, or where any Goods or Chattels of ſuch Perſon ſhall be found, (which Warrant ſuch Juſtice is hereby empowered to grant upon Proof made of the Sum ſo due upon the Oath of One or more credible Witneſs or Witneſſes) to levy ſuch Rate or Rates by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon ſo neglecting or refuſing, rendering the Overplus (if any) after Payment of the Money due in reſpect of ſuch Rate or Aſſeſſment, and the reaſonable Charges and Ex-

pences of such Distress and Sale unto the Person whose Goods and Chattels shall have been so distrained and sold.

Occupiers to deduct one Moiety of Rates out of their Rent.

XV. And be it further enacted, That the whole Amount of the said Rates or Assessments shall be paid to the Collector for the Time being appointed by the said Commissioners, or any Seven or more of them, by the Tenants or Occupiers of the said Houses, Lands, Tenements, and Hereditaments, but that such Tenants or Occupiers shall be at Liberty, and are hereby authorized to deduct and retain out of their Rent one Moiety or Half Part of the Amount of such Rates or Assessments, being the Proportion of the same intended by this Act to be imposed on the several Owners or Proprietors of such Houses, Lands, Tenements, or Hereditaments.

Rates apportioned between Occupiers quitting, &c.

XVI. Provided always, and be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any House, Building, Garden, Tenement, or Hereditament rated or assessed, or liable to be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay such Rate or Assessment in Proportion to the Time that he, she, or they occupied the same respectively, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any House, Building, Garden, Tenement, or Hereditament, rated or assessed, or liable to be rated or assessed as aforesaid out of or from which any other Person who shall have been rated or assessed for the same, shall have removed, or which at the Time of making such Rate or Assessment was empty or unoccupied, the Person or Persons coming into or occupying the same, shall be liable to pay such Rate or Assessment in Proportion to the Time that such Person or Persons shall have occupied the same, in like Manner as if he, she, or they, had been originally rated or assessed for such House, Building, Garden, Tenement, or Hereditament, which said respective Proportions in case of Dispute shall be settled and ascertained by the said Commissioners, or any Seven or more of them.

Persons paying the Rate exempt from other Expences.

XVII. And be it further enacted, That all and every Person or Persons paying the Rates and Assessments hereby authorized to be levied within the said Town, shall be and they and every of them is and are hereby exempted and discharged from all other Charges and Expences of paving, lighting, watching, cleansing, or fencing off any Part or Parts of the Footways and Crossparhs of the said Town and Parishes.

Payment of Rates not to gain a Settlement.

XVIII. And be it further enacted, That no Person or Persons shall gain any legal Settlement in the said Town and Parishes, or either of them, by reason only of his, her, or their being rated or assessed to, or paying any Rate or Assessment to be made as aforesaid, or by reason only of his, her, or their being appointed to or accepting, or holding any Office or Place of Employment whatsoever under or by virtue of this Act.

Assessment not to extend to Arable or Pasture Land, &c.

XIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Commissioners to rate or assess any Person or Persons whomsoever for the Purposes aforesaid, for or in respect of the Occupation or Possession of any Arable, Meadow, or Pasture Lands, Orchards, Nursery, or other Grounds, (except Gardens or Yards), nor for or in any respect of

of any Gardens occupied by Gardeners, or other Persons seeking a Livelihood by the Cultivation thereof, or for or in respect of any Barns, Stables, or other Buildings, solely appropriated to the Purposes of Husbandry, or for or in respect of any Messuage, Tenement, Building, Garden, Lands, or other Hereditaments or Premises, not situated within the said Town and Parish of *Romsey Infra*, or within the Turnpike Gates, and other Limits herein-before mentioned in the said Parish of *Romsey Extra*.

For borrowing Money.

XX. And, for the more effectually enabling the said Commissioners to execute the Purposes of this Act, be it further enacted, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, and they are hereby authorized and empowered from Time to Time when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money upon the Credit of the Rates or Assessments herein-before granted or authorized to be raised by any Writing or Writings under their Hands and Seals, to mortgage, demise, grant, or assign, over the said Rates or Assessments, or any Part or Parts thereof to the Person or Persons who shall advance and lend such Money, or his or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with the Interest for the same; and every such Mortgage or Assignment shall be in the Words, or to the Effect following; *videlicet*,

Form of Assignment.

'BY Virtue of an Act of Parliament passed in the Fiftieth Year of the Reign of His present Majesty King *George* the Third, intituled, [*here insert the Title of this Act*] we of the Commissioners appointed by virtue of the said Act, in consideration of the Sum of advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do grant, bargain, sell and demise unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed or become due and owing or charged upon the Credit of the said Act, to be had and holden from the Day of in the Year until the Sum of with Interest at *per Centum per Annum* for the same, shall be repaid and satisfied. In Witness whereof we have hereunto set our Hands and Seals this Day of in the Year of our Lord .'

No Preference in respect of Priority.

And every such Assignment shall be good, valid, and effectual, and all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in Proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Assessments equally one with another, without any Preference in respect to the Priority of advancing any such Money or the Dates of any such Mortgages or Assignments.

Money may be raised by Annuities not exceeding 10*l.* per Cent.

XXI. And be it further enacted, That in case the said Commissioners, or any Seven or more of them, shall think it adviseable or more advantageous to raise all or any Part of the Money necessary for the Purposes of this Act, by granting Annuities for Lives instead of Assignments as aforesaid, then it shall be lawful for the said Commissioners, or any Seven or more of them, and they are hereby authorized and empowered by Writing under their Hands and Seals, to grant Annuities to

to any Perſon or Perſons who ſhall contribute, advance, and pay into the Hands of the Treaſurer to the ſaid Commiſſioners any Sum or Sums of Money for the abſolute Purchaſe of an Annuity or Annuities to be paid and payable during the natural Life of every Contributor, or the natural Life of ſuch Perſon as ſhall be nominated by or on the Behalf of ſuch Contributor at the Time of the Payment of his or her Contribution or Purchaſe Money, ſo as that no ſuch Annuity do exceed the Rate of Ten Pounds for every One hundred Pounds for a Year, and ſo that the whole Money to be raiſed upon Mortgage and by the granting of Annuities as aforeſaid do not exceed the Sum of Two thouſand five hundred Pounds; and the Grant of every ſuch Annuity ſhall be in the Words or to the Effect following; *videlicet*,

The whole Money to be raiſed not to exceed 2,500l.

Form of Grant of Annuity.

'WE of the Commiſſioners appointed by or in purſuance of an Act of Parliament made in the Fiftieth Year of the Reign of King *George* the Third, intituled, [*here ſet forth the Title of this Act*] in conſideration of the Sum of paid by to the Treaſurer appointed in purſuance of the ſaid Act, do hereby grant unto the ſaid Executors, Adminiſtrators, and Aſſigns, an Annuity or yearly Sum of out of the Rates or Aſſeſſments granted or ariſing by virtue of the ſaid Act; which Annuity or yearly Sum of ſhall be paid to the ſaid Executors, Adminiſtrators, and Aſſigns, at upon the in every Year during the natural Life of and the firſt Payment thereof ſhall be made upon the next enſuing the Date of theſe Preſents. In Witneſs whereof we have hereunto ſet our Hands and Seals the Day of in the Year of our Lord

And every ſuch Grant ſhall be good, valid, and effectual in Law, and every Annuity ſo to be granted as aforeſaid ſhall be and is hereby charged upon and ſhall be payable and paid out of the ſaid Rates or Aſſeſſments; and the Purchaſer of every ſuch Annuity, his or her Executors, Adminiſtrators, and Aſſigns, ſhall have, receive, and be entitled to ſuch Annuity out of the ſaid Rates or Aſſeſſments during the Term of the natural Life of the Perſon for whoſe Life ſuch Annuity ſhall be granted; and every ſuch Annuity, and alſo the Intereſt ariſing on every Mortgage or Aſſignment to be made by virtue of this Act, ſhall be payable and paid by the Treaſurer to the ſaid Commiſſioners by equal quarterly Payments, the firſt Payment thereof reſpectively to be made at the Expiration of Three Calendar Months next after the Date of the reſpective Securities.

Intereſt and Annuities to be paid quarterly.

XXII. And be it further enacted, That it ſhall be lawful for the Perſons entitled to any of the Securities for the Money borrowed or raiſed by Mortgage for the Annuities granted as aforeſaid, and their reſpective Executors, Adminiſtrators, and Aſſigns, at any Time by Writing under their Hands and Seals to transfer ſuch Securities to any Perſon or Perſons whomſoever, which Transfer may be in the Words or to the Effect following; (*videlicet*),

Securities may be transferred.

Form of Transfer.

'I *A. B.* being entitled to the Sum of (*or*, an Annuity of) ſecured to Executors, Adminiſtrators, and Aſſigns, by virtue of a Mortgage or Aſſignment (*or*, Grant of Annuity) bearing Date the Day of under the Hands and Seals of of the Commiſſioners

‘ Commiſſioners acting in the Execution of a certain Act of Parliament
‘ made in the Fiftieth Year of the Reign of His Majeſty King *George* the
‘ Third, [*Here ſet forth the Title of this Act*] upon the Credit or ariſing
‘ out of the Rates or Aſſeſſments granted by the ſaid Act, do hereby
‘ transfer all my Right and Title in and to the ſame, and other Money now
‘ due and owing thereon, unto Executors,
‘ Adminiſtrators, and Aſſigns. Dated the Day of
‘ in the Year of our Lord

Transfers to be entered, and Books to be examined.

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

When Part of the original Debt is paid off, Commiſſioners may borrow more.

XXIII. Provided always, and be it further enacted, That if at any Time after the ſaid Commiſſioners ſhall have ſo borrowed or raiſed the ſaid Sum of Two thouſand five hundred Pounds, the ſame or any Part thereof ſhall be paid off and diſcharged, it ſhall and may be lawful for the ſaid Commiſſioners or any Seven or more of them again to borrow and take up the ſame, or any other Sum or Sums of Money, ſo as that the Sum or Sums of Money to be borrowed or raiſed, ſhall not any Time exceed in the Whole the ſaid Sum of Two thouſand five hundred Pounds.

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

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

Proviſion for Payment of Creditors by Ballot.

XXV. And in order that no Preference may be given to any of the Perſons who ſhall have advanced and lent Money upon the Credit of the Rates or Aſſeſſments to be made and raiſed reſpectively by virtue of this Act, be it further enacted, That the ſaid Commiſſioners (if there ſhall be more Creditors than one) ſhall cauſe the Numbers of all Aſſignments or Securities granted and then in force for ſecuring the Principal Monies lent and advanced upon the Credit of the ſaid Rates or Aſſeſſments, of which Part ſhall be then intended to be paid off, to be written upon diſtinct Pieces of Paper of an equal Size, and all ſuch Papers ſhall be rolled up in the ſame Form, or as near as may be, and put into a Box or Wheel, and the

Number or Numbers of the ſaid Aſſignments or Securities ſhall be drawn ſeparately out of the ſaid Box or Wheel by the Clerk to the ſaid Commiſſioners; and after every ſuch Ballot, the ſaid Commiſſioners ſhall cauſe Notice, ſigned by their Clerk, to be given to or left at the laſt or uſual Place of Abode of the Perſon or Perſons who ſhall be entitled to the Money to be paid off purſuant to ſuch Ballot; and where there is only One Creditor, to give Three Calendar Months Notice to ſuch Creditor of the ſaid Commiſſioners Intention to pay him or her as aforeſaid; and every ſuch Notice ſhall expreſs the Sum to be paid off, together with the Intereſt due thereon, and that the ſame ſhall be paid on a Day and at a Place to be ſpecified in ſuch Notice, ſuch Day not being ſooner than Three Calendar Months after the Day of giving or leaving ſuch Notice as aforeſaid, and the Intereſt of the Principal Money to be ſo paid off, ſhall from and after the Day ſo ſpecified, ceaſe and be no longer paid or payable, unleſs ſuch 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 Day to be ſo ſpecified, ſhall nevertheleſs be payable on Demand.

Pavement veſted in Commiſſioners, who may bring Actions, and ſell old Materials.

XXVI. And be it further enacted, That the Property of all the preſent and future Pavements in the Foot Ways and Croſs Paths of the ſaid Streets, Lanes, and other Public Paſſages and Places within the ſaid Town and Pariſhes, and of all Lamps, Lamp Irons, and Poſts, which ſhall be erected or fixed by virtue of this Act, and of all Materials, Implements, and other Things which ſhall be purchaſed for the Purpoſes of this Act, ſhall belong to, and the ſame are hereby veſted in the ſaid Commiſſioners, and they or any Seven or more of them are hereby authorized and empowered to cauſe an Action to be brought, or a Bill of Indictment to be preferred (as the Caſe may require) againſt any Perſon or Perſons who ſhall ſteal, take, or carry away, detain, ſpoil, injure, or deſtroy any Part thereof; and the ſaid Commiſſioners, or any Seven or more of them, are hereby authorized and empowered to ſell and diſpoſe of all or any Part of the old Materials to any Perſon or Perſons who ſhall be willing to purchaſe the ſame, and the Money ariſing by ſuch Sale ſhall be applied to the Purpoſes of this Act.

Commiſſioners may order Foot-ways to be paved.

XXVII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, from Time to Time and at all Times, when and ſo often as they ſhall think proper, to cauſe, order, and direct, all or any of the preſent or future Pavements, in the Footways and Croſs Paths of the ſaid Streets, Lanes, Paſſages, and Places, to be taken up, and the ſame to be paved, relaid, repaved, raiſed, lowered, or altered in ſuch Manner as they ſhall think proper, with Flag Stones or ſmooth Pavement, or ſuch other Materials, as the ſaid Commiſſioners or any Seven or more of them ſhall think proper; and alſo to cauſe, order, and direct, the ſaid Streets, Lanes, Paſſages, and Places, to be cleanſed, lighted, and watched, and all Annoyances, Obſtructions, Nuiſances, and Encroachments, to be removed, and proper Drains, Sinks, Gutters, and Watercourſes, to be made for conveying the Water off from the ſaid Streets, Lanes, Paſſages, and Places, and the ſeveral Houſes, and other Buildings within the ſaid Town and Pariſhes, in ſuch Manner as the ſaid Commiſſioners, or any Seven or more of them ſhall think proper, and

the Perſons to be appointed and authorized by them for the Purpoſes aforeſaid, ſhall have full Power and Authority to do the ſame accordingly.

Penalty on Perſons obſtructing Works.

XXVIII. And be it further enacted That if any Perſon or Perſons ſhall obſtruct, hinder, or moleſt, any Surveyor or other Officer, Workman or Perſon, employed by virtue of this Act, in the Performance or Execution of this Act, in the Performance or Execution of his Duty, every Perſon ſo offending, ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings.

No Perſon to alter the Form of the Pavement.

XXIX. And be it further enacted, That no Perſon ſhall at any Time make or cauſe to be made, any Alteration in the Form of the Foot Pavement of any Street, Lane, or public Paſſage or Place, within the ſaid Town, without the Conſent and Approbation of the ſaid Commiſſioners, or any Seven or more of them, aſſembled at ſome of their Meetings, firſt had and obtained, upon Pain of forfeiting for every ſuch Offence any Sum not exceeding Five Pounds.

Commiſſioners may contract.

XXX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, to enter into any Contract or Contracts for paving, repairing, cleanſing, and lighting, the Footways and Croſs Paths of the ſeveral Streets, Lanes, Paſſages, and Places within the ſaid Town and Pariſhes, or any of them, or for furniſhing Materials, or any other Matters or neceſſary Things whatſoever, or for any other the Purpoſes of this Act; but before any ſuch Contract or Contracts ſhall be entered into Fourteen Days Notice at leaſt, ſhall be given in ſome public Newſpaper, circulated in the ſaid Town and Pariſhes, and by Writing affixed upon ſome conſpicuous Part of the Market Houſe or Town Hall of the ſaid Town, expreſſing the Purpoſes of ſuch Contract or Contracts, in order that any Perſon or Perſons willing to undertake the ſame, may make Propoſals for that Purpoſe, to be offered to the ſaid Commiſſioners at a certain Time and Place in ſuch Notice to be mentioned; and the ſaid Commiſſioners ſhall and they are hereby required to take Security from every ſuch Contractor, for the due Performance of his or her Contract.

Contract to be for Three Years only.

XXXI. And be it further enacted, That no ſuch Contract or Contracts ſhall be deemed good or valid, if the ſame ſhall have been made for a longer Space or Term than Three Years, from the Time of entering into ſuch Contract or Contracts.

Contracts to be ſigned by Commiſſioners.

XXXII. And be it further enacted, That every ſuch Contract or Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to be received or paid for the ſame, and the Time or Times when the ſaid Works ſhall be completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, and ſhall be ſigned by the ſaid Commiſſioners, or any Seven or more of them, and alſo by the Perſon or Perſons contracting to perform ſuch Works reſpectively, which Contract or Contracts ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk to the ſaid Commiſſioners.

Surveyors to inſpect Works.

XXXIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, and they are hereby directed to cauſe all and every the Works done in purſuance of this Act to

to be inſpected by their Surveyor or Surveyors, or by ſuch other Perſon or Perſons as they ſhall from Time to Time appoint.

Foot-paths to be ſwept daily.

XXXIV. And be it further enacted, That the ſeveral Occupiers of Houſes, and other Tenements, with the Offices belonging to the ſame, within the ſaid Town and Pariſhes, ſhall, as ſoon as the Foot Pavements in front of or adjoining ſuch Houſes and other Tenements and Offices reſpectively, are by virtue of this Act made and completed, ſweep and cleanſe, or cauſe to be ſwept and cleanſed, the ſaid Foot Pavements before their reſpective Houſes or other Tenements and Offices, every Day before Ten of the Clock in the Forenoon, (*Sundays* excepted), upon Pain of forfeiting any Sum not exceeding Five Shillings.

Penalty on cauſing Annoyances.

XXXV. And be it further enacted, That if any Perſon or Perſons ſhall run, drive, carry, or place on any of the Footpaths, in any of the ſaid Streets, Paſſages, and Places, any Wheel, Sledge, Wheelbarrow, Hand-barrow, Truck, or Carriage, or ſhall roll any Caſk for the Space of Fifty Yards, or wilfully ride, drive, or lead any Horſe, or other Beaſt or Cattle, on any of the ſaid Footpaths, or ſhall kill, ſlaughter, ſinge, ſcald, dreſs, or cut up any Beaſt or Swine, Calf, Sheep, Lamb, or other Cattle, in any of the ſaid Streets, Lanes, Paſſages or Places, or ſhall hoop, cleanſe, waſh or ſcald any Caſk, or hew or ſaw, or cauſe to be hewn or ſawn, any Stone, Wood, or Timber, or bind, make or repair the Wheel of any Carriage, or ſhoe or bleed (except in caſe of Accident) or turn or drive looſe any Horſe, in any of the ſaid Streets, Lanes, Paſſages, or Places, or ſhall place, or expoſe to Sale, or cauſe, permit, or ſuffer, to be ſet, placed, or expoſed to Sale any Goods, Wares, or Merchandize, either on the Foot Paths, Croſs Paths, or Carriage Ways of any of the ſaid Streets, Lanes, Paſſages, and Places, or ſhall hang up or expoſe to Sale any Goods, Wares, or Merchandize, or any other Matter or Thing upon any Flap Window or otherwiſe, ſo as to obſtruct or incommode the Paſſage of any Foot Path, Croſs Path, or Carriage Way, or ſhall leave open any Cellar Window in the Evening or in the Night, without the ſame being ſufficiently lighted to prevent Accidents happening therefrom, or ſhall make or aſſiſt in the making any Fire or Fires, commonly called *Bonfires*, or ſhall ſet fire to or let off or throw any Squib, Serpent, Cracker, or Firework whatſoever, within the ſaid Streets, Lanes, Paſſages, or Places; every Perſon offending in any of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on leaving Carriages in the Streets, &c.

XXXVI. And be it further enacted, That if any Waggon, Cart, Dray, or other ſuch Carriage, ſhall be left to ſtand or remain in any of the ſaid Streets, Lanes, Paſſages or Places, with or without Horſes or other Cattle for any longer Time than ſhall be neceſſary for the loading or unloading thereof, or if the Driver of any ſuch Carriage ſhall in the loading or unloading thereof place the ſame acroſs any of the ſaid Streets, Lanes, Paſſages or Places ſo as to obſtruct or impede the Paſſage of any of the Inhabitants of the ſaid Town and Pariſhes, or any other Perſon or Perſons reſorting thereto, or if any Swine, or other Beaſt or Cattle, ſhall be permitted to wander, or be in or about any of the ſaid Streets, Lanes, Paſſages or Places, or if any Timber, Bricks, Lime, Mortar, Sand, Stone, Slates, Hay, Straw, Wood, Faggots, Tiles, Coals, Boards, Tubs, Hides, Leather, Skins, Goods, Wares, Merchandize, or other Materials or Things whatſoever

foever, ſhall be laid or placed, and left to remain in any of the ſaid Streets, Lanes, Paſſages, or Places, (except ſuch Horſes, Cattle, Swine, Goods, Wares, Merchandize, and Effects, as ſhall be brought for Sale into the proper Places appropriated to thoſe Purpoſes, in the ſaid Streets, Lanes, Paſſages, and Market Places of the ſaid Town on Fair Days and Market Days according to ancient Cuſtom, for any longer Time than ſhall be neceſſary for moving and houſing the ſame), or if any Coal, Wood, or Peat Aſhes, (except in the Time of Froſt only, and to prevent Accidents) or any Water, Rubbiſh, Duſt, Dirt, Dung, Filth, or any other Nuiſance or Annoyance whatſoever, be thrown, caſt, or laid in any of the ſaid Streets, Lanes, Paſſages or Places, then and in every ſuch Caſe the Owner or Driver of every ſuch Waggon, Cart, Dray, and the Owner of any ſuch Swine, or other Beaſt or Cattle, and of any ſuch Timber, Bricks, Stones, Mortar, Hay, Straw, Goods, Wares, Merchandize, Materials, or Things, which ſhall be left or ſuffered to remain in any of the ſaid Streets, Lanes, Paſſages, or Places, and the Perſon or Perſons who ſhall ſo throw, caſt, or lay, or cauſe to be thrown, caſt, or laid any Coal, Peat or Wood Aſhes, Water, Rubbiſh, Dirt, Dung, Filth, or other Annoyances whatſoever as aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings: Provided always, that no Information or Complaints of any Offence committed under this Act ſhall be given or received but by ſuch Perſon or Perſons as ſhall pay a Rate or Rates under the ſame.

Commiſſioners may purchaſe and ſet up Lamps.

XXXVII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, and they are hereby authorized and empowered from Time to Time, and at any Time or Times hereafter, to purchaſe, provide, affix, ſet up, alter, take down, and renew ſuch and ſo many Lamps of ſuch Sizes and Sorts in ſuch Places and in ſuch Manner, and to cauſe the ſame to be lighted at ſuch Seaſons of the Year and ſuch Hours of the Evening 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; and if any Perſon or Perſons ſhall wilfully throw down, take, carry away, ſpoil, break, or damage any ſuch Lamps, or any of the Irons, Poſts, or other Furniture thereof, or wilfully extinguiſh the Light of any ſuch Lamp, every Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Five Pounds for each Offence, One Moiety of which ſhall go to the Informer, and the other to the ſaid Commiſſioners for the Purpoſes of this Act; and ſuch Offenders ſhall make full Satisfaction to the ſaid Commiſſioners, or to the Contractor who ſhall have furniſhed ſuch Lamps for the Damage done thereby, ſuch Damage to be recovered in like Manner as any Penalty is herein-after authorized or directed to be recovered; and in caſe any Perſon ſhall careleſsly, negligently, or accidentally break, throw down, or otherwiſe ſpoil or damage any of the ſaid Lamps, or the Irons, Poſts, or other Furniture thereof, and ſhall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in ſuch Caſe it ſhall be lawful for any Juſtice of the Peace for the ſaid Town of *Romſey Infra*, or for the ſaid County of *Southampton*, upon Proof thereof made by the Oath of One or more Witneſs or Witneſſes, or on the Confeſſion of the Party, to award ſuch Sum of Money by way of Satisfaction for Damage, as ſuch Juſtice ſhall think reaſonable, and in caſe of Refuſal or Neglect to pay ſuch Sum of Money upon Demand, to cauſe the ſame to be levied and recovered in like Manner as the ſaid Rates or Aſſeſſments can or may be levied and recovered.

Penalty on Perſons ſtealing or damaging the ſame.

Appointment of Watchmen.

XXXVIII. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, may and are hereby authorized from Time to Time to eſtabliſh and appoint ſuch and ſo many honeſt and able bodied Watchmen as they ſhall judge neceſſary and proper, to be kept and employed in the ſaid Streets, Lanes, Paſſages, and Places for that Service, and ſhall likewiſe order and direct in Writing how, where, and in what Manner they ſhall be ſtationed and armed, and how often they ſhall go their Rounds, how long they ſhall continue on Duty, and under what Allowance or Wages for their Attendance, and may alſo erect, hire, or otherwiſe provide a proper Place or Places for the Reception of the Watchmen; and that it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, to remove any One or more of ſuch Watchmen on Miſbehaviour or Neglect of Duty, and to impoſe any Fine or Sum of Money not exceeding Twenty Shillings for every Neglect or Miſbehaviour of ſuch Watchmen, ſuch Fine to be deducted out of his Wages or Allowance.

Watchmen empowered to apprehend ſuſpected Perſons.

XXXIX. And be it further enacted, That it ſhall be lawful for the ſaid Watchmen, or any of them, and they are hereby reſpectively authorized and required during the Time of their keeping Watch and Ward to apprehend and ſecure in the Watch Houſe or Watch Houſes, the Jail of the ſaid Town of *Romſey Infra*, or ſome other proper Place or Places, all ſuch Malefactors, Diſturbers of the King's Peace, and all ſuch ſuſpected Perſons as ſhall be found wandering or miſbehaving themſelves, and to carry ſuch Perſon or Perſons as ſoon as conveniently may be before ſome Juſtice of the Peace for the ſaid Town or the ſaid County of *Southampton*, to be examined and dealt with according to Law.

Victuallers not to ſuffer Watchmen to be in their Houſes during the Hours of Duty.

XL. And be it further enacted, That if any Victualler or Keeper of a Public Houſe or Tap, ſhall knowingly and willingly harbour or entertain any Watchman employed by the ſaid Commiſſioners, or permit or ſuffer any ſuch Watchman to remain in ſuch his or her Public Houſe or Tap during any Part of the Time appointed for their being on Duty as aforeſaid, every ſuch Victualler or Keeper of a Public Houſe or Tap ſhall forfeit and pay any Sum not exceeding Ten Shillings.

Commiſſioners may reward Watchmen.

XLI. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners to give ſuch Rewards in Money to Watchmen as may be diſabled, wounded, or hurt in the Execution of their Duty, as the ſaid Commiſſioners, or any Seven or more of them ſhall think reaſonable, ſuch Money to be paid out of any Money to be raiſed for the Purpoſes of this Act.

Commiſſioners may make Drains, &c.

XLII. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may cauſe ſuch and ſo many new Sewers and Drains as they may think ſufficient and neceſſary, to be dug and made in, along, or acroſs any of the ſaid Streets, Lanes, Ways, Paſſages, and Places, and alſo any of the Sewers and Drains which now are or hereafter ſhall be made within the ſaid Streets, Lanes, Ways, Paſſages, and Places to be enlarged, widened, raiſed, removed, altered, repaired, cleanſed, or ſcoured, when and as often as to them ſhall ſeem meet; and alſo ſhall and may cauſe ſuch and ſo many Grates or Openings to be made therein for the conveying and carrying off the Filth, foul and other Waters from the Houſes built or to be built in or adjoining to ſuch Streets, Lanes, Ways, Paſſages, or Places, into the ſaid Sewers and Drains, as the ſaid Commiſſioners,

ſioners, or any Seven or more of them ſhall and may think neceſſary and expedient for that Purpoſe; and all Coſts, Charges, and Expences in and about the making, enlarging, widening, raiſing, altering, removing, repairing, cleanſing, or ſcouring ſuch Sewers and Drains, ſhall be borne and defrayed out of the Money to be raiſed by the Rates or Aſſeſſments to be made by virtue of this Act.

Private Drains to be cleanſed.

XLIII. And be it further enacted, That all private Drains which now are or which ſhall hereafter be made within any of the Streets, Lanes, Ways, Paſſages, or Places within the ſaid Town and Pariſhes, and which do or ſhall iſſue into any of the public Sewers or Drains, ſhall be repaired and cleanſed under the Inſpection and Direction of the Surveyor or other Officer to the ſaid Commiſſioners at the Coſts and Charges of the Owner or Owners, Occupier or Occupiers of the Lands or Tenements to which the ſaid private Drains do and ſhall reſpectively belong.

Damage done by Water Pipes to be repaired.

XLIV. And be it further enacted, That whenever any of the ſaid Streets, Lanes, and public Paſſages and Places within the ſaid Town and Pariſhes, ſhall be broken up for the Purpoſe of laying, altering, or repairing any Pipe or Pipes, Aqueduct or Aqueducts, or the Plug or Plugs thereof, the Perſon or Perſons breaking up the ſame, and the Perſon or Perſons for whom or by whoſe Order the ſame ſhall be ſo done, ſhall and they are hereby required at their own proper Coſts and Charges to alter, lay, or repair ſuch Pipe or Aqueduct, Pipes or Aqueducts, Plug or Plugs, without the leaſt Delay or Intermiſſion, and forthwith afterwards to amend and repair the Street, Lane, or Paſſage ſo broken up, in a good and ſubſtantial Manner, to the Satisfaction of the ſaid Commiſſioners or their Surveyor appointed for the Purpoſes of this Act, and in caſe of Default it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, to order any Perſon or Perſons to repair, amend, and make good the ſaid Street, Lane, or Paſſage, and the Charges thereof ſhall be paid to ſuch Perſon or Perſons by the Perſon or Perſons by whom or by whoſe Order the ſaid Street, Lane, or Paſſage was ſo broken up, and in Default of Payment thereof for the Space of Seven Days next after Demand ſhall be made for the ſame, ſuch Charges, together with a Sum not exceeding Twenty Shillings, ſhall and may be recovered and levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons making Default, by Warrant under the Hand and Seal of any Juſtice of the Peace for the Town of *Romſey Infra*, or for the ſaid County of *Southampton*, rendering the Overplus, if any, to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale.

For removing Obſtructions, &c.

XLV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Seven or more of them, to take down, remove, alter, or regulate in ſuch Manner as they ſhall from Time to Time judge proper, all Sign Poſts and other Poſts, Sheds, Penthouſes, Spouts, Gutters, Steps, Stairs, Stumps, Trees, Porches, Bulks, and other Encroachments, Projections, and Annoyances belonging or which ſhall be hereafter affixed or belong to any Houſe or Houſes or other Buildings and which do or ſhall in the Judgement of the ſaid Commiſſioners obſtruct the free and commodious Paſſage along the Carriage or Footways of any of the ſaid Streets, Lanes, and other Public Paſſages or Places within the ſaid Town and Pariſhes, and alſo to cauſe the Water to be conveyed from the Roofs, Cornices, Eaves, and Penthouſes of or belonging

longing to such Houses or other Buildings respectively, by proper Pipes or Trunks to be affixed to the Sides of such Houses and other Buildings respectively, and to be brought down to the Ground, and that the Costs, Charges, and Expences attending the taking down, removing, altering, or regulating such Sign Posts and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Trees, Porches, Bulks, and other Encroachments, Projections, and Annoyances, or any of them, and of making and affixing such Pipes or Trunks as aforesaid, shall be borne and defrayed out of the Money to be raised by virtue of this Act.

Directing how Money raised shall be applied.

XLVI. And be it further enacted, That the Money to arise from the Rates or Assessments hereby granted or to be levied and received from Time to Time by virtue of this Act, and all the Money which may be borrowed at Interest or upon Annuities on the Credit of this Act, shall be applied in the first Place in paying the Charges and Expences incident to and attending the obtaining and passing of this Act, and the Interest of the Money advanced for defraying such Charges and Expences, and in the next Place in paying the Interest of the Principal Money to be borrowed and the Annuities to be granted as aforesaid, and afterwards in defraying the Costs, Charges, and Expences of carrying the several Trusts and Purposes of this Act into complete Execution in such Order and Manner as the said Commissioners or any Seven or more of them shall judge expedient; all which Monies to be raised in Manner aforesaid shall become and be considered as one consolidated aggregate Fund, and shall be vested in the said Commissioners for the Trusts and Purposes herein-before expressed and referred to.

Accounts to be made up yearly for Inspection.

XLVII. And be it further enacted, That some Time between the Twenty-fifth Day of *March*, and the Twenty-fourth Day of *June* in every Year, a fair and just Account shall be made, and wrote out, of all Monies received and paid by virtue or in pursuance of this Act, and how and to whom and for what Purposes the same shall have been laid out, paid and expended, and a Copy, or Duplicate of such Account, signed by Seven or more of the said Commissioners, shall be deposited with the Clerk to the said Commissioners, who shall permit any Person so rated as aforesaid, or any Person or Persons on his or their Behalf, to inspect the same at seasonable Times, and shall upon Demand forthwith give Copies of the same, or any Part thereof, to any such Person, paying at the Rate of Sixpence for every Seventy-two Words, and so in Proportion for any less Number of Words.

Action to be brought in the Name of the Treasurer or Clerk.

XLVIII. And be it further enacted, That whenever any Action or Suit shall be brought by Order of the Commissioners, against any Person or Persons by virtue or in pursuance of this Act, the same shall be brought in the Name of their Treasurer or Clerk, on Behalf of the said Commissioners, and no such Action or Suit shall abate or be discontinued by the Death or Removal of such Treasurer or Clerk, or by any Act or Default of any such Treasurer or Clerk done or suffered, without the Consent and Direction of the said Commissioners for the Time being; but the Treasurer or Clerk to the said Commissioners shall always be deemed Plaintiff or Defendant in such Action or Suit (as the Case may be): Provided always, that all Costs and Expences to be incurred by or on Behalf of the said Commissioners, or any Person or Persons employed by them, in prosecuting or defending any Action or Suit touching the Execution of this Act, shall be defrayed out of the Money arising by virtue of this Act, unless such Action or Suit shall arise in consequence of the wilful Neglect or Default of such Treasurer or Clerk, or shall be brought, commenced or defended, without the

the Order or Direction of the ſaid Commiſſioners, or any Seven or more of them.

Recovery of Penalties by Diſtreſs and Sale, or Offenders committed.

XLIX. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed, the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed, ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid Town of *Romſey Infra*, or the ſaid County of *Southampton*; which Warrant ſuch Juſtice is hereby empowered to grant, upon the Confeſſion of the Party or Parties, or upon the Evidence of any one or more credible Witneſs or Witneſſes upon Oath, and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale ſhall be returned upon Demand to the Owner or Owners of ſuch Goods and Chattels, after deducting the Coſts and Charges of ſuch Diſtreſs and Sale, and the Penalties and Forfeitures when recovered (if not herein-before directed to be otherwiſe applied) ſhall be paid to the Treaſurer to the ſaid Commiſſioners and be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall be lawful for ſuch Juſtice and he is hereby authorized and required by Warrant under his Hand and Seal to cauſe the Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for the ſaid County of *Southampton*, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties and Forfeitures and all reaſonable Charges attending the ſame, ſhall be ſooner fully paid and ſatisfied.

Commiſſioners may compound for Penalties.

L. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, from Time to Time to compound and agree with any Perſon or Perſons againſt whom any Action or Suit ſhall be brought, commenced, or proſecuted for any Penalty contained in any Contract, to be entered into as aforeſaid, for any Breach or Non-performance thereof for ſuch Sum of Money as the ſaid Commiſſioners ſhall think proper, and alſo to mitigate, compound, or leſſen any of the Forfeitures incurred under this Act, ſo as the Sums ſo compounded or agreed for, be not leſs than the Injury or Damage ſuſtained by Breach or Non-performance of any ſuch Contract, and all Coſts and Expences which ſhall be occaſioned thereby.

Commiſſioners empowered to make Bye Laws.

LI. And be it further enacted, That the ſaid Commiſſioners, or the major Part of them, at any Meeting not being leſs than Ten aſſembled, ſhall and may make order and conſtitute ſuch and ſo many Bye Laws, Rules, and Ordinances, as to them ſhall ſeem meet and convenient for the effectually carrying into Execution the Purpoſes of this Act, and to alter, change, revoke, repeal, or make void the ſame, from Time to Time as often as the ſaid Commiſſioners, or the major Part of them, not being leſs than Ten aſſembled as aforeſaid, ſhall judge neceſſary and convenient; and to fix and appoint reaſonable pecuniary Penalties not exceeding Five Shillings for the Non-obſervance, or other Breach of any of ſuch Bye Laws, Rules, and Ordinances, or any Part of them; and the ſaid Commiſſioners ſhall cauſe the ſaid Bye Laws, Rules, and Ordinances to be printed and diſtributed, and ſtuck up or placed in ſome conſpicuous Places in the ſaid Town; and ſuch Bye Laws, Rules, and Ordinances ſo made, printed, diſtributed, and ſtuck up, ſhall be binding upon and obſerved by all Perſons whomſoever, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame: Provided, that ſuch Bye Laws, Rules, and Ordinances, be not contrary or repugnant to the Proviſions and Directions

in this Act contained, or to the Laws of *England*, and shall be subject to Appeal as herein-after mentioned.

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

Form of Conviction.

'Town of *Romsey Infra*, in the County of *Southampton*, or County of *Southampton* [*as the Case may be.*] } BE it remembered, That on Day of in the Year of the Reign of His Majesty, *A. B.* is convicted before One of His Majesty's Justices of the Peace for the said Town or County [*as the Case may be*] by virtue of an Act of Parliament made in the Fiftieth Year of the Reign of His Majesty King *George* the Third, intituled, [*here set forth the Title of this Act, and specify the Offence, and the Time and Place where the same was committed, as the Case may be.*] Given under our Hands and Seals [*or*, my Hand and Seal] the Day and Year aforesaid.'

Power to administer Oaths.

LIII. And be it further enacted, That in all Cases where the said Commissioners, or any of His Majesty's Justice or Justices of the Peace, are by this Act authorized or required to examine any Person or Persons, on Oath or Affirmation, it shall be lawful for such Commissioners, or any Seven or more of them, and for such Justice or Justices respectively, to administer such Oath or Affirmation; and that if any Person or Persons shall upon his or her Examination upon Oath before the said Commissioners or Justice or Justices respectively, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in being Persons convicted of wilful and corrupt Perjury are subject and liable to: Provided always, that no Person or Persons shall be subject or liable to the Payment of any Penalty or Forfeiture imposed by this Act, for any Offence against this Act, unless Information shall be given of the Offence within Three Calendar Months next after such Offence shall have been committed.

Inhabitants may be Witnesses.

LIV. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Inhabitant of the said Town and Parishes of *Romsey Infra* and *Romsey Extra*, or of either of them, shall be deemed an incompetent Witness by Reason of his or her being charged with and liable to pay any Rate or Assessment by virtue of this Act.

Power for Justices to make Allowances to Informers and Witnesses.

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

Appeal.

LVI. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved, by any Rate or Assessment which shall be made or be demanded in pursuance of this Act, such Person or Persons may appeal to the said Commissioners at their

First Meeting which ſhall be holden after the Expiration of Twenty-one Days from the Time of demanding ſuch Rate or Aſſeſſment, and the ſaid Commiſſioners or any Seven or more of them at ſuch Meeting, are hereby authorized and empowered if they ſhall think ſuch Perſon or Perſons aggrieved, to give ſuch Relief in the Premiſes as to them ſhall ſeem reaſonable; and if any Perſon or Perſons ſhall be diſſatisfied with the Determination of the ſaid Commiſſioners therein, or if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Bye Law, Rule, Order, Judgment or Determination of the ſaid Commiſſioners, or by any Penalty impoſed, or by any Conviction made, or by any other Thing done in purſuance of this Act, (ſave and except in ſuch Caſes where any Order, Judgment, or Determination is herein directed to be final or concluſive, and ſave and except in ſuch Caſes for which any particular Method of Relief is herein appointed) ſuch Perſon or Perſons may appeal to the Juſtices of the Peace at any General Quarter Seſſions to be holden for the ſaid County of *Southampton*, within Six Calendar Months next after the Cauſe of Complaint ſhall have ariſen, or at any Adjournment of ſuch Seſſions, the Perſon or Perſons appealing firſt giving, or cauſing to be given to the Clerk to the ſaid Commiſſioners Fourteen Days Notice in Writing of his, her, or their Intention to bring ſuch Appeal, and of the Cauſe or Matter thereof, and within Fourteen Days next after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Sureties conditioned to try ſuch Appeal, and to abide the Order thereof, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions or Adjournment thereof; and the Juſtices at ſuch Seſſions, or Adjournment thereof, upon due Proof of ſuch Notice having been given, and ſuch Recognizance having been entered into as aforeſaid, ſhall hear and finally determine every ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing or appealed againſt as the ſaid Juſtices ſhall think proper, and ſhall or may at their Diſcretion diſcharge or mitigate all or any of the Penalties or Forfeitures incurred by the Party or Parties appealing; and the Determination of the ſaid Juſtices in their ſaid General Quarter Seſſions or Adjournment thereof, ſhall be final, binding, and concluſive, to all Intents and Purpoſes whatſoever.

Diſtreſs not to be unlawful for Want of Form.

LVII. 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 the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall afterwards be done by the Party or Parties ſo diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe: Provided always, that no Plaintiff or Plaintiffs ſhall recover upon any ſuch Action for Irregularity, or for any Treſpaſs or other wrongful Proceeding, unleſs Notice in Writing ſhall be given Fourteen Days before ſuch Action ſhall be commenced, of ſuch intended Action, ſigned by the Attorney or Attornies for the Plaintiff or Plaintiffs, ſpecifying the Cauſe of ſuch Action, nor ſhall the Plaintiff or Plaintiffs recover in ſuch Action if Tender of ſufficient Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on Behalf of the Defendant or Defendants before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful for the Defendant or

Defendants

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 or they ſhall think fit, whereupon ſuch Proceeding, 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.

Proceedings not to be quaſhed for Want of Form nor removable by Certiorari.

LVIII. And be it further enacted, That no Order, Verdict, Aſſeſſment, Judgment, or other Proceeding, made touching or concerning any of the Matters aforeſaid, or touching or concerning the Conviction of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

Limitation of Actions.

LIX. Provided always, and be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until Fourteen Days Notice be thereof given to the Treaſurer or Clerk to the ſaid Commiſſioners, or after ſufficient Satisfaction or Tender thereof hath been made for the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be brought and tried in the County of *Southampton*, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall or may at his or their Election plead ſpecially or the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to be ſo done, or if ſuch Action or Suit ſhall be brought before Fourteen Days Notice ſhall be given as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited or diſcontinue his or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall recover Treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any other Caſes by Law.

This Act not to prejudice the Rights of the Lords of the Manors.

LX. And be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to prejudice, leſſen, or defeat any Right, Intereſt, Property, Power, Privilege, Franchiſe, or Authority, of the Lord and Lady of the Manors of *Romſey Infra* and *Romſey Extra*, or either of them, but that all and every ſuch Rights, Intereſts, Properties, Powers, Privileges, Franchiſes, and Authorities, may be exerciſed and enjoyed in as full, ample, and beneficial Manner, to all Intents and Purpoſes as the ſame were exerciſed and enjoyed before the paſſing of this Act.

Public Act.

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

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