ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

Cap. lviii.

An Act for repealing an Act passed in the Twenty-ninth Year of the Reign of His Majesty King *George* the Second, for paving, lighting, and watching the Town of *Shrewsbury*, in the County of *Salop;* and for granting other Powers in lieu thereof. [28th *May* 1821.]

WHEREAS in and by an Act passed in the Twenty-ninth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the better paving and amending, cleansing, enlightening, and watching the Streets, Highways, Lanes, and Passages within the Town of* Shrewsbury, *in the County of* Salop, certain Persons in the said Act named were constituted Trustees for carrying the same into Effect: And whereas the said Trustees proceeded in the Execution thereof; but by reason of the Change in the Times, the great Increase in the Population of the said Town and the Suburbs thereof, and the consequent great Addition of Carriages heavily laden passing over and along the said Streets, the Rates and Assessments authorized to be raised by the said Act are found insufficient and totally inadequate to keep the Highways and Pavements of the said Town in proper Repair, and to execute the other Purposes of the said Act: And whereas it would be extremely beneficial to the Inhabitants of the said Town and Suburbs, and to all Persons resorting thereto, if the said Act was repealed, and Trustees were appointed

29 G. 2.

with Powers for the better paving, lighting, watching, and otherwise improving the Streets, Highways, Squares, Lanes, and Passages of the said Town, and the same were better and properly paved, cleansed, lighted, watched, improved, and regulated, and all Nuisances, Annoyances, Obstructions, and Encroachments therein removed and prevented, and if Powers were given for the same, and for raising and borrowing Money for those Purposes, and for making and settling Rates and Assessments for paying the same, or such Part thereof, and the Interest of the same yearly, as the Trustees named in such Act shall from Time to Time think fit; but the same cannot be effectually done without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That from and after the passing of this Act, the said herein-before recited Act shall be, and the same is hereby repealed; except as to so much and such Parts thereof as relate to the receiving and Recovery of the Rates and Assessments thereby granted, and the Performance of any Contract not yet fully performed and executed under the Powers of the said Act.

Former Act repealed.

Trustees, and their Qualification.

II. And be it further enacted, That from and after the passing of this Act the Right Worshipful the Mayor, Aldermen, and Recorder of the Town of *Shrewsbury* for the Time being, shall be and they are hereby nominated, constituted, and appointed Trustees for putting this Act into Execution; and also that every Person who now resides or who shall hereafter reside within the outer Gates and Walls of the said Town, or within any Part thereof which the River *Severn* encompasses, and who shall be liable to pay Parochial Taxes, and be in the actual Possession of Rents of Hereditaments of the Value of Eighty Pounds *per Annum*, or be in his own Right or in the Right of his Wife in the actual Possession or Enjoyment or Receipt of the Rents and Profits of Hereditaments of the clear yearly Value of Eighty Pounds above Reprizes, or possessed of or entitled unto a Personal Estate of the Value of Two thousand Pounds; and that every Person that now resides or shall hereafter reside within the said outer Gates and Walls of the said Town, or within any Part thereof which the River *Severn* encompasses, rated and paying Rates under this Act for Hereditaments of the Value of Fifty Pounds *per Annum* (during the Time of such Residence only); and that also every Person who shall be in the actual Possession or Receipt of the Rents and Profits of Freehold Messuages, Tenements, or Hereditaments within the outer Gates and Walls of the said Town, or within any Part thereof which the River *Severn* encompasses, whether he resides therein or not, of the Value of One Hundred Pounds *per Annum*, shall be and are hereby constituted and appointed Trustees for putting this Act in Execution.

Oath to be taken by the Mayor, &c. of Shrewsbury.

III. Provided always, and be it further enacted, That neither the said Mayor, Aldermen, or Recorder, for the Time being, shall be capable of acting as a Trustee or Trustees in the Execution of this Act, except in administering the Oaths or Affirmations herein-after mentioned, until he and they shall have respectively taken and subscribed, before any Two or more of the same Aldermen or Persons hereby appointed Trustees as aforesaid, present at the first Meeting to be held by virtue of this Act, and who are hereby autho-

authorized and required to administer the same, an Oath in the Words or Effect following; (that is to say),

'I *A. B.* Mayor, or one of the Aldermen or Recorder of the Town of *Shrewsbury*, [*as the Case may be*] do swear, that I will well and truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me by virtue of an Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*]

'So help me GOD.'

Oath to be taken by Resident Trustees.

IV. Provided always, and be it further enacted, That no Person who now resides, or who shall hereafter reside within the outer Gates and Walls of the said Town, or within any Parts thereof which the River *Severn* encompasses, and who shall be liable to pay Parochial Taxes, and be in the actual Possession of Rents of Hereditaments of the Value of Eighty Pounds *per Annum*, or be in his own Right or in the Right of his Wife in the actual Possession or Enjoyment or Receipt of the Rents and Profits of Hereditaments of the clear yearly Value of Eighty Pounds above Reprizes, or possessed of or entitled unto a Personal Estate of the Value of Two thousand Pounds, or rated and paying Rates or Assessments for Hereditaments, under the Authority of this Act, of the Value of Fifty Pounds *per Annum*, shall be capable of acting as a Trustee in the Execution of this Act, unless he shall, at the first or any other Meeting of the said Trustees, have taken and subscribed before any Five or more of the said Trustees, (who are hereby authorized and required to administer the same), the Oath or Affirmation in the Words or to the Effect following:

'I *A. B.* do swear [*or* affirm, *as the Case may be*] That I do reside and am liable to pay Parochial Taxes within the Town of *Shrewsbury*, in the County of *Salop*, and am truly and *bonâ fide* in the actual Possession of Rents of Hereditaments of the Value of Eighty Pounds *per Annum*; or that I am, in my own Right, or in the Right of my Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Hereditaments of the clear yearly Value of Eighty Pounds above Reprizes; or possessed of or entitled unto a Personal Estate alone of the Value of Two thousand Pounds; or am rated and paying Rates or Assessments for Hereditaments of the Value of Fifty Pounds *per Annum*, under the Authority of an Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*]; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform the several Powers and Authorities reposed in me as a Trustee by virtue of the said Act. So help me GOD.'

Oath to be taken by Non-resident Trustees.

V. Provided always, and be it further enacted, That no Person who shall be in the actual Possession or Receipt of the Rents and Profits of Freehold Messuages, Tenements, or Hereditaments within the outer Gates and Walls of the said Town, or within any Part thereof which the River *Severn* encompasses, of the Value of One hundred Pounds *per Annum*, shall be capable of acting as a Trustee in the Execution of this Act, unless he shall at the first or any other Meeting of the said Trustees have taken and subscribed before any Five or more of the said Trustees, who are hereby

hereby authorized and required to administer the same, the Oath or Affirmation in the Words or to the Effect following; (that is to say),

'I *A. B.* do swear, [*or*, affirm, *as the Case may be*] That I am truly and *bonâ fide* in the actual Possession or Receipt of the Rents and Profits of Freehold Messuages, Tenements, or Hereditaments within the outer Gates and Walls of the Town of *Shrewsbury*, or within some Part thereof which the River *Severn* encompasses, of the Value of One hundred Pounds *per Annum*; and that I will well and truly and impartially, according to the best of my Skill and Judgment, execute and perform the several Powers and Authorities reposed in me as a Trustee by virtue of an Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*]. So help me GOD.'

Penalty on unqualified Persons acting as Trustees.

VI. Provided also, and be it further enacted, That no Person shall act as a Trustee in the Execution of this Act (except in administering the Oaths or Affirmations herein-before mentioned, to be taken and subscribed and made at the first Meeting to be holden under this Act), until he shall have taken such Oath or made such Affirmation; and if any Person not nominated in or appointed a Trustee by this Act, or not being duly qualified or disqualified by this Act, to act as such Trustee; or not having taken and subscribed one of such Oaths as aforesaid, as his Case may require, or being a Quaker, not having made and subscribed one of the said Affirmations as aforesaid, shall nevertheless presume to act in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified to act and not disqualified from acting 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 hath acted as a Trustee in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person or Persons acting as a Trustee or Trustees in the Execution of this Act, although not duly qualified, or disqualified as aforesaid, previous to his or their being convicted of either of the said Offences, shall, notwithstanding such Conviction, be as good, valid, and effectual, as if such Person or Persons had been duly qualified to act and not disqualified from acting as a Trustee or Trustees according to the Directions of this Act.: Provided also nevertheless, that it shall be lawful for such of the said Trustees who are or shall be a Justice or Justices of the Peace for the said Town and Liberties of *Shrewsbury*, to act in the last-mentioned Capacity in or relating to the Execution of this Act, notwithstanding his or their being a Trustee or Trustees under this Act.

Meetings of the Trustees:

VII. And be it further enacted, That the said Trustees or any Nine or more of them shall meet together at the Guildhall in the said Town of *Shrewsbury*, upon the Third *Monday* next after the passing of this Act, at Eleven of the Clock in the Forenoon, in order to put this Act into Execution, and shall afterwards meet in the same Place, or at such other Place

Place within the said Town as the said Trustees shall direct and appoint, and as shall be necessary for putting this Act into Execution; and that it shall be lawful for the said Trustees from Time to Time to adjourn themselves to and meet at the said Guildhall, or such other Place or Places within the said Town as they shall think most convenient; and one Trustee shall be sufficient at any Meeting for the Purpose of Adjournment only; and if it shall happen that there shall not at any Meeting be a sufficient Number of Trustees to act, or to adjourn to another Day, or in case the Trustees at any Meeting assembled shall neglect or omit to adjourn, then and as often as the Case shall happen, the Clerk or Clerks of the said Trustees, or any Two or more of the said Trustees, shall and may, by Notice in Writing to be affixed on one of the outer Doors of the Guildhall, and on the Market House, within the said Town of *Shrewsbury*, Three Days at least before such intended Meeting, appoint the Trustees to meet on the Day to be fixed in such Notice; and all Matters and Things which shall be done and transacted at any Meeting which shall be held in pursuance of such Notice, shall be as valid and effectual as if the same had been done at any other Meeting held by virtue of this Act: Provided always, that no Act of the said Trustees shall be valid unless done at a Public Meeting or Meetings to be held by virtue of this Act (except in the Case before mentioned, where Adjournments shall not have been made as aforesaid); and that no Person shall, during the Time he shall have any Share or Interest in any Contract or beneficial Employment under this Act, or while any Appeal shall be depending wherein he shall be interested, be capable of acting as a Trustee in the Execution of this Act; and that at all Meetings to be held in pursuance of this Act, the Trustees present at such Meetings shall defray and bear their own Expences.

No Act to be valid unless done at a Public Meeting:

Trustees to pay their own Expences.

VIII. And be it further enacted, That all the Powers or Authorities by this Act granted to or vested in the said Trustees to be executed by them, shall and may from Time to Time be exercised by the major Part of them present at any Public Meeting to be holden in pursuance of this Act, such Meeting consisting of not less than Nine Trustees; and that at every such Meeting a Chairman or President shall and may be appointed by a Majority of the Trustees at such Meeting; and that in all Cases the said Trustees shall vote by Ballot, in case the same shall be desired by any Three or more of the Trustees then present, and in case of an equal Number of Votes upon any Occasion (including the Chairman or President's Vote), the Chairman or President shall have another and the casting or decisive Vote.

Matters to be determined by the Majority of Trustees present.

IX. And be it further enacted, That the said Trustees at their First Meeting, or at an Adjournment thereof, shall and may, and they are hereby directed and required to elect by Ballot or otherwise, as to them shall seem most proper, out of the Trustees who shall have qualified themselves to act as Trustees as aforesaid, Nine of the said Trustees to be and act as a Committee of Management for the better and more properly paving, cleansing, lighting, widening, watering, altering, improving, and regulating the Streets, Highways, Lanes, Squares, and Public Passages of the said Town, and for removing all Nuisances, Annoyances, Obstructions, and Encroachments therein; and that the said Nine Trustees so

Appointment of Committee of Management.

elected to be and act, shall be and continue to be and act as a Committee of Management until the Twenty-fifth Day of *March* in the Year One thousand eight hundred and twenty-two; at the Expiration of which Time, Three of the said Committee of Management shall by Ballot among themselves go out of the said Committee of Management, and Three others shall be elected in their Place and Stead in Manner herein-after mentioned, that is to say, the Six remaining Members of the said Committee of Management, on the Third *Monday* in the Month of *March* aforesaid, shall by Ballot out of a List of Six Trustees qualified as aforesaid, to be returned to them as herein-after mentioned by the said Trustees, proceed to elect Three other of the said Trustees to be Members of the said Committee of Management, in the Place and Stead of the Three Members of the said Committee who shall be ballotted to quit the said Committee on the said Twenty-fifth Day of *March* One thousand eight hundred and twenty-two; which Three new Members so to be elected, together with the said Six remaining Members who shall have served and acted on the said Committee the preceding Year, shall in like Manner be and continue to be and act as a Committee of Management for One whole Year, from the said Twenty-fifth Day of *March* One thousand eight hundred and twenty-two, until the Twenty-fifth Day of *March* following, when Three of the Six Members, who shall have served and acted on the said Committee of Management for the Two preceding Years, shall, by Ballot among themselves, quit the said Committee, and Three others shall be elected in their Place and Stead by the other remaining Six Members of the Committee, in the Manner herein-before prescribed for the Election of new Members of the said Committee of Management, who with the said remaining Six Members who shall have served and acted the Year preceding, shall in like Manner be and continue to be and act as a Committee of Management for One whole Year, from the Twenty-fifth Day of *March* One thousand eight hundred and twenty-three, until the Twenty-fifth Day of *March* following; and that at the End of the Year for which such Committee of Management shall have acted, the Three Members who shall have served and acted on the said Committee the Three preceding Years, shall quit the said Committee, and Three others shall be elected in their Place and Stead, in Manner and Form aforesaid, who with the then remaining Six Members shall be and continue to be and act as a Committee of Management for One whole Year, from the said Twenty-fifth Day of *March* One thousand eight hundred and twenty-four; and that at the End of every succeeding Year, the Three Members who shall have served and acted in the Committee of Management Three successive Years, shall quit the Committee, and others shall be elected in their Place and Stead in like Manner as the other new Members are herein-before directed to be elected, who shall be and continue to be and act as a Committee of Management from the Twenty-fifth Day of *March* in each Year, until the Twenty-fifth Day of *March* following, and until they shall be respectively displaced, and others elected in their Stead in Manner afore-mentioned; which Mode of Election shall invariably be observed in every succeeding Year thereafter for ever: And the said Committee of Management so to be elected shall and they are respectively hereby empowered to put into Execution all and every the Powers and Authorities given to them under this Act, for and during such Time as they shall respectively continue to be and to act as a Committee of Management: Provided, that no Person shall be compellable to serve and act as a

Member

Member of the said Committee of Management, after he shall have attained the Age of Sixty-five Years, without his previously consenting thereto.

For supplying Vacancies in Committee of Management.

X. Provided always, and be it further enacted, That on the Second *Monday* in the Month of *March* which shall be in the Year of our Lord One thousand eight hundred and twenty-two, or within Five Days thereafter, and so in like Manner on the Second *Monday* in the Month of *March*, or within Five Days thereafter, in every succeeding Year, for ever, the said Trustees herein-before mentioned, or any Nine or more of them, shall and may, and they are hereby required, by Ballot, to elect Six of the said Trustees qualified as herein-before mentioned, and within Three Days thereafter cause a List of the Names of such Six Trustees to be made and delivered to the said Committee of Management, out of which List the said Committee of Management, at the First Meeting in each Year for electing of new Members, shall elect Three new Members in Manner and Form herein-before for that Purpose prescribed; and in case of the Death, Resignation, or Disqualification of any Member of the said Committee of Management, before the Expiration of the Time for which he shall be elected to serve in the said Committee of Management, the said Committee of Management shall, and they are hereby required, at their First or Second Meeting next after every such Decease, Resignation, or Disqualification, to elect such other of the said Trustees as they or the major Part of them present shall think fit, in the Place of the Person so dying, resigning, or being disqualified to serve as a Member of the said Committee of Management, for the Remainder of the Term for which such Member who shall die, resign, or be disqualified would have held the same.

Persons elected on Committee of Management to accept Office in Ten Days.

XI. And be it further enacted, That if the Persons who shall be duly elected to act as a Committee of Management by virtue of this Act, or any or either of them, shall after Ten Days Notice of such their or his Election, by Writing under the Hands of any Three of the said Trustees at their First Meeting, or afterwards of any Three of the said Members of the said Committee, to him or them given, or left at his or their House or Place of Abode, wilfully and designedly, and without reasonable Cause of Absence shewn to and approved of by the said Committee, or the major Part of the Members present at their then next Meeting, after the Expiration of such Ten Days, refuse or neglect to accept or take upon them or him such Office, or in case of accepting the same, shall refuse or neglect to serve and act therein from Time to Time for and during the Term for which he shall be appointed to serve as before mentioned, as the Duty of his Office shall require, each and every Person and Persons so offending shall for each and every such Offence forfeit and pay to the Use of the said Trustees the Sum of Twenty Pounds, and another of the said Trustees shall, at the then next Meeting of the said Trustees, or at a Special Meeting to be held for that Purpose, be elected in his Place and Stead in manner herein-before directed for electing Members of the said Committee of Management in the Room of such as shall die, resign, or be disqualified before the Expiration of their Office; and on Payment of such Forfeiture, such Person shall be excused serving, and shall not be liable to serve on the said Committee of Management for one Year, but may at the Expiration of that Time be again returned by the said

Trustees,

Trustees, and again elected to serve on the said Committee of Management, and be liable to the like Forfeiture in case of not accepting the Office, and not serving and acting therein as aforesaid.

Penalty on Trustees or Committee of Management participating in any Contract.

XII. Provided always, and be it further enacted, That if any of the said Trustees, or any Person who shall be duly elected a Member of the said Committee of Management, shall either directly or indirectly offer to take and succeed in taking, or shall participate in any manner in any Contract, or in any Work to be done under the Authority or by virtue of the Provisions contained in this Act, or any of them, every such Trustee, and every such Person shall forfeit and pay the Sum of Fifty Pounds, and shall cease to be a Trustee and a Member of the said Committee of Management, and shall be disqualified to vote in any Matters to be discussed and argued by the said Trustees, or the said Committee of Management.

Manner of revoking Orders.

XIII. Provided always, and be it further enacted, That no Order made by the said Trustees, at any of their Meetings, shall be revoked or altered, unless at some Meeting to be specially holden for that Purpose, of which Seven Days Notice in Writing shall have been given, by affixing the same on the outer Door of the said Guildhall, and on the said Market House, and also unless Twelve Trustees or more shall attend at such Meeting to revoke or alter the same; any thing herein-before contained to the contrary thereof notwithstanding.

Proceedings to be entered in Books.

XIV. And be it further enacted, That all the Acts, Orders, and Proceedings of the said Trustees, and of the said Committee of Management, shall from Time to Time be fairly written and entered in a proper Book or separate Books to be kept for that Purpose; and that all such Books shall, at any Meetings of the said Trustees, be open to the Inspection of any Person or Persons rated and paying the Rates or Assessments to be made for the Purposes of this Act, without Fee or Reward; and all such Orders and Proceedings of the said Trustees and Committee of Management so entered, shall be respectively signed by a Majority of the Trustees assembled at such Meetings, or Three or more of the said Committee of Management, and when so signed shall be deemed Originals, and shall be admitted to be read in Evidence in all Courts whatsoever, in all Causes, Suits, and Actions touching any thing to be done in pursuance and under the Authority of this Act; which Books or Book shall be kept by the Clerk or Clerks for the Time being to the said Trustees, or by such Person or Persons, and at such Place or Places as the said Trustees, or any Three or more of them, shall direct and appoint.

Trustees may appoint Officers:

XV. And be it further enacted, That the said Trustees, or any Nine or more of them, shall and may from Time to Time appoint One or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Rate or Rates herein-after mentioned, Surveyor or Surveyors, and such other Officer or Officers for the Execution of this Act, as the said Trustees, or any Nine or more of them, shall from Time to Time think proper; and may also from Time to Time remove them, or any of them, and appoint other or others in the room of such of them as shall be so removed, or shall die, relinquish, or discontinue such Office, or become

incapable of acting therein; and out of the Monies to be raised by virtue of this Act, the said Trustees, or any Five or more of them, shall and may make such Allowances to such Officers, and to all other Persons by them the said Trustees employed in the Execution of this Act, as they, or any Five or more of them, shall think reasonable; and shall and may take such Security from the Treasurer or Treasurers and other Officers, for the due Execution of their respective Offices, as the said Trustees, or any Nine or more of them, shall think proper; and all such Officers so to be appointed shall, under their Hands, at such Time or Times and in such Manner as the said Trustees, or any Three or more of them, shall direct, deliver to the said Trustees, or any Three or more of them, 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 by virtue of this Act, and also of all the Monies which shall have been by such Officers and Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Trustees, or any Three or more of them, or to such Person or Persons as they shall appoint; and if any such Officer shall neglect or refuse to make and render any such Account, or to produce or to deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver to the said Trustees, or any Three or more of them, or to such Person as they shall appoint, within Fourteen Days next after being thereunto required by the said Trustees, or any Three or more of them, by Notice in Writing given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to this Act, or give Satisfaction to the said Trustees, or any Three or more of them, respecting the same, then and in any of the Cases aforesaid, the said Trustees, or any Three or more of them, may, and are hereby authorized and empowered to cause an Action to be brought against the Officer so neglecting or refusing as aforesaid, 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 Trustees, or any Three 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 of the County or Place wherein such Officer 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 so neglecting or refusing to be brought before him, and upon his 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, it shall appear to such Justice that any of the Monies which shall have been collected or raised by virtue of this Act, shall remain due from such Officer, such Justice is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels of such Officer can be found, sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if it shall in Manner aforesaid appear to such Justice that such Officer shall have neglected or refused to render and give such Account, or to produce the Vouchers relating thereto, or

Officers to give Security, and account.

or that any Book, Paper, or Writing, or Books, Papers, or Writings relating to the Execution of this Act, shall be in the Custody or Power of such Officer, 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 Gaol for the County or Place 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 Trustees, or any Five or more of them, for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Trustees, or any Five or more of them, are hereby empowered to make and receive), and until he shall deliver up such Book, Paper, or Writing, Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Trustees, or any Five or more of them, as aforesaid: Provided always, That no Person committed for want of sufficient Distress shall remain in Prison for any longer Space than Six Calendar Months.

Officers not to take Rewards other than Salaries appointed by the Trustees.

XVI. And be it further enacted, That if any Clerk, Surveyor, or Officer or Servant, who shall be employed by the said Trustees or Committee of Management, or by the Committee for Management of the Watch herein-after mentioned, in the Execution of this Act, shall exact, take, accept, or receive by any Ways or Means any Fee or Reward whatsoever, other than such Salaries, Rewards, and Allowances as shall be appointed by the said Trustees, or any Five or more of them, for or on account of any thing done or to be done by virtue of this Act, or on any account whatsoever relative to the putting of this Act in Execution, or shall be by any Ways or Means concerned or interested in any Bargain made or to be made by the said Trustees, or any Three or more of them, or Committee of Management, for any of the Purposes intended by this Act, every Person so offending shall thenceforth for ever be incapable of being employed under this Act, and shall likewise forfeit and pay the Sum of Twenty Pounds.

Accounts to be kept.

XVII. And be it further enacted, That the said Trustees shall, and they are hereby required to order and direct a Book or Books to be provided and kept by their 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 received, paid, laid out and expended in the Execution of this Act, and the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all reasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Rates hereby authorized to be made, without Fee or Reward; and the said Trustees and Creditors shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the Clerk shall refuse to permit, or shall not permit any of the said Trustees or Creditors to inspect such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

XVIII. And

Trustees to sue and be sued in the Name of their Treasurer.

XVIII. And be it further enacted, That the said Trustees shall and may sue and be sued, and otherwise proceed or be proceeded against at Law, in the Name of any One of the said Trustees, or in the Name or Names of their Treasurer or Treasurers for the Time being; and that all Actions or Suits that it may be necessary to bring for Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any Matter or Thing relating to this Act, shall be brought and prosecuted in the Name of any One of the said Trustees, or in the Name or Names of the Treasurer or Treasurers for the Time being of the said Trustees; and that no Action or Actions which may be brought, commenced, or prosecuted by or against such Trustees, or any of them, by virtue or on account of this Act, in the Name of any One of the said Trustees, or in the Name or Names of their Treasurer or Treasurers, shall abate or be discontinued by the Death, Suspension, or Removal of such Trustee, Treasurer or Treasurers, or any or either of them, or by any Act or Default of such Trustee, Treasurer or Treasurers, or any of them, done or suffered without the Direction or Consent of Five or more of the said Trustees for the Time being; but any One of the said Trustees, or Treasurer or Treasurers of the said Trustees for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may require, in such Actions or Suits: Provided always, That every such Trustee, Treasurer or Treasurers, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to be raised by virtue of this Act, all such reasonable Costs, Damages, Charges, and Expences as he or they shall sustain or be put unto or become chargeable with, by reason of his, their, or any or either of their being made Plaintiff or Plaintiffs, Defendant or Defendants therein; and such Trustee, Treasurer or Treasurers, shall not be personally answerable or liable for the Payment of the same, or of any Part thereof, unless such Action or Suit shall arise in consequence of his or their own wilful Neglect or Default, and unless the same should have been brought, commenced, or defended, without the Order or Direction in Writing signed by Five or more of the said Trustees assembled at a Meeting under this Act.

Regulating the Meetings and Proceedings of the Committee of Management.

XIX. And be it further enacted, That the said Committee of Management shall or may hold their First Meeting within Fourteen Days after their being appointed, at such Time and Place within the said Town of *Shrewsbury* as they shall think proper to appoint, and shall have full Power and Authority to adjourn such First Meeting, and to meet and adjourn from Time to Time, and from Place to Place, as they shall think fit; and the said Committee of Management shall from Time to Time appoint One of the said Committee present to preside as Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management at any of their Meetings, shall be decided and determined by a Majority in Number of Members present, (the Number present not being less than Three); and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Committee, Three Members qualified to vote shall not attend, then and

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in every such Case the Meeting shall be adjourned till such Time as the Members or Member then present, or if none be present, as the Clerk of the said Committee, or such other Person as shall attend in his or their Place, shall appoint; and if it shall happen that there shall not at any Meeting be a sufficient Number of Members to act or to adjourn to another Day, or in case the Committee at any Meeting assembled shall neglect or omit to adjourn, then any Two or more Members of the Committee, at any Time when they shall think fit, may call a Meeting of the Committee, by Notice in Writing signed by such Two or more Members, to be sent by the Clerk to the Residence or Address of every Member of such Committee.

Collectors to pay over Monies to the Treasurer.

XX. And be it further enacted, That all and every Collector and Collectors to be appointed in pursuance of this Act shall and is and are hereby authorized and required to pay all such Monies as he or they shall respectively collect and receive, by virtue of the Rates to be made in pursuance of this Act, and otherwise, into the Hands of the Treasurer or Treasurers, within Two Days after the Receipt thereof.

Treasurer not to pay Money without an Order in Writing.

XXI. And be it further enacted, That no Money which shall be received by the Treasurer or Treasurers to be appointed by the said Trustees, under or by virtue of this Act, shall be paid by him or them to any Person or Persons whatever, without an Order or Orders in Writing, signed by the said Committee of Management, or any Two or more of them, at a Meeting of the said Committee of Management, except where otherwise directed by this Act.

Auditor of Accounts to be appointed:

XXII. And be it further enacted, That the said Trustees, or any Nine or more of them, shall and they are hereby required to meet together at the Guildhall in the said Town of *Shrewsbury*, on the Second *Monday* in *March* in every Year, at Eleven o'Clock in the Forenoon, and to nominate and appoint one fit and discreet Person to audit the Accounts of the said Treasurer or Treasurers, and Collector or Collectors; which Person when so elected, and after he shall have taken the Oath herein-after set forth, shall carefully and faithfully examine such Accounts, and the several Items thereof, and shall allow or disallow the same, according to the best of his Understanding and Skill, and shall forthwith fully and faithfully report thereon to the said Trustees and the said Committee of Management, for their final Approbation or Disapprobation, Allowance or Disallowance of the same Accounts: And the said Auditor, before he enters on the Examination of the said Accounts, shall take, before the Mayor, or any other Justice of the Peace for the said Town and Liberties, an Oath in the Words or to the Effect following; (that is to say),

Auditor's Oath.

'I *A. B.* do swear, That I will truly, carefully, faithfully and expeditiously audit and examine the Accounts of the Treasurer or Treasurers, Collector or Collectors, appointed under or by virtue or in pursuance of an Act made and passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*] and every of them; and that I will allow all such Sums in the said Accounts as shall appear to me to be charged to have been received, or that shall, by virtue of an Order or Orders in Writing signed

'signed by the Committee of Management, as directed by the said Act, 'have been paid by him or them, and for which there shall be a pro- 'per and regular Discharge or Discharges, and Voucher or Vouchers; 'and that I will not allow any Charges in the said Accounts which shall 'appear to have been paid without an Order or Orders in Writing, 'signed as aforesaid, unless otherwise directed by this Act; and that I 'will truly and indifferently, without Affection, Ill-will, or Hatred, execute 'the Office of an Auditor of the said Accounts, according to the best of 'my Judgment and Ability; and that I will faithfully report to the said 'Trustees and the said Committee of Management, all such Matters and 'Things as may be necessary to the due Auditing and Allowance of the 'said Accounts. So help me GOD.'

Offices of Clerk and Treasurer not to be held by the same Person.

XXIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending, 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, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Property of Lamps, & vested in Trustees.

XXIV. And be it further enacted, That from and after the passing of this Act, the Right and Property of, in, and to all Lamps, Lamp-Irons, Posts, Buildings, and Erections which shall or may hereafter be erected and fixed by virtue of this Act, and of, in, and to all other Things, Materials, and Utensils whatsoever, which shall be purchased for the Purposes of this Act, shall be and they are hereby vested in the said Trustees, and they or any Five or more of them are hereby authorized and empowered to bring or cause to be brought any Action or Actions, or to prefer any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, and carry away, detain, spoil, injure, or destroy any Part or Parts thereof, or any other Matter or Thing vested in the said Trustees as aforesaid, or disturb them in the Possession 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 be preferred, is or are the Goods and Chattels of "The Trustees for paving and repairing the Streets, Lanes, and Passages within the Town of *Shrewsbury*," without particularly mentioning or specifying the Name or Names of all such Trustees; and the said Trustees or any Five or more of them shall have full Power and Authority from Time to Time to sell, by Public Auction or otherwise, all or any Part of the Materials and Things which shall not be wanted for

the Purposes of this Act, and the Money arising therefrom shall be applied to the Purposes of this Act.

Property of former Trustees vested in the present Trustees.

XXV. And be it further enacted, That all the Horses, Goods, Chattels, and other Effects, the Property of the Trustees for carrying into Execution the said Act passed in the Twenty-ninth Year of the Reign of His said Majesty King *George* the Second, shall be, from and after the passing of this Act, and they are hereby vested in the Trustees hereby nominated, constituted, and appointed for the Purposes of this Act.

Pavements to be made and repaired.

XXVI. And be it further enacted, That it shall and may be lawful for the said Committee of Management, or any Three or more of them, from Time to Time and at all Times when and so often as they shall think proper, to order and direct all or any of the present or future Pavements in the Streets, Squares, Highways, Lanes, and other Public Passages in the said Town of *Shrewsbury*, as well in those Parts used by Carriages as those used by Foot Passengers, on both Sides of the Way, to be taken up, and the said Streets, Squares, Highways, Lanes, and other Public Passages, to be paved, flagged, pitched, re-laid, cleansed, amended, raised, lowered, or altered, and proper Drains to be made for conveying off the Water, in such Manner, at such Time or Times, and as often as the said Committee of Management, or any Three or more of them, shall think proper; and the Person or Persons authorized or directed by them to do the same is and are hereby invested with full Power to do the same accordingly.

For getting Materials.

XXVII. And be it further enacted, That it shall be lawful for the said Committee of Management, or any Three or more of them, or such other Person or Persons as they shall from Time to Time appoint, to dig up, have, take, and use all such Gravel, Stones, Bricks, and other Materials as shall be found in the said Streets, Squares, Highways, Lanes, and other Public Passages, or any of them, and to provide and bring in all such other Gravel, Stones, Bricks, and other Materials for the paving and repairing of the same, and employ such Workmen, Labourers, Carters, and others in and about the paving and repairing of the said Streets, Squares, Highways, Lanes, and Passages, or any of them, and to order, issue, and appoint to be paid such Sums of Money, Wages, and Salaries for or in respect of the Matters and Things aforesaid, and to do all and every such Acts and Things as the said Committee of Management, or any Three or more of them, shall judge necessary and proper for accomplishing the Purposes of this Act, pursuant to the Powers herein contained.

Regulating the Foot-paths.

XXVIII. And be it further enacted, That all and every Person and Persons who shall, within the Space of Twelve Calendar Months next before the passing of this Act, have built or erected, or who shall at any Time after the passing of this Act build or erect, or cause to be built or erected any Dwelling House or other Building, Wall, or Fence within the said Town of *Shrewsbury*, shall, at his, her, or their own Costs and Charges, from Time to Time within Three Calendar Months after Notice in Writing for that Purpose given by any Five or more of the said Committee of Management, cause the Ground before, behind, or at the Sides of such Dwelling Houses or other Building, Wall, or Fence, as far as

the Gutter or Channel in the Streets, Squares, Highways, Lanes, and other Public Passages, to be raised or lowered, and well and sufficiently paved, flagged, pitched, repaired, or altered, in such Manner and Form, and with such Materials as the said Committee of Management, or any Five or more of them, shall direct or require: Provided always, that in case any Person or Persons who shall, within the Time aforesaid, have built or erected, or who shall or may at any Time after the passing of this Act build or erect or cause to be built or erected any such Dwelling House, Building, Wall, or Fence, shall refuse or neglect to do or perform all or any Part of such last-mentioned paving, flagging, pitching, repairing, altering, or other Thing, within the Time and in the Manner before directed, that then and in such Case it shall be lawful for the said Committee of Management, or any Five or more of them, to cause the same or any Part thereof to be done, in such Manner and Form as they shall think fit to order and direct; and the Charges and Expences attending the same, shall be paid by the Person or Persons erecting or building or causing the Dwelling House, Building, Wall, or Fence, to be so built or erected; and in case any such Person or Persons shall refuse or neglect to pay all such Charges and Expences for the Space of Twenty-one Days after the same shall be demanded, then it shall be lawful for any Justice of the Peace for the said Town and Liberties of *Shrewsbury*, upon Complaint made to him by the said Committee of Management, or by any Three or more of them, or by the Surveyor or Surveyors, Collector or Collectors, Clerk or Clerks respectively, or any or either of them, to cause all such Charges and Expences to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting as aforesaid, together with all reasonable Costs and Charges of such Complaint, Distress and Sale, rendering the Overplus, (if any) upon Demand, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

Pavements not to be altered without Consent of Committee of Management.

XXIX. And be it further enacted, That if any Person or Persons shall, at any Time or Times after the passing of this Act, make or cause to be made any Alteration in the Form of any Street, Square, Highway, Lane, or other Public Passage within the said Town of *Shrewsbury*, or of the Pavement thereof, without the Consent and Approbation of the said Committee of Management, or any Five or more of them, in Writing, such Person or Persons shall, at his, her, or their own Expence, within One Month after Notice given for that Purpose by the said Committee of Management, or any Five or more of them, or by their Clerk or Clerks, Surveyor or Surveyors, remove or take away the same, and put such Street, Square, Highway, Lane, or other Public Passage, and the Pavement thereof, which shall have been so altered, into the same Form and Condition as it was before the Time of such Alteration, or as the said Committee of Management shall require and direct; and in case of his, her, or their Neglect or Refusal so to do within the Time aforesaid, then the said Committee of Management, or any Five or more of them, shall and may order any Workman or Workmen to alter and put the said Streets, Squares, Highways, Lanes, and other Public Passages and Pavements, into the same Form and Condition as they were in before, or as they shall require and direct; and the Expences and Charges thereof shall be borne and defrayed by the Person or Persons who made the said Alteration, and shall be recovered and applied (in case of Non-payment thereof on Demand) in like Manner as

as Penalties and Forfeitures are by this Act authorized or directed to be recovered and applied.

Fences to be made while Houses are repairing.

XXX. Provided always, and be it further enacted, That it shall be lawful for the said Committee of Management, or any Three or more of them, by Writing under their Hands, to require the Proprietors and Inhabitants within the said Town, or their Builders or Workmen, to make and maintain such Fence or Fences before their respective Houses, preparatory to the taking down, rebuilding, or repairing the same, or any Vault, Drain, or Building belonging thereto, and for laying the necessary Lime, Mortar, and Materials for the same, and the Rubbish arising from the said Buildings, as the said Committee of Management, or any Three or more of them, in their Discretion shall think necessary or proper in that Behalf; and in case they shall refuse or neglect to do the same, they shall respectively forfeit and pay any Sum not exceeding Ten Pounds.

Bars to be erected while Streets are under Repair.

XXXI. And be it further enacted, That it shall be lawful for the said Committee of Management, or any Three of them, when any of the said Streets, Squares, Highways, Lanes, and other Public Passages within the said Town, shall be under Repair, in the paving or pitching thereof, or during the making or repairing of any of the Sewers, Drains, or Vaults, or other Works by this Act authorized to be made, done, and repaired, to fix and place, or cause to be fixed and placed, such and so many Bar or Bars, Chain or Chains, Post or Posts, or other Obstruction or Obstructions, across or in any of the said Streets, Squares, Highways, Lanes, or other Public Passages, to prevent the passing and re-passing of Carriages, Drays, Cattle, and Horses during the Time such Works and Repairs shall be carried on, as to them shall seem proper; and shall also place, set up, and maintain, or cause to be placed, set up, and maintained, a sufficient Light or Lights during the whole of the Night-time, in such Manner as to prevent Accidents and Mischief happening therefrom; and if any Person shall break down, take down, alter, or remove any of the said Bars, Chains, Posts, or other Obstructions, or any Part thereof, or any of the said Lights, without the Authority or Consent of the said Committee of Management, every such Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds.

Footpaths to be swept.

XXXII. And be it further enacted, That all and every Person and Persons inhabiting within the said Town of *Shrewsbury* shall, when directed by Notice from the said Committee of Management, or any Three or more of them, sweep and clean, or cause to be swept and cleaned, the Footway or Pavement before their respective Houses, Buildings, and Walls, Three Times at least in every Week, to wit, on *Mondays*, *Wednesdays*, and *Fridays*, or oftener, if thereto required by the said Committee of Management, or their Surveyor or Surveyors for the Time being, upon Pain of forfeiting any Sum not exceeding Three Shillings for every Neglect therein.

Appointment of Scavengers.

XXXIII. And be it further enacted, That it shall be lawful for the said Committee of Management, or any Five or more of them, from Time to Time to nominate and appoint such Person or Persons as they shall think fit, to be and act as a Scavenger or Scavengers for sweeping, cleansing, and carrying

carrying away from off the Streets, Squares, Highways, Lanes, and other Public Passages within the said Town, the Dirt, Dust, Dung, Filth, and Soil thereof, at such Times and in such Manner as is herein-after mentioned, and to contract with such Scavenger or Scavengers for the same, and for providing such a Number of Servants or Men, Carts and Carriages, as shall be deemed requisite and necessary for those Purposes, and to order and direct on what Day or Days, or at what Times in each and every Week the particular Streets, Squares, Highways, Lanes, and other Public Passages within the said Town, shall be swept and cleansed, and the Dirt, Dust, Dung, Filth and Soil, carried off from the same respectively; and that the said Scavenger or Scavengers shall give due Notice to the Inhabitants of his Approach, by Ring of Bell, or otherwise, and stay a convenient Time with such Cart or Carriage, so that the said Scavenger or Scavengers may take and put into such Cart or Carriage all such Dirt, Dust, Ashes, or Filth, or otherwise the said Scavenger or Scavengers shall, if required, and not otherwise, come into such Part of their respective Houses and Premises where such Dirt, Dust, Ashes, and Filth as aforesaid shall be kept, and take the same from thence in such Cart or Carriage as aforesaid; and the said Committee of Management or any Five or more of them shall and may make such Rules, Orders, and Directions to be observed and kept by such Scavenger or Scavengers from Time to Time, and with and under such Penalties and Forfeitures, not exceeding Forty Shillings for each Offence, as they the said Committee of Management shall think fit.

Scavengers may be prosecuted for Breach of Contract.

XXXIV. And be it further enacted, That if any Person or Persons entering into or engaging in any Contract for well and sufficiently cleansing any of the Streets, Squares, Highways, Lanes, and other Public Passages within the said Town, shall omit or neglect to sweep or cleanse, or to remove or take away immediately the Dirt or Ashes belonging to the several Inhabitants from and out of the same, according to his or their Contract, or shall in any other Manner omit or neglect to perform, execute, and fulfil the Conditions of his or their said Contract, according to the true Intent and Meaning thereof, such Person or Persons shall, for every such Neglect or Omission as aforesaid, forfeit and pay any Sum not exceeding Twenty Pounds; and it shall be lawful for the Justice or Justices before whom such Penalty shall be recovered, to order and direct any Sum not exceeding One Quarter of the said Penalty to be paid and applied to the Use of such Person as shall inform or prosecute in that Behalf: Provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to hinder or prevent the said Trustees from commencing and prosecuting any Action or Actions at Law against any Contractor or Contractors for cleansing any of the said Streets, Squares, Highways, Lanes, and other Public Passages, for or in respect of any Breach of Contract or Covenant, so as such Action or Actions be not brought or commenced for or in respect of any particular Breach of Contract or Covenant for which such Contractor or Contractors shall have been proceeded against before such Justice or Justices as aforesaid.

Penalty on Persons (except the Scavenger) carrying away Ashes, &c.:

XXXV. And be it further enacted, That no Person or Persons shall take and carry away, or cause to be taken and carried away, any Ashes, Dust, Dirt, Muck, Dung, or Manure which shall be made in any of the said Streets, Squares, Highways, Lanes, and other Public Passages, out of the same, other than and except the Person so to be contracted with or appointed

pointed as aforesaid for such Purpose by the said Committee of Management, upon pain of forfeiting and paying any Sum not exceeding the Sum of Five Pounds for every such Offence.

Not to extend to Persons keeping Ashes, &c. on their own Premises:

XXXVI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to any Ashes, Dust, Dirt, Filth, Dung, or Rubbish which any of the Inhabitants of the said Town shall lay or keep within their respective Houses, Buildings, Yards, Gardens, or Grounds, so as the same do not become a Nuisance or Annoyance to any other of the Inhabitants, and so as such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish be not laid down or placed in any or either of the said Streets, Highways, Lanes, or Passages, for any longer Time than shall be absolutely necessary for the loading and carrying away the same; but in case the Person or Persons so reserving such Ashes, Dirt, Dust, Filth, Soil, Dung, or Rubbish, shall continue to keep the same for the Space of Twenty-four Hours after Complaint shall have been made and proved to the said Committee of Management, or any Three or more of them, of the same being such Nuisance or Annoyance, and after Notice in Writing from the said Committee of Management, or any Three or more of them, given him, her, or them, or left at his, her, or their usual Place of Abode, to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day such Nuisance or Annoyance shall be permitted to remain after such Notice given as aforesaid.

Nor to Rubbish occasioned by the Repair of Houses.

XXXVII. Provided also, and be it further enacted, That no Person shall be subject to the last-mentioned Penalty for any Rubbish or Dirt in the said Streets, Squares, Highways, Lanes, and other Public Passages, or any of them, before the House or Tenement of such Person, occasioned by the building or pulling down any Building, rebuilding or repairing any House or Tenement, so as there be convenient Space left in the same Streets, Squares, Highways, Lanes, and other Public Passages where such Rubbish or Dirt shall lie, for Carriages to pass and repass, and a sufficient Way kept clear for Foot Passengers, by the Persons laying or occasioning such Dirt or Rubbish to be laid; nor for the making up any Lime into Mortar in any of the said Streets, Squares, Highways, Lanes, and other Public Passages, so as such Space be left for Foot Passengers and Carriages, and so as such Lime be inclosed before such House or Building about which the same is to be used, and so as the Owner or Owners or Inhabitants of such House or Tenement before which such Rubbish or Dirt, Lime or Mortar, shall lie, shall cause the same to be removed out of the same Street, Square, Highway, Lane, or other Public Passage, at his, her, or their own Costs and Charges, within a Time fixed, and Notice to be given to him, her, or them, or left at his, her, or their said House or Tenement where such Dirt or Rubbish, Lime or Mortar, shall lie, for that Purpose, in Writing, by the said Committee of Management, or any Three or more of them, and so as that whilst the same shall be lying in the said Street, Square, Highway, Lane, or other Public Passage, such Owner or Owners or Inhabitants shall set up and maintain a sufficient Light or Lights upon or against the same, every Night, from the Time it becomes dark, to prevent any Mischief happening to Passengers, Carriages, or Horses, which might otherwise be occasioned thereby.

For preventing Nuisances, &c.

XXXVIII. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall, upon any of the Footways or Foot Pavements within the said Streets, Squares, Highways, Lanes, and other Public Passages within the said Town of *Shrewsbury*, run, draw, drive, or carry thereon any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever; or roll any Cask or Tub, other than for the necessary loading or unloading thereof, to, from, upon, or out of any Carriage or Cart; or wilfully ride, lead, or drive any Horse or other Beast or Cattle whatever on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements; or set any Cask, Tub, Pail, Bucket, Stool, Bench, or Table on or in the said Footway or Foot Pavements; or erect, set up, put, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall in any Street, Square, Highway, Lane, or other Public Passage within the said Town of *Shrewsbury*, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair, or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or wet, slack, or mix any Lime, or wet, mix or make any Mortar; or shoe, bleed, or farry any Horse or other Beast (unless in case of sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or show or expose any Stallion or Stone Horse (except only in such Places as the said Committee of Management or any Three of them shall direct); or show or expose or exercise, or expose to Sale any Horse or other Beast; or kill or slaughter or scald, singe, dress, or cut up any Animal, either wholly or in part; or cause or permit any Blood to run from any Slaughter-House, Butcher's Shop or Shamble, into the Streets, Highways, Lanes, and other Public Passages within the said Town of *Shrewsbury*, or any of them; or shall sell or assist in selling by Auction or Public Sale, any Cattle, Goods, Wares, Merchandize, or Thing or Things whatsoever, without the Leave of the said Committee of Management, or any Three of them, for that Purpose had and obtained; or hang up, place, or expose to Sale, or cause or permit to be hanged up, placed, or exposed to Sale, or otherwise, any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Matter or Thing, in or upon, or so as to project over or upon the Footway or Carriageway of any such Streets, Squares, Highways, Lanes, and other Public Passages, or beyond the Line, or on the Outside of the Window or Windows of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage; or bait or cause to be baited any Bull or other Animal, or throw at or set up any Cock or Fowl to be thrown at; or play at Football or any other Game to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers; or shall wilfully break, aid, or abet, or assist in wilfully breaking any

any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building; or cause, make, or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss, or other Fire Arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework; or shall put, place, throw, cast, or lay, or cause, permit, or suffer to be put, placed, thrown, cast, or laid, any Coal-ashes, Wood-ashes, Rubbish, Dust, Dirt, Dung, Filth, or other Annoyance, in or upon any of the said Streets, Squares, Highways, Lanes, or other public Passages; or shall occasion any other kind of Obstruction or Annoyance, in or upon any of the said Streets, Squares, Highways, Lanes, or other Public Passages; or shall obstruct or incommode, hinder or prevent the free Passage of any Footway or Causeway, or prejudice or annoy, in any Manner whatsoever, any Person or Persons travelling, passing, or going thereon within the said Town of *Shrewsbury*, then and in every such Case, every Person so offending shall forfeit and pay for the First Offence any Sum not exceeding Forty Shillings, and not less than Ten Shillings, and for the Second and every subsequent Offence the Sum of Five Pounds; and it shall and may be lawful to and for any Constable, or other Peace Officer, or any one of the said Committee of Management, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said Town and Liberties of *Shrewsbury*, in order to his, her, or their Conviction of such Offence: Provided nevertheless, that nothing herein contained shall extend, or be construed to extend, so as to prevent or hinder any Person or Persons from selling or exposing to Sale on the Outside of their Shops and Houses, on *Wednesdays* and *Saturdays*, any Butcher's Meat within the Markets, Streets, or Places in the said Town, commonly called or known by the Name of the *Single Butcher Row*, *Double Butcher Row*, and *Fish Street*, or to prevent or hinder them from placing any Stall, Bulk, Bench, Stool, or Form for that Purpose, in front of their Shops and Houses, as heretofore hath usually been done, or to prevent or hinder any Person or Persons from selling or exposing to Sale any Horse, Beast, Cattle, Sheep, or Swine, or placing any Stall, Bulk, Booth, Stool, Bench, or Form for the Sale of Goods or Wares, or from exposing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing, in any Market Place within the said Town of *Shrewsbury*, or in the usual Places of holding the Chartered or Monthly or Customary Markets or Fairs, on the usual Days of such Markets or Fairs.

Carriages, &c. not to be left in the Streets.

XXXIX. And be it further enacted, That if at any Time after the passing of this Act any Waggon, Cart, Dray, or other Carriage used for the Purpose of conveying or carrying Goods, Wares, and Merchandize, or any Materials whatsoever, shall be left or suffered to stand or continue in any of the Public Streets, Squares, Highways, Lanes, or other Public Passages within the said Town of *Shrewsbury*, except for the sole and express Purpose of loading or unloading, and in that Case only during the Time necessarily consumed in loading or unloading the same; or if any Stage Coach, Post Chaise, or other Carriage let for Hire, shall be left or suffered to stand or continue in any of the Streets, Squares, Highways, Lanes, or other Public Passages within the said Town of *Shrewsbury*, or any Part thereof, for a longer Time than shall be necessary

sary for the taking up or setting down Passengers, or for loading or unloading their Baggage; or if any Carriage whatsoever shall be set, placed, or left upon any Part of the Foot Crossings of any such Street, Square, Highway, Lane, or other Public Passage as aforesaid, for any Purpose whatsoever; or if any Timber, Bricks, Stone, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Tubs, Goods, Wares, Merchandizes, Materials, or other Things whatsoever, shall be laid, placed, or left in any such Street, Square, Highway, Lane, or other Public Passage, longer than shall be necessary for the housing or removing the same therefrom, then and in every such Case the Owner or Owners of every such Waggon, Cart, Dray, Stage Coach, Post Chaise, or other Carriage, or of any such Timber, Bricks, Stone, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Tubs, Goods, Wares, Merchandizes, Materials, or other Things, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, and the same shall moreover be deemed Nuisances; and any One or more of the said Committee of Management, or any One of their Officers, or any other Person, without any Peace Officer or other Person present, or without any other Authority than this Act, shall and may seize or cause to be seized any such Waggon, Cart, Dray, Stage Coach, Post Chaise, or other Carriage so placed or suffered to stand or continue contrary to the true Meaning of this Act, together with the Horse or Horses thereunto belonging or affixed, (if any) or the Timber, Bricks, Stone, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Tubs, Goods, Wares, Merchandizes, Materials, and Things so laid, and remove the same, or cause the same to be removed to any Pound within the said Town of *Shrewsbury*, or the Suburbs thereof, or to such other Place as shall be appointed for that Purpose by the said Committee of Management, or any Two or more of them, within the said Town and Liberties, there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall claim the same, and pay to the Person or Persons in whose Custody the same shall then be, any Sum not exceeding Twenty Shillings, together with the Charges of keeping and removing the same; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Three Days next after such Seizure, it shall and may be lawful for the said Committee of Management, or any Five or more of them, to cause the same to be sold; and the Money arising therefrom shall be applied to the Uses and Purposes of this Act, and the Overplus (if any) after deducting the Costs, Charges, and Expences of such Sale, shall be returned, upon Demand, to such Owner or Owners.

For removing Nuisances.

XL. And be it further enacted, That in case any Pigstye, Necessary House, Flesh, Dung, Carrion, Blood, Offal, Soil or Filth, Ashes, Cinders or Rubbish, or any other noisome Matter whatsoever, in or near any of the said Streets, Squares, Highways, Lanes, and other Public Passages, or in any Yards, or Gardens, or Premises within the said Town of *Shrewsbury*, shall annoy or be offensive to any of the Inhabitants or any other Person or Persons, it shall and may be lawful for the said Committee of Management, or any Three or more of them, and they are hereby required, upon Complaint thereof made to them by any such Inhabitant or other Person or Persons, by Notice in Writing under the Hands of the said Committee of Management, or any Three or more of them, or under the

Hand of the Clerk or Clerks to the said Trustees or Committee of Management for the Time being, to order any such Nuisance or Offence to be removed; and in case the same shall not be removed within One Day after such Notice given to the Person or Persons who ought to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremoved after the Expiration of the said Time.

For removing Obstructions and Annoyances.

XLI. And be it further enacted, That all and every the Bow Windows, Porticoes, Porches, and Penthouses, or other Projections which now are or shall or may at any Time after the passing of this Act be erected or set up, and all Posts, Shutters, Signs, Sign-Posts, Shewboards, or other Emblems, to denote the Trade, Occupation, or Calling of any Person or Persons, except such as are directed by any Act of Parliament to be set up and affixed, and all Spouts, Sewers, Gutters, Drains, Channels, Pales, Rails, Grates, Hatchways, Stalls, (except Stalls on Fair or Market Days), Wooden Horses, Blocks, Boxes, Bulks, Sheds, Pigsties, Furniture, Stock in Trade, or any other Matters or Things whatsoever, which at the Time of passing this Act is or are or hereafter shall be erected, set up, or placed, and which in the Judgment of the said Committee of Management, or any Five or more of them, shall be deemed an Obstruction or Annoyance to any of the Inhabitants or Passengers, by projecting into or being placed upon any of the present or future Footways or Carriageways of such Streets, Squares, Highways, Lanes, and other Public Passages, or incumber or fill up the same, shall, within Twenty Days after a Day to be expressed in a Notice signed by Five of the said Committee of Management, to be for that Purpose given or left by their Clerk with the Owner or Occupier of the House or other Buildings or Lands to whom such Matters and Things aforesaid, or any of them, shall respectively belong, be taken down, carried away, filled up, removed, or altered by or at the Expence of the Owner or Owners thereof, under the Inspection and Direction of the Surveyor or Surveyors, or other Officer of the said Committee of Management; and in case the respective Owner or Occupier shall neglect or refuse to obey such Notice, and to observe and perform the several Matters and Things thereby respectively required to be done, within the Time aforesaid, then such Occupier shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall so remain undone; and it shall be lawful for the said Committee of Management, or any Five or more of them, to cause the same to be taken down, carried away, filled up, removed, altered, and fixed in the Manner and for the Purposes aforesaid, and shall return or cause to be returned to the respective Occupiers thereof, or to be left on the Spot from whence the same shall be so respectively removed, or as near thereto as conveniently may be, for such Occupiers, so much of such Matters and Things as aforesaid as shall not be affixed or set up or otherwise made use of in the Alterations directed by this Act; and the Charges and Expences attending the same shall be recovered of the Occupiers thereof respectively, in the same Manner as any of the Penalties and Forfeitures inflicted by this Act are hereby directed to be recovered on Non-payment; and if such Occupiers shall cause such Matters and Things to be replaced, erected, built, or made contrary to the Directions of this Act, every such Occupier or Occupiers shall forfeit and pay any Sum not exceeding Forty Shillings, for every Day the same shall so remain, or otherwise it shall be lawful for

the said Committee of Management, or any Five or more of them, as aforesaid, to order the same to be taken down, filled up, removed, or altered, in such manner as they shall think proper, without giving any Notice to the Occupier or other Person offending therein, and the Charges and Expences attending the same shall and may be recovered of the Person or Persons so offending, in the same Manner as is last herein-before mentioned: Provided, that in every Case in which such Porticoes, Porches, or Penthouses, or other Projections, have been erected longer than the Space of Ten Years before the passing of this Act, the Expences of taking down the same, and making good the House or Building to which the same was attached, shall be paid and borne by the said Trustees,

Regulating Cellar and Trap Doors.

XLII. And be it further enacted, That where any Opening is now or may hereafter be made in the Paving or Flagging of any of the said Streets, Squares, Highways, Lanes, or other Public Passages, as an Entrance into, or for the Purpose of conveying Coals or other Articles into any Vault or Cellar, whether such Vault or Cellar be inhabited or uninhabited, or for the Purpose of admitting Light into any Room or Cellar, or for any other Purpose, the Door, Trap, Flap, Window, Covering, or Grating to such Opening shall be made at the Expence of the Person or Persons requiring the same, and shall be made of Iron or such other Materials, of such Dimensions, and in such Manner and Form, as the said Committee of Management shall direct and approve of; and every such Door, Trap, Flap, Window, Covering, or Grating, shall from Time to Time be well and sufficiently fastened down, and be varied and altered at the like Expence of the Person or Persons for whose Use and Benefit the same shall be possessed and enjoyed, and in such Manner and Form as the said Committee of Management shall direct or appoint; and in case any Person or Persons shall cause any such Door, Trap, Flap, Window, Covering or Grating to be made, repaired, varied or altered, or shall neglect or refuse to fasten down, make, repair, vary, or alter such Grating or Covering contrary to such Direction or Appointment as aforesaid, or shall cause or permit any such Cellar, Door, Trap, Flap, Window, Covering, or Grating within any of the said Streets, Squares, Highways, Lanes, and other Public Passages in the said Town of *Shrewsbury* to be left open at any Time in the Evening, or in the Night, without the same being well and sufficiently lighted and guarded so as to prevent Accidents happening, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Regulating Buildings.

XLIII. And be it further enacted, That no Surveyor, Builder, Carpenter, Mason, or any Workman, in re-building, new-fronting, or altering any House or Building situate in or near to any Street, Square, Highway, Lane, or other Public Passage within the said Town of *Shrewsbury*, shall, on any Pretence whatsoever, bring the Foundation or any Part of such House or Building forward beyond the old Foundation, or beyond the Line of the Street, Square, Highway, Lane, or Public Passage, nor any Rails or Fences, except upon the Foundation or Line on which they are now erected, until the Consent of the said Committee of Management, or any Five of them, in Writing, shall be first had and obtained, and it shall not be lawful for the said Committee of Management, nor for any Five of them, in any Case to give such Consent unless a straight Line or Lines can by such Alteration be obtained in such Streets or Buildings,

Buildings, and that every such Surveyor, Builder, Carpenter, Mason or any Workman in re-building, new-fronting, or altering any such House or Building, who shall bring forward the Foundation or any Part of such House or Building beyond the old Foundation, or beyond the Line of the Street, Square, Highway, Lane, or Public Passage, without such Consent of the said Committee of Management as aforesaid first had and obtained, shall forfeit and pay any Sum not exceeding Twenty Pounds; and the Owner or Occupier of such House or Building shall forfeit and pay any Sum not exceeding Five Pounds for every Month such Obstruction or Encroachment shall be made, by reason of the Foundation of such House or Building, Rails or Fences being brought forward as aforesaid; and that it shall be lawful for the said Committee of Management, or any Five or more of them, by Writing under their Hands, to order and cause the same to be taken down, the Costs and Charges whereof shall be paid and reimbursed to the said Trustees, or any Five or more of them, or their Order, by the Owner or Occupier of such Houses or Buildings, or other Person or Persons ordering and directing the same, and shall be recovered in such Manner and by such Ways and Means as any of the Penalties and Forfeitures are herein directed to be levied and recovered.

Drivers of Carriages punishable for furiously Driving.

XLIV. And be it further enacted, That if the Driver of any Waggon, Cart, Car, Dray, or other Carriage, shall ride upon any such Carriage in any of the Streets, Squares, Highways, Lanes, or other Public Passages within the said Town and Liberties of *Shrewsbury*, not having some other Person on Foot or on Horseback to guide the same, (such Carriages as are usually conducted by some Person holding the Reins of the Horse or Horses drawing the same excepted), or if the Driver of any Carriage whatsoever shall in any such Street, Square, Highway, Lane, or other Public Passage furiously drive the same, or shall, by Negligence or wilful Misbehaviour, cause any Hurt or Damage to any Person or Carriage, or shall wilfully be at such Distance from such Carriage whilst it shall be passing in any such Street, Square, Highway, Lane, or other Public Passage, that he cannot have the Direction and Government of the Horse or other Cattle drawing the same, or shall, by furious or overdriving the same, or by Negligence or wilful Misbehaviour, prevent, hinder, or interrupt the free Passage of any other Carriage, or of any of His Majesty's Subjects in any such Street, Square, Highway, Lane, or other Public Passage; or if the Driver of any empty or unloaded Waggon, Cart, or other Carriage shall refuse or neglect to turn aside and make way for any Coach, Chariot, Chaise, loaded Waggon, Cart, or other loaded Carriage; then and in every such Case every such Driver so offending, and being convicted of any such Offence, either by his own Confession, the View of a Justice of the Peace, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the said Town and Liberties, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, in case the Driver shall not be the Owner of such Carriage; and in case such Driver be the Owner of such Carriage, then any Sum not exceeding Forty Shillings; and every such Driver offending in any of the said Cases shall and may by Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed; and it shall and may be lawful to and for the Person or Persons so

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

Penalty for injuring the Streets by drawing heavy Weights.

XLV. And be it further enacted, That if any Person at any Time from and after the passing of this Act shall draw any Timber, Wood, or Stone, unless the same shall be in One Piece or Block, or other heavy Material, Matter, or Thing, in, upon, or through any of the said Streets, Squares, Highways, Lanes, or other Public Passages without any Carriage, or with such Carriage to the Detriment of such Street, Square, Highway, Lane, or other Public Passage, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Time for emptying Privies.

XLVI. And be it further enacted, That no Necessary-House or Privy now being or which hereafter shall be within the said Town shall be emptied or cleansed at any other Time than between the Hours of Eleven at Night and Four in the Morning; and if any Person or Persons shall empty or cleanse any such Necessary-House or Privy at any other Time, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and if any Person or Persons shall wilfully or negligently spill any of the Soil of such Necessary-House or Privy in any of the Streets, Squares, Highways, Lanes, and other Public Passages already made or built, or which shall hereafter be made or built within the said Town, or shall not empty or cause to be emptied the Soil of such Necessary-House or Privy into the River *Severn*, so that the Filth and Excrement therefrom be completely and effectually carried away by the Stream, every such Person so offending in any of the said Cases shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to purchase Premises for widening the Streets, &c.

XLVII. And be it further enacted, That it shall and may be lawful to and for the said Committee of Management, or any Five or more of them, in pursuance of an Order or Orders made at a Meeting to be held for that Purpose, of which Seven Days Notice at least shall be given, to contract and agree with any Person or Persons, Body or Bodies Politic, Corporate, Collegiate, or Sole, as shall be or be deemed to be the Owner or Owners, Proprietor or Proprietors of or otherwise interested in any Houses, Buildings, Erections, Lands, Tenements, or Hereditaments within the said Town of *Shrewsbury*, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or in any other Building whatsoever, which the said Committee of Management, or any Five or more of them, shall judge necessary and proper to be purchased for the Purpose of opening, improving, and widening any of the said Streets, Squares, Highways, Lanes, and other Public Passages, and for otherwise improving the said Town, for the absolute Purchase of all such Houses, Buildings, Erections, Doors,

Cellars, Steps, Projections, Encroachments, Lands, Tenements, or Hereditaments, or any of them, or for the Damage to be done thereto respectively in the Execution of this Act; and to take down or alter all or any of such Houses, Buildings, Erections, Steps, Projections, Encroachments, Tenements, and Hereditaments, so to be purchased, or Part or Parts of the same respectively, and also to appropriate all or any Part of the said Lands, Tenements, or Hereditaments so to be purchased for all or any of the Purposes aforesaid, as the said Committee of Management, or any Five or more of them, shall think fit.

Enabling incapacitated Persons to sell.

XLVIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Husbands, Trustees, Tenants for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, Executors, Administrators, Guardians, Committees, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Femes Covert who are or shall be seised, possessed of, or entitled in their own Right, and to and for all and every Person or Persons whomsoever who are or shall be seised, possessed of, or interested in any such Houses, Buildings, Erections, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary to be purchased for any of the Purposes aforesaid, or for any other of the Purposes of this Act, to treat, contract, and agree with the said Committee of Management or any Five or more of them for the Sale of such Houses, Buildings, Erections, Lands, Tenements, or Hereditaments, and all or any Part of their Interest therein, or in any Part thereof, and to convey the same to such Person or Persons for the Purposes of this Act, and in such Manner as the said Committee of Management, or any Five or more of them, shall direct and as Occasion shall require; and all Contracts, Sales, and Conveyances which shall be so made, shall be valid to all Intents and Purposes, without Fine or Recovery, and shall be complete Bars to all Estates Tail, and all other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Settlement, or other Matter or Thing whatsoever to the contrary in any wise notwithstanding; and all and and every such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Trustees, Feoffees, Executors, Administrators, Guardians, Committees, and all other Persons, shall and are hereby indemnified for what they shall do therein by virtue and in pursuance of this Act.

Provisions in case of Refusal or Inability to sell.

XLIX. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation whether Aggregate or Sole, or any Feme Covert, or any Tenant for Life, or Tenant in Tail, General or Special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Person or Persons whomsoever interested in any Building or Buildings, Erection or Erections, projecting over or upon any of the Carriage-ways, or Footways within the said Town, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or in any other Projection or Encroachment over or upon any such Carriage-way or Footway whatsoever, or in any Houses or other Buildings, Lands, Tenements, or Hereditaments which the said Committee of Management are enabled by this Act to contract and agree for and to purchase, shall refuse to contract or agree for and sell the same

same as aforesaid, or by reason of Absence or otherwise shall be prevented from contracting or agreeing, or shall decline or refuse to sell, convey, and dispose of the Premises and Hereditaments whereof, wherein, or whereunto they respectively shall be so seised, possessed of, interested in, or entitled to as aforesaid, or their respective Rights, Titles, Claims, or Interests into or upon the same, or any Part thereof, unto the said Committee of Management, or to such Person or Persons as they shall nominate for the Purpose, and according to the Tenor, true Intent, and Meaning of this Act, or shall not or cannot produce or make out a clear Title to the said Hereditaments and Premises they are in the Possession of, or to the Interest they claim therein, to the Satisfaction of the said Committee of Management, or if any Dispute or Difference shall arise touching such Purchase or Purchases, then and in every such Case the said Committee of Management, or any Five or more of them, are hereby empowered and authorized, before any General Quarter Sessions of the Peace to be holden for the said Town and Liberties of *Shrewsbury*, to give or cause to be given to such Owner or Owners, or the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, or to leave or cause to be left at the House of the Tenant in Possession, Ten Days Notice in Writing denoting and particularly describing the Building or Buildings, House or Houses, Lands, Tenements, or other Hereditaments intended to be purchased, and purporting that the Value thereof shall be adjusted and settled by a Jury at the said General Quarter Sessions of the Peace for the said Town and Liberties, or at any Adjournment thereof, upon Proof to them made of such Notice having been given or left as aforesaid, they are hereby authorized and required to charge the Grand Jury at such Sessions assembled, or the Jury to try Prisoners at such Sessions, well and truly upon their Oaths to assess the Value of the said Buildings, Houses, Tenements, Lands, or other Hereditaments comprized in the Notices so given, and the Damages and Recompence to be awarded or given for the same, to the respective Owner or Owners thereof, according to their respective Interests therein, and to which said Juries, the said Committee of Management, and all Persons interested in the said Buildings, Houses, Tenements, Lands, or other Hereditaments, shall have their lawful Challenges, but shall not challenge the Array; and the Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given, concerning the Nature, Quality, or Value of the Houses, Buildings, Tenements, Lands, or other Hereditaments so to be sold or conveyed as aforesaid, shall by their Verdict assess the Damages and Recompence to be given for the same, to the respective Owner or Owners, Occupier or Occupiers thereof, according to their respective Interests therein; and such Verdict of the said Jury, and the Judgment of the said Justices upon the same, shall be final, binding and conclusive to the said Committee of Management, and on the said Trustees, and to all and every Person and Persons interested in the said Buildings, Houses, Tenements, Lands, and other Hereditaments; and such Verdict, and the Judgment of the Justices thereupon, shall be fairly entered and kept among the Records of the Sessions for the said Town and Liberties; and the same or true Copies thereof shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever; and all Persons may have recourse to the same *gratis*, and take Copies thereof, paying Eight-pence for

for every Seventy-two Words, and so in proportion for any greater or less Number of Words.

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

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

Payment of Costs of the Jury, &c.

LI. And be it further enacted, That in all Cases where any Verdict shall have been given for any greater Sum or Recompence than shall have been previously offered by or on the Behalf of the said Committee of Management for any such Houses, Buildings, Tenements, Lands, or other Hereditaments, or Damages as aforesaid, all the Expences of taking such Inquest, and of the Witnesses attending thereon, and recording or entering the Verdict and Judgment thereupon, after having been ascertained and settled by Two or more Justices of the Peace for the said Town and Liberties of *Shrewsbury*, not interested in the Matter in question (who are hereby authorized and required to examine and settle the same) shall be paid by the said Committee of Management out of the Monies to arise by virtue of this Act, and may be recovered from the Treasurer or Treasurers of the said Trustees by Distress and Sale of the Goods and Chattels of such Treasurer or Treasurers, by Warrant under the Hand and Seal of any Justice of the Peace for the said Town and Liberties of *Shrewsbury*, and which the said Treasurer and Treasurers is and are hereby authorized and empowered to pay with or without an Order in Writing, signed by the said Committee of Management; but if a Verdict shall be given for no greater or for a less Sum than shall have been so previously offered by or on the Behalf of the said Committee of Management, then and in every such Case the Expences shall be paid by the Owners or Persons interested in the Hereditaments and Premises in question; which said Expences having been ascertained and settled by some Justice of the Peace as aforesaid (who is hereby authorized and required to examine and settle the same) shall and may be deducted out of the Sums to be paid by the said Committee of Management to the said Owners or Persons respectively interested, and the Payment or Tender of the Remainder of such Monies, or disposing of the same in Manner by this Act directed, shall be deemed and taken to all Intents and Purposes whatsoever to be a Payment, Tender, or Disposal of the whole Sum or Sums so assessed and adjudged: Provided always, That whenever by reason of Absence any Person or Persons shall have been prevented from treating with the said Committee of Management, the whole of such Expences shall be borne and paid by the said Committee of Management.

Possession to be delivered up.

LII. And be it further enacted, That all and every Person and Persons, Body and Bodies Politic, Corporate, and Collegiate, in Possession of any Houses or Buildings, Lands, Tenements, or Hereditaments, which shall be purchased by virtue of this Act by the said Committee of Management, or any Part thereof,

thereof, shall at the End of Three Months next after Notice shall be given to him, her, or them for that Purpose, under the Hands of Five or more of the said Committee of Management, peaceably and quietly deliver up the Possession of the said Premises to such Person or Persons as shall be authorized by the said Committee of Management to take Possession thereof, they the said Committee of Management making such Satisfaction to every such Person or Persons, Bodies Politic, Corporate, or Collegiate, in case he, she, or they shall be required to quit before the Expiration of his, her, or their Term in the Premises, as the said Committee of Management shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same Satisfaction or Compensation to be made or paid for the same, it shall be settled and ascertained by a Jury in like Manner as herein-before mentioned; and in case any such Person or Persons, Body Politic, Corporate, or Collegiate shall refuse to give up such Possession as aforesaid, it shall and may be lawful to and for the said Committee of Management to issue their Precept or Warrant, signed by any Five or more of them, directed to the Common Serjeant or Serjeants at Mace of and for the said Town and Liberties, for him, them, or any of them to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same; and the said Common Serjeant or Serjeants at Mace, or any of them, is and are hereby required to deliver such Possession accordingly, and to levy such reasonable Costs as shall be directed by any One or more of His Majesty's Justices of the Peace for the said Town and Liberties, as shall accrue upon the issuing or execution of such Precept or Warrant on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, and their Goods, returning the Overplus (if any) to the Owner thereof on Demand.

Provision for Payment of Purchase Money.

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

Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Application of Compensation when amounting to 200*l.*

LIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, Buildings, or other Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or any Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex-parte* the Trustees for executing this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order to be made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, Buildings, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements, Buildings, or other Hereditaments, or affecting other Lands, Tenements, Buildings, or other Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, Buildings, or other Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Intents, and Purposes, and in the same Manner as the Lands, Tenements, Buildings, and other Hereditaments which shall be so purchased or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Buildings, or other Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of Compensation if less than 200*l.* and exceeding 20*l.*

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

ments, Buildings, or other Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-after directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees appointed by this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising therefrom, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application when less than 20*l.*

LVI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being be entitled to the Rents and Profits of the Lands, Tenements, Buildings, or other Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the Trustees appointed by this Act, or any Two or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

For making Titles to Premises sold to the Trustees.

LVII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid for the Purchase of any Lands, Tenements, Buildings, or Hereditaments to be purchased by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees appointed by this Act, it shall and may be lawful for any Five or more of the said Trustees to order the said Sum or Sums of Money so agreed for, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, Buildings, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered in a summary way of proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sums, mentioning and specifying for what and for whose Use the same is or are received, to such Person or

Persons

Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting disputed Titles.

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

Court of Chancery may order Expences of Purchases of incapacitated Persons to be paid.

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

Form of Conveyance of Premises for widening Streets.

LX. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, Buildings, or Hereditaments to be made to the said Trustees, shall be made in the Form or to the Effect following; *videlicet*,

‘ I of the Sum of of , in consideration to me paid by the Trustees ‘ acting by virtue of an Act passed in the Second Year of the Reign of ‘ His Majesty King *George* the Fourth, intituled [*here set forth the Title ‘ of this Act*], do hereby grant and convey to the said Trustees, and their ‘ Successors, all , and all my Right, Title, and Interest ‘ to

‘ to and in the same and every Part thereof, to hold to the said Trustees ‘ and their Successors for ever. In witness whereof I have hereunto set ‘ my Hand and Seal this Day of , in the Year ‘ of our Lord .’

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

Trustees may sell the Premises not wanted for the Purposes of this Act:

LXI. And whereas some Part or Parts of the Houses, Buildings, Lands, Tenements, or Hereditaments so to be purchased as aforesaid may happen to be more than may be necessary to be made use of for the Purposes of this Act; be it therefore enacted, That it shall and may be lawful for the said Committee of Management, or any Five or more of them, and they are hereby authorized and required to sell and dispose of, or cause to be sold and disposed of, and the said Trustees, or any Five or more of them, are required to convey such Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments, either together or in Parcels, to such Person or Persons as shall be willing to contract for and purchase the same, as they shall think proper; and the Money to arise by the Sales of such Building or Buildings, House or Houses, Piece or Pieces of Land or Ground and Hereditaments, or Parts or Part thereof, shall be paid and applied for the Purposes of this Act, but the Purchaser or Purchasers thereof respectively shall not be answerable or accountable for the Misapplication or Non-application of such Purchase Monies; and the Receipt or Receipts of the said Trustees or their Treasurer or Treasurers shall be good and sufficient Discharges for the same.

The former Proprietors of such Premises to have the first Offer.

LXII. Provided always, and be it further enacted, That the said Committee of Management before they shall sell or dispose of any such Buildings or Grounds, shall first offer the same for Sale to the Person or Persons respectively from whom they shall have purchased such Buildings or Grounds, and in case such Person or Persons shall not then and thereupon agree or shall refuse to re-purchase the same, then and in every such Case any Affidavit to be made and sworn before One or more of His Majesty's Justices of the Peace for the said Town and Liberties of *Shrewsbury*, by some Person or Persons no way interested in the said Buildings or Grounds, stating that an Offer was made by or on Behalf of the said Committee of Management, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom it was made (as the Case may be).

Form of Conveyance from Trustees of Premises not wanted for the Purposes of the Act.

LXIII. And be it further enacted, That all Conveyances and Assurances of such last-mentioned Hereditaments and Premises, or any Part or Parts thereof, to be made by the said Trustees, shall be made in the Form or to the Effect following; that is to say,

‘ WE, Five of the Trustees acting by virtue of an Act passed in the ‘ Second Year of the Reign of His Majesty King *George* the Fourth, ‘ intituled [*here set forth the Title of this Act*], in consideration of the Sum

'of to us paid by of
', do hereby grant and convey to the said
'and his Heirs, all , and all our Right, Title, and Interest of,
'in, and to the same, and every Part thereof, to hold the same Heredi-
'taments and Premises, with the Appurtenances, to the said
'his Heirs and Assigns for ever. In witness whereof we the said
'Trustees have hereunto set our Hands and Seals the Day
'of in the Year of our Lord
':'

Or in such other Way and Manner, and to such Person or Persons, Use or Uses, as the Purchaser or Purchasers thereof shall direct or appoint; which Conveyances and Assurances shall be good, valid, and effectual to all Intents and Purposes whatsoever.

Streets to be named and Houses numbered.

LXIV. And be it further enacted, That it shall and may be lawful to and for the said Committee of Management, or any Five or more of them, and they are hereby authorized and empowered from Time to Time, as they shall see Occasion, to describe and determine the Limits and Extents of the several Streets, Squares, Highways, Lanes, and other Public Passages within the said Town of *Shrewsbury*, in such Manner as they shall think proper; and shall and may paint, engrave, or describe, or cause to be painted, engraved, or described, on some conspicuous Part of some House or Building at or near each End, Corner, or Entrance of the several and respective Streets, Squares, Lanes, and other Public Passages already built, or which shall hereafter be made or built within the said Town of *Shrewsbury*, the Name of or by which every such Street, Square, Lane, and other Public Passage is usually or shall be called or known; and also shall and may cause any House, Shop, Warehouse, or Building in the same Streets, Squares, Lanes, and other Public Passages to be numbered with Figures painted or placed on the Door of every such House, Shop, Warehouse, or Building, or such other Part thereof, in such Manner as they shall think proper for distinguishing the same, and restoring the same from Time to Time; and if any Person shall wilfully and maliciously destroy, pull down, injure, obliterate, or deface any Mark or Number, or the Name or Names of the same Streets, Squares, Lanes, and other Public Passages, or any of them, or any Part thereof, or cause or procure the same to be done, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Power to make Sewers.

LXV. And be it further enacted, That the said Committee of Management, or any Five or more of them, shall and may cause such and so many Sewers, Drains, Vaults, or other Watercourses as they may think necessary and sufficient for the more effectually cleansing and laying dry of the said Town, to be dug and made in, along, or across any of the said Streets, Squares, Highways, Lanes, and other Public Passages, and along and across any Yards or Grounds within the said Town, or under any Buildings within the said Town, and also any of the Sewers, Public Drains, and Vaults which now are or hereafter shall be within the said Town to be enlarged, widened, raised, lowered, altered, removed, repaired, cleansed, and scoured, when and as often as to the said Committee of Management, or any Five or more of them, shall seem meet; and

for any of the said Purposes shall and may from Time to Time cause to be dug, carted, and carried out of or brought into the said Streets, Squares, Highways, Lanes, or other Public Passages, or any of them, such Gravel, Stone, Bricks, and other Materials as they shall judge necessary; and also shall and may cause such and so many Arches, Tunnels, Bridges, Gates, or Openings to be made over or in the same for conveying and carrying off the Filth, foul and other Waters from the Houses built or to be built in or adjoining to such Streets, Squares, Highways, Lanes, and other Public Passages, into the said Sewers, Public Drains, and Vaults, and other Watercourses, as the said Committee of Management, or any Five or more of them, shall and may think necessary and expedient for that Purpose; and the said Committee of Management, or any Five or more of them, are hereby authorized and empowered either to purchase such Ground as shall be necessary for making or enlarging such Public Drains, or Sewers, or make such Satisfaction for such Injury as may be done thereto, in such Manner in every respect as in this Act is directed for the purchasing of Lands or Hereditaments for effectuating any of the Purposes of this Act: Provided always, that no Sewer, Drain, Vault, or other Watercourse shall be made under any Dwelling House or Office thereto belonging, or under any Warehouse for the stowing of Goods or other private Property, without the Consent of the Owner thereof.

Private Drains.

LXVI. And be it further enacted, That all Private Drains which are or which shall hereafter be made in any of the Streets, Squares, Highways, Lanes, and other Public Passages, within the said Town of *Shrewsbury*, and which do or shall issue or empty themselves into any of the Streets, Squares, Highways, Lanes, Passages, or Places aforesaid, or into any of the Public Drains, Sewers, or Watercourses, shall from Time to Time be repaired, deepened, widened, altered, or cleansed under the Inspection, Direction, and to the Satisfaction of the said Committee of Management, or of the Surveyor of the said Trustees or Committee of Management (as the Case may happen) at the Costs and Charges of the Owner or Owners, Occupier or Occupiers of the Houses, Lands, Tenements, or Hereditaments to which the said Private Drains do and shall respectively belong; and the said Committee of Management, or any Five or more of them, at any Meeting to be held in pursuance of this Act, are hereby empowered to inspect and to order and direct the Owner or Occupier of any such House, Tenement, or Premises to make, at the Costs and Charges of such Owner or Occupier, or of both of them, in such proportion as such Committee of Management shall think proper, such Drain or Channel, Drains or Channels, as to them shall seem necessary for the effectually emptying and conveying such Filth, foul and other Water, arising or flowing from such Houses or Tenements into any Common Sewers or Drains.

Power to fix Lamps.

LXVII. And be it further enacted, That it shall be lawful for the said Committee of Management, or any Five or more of them, and they are hereby empowered and authorized, from Time to Time to cause Lamp Irons or Lamp Posts to be put up, fixed into, upon, or against the Ground adjoining to, or to the Walls or Pallisadoes of any of the Houses, Tenements, or Buildings already built or hereafter to be built within the said Town, as they the said Committee, or any Five or more of them, shall from Time to Time think proper and convenient; and also to cause such

Number

Number of Lamps of such Sizes and Sorts to be provided and fixed, or put upon such Lamp Irons or Lamp Posts, and to cause the same when so provided and fixed to be altered, taken down, or removed, as they shall from Time to Time think proper, for well and effectually lighting the said Town of *Shrewsbury*, and to cause such Lamps to be lighted at such Time or Times, and to be kept lighted during the Whole or such Part of the Night as they the said Committee, or any Five or more of them, shall think proper: Provided, that if the said Trustees, or the said Committee of Management, shall hereafter contract to have the said Town of *Shrewsbury* lighted with Gas, it shall not be lawful for the said Trustees, and Committee of Management, or either of them, to erect Pipes against the Walls of any Houses or Buildings there for the Conveyance of Gas, without the Consent of the Owner or Owners, and Occupier or Occupiers thereof: Provided also, that when such Consent shall have been given, and a Pipe or Pipes shall have been erected against the Walls of any Houses or Buildings in the said Town for the Conveyance of Gas, and the Owner or Owners, and Occupier or Occupiers of such Houses or Buildings for the Time being, shall be minded and desirous at any Time afterwards to have the same removed, it shall and may be lawful for the said Trustees or Committee of Management, and they are hereby required, to take down and remove such Pipe or Pipes, such Owner or Owners and Occupier or Occupiers paying all the Costs, Charges, and Expences, attending the Removal thereof.

Penalty for wilfully breaking Lamps.

LXVIII. And be it further enacted, That if any Person or Persons shall wilfully take away, break, throw down, or otherwise damage any of the Lamps which now are or shall be erected by or by the Order of the said Committee, or any Five or more of them, or any of the Posts, Irons, or Furniture thereof, or shall wilfully extinguish the Light or Lights of any of the said Lamps, it shall be lawful for any Justice of the Peace for the said Town and Liberties of *Shrewsbury*, and he is hereby required and authorized, upon Complaint of any Five or more of the said Trustees, or of the said Committee of Management, or of their Clerk or Clerks, Treasurer or Treasurers, and on the Oath of one or more credible Witness or Witnesses of any such Offence, to issue a Warrant for apprehending the Party accused, or it shall be lawful for any Person or Persons who shall see such Offence committed, to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, without any other Warrant, to deliver him, her, or them, as speedily as the nature of the Circumstance will allow of, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said Town and Liberties of *Shrewsbury*; and the Party accused being brought before any such Justice, or on Oath being made before him that such Party cannot be found, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon Information and Oath as aforesaid, he, she, or they so convicted shall, for every such Offence respectively, forfeit and pay any Sum not exceeding Ten Pounds, and full Satisfaction (to be ascertained by such Justice) shall be made to the said Trustees, or to their said Treasurer or Treasurers, Clerk or Clerks, by such Offender or Offenders, for the

the Damages so by him, her, or them done; and in case such Offender or Offenders shall not upon Conviction pay the Forfeiture by him, her, or them incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be so convicted is hereby required to commit him, her, or them to the House of Correction or Common Gaol for the said Town and Liberties of *Shrewsbury*, there to be kept to Hard Labour for any Time not exceeding Six Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; and One-half Part of the said respective Forfeitures, when recovered and received, shall be paid to the Informer or Informers, and the other Half Part thereof shall be applied for the Purposes of this Act.

Penalty for accidentally breaking Lamps.

LXIX. And be it further enacted, That if any Person shall negligently or accidentally break, throw down, or otherwise damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand made by the said Committee of Management, or any Three or more of them, or by their Treasurer or Treasurers, Clerk or Clerks, make Satisfaction to them or one of them for the Damages by such Person done, it shall be lawful for any Justice of the Peace for the said Town and Liberties of *Shrewsbury*, and he is hereby required, upon Complaint thereof made by any Three of the said Trustees, or of the said Committee of Management, or by their or either of their Clerk or Clerks, Treasurer or Treasurers, to summon the Party complained of, and upon his or her appearing, or making Default to appear (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or usual Place of Abode, if known, or that he or she could not be found), such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by the Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of for the Damage so by him or her done, as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded, in case the same be not paid forthwith upon the making of such Award and Order, to be recovered by Distress and Sale of the Goods and Chattels of the Person complained of, rendering to him or her, upon Demand, the Overplus, after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted (if there shall be any such Overplus); and in case such Offender shall not, upon Conviction, pay the Forfeiture by him or her incurred, and make such Satisfaction as aforesaid, and there shall be no Goods and Chattels whereby to levy the same, the Justice before whom such Offender shall be so convicted, is hereby required to commit him or her to the Common Gaol or House of Correction for the said Town and Liberties of *Shrewsbury*, for any Time not exceeding One Calendar Month, and such Offender shall not be discharged before the Expiration of the Time for which he or she shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

Committee to be appointed for

LXX. And be it further enacted, That the said Trustees, or any Three or more of them, shall and may and they are hereby authorized and required

conducting the Watch.

quired to nominate and appoint, at a Meeting to be held annually for that Purpose, Twelve of the said Trustees and of the respectable Inhabitant Householders within the said Town, or either of them, which said Twelve Persons shall be a Committee and be called The Watch Committee, who are hereby authorized and required from Time to Time, as they shall think necessary, to order such Number of Watchmen as they shall judge necessary to be kept and employed in or about the said Town of *Shrewsbury*, and likewise direct and appoint how and where the several Watchmen shall be stationed, and in what Manner they shall be armed, how often they shall go their Rounds, and how long they shall continue upon Duty; and that the said Committee shall appoint the said Watchmen and One or more Superintendants of the said Watchmen, and what Wages shall be allowed to such Watchmen and Superintendants for their Service; and shall and may also erect and provide, in proper Places, Boxes for the Reception of such Watchmen as aforesaid; and that the said Watch Committee, or any Five or more of them, shall make Orders and Regulations from Time to Time for the better Direction and Government of such Watchmen, and for the other Purposes last mentioned, such Orders and Regulations to be printed, and Copies thereof signed by the said Watch Committee or any Five or more of them.

Watchmen to apprehend Felons, &c.

LXXI. And be it further enacted, That it shall be lawful for such Watchmen, and they are hereby authorized and required, to keep Watch and Ward within the said Town of *Shrewsbury*, to arrest, apprehend, and detain in Prison, Watch-House, or some other convenient Place of Security within the said Town and Liberties of *Shrewsbury*, to be provided and appointed by the said Trustees or Committee of Management, all Felons, Disturbers of the Public Peace, disorderly Persons, Vagrants, Beggars, Night Walkers, and all such other Persons as shall be found misbehaving themselves, and shall take them within Twelve Hours (or as soon after as conveniently may be) before any One or more of His Majesty's Justices of the Peace acting in and for the said Town and Liberties of *Shrewsbury*, to be examined and dealt with according to Law; and the Superintendants of the Watch shall, as often in every Night as shall be ordered by the said Watch Committee, or any Three or more of them, go about the respective Districts and Rounds, to take Notice whether the Watchmen perform their Duty in their several Stations, according to such Orders and Regulations as shall be made and provided by the said Watch Committee; and in case any Watchman shall misbehave himself, be insolent to the said Superintendants, or others, or neglect his Duty, the said Superintendants shall, as soon as conveniently may be, give Notice thereof to the Secretary for the Time being to the said Watch Committee, which Secretary is hereby authorized to suspend such Watchman from the Execution of his Office, and appoint another Person to officiate therein, until the next Meeting of the said Watch Committee, when the said Secretary shall acquaint the Members of such Committee assembled at such Meeting with the Complaint against such Watchman, in order that they may proceed to the Examination of the Offence or Charge; and such Watchman moreover shall be subject and liable to such Penalty as One or more of the Justices of the Peace for the said Town and Liberties shall think proper to

inflict on any such Watchman for such Misbehaviour, Insolence, or Neglect of Duty, not exceeding Five Pounds.

Committee to appoint Householders as Constables of the Night.

LXXII. And be it further enacted, That it shall be lawful for the said Watch Committee, to appoint Two fit and substantial Householders as Constables of the Night, to sit up and see that the Watchmen and Superintendants perform their respective Duties; which Constables of the Night or Special Constables shall take an Oath before One of the Justices of the Peace for the said Town and Liberties of *Shrewsbury*, that he will well and truly execute the Office of a Special Constable, for the Purpose of keeping Watch and Ward within the Town and Suburbs of *Shrewsbury*, for Seven Days then next ensuing, which Two Persons shall sit up for One Night only, and shall not be appointed nor compellable to sit up again until each and every of the said Inhabitant Householders duly qualified and approved to execute the said Office, shall have been appointed and sat up as Special Constables as aforesaid, or have paid a Penalty of Ten Shillings in lieu thereof, or been excused from sitting up by the said Watch Committee, at a Meeting of the same Committee, by reason of the Illness or Incapacity of such Person, a Note or Minute of which shall be made in the Book to be called the Watch Book: Provided that no Person shall be compelled or compellable to sit up as Constable of the Night, or Special Constable as aforesaid, who shall be of the Age of Sixty Years or upwards.

Penalty on harbouring Watchmen.

LXXIII. And be it further enacted, That if any Victualler, Publican, or other Person selling or dealing in Spirituous or other Liquors, shall entertain or harbour in his, her, or their House or Habitation, or Shop, any Watchman appointed under this Act, during any of the Hours or Times appointed for such Watchman to be on Duty by virtue or in pursuance of this Act, then every such Victualler, Publican, or other Person shall forfeit and pay any Sum not exceeding Forty Shillings for the First Offence, and not exceeding Sixty Shillings for the Second Offence, and not exceeding Five Pounds for the Third and every other Offence; and that after such Victualler, Publican, or other Person shall have been convicted a Third Time, it shall and may be lawful for the Justices of the Peace of the said Town and Liberties, and they shall and are hereby required to refuse to grant a Licence for keeping a Public House, Ale House, or Victualling House, to such Victualler, Publican, or other Person so offending and convicted, for Three Years.

Trustees to provide a Watch-House.

LXXIV. And be it further enacted, That it shall and may be lawful for the said Trustees to provide or procure a proper and sufficient House or Houses, or Places, with Rooms therein for the Accommodation of the Committee of Management, the Watch Committee, the Constables of the Night, the Superintendants of the Watch, and Watchmen, and Cells or proper Places therein, or elsewhere as near thereto as conveniently may be, for the Confinement and safe Custody of Culprits of every Denomination that shall be apprehended in the said Town or Suburbs, or the Liberties of the said Town, keeping the Male Culprits separate and apart from the Female Culprits, until such Time as they shall or can be brought or taken before the Mayor or any other Justice of the Peace for the said Town and Liberties, to be dealt with according to Law.

LXXV. And

Watering the Streets.

LXXV. And be it further enacted, That the said Committee of Management shall have full Power and Authority to cause the said Streets, Squares, Highways, Lanes, and other Public Passages to be watered as often as they shall think fit; and also cause any Well or Wells to be dug and sunk, and any Pump or Pumps to be erected in such Places as they shall think proper within the Streets, Squares, Highways, Lanes, and other Public Passages, for the Purpose of watering the same, and to cause the same to be removed or altered; and the Expences thereof to be defrayed out of the Monies to be raised by this Act.

Contracts may be made for paving and lighting.

LXXVI. And be it further enacted, That it shall be lawful for the said Committee of Management, or any Five or more of them, from Time to Time at any of their Meetings, to contract and agree with any Person or Persons for respectively flagging, paving, pitching, repairing, raising, lowering, altering, widening, watering, regulating, cleansing, and improving all or any of the said Streets, Squares, Highways, Lanes, or other Public Passages within the said Town of *Shrewsbury*, or any Part or Parts thereof; and also for providing a sufficient Number of Lamps necessary to be fixed up in the said Town, and Lamp Irons and Lamp Posts and other Materials necessary or convenient for fixing the same from Time to Time, and for providing and furnishing the same Lamps with all Requisites, and for lighting, supporting, amending, and repairing the same; and to contract with the said *Shrewsbury* Gas Light Company for lighting, supporting, amending, and repairing the same, or in any other Way the said Committee of Management shall deem more eligible.

For raising Rates.

LXXVII. And be it further enacted, That the Charges and Expences of lighting, paving, cleansing, watering, watching, widening, altering, improving, and regulating the said Streets, Squares, Highways, Lanes, and other Public Passages of the Town of *Shrewsbury*, and otherwise putting this Act into Execution, shall at all Times be borne and defrayed by the Tenants or Occupiers of all the Houses, Shops, Malt-Houses, Granaries, Warehouses, Coach-Houses, Yards, Gardens, Garden Ground, Stables, Cellars, Vaults, Wharfs, and other Buildings and Hereditaments, not only within the Outer Gates and Walls of the said Town of *Shrewsbury*, but also within any Part of the said Town which the River *Severn* encompasses, Meadow and Pasture Ground excepted; and the said Trustees, or any Five or more of them, shall, and they are hereby authorized, empowered, and required, within Three Months after the passing of this Act for the present Year, commencing on the Twenty-fifth Day of *March* last, and afterwards once in every Year, commencing on the Twenty-fifth Day of *March* preceding, or oftener, if they or any Five or more of them shall think necessary, at a Meeting to be held for that Purpose in the Month of *April* in each Year, and at any other Time they shall appoint, to make One or more Rate or Rates, Assessment or Assessments, to be signed by any Five or more of the said Trustees, upon the Tenants or Occupiers of all such Messuages, Houses, Shops, Malt-Houses, Granaries, Warehouses, Coach-Houses, Yards, Gardens, Garden Ground, Stables, Cellars, Vaults, Wharfs, Buildings, or Hereditaments in the said Town of *Shrewsbury*, not only within the Outer Gates and Walls of the said Town, but also within any Part of the said Town which the River *Severn* encompasses as aforesaid, except Meadow and Pasture Ground as

as aforesaid, for the Purpose of defraying the Charges and Expences of paving, cleansing, watering, lighting, watching, widening, altering, improving, and regulating the said Streets, Squares, Highways, Lanes, and other Public Passages, and otherwise carrying this Act into Execution as aforesaid, so as the whole Sum to be raised under the said Rates or Assessments do not exceed in any one Year the Sum of One Shilling and Sixpence in the Pound, upon the actual Rent or Value of such Hereditaments and Premises, unless some very considerable Improvement in the Streets, Squares, Highways, Lanes, or Public Passages can be effected, accomplished, and executed; and in such Case the Sum to be raised under the said Rate or Rates, Assessment or Assessments, do not exceed in the whole in any one Year the Sum of Two Shillings in the Pound, and that the same shall not be for a longer Period together than Three Years, and not be repeated; which said Increase in the said Rate or Rates, Assessment or Assessments, shall not be made without the Consent in Writing of at least Three-fourths of the same Trustees at a General or Special Meeting of the said Trustees to be called for that Purpose, and not without the Consent in Writing of the major Part in Value of Persons occupying rateable Property within the Operation of this Act, of which Meeting Ten Days Notice shall be given in Writing, signed by Five of the said Trustees, affixed on the outer Door of the said Guildhall, and on the Market House in the said Town, Ten Days at least before the said Meeting; and the Money or Monies so rated or assessed on the said Tenants or Occupiers shall be paid by them respectively to the Collector or Collectors, or other Person or Persons appointed by the said Trustees to collect and receive the same; and if any Tenant or Occupier of any of the Premises aforesaid, shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments to the said Collector or Collectors, or other Person or Persons, for the Space of Seven Days after Demand made thereof, the same shall and may be levied and recovered on all and every such Tenant or Tenants, Occupier or Occupiers, so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the said Town and Liberties of *Shrewsbury*; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned, on Demand, to the Owner or Owners of the Goods and Chattels so distrained and sold, together with what shall remain unsold, after deducting all Charges attending the same.

Trustees to apportion Rates for out-going and in-coming Occupiers.

LXXVIII. And be it further enacted, That in all Cases where any Person shall remove from or quit any Messuage, House, Shop, Malt-House, Granary, Warehouse, Coach-House, Yard, Garden, Garden Ground, Stable, Cellar, Vault, Wharf, Building, or Hereditaments which shall be rated or assessed by virtue of this Act, such Person shall be liable to pay such Rates or Assessments in proportion to the Time he or they occupied the same, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person shall come into or occupy any such Messuage, House, Shop, Malt-House, Granary, Warehouse, Coach-House, Yard, Garden, Garden Ground, Stable, Cellar, Vault, Wharf, Building, or Hereditaments as aforesaid, out of or from which any other

Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making such Rate or Assessment was or were empty and unoccupied, the same shall, for and in respect of his, her, or their Occupation thereof, be liable to such Rate or Assessment in proportion to the Time he or she shall occupy the same, in the same Manner as if he or she had been originally rated or assessed for such Messuage, House, Shop, Malt-House, Granary, Warehouse, Coach-House, Yard, Garden, Garden Ground, Stable, Cellar, Vault, Wharf, Building, or Hereditaments; and such respective Proportions, in case of any Dispute concerning the same, shall be settled and ascertained by the said Trustees, or any Five or more of them, in such Manner as they shall judge reasonable; and in case any Person who shall have been so rated and assessed as aforesaid shall quit his or her Messuage, House, Shop, Malt-House, Granary, Warehouse, Coach-House, Yard, Garden, Garden Ground, Stable, Cellar, Vault, Wharf, Building, or Hereditaments, before he or she shall have paid such Rate or Rates, or a proportionable Part or Parts thereof by him or her due and payable, and shall afterwards refuse or neglect to pay the same, when demanded, it shall and may be lawful for the said Collector or Collectors, by Warrant under the Hand and Seal of any Justice of the Peace for the said Town and Liberties of *Shrewsbury*, to levy such Rate or Rates, or a proportionable Part or Parts thereof, by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus (if any) upon Demand, after Payment of the Money due in respect of such unpaid Rate or Rates, or proportionable Part or Parts thereof, and all Expences relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Where Distress cannot be found in the Jurisdiction of the Town of Shrewsbury, it may be levied in any other Place.

LXXIX. And be it further enacted, That in all Cases where any Rate or Rates may, by the Warrant of any Justice of the Peace for the said Town and Liberties of *Shrewsbury*, be directed to be levied by Distress and Sale of the Goods and Chattels of any Person or Persons, if sufficient Goods and Chattels of such Person or Persons cannot be found within the Limits of the Jurisdiction of the Justice granting such Warrant of Distress, on Oath thereof made by one Witness, before any Justice of the Peace of any other County, Riding, Division, City, Borough, Town Corporate, or Place, (which Oath shall be by him certified, by Indorsement on such Warrant), such Rate or Rates, or so much thereof as may not have been before levied or paid, shall and may, by virtue of such Warrant and Indorsement, be raised and levied by the Person or Persons to whom such Warrant of Distress shall have been originally directed, by Distress and Sale of the Goods and Chattels of such Person or Persons in such other County, Riding, Division, City, Borough, Town Corporate or Place, and the Money arising by such Distress and Sale shall be applied and disposed of for such Purposes, and in like manner as if sufficient Goods and Chattels of such Person or Persons had been found within the Jurisdiction of the Magistrate originally granting such Warrant.

For Payment of Rates when Houses are let to Lodgers:

LXXX. And be it further enacted, That every Person being a Landlord or Tenant, who shall let his or her House in separate Apartments, or ready furnished, to a Lodger or Lodgers, shall for the several Purposes of this

this Act be deemed and taken to be the Occupier thereof, and may be tated and assessed accordingly.

Such Rates to be paid by the Occupiers; and Landlords to allow One Third Part, for Ten Years.

LXXXI. And be it further enacted, That the said Sum and Sums of Money so to be rated or assessed as aforesaid, shall be paid by the Tenants or Occupiers of the Premises respectively which shall be so rated or assessed; and for and during the Term of Ten Years, from and after the making of the First Rate or Assessment after the passing of this Act, such Tenants or Occupiers shall and may deduct and retain out of the Rents by them payable to the Landlords or Owners of such Premises respectively, One Third Part of such Sum or Sums of Money as shall be so rated or assessed, when the same shall have been so paid by them as aforesaid; and the said Landlords or Owners, mediate or immediate, are hereby required to allow to their respective Tenants such One Third Part accordingly; and such Tenants or Occupiers shall respectively be acquitted and discharged for such One Third Part of the same Rate, in such Manner and as fully and effectually as if the same had been actually paid as Rent to such Landlords or other Persons respectively entitled to their Rent.

Tenants having a Lease may deduct One-third of Rate out of their Rent.

LXXXII. Provided also, That where any House or Houses, or other Building or Buildings, shall be held by Lease, the Owner or Owners, Landlord or Landlords of the same Hereditaments and Premises, shall be liable to pay to or allow his or their Tenant or Tenants, during the Continuance of such Lease, One-third Part only of the Rate charged on such Hereditaments and Premises, in the Proportion the Rent actually payable for such Hereditaments and Premises shall bear to the Sum at which the same Hereditaments and Premises shall be actually charged or rated in the said Rate or Rates, Assessment or Assessments.

Books of Rates may be inspected.

LXXXIII. And be it further enacted, That it shall be lawful for any Person or Persons, having an Order in Writing under the Hands of the said Trustees, or any Three or more of them, for that Purpose, to inspect and take Copies and Extracts of any Rates made for the Purposes of this Act; which Inspections, Copies, and Extracts, the Person or Persons having the Custody of such Rates or Books of Rates respectively is and are hereby required to permit and suffer to be made, without Fee or Reward, by such Person or Persons appointed as aforesaid, upon his, her, or their producing an Order under the Hands of the said Trustees, or any Three or more of them, as aforesaid; and in case any Person or Persons having the Custody of any Rate or Books of Rates shall refuse or neglect to do so within the Space of Seven Days after such Order shall be so produced or shewn to him or them, or a Copy thereof left at his or their last or most usual Place of Abode, he or they shall for the First Offence forfeit the Sum of Ten Shillings, for the Second Offence the Sum of Twenty Shillings, and for the Third and every other Offence the Sum of Five Pounds.

Power to borrow Money:

LXXXIV. And for the more speedy and effectually enabling the Trustees to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, and they are hereby empowered, from Time to Time when they shall judge necessary for the Purpose of carrying this Act into Execution, to borrow and take

up

up at Interest any Sum or Sums of Money, not exceeding in the whole the Sum of Eight thousand Pounds, upon the Credit of the Rates or Assessments herein granted or authorized to be laid, collected, or received; and 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 or lend such Money, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with lawful Interest for the same; and every such Mortgage or Assignment shall be in the Words or to the Effect following; (that is to say),

Form of Mortgage:

'BY virtue of an Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*], we, of the Trustees appointed by and in pursuance 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 become due and owing, or charged upon the Credit of the said Act, to be had and holden from this Day of in the Year , until the said Sum of with Interest at the Rate of *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 .'

Mortgages and Transfers to be entered in a Book:

And every such Grant or Mortgage shall be good, valid, and effectual in the Law; and Copies of all such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks, Treasurer or Treasurers to the said Trustees; and which said Book or Books shall and may at all seasonable Times be perused and inspected, without Fee or Reward, by any Person or Persons entitled to any such Mortgage, or paying to the said Rates or Assessments; and all Persons to whom any Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, or Interest in or to such Mortgage, and the Principal Money and Interest thereby secured, to any Person or Persons whomsoever, by indorsing on such Mortgage Security, and in the Presence of One or more credible Witness or Witnesses, the following Words, or Words to the Effect following; (that is to say),

Form of Transfer.

'THE within-named *A. B.* [*or*, I *C. D.* Assignee, Executor, or Administrator of the within-named *A. B.*, *as the Case may be*,] do hereby transfer this Mortgage Security, with all my Right and Title to the Principal Money thereby secured, and to all Interest now due upon the same, unto *E. F.* his Executors, Administrators, and Assigns. Dated this Day of .'

Which Transfer shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers, within Twelve Calendar Months next after the Day of the Date thereof, who shall enter the same in the said Book or Books,

Books, for which Entry the said Clerk or Clerks, Treasurer or Treasurers, shall be paid the Sum of Two Shillings and no more; and such Transfer shall then entitle such Assignee, his Executors, Administrators, and Assigns, to the Benefit of such Mortgage Security, and Payment thereon; and every such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons (except such as the same shall be last transferred to) to release, discharge, or make void the original Mortgage Security, or the Monies due thereon, or any Part thereof; and all Persons to whom any Mortgage or Transfer shall be made as aforesaid, shall, in Proportion to the Sum or Sums of Money thereby secured, be Creditors on the Rates by this Act granted, in equal degree one with another, and shall have no Preference in respect of the Priority of advancing their Monies, or of the Dates of their Securities.

Penalty on Persons obstructing Surveyors, &c.

LXXXV. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any Surveyor or Surveyors, Collector or Collectors, Constables of the Night, Watchmen, Superintendants of the Watch, or other Officer or Officers, Workmen, Person or Persons whomsoever, who is, are, or shall be employed by virtue of this Act, or be in the Performance or Execution of their Duty, or of any of the Matters and Things to be done by virtue or in pursuance hereof, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Application of Monies.

LXXXVI. And be it further enacted, That all the Money to arise by or from the Rate or Rates, Assessment or Assessments, and which may be borrowed on the Credit thereof, and all Penalties and Forfeitures to be recovered or levied by virtue of this Act, and not hereby otherwise disposed of, and all other Monies to be received and which shall be actually received under the Powers of this Act, shall be paid to the said Trustees, or to such Person or Persons as they or any Five or more of them shall appoint, and shall be applied and disposed of in the first Place towards paying and defraying all Expences and Charges which shall be incurred or in any Manner incident to and attending the Application for and obtaining and passing of this Act, together with lawful Interest for any Money which may have been or shall be lent or advanced by any Person or Persons for that Purpose, and in paying and defraying the Charges and Expences of paving, cleansing, lighting, watching, watering, widening, altering, improving and regulating the Streets, Squares, Highways, Lanes, and other Public Passages within the said Town of *Shrewsbury*, for removing and preventing Nuisances, Obstructions, and Encroachments therein, in Manner hereby directed, and in paying, discharging, and defraying the principal Monies to be borrowed as herein mentioned, and the Interest thereof, and all Expences which the said Trustees and their Officers shall of necessity be put to in carrying this Act into Execution, and for such other Uses and Purposes as are herein expressed, and to and for no other Use, Intent, or Purpose whatsoever.

Coals to be delivered to Inhabitants

LXXXVII. And be it further enacted, That any Haullier, Jagher, or other Person drawing Coals for the Use of any of the Inhabitants of the said Town

under certain Regulations.

Town may cast, throw, shoot, or lay down the same in any of the Streets in the said Town, so as the same be cast, thrown, shot, or laid down in such Manner as to leave a Space of at least Two Feet between the Coals so cast, thrown, shot, or laid down, and the Walls of the Houses there; and in case any such Haullier, Jagher, or other Person drawing Coals as aforesaid, shall cast, throw, shoot or lay down any Coals in any of the said Streets contrary to the above Regulation, he or she shall forfeit and pay any Sum not exceeding Forty Shillings: Provided that where the said Streets are so narrow that the Regulation above mentioned, as to the casting, throwing, shooting or laying down of the said Coals cannot conveniently be adopted, the Delivery thereof from the Cart or other Carriage in or which the same shall have been brought or carried, shall from Time to Time be regulated by the said Committee of Management, and which they are hereby empowered to do; and if any of the said Persons, or any other Person or Persons, shall deliver any Coal otherwise than as such Committee of Management shall in such Case direct, the Person or Persons offending therein shall forfeit and pay any Sum not exceeding Forty Shillings: Provided also, That every Person that shall permit his, her, or their Coals, when so cast, thrown, shot, or laid down, to lie, be, or remain on the same Street for a greater or longer Space of Time than Two Hours, shall forfeit and pay any Sum not exceeding Forty Shillings.

Sinking Fund.

LXXXVIII. And be it further enacted, That from and after the passing of this Act, the Sum of Two Pounds *per Centum per Annum*, upon any Sum of Money which shall thereafter be borrowed or taken up at Interest upon the Credit or Security of the said Rates and Assessments hereby granted, shall or may, if the Trustees shall think proper, from thenceforth be charged on and paid out of the said Rates and Assessments, in order to form a Sinking Fund for the gradual Payment of all the Principal Sum or Sums hereafter to be borrowed as aforesaid; and that after the Payment of any such Principal Sum or Sums, the full Interest which would have been otherwise payable for or in respect of the same to the Creditor or respective Creditors, shall from thenceforth be charged on and paid out of the said Rates and Assessments in aid of the said Sinking Fund; and that as often as the said Sinking Fund shall amount to the Sum of One hundred Pounds or upwards, that Sum shall be applied in the Payment of an equal Amount of the said Principal Money which shall be due or owing on the Credit or Security of the said Rates and Assessments, rateably or by Lot among the Creditors, as the said Trustees shall think proper.

Accounts to be annually audited:

LXXXIX. And be it further enacted, That the said Trustees shall, upon the Twenty-fifth Day of *March* in each and every Year, or within Two Months then next following, cause a fair and true Account to be made and drawn out in Writing of all the Monies received and paid in pursuance of this Act, during such Year, and to whom, and for what Purposes, and at what Times the same have been paid, laid out, and expended; and such Account shall be carefully examined and audited by the Auditor herein-before directed to be appointed at a Meeting of the Trustees, and the same shall be signed by such Auditor.

XC. And

And annually published in the Newspapers.

XC. And be it further enacted, That when the same Account shall be audited and signed, a Report of the State of such Account, and an Abstract thereof, shall be printed and published once in each of the Newspapers of the said Town of *Shrewsbury;* and the said Account shall be deposited with and kept by the Clerk to the said Trustees, who is hereby required to permit any Person charged with the Payment of any of the said Rates or Assessments, to inspect the same at any seasonable Time, without paying any thing for the Inspection thereof.

Persons may apply to Trustees for Relief from the Rate:

XCI. Provided always, and be it further enacted, That if any Person or Persons, Bodies Politic or Corporate, shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, or any other Matter or Thing done or to be done by Order of the said Trustees or Committee of Management, in pursuance of this Act, such Person or Persons, Bodies Politic or Corporate, shall apply for Relief to the said Trustees, at any Meeting to be held within One Calendar Month next after Demand made of such Rate or Rates, Assessment or Assessments, or next after any such Matter or Thing done and committed by or by Order of the said Trustees or the said Committee of Management, or any of them; and such Trustees 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 necessary.

Persons aggrieved may appeal to the Quarter Sessions.

XCII. Provided also, and be it further enacted, That if any Person or Persons, Bodies Politic or Corporate, shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, which shall be made or be demanded in pursuance of this Act, or by any Order, Judgment, or Determination of any Justice or Justices of the Peace, or by any Penalty imposed, or by any Conviction made, or by any other Thing done in pursuance of this Act, such Person or Persons, Bodies Politic or Corporate, may appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be holden in and for the Town and Liberties of *Shrewsbury* next after the Cause of such Complaint shall have arisen, or at any Adjournment of such General Quarter Sessions of the Peace, the Person or Persons, Bodies Politic or Corporate appealing first giving or causing to be given to the Person or Persons appealed against, or to the Clerk or Clerks to the said Trustees, in case such Appeal shall be made against any Rate or Rates, Assessment or Assessments, or any Order, Judgment, or Determination of the said Trustees, or Committee of Management, or any Conviction made by any Justice of the Peace in pursuance of this Act, Ten Days Notice in Writing of his, her, and their Intention to bring such Appeal, and the Cause or Matter thereof, and within Six Days next after such Notice, entering into a Recognizance before some Justice of the Peace for the said Town and Liberties of *Shrewsbury*, or the said County of *Salop*, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Sessions, or Adjournment thereof; and the said Justices at the said Sessions or Adjournment thereof, upon due Proof of such Notice having been given, and of 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 of the Peace shall

shall think proper; and the said Justices of the Peace at their General Quarter Sessions of the Peace or Adjournment thereof, shall and may, at their Discretion, discharge or mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall be levied in pursuance of any Order, Judgment, or Determination by the said Trustees, or Committee of Management, or any Conviction by any Justice of the Peace, in pursuance of this Act, and may also order and award such further Satisfaction to be made to the Party injured as they shall think reasonable; and the Determination of the said Justices in their said General Quarter Sessions, or at any Adjournment thereof, shall be final, binding, and conclusive to all Intents and Purposes whatsoever.

Rates appealed against may be amended.

XCIII. Provided always, and be it further enacted, That on any Appeal from or against any Rate or Assessment to be made for the Purposes of this Act, the Justices at such General Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rate or Assessment with respect to other Persons mentioned in the same; but if upon Appeal from or against the whole Rate or Assessment, it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made in the Manner herein directed.

Inhabitants may be Witnesses.

XCIV. 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 Liberties of *Shrewsbury* shall be deemed incompetent to give Evidence by reason of his or her being such Inhabitant, or by reason of his or her being rated or assessed to, or paying any of the Rates or Assessments to be imposed by virtue of this Act.

For compelling the Attendance of Witnesses.

XCV. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, either on Behalf of the Prosecutors or on Behalf of the Person or Persons accused, and shall after having been paid or tendered a reasonable Sum of Money for his, her, or their Costs, Charges, and Expences, refuse or neglect to appear from Time to Time at the Time and Place to be for that Purpose appointed, without reasonable Excuse for his, her, or their Refusal or Neglect of appearing, to be approved of by such Justice or Justices, or shall refuse to be examined on Oath, and to give Evidence before such Justice or Justices of the Peace, then and in every such Case such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Recovery and Application of Penalties and Forfeitures.

XCVI. And be it further enacted, That all Penalties, Forfeitures, and Fines, hereby inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not herein otherwise directed) shall upon Proof of the Offences respectively before any Justice of the Peace for the said Town and Liberties of *Shrewsbury*, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice

(which Warrant such Justice is hereby empowered and required to grant) and the Overplus (if any) after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid, one Moiety thereof to the Informer, and the other Moiety thereof to the Treasurer or Treasurers of the said Trustees, and be applied for the Purposes of this Act; and in case such Penalties, Forfeitures, and Fines shall not be paid forthwith upon Conviction, then it shall be lawful for such Justice 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 of such Justice for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the said Town and Liberties of *Shrewsbury*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied.

Distress not to be deemed unlawful for Want of Form.

XCVII. 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 to be unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on account of any Defect or Want of Form in the Summons or other Proceedings relating thereto, nor shall any Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties 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 that no Plaintiff or Plaintiffs shall recover in any Action or Actions for such Irregularity, unless Notice in Writing shall be given Twenty-one Days, before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of Action; nor shall the Plaintiff recover in such Action if sufficient Tender of 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 and may be lawful to and 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 or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and

Notice to be given of Action, and Cause thereof.

by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Conviction:

XCVIII. And, for the more easy Conviction of Offenders against this Act, be it further enacted, That the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, or against any Rule, Order, or Regulation to be made by virtue or in pursuance thereof, shall or may cause the Conviction to be drawn in the Words or to the Effect following; (that is to say),

Form of Conviction.

'Town of Shrewsbury.' BE it remembered, That on the Day of in the Year of our Lord *A. B.* of is convicted before me [*or*, us] of His Majesty's Justices of the Peace for the Town and Liberties of *Shrewsbury*, in the County of *Salop*, of having [*as the Offence shall be*], and I [*or*, we] the said do adjudge him [her, *or* them] to forfeit and pay for the same the Sum of Given under my Hand and Seal [*or*, our Hands and Seals] the Day and Year aforesaid, at *Shrewsbury* aforesaid.'

Proceedings not to be quashed for want of Form, nor be removed by Certiorari.

XCIX. And be it further enacted, That no Order, Verdict, Judgment, or other Proceedings 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.

C. 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 by Order of the said Trustees, or the said Committee of Management, or any Three or more of them, until Fourteen Days Notice shall be thereof given to the Clerk or Clerks to the said Trustees, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Three Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County or Place where the Matter shall arise, 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 plead the General Issue, or 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 thereof given, or after a sufficient Satisfaction thereof made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, 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, her, 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 such Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases at Law.

CI. And

Corporation of Shrewsbury to pay 45*l.* a Year:

CI. And whereas the Mayor, Aldermen, and Burgesses of the said Town of *Shrewsbury* have agreed, and under their Common Seal have consented to pay and be charged and chargeable with the Payment of the annual Sum of Forty-five Pounds for the Purposes in this Act mentioned; be it therefore further enacted, That within Two Months from and after the passing of this Act, the said Mayor, Aldermen, and Burgesses shall and do pay or cause to be paid to the said Trustees, or such Persons as they shall appoint, and afterwards yearly and every Year, on the Fifth Day of *April*, the Sum of Forty-five Pounds of good and lawful Money of *Great Britain*, at one whole and entire Payment, without any Deduction or Abatement whatsoever, out of their Rents, Revenues, and other yearly Profits; and that the said annual Sum of Forty-five Pounds for ever after the passing of this Act shall be, and by virtue of this Act is charged upon and payable out of all and every the Messuages, Tenements, Lands, Hereditaments, Perquisites, or other Revenues and Profits belonging to the said Mayor, Aldermen, and Burgesses, and shall be yearly, on every Fifth Day of *April* following, paid by the Mayor, Aldermen, and Burgesses, or the Chamberlains of the said Town for the Time being, to such Person or Persons as the said Trustees assembled as aforesaid, or any Three or more of them, shall direct or appoint, and who are hereby required to direct or appoint some Person or Persons to receive the same; and in case the said Mayor, Aldermen, and Burgesses, or their Chamberlains for the Time being, shall at any Time neglect or refuse to pay the said annual Sum of Forty-five Pounds, or any Part thereof, to such Person or Persons as shall by virtue of this Act be appointed to receive the same as aforesaid, for the Space of Twenty-one Days next after the same shall become due and payable by virtue hereof, being lawfully demanded, then and in every such Case, and so often, it shall and may be lawful to and for the said Trustees, by or in the Name of their Clerk or Clerks, or by or in the Name or Names of any Person or Persons to be named or appointed by the said Trustees, or any Three or more of them, assembled as aforesaid, to enter into and upon all and every the Messuages, Lands, Tenements, Rents, Revenues, and yearly Profits of and belonging to the said Mayor, Aldermen, and Burgesses, or into any Part or Parts thereof, and the Possession thereof to have and recover by Ejectment or otherwise, and the Rents and Profits thereof to take and receive until the said yearly Sum of Forty-five Pounds, and all Arrears thereof, and all Costs and Charges relating thereto, be fully paid and satisfied.

Service of Proceedings on the Mayor or Town Clerk sufficient.

CII. And it is hereby further enacted and declared, That the Service of any Ejectment, Declaration, Plea, Issue, Process, or Notice whatsoever, in any Proceedings necessary for the Recovery of the said annual Payment of Forty-five Pounds, or any Arrear thereof, upon the Mayor or Town Clerk of the said Town for the Time being, shall be deemed as good and effectual to all Intents and Purposes as if the same was delivered to or served upon the Mayor, Aldermen, and Burgesses of the said Town, or upon their several Tenants in Possession, and the Receivers of the Rents and other Profits of or belonging to the said Mayor, Aldermen, and Burgesses.

Application of the said Sum of 45*l.*

CIII. And be it further enacted, That the said yearly Sum of Forty-five Pounds shall be and is hereby directed to be yearly from Time to Time

Time applied in paving and amending the said Streets, Highways, and Passages within the outer Walls of the said Town, and in paving and amending the Pavements over or on the Bridges called the *Stone Bridge* and *Welch Bridge*, and in *Frankwell*, and the Streets beyond or without the *Castle Gate*, so far as the several and respective Places called *The Hog in Armour* and to and over *Bagly Bridge*, and also such Part of *Coleham* as hath heretofore been usually repaired by the said Mayor, Aldermen, and Burgesses.

Upon Payment of the said annual Sum, the Corporation indemnified from Repairs of Streets.

CIV. And be it further enacted, That in consideration of the said annual Sum of Forty-five Pounds granted and to be paid as aforesaid by the said Mayor, Aldermen, and Burgesses, they and their Successors are and by virtue of this Act for ever hereafter shall be indemnified, saved, and kept harmless of and from all Indictments and Prosecutions or other Proceedings that may or shall at any Time or Times hereafter be had, brought, or prosecuted against them, or any of them, touching or concerning the repairing, paving, or amending the said Highways, Streets, Lanes, or Passages within the Limits and Places aforesaid, provided for by this Act, and also of and from the repairing, paving, or amending the same.

Saving the Rights of the Proprietors of the Water-Works.

CV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the Prejudice of any Right which the Owners or Proprietors of the Water-Works of the said Town now have of breaking up the Pavements of the Streets in the said Town of *Shrewsbury*, for the more easy or convenient laying down, amending, repairing, and taking up the Water Pipes belonging to the said Water Works; the said Owners or Proprietors of the said Works from Time to Time and at all Times, as often as Occasion shall require (as heretofore they usually have done), well and sufficiently repairing and making good such Parts and so much of the said Pavements within the said Town as they or any Person or Persons by their Order shall break up.

Saving the Rights of the Shrewsbury Gas Light Company.

CVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the Prejudice of any Right which the *Shrewsbury* Gas Light Company now have, by virtue of an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for lighting with Gas the Town and Suburbs of* Shrewsbury, *in the County of* Salop, of breaking up the Pavements of the Streets and Bridges in the said Town, Precincts, and Suburbs, for the Purpose of laying down, amending, repairing, or taking up the Gas Pipes belonging to the said Company: Provided always, That in case the said Company, or any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, shall not well and sufficiently make good and repair the said Pavements so to be broken up as aforesaid, to the Satisfaction of the said Committee of Management, or any Three of them, Two Days after required by the said Committee of Management, or any Three of them, or by their Surveyor or Surveyors, by Notice in Writing under their or his Hand, or Hands, then and in every such Case it shall and may be lawful to and for the said Committee of Management, or any Three of them, their Surveyor

Surveyor or Surveyors, or any other Person or Persons acting by or under the Authority of the said Committee of Management, well and sufficiently to make good and repair the Pavements so to be broken up, and that the reasonable Costs and Charges thereof, shall be paid by the said Company or their Treasurer; and that in Default of Payment thereof for Ten Days next after Demand in Writing shall be made by such Surveyor, or other Person acting by or under the Authority of the said Committee of Management, Proof of such Demand being made by the Oath of Two credible Witnesses before One or more Justice or Justices of the Peace for the said Town and Liberties of *Shrewsbury*, of all such reasonable Costs and Charges, together with any Sum not exceeding One Pound *per* Day for every Day the same shall remain unpaid by way of Penalty, then and in such Case it shall and may be lawful to levy and recover the same by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said Town and Liberties of *Shrewsbury*, which Warrant such Justice or Justices is and are hereby empowered to grant; and One-fourth Part of such Penalty shall be paid to the Informer, and the remaining Three-fourths to the said Trustees or their Treasurer, together with such Costs and Charges as such Justice or Justices shall order to be paid.

Saving the Right of the Corporation to break up the Pavements for laying down Pumps, &c.

CVII. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice the said Mayor, Aldermen, and Burgesses, or their Successors, in respect of the Right they now have of breaking up the Pavements in any Street or Place within the said Town, for the Purposes of laying down, taking up, and repairing the Pumps, Conduits, and Water Pipes, nor to hinder or obstruct the said Mayor, Aldermen, and Burgesses, or their Successors, from taking up the Pavements upon any of the Bridges of the said Town, from Time to Time as there shall be Occasion, for the necessary repairing of such Bridges; and in all such Cases the said Streets and Pavements which shall be taken up for the Purposes aforesaid, shall from Time to Time be repaired, amended, and made good by the said Trustees out of the said annual Sum of Forty-five Pounds, or out of the Money to be raised by the Rates and Assessments made in pursuance of this Act; or in Default thereof the said Mayor, Aldermen, and Burgesses, and their Successors, shall have Power from Time to Time to repair, amend, and make good such Pavements, and to retain out of the said annual Sum of Forty-five Pounds, so much as shall be sufficient to repair and make good the same.

Saving the ancient Rights of the Corporation.

CVIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect, impeach, diminish, or take away any of the Rights, Privileges, Royalties, Franchises, Immunities, Liberties, Powers, Jurisdictions, or Authorities whatsoever, which the said Mayor, Aldermen, and Burgesses in their Corporate Capacity have heretofore had, used, exercised, and enjoyed, or which they might have had, used, exercised, and enjoyed by virtue of any Charter, Letters Patent, Grant, Custom, or other Title whatsoever, any thing herein contained to the contrary notwithstanding; but subject nevertheless to the

Payment of the said annual Sum of Forty-five Pounds, and to the Remedies hereby given for the Recovery thereof.

Public Act.

CIX. 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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