ANNO QUADRAGESIMO QUARTO

GEORGII III. REGIS.

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Cap. 8.

An Act for paving the Footways and Crofspaths, and for cleanfing, lighting, watching, and regulating the Streets and other publick Paffages and Places, within the Borough of *Saint Alban*, in the County of *Hertford*. [23d *March* 1804.]

WHEREAS the Footways and Crofspaths in the Streets and other publick Paffages and Places, within the Borough of *Saint Alban*, in the County of *Hertford*, are not properly paved; and the faid Streets and other publick Paffages and Places are not properly cleanfed, lighted, or watched, and are fubject to various Encroachments, Nuifances, and Annoyances: And whereas the faid Footways and Crofspaths cannot be effectually paved and kept in Repair, or the faid Streets and other publick Paffages and Places properly cleanfed, lighted, and watched, nor fuch Encroachments, Nuifances, and Annoyances effectually removed and prevented for the future, without the Aid and Authority of Parliament: May it therefore pleafe Your Majefty that it may be enacted; and be it enacted by the King's moft Excellent Majefty, by and with the Advice and Confent of the Lords Spiritual and Temporal, and Commons, in this prefent Parliament affembled, and by the Au-

Commissioners appointed.

thority of the same, That the Mayor, Aldermen, High Steward, Recorder, Town Clerk, and Assistants to the said Mayor and Aldermen for the Time being, of the Borough of *Saint Alban*, in the County of *Hertford*, together with *Daniel Avis*, the Reverend *William Mog Bowen* Doctor in Divinity, *Luke Batten*, *James Brown*, *William Brown*, *Thomas Brown*, *William Brown*, *William Benniworth*, *William Bacon*, *John Newball Bacon*, *John Brewer*, *Thomas Bailey*, *Thomas Barwell*, the Reverend *Samuel Burder*, *Thomas Bishop*, *John Bourn*, *Thomas Coventon*, *Robert Costin*, *Thomas Compere*, *Thomas Chambers*, *James Coie*, *George Calvert*, *John Carter*, *James Deayton*, *George Dell*, *James Denham*, *William Domville*, *John Deacon*, *Joshua Ellis*, *Edward Eling*, *Isaac Emery*, *Benjamin Fowler*, *George Fowler*, *John Furness*, *James Field*, *William Fensom*, *John Fitch*, *Philip Gutteridge*, *Frederick Gough*, *Jonathan Gaze*, *Edward Greenhill*, the Reverend *John Gill*, *Thomas Goldsmith*, *William Greaves*, the Reverend *James Carpenter Gape*, *Henry Geary*, *William Hale*, *John Hair*, the Reverend *Jabez Hirous*, *William Harris*, *Joseph Harris*, *George Hatch*, *William Hawson*, *Thomas House*, *George Hill*, *Samuel Hill*, *Thomas Herbert*, *William Hart*, *George Honor*, *Edward Haws*, *Joseph Hulks*, *William How*, *Thomas Jones*, *Henry Jefferies*, *Thomas Kinder*, *Matthew Kentish*, *Charles Kentish*, *Joshua Kentish*, *William King*, *Jeremiah Kilbey*, *William Kilbey*, *George Louch*, *Charles Louch*, *William Loughton*, the Reverend *Jeremiah Lowe*, *Thomas Mansell*, *John Munn*, *John Missenden*, *Henry Martin*, *Joseph Mead*, *Robert Nicholls*, *Job Nash*, *Zachary Neal*, the Reverend *John Payler Nicholson*, *Thomas Pigott*, *Isaac Piggott*, *John Page*, *Thomas Parsons*, *Joseph Parsons*, the Reverend *James Preedy*, *Valentine Partridge*, *John Pedder*, *Stephen Pellett* Doctor of Medicine, *James Putnam*, *Thomas Rogers*, *James Read*, the Reverend *William Alfred Roberts*, *Thomas Rolfe*, *James Shepherd*, *John Shepherd*, *Robert Sexton*, *John Saunders*, *John Sherman*, *Richard Smith*, *Thomas Smith*, *John Savage*, *William Scourfield*, *Joseph Simcock*, *Joseph Sibley*, *Reginald Smorthwaite*, *Isaac Steabben*, *Thomas Thackster*, *William Wells*, *Thomas Wilkins*, *George Wilshere*, *James Whitney*, *Roger Wykes*, *John Wood*, *William Ward*, *Francis Woodbridge*, *Thomas Warren*, *James Wallis*, *Samuel Wildbore*, *John Wellingham*, and *Charles Woolham*, shall be and are hereby appointed Commissioners for putting this Act in Execution; and that when and as often as any Commissioner herein-before particularly named, or to be appointed as herein-after mentioned, shall die, remove out of the said Burough, or be chosen an Alderman, High Steward, Recorder, Town Clerk of the said Borough, or One of the Assistants to the Mayor and Aldermen of the said Borough for the Time being, or refuse to act, the same being notified at a Meeting of the said Commissioners to be held in pursuance of this Act, it shall be lawful for the remaining Commissioners at their next or any other Meeting to be held after Notification of such Vacancy, by Writing under their Hands to appoint a fit Person, residing within the said Borough, to be a Commissioner in the Place of every Commissioner dying, removing, being chosen an Alderman, High Steward, Recorder, Town Clerk, or One of the Assistants to the Mayor and Aldermen of the said Borough, or refusing to act as aforesaid; and every Person so appointed is hereby invested with the same Powers for putting this Act in Execution as if he had been named a Commissioner in and by this Act.

Qualification.

II. Provided always, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless at the Time of his acting

acting he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Ten Pounds, or ſhall be Heir Apparent of ſome Perſon having an Eſtate in Lands, Tenements, or Hereditaments of the clear yearly Value of Twenty Pounds, or ſhall be poſſeſſed of or entitled unto a Perſonal Eſtate of the Amount or Value of Two hundred and fifty Pounds; and if any Perſon, not being qualified as aforeſaid, ſhall preſume to act as a Commiſſioner in the Execution of this Act, he ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed; and the Perſon proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act.

Commiſſioners not to act as ſuch during the Time of holding any Office under this Act.

May act as Juſtices.

III. Provided alſo, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act during the Time he ſhall hold any Office or Place of Profit, or have any Share or Intereſt in any Contract or Work to be made or done in purſuance of this Act; but it ſhall be lawful for ſuch of the Commiſſioners who ſhall be in the Commiſſion of the Peace for the ſaid Borough to act as Juſtices of the Peace in the Execution of this Act, notwithſtanding their being Commiſſioners; and that in all Caſes where any Juſtice or Juſtices of the Peace is or are authorized by this Act to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Juſtice or Juſtices, and he and they is and are hereby required to adminiſter ſuch Oath, or to take ſuch Affirmation.

First Meeting.

May adjourn.

IV. And be it further enacted, That the ſaid Commiſſioners ſhall meet at the Town Hall of the ſaid Borough, within One Calendar Month next after the paſſing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, in order to put this Act in Execution, and ſhall and may then and from Time to Time afterwards adjourn themſelves to and meet at the Place aforeſaid, or any other convenient Place within the ſaid Borough; and if it ſhall happen that there ſhall not appear at any ſuch Meeting Five of the ſaid Commiſſioners, the Commiſſioner, or the Majority of the Commiſſioners, who ſhall be preſent may adjourn the Meeting to another Day, not later than Fourteen Days from the Day of ſuch Adjournment; and in caſe of any Neglect or Omiſſion to adjourn, any Three or more of the ſaid Commiſſioners, or their Clerk, ſhall and may call a Meeting at the Place where the laſt Meeting was appointed to be held, by Notice thereof to be affixed on ſome conſpicuous Part of the ſaid Town Hall, at leaſt Ten Days before ſuch Meeting; and that at all Meetings to be held in purſuance of this Act, the Commiſſioners ſhall defray their own Expences; but no Act of the ſaid Commiſſioners ſhall be valid, unleſs made or done at ſome Meeting to be held by virtue of this Act, except the calling of Meetings as aforeſaid; and that all the Powers and Authorities by this Act granted to or veſted in, and all Matters and Things directed to be done or performed by the ſaid Commiſſioners, ſhall and may, from Time to Time, be exerciſed

To defray their own Expences.

ercised and executed, done and performed (except in Cases herein otherwise particularly provided), by any Five or more of the said Commissioners, being the Majority of the Commissioners who shall attend at any publick Meeting to be held under or according to this Act; and all the Acts, Orders, Resolutions, and Proceedings of such Five or more of the said Commissioners shall have the same Force and Effect as if done or made by all the said Commissioners, and that when the Number of Voices shall be equal, the Chairman to be appointed at such Meeting shall have the decisive or casting Vote.

Proceedings to be entered in a Book.

V. And be it further enacted, That all Acts, Orders, Resolutions, and Proceedings of the said Commissioners relative to the Execution of this Act, shall be entered in a Book or Books to be provided for that Purpose, and signed by them or the major Part of them present at the doing or making of such Acts, Orders, Resolutions, or Proceedings; which Book or Books may be produced and read in Evidence in all Courts of Law and Places whatsoever.

To appoint a Clerk, a Treasurer or Treasurers, and Collectors.

VI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, by Writing under their Hands, to appoint a Clerk, and Treasurer or Treasurers, and such Collector or Collectors of the said Rates or Assessments, and such Surveyor or Surveyors, and other Officers, as they shall find necessary for the Execution of this Act, and from Time to Time to remove all or any such Officers at their Will and Pleasure; and out of the Money arising by virtue of this Act to appoint and pay such Salaries or other Allowances to the said Officers, and to all other Persons who shall be employed in or about the Execution of this Act, as they shall judge reasonable and proper; and the said Commissioners shall and are hereby required to take such Security from their Treasurer or Treasurers, Collectors, and other Officers, as they shall think proper for the due Execution of their respective Offices; and every such Officer and Person to be appointed as aforesaid, shall under their respective Hands, at such Time or Times, and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person as they shall appoint, a true and perfect Account in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Money which shall have been by him received by virtue of and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Money as shall remain in his Hands to the said Commissioners, or to such Person as they shall appoint; and every Person so accounting shall upon Oath, if thereunto required by the said Commissioners (which Oath any One of the said Commissioners is hereby empowered to administer), verify such Account; and if any such Officer or Person shall not make and render, or shall neglect or refuse to verify upon Oath such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person as they shall appoint, within Fourteen Days next after being thereunto required by Notice in Writing signed by the said Commissioners, and given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act, or give Satisfaction to the said Com-

To pay Salaries or make Allowances.

Officers to account,

and pay over the Money to Commissioners, or to such Person as they may appoint.

Commiſſioners reſpecting the ſame, and Complaint ſhall be made thereof by or on the Behalf of the ſaid Commiſſioners to any Juſtice of the Peace for the ſaid Borough, or the County or Place wherein ſuch Officer or Perſon ſhall be or reſide, ſuch Juſtice is hereby authorized and required, by Warrant under his Hand and Seal to cauſe ſuch Officer or Officers or Perſon 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 upon Oath or Affirmation, it ſhall appear to ſuch Juſtice that any of the Money that ſhall have been collected and received by virtue of this Act ſhall be in the Hands of any ſuch Officer or Perſon, 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 every ſuch Officer or Perſon; and if no ſuch Goods or Chattels can be found ſufficient to anſwer and ſatisfy the ſaid Money and the Charges of diſtraining and ſelling the ſame, or if it ſhall in Manner aforeſaid appear to ſuch Juſtice that any ſuch Officer or Perſon ſhall refuſe or neglect to render and give ſuch Account, or to verify the ſame as aforeſaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act ſhall be in the Cuſtody or Power of any ſuch Officer or Perſon, and he ſhall have refuſed or neglected to deliver or give Satisfaction reſpecting the ſame as aforeſaid, then ſuch Juſtice ſhall commit ſuch Officer or Perſon to the Common Gaol or Houſe of Correction, there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or ſhall have compounded with the ſaid Commiſſioners, touching the ſame, and have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Commiſſioners are hereby empowered to make and receive), and until he ſhall deliver up all ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof as aforeſaid; but no Perſon who ſhall be committed on account of his not having ſufficient Goods or Chattels as aforeſaid, ſhall be detained in Priſon for any longer Time than Six Calendar Months.

Pavements veſted in Commiſſioners.

VII. And be it further enacted, That, from and after the paſſing of this Act, the Property of and in all the preſent and future Pavements of the Footways and Croſspaths within the ſaid Streets and publick Paſſages and Places, and of and in all Lamps, Lamp Irons, and Poſts, which ſhall be erected or fixed by virtue of this Act, and all Materials, Implements, and other Things, which ſhall be purchaſed or gotten for the Purpoſes of this Act, ſhall belong to and are hereby veſted in the ſaid Commiſſioners; and the ſaid Commiſſioners are hereby authorized to ſell and diſpoſe of any Stones or Materials ariſing or becoming uſeleſs in the Execution of this Act, making or allowing Satisfaction to the Occupier of any Houſe or Tenement for any Flagſtones which ſhall have been laid down at his or her own Coſts in the Footway before ſuch Houſe or Tenement.

Commiſſioners may ſue and be ſued in the Name of their Treaſurer or Treaſurers.

VIII. And be it further enacted, That the ſaid Commiſſioners ſhall ſue and be ſued in the Name of the Treaſurer or Treaſurers for the Time being to be appointed under this Act; and that no Action or other Proceeding at Law brought by or againſt the ſaid Commiſſioners, or any or-

of them, in relation to this Act, in the Name of their Treasurer or Treasurers, shall abate or be discontinued by the Death or Removal of such Treasurer or Treasurers, or by the Act of him or them, without the Consent of the said Commissioners, but that the Treasurer or Treasurers for the Time being shall always be Plaintiff or Plaintiffs, Defendant or Defendants; and that every such Action or Actions, Suit or Suits, or other Proceeding at Law, shall be under the Management and Direction of the said Commissioners.

Commissioners to cause the Footways to be paved.

IX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, directed, and required, from Time to Time to cause the said Footways and Crosspaths, or such of them as they shall judge proper, to be new paved with Flag-stones or other Stones in such Manner and Form as they shall think fit, and such Pavements or Ways for the Use of Passengers on Foot to be made across the Carriage Ways, and also across any Gateways and other Places in the said Streets and publick Passages, of such Materials and in such Manner as they shall think proper; and also to cause the several Streets and other publick Passages and Places within the said Borough to be cleansed, watched, and lighted, and all Obstructions, Encroachments, Nuisances, and Annoyances therein to be removed, and Drains, Sinks, Gutters, and Watercourses to be made for conveying the Water off and from the said Streets and other Places in such Manner as they shall think proper.

The Streets cleansed, watched, and lighted, and Obstructions removed.

If any Person, without Leave, shall alter the Foot Pavement, the same shall be reinstated at the Expence of the Person so altering it.

X. And be it further enacted, That if any Person shall at any Time hereafter, without the Consent and Approbation of the said Commissioners, make or cause to be made any Alteration in the Form of any of the Foot Pavements of any Street, Lane, or other publick Place, within the said Borough, such Person shall at his or her own Expence (within Fourteen Days after Notice given for that Purpose by the said Commissioners or their Clerk or Surveyor) put the Pavement which shall have been so altered into the same Form and Condition as it was in before the making such Alteration; and in case of Neglect or Refusal so to do, then the said Commissioners shall and may cause the same to be done, and the Expence thereof shall be borne and defrayed by the Person so neglecting or refusing the same, to be recovered in case of Non-payment upon Demand, in like Manner as any Penalty is herein-after directed to recovered.

Names of the Streets to be written up, and Houses numbered.

XI. And be it further enacted, That the said Commissioners shall and may cause to be painted, on a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of each of the said Highways or Streets, Lanes, Passages, and Places, or to be painted or described in Stone, Wood, or otherwise, and affixed to any such House or Houses, Building or Buildings, the Name by which such respective Street, Lane, Passage, and Place is properly and usually called or known, and may also cause every House, Shop, or Warehouse, in each of the said Streets and Places, to be marked and numbered in such Manner as they shall judge most proper for distinguishing the same; and if any Person or Persons shall wilfully destroy, pull down, injure, obliterate, or deface any such Names, Descriptions, Marks, or Numbers, or any Parts or Part thereof, or cause or procure the same to be done, every

Person

Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings nor leſs than Ten Shillings.

Number of the Houſes to be reſtored when defaced, at the Expence of the Occupier.

XII. And be it further enacted, That when any Number or Numbers painted or put on any Houſe or Tenement within the ſaid Borough ſhall be defaced or rubbed out, the Occupier or Occupiers of any ſuch Houſe or Tenement, ſhall on perſonal Notice given to him, her, or them, or upon Notice in Writing left at ſuch Houſe or Tenement by the Clerk to the ſaid Commiſſioners, or ſuch other Perſon or Perſons as they ſhall appoint, cauſe the Number or Numbers to be reſtored and painted in like Manner on the ſaid Houſe or Tenement, within Six Days after ſuch Notice; and in caſe of Neglect or Refuſal to comply with ſuch Order, every ſuch Occupier ſhall forfeit and pay for every ſuch Neglect or Refuſal the Sum of Ten Shillings.

Lamp Irons and Poſts to be affixed.

XIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered from Time to Time to cauſe Lamp Irons or Lamp Poſts to be put or affixed into, upon, or againſt the Walls or Palliſadoes of any of the Houſes, Tenements, of Buildings, within the ſaid Borough, or in ſuch other Manner and Place as they ſhall think proper and convenient; and alſo to cauſe ſuch Number of Lamps of ſuch Sizes and Sorts to be provided and affixed, or put upon ſuch Lamp Irons or Lamp Poſts, as they ſhall think proper and neceſſary for lighting all or any of the ſaid Streets, and other publick Paſſages and Places; and if any Perſon ſhall wilfully break, throw down, take away, ſpoil, or damage any of the Lamps to be put up by virtue of this Act, or any of the Irons, Poſts, or other Furniture thereof, or wilfully extinguiſh the Light of any ſuch Lamp, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings nor leſs than Ten Shillings, whereof One Moiety ſhall go to the Informer, and ſuch Offender ſhall alſo pay to the ſaid Commiſſioners, or their Treaſurer or Treaſurers, or One of them, ſuch Sum of Money as ſhall be a full Satisfaction for the Damage ſo done; and in caſe any Perſon ſhall careleſsly, negligently, or accidentally break, throw down, or otherwiſe ſpoil or damage any of the ſaid Lamps, or the Irons, Poſts, or other Furniture thereof, and ſhall not upon Demand make Satisfaction for the Damage done thereto, it ſhall be lawful for any Juſtice of the Peace for the ſaid Borough, upon Proof thereof made by the Oath of any credible Witneſs, or on the Confeſſion of the Party, to award ſuch Sum of Money by way of Satisfaction for ſuch Damage, as ſuch Juſtice ſhall think reaſonable; and in Default of Payment thereof upon Demand, to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon who ſhall have done ſuch Damage, rendering the Overplus (if any) after deducting the Charges of proſecuting ſuch Complaint, and of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattels upon Demand.

Commiſſioners may contract for Work to be done.

XIV. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered from Time to Time to contract and agree with any Perſon or Perſons for the doing and performing any of the Works by this Act authorized or directed to be done and performed; and every Contract ſo to be entered into ſhall be reduced into Writing, and ſigned by the ſaid Commiſſioners

ers

ers and the Party or Parties contracting to perform ſuch Works, and ſhall ſpecify the Works to be done, and the Prices to be paid for the ſame, and the Time or Times when ſuch Work ſhall be performed and completed, and the Penalty to be ſuffered in caſe of Non-performance thereof; and if any Perſon ſhall at any Time obſtruct or hinder any Officer, Workman, or Perſon employed under or by virtue of this Act, in the Execution of his Duty, every Perſon ſo offending, ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings.

Penalty for obſtructing Officers.

No Contract to bind the Commiſſioners in their private Capacities.

XV. Provided always, and be it further enacted, That no Contract which ſhall be made by any of the Commiſſioners for any of the Purpoſes of this Act, ſhall be binding upon the ſaid Commiſſioners as Individuals in their private Capacities, nor ſhall any of them perſonally or their reſpective Eſtates be anſwerable for or ſubject to the Payment of the Intereſt of any Monies borrowed by virtue of this Act; and that all the Money which ſhall be paid, expended by, or recovered againſt any of the ſaid Commiſſioners, or their Treaſurer or Treaſurers, or any Perſon or Perſons employed by them, by means of any Action, Proſecution, Proceeding at Law, or Appeal for any Cauſe relating to this Act, or any Thing done by or under the Authority of the ſame, ſhall be borne and defrayed out of the Money which ſhall come to the Hands of the Treaſurer or Treaſurers to the ſaid Commiſſioners by virtue of this Act.

Footways, &c. to be ſwept before Ten in the Morning.

XVI. And be it further enacted, That all Inhabitants within the ſaid Borough where the ſaid intended Pavement ſhall extend, ſhall cauſe the Footways before and on the Sides of their reſpective Houſes, Buildings, and Walls, to be ſwept and cleanſed before the Hour of Ten in the Morning of every Day (*Sundays* excepted) and the Dirt and Soil ariſing therefrom to be immediately taken and carried away; and every Perſon making Default herein, ſhall for every ſuch Default forfeit and pay the Sum of Two Shillings and Sixpence; provided that Information for the Purpoſe of recovering or levying ſuch Penalty ſhall be laid within Seven Days after ſuch Default.

Signs to be removed, *etc.*

XVII. And be it further enacted, That the reſpective Occupiers of Houſes and other Buildings within the ſeveral Streets and other publick Paſſages and Places aforeſaid, ſhall and are hereby required, at their own Coſts and Charges, within ſuch Time and in ſuch Manner as the ſaid Commiſſioners ſhall from Time to Time think neceſſary, and by Notice in Writing under their Hands to be delivered to ſuch reſpective Occupiers, or left at their reſpective Dwelling Houſes, direct and appoint, to cauſe all Signs which now or hereafter ſhall belong to ſuch reſpective Houſes or other Buildings to be removed and diſcontinued, or fixed or placed flat on the Fronts thereof, and all Sign Irons, Sign Poſts, and other Poſts and Rails, Penthouſes, Spouts, Steps, Shop Windows, Cellar Doors, and Cellar Windows, and other Encroachments, Obſtructions, Projections, and Annoyances, which now or hereafter ſhall belong to ſuch reſpective Houſes or other Buildings, to be removed, altered, and reformed, and alſo to cauſe the Water to be conveyed from the Roofs, Cornices, and Penthouſes of or belonging to ſuch reſpective Houſes or other Buildings, by proper and ſufficient Pipes or Trunks to be affixed to the Sides of ſuch Houſes and other Buildings reſpectively; and in caſe any ſuch Occupier ſhall neglect or refuſe ſo to do, it ſhall be lawful for the

he ſaid Commiſſioners to cauſe the ſame to be done, and the Coſts and Charges attending the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Occupier, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid Borough (which Warrant ſuch Juſtice is hereby required and authorized to grant), rendering the Overplus, (if any) when demanded, to the Perſon whoſe Goods and Chattels ſhall be ſo diſtrained and ſold; and it ſhall be lawful for the Tenant of any ſuch Houſe or other Building, not being under Covenant to keep the ſame in Repair, who ſhall remove, alter, or reform any ſuch Encroachments, Obſtructions, Projections or Annoyances as aforeſaid, to deduct and retain the Charges and Expences thereof, and alſo any Money which ſhall or may be levied upon his or her Goods and Chattels as aforeſaid, out of his or her Rent; and the Owner, Proprietor, or Landlord of every ſuch Houſe or other Building is hereby required to allow the ſame accordingly: Provided always, that nothing herein contained ſhall extend to the ſtopping up the Door or Window of any Cellar where there ſhall be no other Way from the Street or Light to ſuch Cellar, but the Owner or Occupier thereof ſhall always keep the ſame in good and ſufficient Repair, unleſs the ſaid Commiſſioners ſhall make or provide ſome other commodious and ſufficient Way or Light into ſuch Cellar.

New Houſes to be erected perpendicularly;

XVIII. And be it further enacted, That all Houſes and Buildings hereafter to be built or new fronted in any of the ſaid Streets, Lanes, Paſſages or Places, ſhall be erected perpendicularly from the Foundation thereof; and if any Perſon or Perſons ſhall at any Time or Times build or new front any Houſe or other Building within the ſaid Borough, or cauſe the ſame to be done, otherwiſe than riſing perpendicularly from the Foundation thereof, it ſhall be lawful for the ſaid Commiſſioners by Writing under their Hands to order and cauſe the Front of ſuch Houſe or other Building to be pulled down by ſuch Perſon or Perſons as they ſhall direct and appoint, and the Coſt and Charges thereof ſhall be paid and reimburſed to the ſaid Commiſſioners by the Owner or Owners of ſuch Houſes or Buildings; and in Default of Payment thereof, on Demand, the ſame may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered.

if not, Front may be pulled down.

New Houſes how to be covered.

XIX. And be it further enacted, That all Houſes, Outhouſes, and other Buildings, that ſhall after the paſſing of this Act be built or erected within the ſaid Borough as aforeſaid, ſhall be covered with Lead, Copper, Iron-Plate, Slate or Tile, and not otherwiſe, and if any Perſon or Perſons ſhall at any Time or Times after the paſſing of this Act, cover any ſuch Houſe, Outhouſe, Building, or any Part thereof, with any other Covering than Lead, Copper, Iron-Plate, Slate or Tile, every Perſon ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds, and any further Sum not exceeding Ten Shillings daily for every Day ſuch Offence ſhall continue, after perſonal Notice given to him, her, or them, or upon Notice in Writing left at ſuch Houſe or Tenement, by the Clerk to the ſaid Commiſſioners, or ſuch other Perſon as they ſhall appoint, to take down ſuch Covering; and it ſhall be lawful for the ſaid Commiſſioners to order ſuch Covering to be taken down and removed in ſuch Manner as to them ſhall ſeem meet, and the Perſon or Perſons ſo ordered by the ſaid Commiſſioners, ſhall

and may take down and remove the ſame accordingly, without any Notice or Warning to be given to the Owner or Occupier of ſuch Houſe, Outhouſe, or other Building to take down the ſame; and One Moiety of the ſaid reſpective Penalties ſhall be paid to the Informer, and the other applied for the Purpoſes of this Act.

To prevent Annoyances.

XX. And be it further enacted, That if any Perſon ſhall run, drive, carry, or place on any of the ſaid Footways or Croſspaths (other than ſuch as ſhall be acroſs the Carriage Ways as aforeſaid) any Wheel, Sledge, Wheelbarrow, Truck, or Carriage, or ſhall roll any Caſk for the Space of Forty Yards, or wilfully ride, drive, lead, place, or expoſe to Sale any Horſe or other Beaſt or Cattle on any of the ſaid Footways or Croſspaths (except as aforeſaid) or ſhall, within any Street or other publick Paſſage or Place within the ſaid Borough, ſlaughter, ſinge, ſcald, hang up, or cut up any Beaſt, Swine, or other Cattle, or hoop, cleanſe, or ſcald any Caſk, or hew or ſaw any Stone, Wood, or Timber, or bind, make, or repair the Wheel of any Carriage, or ſhoe, bleed, dreſs, or farry, or turn or drive looſe any Horſe (except in caſe of Accident) or ſet, place, or expoſe to Sale any Goods, Wares, or Merchandizes, either on the Footways or Carriage Ways of any of the ſaid Streets or other publick Paſſages or Places, ſo as to obſtruct or incommode the Paſſage of any ſuch Footway (except the ſetting, placing, or expoſing to Sale any Horſes Beaſts, or Cattle, Goods, Wares, or Merchandize, on Market and Fair Days, upon any Part of any Carriage Way adjoining the ſaid Footways or in any Part or Parts of the ſaid Footways and Carriage Ways, as the Clerk of the Market of the ſaid Borough ſhall direct and appoint for that Purpoſe) or ſhall make or aſſiſt in the making any Fires commonly called Bonfires, or ſhall ſet fire to or let off or throw any Squib, Rocket, Cracker, or other Firework, or ſhall ſift, ſcreen, or ſlack any Lime within any of the ſaid Streets or other publick Paſſages or Places, every Perſon offending in any of the Caſes aforeſaid ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty on cauſing Obſtructions.

XXI. And be it further enacted, That if any Waggon, Cart, or other ſuch Carriage ſhall be left to ſtand or remain in any of the ſaid Streets or other publick Paſſages or Places with or without Horſes or other Cattle, for any longer Time than ſhall be neceſſary for the loading or unloading thereof, or if any Stage Coach, Poſt Chaiſe, or other Carriage let to hire, ſhall be left to ſtand or remain in any ſuch Street, Paſſage, or Place with or without Horſes, for any longer Time than ſhall be neceſſary for taking up or ſetting down the Paſſengers, or for loading or unloading their Baggage, or if any Horſe or other Cattle ſhall be ſuffered to ſtand at the Door or Houſe of any Perſon ſo as to obſtruct or incommode the Paſſage of any of the ſaid Footways or Croſspaths, or if any Swine, Beaſt, or other Cattle ſhall be permitted to wander or be in or about any of the ſaid Streets, publick Paſſages, or Places, or if any Timber, Bricks, Stones, Lime, Dung, Wood, Goods, or other Things, ſhall be laid or placed and left to remain in any of the ſaid Streets or other publick Paſſages or Places for any longer Time than ſhall be neceſſary for moving and houſing the ſame, or if any Aſhes (except in caſe of Froſt) Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance ſhall be thrown, caſt, or laid in any of the ſaid Streets or other publick Paſſages or Places, and ſuffered to remain for any longer Time than ſhall be neceſſary

ceſſary for the Purpoſe of removing the ſame, then and in every ſuch Caſe the Owner or Driver of every ſuch Waggon, Cart, Chaiſe, Coach, or other Carriage, and the Owner of ſuch Swine, Beaſt, or Cattle, and of ſuch Timber, Bricks, Goods, or other Things which ſhall be left or ſuffered to remain as aforeſaid, and the Perſon who ſhall throw, caſt, or lay any Aſhes (except as aforeſaid), Rubbiſh, Duſt, Dirt, or other Annoyance as aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings nor leſs than Five Shillings, and the ſame ſhall alſo be deemed a Nuiſance.

Inhabitants not to be ſubject to a Penalty on account of Rubbiſh occaſioned by building.

XXII. Provided nevertheleſs, That no Perſon ſhall be ſubject to any Penalty by virtue of this Act on account of any Rubbiſh or Dirt being in any of the ſaid Streets or other publick Paſſages or Places before the Houſe or Tenement of ſuch Perſon, occaſioned by the building, pulling down, or repairing of ſuch Houſe or Tenement, ſo as there be convenient Room left for Carriages to paſs, and a ſufficient Way kept clean for Foot Paſſengers, by the Perſon laying or occaſioning ſuch Rubbiſh or Dirt to be laid, and ſo as the Owner or Occupier of ſuch Houſe or Tenement do cauſe ſuch Rubbiſh or Dirt to be removed out of ſuch Street or Place at his own Coſts and Charges within a reaſonable Time after ſuch building, pulling down, or repairing ſhall be completed, or upon Notice to be given to him or left at ſuch Houſe or Tenement for that Purpoſe in Writing ſigned by the ſaid Commiſſioners or their Clerk, and ſo as that whilſt the ſame ſhall be lying in ſuch Street or Place ſuch Owner or Occupier ſhall ſet up and maintain a ſufficient Light upon or againſt the ſame during the Night Time, to prevent Miſchief happening to Paſſengers or Cattle.

Surveyors of the Highways to pay One Moiety of the Compoſition Money for the Purpoſes of this Act.

XXIII. And be it further enacted, That the Surveyor or Surveyors of the Highways for the Time being of the ſeveral Pariſhes in the Borough aforeſaid, ſhall, when demanded by the ſaid Commiſſioners or any Perſon authorized by them for that Purpoſe, pay or cauſe to be paid, out of the Compoſition for Statute Duty to be by ſuch Surveyor or Surveyors collected within the ſaid Borough, to the Treaſurers or Treaſurer of the ſaid Commiſſioners, One Moiety or Half Part of the Compoſition Money ſo by them to be received as a Compenſation to them from the Surveyor or Surveyors on account of his, her, or their not being liable in future to repair the Footways within the ſaid Borough, and the ſame ſhall be applied for the general Purpoſes of this Act; and the ſaid Commiſſioners ſhall and may, and they are hereby empowered by themſelves, or by any Perſon or Perſons by them authorized at any Meeting, to levy the ſaid One Half of the ſaid Compoſition Money upon the Surveyor or Surveyors for the Time being of the ſaid Pariſhes reſpectively, in caſe of his or their neglecting or refuſing to pay the ſame, in the like Manner as Penalties and Forfeitures are hereby directed to be recovered: Provided always, that nothing herein contained ſhall extend or be conſtrued to extend to exonerate the Surveyors of the Highways of the ſeveral Pariſhes within, or partly within, the ſaid Borough, from the repairing of the Footpaths within the ſame, or any Part thereof, in the Manner they are now liable to by Law, until the ſame ſhall be paved under and purſuant to the Directions of the ſaid Commiſſioners by virtue of this Act, or until ſuch Demand ſhall be made, and the ſaid Surveyors ſhall pay to the ſaid Commiſſioners, or their Treaſureror Treaſurers

ſurers, or One of them, One-half of the ſaid Compoſition Money as aforeſaid.

Commiſſioners empowered to raiſe Money by Rates on Occupiers of Houſes, *etc.*

XXIV. And be it further enacted, That the ſaid Commiſſioners ſhall and are hereby authorized and required, to rate and aſſeſs ſuch Sum of Money as they ſhall from Time to Time judge neceſſary, not exceeding in any One Year the Sum of One Shilling and Sixpence in the Pound, upon the reſpective Tenants or Occupiers of all Houſes, Buildings, Gardens, Tenements, and other Hereditaments and Eſtates within the ſaid Borough, which have uſually been, or ſhall hereafter be charged to the Relief of the Poor, according to the reſpective annual Values thereof, ſuch annual Values to be from Time to Time ſettled according to the Sums at which ſuch Houſes, Buildings, Gardens, Tenements, and other Hereditaments ſhall be reſpectively rated for the Relief of the Poor, previous to the making of ſuch Rate or Aſſeſſment by the ſaid Commiſſioners; and the Firſt Year from which ſuch Rate or Aſſeſſment ſhall be made ſhall commence at and be computed from the Twenty-fifth Day of *March* One thouſand eight hundred and four; and the Money ſo to be rated and aſſeſſed ſhall from Time to Time be paid to the Collector or Collectors to be appointed as aforeſaid, at ſuch Time or Times in every Year, and in ſuch Manner as the ſaid Commiſſioners ſhall direct, and ſhall be paid over by him or them into the Hands of the Treaſurer or Treaſurers, or One of the Treaſurers to the ſaid Commiſſioners: And in order to make ſuch Rates or Aſſeſſments, all and every the Overſeers of the Poor of the ſeveral Pariſhes which are either wholly or in part within the ſaid Borough, ſhall and are hereby reſpectively required, at all ſeaſonable Times, to permit the Treaſurer or Treaſurers, Clerk or Collector to the ſaid Commiſſioners, or any other Perſon to be appointed by them, to peruſe and inſpect all the Rates made at any Time within a Year then next preceding for the Relief of the Poor, and to take a Copy or Copies thereof; and if any ſuch Overſeer of the Poor ſhall refuſe or neglect to permit any ſuch Peruſal or Inſpection, or the taking of any ſuch Copy, he ſhall, for every ſuch Refuſal or Neglect, forefeit and pay the Sum of Forty Shillings.

Aſſeſſments how payable.

Rates to be borne equally by Landlords Tenants.

XXV. Provided always, and be it further enacted, That One Moiety of the Rates or Aſſeſſments to be made by virtue of this Act, ſhall be borne and defrayed by the reſpective Owners or Landlords, and the other Moiety thereof by the reſpective Tenants or Occupiers of the ſeveral Houſes, Buildings, Gardens, Tenements, and other Hereditaments and Eſtates, in reſpect whereof ſuch Rates or Aſſeſſments ſhall be made as aforeſaid; but all ſuch Rates or Aſſeſſments ſhall from Time to Time be paid to the ſaid Collector or Collectors, by ſuch reſpective Tenants or Occupiers, and ſuch Tenants or Occupiers, ſhall and are hereby authorized and empowered to deduct and retain, out of their reſpective Rents, ſo much thereof as a Moiety or One-half Part of ſuch Rate or Rates upon every Twenty Shillings of the Rent which ſhall be payable to ſuch Owner or Owners, Landlord or Landlords ſhall amount unto; and all ſuch Owners and Landlords, both mediate and immediate, according to their reſpective Intereſts, ſhall allow ſuch Deductions and Payments upon Receipt of their ſaid Rents, and the Tenants paying the ſaid Aſſeſſments ſhall be acquitted and diſcharged of ſo much Money, as if the ſame had actually been paid

aid to the Perſon or Perſons to whom his and their Rent ſhall have been ue and payable: Provided alſo, that no Perſon ſhall be ſubject to the ayment of any Rate or Aſſeſſment by virtue of this Act, who ſhall be nly Tenant of Property chargeable to the ſaid Rates or Taxes which ogether ſhall not be of the yearly Rent or Value of Four Pounds or upwards, and ſhall not be Owner of any Property chargeable as aforeſaid: Provided nevertheleſs, that the Landlord or Owner of the Houſe or Tenement occupied by any ſuch Perſon as Tenant thereof as aforeſaid, ſhall bear and defray his Share or Proportion of ſuch Rates or Aſſeſſments in reſpect thereof; and no Perſon ſhall be ſubject to or charged with any Rate or Aſſeſſment by virtue of this Act for or in reſpect of any Houſe or Building, during the Time the ſame ſhall be empty or unoccupied; and that where any Houſe, Building, Garden, Tenement, or Hereditament, in reſpect whereof any Rate or Aſſeſſment ſhall be made as aforeſaid, ſhall be let or demiſed to more than One Tenant, any One or more of ſuch Tenants ſhall be deemed the Occupier or Occupiers thereof for the Purpoſes of this Act: Provided alſo, that nothing herein contained ſhall be deemed or taken to make void any Contract, Covenant, or Agreement between any Landlord and Tenant, touching or concerning the paving or repairing any of the Footways within the ſaid Borough.

Houſes unoccupied not to charged.

Any One Tenant to be deemed Occupier.

Not to affect Agreements between Landlords and Tenants.

XXVI. Provided alſo, That in all Caſes where any Perſon ſhall remove from or quit any Houſe, Building, Garden, Tenement, or Hereditament, which ſhall be rated or aſſeſſed by virtue of this Act, ſuch Perſon ſhall be liable to pay ſuch Rate or Aſſeſſment in Proportion to the Time that he or ſhe occupied the ſame, in like Manner as if he or ſhe had not removed, or quitted the ſame; and in all Caſes where any Perſon ſhall come into or occupy any Houſe, Building, Garden, Tenement, or Hereditament, rated or aſſeſſed 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 any ſuch Rate or Aſſeſſment was empty or unoccupied, the Perſon coming into or occupying the ſame ſhall be liable to pay ſuch Rate or Aſſeſſment in Proportion to the Time that he or ſhe occupied the ſame, in like Manner as if he or ſhe had been originally rated or aſſeſſed for ſuch Houſe, Building, Garden, Tenement, or Hereditament; which ſaid reſpective Proportions, in caſe of Diſpute, ſhall be ſettled and aſcertained by the ſaid Commiſſioners.

Rates apportioned between Occupiers quitting and coming into any Houſe, *etc.*

XXVII. And be it further enacted, That in caſe any Perſon or Perſons who ſhall be rated or aſſeſſed, or ſubject or liable to the Payment of any Rate or Aſſeſſment to be made or laid by virtue of this Act, ſhall refuſe or neglect to pay any ſuch Rate or Aſſeſſment to any Collector to be appointed as aforeſaid, for the Space of Seven Days after perſonal Demand thereof made, or Demand in Writing left at the uſual or laſt Place of Abode of ſuch Perſon or Perſons, it ſhall be lawful for any Juſtice of the Peace for the ſaid Borough, County, Liberty, or Place wherein ſuch Perſon or Perſons ſo neglecting or refuſing ſhall be or reſide, upon Proof made upon Oath or Affirmation of ſuch Demand and Non-payment, by Warrant under his Hand and Seal to authorize and direct the ſaid Collector or Collectors to levy ſuch Rate or Money ſo in Arrear, together with the Coſts and Charges attending the ſame, to be aſcertained by ſuch Juſtice, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or

Recovery of Rates.

Perſons ſo refuſing or neglecting to pay as aforeſaid, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels on Demand.

Perſons aggrieved may appeal to the Commiſſioners.

XXVIII. Provided always, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Aſſeſſment which ſhall be made in purſuance of this Act, he, ſhe, or they may appeal to the Commiſſioners at their firſt Meeting to be holden after the Expiration of Ten Days from the demanding ſuch Rate or Aſſeſſment; and the ſaid Commiſſioners are hereby authorized and empowered, if they ſhall think any ſuch Perſon or Perſons aggrieved, to amend ſuch Rate and to give ſuch Relief in the Premiſes as to them ſhall ſeem reaſonable.

Commiſſioners to raiſe not exceeding 4000 *l.* by Annuities, Bonds, *etc.*

XXIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to raiſe, either by Annuities on ſingle Lives or on ſeveral Lives, with or without Benefit of Survivorſhip, or on Annuities to be granted for a certain Term of Years, or by way of Loan upon Bond or other Security, to be entered into by or by the Order and Direction of the ſaid Commiſſioners, any Sum or Sums of Money, not exceeding in the whole the Sum of Four thouſand Pounds, for the ſeveral Purpoſes aforeſaid; and that it ſhall and may be lawful to and for any Perſon or Perſons whomſoever to contribute, advance, and pay into the Hands of the ſaid Commiſſioners, or into the Hands of their Treaſurer or Treaſurers for the Time being, or One of them, or of ſuch other Perſon or Perſons as they the ſaid Commiſſioners ſhall by any Writing under their Hands and Seals authorize to receive the ſame for the Uſes and Purpoſes before mentioned, any Sum or Sums of Money, not exceeding in the whole the Sum of Four thouſand Pounds, for the abſolute Purchaſe of Annuities, or by way of Loan as herein-before is mentioned, the ſaid Annuities if granted on a Life or Lives to be paid and payable for and during the natural Life or Lives of the Contributor or Contributors, or for and during the natural Life or Lives of ſuch Perſon or Perſons as he, ſhe, or they ſhall nominate reſpectively, from the Time of Payment of their reſpective Contribution Money, and ſuch Annuities ſhall and may be granted with or without Benefit of Survivorſhip, and upon ſuch Terms and Conditions as the ſaid Commiſſioners ſhall think proper; and the ſaid Annuities, if granted for a Term of Years, to be granted for ſuch Term of Years, and on ſuch Terms and Conditions as the ſaid Commiſſioners ſhall think fit; all which Annuities, and alſo the Principal and Intereſt of the Money to be borrowed and taken up as aforeſaid, ſhall be paid and payable by the ſaid Commiſſioners in the Town Hall of the ſaid Borough, or ſuch other Place as they ſhall appoint for that Purpoſe; and the Principal of ſuch Money to be borrowed and taken up by the ſaid Commiſſioners at Intereſt as aforeſaid, on the Credit of this Act, ſhall be repaid to the Perſon or Perſons lending or advancing the ſame out of the ſaid Rates, as often as the ſame ſhall amount to a ſufficient Sum to diſcharge any One Bond, upon giving the Lender Six Months Notice in Writing for that Purpoſe, at the End of which Time all Intereſt of ſuch Bonds ſhall ceaſe.

Annuities chargeable on the Rates

XXX. And be it further enacted, That all and every of the Annuities ſo to be purchaſed under or by virtue of this Act as aforeſaid, and all and every

every Sum and Sums of Money to be borrowed and taken up on the Credit of this Act, and the Intereſt thereof, ſhall be and the ſame are and is hereby charged upon, and made payable from Time to Time out of the Monies ariſing by the Rates and Aſſeſſments by this Act directed to be raiſed and aſſeſſed as herein-before is mentioned; and that all and every the Contributor and Contributors, or Lender or Lenders of any Money upon the Credit of this Act, duly paying the Conſideration or Purchaſe Money for any ſuch Annuity or Annuities, or otherwiſe advancing the Money as aforeſaid, or ſuch Perſon or Perſons as he, ſhe, or they ſhall appoint, his, her, or their reſpective Executors, Adminiſtrators, or Aſſigns, ſhall receive and enjoy, and be entitled by virtue of this Act to have, receive, and enjoy, the reſpective Annuity or Annuities ſo to be purchaſed, and the Principal and Intereſt of the other Monies which may be advanced as aforeſaid out of the ſaid Rates or Aſſeſſments by this Act appropriated or appointed for Payment thereof, and all and every ſuch Purchaſer or Purchaſers of ſuch Annuity or Annuities, and other Perſon or Perſons advancing Money as aforeſaid, and his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, ſhall have a good, ſure, abſolute, and indefeaſible Eſtate, Right, and Intereſt, in and to the ſaid Annuities ſo to be by them reſpectively purchaſed, and in and to the ſaid other Monies ſo to be advanced as aforeſaid, according to the Tenor and true Meaning of this Act. to be made by this Act.

XXXI. And be it further enacted, That every Contributor for the Purchaſe of any ſuch Annuity or Annuities as aforeſaid under and by virtue of this Act, upon the Payment of any Money advanced by way of Loan ſhall take a Receipt or Receipts for ſo much Money as ſhall be ſo paid, and upon Payment of all the Purchaſe Money for any ſuch Annuity or Annuities, or of any Sum or Sums of Money by way of Loan, every ſuch Contributor or Lender, his or her Aſſigns reſpectively, ſhall have a Grant or Security in Writing for Payment of the ſaid Annuity or Annuities for and during the natural Life or Lives of ſuch Contributor or Contributors as aforeſaid, or ſuch Perſon or Perſons as ſhall be nominated by him, her, or them, or for the Payment of ſuch Sum or Sums of Money as may be ſo lent as aforeſaid; which Grants or Securities ſhall be ſigned by the Treaſurer or Treaſurers, or One of the Treaſurers herein directed to be appointed for the Time being, with the Conſent of Seven of the ſaid Commiſſioners to be teſtified by their Signature thereto, and ſhall reſpectively be in the Words or to the Effect following; (that is to ſay), Annuitants to have a Grant.

'KNOW all Men by theſe Preſents, That the Commiſſioners appointed by and acting under an Act paſſed in the Forty-fourth Year of the Reign of King George the Third, intituled, [*ſet forth the Title of this Act*] do by virtue of the ſaid Act, and in Conſideration of the Sum of [*inſert here the Conſideration*] paid to them by [*deſcribe here the Purchaſer or Purchaſers*] before the ſealing and delivering of theſe Preſents (as appears by the Receipt indorſed hereon) grant and ſecure unto the ſaid [*name the Purchaſer or Purchaſers, his, her, or their Appointee or Appointees, as the Caſe may be,*] his [her, *or* their] Executors, Form thereof

'tors,

'tors, Administrators, and Assigns, an Annuity of [*insert the Amount of the Annuity*] payable out of the Rates and Assessments made and assessed and to be made and assessed by the Commissioners or of acting under the said Act for the Purposes therein mentioned, which said Annuity shall be paid to the said [*name here the Purchaser or Purchasers, his, her, or their Appointee or Appointees*] his [*or* her, *or* their] Executors, Administrators, and Assigns, at [*here insert such Place as the Commissioners shall think fit to appoint*] upon the Day of and the Day of in every Year by equal Half-yearly Payments during the natural Life, and proportionally up to the Day of the Death of [*or* during the natural Lives and Life of and the Survivor of them, and proportionally up to the Day of the Death of such Survivor; *or* during the natural Lives and the Survivors and Survivor of them, and proportionally up to the Day of the Death of such Survivor, *or* during the Term of Years now next ensuing, *as the Case may be*] the First Payment thereof to be made upon the Day of now next ensuing. In Witness whereof the Treasurer [*or* Treasurers, or One of the Treasurers, *as the Case may be*] appointed by virtue of the said Act, hath hereunto set his Hand and Seal the Day of in the Year of our Lord

Signed and sealed by the said the Treasurer [*or* Treasurers, *or* One of the Treasurers, *as the Case may be*] appointed by virtue of the said Act, with the Consent of us the Majority of the Commissioners present at a Meeting holden the Day and Year last above mentioned.'

Bond. And also that all and every the Sum and Sums of Money to be advanced, lent, and paid to or to the Order of the said Commissioners upon the Credit of this Act on Bond shall be secured by a Bond under the Hand and Seal of the Treasurer or Treasurers, or of One of them, hereby directed to be appointed for the Time being, with the Consent of Seven such Commissioners testified as aforesaid in the Words or to the Effect following; (that is to say,)

Form of Bond. 'KNOW all Men by these Presents, That the Commissioners appointed by and acting under an Act passed in the Forty-fourth Year of the Reign of King *George* the Third, intituled, [*here set forth the Title of this Act*] and their Successors, are held and firmly bound to in the Sum of to be paid to him [*or* her, *or* them] the said or to his [*or* her, *or* their] certain Attorney, Executors, Administrators, or Assigns. In Witness whereof the Treasurer [*or* Treasurers, *or* One of the Treasurers, *as the Case may be*] appointed by virtue of the said Act, hath hereunto set his Hand Seal, this Day of in the Year of our Lord

'THE

'THE Condition of the above written Obligation is such, That if the 'above-named his [*or* her, *or* their] Executors, Administrators, or Assigns, shall under and according to the true Intent 'and Meaning of the above mentioned Act of Parliament, be well and 'truly paid the full and just Sum of 'this Day advanced and lent by him [*or* her, *or* them] the said upon the Credit of the said Act, together 'with Interest for such Sum of whilst the same 'shall remain unpaid after the Rate of *per Centum per* '*Annum*, by equal Half yearly Portions or Payments, then this Obli- 'gation shall be void.

'Signed and sealed by the said 'the Treasurer [*or* Treasurers, *or* One 'of the Treasurers, *as the Case may* '*be*] appointed by virtue of the said 'Act, with the Consent of us the Ma- 'jority of the Commissioners present at 'a Meeting holden the Day and Year 'above mentioned.'

Annuities, *etc.* may be assigned.

XXXII. And be it further enacted, That all and every Person and Persons to whom any such Annuity or Annuities shall be so granted and secured as aforesaid, and his, her, and their Executors, Administrators, and Assigns, shall and may by Indorsement on his, her, or their respective Securities, and executed in the Presence of any One of the said Commissioners, or of the Treasurer or Treasurers, or One of them, by this Act directed to be appointed, or of the officiating Clergyman of the Parish or Place where the Party making such Assignment shall reside at the Time of making such Assignment, assign or transfer his, her, or their Right, to the Annuities thereby respectively secured, in the Words or to the Effect following: (that is to say)

Form of Assignment.

'IN Consideration of the Sum of of lawful 'Money of *Great Britain*, this Day paid by 'I [*or* we, *as the Case may be*] do hereby transfer the within written, [*or* 'herein recited, *or* hereunto annexed, *as the Case may be*] Security, and 'the Annuities [*or* Annuity] thereby granted or secured, unto Executors, Administrators, or Assigns. Wit- 'ness my Hand and Seal, [*or* our Hands and Seals] this Day of in the Year 'of our Lord 'Witness

Bonds may be assigned.

And the Lender or Lenders of such other Monies as aforesaid, and his, her, or their Executors, Administrators, and Assigns, shall and may by Assignment under their respective Hands and Seals attested as last aforesaid, and to be indorsed on their respective Bonds, also assign and transfer any of such Bonds, and the Monies thereby respectively secured to any Person or Persons whomsoever, in the Words or to the Effect following; (that is to say),

Form of Assignment.

'IN Consideration of the Sum of of lawful Money
'of *Great Britain*, this Day paid by
' I do hereby transfer the within written, [*or* herein
'recited, *or* hereunto annexed, *as the Case may be*] Bond with all my
'Right and Title to the Principal and Interest thereby secured unto
' Executors, Administrators, and Assigns. Witness my
'Hand and Seal this Day of
'in the Year of our Lord
' Witness

The Names of Annuitants, &c. to be entered in a Book.

XXXIII. And be it further enacted, That there shall be provided by the said Commissioners, and kept by their Clerk, a Book or Books, in which shall be fairly written in Words at Length the Names and Additions of all such Persons as shall be Purchasers of any of the Annuities aforesaid, or shall lend any Sum or Sums of Money on Bond or other Security, and the Names of the Persons into whose Hands the said Purchasers or Lenders shall pay any Sum or Sums of Money upon the Credit of this Act, and also the Sum or Sums of Money so paid for the Purchase of Annuities, or lent on Bonds or other Security, and the respective Days of Payment thereof; and all such Assignments or Transfers respectively shall be produced and notified to the Clerk to the said Commissioners, within Twenty-one Days after the Date thereof, and shall be by him entered in the said Book or Books, for which the said Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more; and after such Entry shall be made, every such Assignment or Transfer shall be deemed to pass the legal Property of and in such Annuity, Bond, or other Security as shall be thereby assigned, and such Assignee or Assignees may in like Manner assign and transfer again, and so *toties quoties*; to which Book or Books the said Purchasers and Lenders, their Executors, Administrators, and Assigns, and any Person or Persons who shall be liable to pay any Rates or Assessments to be made by virtue of this Act, may at all reasonable Times have Recourse and may inspect the same without Fee or Reward.

Directing how the Money raised shall be applied.

XXXIV. And be it further enacted, That all the Money to arise by, or from the said Rates or Assessments hereby authorized to be made and levied, and which may be advanced for Annuities as aforesaid, and also all other Money which shall come to the Hands of the said Commissioners, or any of them, or of their Treasurer or Treasurers, or either of them, by virtue or for the Purposes of this Act, shall be applied and disposed of in the first Place in Payment and Discharge of all Charges and Expences attending the obtaining and passing of this Act, and afterwards from Time to Time in paying the Annuities to be granted as aforesaid, and towards defraying the Charges and Expences of paving and repairing the Footways and Crossparhs, and in cleansing, lighting, and watching the several Streets and other publick Passages and Places within the said Borough, and all other Charges and Expences of carrying this Act into Execution.

XXXV. And

Watchmen to be appointed.

XXXV. And be it further enacted, That the ſaid Commiſſioners may, and are hereby authorized and empowered, from Time to Time, to hire and employ ſuch and ſo many Watchmen in the ſaid Borough, for ſo long Time in the Night, under ſuch Regulations and for ſuch Wages (to be paid out of the Money ariſing by virtue of this Act) as they ſhall think proper, and to provide Places of Reception for them; which Watchmen may be appointed and ſworn Peace Officers by any of the Juſtices of the ſaid Borough: And if any Perſon, during the Time he ſhall be hired and retained as a Watchman, ſhall refuſe or neglect to perform his Duty, or ſhall miſbehave himſelf in the Execution of his Office, he ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Twenty Shillings and not leſs than Ten Shillings; and it ſhall be lawful for any ſuch Watchmen, and they are hereby authorized and required to apprehend and ſecure all Malefactors, Diſturbers of the Peace, and other ſuſpected Perſons, who ſhall be found wandering or miſbehaving themſelves during the Hours of keeping Watch, and to carry ſuch Perſons as ſoon as conveniently may be before ſome Juſtice of the Peace for the ſaid Borough, to be examined and dealt with according to Law.

Recovery of Penalties.

XXXVI. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed (the Manner of recovering whereof is not hereby otherwiſe directed), ſhall be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid Borough (which Warrant ſuch Juſtice is hereby empowered to grant upon the Confeſſion of the Party, or upon the Information of any credible Witneſs upon Oath), and ſhall, if not directed to be otherwiſe applied by this Act, be paid to the Treaſurer or Treaſurers to the ſaid Commiſſioners, or One of them, and applied for the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be forthwith paid, ſuch Juſtice is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the Offender or Offenders to be committed to the Common Gaol or Houſe of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Form of Conviction.

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

'BE it remembered, That on the Day of in the Year of the Reign of His Majeſty *A. B.* is convicted before of His Majeſty's Juſtices of the Peace for the Borough of *Saint Alban*, in the County of *Hertford*, by virtue of an Act of Parliament made in the Forty-fourth Year of the Reign of His Majeſty King *George* the Third, intituled, [*ſet forth the*

'*the Title of the Act, and ſpecify the Offence, and the Time and Place when* '*and where the ſame was committed, as the Caſe ſhall be.*] Given under 'my Hand and Seal, the Day and Year aforeſaid.'

Inhabitants may be Witneſſes.

XXXVIII. 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 Borough ſhall be diſqualified from giving Evidence, by reaſon of his being an Inhabitant, notwithſtanding ſuch Inhabitant is charged with and liable to pay any Rate or Aſſeſſment by virtue of this Act.

Diſtreſs not to be deemed unlawful, or Proceedings quaſhed for want of Form;

XXXIX. And be it further enacted, That when any Diſtreſs ſhall be made for any Sum of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto, nor ſhall the Party diſtraining be deemed a Treſpaſſer *ab initio*, on acccount of any Irregularity which ſhall afterwards be done, but the Perſon aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe: Provided always, that no Plaintiff ſhall recover for ſuch Irregularity, or for any Treſpaſs or other wrongful Proceeding, unleſs Notice in Writing of the Intention to bring ſuch Action, ſhall be given to the Perſon againſt whom the ſame is to be brought Twenty-one Days before ſuch Action ſhall be commenced, ſigned by the Attorney for the Plaintiff or Plaintiffs, ſpecifying the Cauſe of ſuch Action, nor ſhall the Plaintiff or Plaintiffs recover in any ſuch Action, if Tender of ſufficient Amends ſhall have been made to him, her, or them, or his, her, or their Attorney or Attornies, by or on the Behalf of the Defendant or Defendants, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful for the Defendant or Defendants by Leave of the Court wherein ſuch Action ſhall be brought, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he or they ſhall think fit, whereupon ſuch Proceedings, Order, and Judgement ſhall be had, made, and given in and by ſuch Court, as in other Actions wherein the Defendant is allowed to pay Money into Court; and that no Order, Verdict, Aſſeſſment, Judgement, or other Proceeding made touching or concerning any of the Matters aforeſaid, or touching or concerning the Conviction of any Offender againſt this Act, ſhall be quaſhed or vacated for want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary notwithſtanding.

or removable by *Certiorari*.

Appeal to the Quarter Seſſions.

XL. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Aſſeſſment to be made, or other Matter or Thing to be done in purſuance of this Act, ſuch Perſon or Perſons may appeal to the Juſtices at any General or Quarter Seſſions of the Peace to be holden for the ſaid Borough, within Six Calendar Months next after the Cauſe of Complaint ſhall have ariſen, ſuch Appellant or Appellants firſt giving or cauſing to be given Fourteen Days Notice at the leaſt in Writing of his her

her, or their Intention ſo to appeal, and of the Matter thereof to the Clerk or Treaſurer or Treaſurers to the ſaid Commiſſioners, or One of them, and within Four Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid Borough, with Two ſufficient Sureties conditioned to try ſuch Appeal, and abide by the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions; and the ſaid Juſtices at ſuch Seſſions ſhall hear and finally determine the Cauſe and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing or appealed againſt, as they ſhall think proper; and their Determination therein ſhall be final, binding, and concluſive to all Parties, and to all Intents and Purpoſes.

In caſe the Mayor, Aldermen, and Burgeſſes ſhall be intereſted, the Appeal to be to the County Seſſions.

XLI. Provided always, That in caſe the Mayor, Aldermen, and Burgeſſes of the ſaid Borough ſhall be in anywiſe intereſted in their Corporate Capacity in any Cauſe or Matter of Appeal touching the ſaid Rates or Aſſeſſments, ſuch Appeal ſhall be made to the Juſtices of the Peace at the General Quarter Seſſions of the Peace for the County of *Hertford*, who are hereby empowered and required to hear and determine the ſame, and to award ſuch Coſts as they ſhall think proper; and their Determination ſhall be final, binding, and concluſive to all Parties, and to all Intents and Purpoſes.

Limitation of Actions.

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

Not to diminiſh the Rights of the Corporation.

XLIII. Provided always, and be it further enacted and declared, That nothing in this Act contained ſhall extend to take away, diminiſh, or impede the Exerciſe of any Privilege or Right whatſoever now uſed by the Corporation of the ſaid Borough, or any of their Magiſtrates, Officers, or Servants thereunto belonging.

Publick Act.

XLIV. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without being ſpecially pleaded.

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