

ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

Cap. 130.

An Act for paving, cleanſing, watering, lighting, and otherwiſe improving the Streets, Lanes, and other publick Paſſages and Places, within the Pariſhes of *Saint Giles* and *Saint Mary Magdalen*, in *Stony Stratford*, in the County of *Buckingham*, and for removing and preventing Encroachments, Obſtructions, Nuiſances, and Annoyances therein; and alſo for repairing the Rampart Road or Cauſeway from the ſaid Town, to the Bridge over the River *Ouſe*, in or near thereto, and for repairing the ſaid Bridge; and likewiſe for ſelling certain Charity Eſtates ſituate in the ſaid Town of *Stony Stratford*, and in the Pariſhes of *Calverton* and *Woolverton*, in the ſaid County of *Buckingham*, and applying the Money ariſing by ſuch Sale in the Manner therein mentioned. [2d *July* 1801.]

Preamble.

WHEREAS the Streets, Lanes, and other publick Paſſages and Places, within the Pariſhes of *Saint Giles* and *Saint Mary Magdalen*, in *Stony Stratford*, in the County of *Buckingham*, are not properly paved, cleanſed, watered, or lighted, and are ſubject to various Encroachments, Obſtructions, Nuiſances, and Annoyances; and the Rampart Road or Cauſeway from the ſaid Town, to the Bridge over the River *Ouſe* near thereto, and alſo the ſaid Bridge, are out of Repair, and otherwiſe unſafe and incommodious; may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Thomas Harriſon*, *William Oliver*, *John Coates*, *William Gurden*, *John Worley*, *William Tolby*, *William Godfrey*, *Thomas Godfrey*, *David Hurman*, *Edward Hutchings*, *Thomas Wilſon*, *Thomas Hillyer*, *William Malpas*, *Samuel Shenſton*, and *William Rogers*, and their Succeſſors, to be appointed as herein-after mentioned, and the Miniſter for the Time being of the United Church of the ſaid Pariſhes of *Saint Giles* and *Saint Mary Magdalen*, in *Stony Stratford* aforeſaid, ſhall be and they are hereby appointed Commiſſioners for putting this Act into Execution.

Appointment of Commiſſioners.

Commiſſioners to take an Oath.

II. Provided always, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of the Powers given by this Act (except the Power hereby given of adminiſtering the Oath to the other Commiſſioners) until he ſhall have taken and ſubſcribed the following Oath:

Oath.

'I do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill and Judgement, execute the Truſt repoſed in me as a Commiſſioner, by virtue of an Act of Parliament paſſed in the Forty-firſt Year of the Reign of King *George* the Third, *for paving, cleanſing, watering, lighting, and otherwiſe improving the Streets, Lanes, and other publick Paſſages and Places, within the Pariſhes of* Saint Giles *and* Saint Mary Magdalen, *in* Stony Stratford, *in the County of* Buckingham, *and for removing and preventing Encroachments, Obſtructions, Nuiſances, and Annoyances therein; and alſo for repairing the Rampart Road or Cauſeway from the ſaid Town, to the Bridge over the River* Ouſe, *in or near thereto, and for repairing the ſaid Bridge; and likewiſe for ſelling certain Charity Eſtates ſituate in the ſaid Town of* Stony Stratford, *and in the Pariſhes of* Calverton *and* Woolverton, *in the ſaid County of* Buckingham, *and applying the Money ariſing by ſuch Sale in the Manner therein mentioned*, without Favour or Affection, Prejudice or Partiality, to any Perſon or Perſons whomſoever.

'So help me GOD.'

Which Oath it ſhall and may be lawful for the ſaid Commiſſioners to adminiſter to each other, and they are hereby required to adminiſter the ſame accordingly; and the ſaid Oath, ſo taken and ſubſcribed, ſhall be entered among the other Acts, Orders, and Proceedings of the ſaid Commiſſioners, in the Book herein-after directed to be by them provided and kept for that Purpoſe.

Qualification of Commiſſioners.

III. Provided alſo, That no Perſon ſhall be qualified or capable of acting as a Commiſſioner in the Execution of this Act, during ſuch Time as

as he shall hold any Office or Place of Profit under this Act, or be either directly or indirectly engaged or interested in any Contract or Agreement relating to the Execution of any of the Powers given by this Act; and if any Person, not being so qualified or capable, shall 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 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, or on the Case.

Penalty on acting without being qualified.

IV. And be it further enacted, That when and as often as so many of the said Commissioners appointed by this Act, or to be appointed in Manner herein-after mentioned, shall die, or refuse to act, or become incapable of acting, that the whole Number of Commissioners capable and desirous of carrying this Act into Execution shall not exceed Ten, then and in every such Case it shall and may be lawful to and for the surviving or remaining Commissioner or Commissioners, or the major Part of them, if more than One, and he and they is and are hereby authorized and required from Time to Time, as often as there shall be Occasion, by Writing under his or their Hand and Seal or Hands and Seals, to appoint such and so many other Commissioners for carrying this Act into Execution, as he or they shall think expedient and proper; and every such Commissioner so to be appointed, shall have the like Power and Authority in all Respects, by virtue of this Act, as if he had been hereby expressly appointed by Name a Commissioner; provided that the Commissioners, so to be appointed as aforesaid, be resident Inhabitants of the said Parishes of *Saint Giles* and *Saint Mary Magdalen*, or One of them, or of some other Parish or Place within the Distance of One Mile from the United Church of the said Two Parishes, at the Time of such their Appointment; and that Notice be given in the said United Church of the said Two Parishes of *Saint Giles* and *Saint Mary Magdalen*, on some *Sunday* during or immediately after Divine Service, of the Time and Place of appointing such Commissioners, at least Ten Days before every such Appointment; and that if any One or more of the said Commissioners appointed by this Act, or to be appointed as aforesaid, shall not attend for Six succeeding Meetings for putting this Act into Execution, on having Seven Days previous Notice in Writing thereof, to be given to him or them, or left at his or their usual Place or Places of Abode, such Absence shall be deemed and taken, to all Intents and Purposes, as a Refusal to act.

Appointment of new Commissioners.

V. And be it further enacted, That the said Commissioners shall meet upon the Fourteenth Day of *July* One thousand eight hundred and one, between the Hours of Ten and Twelve in the Forenoon, and proceed to the Execution of this Act, and may then and from Time to Time afterwards adjourn themselves, and hold their future Meetings at the same or such other Place within the said Town, as they shall think proper; and if at any such Meeting the Commissioners present shall omit or neglect to adjourn such Meeting to another Day, or if there shall not appear a sufficient Number of Commissioners to adjourn (Two Commissioners to be deemed sufficient for the Purpose of Adjournment) then and in every such Case every such Meeting or intended Meeting shall be and is hereby adjourned for Fourteen Days, and shall be holden at the same Place where the former Meeting was or was intended to have been holden, and so from Time

Meetings of the Commissioners.

Time to Time, until a ſufficient Number of Commiſſioners ſhall meet and adjourn; and publick Notice of every ſuch Adjournment ſhall be given as herein-after directed; and that at every Meeting to be held in purſuance of this Act, the ſaid Commiſſioners ſhall defray their own Expences; and that no Act of the ſaid Commiſſioners ſhall be valid (except that of Adjournment as aforeſaid) unleſs made or done at ſome publick Meeting to be held by virtue of this Act; and all Acts, Matters, and Things by this Act authorized, directed, mentioned, or expreſſed to be done and performed by the ſaid Commiſſioners, may be done and performed by the Majority of the ſaid Commiſſioners preſent at their reſpective Meetings, the whole Number preſent at any ſuch Meeting not being leſs than Five, and the ſame ſhall be as valid as if done or performed by all the ſaid Commiſſioners; and at every ſuch Meeting the Commiſſioners preſent ſhall, by Ballot or otherwiſe, elect a Chairman; and in caſe the Number of Votes ſhall be equal upon any Queſtion (including the Chairman's Vote) the Chairman ſhall have the caſting Vote; and that no Order made by the ſaid Commiſſioners at any of their Meetings, ſhall be revoked or altered unleſs at ſome Meeting to be held for that Purpoſe, of which ſuch Notice ſhall be given as herein-after mentioned, ſignifying the Occaſion of ſuch Meeeting, and alſo unleſs a greater Number of Commiſſioners ſhall attend at ſuch Meeting to revoke or alter the ſame, than were preſent when ſuch Order was made; provided that nothing herein contained ſhall extend to enable the Commiſſioners to revoke or alter any Order or Determination which is hereby directed or declared to be final.

Annual Meeting for ſettling Accounts.

VI. And be it further enacted, That a General Meeting of the ſaid Commiſſioners ſhall be held ſome Time in the Month of *June* in every Year, within the ſaid Town of *Stony Stratford*, and at all ſuch General Meetings the Accounts of all Monies from Time to Time received and paid by virtue and in Execution of this Act, by any Perſon or Perſons whomſoever, ſhall be produced, ſtated, examined, and verified (if required) on the Oath of the Perſon accounting for the ſame (which Oath the ſaid Commiſſioners are hereby empowered to adminiſter) and a true Copy, or Duplicate of ſuch Account, ſigned by Five or more of the ſaid Commiſſioners, ſhall be depoſited with their Clerk, to be appointed as herein-after mentioned, for publick Inſpection.

Notice of Meetings.

VII. And be it further enacted, That in all Caſes where Notice is by this Act directed to be given, the ſame ſhall be given on ſome *Sunday* during or immediately after Divine Service, in the United Church of the ſaid Two Pariſhes of *Saint Giles* and *Saint Mary Magdalen*, in *Stony Stratford*, by the Pariſh Clerk or his Deputy, Seven Days at leaſt before the Day of holding the Meeting, or doing or tranſacting the Buſineſs relative to which the Notice ſhall be given.

Proceedings of the Commiſſioners to be entered.

VIII. And be it further enacted, That regular Entries ſhall be made in a Book to be provided for that Purpoſe, of the Names of the Commiſſioners who ſhall attend the reſpective Meetings, and of all their Acts, Orders, and Proceedings, which ſhall be ſigned by the Chairman for the Time being of the ſaid Commiſſioners and their Clerk, at or after every ſuch Meeting; and all ſuch Entries being ſo ſigned ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Cauſes, Suits, and Actions relating to any Thing done in purſuance of this Act; and that every ſuch Book ſhall, at any of the Meetings of the ſaid Commiſſioners,

Commiſſioners, and at all other ſeaſonable Times, be open for publick Inſpection.

Appointment of Officers.

IX. And be it further enacted, That the ſaid Commiſſioners ſhall from Time to Time appoint a Clerk or Clerks, and Treaſurer, and ſuch other Officers and Perſons as they ſhall think neceſſary to employ in the Execution of this Act, and ſhall from Time to Time take ſuch Security from every ſuch Treaſurer for the due Execution of his Office, as the ſaid Commiſſioners ſhall think proper; and the ſaid Commiſſioners may remove and diſplace any ſuch Officer and Perſon from Time to Time whenever they ſhall think proper; and ſhall and may, out of the Monies to be raiſed by virtue of this Act, allow and pay to every ſuch Clerk, Treaſurer, and other Officer or Perſon to be employed as aforeſaid, ſuch Salary or Allowance as they the ſaid Commiſſioners ſhall think reaſonable.

Treaſurer to account.

X. And be it further enacted, That every ſuch Treaſurer and other Officer to be appointed as aforeſaid, ſhall from Time to Time, as often as thereto required by the ſaid Commiſſioners, render and give to the ſaid Commiſſioners or to ſuch Perſon as they ſhall appoint, a true, fair, and particular Account in Writing of all Monies which ſhall have been by him received by virtue of this Act, and how, to whom, and on what Account any ſuch Monies ſhall have been paid, together with the proper Receipts and Vouchers for ſuch Payments, and ſhall pay all ſuch Monies, as upon the Balance of ſuch Accounts ſhall appear to be in his Hands, to the ſaid Commiſſioners, or to ſuch Perſon, and at ſuch Time, as they ſhall direct and appoint; and every ſuch Officer ſo accounting ſhall upon Oath (which Oath the ſaid Commiſſioners are hereby authorized to adminiſter) verify his ſaid Accounts, and the particular Items and Articles thereof, and the ſeveral Receipts and Payments which ſhall be therein contained; and if any ſuch Officer ſhall refuſe or wilfully neglect to render or give ſuch Account as aforeſaid, or to produce and deliver up to the ſaid Commiſſioners the Receipts and Vouchers relating to the ſame, or to verify the Items or Articles thereof upon Oath, or to deliver up to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall for that Purpoſe appoint, within Fourteen Days next after being thereunto required by Writing under the Hands of any Five or more of the ſaid Commiſſioners, at any Meeting to be held in purſuance of this Act, all Books, Papers, and Writings in his Cuſtody or Power, relating to the Execution of his Office or of this Act, or ſhall refuſe or neglect to pay all ſuch Money, as upon the Balance of any ſuch Account ſhall appear to be in his Hands, to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall direct or appoint, and Complaint ſhall be made thereof by the ſaid Commiſſioners, or by ſuch Perſon as they ſhall appoint for that Purpoſe, of any ſuch Neglect or Refuſal as aforeſaid, to any Juſtice of the Peace for the County or Place within whoſe Juriſdiction ſuch Officer ſhall then be or reſide, ſuch Juſtice is hereby empowered to ſummon the Officer againſt whom ſuch Complaint ſhall be made, to appear before him at a Time and Place in ſuch Summons to be mentioned, and upon his appearing or not appearing, and not aſſigning a ſufficient Excuſe (the Service of ſuch Summons being proved by the Oath of any credible Witneſs, which Oath ſuch Juſtice is hereby empowered to adminiſter) to hear and determine the Matter of ſuch Complaint in a ſummary Way; and if upon the Confeſſion of the Officer againſt whom ſuch Complaint ſhall be made,

or by the Oath of any credible Witneſs (which Oath ſuch Juſtice is hereby empowered to adminiſter) it ſhall appear to ſuch Juſtice that any of the Money which ſhall have been received or raiſed by virtue of this Act, ſhall be due from ſuch Officer, the ſaid Juſtice may, upon Non-payment thereof within ſuch reaſonable Time as he may appoint, by Warrant under his Hand and Seal, cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer; and if ſufficient Goods and Chattels of ſuch Officer cannot be found to anſwer and ſatisfy ſuch Money, and the Charges of levying and raiſing the ſame, or if ſuch Officer ſhall not appear before the ſaid Juſtice at the Time and Place by him to be appointed in ſuch Summons; or if it ſhall, in Manner aforeſaid, appear to ſuch Juſtice that ſuch Officer ſhall have refuſed or wilfully neglected to render and give ſuch Account, or to verify the ſame as aforeſaid, or to produce the Vouchers relating thereto, or to deliver up ſuch Books, Papers, and Writings as aforeſaid, the ſaid Juſtice is hereby authorized, by Warrant under his Hand and Seal, to cauſe ſuch Officer to be committed to the Common Gaol, there to remain, without Bail or Mainprize, until he ſhall have delivered in his Account, and verified the ſame as aforeſaid, and ſhall have produced and delivered up the Receipts and Vouchers relating thereto, or delivered up ſuch Books, Papers, and Writings, or given Satisfaction to the ſaid Commiſſioners concerning the ſame, and ſhall have paid all Monies which ſhall appear to be in his Hands, and the Charges attending the Recovery thereof, or ſhall have compounded with the ſaid Commiſſioners for the ſame, which Compoſition the ſaid Commiſſioners are hereby empowered to make and receive; but no ſuch Officer who ſhall be committed on account of his not having ſufficient Goods and Chattels as aforeſaid, ſhall be detained in Priſon for any longer Time than Three Calendar Months.

Pavements, *etc.* veſted in the Commiſſioners.

XI. And be it further enacted, That the Property of and in all the preſent and future Pavements of the Carriage Ways and Footways, and the aforeſaid Bridge, and alſo all the Gravel within the ſeveral Streets, Lanes, publick Paſſages, and Places within the ſaid Town, already or hereafter to be ſet out and made, and of and in all Lamps, Lamp Irons, and Poſts, which now are and which ſhall be erected or affixed, and all Materials, Implements, and other Things which ſhall be purchaſed or provided by virtue or for any of the Purpoſes of this Act, ſhall be and the ſame are hereby veſted in the ſaid Commiſſioners, and they are hereby authorized and empowered to cauſe any Action to be brought, or any Bill of Indictment to be preferred, againſt any Perſon who ſhall ſteal, take, or carry away, detain, ſpoil, injure, or deſtroy the ſame, or any Part thereof; and the ſaid Commiſſioners are hereby authorized and empowered to ſell and diſpoſe of all or any Part of the old Materials, and the Money ariſing by ſuch Sale ſhall be applied for the Purpoſes of this Act.

Streets, &c. to to be paved.

XII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, from Time to Time to cauſe the Footpaths in ſuch of the ſeveral Streets, Lanes, Paſſages, and Places within the Town of *Stony Stratford* aforeſaid, as they ſhall think proper and neceſſary, to be paved with Flag Pavement, and with or without a Curb Stone, or otherwiſe pitched and repaired with ſuch Materials, in ſuch Manner and of ſuch Width as the ſaid Commiſſioners ſhall judge fit and expedient; and alſo

alſo to cauſe the Carriage Ways in ſuch of the ſeveral Streets and Places within the ſaid Town, as the ſaid Commiſſioners ſhall think neceſſary, to be properly pitched; and alſo to cauſe the ſaid Bridge in or near to the Town of *Stony Stratford* aforeſaid, and the ſaid Rampart Road or Cauſeway leading thereto, to be guarded on each Side with a good and ſubſtantial Mound of Wood or Stone, and to pitch, widen, repair, alter, and otherwiſe improve the ſame, as the ſaid Commiſſioners ſhall think fit, and from Time to Time to cauſe the ſame to be amended and kept in good Repair, in ſuch Manner as the ſaid Commiſſioners ſhall think neceſſary; and alſo to cauſe the ſeveral Streets, Lanes, and other publick Paſſages and Places within the ſaid Town, to be cleanſed and lighted in ſuch Manner as they ſhall think fit; and all Steps therein to be removed, and Gutters, Sinks, Drains, Sewers, and Watercourſes to be cut or made in, through, or under any of the ſaid Streets, Lanes, Paſſages, and Places, and to cauſe any of the Gutters, Sinks, Drains, Sewers, and Watercourſes already made therein, to be opened or widened, and the Form or Courſe thereof altered in ſuch Manner as they ſhall think expedient; and the ſaid Commiſſioners are hereby authorized and empowered to cauſe the Ground of any of the Streets, Lanes, and other publick Paſſages and Places within the ſaid Town, to be raiſed, lowered, or altered, in ſuch Manner as they ſhall think neceſſary for the Improvement thereof; and that no Perſon ſhall alter the Form of the Carriage Ways or Footways within any of the ſaid Streets, Lanes, Publick Paſſages, or Places, without the Conſent of the ſaid Commiſſioners, upon Pain of forfeiting for every ſuch Offence the Sum of Twenty Shillings.

Power to get Materials.

XIII. And be it further enacted, That any Perſon to be appointed in Writing by the ſaid Commiſſioners, may and is hereby empowered to ſearch for, dig, get, and carry away any Stone, Gravel, Sand, or other Materials fit and proper for the Purpoſes of this Act, out of, from, and over the private Land or Ground of any Perſon (not being a Yard, Garden, Orchard, or Nurſery for Trees) where the ſame may or ſhall be likely to be found, within the Diſtance of Two Miles from the United Church of the ſaid Pariſhes of *Saint Giles* and *Saint Mary Magdalen* (ſuch Perſon filling up the Pits and levelling the Ground, or ſloping down the Banks where or from whence ſuch Materials ſhall be had or taken, or railing or fencing ſuch Pits, ſo that the ſame may not remain in a dangerous State), and paying or tendering to the Owner and Occupier of ſuch Land or Ground ſo much Money as a Compenſation for the ſame, and for the Damage done to ſuch Lands over which any ſuch Materials ſhall be conveyed, as the ſaid Commiſſioners ſhall judge reaſonable; and in caſe of any Difference reſpecting the ſame, ſuch Recompence ſhall be aſcertained as herein-after mentioned; and the ſaid Commiſſioners ſhall have full Power and Authority to cauſe to be dug, carted, and carried out, or brought into any of the ſaid Streets, Lanes, publick Paſſages, and Places, ſuch Stone, Gravel, and other Materials, and to employ ſuch Workmen, Labourers and others, as they ſhall judge neceſſary for the Purpoſes of this Act.

Materials not to be taken from incloſed Lands, unleſs Notice given.

XIV. Provided nevertheleſs, That it ſhall not be lawful for any Perſon, under the Authority of this Act, to dig, gather, take, or carry away any Materials for the Purpoſes aforeſaid, from any incloſed Lands, until Notice in Writing, under the Hands of any Five or more of the ſaid Commiſſioners,

missioners, shall have been given to the Owner of such Lands, or left for him at his usual Place of Residence, to appear before the said Commissioners, or Two Justices of the Peace acting for the said County, at such Time and Place as shall be mentioned in such Notice, to shew Cause why such Materials shall not be had from such Lands; and in case such Owner shall attend pursuant to such Notice, the said Commissioners or such Justices shall, if they think fit, authorize any such Person as aforesaid to dig, gather, take, and carry away such Materials, at such Time or Times as to the said Commissioners or to such Justices shall seem proper; and if such Owner shall neglect or refuse to appear by himself or his Agent, or to assign a sufficient Excuse for not appearing, the said Commissioners or such Justices shall and may make such Order therein as they shall think fit, as fully and effectually, to all Intents and Purposes, as if such Owner or his Agent had attended.

Commissioners to provide Lamps.

XV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to provide so many Glass Lamps, Lamp Irons, Posts, and other Furniture and Things, as to them shall seem necessary for effectually lighting the several Streets, Lanes, publick Passages, and Places within the said Town, and to fix and place the same upon or against the Walls or Pallisadoes of the Houses, Tenements, or Buildings, or in such other Places within the said Town as they shall think proper, and to order, direct, and cause the same to be lighted in such Manner and for such Times as they shall think fit; and if any

Penalty for wilfully breaking, &c. the Lamps or Furniture.

Person shall wilfully and maliciously break, throw down, take away, spoil, or damage any such Lamps, or any of the Irons, Posts, or Furniture thereof, or extinguish the Light of any such Lamp, every such Person so offending shall for each Offence forfeit and pay any Sum not exceeding Forty Shillings, whereof One Moiety shall go to the Informer; and such Offender shall also pay to the said Commissioners, or to such Person as they shall appoint, such Sum of Money as shall be a full Satisfaction for the Damage so done, and also for the reasonable Costs and Charges which the said Commissioners shall or may have sustained or been put unto in or about the Discovery and Conviction of every such Offender, such Damage, Costs, and Charges to be ascertained by any Justice of the Peace for the said County, whose Determination in that Case shall be final; and

Persons accidentally breaking or damaging Lamps.

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, on Demand, make Satisfaction for the Damage done thereto, which Damage shall from Time to Time be ascertained by any Justice of the Peace for the said County, then it shall be lawful for any Justice of the Peace for the County or Place within whose Jurisdiction such Person may then happen to be or reside, upon Proof thereof made by the Oath of any credible Witness (which Oath the said Justice is hereby empowered to administer) or on the Confession of the Party, to award such Sum of Money, by Way of Satisfaction for such Damage, not exceeding Forty Shillings, and also for the Costs and Charges of making such Application and Proof as aforesaid, as such Justice shall think reasonable; and in Default of Payment thereof, upon Demand, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of the Party so offending; and if sufficient Goods and Chattels of such Party cannot be found to answer and satisfy such Money, and the Charges of levying

and raiſing the ſame, the ſaid Juſtice is hereby authorized, by Warrant under his Hand and Seal, to cauſe ſuch Offender to be committed to the Common Gaol, there to remain, without Bail or Mainprize, until he ſh ll have pa d ſuch Money, and the Charges attending the Recovery thereof; but no ſuch Offender who ſhall be committed on account of his not having ſufficient Goods and Chattels as aforeſaid, ſhall be detained in Priſon for any longer Time than Three Calendar Months.

Occupiers of Houſes to take down Signs, Penthouſes, &c.

XVI. And be it further enacted, That the Occupier of every Houſe, Building, or Tenement within the ſaid Streets, Lanes, publick Paſſages, and Places, ſhall, and he and ſhe is hereby required, at his or her own Coſts and Charges, within Twenty-one Days from ſuch Time, and in ſuch Manner as the ſaid Commiſſioners ſhall by Notice in Writing under their Hands, to be delivered to every ſuch Occupier, or left at his or her uſual or laſt Place of Abode, direct and appoint, to cauſe all Signs or other Emblems uſed to denote the Trade, Occupation or Calling of any ſuch Occupier, and all Sign and other Poſts, Sign Irons, Penthouſes, Porches, Show Glaſſes, and Show Boards, projecting into any of the ſaid Streets, Lanes, Publick Paſſages and Places, to be taken down and removed; and in caſe any ſuch Occupier ſhall neglect or refuſe ſo to do, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby required to cauſe the ſame to be taken down, removed, carried away, altered, or reformed, in ſuch Manner as they ſhall think proper, and to cauſe ſuch Signs or other Emblems, or ſuch Parts thereof as they may think proper, to be affixed or placed in the Fronts of the Houſes, Shops, Warehouſes, or Buildings whereto they belong, or were before affixed, and not otherwiſe, and ſhall return to the Owner thereof ſo much of the ſaid Signs or other Emblems, Sign and other Poſts, Sign Irons, and Show Boards as ſhall not otherwiſe have been made uſe of; and the Charges and Expences to be incurred thereby, ſhall be paid out of the Money to ariſe by virtue of this Act, and ſhall and may be recovered of the Occupier of ſuch Houſe, Building, or Tenement, in like Manner as the Compenſation for breaking or damaging Lamps is hereby directed to be recovered.

On Neglect Commiſſioners may take down Signs, &c.

Occupiers of Houſes, &c. to take down Spouts and Gutters.

XVII. And be it further enacted, That the Occupier of every Houſe, Building, or Tenement, within the ſaid Streets, Lanes, publick Paſſages, and Places, ſhall, and he or ſhe is hereby required, at his or her own Coſts and Charges, within ſuch Time and in ſuch Manner as the ſaid Commiſſioners ſhall from Time to Time by Notice in Writing under their Hands, to be delivered to every Occupier as aforeſaid, or left at his or her uſual or laſt Place of Abode, direct, to cauſe all Spouts and Gutters which now are or hereafter ſhall belong to ſuch Houſe or Building to be taken down, and to cauſe the Water to be conveyed from the Roofs of or belonging to ſuch Houſe, Building, or Tenement, by proper and ſufficient Pipes or Trunks to be fixed to and down the Sides thereof, and conveyed under the Flag Pavement to the common Channel; and in caſe any ſuch Perſon ſhall neglect or refuſe ſo to do, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby required to cauſe the ſame to be done, and to levy the Coſts and Charges attending the ſame upon or from the Perſon aforeſaid, in like Manner as the Compenſation for breaking or damaging Lamps is hereby directed to be recovered; and every ſuch Perſon, being Tenant at Rack Rent, may deduct and retain the

same out of his or her Rent, and the Person entitled to such Premises is hereby required to allow such Deduction.

Commissioners may make Contracts.

XVIII. And be it further enacted, That the said Commissioners shall, and they are hereby authorized and empowered, from Time to Time, to contract with any Person for doing or performing all or any of the Works by this Act directed to be done or performed, in such Manner and under such Penalties for the due Performance of such Contracts, as the said Commissioners shall think fit, giving Fourteen Days Notice of their Intention to enter into any such Contract, in order that any Person willing to undertake the same may make Proposals to the said Commissioners at the Time and Place to be mentioned in such Notice; and every such Contract shall be good, valid, and binding, as well upon the said Commissioners as upon the other Party or Parties thereto; and in case any such Work shall not be well and sufficiently done and performed according to such Contract, the said Commissioners may cause an Action or Suit to be brought in any of His Majesty's Courts of Law or Equity against every such Contractor, either for a specifick Performance of such Contract, or for any Penalty contained therein, or for any Damage sustained by reason of the Non-performance thereof: Provided always, that it shall be lawful for the said Commissioners (if they think fit) to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Non-performance of any such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences which shall be occasioned thereby.

Description of Lands to be sold for the Purposes of the Act.

XIX. And whereas *Thomas Harrison*, *William Oliver*, *John Coate*, *William Gurden*, *John Worley*, *William Golby*, *William Godfrey*, *Thomas Godfrey*, *David Harman*, *Edward Hutchings*, *Thomas Wilson*, *Thomas Hillyer*, *William Malpas*, *Samuel Sheriston*, and *William Rogers*, or some of them, are now seized or possessed of divers Messuages, Closes, Lands, Tenements, and Hereditaments, situate and being in the said Parishes of *Saint Giles* and *Saint Mary Magdalen*, in *Stony Stratford*, and in the Parishes of *Calverton* and *Wolverton*, in the said County of *Buckingham*, herein-after more particularly mentioned and described, (that is to say), All that Messuage, Tenement, or Farm House, Outbuildings, and Premises, situate, standing, and being in *Upper Weal*, in the Parish of *Calverton* aforesaid, with Four Closes of Pasture Ground thereto belonging, lying in the said Parish of *Calverton*: And also all those Two Plots or Allotments of Land or Ground next herein-after mentioned and described; (that is to say) One Plot situate in the Middle Field and a small Part of the Common, being Part of the Ground and Premises divided and inclosed by the Award of certain Commissioners appointed by an Act of Parliament for that Purpose, containing Twenty-nine Acres Two Roods and One Perch, and bounded on the North West and North by an Allotment to *John Ward*; on the East by an Allotment to the Earl of *Salisbury*; on the South by the publick Road leading from the Turnpike Road towards *Whaddon*; and on the West by several ancient Inclosures in *Upper Weal* aforesaid: And also One other Plot of Land or Ground, situate in Road Field and the Common, being other Part of the Ground and Premises by the said Award divided and inclosed, containing Thirty-

seven

seven Acres Two Roods and Seventeen Perches, exclusive of all Roads and Ways into, through, and over the same, and bounded on Part of the North, by the said publick Road leading from the said Turnpike Road towards *Whaddon*; on Part of the East, and on other Part of the North, by an Allotment to the said Earl, by the said Award exchanged; on the remaining Part of the North by an Allotment to *Mary Smith*, by the said Award also exchanged; on the remaining Part of the East and Part of the South, by another Allotment to the said Earl; and on the remaining Part of the South and on the West, by the said publick Road leading from *Stony Stratford* and *Calverton* aforesaid towards *Shenley*; which said Two Allotments, so as aforesaid set out and described, contain together by Estimation, Sixty-seven Acres and Eighteen Perches, or thereabouts, and were by the said Award allotted to the Trustees of the aforesaid Charity for the Time being, in full Bar of, and in full Satisfaction and Compensation for his and their several Pieces and Parcels of Ground or Land, which before the passing of the said Act were lying dispersed in the Open and Common Fields, Pastures, Meadows, and other Commonable Lands and Grounds within the Manor of *Calverton* aforesaid, by the said Act directed to be inclosed; and also in full Bar of, and Satisfaction and Compensation for all Rights of Common, and other Properties whatsoever, in, over, and upon the said Open and Common Fields, Pastures, Meadows, and other Commonable Lands and Grounds respectively; and which said Messuage, Two Allotments of Land and Premises, are now in the Tenure or Occupation of *Joseph Cox* or his Assigns: And also all those Two Messuages or Tenements, heretofore only One Messuage, situate and being on the West Side of *Stony Stratford* aforesaid, heretofore in the Tenure or Occupation of *John Kirby* and *Richard Crosby*, since then of *Thomas Redgrave* or his Assigns, and now in the several Occupations of *Edward Britten* and *John Parberry*, with the Close, Gardens, Yards, and Premises thereto belonging: And also all that Messuage, Tenement, or Inn, with the Outhouses, Barns, Stables, Yards, Gardens, Close of Pasture Ground, and Premises thereto belonging, called *The Cock Inn*, situate on the East Side of *Stony Stratford* aforesaid, heretofore in the Occupation of *Anthony Forfitt*, but now of *Susannah Forfitt* or her Assigns: And also all those Four Closes of inclosed Pasture Ground, lying in the Parish of *Woolverton* aforesaid, at a Place called *Woolverton End*, heretofore in the Occupation of *Matthew Jenkinson*, since then of *John Bunker*, afterwards of *Elizabeth Bunker* his Widow, and *Charles Johnson*, or their Assigns, and now in the Occupation of *Thomas Godfrey*: And also all that Messuage or Tenement standing and being in the said Parish of *Woolverton*, at *Woolverton End* aforesaid, heretofore called *The Rising Sun*, and then in the Occupation of *Edward Bambrooke*, but now called *The Plough*, late in the Occupation of *Ann Collyer* or her Assigns, and now in the Occupation of *Mary Elmes*: And also all that Close of Pasture, situate on the West Side of *Stony Stratford* aforesaid, called the *Town Close*, the Close late of *Richard Canham*, being on the South East, heretofore in the Tenure or Occupation of *John Williams*, since then of *John Drayson* or his Assigns, and now in the Occupation of *David Deacon*: And also all that Messuage or Tenement, situate and being on the East Side of *Stony Stratford* aforesaid, heretofore in the Occupation of *Samuel Shenston* deceased, and now in the Tenure or Occupation of *Thomas Poulter*: And also all those Three Closes of Pasture Ground, lying and being on the Back-

Backside of the East Side of *Stony Stratford* aforesaid, heretofore in the Occupation of *John Harding*, and now or late in the several Occupations of the said *Thomas Godfrey*, *Susannah Forfitt*, and *Thomas Wilson*, or their Assigns: And also all that other Close of Pasture Ground, adjoining to the said Three other Closes, heretofore and now in the Occupation of the said *Thomas Hillyer*: And also all those Two little Tenements situate on the West Side of *Stony Stratford* aforesaid, commonly used as Pesthouses, with the Pightle of Pasture Ground thereto adjoining, containing Half an Acre or thereabouts, or howsoever otherwise, or by whatsoever other Name or Names, Abuttals, Boundaries, Descriptions, or Dimensions the same Premises, or any Part thereof, are abutted, bounded, set forth, or described, called, known, or distinguished, situate, lying, or being, or in whose Possession or Occupation soever the same Premises now are or heretofore have or hath been: And also all other Messuages, Tenements, Lands, Hereditaments, and Premises whatsoever or wheresoever, given or belonging to the Trustees of the aforesaid Charity Estates, or any of them, in respect thereof, together with their and every of their respective Rights, Members, Privileges, and Appurtenances; in Trust for the Purposes of maintaining and keeping in Repair the said Bridge and Causeways, and the Highways on both Sides of the said Town of *Stony Statford*, and also for the Discharge of Fifteenths or any other Charge to be taxed or imposed upon the said Town: And whereas the annual Rents and Profits of the before-mentioned several Messuages, Closes, Lands, and Premises, are not sufficient to keep the said Streets, Bridge, and Causeways in proper Repair; but it is apprehended that the said several Messuages, Closes, Lands, and Premises might be sold to great Advantage, if Power were given to the said Commissioners for that Purpose; and that great Benefit would arise to the Inhabitants of the said Town of *Stony Stratford*, if the Monies arising from such Sale, or some Part or Parts thereof, were applied to defray the Expence of paving, cleansing, watering, lighting, and otherwise improving the several Streets, Lanes, and other publick Passages and Places within the said Town of *Stony Stratford*, and for repairing the said Bridge and Causeways; be it therefore enacted,

Estates to be divided into Lots and sold by Auction.

That the said Commissioners shall, and they are hereby authorized and required, as soon as conveniently may be, to divide and set out the said several Messuages, Closes, Lands, and Premises, into such Lots or Parcels as they shall think most advantageous for the Sale thereof, and to sell the same by publick Auction to the best Bidder or Bidders, at some One or more of their Meetings to be held by virtue of this Act, of which Meeting or Meetings, and of the respective Times and Places thereof, at least Twenty-one Days Notice shall be given before the Time of Sale; and the said Commissioners shall, and they are hereby also authorized and required, by Writing under the Hands and Seals of any Five or more of them, to convey such Lots and Parcels of the said Charity Estates to the several Purchasers thereof, which Conveyances shall be good and effectual in the Law for the Purpose of vesting in the respective Persons to whom the same shall be made, and their Heirs, an Estate of Inheritance in Fee Simple in the Premises thereby conveyed.

Interest to be paid for Money advanced, for obtaining and executing this Act.

XX. And be it further enacted, That if any Person or Persons shall advance or lend any Sum or Sums of Money, for the Purpose of defraying the Expence of applying for, obtaining, and executing this Act, such

Person

Perſon and Perſons ſhall be repaid the ſame, with lawful Intereſt, out of the firſt Monies to be received by virtue of this Act.

Application of Monies to ariſe by Sale of the Eſtates.

XXI. And be it further enacted, That all the Monies to ariſe from the Sale of the aforeſaid ſeveral Meſſuages, Cloſes, Lands, and Premiſes, and all other Monies which ſhall come to the Hands of the ſaid Commiſſioners or their Treaſurer, by virtue of this Act (after paying and diſcharging the Expences of obtaining and paſſing this Act, and which the ſaid Commiſſioners are hereby required to pay and defray thereout in the firſt Place) ſhall be from Time to Time applied in defraying the Expence of ſelling the aforeſaid Charity Eſtates, and in diſcharging a certain Debt or Sum of One hundred and ſixty Pounds Six Shillings and Ten pence, now due and owing from the Truſtees of the aforeſaid Charity Eſtates, to the Surveyor employed by them in ſuperintending the Repair of the ſaid Roads, being Monies expended by him on that Account; and from and after ſuch reſpective Payments, all the Reſidue and Remainder of ſuch Monies ſhall be divided by the ſaid Commiſſioners into Five equal Parts or Shares, which ſhall ſeverally be paid, applied, and diſpoſed of in Manner following; that is to ſay, Two equal Fifth Parts or Shares thereof in defraying the Expences that may be incurred in carrying this Act into Execution, and in paving, cleanſing, watering, lighting, and otherwiſe improving the ſaid Streets, Lanes, and other publick Paſſages and Places, and in repairing the ſaid Bridge and Cauſeway, and the Remainder thereof (if any) together with the remainining Three equal Fifth Parts or Shares of the Monies to ariſe as aforeſaid, ſhall 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 there *ex parte* the ſaid Commiſſioners, and ſhall, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the ſaid Commiſſioners, be laid out in the Purchaſe of Navy or Victualling Bills or Exchequer Bills; and the Intereſt from Time to Time ariſing therefrom ſhall, with all convenient Speed, when and as the ſame ſhall be received, be again laid out in the Purchaſe of other Navy or Victualling Bills or Exchequer Bills, until the whole Amount of the ſeveral Sums of Money, ſo to be laid out as aforeſaid, ſhall equal the whole Amount of the Monies to ariſe from the Sale of the ſaid Charity Eſtates, and then or ſo ſoon afterwards as a convenient Purchaſe may be found, the ſaid Navy or Victualling Bills or Exchequer Bills ſhall be ſold; and the Monies ariſing therefrom ſhall, by the Order and with the Approbation of the ſaid Court of Chancery, to be ſignified as aforeſaid, be laid out in the Purchaſe of a Real Eſtate or Real Eſtates, in the Names of the ſaid Commiſſioners; which ſaid Real Eſtate or Eſtates, when ſo purchaſed as aforeſaid, ſhall be ſettled and aſſured, and alſo the Intereſt to accrue and become due for or in reſpect of ſuch Monies, from the Time when the Whole of ſuch Purchaſe Monies ſhall have been replaced as aforeſaid, until ſuch new Purchaſe or Purchaſes ſhall or may be made as aforeſaid, ſhall from Time to Time be paid to ſuch Perſon and Perſons, and to and for ſuch and the ſame Uſes, Ends, Intents, and Purpoſes, as the ſaid Charity Eſtates hereby directed to be ſold are now ſettled, or as the Rents and Profits thereof would have been applied or applicable in caſe this Act had not been made.

Footpaths to be swept Daily (*Sundays* excepted).

XXII. And be it further enacted, That the Occupier of every House or other Tenement in any of the said Streets, Lanes, publick Passages, and Places, to be paved, cleansed, and lighted, by virtue of this Act, shall from and after the Foot Pavement in Front of or adjoining such House or Tenement shall be made and completed, sweep and cleanse, or cause to be swept and cleansed, the said Foot Pavement before such House or Tenement, upon such Days in every Week (*Sundays* excepted) between the Hours of Six and Ten of the Clock in the Forenoon, as the said Commissioners shall order and direct, upon Pain of forfeiting for each Neglect therein the Sum of Two Shillings.

Particular Pavements to be swept by Commissioners.

XXIII. Provided always, That where any Foot Pavement next adjoining to the Workhouse or Parish Church, or to any other Messuage, Building, or Hereditament, which by reason of its particular Occupancy or Non-occupancy, cannot be swept and cleansed under the General Directions of this Act, then the same shall from Time to Time be swept and cleansed by such Person or Persons as the said Commissioners shall appoint to sweep and cleanse the same.

No Person to take or carry away Soil, except Contractors,

XXIV. And be it further enacted, That no Person shall take or carry away any Ashes, Dust, Muck, Dung, or Manure, out of the said Streets, Lanes, publick Passages, and Places, other than the Persons contracting, or to be appointed or employed by or under the said Commissioners, upon Pain of forfeiting for every such Offence the Sum of Five Shillings.

Penalties on causing Annoyances in the Streets, &c.

XXV. And be it further enacted, That if any Person or Persons shall run, drive, carry, or place on any of the Footpaths or Flag Pavements in any of the said Streets, Lanes, publick Passages, or Places, any Wheel, Sledge, Wheelbarrow, Handbarrow, Truck, or Carriage, or shall wilfully ride, drive, or lead any Horse or other Beast or Cattle on or across any of the Footpaths or Flag Pavements aforesaid, or shall kill, slaughter, singe, scald, dress, or cut up any Cattle, Swine, or other Beast, in any of the said Streets, Lanes, publick Passages, or Places, or shall keep, cleanse, wash or scald any Cask, or hew or saw, or cause to be hewn or sawn, any Stone, Wood, or Timber, or bind, make, or repair the Wheel of any Carriage, or shoe, bleed, or farry, except in case of Accidents, or turn or drive loose any Horse in any of the said Streets, Lanes publick Passages, or Places, or shall set, place, or expose to Sale, or cause to be set, placed, or exposed to Sale, any Goods, Wares, or Merchandizes, either on the Footpaths or Carriage Ways of any of the said Streets, Lanes, publick Passages, or Places, or shall hang up or expose to Sale any Goods, Wares, Merchandizes, or other Matter or Thing, upon any Flap, Window, or otherwise, so as to obstruct or incommode the Passage of any of the said Footpaths, or if any Person shall make or assist in the making any Fires, commonly called Bonfires, or set Fire to, or let off or throw any Squib, Serpent, Cracker, or Firework within the said Town, every Person offending in any of the said Cases, shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings.

Penalty on Carriages, *etc.* left in the Streets.

XXVI. And be it further enacted, That if any Waggon, Cart, Dray, or other 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,

Cattle, for any longer Time than ſhall be neceſſary for the loading or unloading thereof, or if any Stage Coach, Diligence, 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 reaſonable and neceſſary for the taking up or ſetting down the Paſſengers, or for loading or unloading their Baggage, or if any Swine or other Beaſt or Cattle ſhall be permitted to wander or be at large in any of the Streets, Lanes, publick Paſſages, or Places, or if any Timber, Bricks, Stones, 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 removing or houſing the ſame, or if any Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance, ſhall be thrown, caſt, or laid in any of the ſaid Streets, Lanes, publick Paſſages, or Places, except in Time of Froſt, and ſuffered to remain for any longer Time than ſhall be neceſſary for removing the ſame, then and in every ſuch Caſe the Owner or Driver of every ſuch Carriage, and the Owner of any ſuch Swine or other Beaſt, Timber, or other Things as aforeſaid, and the Perſon who ſhall ſo throw, caſt, or lay any Dung, Filth, Aſhes, Rubbiſh, Dirt, Duſt, or other Nuiſance or Annoyance as aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of Ten Shillings: Provided always, That no Perſon ſhall be ſubject to any Penalty by virtue of this Act, on account of any Rubbiſh or Dirt lying in any of the ſaid Streets, Lanes, publick Paſſages, or Places, before the Houſe, Tenement, or other Building of ſuch Perſon, which may be occaſioned by the building, pulling down, or repairing of any ſuch Houſe, Tenement, or Building, ſo as convenient Room ſhall be left for Carriages to paſs, and a ſufficient Way kept clean for Foot Paſſengers, and ſo as the Owner or Occupier of ſuch Houſe, Tenement, or Building, ſhall cauſe ſuch Rubbiſh or Dirt to be removed out of ſuch Street, Lane, publick Paſſage or Place, at his or her own Coſts and Charges, within a reaſonable Time after ſuch building, pulling down, or repairing, ſhall be completed; and ſo as whilſt the ſame ſhall be lying in ſuch Street, Lane, publick Paſſage, or Place, ſuch Owner or Occupier ſhall, during the Night Time, ſet up and maintain a ſufficient Light upon or againſt the ſame, in order to prevent any Accident happening to Paſſengers or Cattle.

Not to extend to Rubbiſh occaſioned by building.

XXVII. And be it further enacted, That if any Stall ſhall be left in the Market Place of the ſaid Town, or any Cellar Door, Grate, or Window in any of the ſaid Streets, Lanes, publick Paſſages, or Places, ſhall be left open in the Night Time, without being ſufficiently lighted, to prevent Accidents to Paſſengers, the Perſon leaving ſuch Stall, or leaving open ſuch Cellar Door, Grate, or Window, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Shillings.

Penalty on Stalls left in the Market Place, and Cellar Windows left open after Dark, and without a Light.

XXVIII. And be it further enacted, That if any Perſon ſhall empty or cauſe to be emptied any Privy or Neceſſary Houſe within the ſaid Town, at any Time (except between the Hours of Eleven of the Clock in the Night and Five of the Clock in the Morning) or ſhall lay or cauſe to be laid, or wilfully or negligently ſpill or throw down any of the Soil thereof, in any of the ſaid Streets, Lanes, publick Paſſages or Places, or ſhall at any Time throw the Soil of ſuch Privy or Neceſſary Houſe into the

Regulations for emptying Privies, *etc.*

River *Ouse*, or into any of the Brooks or Ditches within the ſaid Town; every Perſon offending in any of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Actions may be brought in the Name of the Clerk or Treaſurer.

XXIX. And be it further enacted, That whenever any Action or Suit ſhall be brought or commenced by or by the Order of the ſaid Commiſſioners, againſt any Perſon or Perſons, by virtue or in purſuance of this Act, the ſame may be brought in the Name of the Clerk or Treaſurer to the ſaid Commiſſioners; and no ſuch Action or Suit ſhall abate or be diſcontinued by the Death or Removal of the Perſon in whoſe Name the ſame ſhall be brought, or by any Act to be done by him without the Conſent of the ſaid Commiſſioners; but no ſuch Clerk or Treaſurer ſhall be ſubject to the Payment of any Coſts or Expences in reſpect thereof, but the ſame ſhall be defrayed and paid out of the Money to ariſe by virtue of this Act.

Recovery of Penalties.

XXX. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed (where the Recovery thereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County or Place where the Offender ſhall be or reſide, which Warrant ſuch Juſtice is hereby empowered to grant upon the Confeſſion of the Party, or upon the Evidence of any credible Witneſs upon Oath (which Oath ſuch Juſtice is hereby empowered to adminiſter); and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale, ſhall be returned upon Demand to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges of ſuch Diſtreſs and Sale; and the Penalties and Forfeitures, when recovered, (if not herein-before directed to be otherwiſe applied), ſhall be paid to the Treaſurer to the ſaid Commiſſioners, and be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be immediately paid, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the Offender 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 nor leſs than Twenty-one Days, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the ſame, ſhall be ſooner paid and ſatisfied.

Form of Conviction.

XXXI. And be it further enacted, That all and every Juſtice or Juſtices 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 in the Form or to the Effect following:

'County of *Bucks*, (*or as the Caſe may be*)' 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 by virtue of an Act of Parliament, made in the Forty-firſt Year of the Reign of His Majeſty King *George* the Third, intituled [*ſet forth the Title of the Act, and ſpecify the Offence, and the Time and Place when and where the ſame was committed, as the*

Caſe

'*Case shall be*]. Given under our Hands and Seals [*or*, my Hand and 'Seal] the Day and Year abovesaid.'

Inhabitants may be Witnesses.

XXXII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever relating to the Execution of this Act, any Inhabitant within the said Town shall be admitted and allowed to give Evidence.

Persons aggrieved may appeal to the General or Quarter Sessions.

XXXIII. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Penalty imposed, or any other Matter or Thing to be done by virtue or in pursuance of this Act, (except in such Cases where the Determination herein-before directed is declared to be final or conclusive), every such Person may appeal to the Justices at the General or Quarter Sessions of the Peace to be holden for the County of *Buckingham*, next after the Expiration of One Month from the Time such Cause of Appeal shall have arisen, upon giving Eight Days Notice at the least of such his or her Intention to appeal, and of the Cause thereof, to the Clerk or Treasurer to the said Commissioners; and the Justices in such Sessions are hereby authorized and required to hear and determine the Matter of such Appeal, and to make such Order therein as they shall judge proper; and their Determination shall be final and conclusive.

Distress not unlawful for Want of Form.

XXXIV. And be it further enacted, That where 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 be deemed a Trespasser or Trespassers on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining; but every Person aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage, in an Action upon the Case.

Plaintiffs not to recover after Tender of Amends.

XXXV. Provided always, That no Plaintiff or Plaintiffs shall recover in any such Action for such Irregularity, or for any Trespass or other wrongful Proceeding, 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 or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of sufficient Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgement, shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

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

XXXVI. And be it further enacted, That no Order, Verdict, Assessment, Judgement, or other Proceedings made concerning any of the Matters aforesaid, 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*.

Limitations of Actions.

XXXVII. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Twenty-one Days Notice be thereof given to the Clerk or Treasurer to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County of *Buckingham*, and not elsewhere; and the Defendant and 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 given as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared; or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases by Law.

Publick Act.

XXXVIII. 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, without being specially pleaded.

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