ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

Cap. 60.

An Act for more effectually paving and keeping in Repair the Footways and Croſspaths, and lighting and cleanſing the Streets, Lanes, and other publick Paſſages and Places, within the Town of *Uxbridge* in the County of *Middleſex*, and for removing and preventing Nuiſances and Annoyances therein; and for watching and watering the ſaid Town.

[9th *June* 1806.]

WHEREAS an Act was paſſed in the Twenty-fifth Year of the Reign of His preſent Majeſty, intituled, *An Act for taking down the preſent Market Houſe, and certain other Buildings in the Town of* Uxbridge, *for the Purpoſe of widening the High Street, and for paving the Footways, and lighting and cleanſing the Streets and other Places within the ſaid Town, and removing and preventing Nuiſances and Annoyances therein, and for changing the Courſe of the Road between* Mercer's Bridge *and* High Bridge, *and for rebuilding the ſaid Market Houſe:* And whereas the Truſtees appointed by or in purſuance of the ſaid Act have proceeded in the Execution thereof, and cauſed the ſaid Market Houſe to be rebuilt, and the High Street to be widened; and have alſo, under the Powers veſted in them by the ſaid Act, made great Progreſs in paving the Footways, and in lighting and cleaning the Streets and other Places within the ſaid Town; for which laſt-mentioned Purpoſes a conſiderable Sum of Money has been expended, and ſeveral Debts contracted, which for Want of 25 G. 3. c. 16.

of an adequate Fund now remain unpaid: And whereas ſeveral of the Powers and Proviſions of the ſaid recited Act have been found defective and inſufficient for the Purpoſes thereby intended, and it is expedient that certain Parts thereof ſhould be repealed, and other Powers granted for more effectually paving and keeping in Repair the Footways and Croſs-paths, and lighting and cleanſing the Streets, Lanes, and other publick Paſſages and Places within the ſaid Town, and removing and preventing Nuiſances and Annoyances therein; and it would tend to the Safety and Accommodation of the Inhabitants, and all other Perſons reſorting to or travelling through the ſaid Town, if Powers were given for watching and watering the ſame; but as the above-mentioned Purpoſes cannot be effected without the Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the Twenty-fourth Day of *June* One thouſand eight hundred and ſix, ſo much of the ſaid recited Act as relates to paving the Footways, and lighting and cleanſing the Streets and other Places within the ſaid Town, and removing and preventing Nuiſances and Annoyances therein, ſhall be and the ſame is hereby repealed.

Part of former Act repealed.

Commiſſioners appointed.

II. And be it further enacted, That *John Hull*, *Samuel Hull*, *William Hull*, *Thomas Avery*, *William Beſt*, *John Mercer*, *John Richard Buckhurſt*, *William Wyatt Grainge*, *Samuel Blount*, *Daniel Scott Norton*, *Samuel Cock*, *Abraham Edlin*, *Matthew Rayner*, *John Hodgſon*, *Thomas Ebenezer Beſley*, *Richard Freer*, *Benjamin Faſnidge*, *Joſeph Lovett*, *Thomas Oſborne*, *William Harris*, *James Samuel Anderſon Harris*, *John Aſtill*, *Henry Lott Maſon*, *John Burgeſs*, *William Lee*, *William Rawlinſon*, *Robert Lively*, *Samuel Harman*, *Charles Shoppee*, *John Henington*, *Chriſtopher Hill*, *John Hodder*, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be and they are hereby appointed Commiſſioners for putting this Act in Execution.

On Death, Refuſal, or Removal of Commiſſioners out of the Town, others to be choſen.

III. And be it further enacted, That when any of the Commiſſioners herein-before particularly named, or hereafter to be elected, ſhall die, or remove out of the ſaid Town, or ſhall, for the Space of One Year, refuſe or neglect to act, (ſuch Death, Removal, Refuſal, or Neglect being declared at a publick Meeting,) whereby the Number of Commiſſioners appointed or choſen in or by virtue of this Act ſhall not be Twenty, that then and in ſuch Caſe the Inhabitants of the ſaid Town rated and aſſeſſed by virtue of this Act, being aſſembled in the School Room in the Market Houſe of *Uxbridge* on the Twenty-fourth Day of *June* in every Year, ſhall and may nominate, elect, and chooſe ſuch and ſo many fit Perſons to be Commiſſioners to fill up the Vacancies occaſioned by Death or otherwiſe, as ſhall make up the Number of Twenty Commiſſioners; and every ſuch Inhabitant ſo elected, after having duly qualified himſelf as herein-after directed, ſhall be and is hereby veſted with the ſame Powers for putting this Act into Execution, as if he had been appointed a Commiſſioner in or by this Act.

Qualification.

IV. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act (ex-

cept in administering the Oath or Affirmation herein-after mentioned, which Oath or Affirmation the said Commissioners, or any Five of them, are hereby empowered to administer at their first or any subsequent Meeting to be holden in pursuance of this Act), unless he shall, at the Time of his acting, be a Resident Inhabitant of the said Town, and unless at the Time of his acting he shall be, in his own Right or in the Right of his Wife, in the actual Possession and Receipt of the Rents and Profits of a Real Estate of the yearly Value of Ten Pounds, or be in the actual Possession of a beneficial Lease of Premises lying within the said Town of the annual Value of Fifteen Pounds, or shall be possessed of Real or Personal Estate of the Value of Three hundred Pounds, or be rated by virtue of this Act at Twenty Pounds, and until such Person shall have taken and subscribed an Oath or Affirmation to the Effect following; *videlicet*,

'I *A. B.* do swear, [*or*, being One of the People called *Quakers*, do affirm,] That I am, in my own Right or in the Right of my Wife, in the actual Possession or Receipt of the Rents and Profits of a Real Estate, lying within the Town of *Uxbridge* in the County of *Middlesex*, of the clear yearly Value of Ten Pounds [*or*, in Possession of a beneficial Lease of Premises, lying within the said Town, of the annual Value of Fifteen Pounds; *or*, possessed of a Real or Personal Estate of the Value of Three hundred Pounds, *or*, that I am rated at Twenty Pounds a Year under an Act made in the Forty-sixth Year of the Reign of King *George* the Third, for more effectually paving and keeping in Repair the Footways and Crosspaths, and lighting and cleansing the Streets, Lanes, and other publick Passages and Places within the Town of *Uxbridge* in the County of *Middlesex*, and for removing and preventing Nuisances and Annoyances therein, and for watching and watering the said Town]; and that I will truly and impartially, according to the best of my Skill and Judgement, execute and perform all and every the Powers and Authorities reposed in me in pursuance of the said Act.

'So help me GOD.'

And if any Person hereby declared incapable of acting as a Commissioner in the Execution of this Act shall nevertheless presume to act as such, every such Person for such Offence shall forfeit and pay the Sum of One hundred 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, Bill, Case, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he 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 or Prosecutor, than that such Person has acted as a Commissioner in the Execution of this Act. Penalty on acting not qualified.

V. 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 under the said Commissioners (except the Office of Treasurer) or during such Time as he shall have any Share or Interest in any Contract to be performed relating to the Execution of any of the Powers of this Act. Commissioners not to act if interested.

VI. And be it further enacted, That the said Commissioners, or any Five of them, shall meet in the School Room in the Market House of *Uxbridge*, Meeting of Commissioners.

Uxbridge, on the Second *Wednesday* after the passing of this Act, between the Hours of Nine in the Forenoon and Six in the Afternoon, in order to put this Act into Execution; and shall and may then, and from Time to Time afterwards, adjourn themselves to meet at the Place aforesaid, or at any other convenient Place within the said Town, as they or the major Part of them present at such Meeting shall appoint, and Two Days Notice of such Adjournment shall be given to the Commissioners residing within the said Town, by the Clerk to the said Commissioners, except in such Cases where the Adjournment shall be from Day to Day; and that in every such Notice the Time of meeting of the said Commissioners shall be mentioned or set forth; and if it shall happen that there shall not appear at any such Meeting of the said Commissioners a sufficient Number to act or to adjourn to another Day, (Three Commissioners to be deemed sufficient for the Purpose of Adjournment,) or if the said Commissioners shall refuse or neglect to adjourn, or shall adjourn for any longer Time than Fourteen Days, then and in every such Case any Five or more of the said Commissioners, or their Clerk, shall and may call a Meeting at the Place where the last Meeting was to have been holden, by Notice to be given or left by the Clerk to the said Commissioners at their respective Houses, at least Two Days before such Meeting; and that at all Meetings to be holden in pursuance of this Act the Commissioners shall defray their own Expences; but no Act of the said Commissioners shall be valid, unless made or done at some publick Meeting to be held by virtue of this Act; and that all Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at any publick Meeting, the whole Number present at such Meeting not being less than the Number by this Act authorized to do such Business; and that a Chairman shall and may be appointed at every such Meeting; and that in all Cases the said Commissioners shall vote by Ballot, in case the same is desired by any Three or more of the Commissioners then present; and in case of an equal Number of Votes upon any Question (including the Chairman's Vote), the Chairman shall have the casting Vote: Provided always, that no Order made by the said Commissioners at any of their Meetings shall be revoked or altered, if such Order so made as aforesaid shall be confirmed at a Second Meeting; but that such Order or Orders so confirmed at such Second Meeting as aforesaid shall be conclusive and final; any Thing contained in this Act to the contrary thereof notwithstanding.

Notice of Meetings.

No Act valid unless at a Meeting.

Powers of the Act to be executed by a Majority of Commissioners.

A Chairman to be appointed, who shall have the casting Vote.

No order to be revoked if confirmed at a Second Meeting of the Commissioners.

Proceedings to be entered.

VII. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of the Names of all the Commissioners who shall duly qualify in pursuance of this Act, and of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all such Commissioners as shall be present at their respective Meetings, and the Chairman of each Meeting of the said Commissioners and their Clerk shall always subscribe their Names at the End of the Proceedings of the said Commissioners at every such Meeting; and all Entries in such Books being signed as aforesaid shall be deemed Originals, and shall be allowed to be read in Evidence in all Cases, Suits, and Actions touching any Thing done in pursuance or by virtue of this Act; and that such Book or Books shall at any of the Meetings of the said Commissioners be open and liable to the Inspection of all and every the said Commissioners, and

Books to be inspected.

and all and every the Persons rated and assessed for the Purposes of this Act, and also of all and every the Creditors and Annuitants on the Rates or Assessments hereby granted and made payable; all and every the Persons rated and assessed as aforesaid, Creditors and Annuitants, having previously given One Day's Notice to the Clerk of the said Commissioners of their Intention to inspect such Book or Books, and paying to the Clerk for such Inspection the Sum of One Shilling.

Commissioners may appoint Officers, and may remove them.

VIII. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may, from Time to Time whenever they shall think necessary, appoint and employ a Treasurer and Clerk, and Collector or Collectors of the Rates or Assessments herein-after mentioned, and also a Surveyor, and all such other Officers and Persons for the Execution of this Act as the said Commissioners shall think proper; and from Time to Time remove him or them, and appoint others in the Room of such of them as shall be so removed, or shall otherwise relinquish or discontinue such Office; and out of the Monies to be raised by virtue of this Act pay such Salaries, Wages, and Allowances to the said Officers and other Persons as they shall think reasonable; and the said Commissioners, or any Five or more of them, shall and are hereby required to take such Security from such Treasurer and other Officers for the due Execution of their respective Offices as they shall think proper; and all such Officers so to be appointed shall, under their Hands, (at such Time and Times and in such Manner as the said Commissioners shall direct,) deliver to the said Commissioners, or any Five or more of them, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officer and Person respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and all the said Officers so accounting as aforesaid shall upon Oath or Affirmation, if thereunto required by the said Commissioners, (which Oath or Affirmation the said Commissioners, or any Five or more of them, are hereby empowered and required to administer,) verify the said Account; and if any such Officer shall neglect or refuse to make and render or to verify upon Oath or Affirmation any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver to the said Commissioners, or to such Person as they shall appoint, within Thirty Days next after being thereunto required by the said Commissioners, or any Five or more of them, by Notice in Writing given or to be left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings, in his Custody or Power, relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same, then and in any of the Cases aforesaid the said Commissioners may and are hereby authorized and empowered to cause an Action to be brought against the Officer so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall remain due from him with Costs of Suit; or if Complaint shall be made by the said Commissioners, or any Five or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Neglect or Refusal as

Treasurer and other Officers to give Security.

Officers to account, and pay Balances

Penalty on Officers refusing to account.

aforesaid, to any Justice of the Peace in and for the County or the Place wherein such Officer so neglecting or refusing shall be or reside, such Justice may and is hereby authorized and required to issue a Warrant under his Hand and Seal for the Officer so neglecting or refusing to be brought before him, and upon his appearing or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or upon the Testimony of One or more credible Witness or Witnesses upon Oath, (which Oath the said Justice is hereby empowered to administer,) it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall remain due from such Officer, such Justice may and is hereby authorized and required, upon Nonpayment thereof, by a Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer, and if no Goods or Chattels of such Officer can be found sufficient to answer and satisfy the said Monies, and the Charges of distraining and selling the same, or if it shall in Manner aforesaid appear to such Justice that such Officer shall have neglected or refused 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 such Officer, and he shall have neglected or refused to deliver or give Satisfaction respecting the same as aforesaid, then and in any of such Cases aforesaid, such Justice shall commit such Offender to the Common Gaol for the County where such Offender shall be or reside, there to remain, without Bail or Mainptize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, or any Five or more of them, for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners as aforesaid: Provided always, that no Person who shall be committed for Want of sufficient Distress shall be committed for any longer Space of Time than Twelve Calendar Months.

If Balance not paid, it may be levied by Distress.

On Failure of Distress, &c. Officers to be committed.

For Appointment of Officers in Cases of Death, &c.

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

Treasurer to pay Money as ordered by Commissioners.

X. And be it further enacted, That the Treasurer to the said Commissioners shall and may, and he is hereby authorized and required, out of the Monies to be received by him by virtue of this Act, to pay all Sums of Money which the said Commissioners, or any Five or more of them, shall from Time to Time draw upon him for or order him to pay; and the said Treasurer shall and he is hereby required to keep regular and clear Entries, in

in a Book or Books to be for that Purpose by him provided and kept, of all and singular his Receipts and Payments on account or in pursuance of this Act; and shall, on the Twenty-fourth Day of *June* yearly, or at the First Meeting of the said Commissioners then next following, lay the said Accounts before the said Commissioners to be audited, passed, and allowed.

Commissioners may make Rates on Occupiers, to defray the Expence of Paving, etc.

XI. And for defraying the Charges and Expences of paving and repairing the Footways and Crosspaths, and lighting and cleansing the said Streets, Lanes, and other publick Passages and Places, and removing Encroachments, Obstructions, Nuisances, and Annoyances therein, and of watching and watering the said Town, and for other the Purposes of this Act, be it further enacted, That, from and after the Twenty-fourth Day of *June* One thousand eight hundred and six, One or more Rate or Rates, Assessment or Assessments, shall, Twice in the Year, or oftener if it shall be thought needful by the Commissioners, be made, laid, and assessed by the said Commissioners, or any Five or more of them, upon all and every Person and Persons who do or shall inhabit, hold, or occupy any House, Shop, Warehouse, Wharf, Cellar, Vault, Stable, Coach House, Brewhouse, Brewing Offices, Granaries, Malthouses, Storehouses, and other Buildings, Yards, and Gardens, within the said Town, and in such competent Sum and Sums of Money as the said Commissioners, or any Five or more of them, shall yearly and every Year order and direct; so as such Rates or Assessments are made in the following Proportions, *videlicet*, where the Rate or Assessment shall amount to Twenty Pounds *per Annum* and upwards, the Sum of One Shilling and Sixpence in the Pound in One Year of the yearly Rent or yearly Value of such Houses, Shops, Warehouses, Wharfs, Cellars, Vaults, Stables, Coach Houses, Brewhouses, Brewing Offices, Granaries, Malthouses, Storehouses, and other Buildings, Yards, and Gardens as aforesaid; and where such Rate or Assessment shall be less than Twenty Pounds and exceed Ten Pounds *per Annum*, the Sum of One Shilling in the Pound in One Year of such yearly Rent or such yearly Value; and where such Rate or Assessment shall be less than Ten Pounds and amount to Five Pounds *per Annum*, the Sum of Sixpence in the Pound in One Year of such yearly Rent or such yearly Value; and that such yearly Rent or Value shall be ascertained by such Ways and Means as the said Commissioners, or any Five or more of them, shall think proper: Provided always, that the said Commissioners, or any Five or more of them, shall and may, if they think proper at any Meeting, amend any such Rate or Assessment, Rates or Assessments, after the same shall have been made and signed, by inserting the Name of any Person who ought to have been, but hath not been rated or assessed, or by striking out the Name of any Person who hath been, but ought not to have been rated or assessed; or by altering the Sum or Sums charged in any such Rate or Assessment on any Person or Persons, or in any other Manner which the said Commissioners shall think proper for making the same a just and equal Rate or Assessment, without wholly setting aside or quashing the same: Provided always, that no Person shall be subject to any Rate or Assessment who shall occupy any House or other Premises, the annual Value whereof shall not amount to Five Pounds.

Rates to be signed by Justices, who are to grant

XII. And be it further enacted, That all Rates made by virtue of this Act shall be allowed and signed by Two Justices of the Peace acting in and

Warrants to collect and levy the same.

and for the said County of *Middlesex*, who are also hereby empowered and required to grant a Warrant or Warrants for collecting thereof, as also for levying of the same, by such Person or Persons as the said Commissioners, or any Five or more of them, shall appoint, and which Warrant shall be sufficient Authority to the respective Persons thereby authorized for the Purposes therein mentioned; and the said Rates, after the same shall be so allowed, and signed by the said Justices, shall be collected Half-yearly, or oftner if the said Commissioners, or any Five or more of them, shall think it necessary, by the Collector or Collectors, or other Person or Persons to be appointed as aforesaid, and be paid over by such Collector or Collectors as aforesaid into the Hands of the Treasurer to the said Commissioners; and if any Person or Persons shall refuse or neglect or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed at by virtue of this Act, for the Space of Seven Days after personal Demand made thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons, then and in every such Case it shall and may be lawful to and for the said Person or Persons, who shall be authorized as aforesaid, to collect the said Rates, and he and they is and are hereby empowered and required to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting, refusing, or omitting to pay the same, rendering the Overplus (if any), after deducting the Sum or Sums due in respect of such Rates or Assessments, and all Costs and Charges attending the Recovery thereof, to the Owners of such Goods and Chattels upon Demand.

Manner of Recovery,

Receiver, or other Persons authorized by the Commissioners, are to be allowed to inspect and take Copies or Extracts from the Books of Land Tax and Poor's Rates, etc. gratis, in order to ascertain the said Assessments.

XIII. And be it further enacted, That it shall and may be lawful for the Receiver or Receivers of the Rates or Assessments, or for any other Person or Persons authorized by the said Commissioners, or any Five or more of them, at all convenient Times, (first having an Order under the Hands of the said Commissioners, or any Five or more of them, for that Purpose,) to inspect the Books of Assessments of the Land Tax, and also the Books or Rates made for raising Money for the Relief and Maintenance of the Poor of the said Town, in order to ascertain the Rate and Assessments to be raised by virtue hereof; and also to take Copies thereof, and to make Extracts therefrom; which Inspection, Copies, and Extracts, the Clerk or other Officer, or Person having the Custody of such Book, Assessment, and Rate, Books, Assessments, and Rates, are hereby required to permit and suffer to be made without Fee or Reward, by such Receiver or Receivers, Person or Persons appointed as aforesaid, on their producing an Order under the Hands of the said Commissioners, or any Five or more of them, for that Purpose; and in case any such Vestry Clerk, or other such Officer or Officers, or Person or Persons, shall neglect or refuse so to do within Seven Days after such Order shall be produced and shewn to him or them, or a Copy thereof left at his or their last or most usual Place of Abode, then and in every such Case he or they so refusing or neglecting shall forfeit any Sum not exceeding Twenty Pounds.

Penalty for Refusal.

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

XIV. And whereas several Houses within the said Town may be by the Landlords or Owners thereof let out into Lodgings or Tenements to divers Tenants, whereby it may be difficult to rate such Houses, and to recover such Rates and Assessments when made; for Remedy thereof, be it

it further enacted; That the said Commissioners, or any Five or more of them, shall and may rate or assess the Landlord or Owner of any House which shall be let to or occupied by Two or more Tenants; and the Landlord or Owner of every such House shall pay the same accordingly.

XV. Provided always, and be it further enacted, That no Person or Persons shall be liable to pay any Rate or Assessment, to be made under the Authority of this Act, for or in respect of any Messuage, House, or other Building, or of any Land which shall be unoccupied during the Whole of a Quarter of a Year, in or for which the quarterly Portion or Rate or Assessment demanded shall have become or accrued due. Houses, etc. unoccupied, not rateable.

XVI. And be it further enacted, That when any Person, who hath been rated and assessed by virtue of this Act, shall quit his or her Dwelling-house, Warehouse, Wharf, Shop, Vault, Cellar, Stable, Coach-house, Brewhouse, Brewing Offices, Granaries, Malthouses, Storehouses, and other Buildings, Yard, and Garden, whereupon such Rate or Assessment has been made, before he or she shall have paid the same, and shall afterwards refuse to pay the same when due and demanded as aforesaid, by the Person or Persons authorized and appointed to collect and receive the same, that then and in every such Case it shall and may be lawful to and for such Person or Persons as shall be appointed by the said Commissioners, or any Five or more of them, by Warrant under the Hand and Seal of any One or more Justices of the Peace acting in and for the said County of *Middlesex*, or for the County, Riding, Division, City, Liberty, Town, or Place where such Person shall remove to or reside, or where any Goods or Chattels of such Person shall be found, (which Warrant such Justice is hereby required to grant, upon Proof made of the Sum so due upon the Oath of One or more credible Witness or Witnesses,) to levy such Rate or Rates by Distress and Sale of the Goods and Chattels of such Person so neglecting or refusing, rendering the Overplus (if any shall be) after Payment of the Money due in respect of such Rate or Assessment, and the reasonable Charges and Expences of such Distress and Sale, unto the Person whose Goods and Chattels shall have been so distrained and sold. Occupiers quitting without paying Rates may be followed.

XVII. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between any Landlord and Tenant, or between any Bodies Politick or Corporate, and any other Person or Persons, touching or concerning the paving or repairing the said Footways, Crosspaths, Passages, and Places, or any Part thereof; but that every Person, Body Politick or Corporate, who is or are now by virtue of any such Contract or Covenant obliged to pave or keep in Repair any of the said Footways, Crosspaths, Passages, or Places, shall, in lieu thereof, be obliged to pay the Sums of Money hereby directed to be paid and levied, or so much thereof, as shall by the said Commissioners, or any Five or more of them, be deemed just and reasonable, according to the true Meaning of such Contract, Covenant, or Agreement, for and during such Time as such Contract, Covenant, or Agreement shall remain in force; and in case any Dispute shall arise concerning such Contract, Covenant, or Agreement, the said Commissioners, or any Five or more of them, shall and they are hereby authorized and required to hear and finally determine the same. Agreements between Landlord and Tenants not to be affected.

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

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

Persons aggrieved may apply to the Commissioners.

XIX. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, such Person or Persons may apply to the said Commissioners, or any Five or more of them, at any Meeting to be holden within Fourteen Days next after Demand of such Rate or Assessment; but if no Meeting shall be held within such Time, then at the next Meeting which shall be held then after; and the said Commissioners, or any Five or more of them, are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable.

Persons paying the said Rate exempted from all other Expences of Paving.

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

Payment of Rates not to gain a Settlement.

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

Commissioners may borrow Money at Interest, and assign the Rates as a Security.

XXII. And, for the more effectually enabling the said Commissioners to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered from Time to Time, when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money upon the Credit of the Rates or Assessments herein-before granted or authorized to be raised; and by any Writing or Writings under their Hands and Seals to mortgage, demise, grant, or assign over the said

Rates

Rates or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or his or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment shall be in the Words or to the Effect following; *videlicet*,

Form of Assignment.

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

No Preference in respect of Priority.

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

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

XXIII. And be it further enacted, That in case the said Commissioners, or any Five or more of them, shall think it adviseable or more advantageous to raise all or any Part of the Money necessary for the Purposes of this Act, by granting of Annuities for Lives instead of Assignments as aforesaid, then it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money, for the absolute Purchase of an Annuity or Annuities, to be paid and payable during the natural Life of every Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor, at the Time of the Payment of his or her Contribution or Purchase Money; so as that no such Annuity do exceed the Rate of Ten Pounds for every One hundred Pounds for a Year; and so that the whole Money to be raised upon Mortgage, and by the granting of Annuities as aforesaid, do not exceed the Sum of Two thousand Pounds; and the Grant of every such Annuity shall be in the Words or to the Effect following; *videlicet*,

The whole Money to be taken up at Interest, and on Annuities, not to exceed 2000 l.

Form of Grant of Annuity.

'WE of the Commissioners appointed by or in pursuance of an Act of Parliament, made in the Forty-sixth Year of the Reign of King *George* the

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

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

Interest Money and Annuities to be paid Quarterly.

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

Securities for Money lent and Annuities may be transferred.

Form of Transfer.

' I being entitled to the Sum of
' I [*or*, an Annuity of]
' secured to Executors, Administrators, and
' Assigns, by virtue of a Mortgage or Assignment, [*or*, Grant of An-
' nuity] bearing Date the Day of under
' the Hands and Seals of of the Commissioners act-
' ing in the Execution of a certain Act of Parliament, made in the Forty-
' sixth Year of the Reign of His Majesty King *George* the Third, [*here*
' *set forth the Title of the Act*], upon the Credit or arising out of the Rates
' or Assessments granted by the said Act, do hereby transfer all my Right
' and Title in and to the same, and all Interest and other Money now due
' and owing thereon, unto Executors, Admi-
' nistrators, and Assigns. Dated the Day of

And Copies of all Mortgages or Assignments and Grants of Annuities, which shall be made in pursuance of this Act, and Extracts or Memorials of all Transfers thereof, shall be entered in a Book, to be kept for that Purpose by the Clerk to the said Commissioners; which Extracts or Memorials

Transfers to be entered, and Books examined.

morials shall specify and contain the Dates, Names of the Parties, and the Sums of Money thereby transferred; to which Book any Person interested shall, at all seasonable Times, have Access, and shall have free Liberty to inspect the same without Fee or Reward, and for the Entry of every such Transfer the said Clerk shall be paid, by the Person to whom such Transfer shall be made, the Sum of Three Shillings and Sixpence, and no more; and after such Entry made of any such Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

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

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

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

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

Provision for the Payment of Creditors by Ballot.

XXVII. And, in order that no Preference may be given to any of the Persons who shall have advanced and lent Money upon the Credit of the Rates or Assessments to be made and raised respectively by virtue of this Act, be it further enacted, That the said Commissioners (if there shall be more Creditors than One) shall cause the Numbers of all Assignments or Securities granted and then in force, for securing the principal Monies lent and advanced upon the Credit of the said Rates or Assessments, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel, and the Number or Numbers of the said Assignments or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice, signed by their Clerk, to be given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, and where there is only One Creditor, to give Three Calendar Months Notice to such Creditor of the said Commissioners Intention to pay him or her as aforesaid, and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same shall be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Three Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the

the Intereſt of the Principal Money to be ſo paid off, ſhall, from and after the Day ſo ſpecified, ceaſe and be no longer paid or payable, unleſs ſuch Money ſhall be demanded purſuant to ſuch Notice and not paid; but the Principal Money in reſpect whereof ſuch Notice ſhall be given, and alſo the Intereſt thereof to the Day to be ſo ſpecified, ſhall nevertheleſs be payable on Demand.

Pavements veſted in the Commiſſioners, who may bring Actions.

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

Old Materials to be ſold.

Commiſſioners may order the Footways to be paved.

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

Penalty on Perſons obſtructing the Works.

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

No Perſon to make any Alteration in the Form of the Pavement.

XXXI. And be it further enacted, That no Perſon ſhall at any Time make, or cauſe to be made, any Alteration in the Form of the Foot Pavement of any Street, Lane, or other publick Paſſage or Place within the ſaid Town, without the Conſent and Approbation of the ſaid Commiſſioners,

missioners, or any Five or more of them, assembled at some of their Meetings, first had and obtained, upon pain of forfeiting for every such Offence any Sum not exceeding Five Pounds.

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

XXXIII. And be it further enacted, That no such Contract or Contracts shall be deemed good or valid, if the same shall have been made for a longer Space or Term than Three Years from the Time of entering into such Contract or Contracts. Contracts not to be for no more than Three Years.

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

XXXV. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby directed to cause all and every the Works done in pursuance of this Act to be inspected by their Surveyor and Surveyors, or by such other Person or Persons as they shall from Time to Time appoint. Surveyors to inspect the Works.

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

XXXVII. And be it further enacted, That if any Person or Persons shall run, drive, carry, or place on any of the Footpaths in any of the said Penalty on causing Annoyances in the Streets.

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

Penalty on leaving Carriages in the Street, etc.

XXXVIII. And be it further enacted, That if any Waggon, Cart, Dray, or other such Carriage, shall be left to stand or remain in any of the said Streets, Lanes, Passages, or Places, with or without Horses or other Cattle, for any longer Time than shall be necessary for the loading or unloading thereof; or if the Driver of any such Carriage shall, in the loading or unloading thereof, place the same across any of the said Streets, Lanes, Passages, or Places, so as to obstruct or impede the Passage of any of the Inhabitants of the said Town, or any other Person or Persons resorting thereto; or if any Stage Coach, Diligence, Post Chaise, or other Carriage let to Hire, shall be left to stand or remain in any of the said Streets, Lanes, Passages, or Places as aforesaid, any longer Time than shall be necessary for the taking up or setting down the Passengers, and for loading or unloading their Baggage; or more than Three Hours at any One Time for the necessary baiting or resting of the Horses or other Cattle drawing the same; or if any Swine or other Beast or Cattle shall be permitted to wander or be in or about any of the said Streets, Lanes, Passages, or Places; or if any Timber, Bricks, Lime, Mortar, Sand, Stone, Slates, Hay, Straw, Wood, Faggots, Tiles, Coals, Boards, Tubs, Goods, Wares, Merchandize, or other Materials or Things whatsoever, shall be laid or placed, and left to remain in any of the said Streets, Lanes, Passages, or Places, for any longer Time than shall be necessary for moving and housing the same; or if any Coal Ashes, (except in the Time of Frost only, and to prevent Accidents,) or any Wood Ashes, Rubbish, Dust, Dirt, Dung, Filth, or any other Nuisance or Annoyances whatsoever, be thrown, cast, or laid in any of the said Streets, Lanes, Passages, or Places, then and in every such Case the Owner or Driver of every such Waggon, Cart, Dray, Stage Coach, Diligence, Post Chaise, or other

Carriage let for Hire, and the Owner of any ſuch Swine, or other Beaſt or Cattle, and of any ſuch Timber, Bricks, Stones, Mortar, Hay, Straw, Goods, Wares, Merchandizes, Materials, or Things which ſhall be left or ſuffered to remain in any of the ſaid Streets, Lanes, Paſſages, or Places; and the Perſon or Perſons who ſhall ſo throw, caſt, or lay, or cauſe to be thrown, caſt, or laid, any Coal Aſhes, Wood Aſhes, Rubbiſh, Dirt, Dung, Filth, or other Annoyance whatſoever as aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings: Provided always, that no Information or Complaint of any Offence committed under this Act ſhall be given or received but by ſuch Perſon or Perſons as ſhall pay a Rate or Rates under the ſame.

Commiſſioners may purchaſe and ſet up Lamps.

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

Penalty on ſtealing and damaging Lamps, &c.

Perſons accidentally damaging Lamps to make good the Damage.

For appointing Watchmen.

XL. And be it further enacted, That the ſaid Commiſſioners, or any Five or more of them, may and are hereby authorized from Time to Time to eſtabliſh and appoint ſuch and ſo many honeſt and able-bodied Watchmen, as they ſhall judge neceſſary and proper to be kept and employed in the ſaid Streets, Lanes, Paſſages, and Places, for that Service, and ſhall likewiſe order and direct, in Writing, how, where, and in what Manner they ſhall be ſtationed and armed, and how often they ſhall go their Rounds, how long they ſhall continue on Duty, and under what Allowance or Wages for their Attendance; and may alſo erect, hire, or otherwiſe provide a proper Place or Places for the Reception of the Watchmen;

men; and that it shall be lawful for the said Commissioners, or any Five or more of them, to remove any One or more of such Watchmen on Misbehaviour or Neglect of Duty, and to impose any Fine or Sum of Money not exceeding Twenty Shillings for every Neglect or Misbehaviour of such Watchmen, such Fine to be deducted out of his Wages or Allowance; and also to make such further Orders and Regulations for the better Government and Direction of the said Watchmen as they shall think proper.

Watchmen empowered to apprehend suspected Persons.

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

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

XLII. And be it further enacted, That if any Victualler or Keeper of a Publick House or Cellar shall knowingly and willingly harbour or entertain any Watchman employed by the said Commissioners, or permit or suffer any such Watchman to remain in such his or her Publick House or Cellar, during any Part of the Time appointed for their being on Duty as aforesaid, every such Victualler or Keeper of a Publick House or Cellar shall for the First Offence, being thereof duly convicted, forfeit and pay any Sum not exceeding Ten Shillings; and for the Second and every other Offence, any Sum not exceeding Twenty Shillings.

Commissioners may reward Watchmen.

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

Commissioners may make Sewers, Drains, etc.

XLIV. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may cause such and so many new Sewers, Drains, and Vaults, as they may think sufficient and necessary, to be dug and made in, along, or across any of the said Streets, Lanes, Ways, Passages, and Places; and also any of the Sewers, Drains, and Vaults, which now are or hereafter shall be made within the said Streets, Lanes, Ways, Passages, and Places to be enlarged, widened, raised, altered, removed, repaired, cleansed, or scoured, when and as often as to them shall seem meet; and also shall and may cause such and so many Grates or Openings to be made therein for the conveying and carrying off the Filth, foul and other Waters, from the Houses built or to be built in or adjoining to such Streets, Lanes, Ways, Passages, or Places into the said Sewers, Drains, and Vaults, as the said Commissioners, or any Five or more of them, shall and may think necessary and expedient for that Purpose; and all Costs, Charges, and Expences in and about the making, enlarging, widening, raising, altering, removing, repairing, cleansing, or scouring such Sewers, Drains, and Vaults, shall be borne and defrayed out

out of the Money to be raiſed by the Rates or Aſſeſſments to be made by virtue of this Act.

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

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

XLVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, to take down, remove, alter, or regulate, in ſuch Manner as they ſhall from Time to Time judge proper, all Sign Poſts and other Poſts, Sheds, Penthouſes, Spouts, Gutters, Steps, Stairs, Stumps, Trees, Porches, Bulks, and other Encroachments, Projections, and Annoyances, belonging or which ſhall be hereafter affixed or belong to any Houſe or Houſes, or other Buildings, and which do or ſhall, in the Judgement of the ſaid Commiſſioners, obſtruct the free and commodious Paſſage along the Carriage or Footways of any of the ſaid Streets, Lanes, and other publick Paſſages or Places within the ſaid Town; and alſo to cauſe the Water to be conveyed from the Roofs, Cornices, Eaves, and Penthouſes of or belonging to ſuch Houſes or other Buildings reſpectively, by proper Pipes or Trunks, to be affixed to the Sides of ſuch Houſes or other Buildings reſpectively, and to be brought down to the Ground; and that the Coſts, Charges, and For removing Obſtructions and preventing Annoyances.

Expences

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

Directing how the Money raised shall be applied.

XLVIII. And be it further enacted, That the Money to arise from the Rates or Assessments hereby granted, or to be levied and received from Time to Time by virtue of this Act, and all the Money which may be borrowed at Interest or upon Annuities on the Credit of this Act, shall be applied in the first Place in paying the Charges and Expences incident to and attending the obtaining and passing of this Act, and the Interest of the Money advanced for defraying such Charges and Expences; and in the next Place in paying the Interest of the Principal Money to be borrowed, and the Annuities to be granted as aforesaid; and then in paying off and discharging the Debts already incurred, and now due and owing under the said recited Act, so far as relate to paving the Footways, and lighting and cleansing the Streets and other publick Places within the said Town; and afterwards in defraying the Costs, Charges, and Expences of carrying the several other Trusts and Purposes of this Act into complete Execution, in such Order and Manner as the said Commissioners, or any Five or more of them, shall judge expedient; all which Monies, to be raised in Manner aforesaid, shall become and be considered as one consolidated aggregate Fund, and shall be vested in the said Commissioners for the Trusts and Purposes herein-before expressed and referred to.

Directing Application of Compensation Money, when amounting to 200l.

XLIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politick, Corporate, or Collegiate, Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatick, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or any Person under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled

to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the Meantime and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the Meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200l. and amounting to or exceeding 20l.

L. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Commissioners for executing this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than 20l.

LI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

LII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners; or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting disputed Titles.

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

LIV. Provided

LIV. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences to be paid.

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

Accounts to be made up yearly for Inspection.

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

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

LVII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace for the County of

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

Middlesex, which Warrant such Justice is hereby empowered to grant upon the Confession of the Party or Parties, or upon the Evidence of any One or more credible Witness or Witnesses upon Oath; and the Overplus (if any) of the Money arising by such Distress and Sale shall be returned upon Demand to the Owner or Owners of such Goods and Chattels, after deducting the Costs and Charges of such Distress and Sale; and the Penalties and Forfeitures when recovered (if not herein-before directed to be otherwise applied) shall be paid to the Treasurer to the said Commissioners, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months nor less than Twenty-eight Days, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner fully paid and satisfied.

Commissioners may compound for Penalties.

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

Commissioners empowered to make Bye-Laws.

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

LX. And

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

Form of Conviction.

'Town of *Uxbridge*, in the County of *Middlesex*, to wit, } BE it remembered, That on the Day of in the Year of the Reign of His Majesty *A. B.* is convicted before One of His Majesty's Justices of the Peace for the said County, by virtue of an Act of Parliament, made in the Forty-sixth 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 may be*]. Given under our Hands and Seals [*or*, my Hand and Seal] the Day and Year aforesaid.'

Power to administer Oaths.

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

Limiting the Time for Information of Offences.

Inhabitants may be Witnesses.

LXII. 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 Town of *Uxbridge* shall be deemed to be an incompetent Witness by reason of his or her being charged with and liable to pay any Rate or Assessment by virtue of this Act.

Power for Justices to make Allowances to Informers and Witnesses.

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

Appeal.

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

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

Diſtreſs not to be unlawful for Want of Form.

LXV. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on Account of any Irregularity which ſhall afterwards be done by the Party or Parties ſo diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe: Provided always, that no Plaintiff or Plaintiffs ſhall recover upon any ſuch Action for Irregularity, or for any Treſpaſs or other wrongful Proceeding, unleſs Notice in Writing ſhall be given Fourteen Days before ſuch Action ſhall be commenced of ſuch intended Action, ſigned by the Attorney 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

Plaintiff not to recover after Tender of Amends.

have

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 or they shall think fit, whereupon such Proceeding, 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.

LXVI. And be it further enacted, 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 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 Court of Record at *Westminster*; any Law or Statute to the contrary hereof in anywise notwithstanding. Proceedings not to be quashed for Want of Form, nor removable by Certiorari.

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

LXVIII. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prejudice, lessen, or defeat any Right, Interest, Property, Power, Privilege, Franchise, or Authority of the Lords of the Manor and Borough of *Uxbridge*; but that all and every such Rights, Interests, Properties, Powers, Privileges, Franchises, and Authorities, may be exercised and enjoyed in as full, ample, and beneficial Manner, to all Intents and Purposes, as the same were exercised and enjoyed before the passing of this Act. This Act not to prejudice the Rights of the Lords of the Manor of Uxbridge.

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

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