

the County of Kent, and not elsewhere; and if any such Bill or Act should be brought before the House of Commons, it shall be necessary, before any such Bill or Act be brought into the House of Commons, that the same should be first introduced into the House of Lords, and that the same should be passed by both Houses of Parliament, and that the same should be sent to the Queen, and that the same should be signed by her Majesty'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 so much of the said recited Act, made in the Tenth Year of the Reign of her late Majesty Queen Anne, intituled, "An Act for erecting a Workhouse in the City and County of the City of Norwich, for the better employing and maintaining the Poor there," and all such Powers, Provisions, Clauses, and Matters therein contained, as relate to the lighting of the said City of Norwich, shall be, and the same is and are hereby repealed, and declared to be null and void to all Intents and Purposes what-



ANNO QUADRAGESIMO SEXTO

GEORGE III. REGIS

Cap. 67.

An Act for better paving, lighting, cleansing, watching, and otherwise improving the City of Norwich. [13th June 1806]

WHEREAS the several Markets, Streets, Lanes, public Passages and Places, within the City of *Norwich*, are very ill paved, and are not sufficiently cleansed and watched, and are also much incommoded by various Annoyances, Encroachments, and other Nuisances: And whereas the Powers given by an Act made in the Tenth Year of the Reign of her late Majesty Queen *Anne*, intituled, "An Act for erecting a Workhouse in the City and County of the City of *Norwich*, for the better employing and maintaining the Poor there," are insufficient for the Purpose of Lighting the said City: And whereas it would tend greatly to the Safety, Accommodation, and Convenience, not only of the Inhabitants of the said City, but also of all Persons resorting thereto, if the said public Streets, Passages, and Places, were properly paved, and well and sufficiently lighted, cleansed, and watched, and certain Encroachments and Nuisances therein removed: But as such Purposes cannot be effected without the Aid and Authority of Parliament; May it therefore please Your Majesty, That it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act, made in the Tenth Year of the Reign of her late Majesty Queen *Anne*, intituled, "An Act for erecting a Workhouse in the City and County of the City of *Norwich*, for the better employing and maintaining the Poor there," and all such Powers, Provisions, Clauses, and Matters therein contained, as relate to the lighting of the said City of *Norwich*, shall be, and the same is and are hereby repealed, and declared to be null and void to all Intents and Purposes what-

10 Anne, c. 6.

[Loc. & Per.]

15 M

what-

11 and 12
Will. III.
c. 15.

whatsoever: Provided always, that nothing herein contained shall extend, or be construed to extend so as to revive or give any force or effect to such Part or Parts of an Act made in the Eleventh and Twelfth Years of King *William* the Third, intituled, "An Act for confirming a Lease and certain Indentures between the City of *Norwich* and *Richard Barry*, Esquire, *George Sorocold*, Gentleman, and *Richard Soame*, Merchant; and for enlightening the Streets of the said City," as is or are repealed by the said recited Act, made in the Tenth Year of the Reign of her late Majesty Queen *Anne*.

Appoint-
ment of
Commis-
sioners.

II. And be it further enacted, That the Right Worshipful the Mayor of the said City of *Norwich*, the Reverend the Dean of *Norwich*, the Prebendary of the Cathedral Church of *Norwich* in Residence, the Recorder, the Steward, the Sheriffs, the Aldermen, and the Speaker of the Common Council of the said City of *Norwich* for the Time being respectively, together with *Robert Alderson*, *John Athow* the Younger, *James Alderson*, M. D. *Thomas Blake*, *Thomas Back* junior, *Edward Booth*, *Richard Mackenzie Bacon*, *Arthur Browne*, *William Burt*, *Richard Beatniffe*, *John Barwell*, *Charles John Chapman*, Clerk, *John Hammond Cole*, *Joseph Chamberlin Carter*, *Joseph Clarke*, *Lewis Cooper*, *Peter Chamberlain*, *Joseph Clover* the Younger, *Starling Day* junior, *Elisba De Hague*, *Edmund Devereux*, *Robert Dunham*, *Thomas Glover Ewen*, *William Foster* junior, *Henry Francis*, *John Gurney*, *Edward Glover*, Clerk, *Francis Gosling*, *Hudson Gurney*, *Joseph Gurney*, *Joseph Geldart* junior, *John Christopher Hampp*, *John Herring* junior, *Henry Harmer*, *Thomas Kett*, *Richard Lubbock*, M. D., *Henry Lathom*, *John Lovick*, *John Morphew*, *Philip Meadows Martineau*, *Robert Marsh*, *Jonathan Matchett*, *William Cooch Pillans*, *Robert Plumtre*, *Robert Parr*, Clerk, *John Pitchford*, *John Staniforth Patten*, *John Whitaker Robberds*, *John Rooks*, *John Stoddart*, *William Stevenson*, *Edward Squire*, *William Simpson*, *James Edward Smith*, M. D. *Francis Smith*, *Joseph Stannard* the Younger, *John Taylor*, *John Thompson*, *William Unbank*, *William Farrer Wilkinson*, Clerk, *Walter Worth*, *Miles Weston*, *Thomas Woodrow*, and their Successors, shall be and they are hereby appointed (together with the several Persons to be from Time to Time elected as hereafter mentioned) Commissioners for putting this Act, and the several Powers herein contained, in Execution.

For the elec-
tion of future
Commis-
sioners in-
stead of those
herein
named.

III. And be it further enacted, That when and as often as any of the said Commissioners hereinbefore named, or the Person or Persons to be elected in manner hereinafter mentioned, in his or their room or stead (save and except such several Persons as are herein declared to be Commissioners, by virtue of their respective Offices or Dignities as aforesaid) shall die, or refuse, or not be qualified to act in the Execution of this Act, or shall be appointed to any Office or Dignity (save and except such Office or Dignity as is holden for any Space of Time not exceeding Twelve Calendar Months) by virtue of which he shall become a Commissioner under this Act (such Death, Refusal, or Appointment, being declared at a Meeting of the said Commissioners) then and in all such Cases it shall and may be lawful to and for the surviving or remaining Commissioners (exclusive of the Commissioners to be elected by the Parishioners of the several Parishes as herein mentioned) at any of their Meetings, to elect and appoint by Ballot such other Person being an Inhabitant of and resi-
dent

dent in the said City or County of the same, to be a Commissioner in the place of every Commissioner so dying or refusing to act, or ceasing to be qualified to act as a Commissioner in the execution of this Act, or appointed to such Office or Dignity as aforesaid, as they shall think fit; and each and every such Person so elected a Commissioner shall, from and after his Election, have the like Powers and Authorities for carrying this Act into execution, as if he had been particularly named and appointed a Commissioner in and by this Act: Provided always, that Notice in Writing of the Meeting for the Election of every such new Commissioner, signed by the Clerk to the said Commissioners, and of the Purpose thereof, shall be given, by affixing such Notice on the outer Doors of the Guildhall in the Market Place of the said City, Seven Days at the least before every such Meeting shall be holden.

IV. And be it further enacted, That the Parishioners having a Right to vote in the Election of Churchwardens in the several Parishes within the said City, shall and may meet together in the Church or Vestry Room belonging to their respective Parishes respectively, on the Tuesday Three Weeks next after passing this Act, and at such their respective Meetings it shall and may be lawful to and for the major Part of such Parishioners then and there assembled, to nominate and appoint such Number of Persons as herein mentioned to act as a Commissioner or Commissioners for such respective Parishes in the Execution of this Act; that is to say,

- For the Parish of *Saint Peter of Mancroft*, three Commissioners.
- For the Parish of *Saint Peter per Mountergate*, two Commissioners.
- For the Parish of *Saint Stephen*, two Commissioners.
- For the Parish of *Saint Giles*, two Commissioners.
- For the Parish of *Saint Andrew*, two Commissioners.
- For the Parish of *Saint George of Tombland*, two Commissioners.
- For the Parish of *Saint George of Colgate*, two Commissioners.
- For the Parish of *Saint Peter Southgate*, one Commissioner.
- For the Parish of *Saint Etheldred*, one Commissioner.
- For the Parish of *Saint Julian*, one Commissioner.
- For the Parish of *Saint John Sepulchre*, one Commissioner.
- For the Parish of *Saint Michael at Thorn*, one Commissioner.
- For the Parish of *Saint John Timberhill*, one Commissioner.
- For the Parish of *All Saints*, one Commissioner.
- For the Parish of *Saint Benedict*, one Commissioner.
- For the Parish of *Saint Swithin*, one Commissioner.
- For the Parish of *Saint Margaret*, one Commissioner.
- For the Parish of *Saint Lawrence*, one Commissioner.
- For the Parish of *Saint Gregory*, one Commissioner.
- For the Parish of *Saint John Maddermarket*, one Commissioner.
- For the Parish of *Saint Michael at Plea*, one Commissioner.
- For the Parish of *Saint Peter of Hungate*, one Commissioner.
- For the Parish of *Saint Simon and Saint Jude*, one Commissioner.
- For the Parish of *Saint Martin at Palace*, one Commissioner.
- For the Parish of *Saint Helen*, one Commissioner.
- For the Parish of *Saint Michael Coslany*, one Commissioner.
- For the Parish of *Saint Mary*, one Commissioner.
- For the Parish of *Saint Martin at Oak*, one Commissioner.
- For the Parish of *Saint Augustine*, one Commissioner.
- For the Parish of *Saint Clement*, one Commissioner.

For

For the Parish of *Saint Edmund*, one Commissioner.

For the Parish of *Saint Saviour*, one Commissioner.

For the Parish of *Saint Paul*, one Commissioner.

For the Parish of *Saint James*, one Commissioner.

And in case of an Equality of Votes in the Election of a Commissioner or Commissioners at any of the said respective Meetings of any of the said respective Parishes, the Churchwarden standing first on the List of Parish Officers then present at the Meeting, or in case no Churchwarden shall be present, the Person then present who shall stand highest rated to the Poor's Rate in the Parish shall have the casting Voice; and the Name of every such Person so elected a Commissioner for each respective Parish shall be entered in a Book, to be provided and kept for that Purpose by each Parish in their public Chest; and every such Election shall, within Two Days next after the same shall have been made, be certified to the Clerk, or to any Two or more of the Commissioners acting in Execution of this Act.

Continuation
and re-election
of Parish
Commis-
sioners.

V. And be it further enacted, That the several Persons so elected for the said respective Parishes shall continue Commissioners until the Monday in Easter Week next after such Election, and no longer, and upon such Monday in Easter Week, or within Five Days afterwards, the Parishioners having a Right to vote in the Election of Churchwardens in the said several and respective Parishes, shall proceed to a new Election of a Commissioner or Commissioners, in Manner as aforesaid; and from thenceforth for ever after, in each and every Year, other Commissioners shall be elected in Manner aforesaid, by such Parishes respectively, on the Monday in Easter Week, and the Commissioner and Commissioners elected in the preceding Year, immediately shall cease to be a Commissioner and Commissioners for carrying this Act into Execution: Provided always, that no Person so to be elected a Commissioner by the respective Parishes in Manner aforesaid, shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall at the Time of his acting be a resident Inhabitant within the said City of *Norwich* or County of the same, and be qualified as herein directed.

If Parishes do
not elect,
the Commis-
sioners to
proceed.

VI. Provided always, That in case the said Parishioners of the said respective Parishes, or any of them, shall neglect or refuse to elect a Commissioner or Commissioners as hereinbefore mentioned, then and in every such Case the other Commissioners nominated or appointed by or under the Authority of this Act, shall proceed in the Execution of the Powers hereby granted, as fully and effectually as if the said Elections of all the Commissioners for the said Parishes had actually taken place.

Re-election
of Parish
Commis-
sioners within
the Year.

VII. Provided always, and be it enacted, That when and as often as any Commissioner or Commissioners so elected, by the Parishioners of the said respective Parishes, shall die or remove out of the said City and County of the same, then and in every such Case it shall and may be lawful to and for the Parishioners of the Parish or Parishes by whom such Commissioner or Commissioners was or were elected, and they are hereby required, in Manner and Form aforesaid, to elect another Person or Persons in the room or stead of the Commissioner or Commissioners so dying or removing, and so *toties quoties*; and every Person so elected shall have the same Powers and Authorities until the Monday in Easter Week

Week following, for putting this Act into Execution, as the Person in whose room or stead he shall be so elected had or was vested with; and on that Day shall in like Manner cease to be a Commissioner or Commissioners for putting this Act into Execution: Provided also, that nothing herein contained shall extend, or be construed to extend, so as to prevent or hinder the said Parishioners of the said respective Parishes from re-electing any Person or Persons who shall have acted as a Commissioner or Commissioners in the Execution of this Act, for the Purpose of again acting as such Commissioner or Commissioners.

VIII. Provided always, and be it enacted, that no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be resident in the said City of *Norwich* or County of the same, and shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Thirty Pounds, or possessed of or entitled to a Personal Estate of Five Hundred Pounds; and if any Person not being so qualified, shall presume to act in the Execution of this Act, then and in every such Case every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty on Proof given of his having acted as a Commissioner in the Execution of this Act.

Qualification
of Commis-
sioners.

IX. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (save and except in appointing the first Meeting to be holden in pursuance of this Act, in case the same shall not be holden on the Day herein appointed, and in administering the Oath herein mentioned to the other Commissioners) until he shall have taken and subscribed an Oath before any Two or more of the said Commissioners, at a public Meeting to be holden by virtue of this Act, who are hereby authorized and required to administer the same; and such Oath shall be in the Words following, *videlicet*:

Commis-
sioners to
take an
Oath.

‘ I *A. B.* do swear, That I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me in and by an Act of Parliament, made in the Forty-sixth Year of the Reign of King *George* the Third, intituled, “ An Act [*here insert the Title of this Act*] without Malice or Prejudice, Favour or Affection, to any Person or Persons whomsoever. ‘ So help me G O D.’

X. Provided always, and be it further enacted, That no Commissioner hereby appointed, or hereafter to be appointed as aforesaid, shall be capable of acting or voting as such during the Time he shall enjoy any Office of Profit under the said Commissioners; or be concerned in any Contract made by virtue of this Act, or in any Case wherein he shall be personally interested; and that at all Meetings to be holden in pursuance of this Act, the Commissioners shall defray their own Expences: Provided

No Commis-
sioners to act
while in
Office or un-
der Contract.

[*Loc. & Per.*]

15 N

always,

Commissioners may act as Justices.

always, that it shall and may be lawful to and for such of the said Commissioners as shall be in the Commission of the Peace, to act as Justices in the Execution of this Act, within their several and respective Jurisdictions, notwithstanding their being Commissioners.

Meetings of Commissioners without Notice.

XI. And be it further enacted, That the said Commissioners shall meet and assemble at the Guildhall of the said City of *Norwich*, upon the Tuesday Month next after passing this Act, between Ten and Twelve in the Forenoon, in order to put this Act into Execution; and shall afterwards meet at the same Place, and between the Hours aforesaid, on the Second Tuesday in every Month for the Purpose of carrying this Act into Execution, without any Notice being given to the said Commissioners of such Meeting.

Commissioners may adjourn Meeting.

on giving Notice.

XII. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, to adjourn for any longer or shorter Space of Time than the Month immediately subsequent to the last Meeting, or to any other Place or Places than the said Guildhall, but then and in every such Case, Notice of such Adjournment in Writing (or printed) to which Notice the Name of the Clerk to the said Commissioners shall be affixed, shall be given to or left for the said Commissioners at their respective Places of Abode, Two Days at least before every such Meeting.

No Act valid unless at a Meeting.

XIII. And be it further enacted, That no Act of the said Commissioners shall be or be deemed to be good or valid, unless made and done at a Meeting to be holden as aforesaid by virtue of this Act (except as may be herein excepted) and all the Powers and Authorities by this Act granted to, or vested in the said Commissioners, shall from Time to Time be exercised by the Major Part of them present at any public Meeting, the Number present at such Meeting not being less than Five (except in such Cases where by this Act a greater Number is required) and all the Orders and Proceedings of the Major Part of such Commissioners, present at such Meetings, shall have the same Force and Effect as if the same were made or done by all the said Commissioners for the Time being; and at every such Meeting, One of the Commissioners, to be appointed by a Majority of Commissioners present, shall be Chairman; and in all Cases the said Commissioners shall vote by Ballot, in case the same shall be desired by any Three or more of the Commissioners then present; and in Case of an equal Number of Votes upon any Question, including that of the Chairman, such Chairman shall have the decisive or casting Vote; and no Order made by the said Commissioners at any Meeting shall be revoked unless at a subsequent Meeting, where Nine Commissioners at least shall attend.

Proceedings to be entered in a Book.

XIV. And be it further enacted, That there shall be provided and kept a proper Book or Books, in which fair and regular Entries shall be made of all Acts, Orders, and Proceedings, relative to the Execution of this Act, and the Names of the Commissioners who shall be present at the respective Meetings, to be holden in pursuance of this Act: and such Entries being signed by the Chairman of each respective Meeting, or by the Clerk to the said Commissioners, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Cases, Suits,

Suits, and Actions, touching or concerning any Thing done in pursuance of this Act; and such Book and Books shall, at all the Meetings of the said Commissioners, be open and liable to their Inspection, and to the Inspection of all Persons affected by this Act, without Fee or Reward,

XV. And be it further enacted, That in the Month of March in every Year, a true Account shall be made and written of all Monies received and paid during the preceding Year, ending upon the Thirty-first Day of December, by virtue of this Act; and stating to and from whom the same has been paid or received, and for what Purposes; and a Copy or Duplicate of such Account shall be deposited with the Clerk to the said Commissioners, who shall permit any Person or Persons who shall pay any Rate or Assessment to be levied and collected by virtue of this Act, or any Person on his, her, or their Behalf, to inspect the same at seasonable Times, paying the Sum of One Shilling and no more for every such Inspection; and the said Clerk shall, upon Demand, forthwith give Copies of the same, or any Part thereof, upon being paid at the Rate of Three Pence for every One hundred Words, and so in proportion for a less Number of Words; and an Abstract of such Yearly Accounts shall be yearly printed, and one Copy thereof sent to each of the said Commissioners, and to the Churchwardens of the respective Parishes, for the Inspection and Perusal of the Parishioners.

Accounts to
be made out
Annually,

XVI. And be it further enacted, That the said Commissioners shall and may from Time to Time, whenever they shall think necessary, by writing under their Hands, appoint and employ a Treasurer and Clerk, and Assessor or Assessors, Collector or Collectors of the Rates and Assessments herein mentioned, and also a Surveyor or Surveyors, and such other Officer and Officers, Person and Persons, for the Execution of this Act, as they the said Commissioners shall think proper, and from Time to Time remove them or any of them; and in like Manner appoint others in the room of those removed, and out of the Money to be raised by virtue of this Act, pay such Salaries, Wages, or Allowances, to the said Officers and other Persons as they the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby required to take such Security from such Treasurer, Collector, and other Officers, as they the said Commissioners shall think reasonable; 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 to such Person or Persons as they shall appoint, true and perfect Accounts in Writing, of all Matters and Things committed to their Charge, and of all Money which shall have been received by such Officers and Persons respectively, by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the Vouchers for such Payments, and shall pay all such Money 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 shall upon Oath (which Oath the said Commissioners, or any Two or more of them, are hereby empowered and required to administer) verify their said Accounts; and if any such Officer or Person shall refuse or wilfully neglect to make and render, or to verify upon Oath any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver

Officers to be
appointed;

Officers to
account.

deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days next after being thereunto required by the said Commissioners, or any Five or more of them, by Notice in Writing, to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act, to give Satisfaction to the said Commissioners respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or any Two or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to Two or more Justices of the Peace for the County, City, or Place, wherein such Officer or Person so neglecting or refusing shall reside or be, such Justices may and they are hereby authorized and required, by a Warrant under their Hands and Seals, to cause the Officer or Person so refusing or neglecting to be brought before them, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justices that any of the Money which shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Person, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if it shall in Manner aforesaid appear to such Justices that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings, relative to the Execution of this Act, shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid, such Justices shall commit such Offender to the Common Gaol or House of Correction, there to remain, without Bail or Mainprize, until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners, or any Five or more of them, are hereby empowered to make and receive) and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners: Provided that no Person who shall be committed by virtue of this Act, on account of his not having sufficient Goods or Chattels shall be detained in Prison for any longer Term than Six Months: Provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Person, Officers or Persons, and his and their Surety and Sureties, shall still remain liable to the Payment thereof in the same Manner as if such Officer or Person, Officers or Persons, had not been committed to Prison.

XVII. And be it further enacted, That the Treasurer to the said Commissioners for the Time being shall and may, and he is hereby authorized and required, out of the Money to be collected and received by him under and by virtue of this Act, to pay all Sums of Money for which the said Commissioners, or any Five or more of them, shall draw upon him, or which they shall order him to pay; and the said Treasurer shall and he is hereby required to keep regular and clear Entries in a Book or Books to be for that Purpose provided, of all and singular his Receipts and Payments on account of or in pursuance of this Act, and shall once at least in every Year produce the said Accounts, to be audited by the said Commissioners at some Meeting to be holden in pursuance of this Act.

Treasurer to pay to the Order of the Commissioners.

XVIII. 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, flagging, repairing, cleansing, and lighting the several Markets, Streets, Lanes, public Passages and Places within the said City, 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, Ten Days Notice at the least shall be given in some public Newspaper printed in the said City of *Norwich*, 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.

XIX. 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 Two Years from the Time of entering into such Contract or Contracts.

Contracts not to be entered into for more than Two Years.

XX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from time to time and at all Times hereafter, to compound and agree with any Person or Persons on account of any Breach or Nonperformance of such Contract or Contracts, for such Sum or Sums of Money as they the said Commissioners shall think proper, so as the Sum so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract or Contracts, and all Costs, Charges, and Expences, which shall be occasioned thereby.

Commissioners may compound for Breach of Contracts.

XXI. 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 are to be completed, and the Penalties to be suffered in Case of Nonperformance 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.

Pavements,
&c. vested in
the Commis-
sioners.

XXII. And be it further enacted, That all the present and future Pavements in the several Markets, Streets, Lanes, and other public Passages and Places within the said City, and the Stones, Gravel, and other Materials, of which, as well the Footways as Carriageways of such Markets, Streets, Lanes, and other public Passages and Places, do and shall consist; and also all the Dirt, Dust, Dung, Ashes, and Filth to be swept, gathered, and collected in or from those Places, or any of them; and also all Lamps, Lamp Irons, Lamp Posts, Watch Boxes, Watch Houses, and other Houses and Buildings which now are or shall hereafter be used, erected, or fixed up by virtue of this Act, and all Materials, Implements, and other Things which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of, and are hereby vested in the said Commissioners; and the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy the several Articles and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively, it shall be, and be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners for the Improvement of the City of *Norwich*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from time to time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles and Things, or any Part or Parts of the same respectively, to such Person or Persons, and in such Manner as they the said Commissioners shall think proper.

Penalty on
damaging
Materials.

XXIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break up, injure, destroy, or otherwise damage any of the Articles or Things hereby vested in the said Commissioners, or any of the Works done by them in pursuance of this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Where Ma-
terials for
paving may
be lodged.

XXIV. And be it further enacted, That during the Time any Market, Street, Lane, public Passage, or Place shall be new paving, flagging, or repairing, or any of the Grates, Drains, or other Sewers therein, shall be altering or repairing, the said Commissioners shall have Power to order the necessary Materials to be lodged in that or any adjoining Market, Street, Lane, public Passage, or Place, or Markets, Streets, Lanes, public Passages, or Places, according to their Discretion; as also to stop up the Way through that or any adjacent Market, Street, Lane, public Passage, or Place, so long as they shall judge necessary; and the said Commissioners, and all Persons acting under the Direction of the said Commissioners, are hereby indemnified from any Prosecution or Action whatsoever for so doing.

Paviors and
Carters to be

XXV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from time to time to appoint such and so

so many Paviers, Artificers, Workmen, Labourers, Carters, and others, and also to purchase any Horses, Carts, Tools, and Implements, as they shall judge necessary for the Purpose of carrying this Act into Execution. appointed, and Horses, &c. purchased.

XXVI. Provided always, and be it enacted, That if any Money shall be due or owing to the Mayor and Aldermen of the said City, or their Treasurer, for or on account of the lighting of the said City, under and by virtue of the Provisions of the said recited Act, made in the Tenth Year of the Reign of Queen Anne, such Money shall be paid to the said Mayor and Aldermen, or their Treasurer by the said Commissioners, out of the Monies to be raised, levied, and collected by virtue of this Act: Money due to the Mayor for lighting to be paid.

Provided also, that it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, by and out of the Monies to be raised by virtue of this Act, to pay and allow unto such Person and Persons, and to every of them, as shall before the passing of this Act have new paved any Part or Parts of the Footways in the Markets of the said City, or in any of the Streets, Lanes, public Passages or Places of the same, such Sum or Sums of Money, as the said Commissioners shall judge reasonable, for such new Foot Pavements, in case the same shall be deemed by the said Commissioners complete and proper to remain without Alteration, or as the Materials used in such new Foot Pavement, in case it shall be deemed by the said Commissioners necessary to be taken up and relaid shall be worth; and also any Watch Boxes, Lamps, and Lamp Irons, being private Property; and in case of any Difference between the said Commissioners and such Person or Persons, respecting the Sum or Sums of Money so to be paid by the said Commissioners, then and in every such Case it shall and may be lawful to and for any Two of the Justices of the Peace for the said City of *Norwich*, and County of the same, on Seven Days Notice in Writing given by the said Commissioners, to such Person or Persons, or left at his, her, or their last or usual Place or Places of Abode, or given by such Person or Persons to the Clerk to the Commissioners, to hear, settle, and determine the Sum or Sums of Money to be paid by the said Commissioners for or on account of such new Foot Pavements, Watch Boxes, Lamps, and Lamp Irons; and the Judgment and Order of the said Justices therein shall be final and conclusive upon all Parties. Allowance to be made to Persons who have made any new Pavement before the passing this Act.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time and at all Times hereafter; when they shall think proper, to order and direct all or any of the several Streets, Markets, Lanes, public Passages and Places of the said City, or any Part or Parts thereof, to be new paved, flagged, repaired, and amended, and the Pavements and Flagging thereof to be taken up and relaid, and the Ground thereof to be raised, lowered, or altered, from Time to Time, in such Manner and with such Materials as they shall think fit; and to cause to be cut or made in, through, over, or under any such Markets, Streets, Lanes, public Passages and Places, any new Sewers, Drains, Sinks, Gutters or Watercourses and Grates, to be placed for conveying the Water from such Markets, Streets, Lanes, public Passages and Places, in such Manner as they shall think proper; and it shall and may be lawful to and for the said Commissioners to take up and remove, or cause to be taken up and removed, all or any Posts, Rails, Palés, or Trees, in such Markets, Streets, Lanes, public Passages or

Commissioners empowered to pave, &c.

or Places, or any of them, as they the said Commissioners shall judge usefess, or to be a Nuisance either to Foot Passengers or Carriages.

Commissioners to make Cesspools, &c. into the present Sewers.

XXVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners to make or cause to be made proper Cesspools, Sinks, Gutters, Drains, and Watercourses, for conveying the Water off and from the several Streets, Markets, Lanes, Passages and Places, and the several Houses and Buildings within the said City, into the present public and private Sewers within the said City, making good any Damage that may be occasioned thereby; but the said present public and private Sewers shall be from Time to Time and at all Times repaired and renewed by the Person and Persons, and by and out of such Fund or Funds as is and are now liable to and chargeable with the repairing and renewing the same.

No Person to alter the Pavement.

XXIX. And be it further enacted, That if any Person or Persons shall take up or cause to be taken up, or make or cause to be made, any Alteration in the Form of the Pavement or Flagging, or of any Part thereof, in any of the said Streets, Markets, Lanes, public Passages or Places within the said City of *Norwich*, without the Consent or Direction in Writing thereto of the said Commissioners, or any Five or more of them, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds; and in case the Person or Persons so taking up or altering any such Pavement or Flagging, or any Part of the same respectively, shall not, within Seven Days after Notice in Writing by the Surveyor to the said Commissioners, given to or left at the last or usual Place or Places of Abode of such Person or Persons, cause the same Pavement or Flagging respectively which shall have been so altered or taken up, to be reinstated and put into its former State, then and in every such Case the Surveyor to the said Commissioners shall cause the same to be so done, and the Costs and Charges thereof shall be borne and paid by the Person or Persons who shall have taken up or altered such Pavement or Flagging, or any Part thereof respectively; and in case of Nonpayment thereof on Demand to the said Surveyor, or other Person acting by or under the Authority of the said Commissioners, such Costs and Charges shall and may be levied and recovered in such and the like Manner as any Penalty is by this Act directed to be levied and recovered.

For repairing the Pavement when broken by Water Pipes or decayed, &c.

XXX. And be it further enacted, That whenever the Pavement or Flagging of any of the said Markets, Streets, Lanes, public Passages or Places within the said City, shall be broken up for the Purpose of laying, altering, or repairing, any Water Pipe or Pipes, Plug or Plugs or other Waterworks, or by the Defect or Decay thereof, or for the Purpose of making or repairing any Vault, Drain, or Sewer under the said Markets, Streets, Lanes, public Passages or Places, or any of them, or for any other lawful Purpose, the Person or Persons breaking up the same, or liable to the Repair of such Water Pipe or Pipes, Plug or Plugs, or Waterworks, Vault, Drain, or Sewer, and the Person or Persons for whom or by whose Order the same shall be so done, shall, and he, she, or they is and are hereby required, at their own proper Costs and Charges, to alter, lay, make, or repair, such Water Pipe or Pipes, Plug or Plugs, or other Waterworks, Vault, Drain, and Sewer, without the least Delay, and forthwith afterwards to relay and amend and repair the Pavement of the said

faid Market, Street, Lane, public Passage or Place 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 Default thereof it shall and may be lawful to and for the Surveyor to the said Commissioners, or any Person or Persons acting by or under the Authority of the said Commissioners, to repair, amend, and make good the Market, Street, Lane, public Passage or Place so broken up, and the Costs and Charges thereof shall be borne and paid by the Person or Persons by whom or by whose Order such Market, Street, Lane, public Passage or Place, or any Part thereof, shall have been so broken up; and in Default of Payment thereof for Seven Days next after Demand shall be made by such Surveyor, or other Person acting by or under the Authority of the said Commissioners, such Costs and Charges, together with any Sum not exceeding Ten Shillings by way of Penalty, shall and may be levied and recovered in such and the like Manner as any Penalty can or may be levied and recovered by virtue of this Act, from the Person or Persons so making such Default.

XXXI. And be it further enacted, That if for the Purposes of this Act, it shall at any Time or Times be deemed necessary or expedient by the said Commissioners to raise, sink, or otherwise alter the Situation of any Water Pipe or Pipes, Plug or Plugs, or other Waterworks within the said City, it shall and may be lawful to and for the said Commissioners, and they are hereby empowered so to do, or cause the same to be done, when and as often, and as and in such Manner, and in such Place or Places as they the said Commissioners, or any Five or more of them, shall think right and proper; provided that the Water Pipe or Pipes, Plug or Plugs, or other Waterworks, be not injured thereby, or the Water prevented from flowing in its proper Channel; and the Costs, Charges and Expences attending such raising, sinking, and altering, shall be paid out of the Money arising by virtue of this Act by the said Commissioners.

Situation of Water Pipes may be altered at Expence of the Commissioners.

XXXII. Provided always, and be it further enacted, That if by the new paving or repairing any of the said Markets, Streets, Lanes, public Passages or Places, any Damage or Injury shall be done to any Pipe or Pipes used or to be hereafter used for the Conveyance of Water for the Use of the Inhabitants of the said City, or to the Plug or Plugs, or any other Work belonging thereto, then and in every such Case, such Damage or Injury shall be made good as soon as Circumstances will admit, and the Costs, Charges, and Expences thereof, shall be paid by the said Commissioners, by and out of the Monies arising by virtue of this Act; and in case any Damage or Injury shall be done to the Pavement or Flagging in any of the said Markets, Streets, Lanes, public Passages or Places, by the Failure of repairing, or by the repairing of any of the said Water Pipes, Plugs, or other Waterworks, such Damage or Injury shall be made good as soon as the Circumstances will admit, and such Repairs shall be done and performed by the Surveyor to the said Commissioners, or by such Person or Persons as shall be appointed by the said Commissioners for such Purpose, and the Costs, Charges, and Expences thereof shall be borne and paid by the Person or Persons who shall occasion such Damage or Injury; and in default of Payment thereof on Demand made by the said Surveyor, or other Person acting by or under the Authority of the said Commissioners; such Costs, Charges, and Expences shall and

Recompence to be made for Damage done to or by Water Pipes.

[Loc. & Per.]

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may

may be levied and recovered in such and the like Manner as any Penalty can or may be levied or recovered by virtue of this Act, from the Person or Persons who shall have occasioned such Damage or Injury.

Streets to be
named.

XXXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby empowered to describe and determine the Limits of the several Markets, Streets, Lanes, public Passages and Places within the said City, in such Manner as they shall think proper, and shall and may paint, engrave, or describe, or cause to be painted, engraved, or described, on a conspicuous Part of some House or other Building at or near the Corner of every such Market, Street, Lane, public Passage, and Place, the Name by which such Market, Street, Lane, Passage, or Place, now is or shall be called, and may order and direct the several Houses, Shops, Warehouses, and Buildings within the said several Markets, Streets, Lanes, public Passages and Places, or any of them, to be numbered with Figures, painted or placed on the Door of every such House, Shop, Warehouse, or other Building, or such other Part thereof as the said Commissioners shall think proper; and if any Person shall wilfully destroy, obliterate, or deface any of such Numbers or Names, or any Part thereof, or cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on
Owners not
restoring
Numbers.

XXXIV. And be it further enacted, That when any such Number or Numbers, Figure or Figures, painted or put on any House, Shop, Warehouse, or other Building within the said City, shall be defaced or rubbed out, the Owner or Owners, Occupier or Occupiers of such House, Shop, Warehouse, or other Building, where the Number or Numbers, Figure or Figures, shall have been so defaced or rubbed out, shall, upon personal Notice given to him, her, or them, or upon Notice in Writing left at such House, Shop, Warehouse, or other Building, signed by the Clerk to the said Commissioners, cause the same Number or Numbers, Figure or Figures, to be in the same or like Manner painted or put on such House, Shop, Warehouse, or other Building, within Seven Days after such Notice; and in Case of Neglect or Refusal to comply with such Order, every such Owner or Occupier shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Power to take
Materials.

XXXV. And be it further enacted, That the Surveyor appointed by the said Commissioners by virtue of this Act, or such Person or Persons as the said Commissioners, or such Surveyor shall employ or appoint, having an Order in Writing for that Purpose, made at a Meeting of the said Commissioners, and subscribed by their Clerk, is and are hereby authorized to search for, dig, cut, gather, take, and carry away any Stone, Gravel, Clay, Sand, Chalk, or other Materials, for the Purpose of paving, flagging, mending, or repairing any of the said Markets, Streets, Lanes, public Passages or Places, out of or from any Lands and Grounds situate in the said City of *Norwich*, and County of the same (not being a Yard, Garden, Orchard, Park, Paddock, Lawn, Pleasure Ground, Avenue, or a Nursery for Trees) such Surveyor or other Person or Persons, paying or tendering to the Owners and Occupiers of such Lands and Grounds for such Materials, and for Damage done to such Lands or Grounds, such Recompence or Satisfaction as shall be agreed upon by
the

the said Commissioners and such Owners and Occupiers, or (in Case of any Difference touching the Amount of such Recompence or Satisfaction) as shall be settled and determined by the Justices assembled at a General Quarter Session of the Peace for the said City and County, who shall in a summary Way settle and determine the same, and award Costs to either Party, and the Judgment or Order of such Justices therein shall be final and conclusive to all Parties; and the said Commissioners shall have full Power and Authority to cause to be dug, carted, and carried out of or brought into the said Markets, Streets, Lanes, and public Passages and Places, such Gravel, Stones, Clay, Chalk, Sand, and other Materials:

XXXVI. Provided always, and be it further enacted, That it shall not be lawful for any Person under the Authority of this Act, to dig, gather, take, or carry away any Materials for any of the Purposes aforesaid, from any inclosed Lands, until Notice in writing, under the Hands of Five or more of the said Commissioners, shall have been given to the Occupier of such Lands, or left for him at his usual Place of Residence, to appear before the said Commissioners, or Two Justices of the Peace for the said City of *Norwich*, at such Time and Place as shall be mentioned in such Notice to shew Cause why such Materials should not be had from such Lands, and in case such Occupier shall attend pursuant to such Notice, the said Commissioners or Justices shall, if they think fit, after having heard the Matter, authorize any such Person as aforesaid to dig, gather, take, and carry away such Materials, at such Time or Times as the said Commissioners or Justices shall think proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent, the said Commissioners or Justices shall and may make such Order as they respectively shall think fit, as fully and effectually, to all Intents and Purposes whatsoever, as if such Occupier or his Agent had attended.

Notice to be given before Materials are taken.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, from time to time, and at any Time or Times after the passing of this Act, to purchase and provide such and so many Glass Lamps of such Sorts and Sizes, and such and so many Lamp Irons and Lamp Posts, and Matters and Things for lighting such Lamps, as they shall judge necessary, and to direct the same to be affixed or set up on or against the Walls or Palisades of all or any of the Houses, Tenements, or Buildings, or against any other Walls within the said City, or in any other Manner they shall think proper and convenient, and to be taken down, altered, or renewed, when and as often as they shall think fit, and to cause such Lamps or any of them to be lighted at such Seasons of the Year, on such Evenings, and such Hours of the Evening, and to be kept burning for so many Hours, as shall to them the said Commissioners seem necessary or proper, for the well and sufficient lighting of all or any of the said Markets, Streets, Lanes, public Passages, or Places within the said City.

Lamps to be set up.

XXXVIII. And be it further enacted, That if any Person or Persons shall wilfully break, take away, throw down, or otherwise destroy or damage any Lamp or Lamps already erected, or which shall be erected, by or by Order of the said Commissioners, or by any Person or Persons, at his, her, or their own Expence, for the Purpose of lighting any of the said Markets, Streets, Lanes, public Passages or Places, or any Post, Iron, Cover,

Penalty for breaking Lamps.

Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, it shall and may be lawful to and for any Justice of the Peace of the City of *Norwich*, and he is hereby required, upon Complaint to him made by any one or more credible Witness or Witnesses, of any such Offence, to issue a Warrant for apprehending the Party or Parties accused, or it shall and may be lawful to and for any Person or Persons who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said City of *Norwich*; and on the Party or Parties accused being brought before such Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses, who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their Confession, or upon such Evidence as aforesaid, then and in every such Case he, she, or they shall for each and every such Offence respectively; and if more than one, shall severally forfeit and pay any Sum not exceeding Five Pounds, and shall besides make full Satisfaction (to be ascertained by such Justice) to the said Commissioners or other Party injured, for the Damage so done; and in case such Offender or Offenders shall not upon Conviction, forthwith pay such Penalty by him, her, or them incurred, and also such Satisfaction as aforesaid such Justice is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction of the said City, there to be kept to hard Labour for any Time not exceeding Six Calendar Months: and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Penalty and Satisfaction as aforesaid shall be sooner paid and given.

For negligently breaking Lamps.

XXXIX. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, throw down, or otherwise destroy or damage any Lamp or Lamps being out or set up by the Order of the said Commissioners, or by any Person or Persons at his, her, or their private Expence, or any Post, Iron, Cover, or Furniture thereof respectively, and shall not, upon Demand, make Satisfaction for the Damage so done, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the said City, and he is hereby required, upon Complaint thereof made by one or more credible Witness or Witnesses, by Warrant under his Hand, to summon before him the Party or Parties complained of for doing such Damage; and upon his, her, or their appearing, or making Default to appear (Oath having been made that the Party complained against had been served with such Summons, or that the same had been left at his, her, or their usual Dwelling or Place of Abode, if known, or that he, she, or they could not be found) such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by Confession of the Party, or the Oath of one or more Witness or Witnesses, shall award and order such Satisfaction to be made by the Party or Parties complained against for the Damage so done, to the said Commissioners, or other Owner or Owners of such Lamp or Lamps, as to such Justice shall appear just and reasonable; and in case the Sum so awarded shall not be paid forthwith, it shall and may be lawful

ful to and for such Justice, and he is hereby required, to cause the same to be levied and recovered as any Fine or Penalty can or may be levied and recovered by virtue of this Act.

XL. And be it further enacted, that the said Commissioners shall and they are hereby required, from time to time, to appoint such Number of able-bodied Men as they shall judge proper to be employed as Watchmen within the said City during the Night Time, under such Regulations and subject to such Orders as the said Commissioners shall make and give from time to time in that Behalf, and to provide proper Watch Houses, Watch Boxes, or Places for the Reception of such Watchmen, and for the safe Custody of such Persons as may be apprehended by such Watchmen while on Duty, and to pay such Watchmen reasonable Wages or Allowances; and also to appoint one or more fit Person or Persons in the stead of any Watchman or Watchmen who shall die, or who shall be discharged from his or their Office for Neglect of Duty or other Misbehaviour in Office; and also to impose from time to time any Fine, not exceeding Ten Shillings, on any Watchman or Watchmen for every such Neglect or other Misbehaviour (such Fine to be deducted out of the Wages of such Watchman or Watchmen) and from time to time to make such Orders and Regulations as they the said Commissioners shall judge expedient, for the better Government of the Watchmen to be so appointed; and to repeal such Orders and Regulations, or any of them, and to substitute others; and it shall and may be lawful to and for such Watchmen, and they are hereby required, in their respective Stations, to apprehend and secure in some proper Place or Places of Security to be for that Purpose appointed within the said City, all Malefactors, Rogues, Vagabonds, and Disturbers of the public Peace, and all suspected Persons who shall be found wandering or misbehaving themselves during the Hours of keeping Watch, and to conduct all such Persons, as soon as conveniently may be, before some Justice of the Peace for the said City, to be examined and dealt with according to Law.

Commis-
sioners to
appoint
Watchme.

XLI. And be it further enacted, That if any Victualler or Keeper of any Public House shall knowingly harbour or entertain, or suffer to remain in his or her Public House, any such Watchmen as aforesaid, during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper shall, on Conviction, forfeit and pay any Sum not exceeding Ten Shillings, and for the Second and every other Offence of the same Kind, any Sum not exceeding Twenty Shillings.

Penalty on
Victuallers
harbouring
Watchmen
on Duty.

XLII. 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 the Watchmen respectively to be appointed as aforesaid, who may be disabled or wounded in the Execution of their Office, as they the said Commissioners shall think reasonable, such Money to be paid out of the Monies to be raised for the Purposes of this Act.

Power to re-
ward disa-
bled Watch-
men.

XLIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, to nominate and appoint any Person or Persons, and to purchase any Cart or Carts, or other Carriage or Carriages, and also any Horse or Horses, for the Purpose of cleansing the several Markets, Streets, Lanes, Passages and

Commis-
sioners may di-
rect the
Streets to be
cleaned.

[Loc. & Per.]

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Places

Places within the said City, and of carrying away the Dust, Dirt and Soil thereof; or it shall and may be lawful to and for the said Commissioners to contract with any Person or Persons for cleansing the same, and for carrying away the Dust, Dirt, and Soil thereof.

No Person to take away Dirt, &c. but the Contractor.

XLIV. And be it further enacted, That if any Person or Persons whosoever, other than the Person or Persons employed by or contracting with the said Commissioners for cleansing the several Markets, Streets, Lanes, public Passages or Places within the said City, or the Person or Persons employed by or acting under the Direction of the Person or Persons so contracting as aforesaid, shall take or carry away, or cause to be taken or carried away any Dirt, Dust, Dung, Ashes, or other Filth, out of any of such Markets, Streets, Lanes, or other public Passages or Places as aforesaid, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Persons may keep the Dust, Dung, &c. occasioned within their own Premises.

XLV. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to any Ashes, Cinders, Dust, Dirt, Filth, Soil, Dung, or Rubbish, which any of the Inhabitants of the said City shall occasion, and think fit to preserve and keep within their own respective Houses, Yards, and Gardens, but the same shall respectively belong to, and be at the Disposal of the Person or Persons so reserving the same, so as such Ashes, Cinders, Dust, Dirt, Filth, Soil, Dung, or Rubbish, be not laid down or placed in any or either of the said Markets, Streets, Lanes, public Passages or Places in the said City, for any longer Time than shall be necessary for the loading and carrying away the same, nor suffered to annoy the Neighbour or Neighbours of such Person or Persons; but in case such Person or Persons so reserving such Ashes, Cinders, Dust, Dirt, Filth, Soil, Dung, or Rubbish, shall wilfully or negligently permit or suffer the same to lay in any of the said Markets, Streets, Lanes, public Passages or Places, in the said City, for any longer Time than Two Hours, for the Purpose of loading and carrying away the same, or shall suffer the same to annoy his or their Neighbour or Neighbours, or permit or suffer the Soil or Contents of any Privy or Necessary-house to remain in any of the said Markets, Streets, Lanes, public Passages or Places, after the Hour of Eight in the Morning, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings; and it shall and may be lawful for the Person or Persons to be appointed by or contracting with the said Commissioners for cleansing the said Markets, Streets, Lanes, public Passages and Places, and they are hereby authorized and directed to take and convert such Ashes, Cinders, Dust, Dirt, Filth, Soil, Dung, and Rubbish, to his or their own Use and Uses, and to sell and dispose of the same, without rendering any Satisfaction for the same.

Power to remove Projections and Encroachments.

XLVI. And be it further enacted. That it shall and may be lawful to and for the said Commissioners to take down, take away, remove, alter, or regulate, in such Manner as they shall from Time to Time judge proper, all Signs or other Emblems used to denote the Trade, Occupation, or Calling of any Person or Persons, and all Sign Irons, Sign Posts, and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow and other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Shew Glasses and Shew Boards, Pools, Cefs-

Cesspools, Cisterns, and Reservoirs for Water, 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 Judgment of the said Commissioners, obstruct the free and commodious Passage along the Carriage or Footways of any of the said Markets, Streets, Lanes, public Passages or Places, of or within the said City; 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 Expences, attending the taking down, taking away, removing, altering, or regulating such Signs, Sign Irons, Sign Posts, and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Shew Glasses, Shew Boards, Pools, Cesspools, Cisterns, and Reservoirs, for Water, 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.

XLVII. Provided always, That if the said Commissioners shall cause to be taken up or removed any Stumps, Posts, or other Guards, at the Corner of any House or Building, forming a Corner of any Street or Lane, for the Protection of such House from Injury by Carriages, they the said Commissioners shall, by some other proper Ways or Means, sufficiently guard or protect the same from Damage as aforesaid; and in case any Damage shall at any Time happen to any such House, by reason of taking up or removing any such Stumps, Posts, or other Guards, by the said Commissioners, they the said Commissioners shall, from time to time, make good such Damage out of the Monies to be raised by virtue of this Act.

XLVIII. And be it further enacted, That if any House or other Building in or near any Market Place, Street, Lane, or other public Passage or Place within the said City, shall, after the passing of this Act, be made, erected, or built in such Manner or Form as in the Front, or in any of the Gables or Sides thereof, to project into or over such Market, Street, Lane, or other public Passage or Place, or in any other Manner or Form than in a perpendicular Line or Direction upwards from the Foundation of such House or Building; or if any Spout, Pipe, or Trunk for conveying Water from the Roof, Eaves, or Cornices of any House or other Buildings in any Market, Street, Lane, or other public Passage or Place in the said City, shall be affixed otherwise than from the Roofs, Eaves, or Cornices thereof, by such Spouts, Pipes, or Trunks on the Fronts or Sides of such Houses or Buildings respectively, and brought down to the Ground; or if any Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow Window, or other projecting Window, Window Shutter, Stump, Rail, Pale, Palisade, Porch, Bulk, Shew Glass, Shew Board, Pool, Cesspool, Cistern, or Reservoir for Water, or any other Encroachment or Projection against or in the Front or Outside of any House or other Building within or adjoining to any Market, Street, Lane, public Passage or Place, within the said City, shall be made, erected,

Protection for
Corners of
Buildings.

For prevent-
ing future
Projections.

erected, or built, so as to obstruct the free and commodious Passage along the Carriage or Footways of the same, then and in every such Case the Owner and Owners of every such House and other Building, Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow, or other projecting Window, Window Shutter, Stump, Rail, Pale, Palisade, Porch, Bulk, Shew Glass, Shew Board, Pool, Cesspool, Cistern, or Reservoir for Water, or other Encroachment or Projection which shall be so made, erected or built as aforesaid, or of every such Spout, Pipe, or Trunk, which shall be so made or affixed otherwise than as aforesaid, contrary to this Act, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings a Day for every Day such House or other Building, Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutter, Stump, Rail, Pale, Palisade, Porch, Bulk, Shew Glass, Shew Board, Pool, Cesspool, Cistern, or Reservoir for Water, Spout, Pipe, or Trunk, or other Encroachment or Projection, shall continue in such State as is herein provided against; and it shall and may be lawful to and for the said Commissioners (whether any such Penalties or Forfeitures shall be levied or not) to cause all such Houses and other Buildings, Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Bow Windows, or other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Shew Glasses, Shew Boards, Pools, Cesspools, Cisterns, and Reservoirs for Water, Spouts, Pipes, Trunks, and other Encroachments and Projections, or any of them, to be taken down, removed, and taken away.

Drivers of Carriages punishable for Misbehaviour or Negligence in order to prevent Accidents.

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

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

L. And be it further enacted, That if any Person or Persons shall upon any of the Footways or Foot Pavements within the said City, run, draw, drive or carry thereon any Truck, Wheel, Sledge, Wheel-barrow, Hand-barrow, Bier, or Carriage whatsoever, or roll any Cask or Tub, other than for the necessary loading or unloading thereof, into, upon, from, or out of any Carriage, or for any longer Space than the Extent of the Premises in the Occupation of the Person from or to whose House or Building such Cask or Tub shall be rolled (such Premises adjoining to or having immediate Communication with such House or Building from or to which such Cask or Tub shall be rolled) or if any Person shall wilfully ride, lead, or drive any Horse or other Beast, or any Cattle whatever, on any of the said Footways or Foot Pavements, or set any Cask, Tub, Pail, Bucket, Stool, Bench, or any other Matter or Thing, so as in any Manner to cause any Obstruction or Impediment in the Footway or on the Foot Pavement, or shall in any Market, Street, Lane, or other public Passage or Place within the said City, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, or make or repair any Coach, Chaise, Waggon, Sledge, or other Carriage (except such as may want immediate Repair from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose); or if any Person shall hang out, or cause to be hung out any dyed or other Cloth or Linen for the Purpose of airing or drying the same upon or from any Window, other than Garret or Attic Windows, within any Market, Street, Lane, public Passage or Place within the said City; or if any Person shall in any Market, Street, Lane, or other public Passage or Place within the said City, shoe, bleed, or farrier any Horse or other Beast or Cattle (except in Cases of Accident); or if any Person shall make or assist in the making of any Bonfire (except by the Permission of the Mayor of the said City for the Time being, or in his Absence of the Deputy Mayor appointed by him) or let off or fire any Gun, Pistol, Serpent, or Rocket, or throw any Cracker, Squib, or other Firework; or if any Person shall kill or slaughter, or shall scald, finge, dress, or cut up any Animal, either wholly or in Part, in any of such Streets, Lanes, public Passages or Places, or cause or permit any Blood to run from any Slaughter-House, Butcher's Shop or Shamble, into the same, or any of them, or shall hang up, place, or expose to Sale any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat or other Matter or Thing projecting over or in or upon the Footway or Carriageway of any such Streets, Lanes, public Passages or Places, or so as to obstruct or incommode the Passage of any

For preventing Annoyances in the Streets.

Person or Carriage therein; or shall cause any Privy or Necessary House within the said City to be emptied, except between the Hours of Eleven of the Clock at Night and Five of the Clock in the Morning, or shall commit any other kind of Obstruction or Annoyance in any such Market, Street, Lane, public Passage or Place within the said City, then and in every such Case every Person so offending in any of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings: Provided nevertheless, that nothing herein contained shall extend, or be construed to extend so as to prevent or hinder any Person or Persons from placing any Stall, Booth, Stool, Bench, or Form, for the Sale of Goods or Wares, or from exposing to Sale any Meat, Poultry, Vegetables, Fruit or any other Matter or Thing in any Market-Place within the said City, or in the usual Place of holding the Annual Fair on the usual Day and Days.

Obstructions
not to be left
in the
Streets.

LI. And be it further enacted, That if after the passing of this Act any Waggon, Cart, Dray, or other Carriage, shall be left to stand or remain in any public Street, Market, Lane, Passage, or Place within the said City, with or without Horses or other Cattle, for any Time longer than shall be necessary for unloading or loading thereof, except on Market Days and Fair Days, and on the Days of Election of Representatives for the said City, and of Knights of the Shire for the County of *Norfolk*, and then in such Places only, and under and subject to such Orders, Rules, and Regulations, as the said Commissioners shall from time to time appoint, make, establish, and direct; or if any Timber, Bricks, Lime, Stones, Slate, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares or Merchandize, or other Materials or Things whatsoever, shall be laid or placed, and left to remain in any of the said Streets, Markets, Lanes, Passages, or Places, for any longer Time than shall be necessary for moving and housing the same; or if any broken Glass or Earthen Ware, Ashes, Rubbish, Dust, Dirt, Dung, Filth, or any other Nuisance or Annoyance whatsoever, shall be wilfully thrown or cast into or laid in any of the said Streets, Markets, Lanes, public Passages or Places, then and in every such Case the Owner or Driver of every such Waggon, Cart, Dray, or other Carriage, and the Owner of any such Timber, Bricks, Lime, Goods, Wares and Merchandize, Materials, and other Things, which shall be so left or suffered to remain in any of the said Streets, Markets, Lanes, or public Passages or Places, and the Person or Persons who shall wilfully throw, cast, or lay, or cause to be thrown, cast, or laid, any broken Glass or Earthen Ware, Ashes, Rubbish, Dust, Dirt, Dung, Filth, or any other Nuisance or Annoyance, into any of the said Streets, Markets, Lanes, public Passages or Places, shall for every Offence, in any of the Cases aforesaid, forfeit and pay the Sum of Twenty Shillings: Provided nevertheless, that no Person shall be subject to any Penalty by virtue of this Act, on account of any Building Materials, Rubbish, or Dirt, being in any of the said Streets, Markets, or public Passages or Places before the House or Tenement of such Person, occasioned by the building or pulling down, rebuilding or repairing such House or Tenement, so as there be convenient Room left for Carriages to pass, and a sufficient Way kept clean for Foot Passengers, by the Person laying or occasioning such Building Materials, Rubbish, or Dirt to be laid, and so as the Owner or Occupier of such House or Tenement do cause such Materials, Rubbish, and Dirt to be removed out of such Street, Market, or Place, within a reasonable Time after such building, pulling down, or repairing shall

shall be finished, or upon Notice to be given to him or her, or left at such House or Tenement for that Purpose in Writing, signed by the Clerk to the said Commissioners, and so that during the Time the same shall be lying in such Street, Market, or Place, such Owner or Occupier shall set up and maintain a Light during the Night-time, to prevent Mischief happening to Passengers or Cattle.

LII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, Spiritual, or Lay, as shall be or be deemed to be Owner or Owners, Proprietor or Proprietors, or otherwise interested in any Building or Buildings, Erection or Erections, projecting into, over, or upon any of the Footways within the said City, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or in any other Projection or Encroachment in, over, or upon any such Footway, or in any Lands, Tenements, or Hereditaments, which the said Commissioners shall judge necessary and proper to be purchased for the improving and widening of any of the said Markets, Streets, Lanes, public Passages or Places, for the absolute Purchase of all such Buildings, Erections, Cellars, Steps, Projections, Encroachments, Lands, Tenements, or Hereditaments, or any of them.

Impowering
the Commis-
sioners to
contract for
the Purchase
of Buildings,
&c.

LIII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and all Corporations, whether Aggregate or Sole, Spiritual or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics and Idiots, or other Trustees whomsoever, not only for and on Behalf of themselves and their Successors, but also for and on Behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert; and also to and for all Femes Covert who are or shall be seized in their own Right, and to and for all Persons whether Tenants for life or Tenants in Tail General or Special, or for Years determinable on any Life or Lives, and to and for all and every Person or Persons whomsoever who are or shall be seized, possessed of, or interested in any Lands, Houses, Erections, Projections, Encroachments, Tenements, or other Hereditaments, or any Part thereof, which the said Commissioners are by this Act enabled to purchase for any of the Purposes of this Act, to treat, contract, and agree with the said Commissioners for the Sale thereof, or any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Commissioners and their Successors, for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of the said several and respective Cestuique Trusts, and all claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Feoffees in Trust, Execu-
tors,

Power for
Bodies Politic
&c. to sell.

tors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whatsoever, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Provision in
Cases of Re-
fusal or Ina-
bility to sell.

LIV. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation, whether Aggregate or Sole, Spiritual or Lay, or any Feme Covert, or any Tenant for Life, or Tenant in Tail General or Special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Person or Persons whatsoever, interested in any Building or Buildings, Erection or Erections, projecting into or upon any of the Footways within the said City, or of any Door or Doors of Cellars, or of any Steps belonging thereto, or in any other Projection or Encroachments upon any such Footway whatsoever, or in any Lands, Houses, or other Buildings, Tenements, or other Hereditaments, which the said Commissioners are enabled by this Act to purchase or treat for, shall refuse to treat, contract, or agree as aforesaid, or by reason of Absence or otherwise, shall be prevented from treating, contracting, or agreeing, or shall decline or refuse to sell, convey and dispose of the Premises whereof or wherein, or whereunto they respectively shall be so seised, possessed, interested, or entitled as aforesaid, or their respective Rights, Titles, Claims, or Interests in, to, or upon the same, or any Part thereof, unto the said Commissioners, or to such Person or Persons as they shall nominate for the Purposes; and according to the Tenor, true Intent and Meaning of this Act; or shall not, or cannot produce or make out a clear Title to the Premises they are in Possession of, or to the Interest they claim therein, to the Satisfaction of the said Commissioners; or if any Dispute or Difference shall arise touching such Purchase or Purchases, then and in every such Case the said Commissioners are hereby empowered and authorized, before any General or Quarter Sessions of the Peace to be holden for the said City, or any Adjournment thereof, to give or cause to be given to such Owner or Owners, or the principal Officer or Officers of such Bodies Politic or Corporate, or to leave or cause to be left at the House of the Tenant in Possession Thirty Days Notice in Writing, denoting and particularly describing the Lands, Buildings, Houses, Tenements, or other Hereditaments, intended to be purchased, and purporting that the Value thereof shall be adjusted and settled by a Jury at the said Sessions, or Adjournment thereof; and the Justices at the said Sessions, or any Adjournment thereof, upon Proof to them made of such Notice having been so given or left, are hereby authorized and required to charge the Grand Jury at such Session assembled, or the Jury to try Prisoners at such Sessions, well and truly, upon their Oaths, to assess the Value of the said Lands, Buildings, Houses, Tenements, or other Hereditaments, comprised in the Notice so given, and the Damage and Recompence to be awarded or given for the same to the respective Owner or Owners thereof, according to their respective Interest therein; and to which said Jury the said Commissioners, and all Persons, interested in the said Lands, Buildings, Houses, Tenements, or other Hereditaments, shall have their lawful Challenges; and the Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given concerning the Nature, Quality, or Value of the Lands, Houses, Buildings, Tenements, or other Hereditaments, so to be sold and conveyed as aforesaid, shall by their Verdict assess the Damages and Recompence to be given for the same to the respective Owner or Owners, Occupier or Occupiers thereof,

of, according to their respective Interest therein; and such Verdict of the said Jury, and the Judgment of the said Justices upon the same, shall be final, binding, and conclusive to the said Commissioners, and to all Person and Persons interested in the said Lands, Buildings, Houses, Tenements, and other Hereditaments; and such Verdict, and the Judgment of the Justices thereupon, shall be fairly entered, and kept among the Records of the Sessions for the said City, and the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying Sixpence for every Seventy-two Words, and so in proportion for any greater or less Number of Words.

LV. Provided always, That in case the Sum or Sums so assessed by the said Jury, and ordered and adjudged to be paid by the said Commissioners, as a Satisfaction to the Owners, Occupiers, or others, for their respective Interest in the said Premises, shall not be paid, tendered, left, or deposited according to the true Intent and Meaning of this Act, within Three Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury shall not be binding upon the said Parties; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Provision that Verdicts shall not be binding unless Money paid within Three Calendar Months.

LVI. And be it further enacted, That in all Cases where any Verdict shall have been given for a greater Sum or Recompence than shall have been previously offered by or on the Behalf of the said Commissioners, for any such Lands, Houses, Buildings, Tenements, or other Hereditaments, or Damages as aforesaid, all the Expences of taking such Inquest and of the Witnesses attending thereon, and recording or entering the Verdict and Judgment thereupon, shall be paid by the said Commissioners, out of the Monies to arise by virtue of this Act; but if a Verdict shall be given for no greater or for a less Sum than shall have been so previously offered by or on the Behalf of the said Commissioners, then and in every such Case such Expences shall be paid by the Owners of or Persons interested in the Premises in Question; provided, that whenever by reason of Absence, any Person or Persons shall have been prevented from treating with the said Commissioners, the whole of such Costs and Expences shall be borne and paid by the said Commissioners; and whenever any Costs or Charges shall or may be payable to the said Commissioners, such Costs and Charges shall and may be deducted out of the Sum to be paid by the said Commissioners, to the said Owners or Persons respectively interested; and the Payment or Tender of the Remainder of such Monies, or disposing of the same in Manner by this Act directed, shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment, Tender, or Disposal of the whole Sum or Sums so assessed and adjudged.

Provision for Payment of Costs of Verdicts.

LVII. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid for the Purchase of 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 Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Cestui-*

Application of Compensation Money if amounting to £.200.

que Trusts, or to any Person whose Lands, Tenements, or Hereditaments, are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two Hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *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 or Redemption of the Land Tax, or 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, and 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, or 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 mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court 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 mean Time 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 said Lands, Tenements, and Hereditaments, so hereby directed to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application
of Compensation
Money
when less
than £.200.
and not less
than £.20.

LVIII. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any 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, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, 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 hereinbefore directed; or otherwise the same shall

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 Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

LIX. 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 shall think fit; or in Case of Infancy, Idiocy, or Lunacy, then such Money shall be paid 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.

Application of Compensation if less than £.20.

LX. 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 such 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, and Hereditaments, be not known and 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 Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such 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.

In case of not making out Titles.

or if Persons cannot be found, Purchase Money to be paid into the Bank.

subject to the Order of the Court of Chancery on Motion or Petition.

LXI. Provided

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase, shall be deemed entitled thereto, according to such Possession only, &c.

LXI. Provided always, 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 of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession any 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 and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may order reasonable Expences of Purchases to be paid by the Commissioners.

LXII. Provided also, 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 Court of Chancery, 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 and may be lawful to and for the said Court of Chancery, to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

LXIII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Commissioners and their Successors, shall be made in the Form or to the Effect following; *videlicet*:

“ I *A. B.* of _____ in Consideration of the Sum of _____ to me paid by the Commissioners acting by virtue of an Act of Parliament, made in the Forty-sixth Year of the Reign of King George the Third, intituled [*here insert the Title of this Act*] Do hereby grant and convey to the said Commissioners and their Successors, all [*here describe the Premises to be conveyed*] and all my Right, Title, and Interest to and in the same, and every Part thereof, to hold to the said Commissioners and their Successors for ever. In witness whereof I have hereunto set my Hand and Seal, this _____ Day of _____ in the Year of our Lord.”

And every such Sale, Conveyance, and Assurance so made, shall be good, valid,

valid, and effectual to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

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

Provision for
Payment of
Purchase
Money, &c.
and for vest-
ing of Pro-
perty in the
Commis-
sioners.

LXV. And be it further enacted That if any Person or Persons whatsoever shall sustain any Damage in his or their Lands, Tenements, or other Hereditaments, by reason of the Execution of any Powers given by this Act, then and in every such Case, Satisfaction and Compensation shall be made by the said Commissioners to such Persons respectively, out of the Monies to be raised by virtue of this Act; and in Case of any Difference or Dispute between such respective Persons and the said Commissioners, respecting the Amount of such Damages, such Damages shall be settled and ascertained by a Jury, in such and the like Manner as the Sum or Sums of Money to be paid by the said Commissioners for the Purchase of Lands, Tenements, or Hereditaments, is and are herein directed to be settled and ascertained in Case of any Difference or Dispute about the same, and the same shall be recovered, levied, and applied in such and the like Manner.

Damages
how to be
ascertained
and settled

LXVI. And be it further enacted, That all and every Person and Persons, Body and Bodies Politic, Corporate, and Collegiate, in Possession of any Houses or Buildings, Lands, Tenements, or Hereditaments which shall be purchased by virtue of this Act by the said Commissioners, or any Part thereof, shall, at the End of Six Months next after Notice shall be given to him or her for that Purpose, under the Hands of Five or more of the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises, with such Fixtures as are or shall be the Property of the Landlord, to such Person or Persons as shall be authorized

Possession to
be delivered.

[Loc. & Per.]

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by

by the said Commissioners to take Possession thereof; and in case any such Person, or Body Politic, Corporate, or Collegiate, shall refuse to give up such Possession as aforesaid, it shall and may be lawful to and for the said Commissioners to issue out their Precept or Warrant, signed by any Five or more of the said Commissioners, to the Sheriffs of the said City of *Norwich*, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same; and the said Sheriffs are hereby required to deliver such Possession accordingly and to levy such Costs as shall accrue upon the issuing and execution of such Precept or Warrant on the Person so refusing to give Possession as aforesaid, by Distress and Sale of his, her, and their Goods, returning the Overplus (if any) to the Owner thereof on Demand.

Commis-
sioners may
sell Ground,
&c.

LXVII. And be it further enacted, That it shall be lawful for the said Commissioners to sell, dispose of, and convey the Whole or any Part or Parts of any Building or Buildings, Lands, Tenements, or Hereditaments by them purchased by virtue of this Act, in case the same shall appear to them to be unnecessary for the Purposes of this Act, as they shall judge advantageous and convenient, to any Person or Persons whomsoever.

Rates:

LXVIII. And, for raising Money to answer and defray the Charges and Expences of obtaining and passing this Act, and carrying the same into Execution; Be it enacted, That the said Commissioners shall and they are hereby authorized and required, once in every Year, to rate and assess the several Landlords and Owners, and the several Tenants and Occupiers of all Houses, Buildings, Lands, Grounds, and other Hereditaments within the said City of *Norwich*, which are or shall be rated or assessed to the Relief of the Poor of the said City and County of the same, in any Sum not exceeding Four Shillings in the Pound by the Year, to be computed on Half of the Annual Rent or Value thereof respectively, such annual Rent or Value to be from Time to Time ascertained and settled by or according to the respective Rents at which such Houses Buildings, Lands, Grounds, and other Hereditaments shall be from Time to Time rated or assessed, in or by the Rate or Rates made for or towards the Relief of the Poor of the respective Parishes within the said City and County of the same; and it shall and may be lawful to and for the said Commissioners to rate and assess the several Landlords and Owners of all Houses, Buildings, Lands, Grounds, and other Hereditaments within the said City of *Norwich*, which shall not from Time to Time be rated or assessed to the Relief of the Poor of the said City and County of the same (whether occupied or not) in any Sum not exceeding One Shilling and Four Pence in the Pound by the Year, to be computed on the Half of the annual Value of such Houses, Buildings, Lands, Grounds, and other Hereditaments.

New Mills
and Water-
works how to
be rated.

LXIX. Provided always, and be it further enacted, That the Owners, or Lessee or Lessees, of the New Mills and Waterworks in the said City, shall not, by virtue of this Act, be rated or assessed to any Rate or Rates, Assessment or Assessments, to be raised, levied, and collected by virtue of this Act in any one Year, in any higher Sum or Sums of Money than Fifty Pounds for or in respect of such New Mills, as and for an Half Rental.

LXX. And

LXX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, when and as often as they shall see Occasion, to nominate and appoint one or more of the Inhabitants of the said City, or of each Parish or Ward within the said City, to be the Assessor or Assessors of such Rates or Assessments, and such Assessor or Assessors is and are hereby authorized and required to make such Rates and Assessments from time to time accordingly, and to appear at such Time and Place as the said Commissioners shall by writing under their Hands order and appoint, and then and there produce and deliver to them Two Copies or Duplicates of the Rates and Assessments made and subscribed by such Assessor or Assessors; and also from time to time, upon reasonable Notice to him or them given by the said Commissioners, to attend them the said Commissioners at any of their Meetings, to explain the respective Rates and Assessments; and the said Commissioners shall from time to time, as soon as may be after any such Rate or Assessment shall be made and delivered to them by such Assessor or Assessors, settle and sign the same, and cause a Duplicate thereof, also signed by them, to be delivered to the Collector or Collectors to be appointed in that Behalf, and shall also issue their Orders to such Collector or Collectors, requiring him or them to collect and receive the respective Sums of Money made payable by such Rate or Assessment, and such Collector or Collectors is and are hereby authorized and required to collect and receive the same accordingly; and also once at least in every Quarter, or oftener if directed so to do by the said Commissioners, by Writing, signed by their Clerk for the Time being, to pay the Money so to be collected and received by virtue of this Act, to the Treasurer for the Time being to the said Commissioners, or to such Person or Persons as the said Commissioners shall appoint to receive the same, to be applied to and for the Uses and Purposes of this Act; and all and every such Collector or Collectors shall and is and are hereby required, at the Time of making every such Payment of the Money so by them respectively collected as aforesaid, to deliver to such Treasurer, or other Person or Persons empowered to receive the same, a true and exact Account of all Sums of Money received by them respectively, and also of such Sums of Money, Rates, or Assessments (if any) as shall remain uncollected, together with the Reasons why the same have not been collected; and if any Person who shall be appointed to the Office of Assessor in virtue hereof, shall refuse or neglect to take upon himself such Office, without shewing some reasonable Cause to the Satisfaction of the said Commissioners for such Refusal or Neglect, or shall wilfully make Default in the Performance of the Duty of his said Office, or shall otherwise misbehave himself therein, he shall for every such Refusal, Neglect, wilful Default, or Misbehaviour, forfeit and pay any Sum not exceeding Fifty Pounds, to be recovered as other Penalties are hereinafter directed to be recovered.

Assessors to
be appointed.

LXXI. Provided always, and be it enacted, That no Person so nominated or appointed an Assessor, and who shall have served such Office, or shall have paid such Penalty as aforesaid for not serving the same, shall be again compellable to serve the said Office in less than Two Years after the end of such Service, or Payment of such Penalty.

Assessors not
to be ap-
pointed twice
in Two Years.

LXXII. And, in order to ascertain the Rates and Assessments to be made by virtue of this Act, be it further enacted, That the said Commissioners

Power for
Commis-
sioners to
order the

Parish Rate
Books to be
produced,
&c.

missioners shall and may; and they are hereby authorized and empowered, to cause all or any of the Books or Assessments of Rates towards the Relief of the Poor of the respective Parishes within the said City and County of the same, to be brought before them, and to take a Copy or Copies of such Books or Assessments, or of any Part or Parts thereof, without Fee or Reward; and if any Person or Persons in whose Custody or Power any of the said Books or Assessments shall be, shall refuse or neglect to attend the said Commissioners with such Books or Assessments in his, her, or their Custody or Power, or to permit or suffer the said Commissioners to take or cause to be taken a Copy or Copies thereof, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds,

Power for
Commission-
ers to amend
Rates, if im-
proper, &c.

LXXIII. And be it further enacted, That if such Assessor or Assessors so nominated and appointed, shall, at any Time or Times neglect or omit to rate or assess any Person or Persons liable to pay, or to be charged with any Rate or Assessment to be made by virtue of this Act, or shall in any such Rate or Assessment over-rate or under-rate any Person or Persons liable to pay any such Rate or Assessment, then and in every such Case it shall and may be lawful to and for the said Commissioners to rate and assess in the said Rate or Assessment such Person or Persons so omitted to be rated and assessed, and to lessen or raise the Rate or Rates, Assessment or Assessments, of such Person or Persons so over-rated or under-rated, or otherwise to alter or amend such Rate or Assessment as aforesaid, so as to make the same conformable to the true Intent and Meaning of this Act; and it shall and may be lawful to and for the said Commissioners, and they are hereby empowered, to strike out the Name or Names of any Person or Persons not liable to the Payment of the Rates hereby directed to be made; and all such Additions to, or Alterations or Amendments in such Rates or Assessments, shall be as valid and effectual as if the same had been Part of the Rates or Assessments originally made.

Apportion-
ment of
Rates be-
tween Owners
and Tenants.

LXXIV. And be it further enacted, That one third of all and every the Rates or Assessments hereby directed to be made as aforesaid on all Houses, Buildings, Lands, and other Hereditaments, as shall from Time to Time be rated or assessed in or by the Rate or Rates made for the Relief of the Poor of the respective Parishes within the said City and County of the same, shall be paid by the Landlord or Owner, or Landlords or Owners of the Houses, Buildings, Lands, and Hereditaments, in respect whereof such Rates or Assessments shall be made as aforesaid, his, her, or their respective Heirs or Assigns, and the other Two-thirds thereof by the Tenant or Occupier, or respective Tenants or Occupiers of such Premises, his, her, or their respective Executors or Administrators: Provided always, that the whole of the Rate or Rates, Assessment or Assessments, to be made or assessed on the respective Houses, Buildings, Lands, and Hereditaments not rated or assessed to the Rate or Rates for the Relief of the Poor of the respective Parishes within the said City and County of the same, shall be paid by the Landlord or Landlords, or Owner or Owners thereof respectively.

A less Rate
to be col-
lected

LXXV. Provided always, and be it further enacted, That if at any Time or Times the Quarterly Assessments within the said City and County,

ty, for the Relief and Support of the Poor belonging to the same, shall, on the Average of the Rates in the respective Parishes and Hamlets in the said City and County, exceed the Sum of Five Shillings and Sixpence in the Pound, calculated on the Half Rental, then, when, and so often as the same shall happen, and for so long Time and Times as the said Quarterly Assessments shall so exceed the aforesaid Sum of Five Shillings and Sixpence in the Pound on the said Half Rental, and for each and every such Quarter of the Year, the said Commissioners shall raise, collect, and levy, under and by virtue of the Rates and Assessments hereinbefore directed to be made, such Sum and Sums of Money only as shall be equal to Three-fourth Parts of the aforesaid Rate or Assessment of Four Shillings in the Pound, hereinbefore directed to be rated and assessed upon the several Landlords and Owners, and the several Tenants and Occupiers of all Houses, Buildings, Lands, Grounds, and other Hereditaments within the said City of *Norwich*, which are or shall be assessed to the Relief of the Poor of the said City and County of the same; and then and in such Case also, and during such Time as aforesaid, the said Commissioners shall raise, collect, and levy, under and by virtue of the Rates and Assessments hereinbefore directed to be made, such Sum and Sums of Money only as shall be equal to Three-fourth Parts of the aforesaid Rate or Assessment of one Shilling and Fourpence in the Pound, hereinbefore directed to be rated and assessed upon the several Landlords and Owners of all Houses, Buildings, Lands, Grounds, and other Hereditaments within the said City of *Norwich*, which shall not from time to time be rated or assessed to the Relief of the Poor of the said City and County of the same, whether occupied or not; any Thing herein contained to the contrary thereof in anywise notwithstanding.

when Poors
Rates exceed
Five Shil-
lings and
Sixpence
in the Pound
on the Half
Rental.

LXXVI. And be it further enacted, That the said Commissioners shall, and they are hereby authorized and required once in every Year, to rate and assess the several Landlords and Owners of all Houses, Buildings, Lands, Grounds, and Hereditaments, fronting or abutting on any of the Markets or Streets, being public Carriageways within the said City; and the Churchwardens, Chapelwardens, Trustees, or Agents of any Church, Chapel, Meeting, or other Place or Places of public Worship, Hospital, or Workhouse, within the said City, now subject or liable to the Repair of any Pavement or Pavements in the said public Carriageways and Streets, at the Rate of Two Pence by the running Foot for every Foot in length of the Pavement of the said Carriageways and Streets, which they and every of them now are respectively liable to repair.

Frontage
Rate

LXXVII. And whereas the Mayor, Sheriffs, Citizens, and Commonalty of the said City of *Norwich*, are by ancient Custom subject and liable to the Repair of the Pavement adjoining to the Halls and other public Buildings, and of the Market Places, Bridges, and divers Parts of the Streets and public Places within the said City; and the Right Reverend the Lord Bishop of *Norwich* is subject and liable to the Repair of the Pavement adjoining the Walls of the Precinct of the Palace of the said Lord Bishop; and the several Tenants and Lessees of the Dean and Chapter of *Norwich*, of certain Messuages or Tenements, Lands, and Grounds, lying and being within the Precinct of the Cathedral Church of *Norwich*, are subject and liable to the Repair of the Pavement of the Streets within the said City, and without the said Precinct adjoining to the said Messuages, Tenements, Lands, and Grounds, held by the said Tenants and Lessees, within the said Precinct; Be it therefore enacted, That the said Mayor, Sheriffs, Citizens,

Assessments
on the Cor-
poration,
Lord Bishop,
and Lessees
of Dean and
Chapter.

[*Loc. & Per.*]

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and

and Commonalty, and the said Lord Bishop, and also the said Tenants, and Lessees, and their several and respective Successors, Executors, Administrators, and Assigns, shall, in and by the Rates or Assessments to be from Time to Time made by virtue of this Act, be respectively rated, assessed, and charged for and in respect of the Pavement which they respectively may appear to be now liable to repair, with such gross Sums of Money as shall, in the Judgment of the said Commissioners, bear a fair Proportion to the Rates or Assessments to be from time to time assessed and charged for or in respect of Property belonging to the several other persons to be rated by virtue of this Act, which Sums of Money to be so annually rated and assessed, or charged, shall from Time to Time be paid to the Treasurer for the Time being, to be appointed by virtue of this Act, or to such other Person or Persons as the said Commissioners shall appoint, by equal Quarterly Payments in every Year, and in Default of Payment, shall and may be levied and recovered by the same Means as are herein provided for the Recovery of any other Rate or Assessment; and in Consideration of such annual Payments they the said Mayor, Sheriffs, Citizens, and Commonalty, the said Lord Bishop, and the said Tenants and Lessees, and their respective Successors, Executors, Administrators, and Assigns, shall be exonerated and for ever discharged from all future Charges and Expences of making, repairing, and cleansing any of the Pavements within the said City, and without the Precincts of the said Palace and Cathedral Church, which they or any of them are now liable to; but that all such Parts of the same as have heretofore been made, repaired, or cleansed by the said Mayor, Sheriffs, Citizens, and Commonalty, the said Lord Bishop, and the said Tenants and Lessees of the said Dean and Chapter, shall for ever hereafter be paved, repaired, and cleansed, under the Direction of the said Commissioners.

When Rates
are to com-
mence, and
how payable.

LXXVIII. And be it further enacted, That the first of the said Rates and Assessments hereinbefore authorized to be made, shall commence at and upon the Twenty-fourth Day of June next after the passing this Act, and shall be made for One Half-year only, and thereafter the said Rates shall be made for One Year, commencing at or upon the Twenty-fifth Day of December in every Year; and the Money so to be rated and assessed, shall from Time to Time be levied and paid, by Four Quarterly Payments, to such Person or Persons as the said Commissioners shall nominate and appoint to be Collector or Collectors of the same, as herein mentioned; and all such Sum and Sums of Money shall be paid over by such Collector or Collectors to the Treasurer to the said Commissioners, provided that no Rate or Assessment to be made in pursuance of this Act, shall be valid until the same shall be signed by Five of the said Commissioners; and the said Commissioners are hereby empowered to amend any such Rate or Assessment after the same shall have been so signed, by inserting the Name of any Person who ought to have been rated or assessed, or striking out the Name of any Person who ought not to have been so rated or assessed, or to raise or lower the Assessment or Assessments on any Person or Persons who shall be under-rated or over-rated in the said original Rates or Assessments.

Collectors.

LXXIX. And be it further enacted, That the said Commissioners may and they are hereby required, Yearly and every Year, and as often as there shall be Occasion, to grant and Issue their Warrants under the Hands and Seals of any Five or more of them, thereby to authorize and require the Churchwardens and Overseers of the respective Parishes or Places rated

rated or assessed by virtue of this Act, or such other Person or Persons as the said Commissioners shall appoint to be Collectors of the said Rates and Assessments; and that all the said Rates and Assessments shall be paid to the said Collectors by the respective Tenants or Occupiers of the said respective Houses, Buildings, Lands, Grounds, and other Hereditaments rateable by virtue of this Act; and that if any Neglect or Refusal of Payment of any Rate or Assessment as aforesaid shall be made to any such Collector or Collectors, upon Demand made by any such Collector or Collectors on the Occupier or Occupiers of such Houses, Buildings, Lands, Grounds, or other Hereditaments as aforesaid, either in Person or by Writing left at the usual Place of Abode of such Occupier or Occupiers, by the Space of Seven Days, it shall be lawful to and for any Justice of the Peace of the said City of *Norwich*, upon Proof made upon Oath of such Demand and Nonpayment, by Warrant under his Hand and Seal (which he is hereby empowered to grant) to authorize and direct the said Collector or Collectors to levy such Rate or Money so in Arrear; together with the Costs and Charges attending the same (to be ascertained by such Justice) by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay as aforesaid, and to sell and dispose of the Goods and Chattels so distrained, for and towards the Payment of the said Rates and Assessments, and the Costs and Charges attending the same, rendering the Overplus (if any) to the Owner or Owners thereof on Demand.

Rates to be
paid by
Tenants.

LXXX. And whereas several Houses within the said City 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 or Assessments when made; For Remedy whereof, Be it enacted, That the said Commissioners, or any Five or more of them, shall and may rate or assess any Person or Persons, who shall stand charged or assessed in the Rate made for the Relief of the Poor in the said City and County of the same, for such House or Houses which shall be occupied by Two or more Tenants, and the Person or Persons so charged or assessed in the said Rate made for the Relief of the Poor, shall pay the same accordingly; but in case the said House or Houses shall not be rated to the Relief of the Poor, then and in every such Case the said Rates and Assessments to which the Owner and Owners of the said House or Houses are hereby made liable, shall be collected of and paid by the Occupier and Occupiers of the same, as shall be named and specified by the said Commissioners in the said Rates and Assessments herein authorized and directed to be made.

Rates on
Houses let to
divers Tenants
how to be assessed
and collected.

LXXXI. And be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of any House, Building, Land, or other Hereditaments, before such Rate or Rates, or Assessment or Assessments shall be paid by him, her, or them, and shall not reside within the said City of *Norwich*, then and in every such Case if he, she, or they shall neglect or refuse to pay the same for the Space of Seven Days next after the same shall be demanded by the Collector or by any Person authorized by the said Commissioners for that Purpose, such Part and Parts of such Rate or Rates, Assessment or Assessments, as is and are hereinbefore imposed on such Tenant and Tenants, Occupier and Occupiers, and which are not to be reimbursed or allowed to him, her, or them, by his, her,

For Recovering of Tenant's Proportion of Rates, in Cases of Removal.

her, or their respective Landlord or Landlords, shall and may be levied by Distress and Sale of the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, by Warrant under the Hand and Seal or Hands and Seals of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place, where such Tenant or Occupier shall reside, which Warrant such Justice or Justices is and are hereby empowered to grant (upon Proof made before him or them upon Oath of such Demand and Nonpayment) together with the Costs and Charges attending the same, such Costs and Charges to be ascertained by such Justice or Justices; and the Goods and Chattels so distrained, shall and may be sold and disposed of for and towards the Payment of the said Rates and Assessments, Costs and Charges, rendering the Overplus (if any) to the Owner or Owners thereof on Demand.

For Recovery
of Landlord's
Proportion of
Rates when
Tenants re-
move or quit.

LXXXII. And be it further enacted; That in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of any of such Houses, Buildings, Lands, Grounds, or other Hereditaments, before such Rate or Rates, Assessment or Assessments, shall be paid by him, her, or them, or if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall not be sufficient to pay such Rate or Rates, Assessment or Assessments, or if any such Tenant or Tenants, Occupier or Occupiers, shall in the Judgment of the said Commissioners, be unable through Poverty to pay the same, or if it shall happen that any of the Houses, Buildings, Lands, Grounds, or other Hereditaments within the said City, of which the Landlord or Landlords, Owner or Owners, is or are rateable and assessable to the said Rates and Assessments, shall be and remain untenanted, then and in every such Case such Houses, Buildings, Lands, Grounds, and other Hereditaments, shall be and they are hereby made a Security for and chargeable with such Part and Parts of the said Rates and Assessments respectively, as is and are hereby imposed and laid on the respective Landlord and Landlords, Owner and Owners thereof respectively, and the same shall and may be raised and levied by Distress and Sale (by Warrant under the Hand and Seal of any Justice of the Peace for the said City) of any Goods or Chattels which shall be after found in or upon the same Houses, Buildings, Lands, Grounds, or other Hereditaments, or of the Goods and Chattels of the Landlord or Landlords, Owner or Owners of such Houses, Buildings, Lands, Grounds, or other Hereditaments respectively, in case such Landlord or Landlords, Owner or Owners, shall neglect or refuse to pay the same for the Space of Seven Days next after the same shall be demanded by the Collector of the said Rates and Assessments or other Persons acting by or under the Authority of the said Commissioners, of him, her, or them, either personally or by Writing left at the usual Place or Places of Abode of such Landlord or Landlords, Owner or Owners; and in case such Landlord or Landlords, Owner or Owners, shall not live within the said City; then such Distress and Sale shall be made, by Warrant under the Hand and Seal or Hands and Seals of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place where such Owner or Owners shall reside (which Warrant such Justice or Justices is and are hereby empowered to grant, upon Proof made before him or them upon Oath of such Demand and Nonpayment) together with the Costs and Charges attending the same, such Costs and Charges to be ascertained by such Justice or Justices; and the Goods and Chattels so distrained,

trained, shall and may be sold and disposed of for and towards the Payment of the said Rates and Assessments, Costs and Charges, rendering the Overplus (if any) to the Owner or Owners thereof on Demand.

LXXXIII. And be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any House, Building, Land, Ground, or other Hereditament, the Tenant or Occupier whereof shall be rated or assessed, or be liable to be rated or assessed by virtue of this Act, every such Person or Persons so removing from or quitting the same, shall be liable to pay such Rate or Assessment, in proportion to the Time that such Person or Persons occupied the same respectively, in like Manner as if such Person or Persons had not removed from or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any House, Building, Land, Ground, or other Hereditaments, rated or assessed, or liable to be rated or assessed as aforesaid, out of or from which any other Person or Persons shall have removed, or which at the Time of making any such Rate or Assessment, was empty or unoccupied, the Person or Persons coming in or occupying the same shall be liable to pay such Rate or Assessment, although his, her, or their Name or Names may not be inserted in such Rate or Assessment in Proportion to the Time that such Person or Persons shall occupy the same respectively, and in like Manner as if such Person or Persons had been originally rated or assessed by Name in such Rate or Rates, Assessment or Assessments, which said Proportions in case of Dispute, shall be settled and ascertained by the said Commissioners.

Persons removing to pay in proportion.

LXXXIV. Provided always, and be it enacted, That all such Part and Parts of the Rates and Assessments hereby directed and authorized to be made, as shall, under the Provisions in this Act contained, be charged on and payable by the Landlord or Landlords, Owner or Owners, of all and every the said Houses, Buildings, Lands, Grounds and other Hereditaments, shall be paid or allowed by such Landlord or Landlords, Owner or Owners, to the Tenants or Occupiers respectively who shall pay the same; and such Tenants and Occupiers are hereby authorized and empowered to deduct and retain, out of their respective Rents, such Sums of Money as they shall respectively pay for and on the behalf of the respective Landlords or Owners of such respective Premises, and the said Payments shall be considered as Money actually paid for Rent due or to become due to such Landlords or Owners, who shall allow the same to their respective Tenants or Occupiers out of their Rent accordingly.

Landlords Rates to be paid or allowed to the Tenants.

LXXXV. And be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, shall pay to the said Collector or Collectors any more Money on account of the Part or Parts of the said Rates and Assessments respectively, as is and are hereby imposed and laid on the respective Landlord or Landlords, Owner or Owners thereof, than shall be due from the said Tenant or Tenants, Occupier or Occupiers, for the Rent or Rents, of his, her, or their House, Building, Land, Ground, or Hereditament, then and in every such Case the Overplus thereof shall be and may be levied on the Landlord or Landlords, Owner or Owners, of such House, Building, Land, Ground, or Hereditament, by Distress and Sale of the Goods and Chattels of such Landlord or Landlords, Owner or Owners, by Warrant under the Hand and Seal or Hands and Seals

Tenants overpaying Rents in discharge of Landlords Rates, how to be reimbursed.

of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place where such Goods and Chattels shall be, in case such Landlord or Landlords, Owner or Owners, shall have refused or neglected to pay the same for the Space of Seven Days after Demand made thereof by such Tenant or Tenants, Occupier or Occupiers, or by his, her, or their Attorney or Agent for that Purpose appointed; and such Money, when so raised and levied, shall be paid to the said Tenant or Tenants, Occupier or Occupiers, who shall have so advanced the same.

Agreements
not to be
made void by
this Act.

LXXXVI. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed, deemed, or taken to extend, so as to alter, impeach, or make void any Contract, Covenant, or Agreement made between Landlord and Tenant, expressed in any Lease already granted, or to be expressed in any Lease hereafter to be made, pursuant to any Contract or Agreement for a Lease now subsisting, touching or concerning the paving the said Streets, Markets, Lanes, or public Passages, or any Part of them; but that every Person who by virtue of any Lease already granted, or any Lease hereafter to be made, pursuant to any Contract or Agreement for a Lease now subsisting, is, are, or ought to be obliged or liable to pave and keep in repair any Part of the said Markets, Streets, Lanes, public Passages or Places, shall in lieu thereof be obliged to pay the Rates hereby directed to be assessed on the several Landlords, Owners, or Proprietors of the said Houses, Buildings, Lands, Grounds, and other Hereditaments respectively, or so much thereof as by the said Commissioners shall be deemed just and reasonable, according to the true Meaning of such Lease, Contract, or Agreement, for and during such Time as such Lease, Contract, or Agreement, shall remain in force, or ought to have Continuance; and in case any Dispute shall arise concerning any such Lease, Contract, or Agreement, the said Commissioners shall, and they are hereby authorized and required, to hear and determine the same.

Power to
borrow Mo-
ney.

LXXXVII. And, in order to enable the said Commissioners to carry the several Purposes of this Act into immediate Execution; Be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, from Time to Time to borrow and take up at Interest such Sum or Sums of Money, so as that the Sum borrowed shall not at any one Time exceed in the whole the Sum of Twenty Thousand Pounds, as they shall judge necessary for the several Purposes of this Act, upon the Credit of the said Rates or Assessments to be made levied, and collected by virtue of this Act, and by Writing under their Hands and Seals, to assign all or any Part of the said Rates or Assessments to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with legal Interest for the same; and the Charges and Expences of such Assignment thereof (to be made as hereafter mentioned) shall be from Time to Time defrayed by the said Commissioners out of the Monies so borrowed; and every such Assignment shall be in the Words or to the Effect following:

‘ WE of the Commissioners acting in
‘ Execution of an Act of Parliament, made in the Forty-sixth Year
‘ of

of the Reign of King *George* the Third, intituled [*here set forth the Title of this 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 hereby grant and assign unto the said *A. B.*
 [*or, to his Trustee or Trustees, as the Case may require.*] his Executors,
 Administrators, and Assigns, such Proportion of the Rates or Assess-
 ments to be raised, levied, and collected 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 be charged upon the Credit of the said Rates or Assessments, to be
 had and holden from this Day of
 until the said Sum of with Interest at
per Centum per Annum for the same, shall be repaid and
 satisfied. In witness whereof, we the said Commissioners have here-
 unto set our Hands and Seals, the Day of
 in the Year

And all such Assignments shall be numbered, commencing with Number One, and so proceeding in an arithmetical Progression ascending, whereof the common Excess or Difference shall always be One, and every such Security shall be good, valid, and effectual, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators and Assigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

LXXXVIII. And be it further enacted, That in case the said Commissioners shall think it advisable to raise all or any Part of the Money to be borrowed by virtue of this Act, by granting Annuities for Lives instead of Assignments as aforesaid, then and in such Case it shall and may be lawful to and 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 an Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer or Treasurers to the said Commissioners, any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities to be paid and payable during the natural Life of every such Contributor, or the natural Life of such Persons as shall be nominated by or on the Behalf of such Contributor at the Time of Payment of his or her Contribution or Purchase Money, so that no such Annuity do exceed the Rate of Ten Pounds *per Centum per Annum* upon a single Life, except in such Cases where the Person for whose Life any such Annuity shall be granted, shall be of the Age of Fifty-two Years or upwards; and the Expence of every such Grant shall be paid by the said Commissioners out of the Monies so contributed and the Grant of every such Annuity shall be in the Words or to the Effect following:

Power for Commissioners to raise Money by Annuities.

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 Third, intituled [*set forth the Title of this Act*] in consideration of the Sum of
 paid by *A. B.* to *C. D.* the Treasurer appointed in pursuance of the said Act, Do hereby grant unto the said *A. B.* an Annuity

• nuity or Yearly Sum of _____ to be paid out of the Rates
 • or Assessments to be raised, levied, and collected by virtue of the said
 • Act, which Annuity or Yearly Sum of _____ shall
 • be paid to the said *A. B.* or his Assigns, during the Term of his natu-
 • ral Life (*or, as the Case may be, to the said A. B. his Executors, Ad-*
 • ministrators, or Assigns, during the natural Life of *C. D.*) upon the
 • _____ Day of _____ in every Year, during the natural
 • Life of him the said _____ at the _____ the
 • first Payment thereof to be made upon the _____ Day of _____
 • next ensuing the Date hereof. In Witness whereof we the said
 • Commissioners have hereunto set our Hands and Seals, the
 • Day of _____ in the Year _____

And every such Grant shall be good, valid, and effectual in the Law, without any Enrolment or Registry of the Memorial thereof in the High Court of Chancery, or elsewhere, except as hereinafter mentioned, any Law or Statute to the contrary thereof in anywise notwithstanding; and every Annuity so to be granted as aforesaid shall be, and is hereby charged upon, and shall be payable and paid by the Treasurer to the said Commissioners, out of the said Rates or Assessments, according to the Grant of such Annuity.

Power of transferring Assignments and Annuities in a prescribed Form.

LXXXIX. And be it further enacted, That it shall and may be lawful to and for the Persons entitled to any of the Securities for the Money to be borrowed upon legal Interest as aforesaid, or to be raised by the granting of Annuities as aforesaid, and their respective Executors, Administrators, or Assigns (as the Case may be) at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following:

• I *A. B.* being entitled to the Sum of _____ [*or,*
 • I an Annuity of _____ secured to *C. D.* and his
 • Assigns, or his Executors, Administrators, and Assigns, *as the Case may*
 • *be*] by virtue of an Assignment [*or, Grant of an Annuity*] bearing
 • Date the _____ Day of _____ under the Hands and
 • Seals of _____ of the Commissioners acting in the Execution of
 • an Act of Parliament, made in the Forty-sixth Year of the Reign of
 • King *George* the Third, intituled [*set forth the Title of this Act*] upon
 • the Credit of the Rates or Assessments granted or payable by the said
 • Act, Do hereby transfer all my Right and Title in and to the same Sum
 • [*or, Annuity*] and all Interest, and other Money now due and arising
 • thereon, unto *E. F.* his Executors, Administrators, and Assigns.
 • Dated the _____ Day of _____

And a Copy of every Security or Assignment, together with the Number or Numbers thereof, and of every Grant of Annuity which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all reasonable Times have Access, and shall have free Liberty to inspect

inspect the same without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment whatsoever.

XC. 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 said Rates or Assessments; 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 Six Calendar Months Notice to such Creditor, of the Intention of the said Commissioners 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 Six Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money to be so paid off, shall, from and after the Day so specified, cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice, and not paid; but the principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day so specified, shall nevertheless be payable on Demand; but nothing herein contained shall extend, or be construed to extend, so as to require the said Commissioners to pay off and discharge any Monies lent on the Credit of the said Rates or Assessments by Way of Annuity, until all other the Creditors on the said Rates or Assessments shall be paid off and discharged, and the several Parties so lending Money by way of Annuity, shall agree to accept the Sum or Sums of Money offered by the said Commissioners, for the Repurchase of such his, her, or their Annuity or Annuities.

Provision for
the Payment
of Creditors
by Ballot.

XCI. Provided always, and be it 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 and may be lawful to and 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

Power to
borrow Mo-
ney at a lower
Interest to
discharge Se-
curities at a
higher Rate.

[Loc. & Per.]

15 2

Rate

Rate of Interest according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

Application
of Money to
be raised.

XCH. And be it further enacted, That all the Money to arise by the said Rates and Assessments, and other Money hereby granted, or to be levied or received by virtue of this Act, and which may be borrowed on the Credit thereof, or advanced for Annuities as aforesaid, and all Money that shall be voluntarily given or subscribed for the Purposes of this Act, shall be paid to the Treasurer to the said Commissioners, or to such Person or Persons as they shall appoint, and shall be applied and disposed of in the first Place in paying and defraying the Charges and Expences which shall be incident to and attending the obtaining and passing of this Act, and in the next Place from Time to Time in defraying the Charges and Expences of widening, improving, regulating, paving, repairing, watching, cleansing, and lighting the Markets, Streets, Lanes, and other public Passages and Places of and in the said City of *Norwich*, and in paying and defraying all Expences which the said Commissioners and their Officers shall necessarily sustain, or be put unto in carrying this Act into Execution, or in prosecuting or defending any Prosecutions, Actions, or Suits, in any manner relative to the Execution of this Act, or of any Thing to be done under or by virtue thereof, and for such other Uses and Purposes as are herein expressed, and for no other Use, Intent, or Purpose whatsoever.

Penalty on
obstructing
Commission-
ers.

XCHII. And be it further enacted, That if any Person or Persons shall at any Time or Times hereafter obstruct, hinder, or molest the said Commissioners, or their Collector or Collectors, Treasurer, Surveyor, or other Officer or Officers, or any Workmen, or other Person or Persons whomsoever, who shall be employed by virtue of this Act, or in any manner concerned in the Execution thereof, in the Performance or Execution of his or their Duty or Work, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds.

Penalties,
how to be
recovered.

XCIV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of levying and recovering whereof is not hereby particularly directed) shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the City, County, or Place where such Person shall be or reside, which Warrant such Justice is hereby empowered and required to grant upon the Confession of the Party or Parties, or upon the Oath of One or more credible Witness or Witnesses (which Oath such Justice is hereby empowered to administer) rendering the Overplus (if any) of the Money arising by such Sale, upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained and sold, after deducting the Charges of such Distress and Sale; and all such Penalties and Forfeitures, when recovered, shall, if not herein directed to be otherwise applied, be paid to the Treasurer to the said Commissioners, and applied to the Purposes of this Act; or in case it shall appear to such Justice, by the Oath of any credible Witness (which Oath such Justice is hereby empowered to administer) or on the Confession of the Offender or Offenders, that such Offender or Offenders hath or have not sufficient Goods and Chattels within the Jurisdiction of such Justice whereon the Penalty, Forfeiture, and Charges of levying the same
can

can be raised, or in case sufficient Distress shall not be found after such Warrant shall have been issued, or if such Penalty and Forfeiture shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the said City, there to remain, without Bail or Main-prize, for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

XCV. 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 Information, 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 that shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the Special Damage in an Action on the Case.

Distress not
unlawful for
Want of
Form.

XCVI. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to 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 be made, it shall be lawful for the Defendant or Defendants in any such Action, by leave of the Court, at any Time before Issue joined to pay into Court, such Sum of Money as he, she, or they shall be advised, whereupon such Proceeding, Order, and Judgment, shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not
to recover
after Tender
of Amends in
any Action.

XCVII. And be it further enacted, That all and every Justice and Justices before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause such Conviction to be drawn in the Form or to the Effect following; *videlicet*:

Form of
Conviction

BE it Remembered, That on the _____ Day of _____
in the Year of our Lord _____
P. Q. is convicted before _____ of His
Majesty's Justices of the Peace for the _____
of having [*here state the Offence*] and I [*or, We*] the said
Justice [*or, Justices*] do adjudge him [*her, or, them*] to forfeit and
pay the Sum of _____ Given under my Hand and
Seal [*or, our Hands and Seals*] the Day and Year aforesaid.

XCVIII. And be it further enacted, That in all Cases where Cogni-

Justices em-
powered to
and

administer
Oaths,

and may be lawful to and for such Justice and Justices of the Peace to administer an Oath to any Person for his or their more certain Information in the Matter then depending; and if any Person or Persons shall upon his, her, or their Examination on Oath before the said Commissioners, or before any Justice or Justices, wilfully and corruptly give false Evidence, such Person and 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 in Force and Effect, Persons convicted of wilful and corrupt Perjury are subject and liable to.

Appeal.

XCIX. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made or be demanded in pursuance of this Act, such Person or Persons may appeal to the said Commissioners at their first Meeting which shall be holden after the Expiration of seven Days from the Time of demanding such Rate or Assessment; and the said Commissioners 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 the said Commissioners 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, Judgment, or Determination of the said Commissioners, or by any Penalty imposed, or by any Coniiction made, or by any other Thing done in pursuance of this Act (save and except in such Cases where any Order, Judgment, or Determination is herein directed to be final or conclusive, and save and except in such Cases for which any particular Method of Relief is herein appointed) such Person or Persons may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden for the County, City, or Place in which the Matter of Appeal shall arise, within Five Calendar Months next after the Causes of Complaint shall have arisen, or at any Adjournment of such Session, the Person or Persons appealing first giving or causing to be given to the Person or Persons appealed against, and to the Clerk to the said Commissioners, Seven Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, and within Seven Days next after such Notice, entering into a Recognizance before some Justice of the Peace for such County, City, or Place with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order of, and to pay such Costs, as shall be awarded by the Justices at such Session, or Adjournment thereof, and the Justices at the said Session, 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 Session, or Adjournment thereof, shall be final, binding, and conclusive, to all Intents and Purposes whatsoever.

Justices may
relieve on

C. Provided always, and be it enacted, That in any Appeal from the said Rates or Assessments, or any of them, to be made for the Purposes of this

this Act, the Justices at the General Quarter Session to be holden for the said City of *Norwich*, and County of the same, or any Adjournment thereof, shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned therein; but if upon Appeal from the whole Rate or Assessment, it shall be found necessary to set aside the same, then and in every such Case it shall and may be lawful to and for such Justices to order a new Rate or Assessment to be made in Manner herein directed.

Appeal from Rates without quashing the whole Rates; and if the whole Rate is set aside Commissioners may make a new one.

CI. And be it further enacted, That no Person shall in any Action, Prosecution, Information, or other Proceeding whatsoever, relating to or concerning the Execution of this Act, be deemed an incompetent Witness on account of his or her being charged with or liable to pay any Rate or Assessment to be raised, levied, and collected by virtue of this Act.

Inhabitants may be Witnesses.

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

No Proceedings to be removed by *Certiorari*.

CIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, to reward any Informer or Informers as they shall think proper, so as such Reward does not exceed One-half of the Penalty or Forfeiture proved by the Information of such Informer or Informers to have been incurred; any Thing herein contained to the contrary notwithstanding.

Commissioners may reward Informers.

CIV. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk for the Time being; and that all Actions or Suits that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of the said Clerk; and that no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk done or suffered, without the Consent or Direction of the said Commissioners; but the Clerk to the said Commissioners for the Time being shall be always deemed Plaintiff or Defendant in every such Action or Suit (as the Case may be) except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being, in which Action or Suit any one of the said Commissioners shall or may be Plaintiff or Defendant, as the Case may be: Provided always, that every such Clerk or Commissioner, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid out of the Monies to arise by virtue of this Act, all such Costs, Charges, and Expences, as such Clerk

Provision for the bringing and defending Actions in the Name of the Clerk.

or Commissioner shall be put to, or become chargeable with, by reason of his being so made Plaintiff or Defendant therein; and no such Clerk or Commissioner shall be personally answerable or liable for the Payment of the same, or any Part of the same, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Commissioners, or any Five or more of them.

Limitation
of Actions.

CV. And be it further enacted, That no Action or Suit shall be brought against any Person or Persons, for any Thing done in pursuance of this Act, or in relation to the Matters herein contained, after Six Calendar Months from the Fact committed, and every such Action or Suit shall be brought and tried in the said City of *Norwich*, or in the County of *Norfolk*, and not elsewhere; and the Defendant and 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, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall have been brought before the Expiration of Twenty-one Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then and in every of the said Cases the Jury shall find a Verdict 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 upon any Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in other Cases by Law.

For preserv-
ing ancient
Rights at
Markets and
Fairs.

CVI. Provided always, and be it further enacted, That nothing in his Act shall extend, or be construed to extend, so as to take away, lessen, or diminish the Right of the Mayor, Sheriffs, Citizens, and Commonalty of the said City, or any of their Officers or Servants, to make, erect, set, or place Booths, Stalls, Benches, Forms, and other Things within the Market-Places in the said City on Market Days, or within any of the Market-Places, Streets, or other public Places, during the usual Time of holding any Fair within the said City, nor the Right of the said Mayor, Sheriffs, Citizens, and Commonalty, to any Rents, Tolls, Duties, or Profits whatsoever, heretofore payable to them for or in respect of any Markets or Fairs, or of any Booths, Stalls, Benches, Forms, or other Things, to be there made, erected, set, or placed as aforesaid, nor any other Right, Liberty, or Franchise whatsoever, belonging to the said Mayor, Sheriffs, Citizens, and Commonalty, and which is not by this Act expressly taken away, lessened or diminished; but that the said Mayor, Sheriffs, Citizens and Commonalty, and their Successors, shall continue to enjoy all such Rights, Liberties, and Franchises, and to have, receive, and enjoy, all such Rents, Tolls, Duties, and Profits, in like Manner as they could or might or ought to have done, in case this Act had not been made.

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

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