



ANNO QUINQUAGESIMO

# GEORGII III. REGIS.

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## *Cap. 206.*

An Act for establishing a Cattle Market within the Town of *Wisbech* in the *Isle of Ely*; for taking down and removing the Shambles therein; for paving, cleansing, lighting, and watching the said Town, and removing Nuisances therein; for preserving and improving the Port and Harbour of *Wisbech*, and for regulating the Pilots belonging thereto. [20th June 1810.]

**W**HEREAS the Burgesses of the Town of *Wisbech* in the *Isle of Ely* in the County of *Cambridge* are in their Corporate Capacity the Guardians of the said Town, and are possessed of divers Estates of considerable Value, the Rents and Profits whereof are from Time to Time applied as well for divers charitable Purposes as for the Improvement of the said Town: And whereas the said Burgesses are in their Corporate Capacity the Guardians of the Port and Harbour of *Wisbech* aforesaid, and are by ancient and prescriptive Right entitled to receive and do receive certain Duties on the Tonnage of Vessels clearing into and out of the said Port, which are from Time to Time applied towards the Preservation and Improvement of the said Port and Harbour: And whereas the Affairs of the said Burgesses are under the Direction and Management of Ten Capital Burgesses annually elected and chosen by and from the Burgesses at large of the said Town of *Wisbech*, One of which said Capital Burgesses is annually elected and chosen Town Bailiff

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for

for the Year ensuing : And whereas the Market for the Sale of Live Cattle in the said Town is held in the public and open Streets thereof, to the great Inconvenience as well of the Inhabitants of the said Town as of Strangers and other Persons resorting thereto ; and the Shambles for the Sale of Meat in the said Town are very old and ruinous, and are much exposed to Filth and Rubbish ; and the said Town is subject to many other Nuisances and Annoyances ; and it would be desirable to hold the Market for the Sale of Live Cattle in some fixed and commodious Part of the said Town, and to take down and remove the said Shambles : And whereas the said Shambles are holden by Copy of Court Roll of the Manor of *Wisbech Barton* in the said *Isle of Ely*, whereof the Right Reverend *Thomas* Lord Bishop of *Ely*, in Right of his See, is the Lord, and the said Shambles are now vested in certain Trustees for charitable Purposes, and it would be desirable to enfranchise the said Shambles, and to enable the said Burgesses to purchase the same : And whereas it would be advantageous to the Inhabitants of the said Town if the said Burgesses were empowered at their own Expence to pave and repair, light, watch, and cleanse the Market Places, Streets, Lanes, and other public Passages and Places in the said Town, and to remove and prevent Nuisances and Annoyances, and make other Improvements therein, and to appoint Meters for measuring Corn, Grain, Seeds, and other Things within the said Town : And whereas the Limits of the Port and Harbour of *Wisbech* aforesaid are not sufficiently ascertained, and the Duties on Vessels clearing into and out of the said Port and Harbour are inadequate to the due Preservation and Improvement thereof, and it would be desirable to ascertain the Limits of the said Port and Harbour, and to increase the said Duties on Vessels clearing into and out of the same, and to enable the said Burgesses more effectually to preserve and improve the said Port and Harbour : And whereas the said several Objects cannot be fully accomplished or carried into execution 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 it shall be lawful for the Capital Burgesses of the Town of *Wisbech* aforesaid, and their Successors, to be from Time to Time duly elected by and from the Burgesses at large of the said Town, and the said Capital Burgesses and their Successors are hereby authorized from Time to Time, when and as they shall deem it expedient after the passing of this Act, to appropriate and set apart such One or more Parcel or Parcels of Land or Ground now belonging or which shall hereafter be purchased by or otherwise belong to the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and lying within or near to the said Town, as and for a public Market Place or public Market Places for exposing to Sale and selling Live Cattle and Beasts therein, and to enclose and fence the said Parcel or several Parcels of Land or Ground, with proper and sufficient Gateways and Entrances into and from the same, in such Manner as the said Capital Burgesses and their Successors shall think expedient, and also to make, erect, and continue upon the same such Buildings and Erections as shall appear to them to be necessary, and also to make and erect proper and sufficient Pens for the Cattle and Beasts which may be exposed to Sale in the said Market Place or Market Places, and to appropriate and set apart certain and particular Portions of the said Parcel or Parcels of Land or Ground, and also certain and particular Pens therein for exposing to Sale the different and particular Sorts of Cattle and

Power for  
Capital Bur-  
gesses to ap-  
propriate  
Land for  
a Cattle  
Market.

Beasts therein, and from Time to Time to enlarge, diminish, vary, and alter the Form, Situation, and Extent of the said Market Place or Market Places, Buildings, and Pens, or any of them, as the said Capital Burgesses and their Successors shall think expedient and proper; and that all and singular the Costs and Charges which shall be incurred or sustained in purchasing, providing, appropriating, inclosing, and fencing the said Parcel or Parcels of Land or Ground, and in making and erecting the Buildings and Pens therein, and in maintaining, supporting, repairing, and preserving the same at all Times hereafter, and all other the Expences in anywise relating thereto, shall be paid and defrayed by the said Capital Burgesses and their Successors out of the Revenues belonging to the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity; and that the said Parcel or several Parcels of Land or Ground which shall be so appropriated as aforesaid, and the several Fences, Gates, Pens, Buildings, and Erections in and upon the same, shall be vested in the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and their Successors for ever.

II. And be it further enacted, That when and so soon as the said Capital Burgesses or their Successors shall have appropriated any such Parcel or Parcels of Land or Ground as aforesaid, and made the same fit for the Reception of Cattle and Beasts to be exposed for Sale therein, they shall cause Notice thereof to be given in such Provincial Newspapers as are principally circulated within the Town of *Wisbech* aforesaid and the Neighbourhood thereof, and also to be affixed in some public Place or Places within the said Town, and shall in such Notice specify the Day on which the Market for exposing to Sale Live Cattle and Beasts shall be first holden in or upon any such Parcel or Parcels of Land or Ground, and that on such Day to be specified as aforesaid, and at all Times thereafter, the open and public Cattle Market or Markets for exposing to Sale Live Cattle and Beasts in the said Town of *Wisbech* shall be held and kept only in such Place or Places as shall be appropriated and set apart by the said Capital Burgesses or their Successors as aforesaid, and that no such Market shall at any Time thereafter be held or kept, nor any Live Cattle or Beasts be sold or exposed to Sale, in any other Part or Place whatsoever within the said Town of *Wisbech*, unless such Place or Places as shall be appropriated and set apart as aforesaid shall at any Time be insufficient to hold and contain the Cattle and Beasts which shall be brought to be exposed for Sale therein.

Cattle Market to be held only in the Places appropriated.

III. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person or Persons from selling or exposing to Sale any Live Cattle or Beasts, being his, her, or their own Property only, in his, her, or their own Yards and Premises only, in the said Town of *Wisbech*, nor to prevent any Person or Persons from selling or exposing to Sale any Live Cattle or Beasts in any other Place or Places within and near to the said Town on any of the public Fair Days to be holden within the said Town.

Power to sell certain Cattle elsewhere.

IV. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, from Time to Time as they shall deem it expedient, to appoint, appropriate, and limit the particular Time or Times during which any particular Kind or Description of Live Cattle or Beasts shall be exposed to Sale in the said Market Place or Market Places, and also

Market to be regulated by the Capital Burgesses.

also from Time to Time to make such other Rules, Orders, and Regulations for the proper Maintenance and Management of the said Market or Markets, and for regulating the Times and Manner of taking into and from and continuing in the same all or any Live Cattle or Beasts, and for preventing the Sale of any Live Cattle or Beasts in any other Part or Place within the said Town of *Wisbech*, (such Cattle or Beasts as are by this Act allowed to be exposed to Sale in any other Place or Places only excepted,) and for preventing any Abuses or Annoyances within the said Market or Markets, or any Injuries to any of the Buildings, Erections, Fences, Gates, or Pens within or belonging to the said Market Place or Market Places, as to the said Capital Burgesses and their Successors shall seem just and reasonable, so that the said respective Rules, Orders, and Regulations be not inconsistent with or repugnant to any of the Provisions of this Act or any of the Laws of that Part of the United Kingdom called *England*; and that the said Capital Burgesses and their Successors shall from Time to Time cause all such Rules, Orders, and Regulations wherein Persons resorting to the said Market or Markets shall be in anywise interested to be printed in legible Characters on some Board or Boards, and to be fixed up for public Inspection in or near to the said Market Place or Market Places.

Power to  
take Tolls.

V. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, from Time to Time, and they are hereby fully authorized, to demand, receive, and take, by themselves, or by any of their Collectors, Farmers, Officers, or Servants, for and in respect of all Live Cattle and Beasts which shall be brought to the said Market or Markets to be exposed to Sale therein, or which after being sold shall be again exposed to Sale therein, or after being sold shall be suffered to remain therein for a longer Time than shall be allowed by the said Capital Burgesses or their Successors for removing the same, the several Tolls or Sums of Money following; (that is to say,)

For every Horse, Mare, or Gelding, the Sum of One Shilling :

For every Colt, Filly, Foal, Mule, Ass, Ox, Cow, Steer, Heifer, or Calf,  
the Sum of Sixpence :

And for every Sheep or Lamb, and for every Head of Swine (except sucking Pigs), the Sum of Two-pence :

And for every sucking Pig, the Sum of One Penny :

And from Time to Time to reduce the said Tolls or any of them, and again to advance and raise the same or any of them to any Sum or Sums not exceeding the respective Sums herein-before mentioned.

Mode of  
recovering  
Tolls.

VI. And be it further enacted, That all the said Tolls shall become due when and as soon as the several Cattle or Beasts in respect whereof the same are by this Act respectively made payable shall be brought into the said Market Place or Market Places, and before the same shall be driven or permitted to go into any Pen or Pens therein; and in case of any Sale thereof in the said Market or Markets, then also immediately after the Expiration of the Time allowed for the Removal of such Cattle or Beasts after the Sale thereof, and shall be forthwith paid to the said Capital Burgesses or their Successors, or to their Collectors, Farmers, Officers, or Servants authorized to receive the same, by the Owner or Owners of the several Cattle or Beasts in respect whereof the  
same

same shall be respectively payable, or by the Person or Persons accompanying such Cattle or Beasts ; and that if such Owner or Owners, or other Person or Persons, shall, upon Demand thereof made by the Collector, Farmer, or other Person authorized to receive the same, either immediately or at any Time afterwards, neglect or refuse to make Payment of the said Tolls or of any Part or Parts thereof, it shall be lawful for the said Collector, Farmer, or other Person so authorized to receive the same, either by himself or with Assistants, to detain, seize, and distrain the Cattle or Beasts in respect whereof such Tolls shall become payable, or any of them, or any of the Goods or Chattels of the Person or Persons so neglecting or refusing to pay the same as aforesaid ; and that if such Tolls, and the reasonable Charges of such Detention and Distress, and of keeping and maintaining the Things distrained, shall not be paid to such Collector, Farmer, or other Person authorized as aforesaid, within the Space of Five Days next after the Day of such Detention and Distress, the said Collector, Farmer, or other Person authorized as aforesaid shall and may, at any Time or Times thereafter, sell and dispose of the Things distrained or any Part thereof, and out of the Monies which shall arise by such Sale shall and may pay or retain such Tolls, and all reasonable Charges incurred by such Detention, Distress, and Sale, returning the Overplus of the said Monies and such of the said Things distrained as shall remain unsold, if any there shall be, upon Demand, to the Owner or Owners thereof, or the Person or Persons in whose Possession the same shall have been when so detained and distrained as aforesaid, or as he, she, or they shall direct.

VII. And be it further enacted, That if any Dispute shall arise concerning any of the Tolls herein-before made payable which shall be demanded under the Authority of this Act, or concerning any such Distress or Sale as aforesaid, or any of the Charges incident thereto, it shall be lawful for the Collector, Farmer, or other Person authorized to receive the said Tolls, or for the Person or Persons from whom the same shall have been demanded, to apply to any Justice or Justices of the Peace for the Purpose of having the said Tolls, and the just Amount thereof, and the Charges of such Distress or Sale, if any shall have taken place, ascertained by such Justice or Justices of the Peace ; and that in case of any Distress or Sale as aforesaid it shall be lawful for the said Collector, Farmer, or other Person making such Distress to retain the Things distrained, or the Monies arising from the Sale thereof, until the said Tolls, and the just Amount thereof, and the Charges of such Distress and Sale, shall be so ascertained ; and that any Justice or Justices of the Peace ; upon Application to be made to him or them for any of the Purposes aforesaid by any of the Parties concerned, shall examine the Matter upon the Oath of the said Parties, or of One or more credible Witness or Witnesses, and shall determine whether any Toll was or was not justly due ; and if it shall appear to him or them that some Toll was justly due, then shall determine the Amount thereof ; and if it shall appear to such Justice or Justices that some Toll was justly due, and that the Person or Persons liable to pay the same refused or neglected to pay the full Amount thereof, such Justice or Justices shall in that Case assess the Charges of such Distress or Sale, if any shall have taken place, and of the Attendance upon the said Justice or Justices by the Collector, Farmer, or other Person authorized to receive the said Tolls, all which Sums to be so determined and assessed shall be paid to the said Collector, Farmer, or other Person authorized as aforesaid ; and until the same shall be paid to him

Mode of settling Disputes concerning Tolls.

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he shall not be obliged to return the Things which he may have distrained, or the Monies arising from the Sale thereof, or the Overplus of the said Things distrained, and Monies or any Part thereof; and if it shall appear to such Justice or Justices that no Toll was justly due, or that the Person or Persons liable to pay the same paid or tendered the full Amount thereof, such Justice or Justices shall in that Case assess the Charges of the Person or Persons from whom the same shall have been demanded to be paid to him, her, or them by such Collector, Farmer, or other Person as aforesaid, and in default of Payment thereof by such Collector, Farmer, or other Person, shall and may cause the same to be levied, with all further reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Collector, Farmer, or other Person making default in Payment thereof.

Power to  
demise the  
Tolls.

VIII. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors from Time to Time to demise and let all and singular the said Tolls which shall arise and become payable in the Manner herein-before mentioned, or any Part or Parts thereof, at such Rent or Rents, or Sum or Sums, for such Time or Times, upon such Terms and Conditions, and in such Manner, as they shall think expedient and proper.

Application  
of the Tolls.

IX. And be it further enacted, That the several Tolls herein-before made payable, and all the Monies which shall arise and be produced therefrom, shall be vested in the Burgesses of the Town of *Wisbech* aforesaid, in their Corporate Capacity, and their Successors for ever, and shall be paid, applied, and disposed of by the said Capital Burgesses and their Successors in discharging the Expences of collecting and receiving the said Tolls, and in and towards the purchasing, providing, appropriating, inclosing, and fencing of the said Market Place or Market Places, for the Sale of live Cattle and Beasts in the said Town, and in and towards the making and erecting of the Buildings and Pens in the said Market Place or Market Places, and the maintaining, supporting, repairing, and preserving of the same, and in and towards the paving, repairing, lighting, watching, cleansing, or otherwise improving of the said Town of *Wisbech*, in such Manner as the said Capital Burgesses and their Successors shall from Time to Time think expedient.

Tolls to be  
reduced when  
more than  
sufficient, and  
to cease when  
not wanted.

X. Provided always, and be it further enacted, That when and as often as the said Tolls herein-before made payable shall be more than sufficient for the several Purposes to which the same are herein-before directed to be applied, then and so often as the same shall happen it shall be incumbent upon the said Capital Burgesses and their Successors, and they are hereby required, to reduce the said respective Tolls to such Amounts as will be sufficient for the said several Purposes until it shall again be necessary to increase the said Tolls, but so that the same or any of them shall not at any Time be increased beyond the Amount of the said respective Tolls by this Act made payable; and that when all the said Purposes to which the said Tolls are so directed to be applied as aforesaid shall be fully answered and carried into execution, then the said Tolls shall cease and determine.

Penalties for  
Offences re-  
specting the  
Market.

XI. And be it further enacted, That if at any Time hereafter any Person or Persons shall drive or put any live Cattle or Beasts whatsoever into the said Market Place or Market Places, without the Consent of the said Capital Burgesses

Burgesses or their Successors, or of the Collector, Farmer, or other Person authorized to receive the Tolls herein-before made payable for the same, before the Tolls which shall be justly due for such Cattle or Beasts shall be paid to the said Collector, Farmer, or other Person, or shall at any Time, without the Consent of the said Capital Burgesses or their Successors, expose any live Cattle or Beast to Sale in any Part of the said Town of *Wisbech*, other than in such Market or Markets as aforesaid, (such Cattle or Beasts as are by this Act allowed to be exposed to Sale in any other Place or Places only excepted,) or shall expose any particular Kind or Description of Cattle or Beasts to Sale in any other Part of the said Market Place or Market Places than in such Part or Parts thereof as shall have been particularly appropriated by the said Capital Burgesses, or their Successors, for such Kind or Description of Cattle or Beasts, or shall expose to Sale in the said Market Place or Market Places any Cattle or Beasts at any other Time or in any other Manner than shall be appointed or directed by the said Capital Burgesses or their Successors, or shall do any Act, Matter, or Thing whatsoever, with an Intent to avoid the just Payment of any of the said Tolls herein-before made payable, or shall prevent or obstruct the Sale of any Cattle or Beasts in the said Market Place or Market Places, or the Passage of any Person or Persons, or of any Cattle or Beasts into or from the same, or shall leave any Cattle or Beasts in the said Market Place or Market Places without some proper and sufficient Person to take the Charge and Care thereof, or shall assault, hinder, or obstruct any Farmer or Collector of the said Tolls, or other Person authorized to receive the same, or any other Officer of the said Capital Burgesses or their Successors, employed to superintend the said Market or Markets, or to do any Matter or Thing relating thereto, in the Collection or Receipt of such Tolls or any of them, or in the Execution of any of the Duties of his Office, or shall misbehave himself, herself, or themselves in the said Market or Markets, or shall wilfully break or offend against any of the Rules, Orders, or Regulations which shall from Time to Time be made by the said Capital Burgesses or their Successors touching the said Market or Markets under the Authority of this Act, or if at any Time hereafter any Farmer, Collector, or other Person authorized to receive the said Tolls herein-before made payable, or any of them, shall knowingly take or demand of or from any Person or Persons any greater or less Toll for any Cattle or Beasts which shall be brought to the said Market or Markets than shall be justly due for the same, or shall in any Manner misbehave himself in the Execution of his Office, every Person offending in any of the Cases aforesaid shall forfeit and pay to the said Capital Burgesses or their Successors, for the Use of the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, such Sum or Sums of Money, not exceeding the Sum of Five Pounds, as any Justice or Justices of the Peace shall in that Behalf direct; and that if at any Time hereafter any Person or Persons shall take away, remove, destroy, deface, or injure any Building, Wall, Gate, Fence, Pen, Post, Rail, Erection, or Pavement in, upon, or near to the said Market Place or Market Places, or any Board or Inscription which shall be fixed or set up in or near to the same, by or by the Order of the said Capital Burgesses or their Successors, every Person offending in any of the Cases last aforesaid shall forfeit and pay to the said Capital Burgesses or their Successors, for the Use of the said Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, such Sum of Money, not exceeding the Sum of Ten Pounds, as any Justice or Justices  
of

of the Peace shall in that Behalf direct, and also such further Sum of Money as a Compensation for the Damage which shall have been occasioned by such Offence as the said Justice or Justices shall in that Behalf award.

Power for  
Bishop of Ely  
to receive his  
Tolls, &c.

XII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said *Thomas* Lord Bishop of *Ely* and his Successors, and his and their Grantee or Grantees, Bailiff or Bailiffs, Collector or Collectors, Farmers, Clerks, or Officers, from Time to Time and at all Times to have, demand, take, and receive, for and in respect of, and out of, from, and in the said Market Place or Market Places, all such and the like Tolls, Stallage, Foldage, Pontage, Rights, and Advantages, and to have all such and every Power and Powers, Authority and Authorities, and Remedies, for taking, receiving, and recovering the same, as the said *Thomas* Lord Bishop of *Ely*, his Grantee or Grantees, Bailiff or Bailiffs, now hath or have, or is or are entitled or ought to have, or which his the said *Thomas* Lord Bishop of *Ely*'s Predecessors, Bishops of *Ely*, in right of their said See, had or were entitled or ought to have had within the said Town and Hundred of *Wisbech* previous to the passing of this Act.

Enfranchise-  
ment of the  
Shambles.

XIII. And be it further enacted, That from and after the passing of this Act the Meat Shambles and the Buildings thereto adjoining and belonging, situate in the present Market Place in the said Town of *Wisbech*, which are now Copyhold of the Manor of *Wisbech Barton* aforesaid, and the Ground and Scite thereof, and their respective Appurtenances, shall be and shall be deemed to be fully and absolutely enfranchised, and the same shall be and are by this Act exonerated and absolved from all future Fines, Rents, Duties, Customs, and Services to be paid or performed in respect thereof to the said *Thomas* Lord Bishop of *Ely* or his Successors, as Lord or Lords of the said Manor of *Wisbech Barton*, and shall from and immediately after the passing of this Act become Freehold of Inheritance, and shall be held and enjoyed as such at all Times hereafter; and that such Compensation shall be made by the said Capital Burgesses and their Successors for the Enfranchisement of the said Shambles and Buildings, and the Ground and Scite thereof, as shall be agreed upon by and between the said *Thomas* Lord Bishop of *Ely* or his Successors and the said Capital Burgesses or their Successors; and in case they cannot agree touching the said Compensation, then the same shall be assessed and awarded in such and the same Manner as is in and by this Act directed concerning the Sale of or Compensation to be made for Damage to any Houses, Buildings, Lands, Tenements, or Hereditaments which shall be taken, used, or damaged by the said Capital Burgesses or their Successors under the Authority of this Act; and that the Amount of such Compensation shall be paid and applied by the said Capital Burgesses or their Successors in such and the same Manner as is in and by this Act directed concerning the Payment and Application of Monies agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments belonging to Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or Persons being under any legal Disability, which shall be taken, used, or damaged by the said Capital Burgesses or their Successors under the Authority of this Act.

Power for  
Trustees to  
sell the  
Shambles.

XIV. And be it further enacted, That it shall be lawful for the present Trustees of the said Shambles, and of the Buildings thereto adjoining and belonging,



longing, or for the Persons in possession of the said Shambles and Buildings, or in receipt of the Rents and Profits thereof, and for their respective Heirs and Successors, and they are hereby required, at any Time, on Application to be made to them or to any Two or more of them by the said Capital Burgesses or their Successors, by Writing under the Common Seal of the Burgesses of the Town of *Wisbech* aforesaid, to treat and agree with the Capital Burgesses or their Successors for the Sale to them of the said Shambles and Buildings, and of all the Estate and Interest which the said Trustees or other Persons had therein, and in the Ground and Site thereof, and in the Appurtenances thereto belonging, at the Time of the passing of this Act, and for the Purchase Money to be paid by the said Capital Burgesses or their Successors to the said Trustees or other Persons, their Heirs or Successors, for the same; and that in case the said Trustees or other Persons as aforesaid, their Heirs or Successors, and the said Capital Burgesses or their Successors, shall not agree touching the Purchase Money to be paid for the said Shambles and Buildings, and for such Estate and Interest as aforesaid, then the said Purchase Money shall, upon Application, to be made either by any Two or more of the said Trustees or other Persons, their Heirs or Successors, or by the said Capital Burgesses or their Successors, be assessed by the Verdict of a Jury, and the Judgment of Two or more Justices thereon, at some General Quarter Sessions of the Peace to be holden in and for the *Isle of Ely*, in the same Manner as Compensations for the Value of any other Houses, Buildings, Lands, Tenements, or Hereditaments which shall be taken, used, or removed by the said Capital Burgesses or their Successors, under the Authority of this Act, are herein-after directed to be assessed; which Verdict and Judgment respecting the said Purchase Money shall finally bind and be conclusive upon, as well the said Trustees or other Persons as aforesaid, and their Heirs or Successors, as also the said Capital Burgesses and their Successors, and the Burgesses of the Town of *Wisbech* aforesaid, in their Corporate Capacity, and their Successors for ever; and also that it shall be lawful for the said Trustees of the said Shambles and Buildings, or other Persons in possession thereof, or in receipt of the Rents and Profits thereof, or their Heirs or Successors, or for any Two or more of them the said Trustees or other Persons, or of their Heirs or Successors, and they are hereby required, on Payment or Tender by or on behalf of the said Capital Burgesses or their Successors, to the said Trustees or other Persons, or their Heirs or Successors, or to any Two or more of them, or in such other Manner as is directed or authorized by this Act, of the Purchase Money which shall have been mutually agreed upon by any Two or more of the said Trustees or other Persons, or their Heirs or Successors, and by the said Capital Burgesses or their Successors, or which shall have been assessed by the Verdict of a Jury and the Judgment of Two or more Justices thereon as aforesaid, to convey and assure unto and to the Use of the Burgesses of the Town of *Wisbech* aforesaid, and their Successors, in Perpetuity, the said Shambles and Buildings, and the Ground and Site thereof, and the Appurtenances thereto belonging, as Freehold of Inheritance; and that such Conveyance and Assurance shall be valid and effectual to vest the said Shambles and Buildings, and the Ground and Site thereof, and the Appurtenances thereto belonging, and the same shall thenceforth be vested, as Freehold in the Burgesses of the Town of *Wisbech* aforesaid, in their Corporate Capacity, and their Successors for ever.

Power to take  
down Sham-  
bles.

XV. And be it further enacted, That it shall be lawful for the said Capital Burgesses or their Successors, on Payment or Tender by them or on their Behalf of the Purchase Money for the said Shambles and Buildings, with their Appurtenances, to the said Trustees, or other Persons in possession thereof or in receipt of the Rents and Profits thereof, or to any Two or more of them, or on Payment of the same into the Bank of *England* in the Manner directed or authorized by this Act, and after the Determination of the Occupation of the said Shambles and Buildings by the respective Tenants thereof, to take down the said Shambles and Buildings, and to convert the same and every Part thereof, and the Materials thereof, to the Use of the Burgesses of the said Town of *Wisbech* and their Successors, and to erect and build upon the Site or Ground of the said Shambles and Buildings, or in any other Part or Parts of the said Town of *Wisbech*, such new Shambles, and other Buildings and Conveniences, as the said Capital Burgesses or their Successors shall think fit and necessary; and that the said new Shambles and other Buildings, when the same shall be erected and built, shall be the Property of and be vested in the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and their Successors for ever; and that it shall be lawful for the said Capital Burgesses and their Successors, from Time to Time and at all Times, to let, apply, and dispose of the same, and the Rents and Profits arising therefrom, in such Manner as they shall think best for the Benefit and Advantage of the Burgesses at large of the Town of *Wisbech* aforesaid.

Power to de-  
termine Oc-  
cupation of  
Shambles.

XVI. And be it further enacted, That the Occupation of the said Shambles and Buildings, and of every or any Part thereof, by all Persons whomsoever, shall cease and be determined at such Time after the passing of this Act as shall be mentioned in any Notice in Writing under the Hands of any Two or more of the said Trustees or other Persons in possession thereof, or in receipt of the Rents and Profits thereof, in case the same shall not have been conveyed by them to the Burgesses of the Town of *Wisbech* aforesaid, or under the Hand of the Town Bailiff of the said Capital Burgesses or their Successors, in case the same shall have been conveyed by the said Trustees or other Persons to the said Burgesses, or the Purchase Money for the same shall have been agreed upon or awarded, and paid or tendered to the said Trustees or other Persons, or any Two or more of them, or paid into the Bank of *England* in the Manner directed or authorized by this Act, so that such Notice shall be affixed upon some conspicuous Part of the said Shambles and Buildings on Two public Market Days at least Six Calendar Months before the Time when such Occupation is to cease and be determined; and that upon such Notice being affixed as aforesaid it shall be lawful for the said Capital Burgesses or their Successors, after the Time which shall be therein mentioned, to take down, remove, and take away the said Shambles and Buildings, and every Part thereof, notwithstanding such Occupation.

Compensa-  
tion to be  
made to Oc-  
cupiers re-  
quired to quit  
before the  
Expiration of  
their Terms.

XVII. Provided always, and be it further enacted, That in case any Person or Persons shall, by virtue of any such Notice as aforesaid, be required to quit and shall quit the Occupation of the said Shambles and Buildings or any Part thereof before the Expiration of the Term for which such Person or Persons is, are, or shall be lawfully entitled to hold the same or any Part thereof, then such Compensation shall be made and paid by the said Capital Burgesses or their Successors to such Person or Persons as shall

shall be agreed upon between them ; and in case they cannot agree touching such Compensation, then the same shall be assessed and awarded in such and the same Manner as other Compensations are by this Act directed to be assessed and awarded.

XVIII. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, or for their Town Bailiff for the Time being under their Authority, from Time to Time, when and as often as they shall see fit, to fix the precise Limits of the Place or Ground (not being the private Land or Ground of any Person or Persons) where the Market shall be held for the Sale of Meat, Poultry, Fish, Fruit, Vegetables, and other Goods, Wares, and Merchandize, in the said Town of *Wisbech*, so as to prevent such Market Place, or the Sale of any such Meat, Poultry, Fish, Fruit, Vegetables, or other Goods, Wares, or Merchandize, from being extended into, upon, or over any of the Carriageways or Footways of any of the adjoining or surrounding Streets, or into, upon, or over any other of the public Passages or Places in the said Town, and to fix and appropriate particular Parts of the said Market Place for the Sale or Exposure to Sale of Meat, Poultry, Fish, and Vegetables respectively, and of any other respective Goods, Wares, or Merchandize ; and also to fix and place or to direct the fixing and placing of all or any of the Stalls, Booths, Caravans, Stools, Benches, Boxes, Packages, Baskets, or other Utensils or Conveniences of any Denomination which shall be occupied or used by any Person or Persons on the Market Day, or at any other Time, for selling or exposing to Sale or View any Meat, Poultry, Fish, Fruit, Vegetables, Goods, Wares, Merchandize, or other Matter or Thing whatsoever ; and also to direct and regulate the Situation, Size, Dimensions, Form, Order, and Arrangement of all or any of such Stalls, Booths, Caravans, Stools, Benches, Boxes, Packages, Baskets, and other Utensils or Conveniences as aforesaid, or any of them, so as to preserve convenient Order and Regularity in such Market as well on public Market Days as on any other Day or Days ; and that if any Person or Persons shall at any Time expose to Sale or View any Meat, Poultry, Fish, Fruit, or Vegetables, or any other Goods, Wares, Merchandize, Matter, or Thing whatsoever, or fix or place any Stall, Booth, Caravan, Stool, Bench, Box, Package, Basket, or other Utensil or Convenience, in any other Part or Parts of the said Market Place than shall be fixed or appropriated for such Purposes respectively by the said Capital Burgesses or their Successors, or by their Town Bailiff under their Authority, or shall fix or place in any Part of the said Market Place any Stall, Booth, Caravan, Stool, Bench, Box, Package, Basket, or other Utensil or Convenience of different Sizes, Dimensions, or Forms than shall be from Time to Time authorized by the said Capital Burgesses or their Successors, or shall infringe upon or offend against any of the Arrangements or Regulations which the said Capital Burgesses or their Successors shall from Time to Time make under the Authority of this Act touching the said Market Place, every Person offending in any of the Cases aforesaid shall forfeit and pay such Sum of Money, not exceeding Forty Shillings, as any Justice or Justices of the Peace shall in that Behalf direct.

Power to fix  
Limits of  
Market.

XIX. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent any Person or Persons from selling or exposing to Sale or View any Meat, Poultry, Fish, Fruit, Vegetables, Goods, Wares, Merchandize, or other Matter or Thing whatsoever, within

Persons not  
to be pre-  
vented from  
selling Goods  
on their own  
and Premises.

and upon his, her, or their own Premises only in the said Town of *Wisbech*, so that the same do not hang over or project into any of the public Market Places, Streets, Lanes, or other public Passages or Places within the said Town.

Power to  
form Streets.

XX. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, from Time to Time and at any Time or Times after the passing of this Act, to cause any of the Houses, Buildings, Tenements, Walls, or Fences which shall belong to or be vested in the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, or their Successors, or which shall at any Time be purchased or taken by or be under the Care or Management of the said Capital Burgesses or their Successors, under the Authority of this Act, or any Part or Parts of them, to be taken down and removed, and to cause so much of the Sites of any of such Houses, Buildings, Tenements, Walls, or Fences, or of any Part or Parts thereof, or so much of any of the Lands or Grounds which shall belong to or be vested in the said Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, or their Successors, or which shall at any Time be purchased or taken by or be under the Care or Management of the said Capital Burgesses or their Successors, under the Authority of this Act, as the said Capital Burgesses or their Successors shall from Time to Time think necessary and proper, to be added to and laid into and to form a Part of any of the Streets, Lanes, or other public Passages or Places within the said Town, or to be formed and made into any new Streets, Lanes, or other public Passages or Places within the said Town, for the Purpose of making Communications to and from any of the present Streets, Lanes, or other public Passages or Places, and to and from any of the Approaches or Entrances into the said Town, in such Manner as the said Capital Burgesses or their Successors shall judge proper; and that the said Sites, Lands, and Grounds which shall be so added to or laid or formed into any of the said Streets, Lanes, or other public Passages or Places within or near to the said Town, shall for ever afterwards be Part thereof, and be used, deemed, repaired, and maintained as common public Highways.

Power to  
pave Streets,  
&c.

XXI. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, and they are hereby authorized, at any Time or Times and from Time to Time, when and as they shall deem it expedient, to cause the several Market Places, Streets, Lanes, Bridges, and public Passages and Places already made or hereafter to be made within the said Town of *Wisbech*, or any of them, or any Part or Parts thereof, as well in the Carriageways as in the Footways thereof, to be new-paved, flagged, repaired, or amended, and the Pavement 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 of the said Market Places, Streets, Lanes, Passages, and Places, and in, through, over, or under the Pavements thereof, any Tunnels, Gutters, Sinks, Drains, Sewers, or Watercourses for conveying the Water from the same respectively; and also to cause any of the present or future Tunnels, Gutters, Sinks, Drains, Sewers, or Watercourses within the said Town to be stopped up, opened, or widened, and the Form thereof to be altered, turned, varied, or changed, in such Manner as they shall think fit,

fit, so that no Injury shall be thereby done to any Person or Persons who shall lawfully have or use any private Drain or Watercourse, without making sufficient Compensation to him, her, or them for the same; and also to cause to be taken up, removed, and carried away all or any of such Posts, Rails, Pales, Trees, or other Matters or Things placed or being in the said Markets, Streets, Lanes, Bridges, Passages, or Places, or any of them, and not forming a Part of nor annexed to any Dwelling House, Shop, Warehouse, or other Building before the passing of this Act, as the said Capital Burgesses or their Successors shall at any Time or Times and from Time to Time judge to be useless, or to be or occasion any Nuisance or Obstruction within the said Markets, Streets, Lanes, Bridges, Passages, and Places, or any of them.

XXII. And be it further enacted, That it shall not be lawful for any Person or Persons at any Time hereafter to take up or remove any Part of the Pavement or Flagging of any of the Footways or Carriageways, such Footways or Carriageways not being private Property, in any of the Markets, Streets, Bridges, Lanes, or public Passages or Places within the said Town of *Wisbech*, or to take up, divert, alter, or make any Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse in any of the said Markets, Streets, Bridges, Lanes, Passages, or Places, until after Seven Days Notice in Writing shall have been given or left by him, her, or them to or at the Dwelling House of the Town Bailiff or Clerk of the said Capital Burgesses or their Successors; and that it shall be lawful for the said Capital Burgesses and their Successors at all Times to direct the Manner in which any such Pavement or Flagging shall be taken up, removed, and relaid, or any such Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse shall be taken up, diverted, altered, or made, and that the same shall be taken up, removed, relaid, diverted, altered, or made accordingly; and that in case any Person or Persons shall take up, remove, or relay any such Pavement or Flagging, or any Part thereof, or take up, divert, alter, or make any such Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, or any Part thereof, without giving such Notice as aforesaid, or contrary to the Direction of the said Capital Burgesses or their Successors, it shall be lawful for the said Capital Burgesses and their Successors to cause the same respectively to be taken up, removed, relaid, diverted, altered, or made, at such Time or Times and in such Manner as they shall think expedient and proper; and that the Costs and Charges thereof shall be borne and paid by the Person or Persons who shall have taken up, removed, relaid, diverted, altered, or made such Pavement or Flagging, Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, or any Part thereof, without such Notice, or contrary to such Direction as aforesaid; and in case of Nonpayment thereof on Demand, to be made by or on behalf of the said Capital Burgesses or their Successors, shall and may be levied and recovered in such and the like Manner as any Penalty is by this Act directed or authorized to be levied and recovered; and that such Person or Persons shall for every such Offence forfeit and pay, beside the said Costs and Charges, such Sum of Money, not exceeding Forty Shillings, as any Justice or Justices of the Peace shall in that Behalf direct.

Pavements, &c. to be altered under the Direction of the Capital Burgesses.

XXIII. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors from Time to Time to require and direct the respective Owners or Occupiers of all or any of the Houses,  
 [Loc. & Per.] 50 O Shops,

Spouts to be affixed, and Posts, &c. to be removed

Shops, Warehouses, or other Buildings in any Market Place, Street, Lane, or other public Passage or Place within the said Town of *Wisbech*, to place and affix, at their own respective Costs, proper and convenient Spouts, Pipes, or Tunnels to and under the Roofs, Eaves, or Cornices of their said respective Houses, Shops, Warehouses, and other Buildings, and along and down the Fronts or Sides thereof to the Ground, for conveying the Water from the Roofs or other Parts of their said respective Houses, Shops, Warehouses, and other Buildings into the said respective Market Places, Streets, Lanes, Passages, and Places, and for preventing the Water from falling or dropping upon Persons passing along the same, and at their own respective Costs to renew, amend, or alter any of such Spouts, Pipes, or Tunnels, at such Time or Times and in such Manner and Form as the said Capital Burgesses or their Successors shall in that Behalf direct, and also to require and direct such respective Owners or Occupiers, or any other Person or Persons, by whom or under whose Direction any flat Door, flat Window, or Grating shall have been placed or made in any of the Carriageways, Footways, or Pavements in the said Town, or by whom or under whose Direction any Tree, Fence, Pale, Rail, Post, or other Matter or Thing not forming a Part of nor annexed to any Dwelling House, Shop, Warehouse, or other Building before the passing of this Act, shall have been planted, erected, placed, or made upon or in the Line of any of the Carriageways or Footways of any of the Market Places, Streets, Lanes, or public Passages or Places within the said Town, to close, stop up, take down, take up, remove, and carry away, at their own respective Costs, every or any such flat Door, flat Window, Grating, Tree, Fence, Pale, Rail, Posts, or other Matter or Thing, and to repair and make good the Pavement where the same shall have been placed or fixed, at such Time or Times and in such Manner as the said Capital Burgesses or their Successors shall in that Behalf direct; and that in case any such Owner or Occupier, or other Person, shall refuse or neglect to place, affix, renew, amend, or alter any such Spout, Pipe, or Tunnel as aforesaid, or to close up, stop up, take down, take up, remove, or carry away any such flat Door, flat Window, Grating, Tree, Fence, Pale, Rail, Post, or other Matter or Thing as aforesaid, or to repair and make good the Pavement where the same shall have been placed or fixed, at such Time or Times and in such Manner and Form as shall be required and directed in and by any Notice in Writing for that Purpose under the Hand of the Town Bailiff or Clerk of the said Capital Burgesses or their Successors, by the Authority of the said Capital Burgesses or their Successors, given to or left at the Dwelling House of such Owner, Occupier, or other Person as aforesaid, it shall be lawful for the said Capital Burgesses or their Successors to cause such Spout, Pipe, or Tunnel to be placed, affixed, renewed, amended, or altered, or such flat Door, flat Window, Grating, Tree, Fence, Pale, Rail, Post, or other Matter or Thing to be closed, stopped up, taken down, taken up, removed, or carried away, and such Pavement to be repaired and made good, in such Manner as shall have been required and directed in and by such Notice as aforesaid; and that the Costs and Charges thereof shall be borne and paid by the Owner, Occupier, or other Person who shall have refused or neglected as aforesaid, or shall have acted contrary to such Notice; and in case of Nonpayment thereof on Demand, to be made by or on behalf of the said Capital Burgesses or their Successors, shall and may be levied and recovered, in

such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered; and that every such Owner, Occupier, or other Person refusing, neglecting, or acting in manner aforesaid shall forfeit and pay, besides the said Costs and Charges, such Sum of Money, not exceeding Five Pounds, as any Justice or Justices of the Peace shall in that Behalf direct.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable the Burgesses of the Town of *Wisbech* aforesaid or their Successors, or the said Capital Burgesses or their Successors, or any other Person acting under the Authority of them or any of them, or under the Authority of this Act, to take down or remove, for any of the Purposes of this Act, any Dwelling House, Shop, or Warehouse, or any Door, Window, Bulk, Step, or Railing, belonging to and being a Part of and annexed to any Dwelling House, Shop, or Warehouse, before the passing of this Act, (other than and except flat Doors, flat Windows, and Gratings placed or lying in any of the Footways or Carriageways within the said Town,) or any inclosed Yard, Garden, or Orchard, without the previous Consent in Writing of the respective Owners thereof and other Persons interested therein.

Dwelling-houses, &c. not to be taken without Consent.

XXV. Provided also, and be it further enacted, That in case any Slaughter-house, Hog Stye, Necessary House, or other noisome or offensive Building or Place whatsoever in or near to any of the Market Places, Streets, Lanes, or Public Passages or Places within the said Town of *Wisbech* shall by the said Capital Burgesses or their Successors be deemed a Nuisance to any of the Inhabitants of or Persons residing in the said Town, it shall be lawful for the said Capital Burgesses or their Successors, upon Complaint thereof to be made to them by any such Inhabitant or Person by Notice in Writing under the Hand of their Town Bailiff or Clerk for the Time being, given or left at the Dwelling House or last Place of Abode of the Person or Persons who shall be the Owner or Occupier of such Nuisance, or by whom or under whose Direction the same shall have been made, placed, or continued, to order such Nuisance to be removed at such Time and in such Manner as the said Capital Burgesses or their Successors shall think proper; and that in case such Nuisance shall not be fully and completely removed at the Time and in the Manner mentioned and directed in and by such Notice, such last-mentioned Person or Persons shall forfeit and pay such Sum of Money, not exceeding Five Shillings, for every Day for which the said Nuisance or any Part thereof shall continue unremoved after the Expiration of the Time mentioned in such Notice, as any Justice or Justices of the Peace shall in that Behalf direct.

Noisome Buildings to be removed.

XXVI. Provided also, and be it further enacted, That if any Person shall at any Time hereafter erect or build any Privy, Necessary House, or other such Building upon or over any public Drain, Sewer, Watercourse, or Channel already made or hereafter to be made or used by the said Capital Burgesses or their Successors for carrying off the Water from any of the Market Places, Streets, Lanes, or other public Passages or Places within the said Town of *Wisbech*, or so near to any such public Drain, Sewer, Watercourse, or Channel that any of the Soil or Filth of such Privy, Necessary House, or other such Building shall fall or run into such Drain, Sewer, Watercourse,

Obstructions to public Drains to be removed.

tercourse, or Channel ; or if the Owner of any Privy, Necessary House, or other such Building already erected or built upon or over any such public Drain, Sewer, Watercourse, or Channel, or so near thereto as aforesaid, shall, for the Space of One Calendar Month after Notice in Writing from the said Capital Burgesses or their Successors, or their Town Bailiff or Clerk, to remove such Privy, Necessary House, or other such Building, suffer the same to remain ; or if any Person shall hereafter place or erect any Building of any Kind upon or over any Part which is now open or uncovered of any such public Drain, Sewer, Watercourse, or Channel as aforesaid, without the previous Consent in Writing of the said Capital Burgesses or their Successors, it shall be lawful for the said Capital Burgesses or their Successors, or any Person under their Authority, to cause such Privy, Necessary House, or other such Building, and also such Building of any Kind as aforesaid, to be taken down and removed, and that the Costs and Charges thereof shall be borne and paid by the Person or Persons by whom or by whose Direction the same shall have been erected, built, or continued as aforesaid ; and in case of Nonpayment thereof on Demand, to be made by or on behalf of the said Capital Burgesses or their Successors, shall and may be levied and recovered in such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered ; and that such Person or Persons shall forfeit and pay, beside the said Costs and Charges, such Sum of Money, not exceeding Five Pounds, as any Justice or Justices of the Peace shall in that Behalf direct.

Future Pro-  
jections to be  
prevented.

XXVII. And be it further enacted, That if any House, Shop, Warehouse, or other Building in or near to any Market Place, Street, Lane, Bridge, or public Passage or Place within the said Town of *Wisbech* shall at any Time after the passing of this Act be erected, built, made, or altered, in such Manner and Form as in any Part thereof to project into or over such Market Place, Street, Lane, Bridge, Passage, or Place, or in any other Manner or Form than in a perpendicular Line or Direction upwards from the Foundation thereof ; or if any Sign, Sign Iron, Sign Post, or other Iron or Post, Shed, Penthouse, Porch, Bulk, Balcony, Door, Window, Window Shutter, Rail, Pale, Palisado, Stair, Step, Show Glass, Show Board, Cesspool, or Cistern, or any other Projection or Encroachment whatsoever, shall at any Time after the passing of this Act be erected, built, made, affixed, or placed against or in front or on the Outside of any Dwelling House, Shop, Warehouse, or other Building within or adjoining to any such Market Place, Street, Lane, Passage, or Place, so as to abridge or obstruct a free and commodious Passage along any of the Carriageways or Footways of the same, then and in every such Case it shall be lawful for the said Capital Burgesses and their Successors to direct and cause every such House, Shop, Warehouse, or other Building which shall be so erected, built, made, or altered as aforesaid, and every such Sign, Sign Iron, Sign Post, or other Iron or Post, Shed, Penthouse, Porch, Bulk, Balcony, Door, Window, Window Shutter, Rail, Pale, Palisado, Stair, Step, Show Glass, Show Board, Cesspool, or Cistern, or other Projection or Encroachment which shall be so erected, built, made, affixed, or placed as aforesaid, to be taken down, taken up, removed, and taken away, and the Ground and Pavement whereon and wherein the same shall have been placed to be filled up and levelled, and that the Costs and Charges thereof



thereof shall be borne and paid by the Person or Persons by whom or under whose Direction the same shall have been so erected, built, made, altered, affixed, or placed as aforesaid, and, in case of Nonpayment thereof on Demand to be made by or on behalf of the said Capital Burgesses or their Successors, shall and may be levied and recovered in such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered; and that every such Person or Persons shall forfeit and pay, beside the said Costs and Charges, such Sum of Money, not exceeding Five Pounds, as any Justice or Justices of the Peace shall in that Behalf direct.

XXVIII. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, from Time to Time and at any Time or Times hereafter, to direct and cause to be affixed, set up, and fastened to, upon, and against any of the Walls, Doors, or Windows of all or any of the Houses, Shops, Warehouses, or Buildings, and to, upon, and against any other Walls, Pales, Fences, or Places within the said Town of *Wisbech* or within any of the Approaches thereto, such and so many Lamps, Lamp Irons, Lamp Posts, and other Matters and Things necessary thereto, as the said Capital Burgesses or their Successors shall think expedient and proper, and to direct and cause the same or any of them to be taken down, removed, altered, or renewed in such Manner as they shall think necessary for the lighting of all or any of the Market Places, Streets, Lanes, Passages, or Places within the said Town or within the Approaches thereto.

Power to affix  
Lamps.

XXIX. And be it further enacted, That if any Person or Persons shall at any Time hereafter wilfully take away, break, throw down, displace, destroy, or damage any Lamp or Lamps which shall be hung or put up, within the said Town of *Wisbech*, or within any of the Approaches thereto, by or under the Authority of the said Capital Burgesses or their Successors, or by any Person or Persons at his, her, or their own Expence, for the Purpose of lighting any Part or Parts of the said Town, or shall wilfully extinguish the Light or Lights within the same, or shall throw down, break, or damage any Post, Iron, Cover, or other Furniture of any such Lamp, every Person offending in manner aforesaid shall forfeit and pay such Sum of Money, not exceeding Forty Shillings, as any Justice or Justices of the Peace shall in that Behalf direct; and that it shall be lawful for any Person or Persons who shall see any such Offence committed to seize, and for any other Person or Persons whomsoever to assist in seizing, such Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey and deliver him, her, or them into the Custody of some Watchman or Peace Officer, to be conveyed as soon as conveniently may be before some Justice or Justices of the Peace, and to be dealt with according to Law.

Penalty for  
wilfully  
breaking  
Lamps.

XXX. And be it further enacted, That if any Person or Persons shall at any Time hereafter wilfully or carelessly break, thrown down, destroy, or damage any Lamp or Lamps which shall be hung or put up within the said Town of *Wisbech*, or within any of the Approaches thereto, by or under the Authority of the said Capital Burgesses or their Successors, or by any Person or Persons at his, her, or their own Expence, or any Post, Iron, Cover, or other Furniture, Matter, or Thing of or belonging to any such Lamp, and shall not immediately, upon Demand by the said

Satisfaction  
to be made  
for Damage  
to Lamps, &c.

Capital Burgesses or their Successors, or their Town Bailiff or Clerk, or by the Contractor or Contractors for lighting such Lamps, or by the Owner or Owners of such Lamp or Lamps, make Satisfaction for the Damage which shall have been thereby done, then and in every such Case it shall be lawful for any Justice or Justices of the Peace, upon Complaint to him or them by the said Capital Burgesses or their Successors, or their Town Bailiff or Clerk, or by such Contractor or Contractors, Owner or Owners as aforesaid, to summon before him or them the Person or Persons against whom such Complaint shall be made, and upon hearing the said Complaint and the Evidence which shall be adduced, or upon the Nonappearance of the Person or Persons complained of and duly summoned to award such Sum or Sums of Money, by way of Satisfaction, to be paid by such Person or Persons to the said Capital Burgesses or their Successors, or to such Contractor or Contractors, Owner or Owners as aforesaid, as such Justice or Justices shall think reasonable, over and above any Penalty or Forfeiture which may have been incurred by such Person or Persons under any of the Provisions of this Act, which said Sum or Sums shall and may be levied and recovered in such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered.

Division  
Walls to be  
made of a  
certain Thick-  
ness, and  
Buildings  
not to be  
thatched.

XXXI. And be it further enacted, That after the passing of this Act it shall not be lawful for any Person or Persons to erect, build, or rebuild any House, Shop, Warehouse, or other Building within the said Town of *Wisbech*, without making all the external Walls thereof entirely of Brick or Stone of the Thickness of Nine Inches at the least, nor without making at the Gable Ends and Sides thereof respectively separate Walls entirely of Brick or Stone of the like Thickness upon his or her own Ground or Soil, against every adjoining House or other Building and every Part thereof, and that every such separate Wall shall extend and be of the same Thickness in every Part thereof from the Ground Floor upwards; and that it shall not be lawful for any Person or Persons to erect, build, or rebuild any Row of Houses, Tenements, or Dwellings adjoining to each other within the said Town without making a Partition or Division Wall entirely of Brick or Stone, and of the Thickness aforesaid, between every Two such Houses, Tenements, or Dwellings of or in every such Row, which Partition or Division shall extend and be of the same Thickness in every Part thereof from the Ground Floor upwards; and that after the passing of this Act it shall not be lawful for any Person or Persons to cover, in the Whole or in Part, with Thatch, Reed, Stubble, or Straw, any House or other Building of any Kind within the said Town, except only such Houses or Buildings as are erected and covered with Thatch, Reed, Stubble, or Straw at the Time of the passing of this Act; and that in case any such House, Shop, Warehouse, or Building, or Row of Houses, Tenements, or Dwellings, shall be so erected, built, or rebuilt as aforesaid, without such respective Walls as aforesaid, or which shall be covered wholly or in part with Thatch, Reed, Stubble, or Straw as aforesaid, except as aforesaid, the Owner or Owners of every such House, Shop, Warehouse, or Building, or Row of Houses, Tenements, or Dwellings, shall forfeit and pay the Sum of Five Pounds for every Month during which such House, Shop, Warehouse, Building, or Row of Houses, Tenements, or Dwellings, shall continue without such respective Walls, or with such Covering as aforesaid.

XXXII. And

XXXII. And be it further enacted, That the respective Occupiers of Houses, Shops, Warehouses, Buildings, Yards, Gardens, and inclosed Grounds in or adjoining to the several Market Places, Streets, Lanes, and public Passages or Places within the said Town of *Wisbech* shall and they are hereby required to cause to be well and sufficiently swept and cleansed the Footways or Foot Pavements where any such shall be, and where there shall be no Footways or Pavements then the Space of Three Feet at the least of the other Pavements immediately adjoining their said respective Houses, Shops, Warehouses, Buildings, Yards, Gardens, and inclosed Grounds, in and adjoining to every such Market Place, Street, Lane, Passage, and Place, between the Hours of Six and Ten of the Clock in every Morning of the Year; and that every such Occupier who shall not cause such Footways, Foot Pavements, and other Pavements to be swept in manner aforesaid shall for every Neglect therein forfeit and pay such Sum of Money, not exceeding Five Shillings, as any Justice or Justices of the Peace shall in that Behalf direct.

Footways  
to be swept

XXXIII. And be it further enacted, That the Person or Persons who shall from Time to Time be employed by or contract with the said Capital Burgesses or their Successors for the Office of Scavenger or Scavengers, for the Purpose of cleansing the several Market Places, Streets, Lanes, Bridges, and public Passages and Places within the said Town of *Wisbech*, shall, at the Time or Times and in the Manner required by virtue of any Contract or Contracts which such Person or Persons shall enter into with the said Capital Burgesses or their Successors for that Purpose, sweep and collect together, and remove and take away to some inclosed Place or Places out of the said Market Places, Streets, Lanes, Passages, and Places, all the Dirt, Dust, Filth, or Rubbish which shall have been laid or collected in such Market Places, Streets, Lanes, Bridges, Passages, and Places respectively; and that every Person acting as a Scavenger for the Purpose aforesaid who shall not well and sufficiently sweep, collect, remove and take away all such Dirt, Dust, Filth, and Rubbish as aforesaid, or who shall fail in the Performance of any such Contract or Contracts as aforesaid, or of any of the Terms or Conditions thereof, shall for every such Offence forfeit and pay such sum of Money, not exceeding Five Pounds, as any Justice or Justices of the Peace shall in that Behalf direct.

Dirt to be  
removed by  
Scavengers.

XXXIV. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, at any Time after the passing of this Act, to cause all such Gates and Doors as are now made or placed in or against any Building, Yard, or inclosed Ground adjoining any of the Market Places, Streets, Lanes, or public Passages or Places within the said Town of *Wisbech*, and are so constructed as to open into or towards any of the said Market Places, Streets, Lanes, Passages, or Places to be altered and made so as to open into such Building, Yard, or inclosed Ground only; and that if at any Time after the passing of this Act any Person or Persons shall make or place or cause to be made or placed any Gate or Door in or against any such Building, Yard, or inclosed Ground as aforesaid, so as to open into or towards any of the said Market Places, Streets, Lanes, Passages, or Places, it shall be lawful for the said Capital Burgesses and their Successors in like Manner to cause every such Gate or Door to be altered and made so as to open into such Building, Yard, or inclosed Ground only, and that in every such last-mentioned Case the Costs and

Gates and  
Doors to be  
made to open  
inwards.

Charges of altering such Gate or Door shall be borne and paid by the Owner or Owners thereof, or by the Person or Persons by whom or under whose Direction the same shall have been made or placed; or, in case of Nonpayment thereof on Demand to be made by or on behalf of the said Capital Burgesses or their Successors, shall and may be levied and recovered in such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered; and that every such Owner or Person shall for every such Offence forfeit and pay, beside the said Costs and Charges, such Sum of Money, not exceeding Forty Shillings, as any Justice or Justices of the Peace shall in that Behalf direct.

Punishment  
of various Of-  
fences within  
the Town.

XXXV. And be it further enacted, That it shall not be lawful for any Person or Persons at any Time after the passing of this Act to place or leave any Cart, Waggon, Sledge, Dray, Gin, or other Carriage or Implement used for the Purpose of conveying or carrying Goods, Wares, Merchandize, or any other Materials or Things whatsoever, in or upon any of the Market Places, Streets, Lanes, and other public Passages or Places within the said Town of *Wisbech*, for any longer Time than shall be necessary for the loading or unloading thereof; nor to load or unload any such Cart, Waggon, Sledge, Dray, Gin, or other Carriage or Implement, in any of the said Market Places, Streets, Lanes, Passages, or Places, other than in such of them as shall be from Time to Time allowed by the said Capital Burgesses or their Successors; nor to set, place, or leave any Cart, Waggon, Sledge, Dray, Gin, or other Carriage or Implement, across any of the said Streets, Lanes, Passages, or Places, for the Purpose of loading or unloading the same or otherwise, so as to obstruct the Passage of Persons, Cattle, or Carriages there passing; nor to drive any Cart, Waggon, Sledge, Dray, Gin, or other Carriage or Implement, upon or over any of the Footways or Foot Pavements of any of the said Market Places, Streets, Lanes, Passages, or Places, otherwise than into any Yard or Premises thereto adjoining; nor to ride on the Shafts of any Cart, Waggon, Dray, Gin, or other Carriage within the said Town; nor to ride in or upon any Cart, Waggon, Dray, Gin, or Carriage, or upon any Horse or other Beast drawing the same, within the said Town, without Reins to such Horse or other Beast; nor to leave any Cart, Waggon, Sledge, Dray, Gin, or other Carriage or Implement, in any of the said Market Places, Streets, Lanes, Passages, or Places, with any Horse or other Beast therein, unless the same shall be left under the Command and Care of some proper Person; nor to draw or convey, or assist in drawing or conveying, any Timber, Stone, or other Thing whatsoever, in or upon any of the said Market Places, Streets, Lanes, Passages, or Places, otherwise than on a Carriage with Wheels; nor to suffer any such Timber, Stone, or other Thing, in drawing or conveying the same, to drag along the Ground; nor to place or leave any Stage Coach or any Carriage let to hire in or upon any of the said Market Places, Streets, Lanes, Passages, or Places for any longer Time than shall be necessary for taking up and setting down Passengers or Travellers, or for loading or unloading Luggage; nor to drive or ride any Horse or Mare, or other Cattle, in any of the said Market Places, Streets, Lanes, Passages, or Places, with any Ropes, Geers, or Harness hanging loose from any such Horse, Mare, or other Cattle, and dragging on the Ground; nor to turn loose unnecessarily any Horse, Beast, or Cattle in any of the said Market Places, Streets, Lanes, Passages, or Places, or in any of the Churchyards within the said Town; nor to leave any Horse, Mare, Ass, or  
other

other Cattle standing tied or untied at any Door or House in any of the said Market Places, Streets, Lanes, Passages, or Places, so as to obstruct or incommode the Passage along any Footway within the said Town; nor to run, draw, drive, or carry upon any Footway or Foot Pavement in any of the said Market Places, Bridges, Streets, Lanes, Churchyards, Passages, or Places, any Truck, Sledge, Wheelbarrow, Hand-barrow, or Carriage whatsoever; nor to roll upon any such Footway or Foot Pavement any Cask or Tub, other than for the necessary loading or unloading thereof, into, from, or out of any House, Shop, Warehouse, Carriage, or Vessel, and along the Extent only of the Premises to or from which the same shall be rolled; nor to ride, lead, or drive any Horse, Beast, or Cattle whatsoever on any such Footway or Foot Pavement; nor to throw, cast, place, or lay any Timber, Iron, Stones, Lime, Mortar, Faggots, Coals, Casks, Goods, Wares, Merchandizes, Materials, or Things into, in, or upon any of the said Market Places, Streets, Lanes, Passages, or Places, longer than shall be necessary for the immediate packing or unpacking, loading or unloading of the same, or for the immediate Removal thereof; nor to hang up, place, or expose to Sale or View any Meat, Fish, Poultry, Fruit, Vegetables, Goods, Wares, or Merchandizes, or other Matter or Thing whatsoever, upon or over any of the Footways or Carriageways of any of the said Market Places, Streets, Lanes, Passages, or Places, or beyond the Front of the Buildings therein, or so as to obstruct or incommode the Passage of Persons, Cattle, or Carriages along the same; nor to make or occasion any other Kind of Obstruction or Annoyance in any of the said Market Places, Streets, Lanes, Passages, or Places, nor in any Manner wilfully or carelessly to destroy or injure any of the Pavements therein; nor to expose to Sale any Horse, Cattle, or Beast in any of the said Market Places, Streets, Lanes, Passages, or Places, other than in the Cattle Market or Markets, or such other Place or Places as are authorized by this Act; nor to make or repair any Coach, Chaise, Waggon, Cart, Sledge, or other Carriage, or shew or expose any Stallion, or shoe, bleed, or farry any Horse, Beast, or Cattle, except in Cases of sudden Accident or Necessity, in any of the said Market Places, Streets, Lanes, Churchyards, Passages, or Places; nor to place or set any Cask, Tub, Pail, Bucket, Stool, Bench, or other Matter or Thing whatsoever, or burn, dress, or cleanse any Cask, or hoop or fire, cleanse, wash, or scald, any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, or hang, set out, place, or expose any Linen or Woollen Cloaths or Goods, or other Matter or Thing, for the Purpose of drying, or hang any drying Lines, or set or place any drying Horse, in any of the said Market Places, Streets, Lanes, Churchyards, Passages, or Places; nor to kill or slaughter, or scald, singe, dress, or cut up, any Animal, either wholly or in part, in any of the said Market Places, Streets, Lanes, Churchyards, Passages, or Places; or cause or permit any Offals or Blood to run from any Slaughter House, Butcher's Shop, Shambles, Building, Yard, or Garden into the same or any of them; nor to throw, cast, place, or lay any Dust, Dirt, Dung, Offal, Blood, Stones, Ashes, Rubbish, or Filth whatsoever (except Ashes in Times of Frost for the Prevention of Accidents) into, in, or upon any of the said Market Places, Streets, Lanes, Churchyards, Passages, or Places; nor to throw or cast any Dust, Dirt, Dung, Offal, Blood, Carcases, Stones, Ashes, Rubbish, Filth, Matter, or Thing whatsoever into any River, Canal, Pond, Sewer, Drain, or Watercourse within the said Town, other than the Filth from Privies or Necessaries to be thrown into the Great River in the Manner herein-after mentioned; nor to make or

[*Loc. & Per.*]

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assist

assist in making any Bonfire, or let off, fire, or throw any Firework, in any of the said Market Places, Streets, Lanes, Churchyards, Passages, or Places, without the Permission of a Justice of the Peace; and that if any Person or Persons shall at any Time or Times hereafter be guilty of any of the Offences herein-before specified, or shall at any Time or Times hereafter destroy, break, injure, deface, discolour, spoil, or damage any of the Buildings, Walls, Fences, Pales, Rails, Posts, or other Works, Articles, Matters, or Things which shall be vested in or belong to the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, or their Successors, or which shall have been made, altered, or repaired by, or shall be under the Authority, Care, or Management of the said Burgesses of the Town of *Wisbech* in their Corporate Capacity, or the said Capital Burgesses or their Successors, every Person offending in any of the Cases aforesaid, and being thereof convicted before any Justice or Justices of the Peace, shall for every such Offence (unless the same is by any of the Provisions of this Act subjected to any other Penalty or Punishment) forfeit and pay such Sum of Money, not exceeding Five Pounds, as such Justice or Justices shall in that Behalf direct.

Power to place Stalls, with Consent, on Market and Fair Days.

XXXVI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent or hinder any Person or Persons from placing, with the Consent and under the Authority of the said Capital Burgesses or their Successors, any Stall, Booth, Stool, Bench, Utensil, or other Convenience for exposing to Sale or View any Goods, Wares, Merchandizes, Matters, or Things in any of the Streets, Lanes, or public Passages or Places within the said Town of *Wisbech*, on any public Market Day or any public Fair Day within the said Town of *Wisbech*, or to subject any such Person or Persons having such Consent and Authority as aforesaid to any Penalty or Punishment for the same.

Power to lay Rubbish, &c. for a limited Time.

XXXVII. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person whatsoever from placing or laying in any Market Place, Street, Lane, or other public Passage or Place within the said Town of *Wisbech*, any Soil, Dirt, Dust, Dung, Manure, Ashes, Filth, or Rubbish, for the Purpose of removing and conveying the same from any Dwelling House, Building, Yard, Garden, or inclosed Ground adjoining to any such Market Place, Street, Lane, Passage, or Place, so that the same be placed and laid close to such Dwelling House, Building, Yard, Garden, or inclosed Ground, and so that the same be not placed, laid, or continued in any such Market Place, Street, Lane, Passage, or Place for any longer Time than shall be necessary for the immediate Removal and Conveyance thereof as aforesaid, nor for any longer Time in the whole than the Space of Twenty-four successive Hours; and that nothing herein contained shall extend or be construed to extend to prevent any Person whomsoever from placing or laying in any such Market Place, Street, Lane, Passage, or Place any Materials which shall be provided for the building, altering, or repairing of any House, Shop, Warehouse, or other Building within the said Town, during the Time in which such House, Shop, Warehouse, or other Building shall be so building, altering, or repairing, so that such Materials shall be placed or laid only against and close to the Premises of the Person or Persons owning or occupying such House, Shop, Warehouse, or other Building, and so that there shall be left full and sufficient Space in

in the Market Place, Street, Lane, Passage, or Place where such Materials shall be placed or laid for Carriages to pass and repass, and a sufficient Way kept clean for Foot Passengers along the same, by the Person or Persons placing or laying such Materials, or causing the same to be placed or laid as aforesaid, and so that such Person or Persons shall cause a sufficient Light to be, at his, her, or their own Expence, set and maintained at the Place where such Materials shall be so placed or laid as aforesaid, from Sunset to Sunrise, to prevent any Mischief happening to Persons or Cattle there passing, and so that the same shall be inclosed and fenced about in such Manner and within such Times as the said Capital Burgesses or their Successors, by any Notice in Writing, under the Hand of their Town Bailiff or Clerk, to be given to or left at the Place of Residence of such Person or Persons, shall direct and appoint, and so that such Materials shall be removed, at the Expence of the Person so placing or laying the same or causing the same to be placed or laid as aforesaid, within such Time as the said Capital Burgesses or their Successors by any Notice to be given or left in like Manner shall direct and appoint.

XXXVIII. And be it further enacted, That it shall not be lawful for any Person after the passing of this Act, without the previous Consent in Writing of the said Capital Burgesses or their Successors, to make any private Drain or Watercourse to lead or issue into any public Sewer, Drain, Watercourse, or Channel within the said Town of *Wisbech*; and that all such private Drains or Watercourses as are now made, or shall hereafter with such Consent as aforesaid be made, to lead or issue into any such public Sewer, Drain, Watercourse, or Channel as aforesaid, shall be repaired and cleansed at all Times under the Direction of the said Capital Burgesses or their Successors, or of some Person or Persons under their Authority, at the Costs and Charges of the Owner or respective Owners of the Houses, Lands, or Tenements to which such private Drains or Watercourses shall respectively belong, or of the Person or Persons by whom the same shall have been made; and that such Costs and Charges, if the same shall not be paid on Demand to be made by or on behalf of the said Capital Burgesses or their Successors, shall and may be levied and recovered in such and the same Manner as any Penalty is by this Act directed and authorized to be levied and recovered; and that every Person who shall make any such private Drain or Watercourse to lead or issue into any such public Sewer, Drain, Watercourse, or Channel as aforesaid, without such previous Consent as aforesaid, or who shall repair or cleanse the same contrary to the Direction of the said Capital Burgesses or their Successors, shall in every such Case forfeit and pay such Sum of Money, not exceeding Forty Shillings, as any Justice or Justices of the Peace shall in that Behalf direct.

Private  
Drains not to  
issue into  
public Drains  
without  
Consent.

XXXIX. And be it further enacted, That it shall not be lawful for any Person to empty any Necessary House or Privy within the said Town of *Wisbech*, or to carry any Soil therefrom along any Market Place, Street, Lane, or public Passage or Place within the said Town, between the Hours of Five in the Morning and Eleven at Night between *Michaelmas Day* and *Lady Day*, nor between the Hours of Four in the Morning and Twelve at Night, between *Lady Day* and *Michaelmas Day*, nor to put or cast any Soil from any such Necessary House or Privy into any of the said Market Places, Streets, Lanes, Passages, or Places, or into any River, Canal, Pond, Sewer, Drain, or Watercourse within the said Town, other than the  
Great

Privies to be  
emptied be-  
tween certain  
Hours.

Great River running through the same, nor to put or cast any such Soil into any Part of the said Great River at any other Time than during the Continuance of Spring Tides, or at any Place above the Low Water Mark of the said Great River; and that every Person who shall empty, or assist in emptying, or cause to be emptied, any such Necessary House or Privy, or carry, put, or cast, or assist in carrying, putting, or casting, any Soil therefrom, contrary to the Provisions herein-before contained, shall for every such Offence forfeit and pay such Sum of Money, not exceeding Forty Shillings, as any Justice or Justices of the Peace shall in that Behalf direct.

Cattle straying to be impounded.

XL. And be it further enacted, That if any Horse, Beast, Swine, or Cattle shall at any Time be straying or at large in any Part or Parts of the said Town of *Wisbech*, or in any of the Streets, Lanes, Passages, Roads, or Places leading into or out of the said Town, or shall be doing any Injury to any of the Buildings, Fences, Walls, or Pavements within the said Town, the Owner or Owners of such Horse, Beast, Swine, or Cattle shall in every such Case pay to the said Capital Burgesses or their Successors, for the Use of the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, such Sum of Money, not exceeding Forty Shillings, as any Justice or Justices of the Peace shall in that Behalf direct, over and above such Damages and other Penalties as such Owner or Owners shall thereby incur or be liable to pay by virtue of this Act or otherwise; and that it shall be lawful for any of the Officers or Servants of the said Capital Burgesses or their Successors, or for any Person or Persons acting under their Authority, to seize any such Horse, Beast, Swine, or Cattle, and to impound the same in any open Pound, and the same in Pound to keep and maintain for the Space of Five Days, and for as much longer Time as shall be thought necessary; and that after the Expiration of the said Five Days, and after giving or leaving Notice of such impounding to or at the Dwelling House of the Owner or Owners of the said Horse, Beast, Swine, or Cattle, if he, she, or they shall be known, or giving Notice on the Door of the Church within the Town of *Wisbech* aforesaid if such Owner or Owners shall not be known, it shall be lawful for the said Capital Burgesses and their Successors, or for any of their Officers or Servants, or for any other Person or Persons acting under their Authority, unless the said Sum, and the Costs and Charges attending the seizing, impounding, and maintaining the said Horse, Beast, Swine, or Cattle, shall be in the meantime discharged, to sell and dispose of such Horse, Beast, Swine, or Cattle in such Manner as shall be thought expedient, and that the Money arising from the Sale thereof, after defraying the Expences attending the seizing, impounding, maintaining, and selling the same, shall be paid to the said Capital Burgesses or their Successors, who shall, after deducting the Sum directed to be paid by the Owner or Owners of such Horse, Beast, Swine, or other Cattle, return the Surplus of the said Money, if any there shall be, to such Owner or Owners, or other Person or Persons to whom the same shall appear to belong.

Power to appoint Watchmen.

XLI. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors from Time to Time to appoint a sufficient Number of able-bodied Men as Watchmen, and to give such Orders and Directions concerning the Manner in which such Watchmen shall be armed and stationed, and concerning the Duties to be performed by



by them, as the said Capital Burgesses or their Successors shall think fit; and that it shall be lawful for the said Watchmen to apprehend and secure in the Watch House, or some Place of Safety, all suspicious Persons, Prostitutes, Night Walkers, and Persons misbehaving themselves during the Time of keeping Watch, and to carry all such Persons, as soon as conveniently may be, before some Justice or Justices of the Peace, to be examined and dealt with according to Law.

XLII. And be it further enacted, That it shall not be lawful for any Victualler or Keeper of any Inn or Alehouse, or any Retailer of Ale, Beer, Wine, or Spirituous Liquors, at any Time to harbour or entertain, or authorize or suffer to remain unnecessarily in his or her House, or in any Building or Yard adjoining or belonging thereto, any Person or Persons who shall be employed by the said Capital Burgesses or their Successors to act, or who shall act as a Watchman or Watchmen within or for the said Town of *Wisbech* during any Part of the Time to be appointed by the said Capital Burgesses or their Successors for such Watchman or Watchmen to be on Duty; and that every Victualler or Keeper of an Inn or Alehouse, or Retailer of Ale, Beer, Wine, or Spirituous Liquors, who shall harbour or entertain, or authorize or suffer to remain in his, her, or their House, or in any Building or Yard adjoining or belonging thereto, any such Watchman or Watchmen, or Person or Persons employed or acting as a Watchman or Watchmen during such Time as aforesaid, and every such Watchman or Person employed or acting as such, who shall tittle or shall loiter or continue unnecessarily in any such House, Building, or Yard, or shall be guilty of any Breach or Neglect of his Duty, or of any of the Rules or Regulations which shall be prescribed for his Conduct by the said Capital Burgesses or their Successors, shall respectively for every such Offence forfeit and pay such Sum of Money not exceeding Forty Shillings as any Justice or Justices of the Peace shall in that Behalf direct.

Victuallers  
not to har-  
bour Watch-  
men.

XLIII. And be it further enacted, That all Bodies Politic and Corporate, all Commissioners, and all other Persons who, by reason of the Tenure of their Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Charge thereon, or of any Law, Statute, Custom, Usage, or otherwise, are or shall be liable to repair, or to pay any Money, or otherwise contribute towards the Repair of any of the Streets, Lanes, Passages, or Places within the said Town of *Wisbech*, or any Bridge, Footway, Causeway, Pavement, Drain, Arch, Tunnel, Sewer, or Watercourse, in, upon, or under the same, or any Bank, Shore, Wharfing, or Frontage within the said Town, shall, notwithstanding this Act, be still liable to pay or contribute towards the Repair of the same, in such Manner and to the same Extent as they were liable before the passing of this Act; and that the Inhabitants of the said Town of *Wisbech*, or of the Parish, Watch, or Division wherein the same or any Part thereof is situate, shall be and remain liable to the Repair of the several Highways within the said Town, Parish, Watch, or Division, which any other Person or Persons is or are not liable to repair, in such and the same Manner as the said Inhabitants are liable to the Repair of the other Highways within the said Town, Parish, Watch, or Division.

Persons li-  
able to re-  
pair Roads,  
&c. to con-  
tinue so.

Power to agree with the Owners of private Streets for making them public.

XLIV. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, at any Time or Times hereafter, to contract and agree with the Owner of the Soil of certain Streets in the Town of *Wisbech* aforesaid, called *York Row*, *The Crescent*, *Church Street*, *Ely Place*, and *Market Street*, or his Heirs or Assigns, or with the Owner or Owners of the Soil of any other Streets, Passages, or Places within the said Town, being private Property, for laying open or making, or forming into public Streets and common Highways, the said Streets, Passages, or Places, or any of them, if the said Capital Burgesses or their Successors, and such Owner or Owners as aforesaid, shall think proper to enter into any such mutual Contract or Agreement; provided that every such Contract or Agreement which at any Time or Times shall be made and take place between the said Capital Burgesses or their Successors and such Owner or Owners as aforesaid shall be reduced into Writing, and shall be sealed with the Common Seal of the said Burgesses of the Town of *Wisbech* aforesaid, and signed and sealed by such Owner or Owners, and shall be produced at some General Quarter Sessions of the Peace for the said *Isle of Ely*, to be holden after the same shall have been so sealed and signed, and shall be confirmed by an Order of the Justices assembled at such Quarter Sessions, and being so confirmed shall be filed by the Clerk of the Peace or his Deputy with the Records of the said Sessions; and that upon any such Contract or Agreement being sealed and signed as aforesaid, and being confirmed by the said Justices at their said Sessions as aforesaid, the said Streets, Passages, or Places which shall be thereby agreed to be laid open, and made or formed into public Streets and common Highways as aforesaid, shall thenceforth become public Streets and common Highways to all Intents and Purposes whatsoever, and shall be liable to be maintained and repaired as such at all Times thereafter, and shall thenceforth be subject and liable to all the Enactments and Provisions of this Act, which are hereby declared to extend and are made applicable to all or any other of the public Streets, Passages, or Places within the said Town of *Wisbech*.

Power to appoint Meters of Corn, &c.

XLV. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors from Time to Time to appoint One or more Meter or Meters for the Purpose of measuring Corn, Grain, Seeds, and other Things within the said Town of *Wisbech*, and from Time to Time when and as they shall see Occasion to vacate and annul the Appointment of and to remove any such Meter or Meters, and to appoint another or others in his or their Place or Places, and that every such Meter shall within Seven Days next after he shall be so appointed take an Oath, or being One of the People called Quakers an Affirmation, before some one Justice of the Peace for the said *Isle of Ely*, to the Form or Effect following; that is to say,

‘ I do swear, That I will faithfully, impartially, and diligently execute the Office and Duty of a Meter within the Town of *Wisbech* in the *Isle of Ely*, for the Purposes for which I am appointed, without any Favour, Partiality, or Preference to any Person or Persons whomsoever.

‘ So help me GOD.’

Which Oath any Justice or Justices of the Peace for the said *Isle of Ely* is hereby empowered to administer; and that it shall be lawful for any Buyer, Seller,

Seller, or Owner of Corn, Grain, Seeds, or other Things in the said Town of *Wisbech*, or any Person or Persons on his or her Behalf, to apply to and require any such Meter or Meters, who shall be so appointed and sworn as aforesaid, to measure any such Corn, Grain, Seeds, or other Things which shall be bought or sold, delivered, laden or shipped within the said Town, and that every such Meter shall upon any such Application to him duly measure such Corn, Grain, Seeds, or other Things, and shall thereby ascertain the true and real Quantities thereof; and that the Quantity which any such Meter shall make of any such Corn, Grain, Seeds, or other Things which shall be so measured by him as aforesaid shall be and shall be considered and taken to be the actual Quantity and Measure thereof at the Time when the same shall be so measured, and that every such Meter shall, on measuring any such Corn, Grain, Seeds, or other Things, deliver a Ticket signed by him certifying the Quantity thereof in Lasts, Quarters, Coombs, or Bushels, or in other known and specific Terms, as the Case may require, to the Person or Persons who shall have applied to or required him to measure the same, which Ticket so signed shall be and be deemed to be sufficient Evidence of the Quantity thereof at the Time of measuring the same; and that every such Meter shall be entitled to have and receive from the Person or Persons who shall have applied to him to measure such Corn, Grain, Seeds, or other Things, or from the Master or Masters of such Person or Persons, such Sum of Money not exceeding Sixpence for every Last of such Corn, Grain, or Seeds; and so in proportion for any less Quantity than a Last, and such reasonable Sum or Sums of Money for other Things, as the said Capital Burgesses or their Successors shall from Time to Time direct, and in case of the Nonpayment of such Sum or Sums shall and may recover the same by such and the same Ways and Means as any Penalty is by this Act directed or authorized to be levied and recovered; and that such Meter or Meters shall from Time to Time be provided by the said Capital Burgesses or their Successors with proper and sufficient legal Standard Measures for measuring such Corn, Grain, Seeds, or other Things as aforesaid, which Measures shall be at all Times kept in such Place or Places as the said Capital Burgesses or their Successors shall direct or appoint.

XLVI. And be it further enacted, That in case any Person who shall be appointed by the said Capital Burgesses or their Successors as a Meter for any of the Purposes aforesaid shall neglect to take the Oath or Affirmation herein-before required within the Time herein-before limited for taking the same, or shall at any Time refuse or neglect to measure any Corn, Grain, Seeds, or other Things which he shall be so appointed to measure as aforesaid, upon Application to be made to him for that Purpose by any Person or Persons within the said Town of *Wisbech*, or shall at any Time be guilty of any Partiality, Fraud, Deceit, or Collusion, in measuring any such Corn, Grain, Seeds, or other Things, or shall otherwise misbehave himself in the Execution of his Office or Duty, every such Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay such Sum of Money not exceeding Five Pounds as any Justice of the Peace shall in that Behalf direct.

Punishment  
of offending  
Meters.

XLVII. And be it further enacted, That from and after the passing of this Act the Port of *Wisbech* aforesaid shall extend and be deemed to extend from a certain House called *Bevis Hall*, at or near to the Boundary which

Limits of  
the Port and  
Harbour of  
*Wisbech*.

which divides the Parishes of *Wisbech Saint Peter* and *Wisbech Saint Mary* in the said *Isle of Ely* and County of *Cambridge*, down and along the Channel of *Wisbech River*, and the Coasts and Shores on each Side thereof, unto the Wash called *Sutton Wash*, and along and from the said *Sutton Wash*, and the Coasts and Shores on each Side thereof, towards and unto the Limits of the Port of *Boston* in the County of *Lincoln*, and the Limits of the Port of *King's Lynn* in the County of *Norfolk* respectively; and that the Harbour of *Wisbech* aforesaid shall from Time to Time extend and be deemed to extend to and from such Places within the Limits of the said Port as the Capital Burgesses or their Successors shall from Time to Time direct and appoint; and that it shall be lawful for the said Capital Burgesses and their Successors, at any Time or Times and from Time to Time, to vary and alter the Place or Places and Limits of the said Harbour in such Manner as they shall from Time to Time think necessary and proper, so that the same shall not at any Time extend beyond the Limits of the said Port; and that the said Capital Burgesses and their Successors shall from Time to Time cause a printed or written Notice of the Limits of the said Harbour to be affixed in some conspicuous Place of the Custom House within or for the Port of *Wisbech* aforesaid.

Limits ascertained by any Commission from the Exchequer not to be affected.

XLVIII. Provided always, and be it further enacted and declared, That the Limits of the said Port of *Wisbech*, as described and set forth in this Act, are so described and set forth, and shall be deemed and taken to be so described and set forth, for the Purposes of this Act only; and that nothing in this Act contained shall extend or be construed to extend to vary, alter, or affect the Limits of the said Port as the same have been at any Time or Times heretofore, or shall be at any Time or Times hereafter described, set forth, or ascertained, in or by virtue of any Commission or Commissions at any Time or Times heretofore issued, or at any Time or Times hereafter to be issued from His Majesty's Court of Exchequer for any of the Purposes mentioned or to be mentioned in such Commission or Commissions, or for which the same was or were or shall be issued, but that such Limits of the said Port as have been at any Time or Times heretofore or shall be at any Time or Times hereafter described, set forth, or ascertained, in or by virtue of any such Commission or Commissions, shall at all Times be and remain the same for the several Purposes mentioned or to be mentioned in such Commission or Commissions as if this Act had not been made.

Power to receive Duties.

XLIX. And be it further enacted, That at all Times from and after the Expiration of One Month next after the passing of this Act it shall be lawful for the said Capital Burgesses and their Successors, and they are hereby fully authorized and empowered, by themselves or by any Collector, Officer, or other Person or Persons who shall be from Time to Time appointed by them for that Purpose, to demand, collect, receive, and take, as and by Way of a Duty, for the Use of the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and their Successors, of and from the Master or Commander of every Ship, Barge, or Vessel belonging to any of His Majesty's Subjects arriving at or coming to the said Port of *Wisbech* which shall be laden with Coals, and which shall deliver the same within the Limits of the said Port, or shall pass through the said Limits, or any Parts thereof, for the Purpose of delivering the same beyond the said Limits, any Sum of Money in the Discretion of the said Capital Burgesses or their Successors not exceeding Three-pence  
per

*per* Chaldron, of Thirty-six Bushels, for every Chaldron of Coals which shall be on board of or delivered from such Ship, Barge, or Vessel as aforesaid, and of and from the Master or Commander of every Ship, Barge, or Vessel belonging to any of His Majesty's Subjects, arriving at or coming to the said Port of *Wisbech*, which shall be laden with any Goods, Wares, Merchandizes, or Things whatsoever other than Coals, and which shall deliver the same within the Limits of the said Port, or shall pass through the said Limits or any Parts thereof, for the Purpose of delivering the same beyond the said Limits, and of every Ship, Barge, or Vessel belonging to any of His Majesty's Subjects, leaving the said Port of *Wisbech*, which shall be laden with any Coals, or any other Goods, Wares, or Merchandizes, any Sum of Money, in the Discretion of the said Capital Burgesses or their Successors, not exceeding Three-pence *per* Ton for every Ton of the Burthen of every such Ship, Barge, or Vessel, such Burthen to be calculated and ascertained by the registered Tonnage of every such Ship, Barge, or Vessel, and also of and from the Master or Commander of every Ship, Barge, or Vessel not belonging to any of His Majesty's Subjects any Sum of Money, in the Discretion of the said Capital Burgesses or their Successors, not exceeding in Amount Double the Duty payable in the respective Cases herein-before mentioned by the Master or Commander of any Ship, Barge, or Vessel belonging to any of His Majesty's Subjects; which said respective Duties shall be paid to such Person or Persons, and at such Place or Places, as the said Capital Burgesses or their Successors shall from Time to Time direct.

L. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge with any of the Duties by this Act granted or made payable any of the Ships or Vessels of War of or belonging to His Majesty, His Heirs or Successors, or any Vessel employed in the Service of His Majesty, or of His Majesty's Commissioners of the Customs or Excise, or of His Majesty's Postmaster General, or any Master, Commander, or other Person, in respect thereof; nor to charge with any of the said Duties any Ship, Barge, Lighter, or Vessel employed in the Service of the Corporation of *Bedford Level* only, and not making any Entry or Clearance at the Custom House within or for the said Port of *Wisbech*, or any Master, Commander, or other Person in respect thereof, or any Materials, Articles, or Things, belonging to the said Corporation of *Bedford Level*, conveyed by any such Ship, Barge, Lighter, or Vessel; nor to charge with any of the said Duties any Ship or Vessel receiving or discharging the Burthen thereof at a certain Place called *The Scolf*, or at the Town of *Spalding*, or between the said Town of *Spalding* and a Place called *Lutton Leam*, and not passing within or along any Part of the said Port nearer to the Town of *Wisbech* aforesaid than the said *Lutton Leam*, nor making any Entry or Clearance at the Custom House within or for the said Port.

Exemptions  
from Duties.

LI. And be it further enacted, That in case the Owner, Master, or Commander of, or other Person having or taking upon himself, or appearing to have or take the Command, Charge, Ownership, Agency, or Consignment of any Ship, Barge, or Vessel liable to the Payment of the said respective Duties herein-before specified and directed to be paid, or any of them, shall refuse to pay the same on Demand, to be made by any Person or Persons duly authorized to receive the same, then and in any such Case

Power to  
distrain for  
Duties  
on Nonpay-  
ment thereof.

it shall be lawful for any Person or Persons, by virtue of a Warrant for that Purpose from any Justice or Justices of the Peace for the said *Isle of Ely* (which Warrant such Justice or Justices is and are hereby empowered to grant and give), in preference to and notwithstanding any Right whatsoever claimable by or due to any Person or Persons whomsoever, to seize, take, and distrain any of the Goods, Guns, Ropes, Tackle, Furniture, or Apparel of or belonging to such Ship, Barge, or Vessel, and to remove the same to any Place or Places within the said *Isle of Ely* or elsewhere, and the same to detain and keep until the Sum or Sums of Money due for the Duties by this Act made payable in respect of such Ship, Barge, or Vessel, and all reasonable Charges previous to and for taking such Distress, shall be paid and satisfied; and that in case such Sum or Sums of Money shall not be paid within Six Days next after such Distress, then it shall be lawful for the said Person or Persons by whom the said Goods, Guns, Ropes, Tackle, Furniture, or Apparel shall have been so seized, taken, or distrained to cause the same to be appraised by any Two sufficient Appraisers, and afterwards to sell and dispose of the same or any Part thereof, and out of the Monies arising from the Sale and Disposal thereof to satisfy the said Duties which shall be so due and unpaid as aforesaid, with all reasonable Charges incurred previous to and attending such taking, seizing, distraining, removing, appraising, and selling as aforesaid, rendering the said Duties so due and unpaid to the Person or Persons duly authorized to receive the same, and the Overplus of the said Monies, if any there shall be, and such Part or Parts of the said Goods, Guns, Ropes, Tackle, Furniture, or Apparel as shall not have been sold or disposed of, if any there shall be, to the Owner, Master, Commander, Agent, or Consignee of such Ship, Barge, or Vessel, upon Demand.

No Clearance to be signed by the Custom-house Officer without Voucher of the Payment of Duties.

LII. And be it further enacted, That it shall not be lawful for the Collector or any other Officer of His Majesty's Customs at the said Port of *Wisbech* to clear at the said Port any Ship, Barge, or Vessel, whether outward or inward bound, or to take, receive, sign, or indorse any Entry, Cocquet, Discharge, or Warrant for any such Ship, Barge, or Vessel, until there shall be produced and shown to him, by the Person or Persons liable to the Payment of any of the said Duties by this Act made payable, either a sufficient Voucher of the Payment of the said Duties, or a Certificate under the Hand of the Town Bailiff of the said Capital Burgesses or their Successors, or of the Collector or Receiver of the said Duties, that the Amount thereof has been consigned and lodged, or Security for the same has been given to the Satisfaction of the said Capital Burgesses or their Successors; and that in case any such Collector or other Officer of Customs shall receive, sign, or indorse any such Entry, Cocquet, Clearance, Discharge, or Warrant as aforesaid, before such Voucher or Certificate as is herein-before mentioned shall have been produced and shown to him, such Collector or other Officer shall forfeit and pay such Sum of Money, not exceeding Ten Pounds, as any Justice or Justices of the Peace shall in that Behalf direct.

Masters to give an Account of the Lading or Burthen of Vessels.

LIII. And be it further enacted, That the Master or Commander of every Ship, Barge, or Vessel which shall be liable to the Payment of any of the said Duties by this Act made payable shall and he is hereby required to declare and give to the Person or Persons authorized to receive the said Duties,

Duties a true Account of the Lading or Burthen of such Ship, Barge, or Vessel; and that in case any such Master or Commander shall refuse to give such Account, or shall give an untrue Account of the Lading or Burthen of such Ship, Barge, or Vessel, then he shall forfeit for every such Refusal or untrue Account such Sum of Money, not exceeding Twenty Pounds, as any Justice or Justices of the Peace shall in that Behalf direct; and that in case any such Master or Commander shall refuse to give such Account as aforesaid, or if the Person or Persons authorized to receive the said Duties shall suspect the Truth of the Account given by any such Master or Commander, then and in any such Case it shall be lawful for such Person or Persons so authorized as aforesaid to discover and ascertain, by such Ways and Means as he or they shall think most expedient, and with such Assistants as he or they may find necessary, the true Lading or Burthen of such Ship, Barge, or Vessel; and that in case of such Refusal as aforesaid, or in case it shall appear by the Ways and Means aforesaid that the Account given by such Master or Commander was untrue, then all the Expences of ascertaining the Lading or Burthen of such Ship, Barge, or Vessel shall be borne and paid by the said Master or Commander; but in case it shall appear that the said Account was true, then such Expences shall be borne and paid by the said Capital Burgesses or their Successors; and that if any Dispute shall arise concerning any of the Expences of ascertaining the Lading or Burthen of such Ship, Barge, or Vessel, then such Expences shall and may be settled and determined by any Justice or Justices of the Peace, who is and are hereby authorized and required to settle and determine the same on the Application of any of the Parties interested therein; and that the said Expences, if refused to be paid by such Master or Commander, in case he shall be liable to pay the same, shall be levied and recovered, with all Charges attending the levying and recovering thereof, in the same Manner and by the same Means as are by this Act authorized and given for the levying and recovering of the Duties by this Act made payable.

LIV. And be it further enacted, That the several Duties herein-before made payable, and all the Monies which shall arise and be produced therefrom, shall be vested in the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity and their Successors for ever, and shall be paid, applied, and disposed of by the said Capital Burgesses and their Successors in discharging the Expences of collecting and receiving the said Duties, and in and towards the making of the necessary Works by this Act authorized to be made within the Port and Harbour of *Wisbech* aforesaid, and in and towards the Improvement of the said Port and Harbour, in such Manner as the said Capital Burgesses and their Successors shall from Time to Time think expedient, and to or for no other Purpose whatsoever.

Application  
of the Duties.

LV. Provided always, and be it further enacted, That when and as often as the said Duties herein-before made payable shall be more than sufficient for the several Purposes to which the same are herein-before directed to be applied, then and so often as the same shall happen it shall be incumbent upon the said Capital Burgesses and their Successors, and they are hereby required, to reduce the said respective Duties to such Amounts as will be sufficient for the said several Purposes, until it shall again be necessary to increase the said Duties, but so that the same or any of them shall not at any Time be increased beyond the Amount of the said respective

Duties to be  
reduced when  
more than  
sufficient, and  
to cease when  
not wanted.

spective Duties by this Act made payable; and that when all the said Purposes to which the said Duties are so directed to be applied as aforesaid shall be fully answered and carried into execution, then the said Duties shall cease and determine.

Power to purchase and extinguish other Duties.

LVI. And whereas some Persons claim to be entitled to take and receive certain Duties or Charges for Vessels entering into and going out of the Port of *Wisbech* aforesaid, and it may be desirable to purchase and extinguish the same; be it therefore further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, at any Time after the passing of this Act, to treat and agree with any Person or Persons, or Body or Bodies, (other than and except His Majesty, and Persons lawfully claiming under His Authority, or under the Authority of any Act of Parliament,) who, at the Time of the passing of this Act, is or are, or was or were, lawfully entitled to take and receive any Duties or Charges for or in respect of any Ship, Barge, or Vessel entering into or going out of the Port or Harbour of *Wisbech* aforesaid, or for and in respect of any Buoy, Beacon, Mooring Post, or other Matter or Thing affixed, placed, or being within the Limits of the said Port or Harbour, or upon any Shore, Sand, or Bank adjoining thereto, or for the guiding or conducting of Vessels into or out of the said Port or Harbour, for the Purchase and Extinguishment of such respective Duties or Charges, and for a Compensation to be made and paid to such Person or Persons for the same; and that in case any such Person or Persons shall refuse to treat, or shall be prevented from treating, or shall not agree with the said Capital Burgesses or their Successors for the Purchase of any such Duties or Charges, and for the Compensation to be made for the same as aforesaid, then such Compensation shall be assessed and awarded by a Jury in such and the same Manner as is in and by this Act directed concerning the Compensations to be made for the Purchase of or for Damages to any Houses, Buildings, Lands, Tenements, or Hereditaments to be taken, used, or removed by the said Capital Burgesses or their Successors for any of the Purposes of this Act; and that the Costs and Charges of assessing and awarding the said Purchase Monies by such Jury as aforesaid shall be borne and paid in such and the same Manner as is in and by this Act directed concerning the Costs and Charges of assessing and awarding Compensations for the Value of or for Damages to any such Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid; and that from and after the Payment or Tender by or on the Part of the said Capital Burgesses or their Successors to the Person or Persons entitled to receive such Duties or Charges as aforesaid, or in such other Manner as is in and by this Act directed or authorized, of such Sum or Sums of Money as shall be agreed or assessed and awarded to be paid as aforesaid, all and singular the said Duties and Charges which now are or at any Time heretofore have been paid or payable to such Person or Persons respectively, shall be for ever extinguished, and the Payment of such respective Duties and Charges by any Person or Persons whomsoever, and all Right, Title, Interest, Claim, or Demand of the Person or Persons now or heretofore entitled to receive the same respectively, shall cease and be for ever determined.

Power to make Works in the Port and Harbour.

LVII. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors from Time to Time to take any Lands or Grounds within the Limits of the said Port and Harbour, or within the Distance of Five hundred Yards therefrom, on making such



such Compensation for the same as is in and by this Act provided for the Purpose of making Banks, Wharfs, or other Works for the Preservation, Improvement, or Extension of the Port and Harbour of *Wisbech* aforesaid; and also to make, erect, put down, alter, amend, support, and maintain any Banks, Wharfs, or other Works within the Limits of the said Port or Harbour, or upon any of the Shores adjoining the same, for the Preservation, Improvement, or Extension of the said Port and Harbour; and also to affix, place, take, and continue, or cause to be affixed, placed, taken, and continued, within the Limits of the said Port and Harbour, or upon any Shores or Banks adjoining thereto, and also without such Limits if they shall see Occasion, such Buoys, Beacons, and other Marks and Signals as they shall judge necessary and proper for the Guidance and Direction of Ships, Barges, and Vessels sailing into and out of the said Port and Harbour, and to remove and alter the Situation of any such Buoys, Beacons, Marks, and Signals; and also to affix and put down, or cause to be affixed and put down, within the said Port and Harbour, such and so many Mooring Buoys and other Matters and Things as they may think necessary for the safe and convenient mooring of Ships, Barges, and Vessels within the said Port and Harbour; and also to affix and set down, or cause to be affixed and set down, in and upon any Shore or Bank, whether common or inclosed, and in or upon any Common or Waste Land within or adjoining to the said Port or Harbour, a sufficient Number of Mooring Posts for the safe mooring of Ships, Barges, and Vessels in the said Port or Harbour; and also to affix and lay down, or cause to be affixed and laid down, Bridges over any of the Creeks upon the Marshes within or adjoining to the said Port or Harbour where the same shall in the Judgment of the said Capital Burgesses or their Successors be deemed necessary for the Convenience of towing or haling Ships, Barges, and Vessels into or out of the said Port or Harbour, so that Compensation shall be made by the said Capital Burgesses or their Successors, in such Manner as is in and by this Act provided, for any Damage or Injury which shall be done or occasioned in making, affixing, placing, putting, setting, or laying down any such Banks, Wharfs, Works, Buoys, Beacons, Marks, Signals, Mooring Buoys, Mooring Posts, Bridges, or other Matters or Things, and that as well all such Banks, Wharfs, Works, Buoys, Beacons, Marks, Signals, Mooring Buoys, Mooring Posts, Bridges, and other Matters and Things as have been already made, placed, put, set, or laid by or under the Authority of the Burgesses of the Town of *Wisbech* aforesaid, or of the said Capital Burgesses, within the Limits of the said Port or Harbour, or beyond the Limits thereof towards Sea, or upon any Shore, Bank, or Marsh adjoining thereto, as also all such Banks, Wharfs, Works, Buoys, Beacons, Marks, Signals, Mooring Buoys, Mooring Posts, Bridges, and other Matters and Things as shall be made, placed, put, set, laid, taken, or continued as aforesaid, and also all the Materials of which the same do and shall consist, and the sole and exclusive Right and Property to and in the same, shall be and the same are hereby vested in the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and their Successors for ever.

LVIII. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, at any Time or Times and from Time to Time, to make, ordain, and establish such Orders, Rules, and Bye Laws as they shall deem necessary for the better Regulation and Govern-

Power to  
make Bye  
Laws.

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ment of the Masters or Commanders of Ships, Barges, and Vessels trading to and from the said Port of *Wisbech*, and of their Officers, Mariners, Bargemen, or Servants, and for the Preservation and Improvement of the said Port and Harbour, and the Banks, Shores, and Wharfs adjoining thereto, and for the Security of Vessels passing or lying within the same, and for preventing and removing Obstructions to the Passage of Water or Ice along and through the said Port and Harbour, and for any other Purposes relating thereto; and also, from Time to Time as Occasion may require, to repeal, add to, amend, or alter all or any of such Orders, Rules, and Bye Laws as to them the said Capital Burgesses or their Successors shall seem meet and convenient, and to fix and appoint reasonable pecuniary Fines or Penalties, not exceeding the Sum of Five Pounds in any Case, for the Breach or Nonobservance of such Orders, Rules, or Bye Laws, or any of them, to be recovered by such Ways and Means as are by this Act directed or authorized for the Recovery of any other Penalties by this Act imposed; provided that no such Order, Rule, or Bye Law shall be made which shall be repugnant to or inconsistent with any of the Provisions of this Act, or any of the Laws in force within that Part of the United Kingdom called *England*, and that the same shall be subject to Appeal in manner herein-after mentioned.

Bye Laws  
and Duties to  
be printed.

LIX. And be it further enacted, That the said Capital Burgesses and their Successors shall and they are hereby required to cause all such Orders, Rules, and Bye Laws, in any Manner relating to the said Port or Harbour of *Wisbech*, which shall from Time to Time be made, amended, or altered by them under the Authority of this Act, and also a List of the several Duties by this Act authorized to be demanded and received in respect of Ships, Barges, or Vessels passing into, out of, or within the said Port, to be from Time to Time printed and distributed, and to be hung up in some conspicuous Place at the Custom House within or for the said Port.

Powers of  
Harbour  
Master.

LX. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors from Time to Time to appoint One or more Harbour Master or Harbour Masters for regulating the placing and mooring of Vessels within the said Port and Harbour of *Wisbech*, and for preventing and removing Annoyances and Obstructions therein, and for carrying into effect and enforcing the several Rules, Orders, and Bye Laws which shall be from Time to Time made by the said Capital Burgesses or their Successors respecting the said Port and Harbour, and from Time to Time to remove any such Harbour Master, and to appoint another in his Place; and that it shall be lawful for the said Harbour Master or Harbour Masters, when and as often as he or they shall see Occasion, to appoint and employ proper Servants and Assistants under him or them; and that it shall be lawful for such Harbour Master or Harbour Masters from Time to Time to order and require the Person or Persons having the Command or Rule of any Ship, Barge, Lighter, or other Vessel entering into or lying or abiding within any of the Limits of the said Port or Harbour, to moor, anchor, and secure the same in such Place or Places within the said Port or Harbour as the said Harbour Master or Harbour Masters shall judge to be the most convenient for Navigation, Drainage, and Trade, and within such Time or Times as he or they shall think reasonable, and to order the Situation of any such Ship, Barge, Lighter, or other Vessel within the said

Port

Port or Harbour from Time to Time to be altered or varied as the said Harbour Master or Harbour Masters shall judge necessary, and also from Time to Time to order and direct the Owner or Owners, or Person or Persons having the Command or Rule of any Ship, Barge, Lighter, or other Vessel which shall at any Time be stranded, wrecked, sunk, or bilged within the said Port or Harbour, to cause the same to be weighed, raised, got up, and removed to such Place or Places as the said Harbour Master or Harbour Masters shall see convenient, within such Time or Times as he or they shall think reasonable for that Purpose, and also from Time to Time to order and require the Owner or Owners of or Person or Persons claiming to be entitled to any Timber or other Matter or Thing floating or lying within the said Port or Harbour so as to obstruct the Passage of Vessels along the same, or of the Waters or Ice through the same, or so as to occasion any other Obstruction or Inconvenience within the said Port or Harbour, to be removed to some other convenient Place or Places, or to be taken on shore, in the Discretion of such Harbour Master or Harbour Masters, and also from Time to Time to give any other Orders and Directions for the Preservation of good Order, and for the Convenience of Navigation and Drainage within the said Port and Harbour, so as such Orders and Directions shall be consistent with this Act, and with the Rules, Orders, and Bye Laws which shall from Time to Time be made by the said Capital Burgesses or their Successors respecting the said Port and Harbour; and that in case any such Person or Persons or Owner or Owners as aforesaid shall at any Time refuse or neglect to moor, anchor, secure, weigh, raise, get up, or remove any such Ship, Barge, Lighter, or other Vessel as aforesaid, or to remove any such Timber or other Matter or Thing occasioning any Obstruction or Inconvenience as aforesaid, to such Place or Places, within such Time or Times, and in such Manner as any such Harbour Master shall order or direct for that Purpose, it shall be lawful for any such Harbour Master, and for his Assistants and Servants, to moor, anchor, secure, weigh, raise, get up, or remove, or cause to be moored, anchored, secured, weighed, raised, got up, or removed, such Ship, Barge, Lighter, or other Vessel as aforesaid, and to remove or cause to be removed such Timber or other Matter or Thing as aforesaid to such Place or Places and in such Manner as such Harbour Master shall judge necessary for the avoiding any Obstruction or Inconvenience within the said Port or Harbour; and that such Person or Persons, Owner or Owners, shall bear the Risque of mooring, anchoring, securing, weighing, raising, getting up, or removing such Ship, Barge, Lighter, or Vessel as aforesaid; and that the Costs and Charges of mooring, anchoring, securing, weighing, raising, getting up, or removing any such Ship, Barge, Lighter, or other Vessel, or of removing any such Timber or other Matter or Thing, by any such Harbour Master as aforesaid, shall be borne and paid by the Person or Persons having the Rule or Command, or the Owner or Owners of such Ship, Barge, Lighter, or Vessel, or by the Owner or Owners of such Timber or other Matter or Thing, or by the Person or Persons claiming the same, or by whom the same shall have been left, and shall and may be levied and recovered in such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered; and that if any Person having such Rule or Command, or any such Owner as aforesaid, shall refuse or neglect to moor, anchor, secure, weigh, raise, get up, or remove any such Ship, Barge, Lighter, or other Vessel, or to remove any such Timber or other Matter or  
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Thing as aforesaid, or if any Person whatsoever shall at any Time obstruct or hinder the Removal of any such Ship, Barge, Lighter, or other Vessel, Timber or other Matter or Thing as aforesaid, or shall, after the same shall have been moored, anchored, secured, weighed, raised, got up, or removed, again remove or alter the Situation of the same, or assist in again removing or altering the Situation of the same, contrary to the Order and Direction of any such Harbour Master, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay such Sum of Money, not exceeding Ten Pounds, as any Justice or Justices of the Peace shall in that Behalf direct; and that if any such Harbour Master, or any of his Assistants or Servants, shall at any Time wilfully abuse the Authority given to him or them by this Act, or by the said Capital Burgesses or their Successors, such Harbour Master and every such Assistant or Servant shall for every such Offence forfeit and pay such Sum of Money, not exceeding Twenty Pounds, as any Justice or Justices of the Peace shall in that Behalf direct.

Owners and  
Masters to be  
accountable  
for Damages.

LXI. And be it further enacted, That as well the Owner as also the Master or Person or Persons having the Charge or Command of any Ship, Barge, Lighter, or Vessel passing, lying, or being along or within the said Port or Harbour, shall be, and he, she, and they is and are hereby made answerable for any Damage, Spoil, Mischief, or Trespass that shall be done, committed, or occasioned by such Ship, Barge, Lighter, or other Vessel, or by any of the Seamen, Bargemen, Boatmen, Watermen, or other Persons belonging to or employed in or about the same, to any of the Banks, Wharfs, Buoys, Beacons, Signals, Mooring Buoys, Mooring Posts, or other Works which shall be vested in the Burgesses of the Town of *Wisbech* aforesaid, or shall be erected, maintained, supported, or repaired by the said Capital Burgesses or their Successors, or shall be under their Care, Management, or Authority, or to any other Ship, Barge, Lighter, or Vessel passing, lying, or being along or within the said Port or Harbour, or to any of the Cables or Tackle thereto belonging, or to any Goods, Wares, or Merchandize on board of the same; and that such Owner, Master, or Person or Persons having the Charge or Command of any such first-mentioned Ship, Barge, Lighter, or other Vessel, shall for every such Damage, Spoil, Mischief, or Trespass, upon satisfactory Proof thereof being given before any Justice or Justices of the Peace, on the Oath of any credible Witness or Witnesses, or on the Confession of the Person or Persons by whom such Damage, Spoil, Mischief, or Trespass shall have been done, committed, or occasioned, forfeit and pay to the said Capital Burgesses or their Successors, or to the Person or Persons injured, such Satisfaction and Compensation, and in such Proportions, as shall be adjudged and determined by such Justice or Justices, provided that the Amount of any such Satisfaction or Compensation shall not exceed in the whole the Sum of Twenty Pounds, and shall also forfeit and pay to the said Capital Burgesses or their Successors such Sum of Money, not exceeding Forty Shillings, as such Justice or Justices shall in that Behalf direct; but in case the Injury which shall have been thereby done shall exceed in Amount the Sum of Twenty Pounds, that then and in such Case such Owner, Master, or other Person as aforesaid may be sued and prosecuted by the said Capital Burgesses or their Successors or by the Person or Persons injured, for such Satisfaction and Compensation, in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Pleas

Pleas for the said *Isle of Ely*; and that if a Verdict or Judgment shall be given against him or her, either upon sufficient Proof given, or by Default, or upon Demurrer, the Plaintiff or Plaintiffs in every such Case shall recover the Amount of the Injury thereby sustained by way of Damages, with full Costs of Suit.

LXII. Provided always, and be it further enacted, That every such Seaman, Bargeman, Boatman, or other Person by whom or through whose Carelessness or Neglect any such Damage, Spoil, Mischief, or Trespass shall have been done, committed, or occasioned as aforesaid, shall be liable to repay to the Master, Owner, or other Person by whom any Satisfaction, Compensation, Penalty, Damages, or Costs shall have been paid for or in respect of such Damage, Spoil, Mischief, or Trespass, the full Amount of such Satisfaction, Compensation, Penalty, Damages, or Costs which shall have been so paid; and in case of Nonpayment thereof upon Demand, and upon Proof being made by such Master, Owner, or other Person, before any Justice or Justices of the Peace, that such Satisfaction, Compensation, Penalty, Damages, or Costs hath or have been paid by him or her, and that the same hath or have not been repaid to him or her by such Seaman, Bargeman, Boatman, Waterman, or other Person by whom or through whose Carelessness or Neglect such Damage, Spoil, Mischief, or Trespass was done, committed, or occasioned, and that the same was done, committed, or occasioned by such Seaman, Bargeman, Boatman, Waterman, or other Person as aforesaid, or through his Carelessness or Neglect, the Amount of such Satisfaction, Compensation, Penalty, Damages, and Costs shall be recovered by such Owner, Master, or other Person as aforesaid, from such Seaman, Bargeman, Boatman, Waterman, or other Person as aforesaid, in the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered; and that, in case such Seaman, Bargeman, Boatman, Waterman, or other Person shall not pay the Amount of such Compensation, Satisfaction, Penalty, Damages, or Costs, and shall not appear to have any Property whereon the same can be levied, then it shall be lawful for such Justice or Justices to commit such Seaman, Bargeman, Boatman, Waterman, or other Person, to the Common Gaol or House of Correction for any Time not exceeding Six Calendar Months.

Masters to recover from Seamen, &c.

LXIII. And be it further enacted, That if any Person or Persons shall at any Time after the passing of this Act wilfully pull up, cut away, or set loose any Buoy, or wilfully throw down or cut away any Beacon, which hath already been affixed or placed by or under the Authority of the Burgesses of the Town of *Wisbech* aforesaid or of the said Capital Burgesses, or which shall be hereafter affixed, placed, or continued by or under the Authority of the said Capital Burgesses or their Successors, either within or without the Limits of the said Port and Harbour of *Wisbech*, or shall wilfully and maliciously destroy any of the Banks, Shores, Bridges, Wharfs, or Works within or near to the said Port or Harbour of *Wisbech*, which shall from Time to Time be under the Care, Management, or Authority of the said Capital Burgesses or their Successors, every Person who shall be guilty of any such Offence, and shall be thereof convicted before the Justices of the Peace assembled at any General Quarter Sessions of the Peace to be holden within and for the Isle, County, or Division wherein such Offence

Punishment of Offences within the Port or Harbour.

[*Loc. & Per.*]

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shall

shall have been committed, shall be adjudged guilty of Felony, and may by the said Justices be ordered to be transported to such Place beyond the Seas as His Majesty in Council shall be pleased to direct for the Term of Seven Years, or otherwise, if the said Justices shall think fit, shall be punished in the Discretion of the said Justices in such Manner as Persons found guilty of Petty Larceny are by Law liable to be punished; and that if any Person or Persons shall at any Time after the passing of this Act cut, break, or injure any Buoy, Beacon, Mark, Signal, Mooring Post, Bridge, Bank, Wharf, or other Work, Matter, or Thing, already made, erected, affixed, or placed by the Burgesses of the Town of *Wisbech* aforesaid or by the said Capital Burgesses, or hereafter to be made, erected, affixed, or placed or continued, by or under the Authority of the said Capital Burgesses or their Successors, within or near to the Limits of the said Port or Harbour, or on any Shore, Bank, Marsh, or other Land adjoining thereto; or if any Person or Persons shall at any Time throw, empty, or put any Ballast, Dirt, Ashes, Rubbish, Shingle, Stones, or other Obstructions into the said Harbour, or into any Part of the River or Channel within the Limits of the said Port, or shall dig or take away any Ballast, Shingle, Stones, or other Things from the said Port or Harbour, to the Hurt or Prejudice thereof, or of any of the Works erected or to be erected for the Preservation or Improvement thereof, or shall do any other Act or Deed whatsoever to the Prejudice or Annoyance of the said Port or Harbour, or of the Navigation or Drainage in and along the same; or if any Person or Persons shall at any Time throw or cast out any Ballast from any Ship, Barge, Lighter, or other Vessel, upon any Quay, Wharf, Bank, or Shore within or adjoining to the said Port or Harbour, or upon any Work which shall be made, repaired, maintained, or supported by the said Capital Burgesses or their Successors, or shall be under their Care, Management, or Authority, and shall not immediately after throwing or casting out the same cart and carry away such Ballast, and the Materials of which the same shall consist, or cause the same to be carted and carried away, to such Place or Places as the said Capital Burgesses or their Successors, or their Town Bailiff or Harbour Master, shall for such Purpose provide and appoint; or if any Person or Persons shall at any Time moor, fix, or fasten, or cause to be moored, fixed, or fastened, any Ship, Barge, Lighter, or other Vessel, or any Rope or Ropes belonging thereto, to any Buoy fixed or placed or to be fixed or placed within the said Port or Harbour, or to the Chain or Chains securing any such Buoy to the Great Mooring Ring thereof, or shall moor, fix, or fasten, or cause to be moored, fixed, or fastened, any such Ship, Barge, Lighter, or other Vessel, or Rope or Ropes, to any Tree, Rail, Fence, Bridge, Sluice, or Stairs, or to any other Place, contrary to the Direction of the said Capital Burgesses or their Successors, or their Harbour Master; or if any Person or Persons shall, during any Time in which any Ship, Barge, Lighter, or other Vessel shall lie within the said Harbour, or within that Part of the said Port which is situate in or near to the Town of *Wisbech* aforesaid, heat, boil, or melt, or cause to be heated, boiled, or melted, on board of any such Ship, Barge, Lighter, or other Vessel, any Pitch, Tar, Rosin, Grease, Tallow, Oil, or any other combustible Matter, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay such Sum of Money, not exceeding Five Pounds, as any Justice or Justices of the Peace shall in that Behalf direct.

LXIV. And

LXIV. And whereas the Limits of the Port of *Wisbech* aforesaid do extend as well into the said *Isle of Ely* as also into the several Counties of *Norfolk* and *Lincoln*, and Doubts may arise in which of the said Isle or Counties certain Parts of the said Port do lie or are situate; be it therefore further enacted, That in all Cases when any Offence or Offences shall have been committed against any of the Provisions by this Act made relating to the said Port and Harbour, or either of them, and it shall not be known or cannot be sufficiently ascertained in which of the said Isle or Counties such Offence or Offences shall have been committed, then such Offence or Offences may be deemed to have been committed within the said *Isle of Ely*, or within either of the said Counties of *Norfolk* and *Lincoln*, and shall and lawfully may be cognizable before any Justice or Justices of the Peace for the said Isle or for either of the said Counties, in such and the same Manner as if such Offence or Offences had been actually committed within such Isle or County; any Law, Statute, or Usage to the contrary thereof notwithstanding.

Cognizance of Offences in the Port or Harbour where the Jurisdiction is not known.

LXV. And whereas in and by an Act of Parliament passed in the Forty-eighth Year of His present Majesty's Reign, intituled *An Act for the better Regulation of Pilots and of the Pilotage of Ships and Vessels navigating the British Seas*, sundry Provisions are made in relation to Pilots and the Pilotage of such Ships and Vessels as aforesaid; and it is in and by the same Act provided and declared, that none of the Clauses, Provisions, Penalties, or Regulations thereof shall extend to any Vessel, not exceeding the Burthen of Sixty Tons, having *British* Registers, nor to any Master or Owner of any such Vessel in respect thereof, or of the navigating of the same in any Channel, River, Port, or Place whatever: And whereas many Vessels are navigated within the Port of *Wisbech* aforesaid the Burthen whereof is less than Sixty Tons, and it would be desirable to extend the Provisions of the said recited Act to all Vessels of the Burthen of Thirty Tons and upwards navigated within the said Port; be it therefore further enacted, That the several Clauses, Provisions, Penalties, and Regulations of the said recited Act, so far as the same respectively do or shall apply or relate to Vessels navigated within the Port of *Wisbech* aforesaid, or to the Masters or Owners of such Vessels, or so far as the same do or shall in any Manner apply or relate to the Port and Harbour of *Wisbech* aforesaid, or either of them, shall, from and after the passing of this Act, extend and be construed to extend to all Vessels whatsoever of the Burthen of Thirty Tons and upwards, and to the Masters and Owners of all such Vessels, navigated within the said Port of *Wisbech*, any thing in the said recited Act contained to the contrary notwithstanding.

Provisions of General Pilot Act to extend to all Vessels in the Port of *Wisbech* of 30 Tons Burthen.

LXVI. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors, and they are hereby authorized and required, to treat and agree with the Owners and Occupiers of and other Persons interested in any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, which the said Capital Burgesses or their Successors shall think necessary, and are by this Act authorized, to take, use, or remove for any of the Purposes of this Act, for the Purchase of any such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or for the Compensation to be made for such Damages as may happen to be done to the same, and to settle and ascertain in what Proportions the Sum or Sums by them agreed to be paid for any

Compensation to be made for Purchases and Damages.

any such Purchase or Compensation shall be paid to and divided amongst the several Persons interested therein; and also that it shall be lawful for all Bodies Politic, Corporate, or Collegiate, and Corporations Aggregate or Sole, on behalf of themselves respectively and of their respective Heirs and Successors, and for all Husbands, Guardians, Committees, Executors, and Administrators, and all other Trustees whatsoever, on behalf of their respective Wives, Infants, Lunatics, or other Cestuique Trusts, and for all Femes Covert who shall be interested in their own Right, and for all other Persons whomsoever who shall be possessed of or interested in any such Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid, to treat, contract, and agree with the said Capital Burgesses or their Successors for the Sale thereof, or of any Part or Parts thereof, to them, and to convey the same unto the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and their Successors for ever, or unto such Person or Persons, and in such Manner, as the said Capital Burgesses or their Successors shall direct, or to treat, contract, and agree with the said Capital Burgesses or their Successors for the Compensation to be received for such Damages as may happen to be done to any such Houses, Buildings, Lands, Tenements, or Hereditaments in the Execution of any of the Powers of this Act; and that all such Sales, Contracts, Conveyances, and Agreements shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, or Custom to the contrary notwithstanding; and that all Bodies, Corporations, Trustees, and other Persons whomsoever shall be and they are hereby fully indemnified for and in respect of all such Matters and Things as they shall respectively lawfully do or cause to be done by virtue or in pursuance of this Act.

Mode of  
assessing  
Compensa-  
tion, if not  
agreed upon.

LXVII. And be it further enacted, That in case any such Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Trustees, or other Person or Persons possessed or interested as aforesaid, shall, by reason of Absence or any other Cause, be prevented from treating and agreeing touching the Purchase of any such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, which shall be so taken, used, or removed as aforesaid, or touching the Compensation to be made for the Value thereof, or for any Damages that may happen to have been done thereto, according to the true Intent and Meaning of this Act, or shall not produce and evince a clear Title to the Hereditaments of which they shall be in possession, or to the Interest they claim therein, or in case the Person or Persons entitled to or interested in the same shall be unknown, or cannot be found, then and in any such Case it shall be lawful for the said Capital Burgesses or their Successors, giving Fourteen Days previous Notice in Writing, under the Hand of their Town Bailiff or Clerk, to the principal Officer of such Body or Corporation, or to such Trustee or Trustees, or other Person or Persons possessed or interested as aforesaid, or any of them, or at his, her, their, or any of their usual or last Place or Places of Abode, or for any such Body or Corporation, Trustee or Trustees, or other Person or Persons possessed or interested as aforesaid, giving Fourteen Days previous Notice in Writing under the Hand of the principal Officer of such Body or Corporation, or under the Hand or Hands of such Trustee or Trustees, or other Person or Persons, or any of them, to the Town Bailiff or Clerk of the said Capital Burgesses or their Successors, or at the Place of Abode of such Town Bailiff or Clerk, to apply to the Justices of the Peace to be assembled at some General  
Quarter



Quarter Sessions of the Peace to be holden in and for the Isle, County, or Division wherein such Houses, Buildings, Lands, Tenements, or Hereditaments shall lie or be situate, for the Purpose of having the Compensation to be made by the said Capital Burgesses or their Successors for the Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or for the Damages which shall have been done thereto, assessed by a Jury at the said Sessions; and that on such Application being so made, and such Notice as aforesaid being proved to have been given, the said Justices at their said Sessions, or at some Adjournment thereof, shall and they are hereby authorized and required to cause a Jury of Twelve indifferent Men to be impannelled and returned by the Chief Bailiff or Sheriff of the said Isle, County, or Division, and to be duly sworn; and that any of the Parties who shall be interested in the Verdict of the said Jury shall have their lawful Challenges to the said Jury or any of them; and that all proper Witnesses shall and may then and there be sworn and examined, and all legal Evidence produced and given on behalf of any of the said Parties; and that the said Jury being sworn, and the said Witnesses sworn and examined, and the said Evidence produced and given as aforesaid, the said Jury shall then and there assess and award the Compensation which shall be made and given by the said Capital Burgesses or their Successors for the Value of the said Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, which shall have been so taken, used, or removed as aforesaid, or for any Damages which shall have been done thereto, to the respective Bodies, Corporations, Trustees, or other Persons possessed of or interested in the same, according to their respective Rights and Interests therein, and shall give their Verdict thereon accordingly, and that the said Justices shall then and there declare Judgment according to the said Verdict of the said Jury; which said Verdict and Judgment shall finally bind and be conclusive upon, as well the said Capital Burgesses and their Successors, and the Burgesses of the Town of *Wisbech* aforesaid and their Successors, as also the said Bodies, Corporations, Trustees, or other Persons possessed or interested as aforesaid, and shall be entered and kept among the Records of the Sessions of the Peace for the said Isle, County, or Division; and that the same, or true Copies thereof, being signed by the Clerk of the Peace or his Deputy, shall be deemed and taken as good Evidence in all Courts of Law or Equity whatsoever; and that all Persons shall and may have recourse thereto, and take Copies thereof or Extracts therefrom, at all seasonable Times, on paying the Fees usual in Cases of the like Nature.

LXVIII. And be it further enacted, That in all Cases when the Compensation which shall be awarded by such Jury as aforesaid shall be greater than the Compensation which shall have been previously offered by or on behalf of the said Capital Burgesses or their Successors, the Costs attending the Application to the said Justices, the Charges of Witnesses thereon, and all other Expences relating thereto, to be allowed by the said Justices at their said Sessions, shall be borne and paid by the said Capital Burgesses or their Successors; and that in all Cases where such Compensation shall not be greater than the Compensation which shall have been so previously offered, such Costs, Charges, and Expences, to be allowed as aforesaid, shall be borne and paid by the Body, Corporation, Trustee or Trustees, or other Person or Persons possessed or interested as aforesaid: Provided

Payment of  
Costs of Ap-  
plication.

[*Loc. & Per.*]

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always,

always, that in all Cases where any Person or Persons shall, by reason of unavoidable Absence, have been prevented from treating with the said Capital Burgesses or their Successors, such Costs, Charges, and Expences shall be borne and paid by the said Capital Burgesses or their Successors.

Payment of  
Compensa-  
tion to Mort-  
gagees.

LXIX. And be it further enacted, That in case any Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, which shall be purchased, taken, used, or damaged by the said Capital Burgesses or their Successors, for any of the Purposes of this Act, shall happen to be in Mortgage to any Person or Persons, it shall be lawful for the said Capital Burgesses or their Successors, and they are hereby required, upon Application in Writing being made to them by the Mortgagee or Mortgagees thereof, or his, her, or their Executors, Administrators, or Assigns, for that Purpose, to pay to him, her, or them such Sum or Sums of Money as shall have been agreed or awarded to be paid by the said Capital Burgesses or their Successors for or in respect of such Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof as aforesaid, in part of the Principal Money which shall then be due upon the Mortgage or Mortgages thereof; and that upon Payment of such Sum or Sums of Money to such Mortgagee or Mortgagees, or his, her, or their Executors, Administrators, or Assigns, he, she, or they shall acknowledge the Receipt thereof in Satisfaction of so much of the Principal Money due upon such Mortgage or Mortgages by some Writing to be indorsed thereon, and to be signed by him, her, or them in the Presence of One or more credible Witness or Witnesses.

Application  
of Compen-  
sation to Per-  
sons under  
Disabilities.

LXX. And be it further enacted, That all such respective Sums of Money as shall be agreed upon or awarded to be paid by the said Capital Burgesses or their Successors for any Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, belonging to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feme Covert, Infant, Lunatic, Idiot, or other Person or Persons under any legal Disability or Incapacity, which shall have been purchased, taken, used, or damaged by the said Capital Burgesses or their Successors under the Authority of this Act, shall, in case the same shall amount to the Sum of Two hundred Pounds or upwards, be paid by the said Capital Burgesses or their Successors with all convenient Speed 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 Burgesses of the Town of *Wisbech*; and that such Sums of Money to the Amount aforesaid, when so paid into the said Bank of *England*, shall there remain until the same shall, by Order of the said Court of Chancery, upon a Petition to be preferred to the said Court in a summary Way, be applied in the Purchase of Land Tax, or in the Discharge of any Debts or Incumbrances affecting the said Houses, Buildings, Lands, Tenements, or Hereditaments which shall have been so purchased, taken, used, or damaged as aforesaid, or any other Houses, Buildings, Lands, Tenements, or Hereditaments belonging thereto or being under the same Title therewith; or until the same shall, upon a Petition to be preferred in like Manner, be laid out, by Order of the said Court of Chancery, in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be conveyed and settled to, for, and upon the like Uses, Trusts, and Purposes as the said Houses, Buildings, Lands, Tenements,

or Hereditaments which shall have been so purchased, taken, used, or damaged as aforesaid, at the Time of the purchasing, taking, using, or damaging the same, were conveyed or settled upon, or such of them as shall then be existing and capable of taking effect; and that in the meantime, and until any such Order can be made and carried into effect as aforesaid, such respective Sums of Money may, by Order of the said Court of Chancery, be laid out in some of the Public Funds, or in Government or Real Securities, and that the Dividends or Interest arising therefrom shall, by Order of the said Court of Chancery, be paid to the Person or Persons who for the Time being would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, which shall have been so purchased, taken, used, or damaged as aforesaid; and that in case such respective Sums of Money shall not amount to the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then the same shall and may, with the Approbation of the said Capital Burgesses or their Successors, be paid into the said Bank of *England*, and applied, by Order of the said Court of Chancery, in the same Manner as is herein-before directed concerning Sums amounting to Two hundred Pounds and upwards, or otherwise shall and may, without an Order of the said Court, be paid into the Hands of Two Trustees to be nominated in Writing by and under the Hand or Hands or Corporate Seal or Seals of the Person or Persons or Body or Bodies who for the Time being would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, which shall have been so purchased, taken, used, or damaged as aforesaid, such Nomination being approved of by the said Capital Burgesses or their Successors; and that such Sums of Money as shall be so paid to such Two Trustees as aforesaid shall be by them applied in such and the like Manner as is herein-before directed with respect to Sums of Money amounting to Two hundred Pounds and upwards herein-before required to be paid into the said Bank of *England*, but without any Order of the said Court of Chancery touching the Application thereof; and that in case such respective Sums of Money shall not exceed the Sum of Twenty Pounds, then the same shall be paid to the Person or Persons or Body or Bodies who for the Time being would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, which shall have been so purchased, taken, used, or damaged as aforesaid, for his, her, or their own Use and Benefit; and in case of any such Person being a Feme Covert, Infant, Lunatic, or Idiot, then to his or her Husband, Guardian, Trustee, or Committee, for his or her Benefit.

LXXI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded to be paid for the Purchase of or for any Damage that shall have been done to any Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, which shall have been purchased, taken, used, or damaged as aforesaid, shall refuse to accept the same, or shall not be able to make a good Title to the said Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, to the Satisfaction of the said Capital Burgesses or their Successors, or in case such Person or Persons who shall be entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or to whom any such Sum or Sums of Money shall be awarded

For Want of  
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awarded to be paid as aforesaid, shall not be known or cannot be found, then and in any such Case it shall be lawful for the said Capital Burgesses or their Successors to order the said Sum or Sums of 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, to be placed to his Account there *ex parte* the Burgesses of the Town of *Wisbech*, subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding, or otherwise, as to the said Court shall seem meet, to order such Sum or Sums to be laid out and invested in any of the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Persons making claim or appearing to be entitled thereto, and to make such other Orders touching the same 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 to the Person or Persons paying the same a Receipt or Receipts, specifying on what Account the same is or are received.

On Question touching the Title to Money, the Person in possession to be deemed entitled.

LXXII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Sum or Sums of Money by this Act directed to be paid into the Bank of *England*, for the Purchase of or for any Damage that shall have been done to any Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, which shall have been purchased, taken, used, or damaged by the said Capital Burgesses or their Successors under the Authority of this Act, or for any Estate, Right, or Interest therein, or to any Bank Annuities to be purchased with any such Sum or Sums of Money, or to the Dividends or Interest of any of such Bank Annuities, the respective Persons who shall have been in possession or in the Receipt of the Rents and Profits of such Houses, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase or Damage, and all Persons claiming under them or under the Possession of them respectively, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, according to such Possession or Receipt, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and that the Dividends or Interest of the Bank Annuities which shall have been purchased with such Sum or Sums of Money as aforesaid, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession or Receipt was a wrongful Possession or Receipt, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Power for Court of Chancery to order Expences.

LXXIII. Provided also, and be it further enacted, That in case, by reason of any Disability or Incapacity of the Person or Persons, Body or Bodies, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, which shall have been purchased, taken, used, or damaged by the said Capital Burgesses or their Successors for any of the Purposes of this Act, the Money which shall have been paid for the Purchase thereof,

thereof, or for any Damage thereto, shall have been paid into the Bank of *England*, subject to the Direction of the Court of Chancery, and shall be afterwards applied, under the Direction of the said Court, in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Chancery to order the Expences of such Purchase or Purchases in which the said Money shall be so afterwards applied, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Capital Burgesses or their Successors, who shall pay the same at such Time and in such Manner as the said Court shall direct.

LXXIV. And be it further enacted, That upon Payment or Tender by or on the Part of the said Capital Burgesses or their Successors of such respective Sums of Money as shall have been agreed or awarded to be paid by them, under the Authority and for any of the Purposes of this Act, to the Person or Persons entitled to receive the same, or in such other Manner as is by this Act directed or authorized concerning the same, all the Owners and Occupiers of and Persons interested in the Houses, Buildings, Lands, Tenements, Hereditaments, Matters, and Things in respect whereof such Sums of Money shall respectively be paid or tendered as aforesaid, shall thenceforth be divested of all Right, Title, Claim, Interest, and Property in or to the same, and that such Houses, Buildings, Lands, Tenements, Hereditaments, Matters, and Things respectively shall thenceforth, to all Intents and Purposes whatsoever, become and be vested in the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and their Successors for ever.

Houses, &c.  
taken to be  
vested in the  
Burgesses on  
Payment of  
Monies.

LXXV. And be it further enacted, That the several Buildings, Erections, Watchboxes, Fences, Gates, Lamps, Posts, Irons, Rails, Banks, Wharfs, Buoys, Beacons, and other Works, Matters, and Things which shall be purchased, provided, made, erected, set up, or taken, by or under the Direction of the said Capital Burgesses or their Successors, within the said Town of *Wisbech*, or within or adjoining to the Limits of the said Port, and also the several Materials which shall be provided or procured by or under the Direction of the said Capital Burgesses or their Successors for making, repairing, or maintaining the said several Buildings, Erections, Watchboxes, Fences, Gates, Lamps, Posts, Irons, Rails, Banks, Wharfs, Buoys, Beacons, or other Works, Matters, or Things, or any of them, or for making, repairing, or maintaining any of the Footways, Carriage-ways, or Pavements within the said Town of *Wisbech*, or for any other Purposes, and also all the Dirt, Dust, Dung, Ashes, Filth, and Rubbish lying in or upon the several public Market Places, Streets, Lanes, or other public Passages or Places within the said Town, or within any of the Approaches thereto, shall be and the same are hereby vested in the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and their Successors for ever.

Works, &c.  
vested in the  
Burgesses.

LXXVI. And be it further enacted, That all and singular the Costs, Charges, and Expences of obtaining and passing this Act, and also all and singular the Monies by this Act directed or authorized to be paid by the Burgesses of the Town of *Wisbech* aforesaid or their Successors, or by the said Capital Burgesses or their Successors, shall be paid out of the Revenues belonging to the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity.

Monies to be  
paid out of  
the Corporate  
Revenues.

[*Loc. & Per.*]

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LXXVII. And

Power to ap-  
point Officers.

LXXVII. And be it further enacted, That it shall be lawful for the said Capital Burgesses and their Successors from Time to Time to appoint such Collectors, Surveyors, and other Officers as to them shall appear necessary and proper for any of the Purposes of this Act, and from Time to Time, as they shall see Occasion, to remove any such Officer, and to appoint another or others in his or their Place or Places, and to require and take of every or any such Officer, before he shall act in the Execution of his Office, such Security for the due Execution of the same as the said Capital Burgesses and their Successors shall think proper, and to allow and pay to such respective Officers such Salaries, or other Compensation for their Trouble, as the said Capital Burgesses or their Successors shall think reasonable and proper.

Officers to  
keep Ac-  
counts.

LXXVIII. And be it further enacted, That every Officer who shall be appointed by the said Capital Burgesses or their Successors shall fairly enter into a Book or Books to be by him kept for that Purpose an Account of all Monies by him received and expended on account of the said Capital Burgesses or their Successors, or of the Burgesses of the Town of *Wisbech* aforesaid, in their Corporate Capacity, specifying the Times when, and the Persons from whom and to whom, and for what Purposes, such Monies were respectively received and paid, and shall produce and deliver to the said Capital Burgesses and their Successors from Time to Time, when thereunto required, the said Account, or a true Copy thereof, signed by such Officer, and also all Vouchers for the several Expenditures mentioned therein, and shall, if thereunto required by the said Capital Burgesses or their Successors, verify the said Account upon Oath (which Oath any One of the said Capital Burgesses or their Successors is hereby empowered to administer), and also shall, at all Times when thereunto required by the said Capital Burgesses or their Successors, produce and deliver to them, or to whom they shall appoint, all Books, Accounts, Papers, or other Matters or Things belonging to the said Capital Burgesses or their Successors, or to the Burgesses of the Town of *Wisbech* aforesaid, in their Corporate Capacity, or otherwise relating to the Office of such Officer, in his Custody or Power, and pay over to the said Capital Burgesses, or to whom they shall appoint, the Balance of Monies which shall be in his Hands by virtue of his said Office.

Punishment  
of Officers  
refusing to  
account.

LXXIX. And be it further enacted, That in case any such Officer shall wilfully refuse, after Ten Days Notice in Writing given to him, or left at his usual or last Place of Abode, under the Hand of the Town Bailiff or Clerk of the said Capital Burgesses or their Successors, to produce before and deliver to the said Capital Burgesses or their Successors all or any of the Books, Accounts, Papers, or other Matters or Things in his Custody or Power, relating to his said Office, or otherwise belonging to the said Capital Burgesses or their Successors, or to the Burgesses of the Town of *Wisbech* aforesaid, in their Corporate Capacity, or shall wilfully disobey any of the lawful Orders or Directions to be made and given to him by the said Capital Burgesses or their Successors, or their Town Bailiff, every Person so offending, and being thereof convicted before any Justice or Justices of the Peace for the said *Isle of Ely*, (who is and are hereby authorized and required to hear and determine any such Offence upon the Oath of One or more Witness or Witnesses, or upon the Confession of the Person offending,) shall for every such Offence

forfeit and pay such Sum of Money, not exceeding Twenty Pounds, as such Justice or Justices shall direct, to be recovered by Distress and Sale of the Goods and Chattels of the Offender, and may also be committed by such Justice or Justices to any House of Correction for the said *Isle of Ely* for any Time not exceeding Six Calendar Months, at the Discretion of the said Justice or Justices; and that in case any such Officer shall refuse or neglect to account for all Monies received and paid by him to the Satisfaction of the said Capital Burgesses or their Successors, or to pay the Money due upon the Balance of his Account, according to their Direction, then and in every such Case it shall be lawful, upon the Complaint of the Town Bailiff or Clerk of the said Capital Burgesses or their Successors, for any Justice or Justices of the Peace for the said *Isle of Ely*, by Warrant under his or their Hand and Seal or Hands and Seals, to levy, by Distress and Sale of the Goods, Chattels, or Cattle of such Offender so refusing or neglecting to account or to pay the Money due upon the Balance of his Account as aforesaid, such Sum or Sums of Money as he shall be required to account for, or as shall be found due upon the Balance of his Account; and for Want of sufficient Distress it shall be lawful for any such Justice or Justices of the Peace, by Warrant under his or their Hand and Seal or Hands and Seals, to commit any such Offender to the Common Gaol or any House of Correction for the said *Isle of Ely* for any Time not exceeding Six Calendar Months, unless he shall in the meantime make an Account to the Satisfaction of the said Capital Burgesses or their Successors, and pay such Monies as shall appear to be remaining in his Hands to the said Capital Burgesses or their Successors, or according to their Appointment, or shall compound for the same, and pay the Money compounded for (which Money the said Capital Burgesses and their Successors may and are hereby empowered to compound for and accept); or otherwise the said Capital Burgesses or their Successors may and they are hereby empowered to bring or cause to be brought any Action or Actions in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Pleas of the *Isle of Ely*, against any such Officer so refusing, neglecting, or making default as aforesaid, and against such Person or Persons as shall have become Surety for him, for the Recovery of the Monies that shall appear to be in the Hands of such Officer, or to be due to the said Capital Burgesses or their Successors, or to the Burgesses of the Town of *Wisbech* aforesaid, in their Corporate Capacity, upon the Balance of his Account.

LXXX. And be it further enacted, That all Orders, Proceedings, and Acts of the said Capital Burgesses or their Successors touching any Matter or Thing under their Authority, Controul, Care, or Management, or in the Execution of any of the Powers vested in them by this Act or otherwise, shall be made at some Common Hall of the said Capital Burgesses or their Successors, at which Six at least of the said Capital Burgesses or their Successors shall be present, by a Majority of the said Capital Burgesses then present; and that in case at any such Common Hall there shall be an Equality of Votes touching any such Order, Proceeding, or Act, the Town Bailiff of the said Capital Burgesses for the Time being, if present, or the Chairman at the said Common Hall if the said Town Bailiff shall not be present, (which Chairman, in the Absence of the said Town Bailiff, shall be appointed by Ballot by the Capital Burgesses then present,) shall

Orders of  
Capital Bur-  
gesses to be  
made at a  
Common  
Hall.

have

have the casting Vote for or against such Order, Proceeding, or Act; and that no Order, Proceeding, or Act of the said Capital Burgesses or their Successors shall be valid, unless the same shall be made in manner aforesaid.

Mode of  
levying and  
applying Pe-  
nalties, &c.

LXXXI. And be it further enacted, That in case the several Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed, or any of them, and the several Sums of Money by this Act made payable or authorized to be demanded and received, or any of them, shall not be paid to the Person or Persons entitled to receive the same, upon Demand thereof made, or within the Times herein-before respectively limited for the Payment thereof, then and in any such Case, where the Recovery of such Penalties, Forfeitures, Fines, or Sums of Money is not by this Act otherwise provided for, it shall be lawful for any Justice or Justices of the Peace for the Isle, County, or Division wherein such respective Penalties, Forfeitures, Fines, or Sums of Money shall have respectively been incurred or become payable, upon Application to be made to him or them for that Purpose, and upon Proof of any such Penalty, Forfeiture, Fine, or Sum of Money having been incurred or become payable being given before and to the Satisfaction of the said Justice or Justices, either by the Confession of the Person or Persons who shall be liable to the same or from whom the same shall be due, or by the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby empowered and required to administer), to cause such unpaid Penalty, Forfeiture, Fine, or Sum of Money to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who shall have incurred or become liable to pay the same, or from whom the same shall have become due and payable as aforesaid, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices (which Warrant or Warrants such Justice or Justices is and are hereby empowered to grant for those Purposes); and that the Overplus of the Monies levied or raised by any such Distress and Sale, after such respective Penalties, Forfeitures, Fines, or Sums of Money, and the Charges of such Distress and Sale, shall be received and deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels, or unto the Person or Persons in whose Possession the same shall have been at the Time of such Distress; and that all such Penalties, Forfeitures, Fines, and Sums of Money, when recovered and received, if the same shall be recovered or received by or on behalf of the said Capital Burgesses or their Successors, or by any of their Officers, or other Persons acting under their Authority, shall, if not directed by this Act to be otherwise applied, be from Time to Time paid to the said Capital Burgesses or their Successors, for the Use of the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity; and that in case any such Penalty, Forfeiture, Fine, or Sum of Money shall not be paid as aforesaid, and there shall not be any sufficient Distress whereby the same can be levied and recovered, it shall be lawful for any Justice or Justices of the Peace for such Isle, County, or Division as aforesaid, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to commit the Person or Persons who shall have incurred or be liable to the Payment thereof, or from whom the same shall be due or payable, to the Common Gaol or House of Correction, there to remain, without Bail or Mainprize, for any such  
Time,



Time, not exceeding Six Calendar Months, as the said Justice or Justices shall direct, unless such Penalty, Forfeiture, Fine, or Sum of Money, and all reasonable Costs and Charges attending the Recovery thereof, or the Prosecution of the Person or Persons who shall be liable to the same, or from whom the same shall be due, shall be sooner paid and satisfied.

LXXXII. Provided always, and be it further enacted, That it shall be lawful for any Justice or Justices of the Peace before whom any Information or Complaint shall be made of any Offence or Offences against any of the Provisions of this Act, in case the Person or Persons who shall be complained of shall confess himself, herself, or themselves guilty, or shall be otherwise convicted of the same, to order and direct such Part or Proportion of the Penalty, Fine, or Forfeiture, or Penalties, Fines, or Forfeitures, which such Person or Persons shall have incurred or become liable to pay, as the said Justice or Justices shall think reasonable and proper, to be paid to the Informer or Informers and Witness or Witnesses respecting the same, or any of them.

Power for Justices to allow Part of Fines to Witnesses.

LXXXIII. And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace, before whom any Information or Complaint shall be made of any Offence or Offences against any of the Provisions of this Act, to award and order such Costs and Charges as he or they shall think reasonable to be paid by and to any Person or Persons by or against whom such Information or Complaint shall be made, over and above any Penalty, Forfeiture, Fine, or Sum of Money which any such Person or Persons shall have incurred or become liable to pay, and to cause such Costs and Charges, in case of the Nonpayment thereof, to be levied and recovered in the same Manner as any such Penalty, Forfeiture, Fine, or Sum of Money is by this Act directed to be levied and recovered.

Power for Justices to award Costs.

LXXXIV. And be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any pecuniary Penalty, Fine, or Forfeiture imposed by this Act, unless Information of the Offence by which the same shall have been incurred shall be given before some Justice or Justices of the Peace within Six Calendar Months next after the Time when such Offence shall have been committed.

Information to be given within a limited Time.

LXXXV. And be it further enacted, That it shall be lawful for any Person, being one of the Capital Burgesses or one of the Burgesses at large of the said Town of *Wisbech*, and being a Justice of the Peace for the said *Isle of Ely*, to act as such Justice in the Execution of this Act, or of any of the Powers and Authorities hereby vested in him, (otherwise than in such Matters and Cases in which he shall be individually interested or concerned,) notwithstanding that any such Justice may be a Capital Burgess or one of the Burgesses at large of the said Town of *Wisbech*.

Power for Justices being Burgesses to act.

LXXXVI. And be it further enacted, That it shall be lawful for the Justice or Justices of the Peace before whom any Person or Persons shall be convicted under the Authority of this Act of any Offence against the same, or against any of the Provisions hereby made, to cause the Conviction upon any such Offence to be made out in the Form or to the Effect following, and that every such Conviction shall be good and effectual to all Intents and Purposes whatsoever :

Form of Conviction.

[*Loc. & Per.*]

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BE

' to wit. } **BE** it remembered, That on the Day of  
 ' in the Year of our Lord  
 ' is duly convicted before of His Majesty's Justices  
 ' of the Peace acting within and for the said in pursuance  
 ' of an Act passed in the Fiftieth Year of the Reign of His Majesty King  
 ' George the Third, intituled [*here set forth the Title of this Act*], for that  
 ' the said on the Day  
 ' of now at in the  
 ' said did contrary to the  
 ' Provisions of the said Act; and do adjudge and direct that the  
 ' said hath forfeited for the said Offence  
 ' the Sum of to be levied and ap-  
 ' plied in the Manner directed by the said Act. Given under Hand  
 ' and Seal , the Day and Year first above written.'

And that the said Justice or Justices shall cause every such Conviction to be written or printed upon Parchment, and to be returned to the next General Quarter Sessions of the Peace to be holden in and for the Isle, County, or Division wherein the same shall have been made, to be filed by the Clerk of the Peace of the said Isle or his Deputy, and there to remain and be kept among the Records of the said Sessions.

Appeal to the  
 Sessions.

LXXXVII. And be it further enacted, That if any Person or Persons, or Body or Bodies Corporate or Collegiate, shall think himself, herself, or themselves aggrieved by any thing done or omitted to be done by or on behalf of the said Capital Burgesses or their Successors, in pursuance of this Act, then and in every such Case it shall be lawful for such Person or Persons or Body or Bodies to appeal to any General Quarter Sessions of the Peace which shall be holden in and for the said Isle, County, or Division wherein the Cause of the Complaint of such Person or Persons or Body or Bodies shall have arisen, within Six Calendar Months next after the Cause of Complaint shall have arisen, on giving to the said Capital Burgesses or their Successors, or to their Town Bailiff or Clerk, Fourteen Days previous Notice in Writing of such Appeal, and of the Cause and Matter thereof, and within Four Days after such Notice entering into a Recognizance, with Two sufficient Sureties, before some Justice or Justices of the Peace for the said Isle, County, or Division for trying such Appeal, and abiding the Order of the Justices at the said Sessions, and for paying such Costs as shall be by them awarded; and that the Justices (not being interested in the Premises) who shall be assembled at the said General Quarter Sessions of the Peace for the said Isle, County, or Division shall and they are hereby required to hear and determine the Matter of every such Appeal, and to make such Order and Adjudication therein, and award such Damages and Costs on either Side, as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy or cause to be levied the Damages and Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties against whom the same shall be awarded; and that the Overplus (if any there shall be) of the Monies to arise by any such Sale shall be rendered, upon Demand, to the Owner or Owners of such Goods and Chattels; after deducting the reasonable Charges of such Warrant, Distress, and Sale; and that in case the said Damages and Costs shall not be fully paid according to the Order of the

said Justices, and there shall not appear to be any sufficient Distress whereby the same may be levied, it shall be lawful for the said Justices, at their said Sessions, to commit the Person or Persons making default in Payment thereof to the Common Gaol or any House of Correction for the said Isle, County, or Division, for any Time not exceeding Six Calendar Months, or until such Damages and Costs shall be in the meantime fully paid; and that the Determination, Judgment, and Award of the said Justices shall be final and conclusive to all Parties concerned and interested therein.

LXXXVIII. And be it further enacted, That no Order, Determination, Award, Judgment, Conviction, Warrant, or other Proceeding to be made by any Justice or Justices of the Peace, or by the said Capital Burgesses or their Successors, touching or concerning any of the Matters in this Act mentioned, or touching or concerning any Offence against the same, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding; and that in any Case wherein a Distress shall be made for any Toll, Penalty, Fine, Forfeiture, or Sum of Money imposed, made payable, or directed or authorized to be levied by or under the Authority 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 Order, Determination, Judgment, or Award whereby such Toll, Penalty, Fine, Forfeiture, or Sum of Money shall be imposed, made payable, or directed to be paid, or in the Information, Summons, Warrant, Conviction, Distress, or any other Proceeding relating to the same, or to the levying or recovering thereof; and that the Party or Parties distraining shall not be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterward take place or be occasioned, but that the Person or Persons who shall be aggrieved by any such Irregularity shall and may recover full Satisfaction for the special Damage which he, she, or they may have sustained in any Action or Actions upon the Case.

Proceedings  
not to be void  
for Want of  
Form, nor  
removable.

LXXXIX. And be it further enacted, That if any Action, Suit, Information, Indictment, or other Process shall be commenced or prosecuted against the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, or against the said Capital Burgesses or their Successors, or against their Town Bailiff, Clerk, or any of their Officers or Servants, for any thing done or omitted to be done in pursuance of this Act, or in the Execution of any of the Powers or Authorities hereby given, every such Action, Suit, Information, Indictment, or other Process shall be commenced within Six Calendar Months next after the Time of the Fact or Facts complained of having been committed or omitted, and not afterwards; and that no such Action, Suit, Information, Indictment, or other Process shall be commenced until after Fourteen Days Notice thereof in Writing shall have been given to the said Capital Burgesses or their Successors, or to their Town Bailiff or Clerk, nor shall any such Action be commenced or prosecuted after sufficient Satisfaction or a Tender thereof shall have been made to the Person or Persons who shall have been aggrieved; and that every such  
Action,

Limitation  
of Actions.

Action, Suit, Information, Indictment, or other Process shall be brought and laid in the Isle, County, or Division wherein the Cause thereof shall have arisen, and not elsewhere; and that the Defendant or Defendants in or to any such Action, Suit, Information, Indictment, or other Process shall and may plead the General Issue, and in Replevin shall and may justify and avow such Fact or Facts as having been done or omitted to be done under the Authority of this Act, or shall and may plead specially, as he or they may be advised and think proper, and shall and may, at any Trial to be had upon any such Action, Suit, Information, Indictment, or other Process as aforesaid, give in Evidence this Act, and the special Matter relating to such Fact or Facts, and that the same was or were done in pursuance and by the Authority of this Act, whether the same shall have been specially pleaded or not; and that if any such Action, Suit, Information, Indictment, or other Process shall be commenced after the Time herein-before limited, or without such Notice as aforesaid, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or shall be brought or laid elsewhere than in the Isle, County, or Division wherein the Cause thereof shall have arisen, or if the Commission or Omission of such Fact or Facts shall appear to have been lawful under the Authority of this Act, or otherwise, then the Jury upon such Trial shall find a Verdict for the Defendant or Defendants, Avowant or Avowants; and that if the said Jury shall, upon any such Trial, find a Verdict for the Defendant or Defendants, Avowant or Avowants, or if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their said Action, Suit, Information, Indictment, or other Process, or if, upon a Demurrer or otherwise, Judgment shall be given for the Defendant or Defendants, Avowant or Avowants therein, then and in any of the said Cases the Defendant or Defendants, Avowant or Avowants, shall have and be entitled to and shall and may recover Treble Costs against the Plaintiff or Plaintiffs, Informant or Informants, Prosecutor or Prosecutors, and shall and may have such and the like Remedies for recovering the same as is usual in Cases of Costs awarded by Law.

Burgesses  
not to be in-  
competent  
Witnesses.

XC. And be it further enacted, That in any Action, Suit, Information, Indictment, or Prosecution which shall be commenced, prosecuted, or carried on by or against the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, or their Successors, or by or against the said Capital Burgesses or their Successors, or any Person or Persons acting under their Authority, no Person shall be an incompetent Witness by reason only of his being a Capital Burgess, or one of the Burgesses at large of the said Town of *Wisbech*.

Persons suing  
or being sued  
under the  
Authority of  
the Capital  
Burgesses to  
be reim-  
bursed.

XCI. And be it further enacted, That the said Capital Burgesses and their Successors shall, out of the Revenues belonging to the Burgesses of the Town of *Wisbech* aforesaid, in their Corporate Capacity, reimburse and make good to all Persons who shall commence or prosecute any Action, Suit, Information, Indictment, or Proceeding against any other Person or Persons, by the Direction or under the Authority of the said Capital Burgesses or their Successors, or who shall be sued or prosecuted by any other Person or Persons, for any Matter or Thing by them respectively done or omitted to be done by the Direction or under the Authority of the said Capital Burgesses or their Successors, all such Costs, Expences, Damages,

Damages, and Losses, as such Persons may respectively thereby pay, sustain, or be put unto.

XCII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to deprive any Person or Persons, Body or Bodies, of any Remedy which he, she, or they might have had by Civil Action or otherwise against any Person or Persons in case this Act had not been made.

Persons not to be deprived of Remedy by Action.

XCIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend to defeat, impeach, invalidate, or lessen the Right of the said *Thomas* Lord Bishop of *Ely*, or his Successors, Bishops of *Ely* aforesaid, or of his or their Lessee or Lessees, to take and receive all and every the Profits of Fairs or Markets arising within the Town of *Wisbech* aforesaid, which the said Bishop or his Predecessors hath or have at any Time heretofore lawfully taken and received, or been entitled to take and receive, by virtue of any Law, Statute, Prescription, or Usage, but that such Right shall remain and continue in the said *Thomas* Lord Bishop of *Ely* and his Successors with the same Force and Effect as if this Act had not been made.

Right of Bishop of *Ely* to Profits of Fairs and Markets saved.

XCIV. Provided always, and be it further enacted, That nothing in this Act contained, nor any Bye Law to be made in pursuance thereof, shall extend or be construed to extend to authorize the said Capital Burgesses or their Successors, or any Person or Persons whomsoever, to do any Work or Works, Act or Acts whatsoever, which may impede, obstruct, or be in any Manner injurious to the Drainage of any Lands or Grounds discharging their Waters, or draining into, by, or through the said Port and Harbour of *Wisbech*, or either of them, or to empower the said Capital Burgesses or their Successors, or any Person or Persons whomsoever, to have, use, or exercise any Power or Authority over or to intermeddle with any of the Sewers, Drains, Banks, Works, Marshes, or Lands belonging to or vested in or which shall hereafter belong to or be vested in the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, or the General Commissioners of the North Level, Part of the said Great Level, or the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, or the Commissioners or Trustees for the Drainage or Embankment of any District or Districts or any of them respectively, or to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers, and Authorities vested in the said Governor, Bailiffs, and Commonalty, or in the Governors, Bailiffs, and Conservators of the said Great Level, or in the said General or other Commissioners or Trustees respectively, or any of them; but that all Rights, Powers, and Authorities whatsoever which by virtue of an Act made in the Fifteenth Year of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for settling the draining of the Great Level of the Fens called Bedford Level*, or of any other Act or Statute whatsoever, or otherwise, are now vested in the said Governor, Bailiffs, and Commonalty, or in the said Governor, Bailiffs, and Conservators, or in the said Commissioners or Trustees respectively, or any of them, shall for ever hereafter remain, continue, and be in the said Governor, Bailiffs, and Commonalty, and in the said Governors, Bailiffs,

Rights of Corporation of *Bedford Level* and others saved.

and Conservators, and in the said General and other Commissioners and Trustees respectively, and every of them, as fully and amply to all Intents and Purposes as if this Act had not been made.

Public Act.

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

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