



ANNO QUINQUAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 9.

An Act for better paving, lighting, cleansing, watching, and otherwise improving the Town of *Bury Saint Edmund's*, in the County of *Suffolk*.

[4th April 1811.]

WHEREAS the Streets, Lanes, publick Passages, and Places of the Town of *Bury Saint Edmund's*, in the County of *Suffolk*, are not only ill paved and out of Repair, but are not properly lighted, cleansed, or watched, and are also by Encroachments and Annoyances rendered incommodious: And whereas it would tend greatly to the Benefit, Convenience, and Safety, not only of the Inhabitants of the said Town, but of all Persons resorting thereto, if the said Streets, Lanes, publick Passages, and Places were properly paved, lighted, cleansed, and watched, and if certain Encroachments and Annoyances were removed, and Provision made for preventing the like in future; but as such Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Commission- the Alderman and Recorder of the Borough of *Bury Saint Edmund's* ers. aforesaid for the Time being, and also Sir *Thomas Gery Cullum* Baronet, Sir *William Dolben* Baronet, Sir *Patrick Blake* Baronet, *William Beales* M. D. *John Benjafield*, *Philip Bennet*, *Charles Blackley*, *Charles Blomfield*, *James Borton*, *Samuel Brady*, *George Brown*, *William Buck*, *Henry William Bunbury*, *Philip James Case*, *Thomas Clarkson*, *Thomas Clay*, *Thomas Cocksedge*, *Martin Thomas Cocksedge*, *Samuel Cooper*, *John Cotman* Clerk, *Thomas Gery Cullum* Clerk, *William Dalton*, *Vincent Eyre*, *Thomas Foster*,
 [Loc. & Per.] 1; John

John Frost, Peter Gedge, John Green, William Gould, Henry Hasted Clerk, Andrew Hunter, Benjamin Heath Malkin L.L.D. Robert Maulkin, Edward Mills Clerk, George Moor, James Moore, James Oakes, Orbell Ray Oakes, Robert Patsey, John Ranby, John Ridly, Thomas Robinson, John Barwick Sams Clerk, Ezekiel Sparke, Thomas Steele, William Stocking Clerk, William John Symons, John Symonds, John Rowland Sprowle Clerk, and John Thompson, shall be and they are hereby appointed, together with the several Persons to be elected as herein-after mentioned, Commissioners for putting this Act and the several Powers herein contained in Execution.

Power to appoint new Commissioners.

II. And be it further enacted, That whenever the Commissioners hereinbefore named shall by Death, Non-residence, legal Incapacity, or Refusal to act, be reduced to a less Number than Twenty-four, and also whenever afterwards, and as often as there shall be a similar Diminution of the said Number of Twenty-four, it shall be lawful for the remaining Commissioners, and they are hereby required to cause Notice of such Vacancy or Vacancies, if more than One, to be given immediately after Divine Service in the Parish Churches of the said Town, and also to be affixed on the principal Doors of such Churches, and also on the Door of the Guildhall in the said Town, Ten Days at least before the First *Monday* in the Month of *June* immediately succeeding such Vacancy or Vacancies; and that it shall be lawful for such of the Inhabitants of the said Town as shall be assessed to the Rates to be raised under this Act, to assemble at the Guildhall aforesaid on the said First *Monday*, in the Month of *June*, for the Purpose of supplying such Vacancy or Vacancies, and that the Majority of such Inhabitants who shall be then and there present shall and may elect and appoint One or more fit Person or Persons, being an Inhabitant or Inhabitants of the said Town, and assessed to the said Rates, or the Occupier or Occupiers of *Hardwicke* House, or the Lands thereto belonging, and respectively qualified as herein-mentioned, to be a Commissioner in the Room of every Commissioner so dying, removing, becoming incapable of acting or refusing to act; and every Commissioner so from Time to Time to be elected and appointed, shall have the same Power and Authority to act in the Execution of this Act as if such Commissioner had been originally nominated in this Act.

Qualification of Commissioners.

III. Provided always, and be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act unless he shall be an Inhabitant of the said Borough of *Bury Saint Edmund's*, except the Recorder for the Time being, and shall be in his own Right, or in Right of his Wife, in the actual Possession and Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, besides Reprizes and Encumbrances, or shall be Heir apparent of some Person having such Estate in Lands, Tenements, or Hereditaments, of the clear yearly Value of Eighty Pounds, besides Reprizes and Encumbrances, or shall be possessed of or entitled to a Personal Estate to the Amount or Value of One thousand Pounds; and if any Person not being so qualified shall act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered on the Information of any Person or Persons whomsoever, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, or Information,

Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty without any other Proof on Behalf of the Plaintiff, than that such Person has acted as a Commissioner in the Execution of this Act; and the Money so to be recovered shall, after Payment of the Costs and Expences attending the Recovery thereof, be paid One Moiety to the Informer or Prosecutor, and the other Moiety to the Clerk or Treasurer to the said Commissioners, to be appointed as herein-after mentioned to be applied for the Purposes of this Act.

IV. Provided always, and be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except in appointing the First Meeting to be holden in pursuance of this Act, in case the same shall not be holden on the Day herein appointed, and in administering the Oath or Affirmation herein mentioned to the other Commissioners), until he shall have taken an Oath, or being one of the People called *Quakers*, have made a solemn Affirmation, before any Two or more of the said Commissioners at a Publick Meeting to be holden by virtue of this Act, who are hereby authorized and required to administer the same; and such Oath or Affirmation shall be in the Words following; (that is to say,)

‘ I *A. B.* do swear, [*or, being one of the People called Quakers, I, A. B.* do solemnly affirm,] That I am duly qualified to act as a Commissioner in the Execution of an Act of Parliament made in the Fifty-first Year of the Reign of His Majesty King *George* the Third, intituled, [*here set forth the Title of this Act,*] according to the Provisions and Directions of the said Act; and that I will act truly and impartially, according to the best of my Skill and Judgement, in the Execution of the Powers and Authorities reposed in me as a Commissioner in and by the said Act.

‘ So help me GOD.’

V. Provided always, and be it enacted, That no Person herein nominated a Commissioner shall be capable of acting as a Commissioner in the Execution of this Act, (except in appointing such First Meeting as aforesaid, and in administering the Oath or Affirmation herein-before mentioned to the other Commissioners,) until he shall have advanced and lent at Interest the Sum of One hundred Pounds, upon the Credit of the said Rates, Assessments, and Monies.

VI. Provided always, and be it further enacted, That no Person, except the Treasurer, shall be capable of acting as a Commissioner in the Execution of this Act, during such Time as he shall hold any Office or Place of Profit under the said Commissioners, or during such Time as he shall have any Share or Interest in any Contract or Work to be performed or done under any of the Powers of this Act, or in any Matter wherein he shall be in anywise personally or beneficially interested, (except as a Creditor on the Rates, Assessments, or Monies herein directed to be made, levied, collected, or received,) but that it shall and may be lawful to and for the Justices of the Peace for the Borough of *Bury Saint Edmund's* aforesaid, to act as such in the Execution of this Act, notwithstanding their

their being Commissioners, except only in Cases where they shall be personally interested.

Meetings of
Commissioners without
Notices.

VII. And be it further enacted, That the said Commissioners shall meet and assemble at the Guildhall of the said Town of *Bury Saint Edmund's*, on the Second *Monday* next after the passing of this Act, between the Hours of Ten and Twelve in the Forenoon, in order to put this Act into Execution; and shall afterwards meet at the same Place, and between the Hours aforesaid, on the First *Monday* in every Month, for the Purpose of carrying this Act into Execution, without any Notice being given to the said Commissioners of such Meeting.

Commissioners may ad-
journ Meeting.

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

Meetings on
Emergencies.

IX. And be it further enacted, That if it shall at any Time or Times be thought necessary that a Meeting of the Commissioners on an earlier Day than the First *Monday* in the Month immediately subsequent to the last Meeting, or after an Adjournment on any earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case the Clerk to the said Commissioners, (an Order signed by Three or more of the said Commissioners, mentioning the Time, Place, and Purpose of such earlier Meeting, being given to him or left at his last or usual Place of Abode,) shall forthwith give Notice of the Meeting to be holden on such earlier Day in Manner before directed, and of the Time, Place, and Purpose, which shall be mentioned in the Order of the said Commissioners, (such Time not being less than Two Days after such Notice); and all Proceedings of the said Commissioners at such earlier Meeting shall be as good and valid as they would have been in case such Commissioners had met on the First *Monday* in the Month immediately subsequent to the last Meeting, or in pursuance of any Adjournment.

No Act valid
unless at a
Meeting.

X. And be it further enacted, That no Act of the said Commissioners shall be or be deemed to be good or valid, unless made and done at a Meeting to be holden as aforesaid by virtue of this Act (except as may be herein excepted); and that all the Powers and Authorities of this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by the major Part of them present at any publick Meeting, the Number present at such Meeting not being less than Five, and all the Orders and Proceedings of the major Part of the said Commissioners present at such Meetings shall have the same Force and Effect, as if the same were made or done by the said Commissioners for the Time being (save and except as may be herein excepted); and that at every such Meeting, if the Alderman shall be present, he shall be Chairman, and in case of his Absence the Recorder, if he shall be present, shall be Chairman, but if neither of them shall be present, then One of the other
Commissioners

Commissioners present shall be Chairman; and that in all Cases the said Commissioners shall vote by Ballot, in case the same shall be desired by any Three or more of the said Commissioners then present; and in case of an equal Number of Votes upon any Question, including that of the Chairman, such Chairman shall have the casting Vote.

XI. And be it further enacted, That no Order made by the said Commissioners shall be revoked or altered at any subsequent Meeting, unless at some Meeting to be holden for that express Purpose, nor unless a greater Number of Commissioners shall attend at such Meeting to revoke or alter such Order than were present when the same was made; any Thing herein contained to the contrary thereof notwithstanding.

No Order to be revoked unless a greater Number of Commissioners present than made the Order.

XII. And be it further enacted, That at the Meeting of the said Commissioners to be holden on the First *Monday* in the Month of *June* Yearly, at the Place hereinbefore-mentioned, the Accounts of all Monies received and paid from Time to Time by Virtue, or in Execution of this Act, by any Person or Persons whomsoever, shall be produced and stated to the said Commissioners.

General Annual Meeting of the Commissioners.

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

Commissioners may contract.

XIV. And be it further enacted, That no such Contract or Contracts shall be deemed good or valid if the same shall have been for a longer Space or Term than Two Years from the Time of entering into such Contract or Contracts.

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

XV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from Time to Time, and at all Times hereafter, to compound or agree with any Person or Persons, on Account of any Breach or Non-performance of such Contract or Contracts for such Sum or Sums of Money, or upon such Terms and Conditions as they the said Commissioners shall think proper.

Commissioners may compound for Breach of Contract.

XVI. And be it further enacted, That every such Contract or Contracts shall specify the several Works to be done, and the Prices to be received or paid for the same, and the Time or Times when the said Works are to be compleated, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by the said Commissioners, or

Contracts to be signed by the said Commissioners.

[*Loc. & Per.*]

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any Three or more of them, and also by the Person or Persons contracting to perform such Works respectively; which Contract or Contracts shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Commissioners.

Proceedings
to be entered
in a Book.

XVII. And be it further enacted, That there shall be provided and kept a proper Book or Books, in which fair and regular Entries shall be made of all Acts, Orders, and Proceedings relative to the Execution of this Act, and the Names of the Commissioners who shall be present at the respective Meetings to be holden in pursuance of this Act, and such Entries being signed by the Chairman of each respective Meeting, or by the Clerk to the Commissioners, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Cases, Suits, and Actions touching or concerning any Thing done in pursuance of this Act, and such Book and Books shall at all the Meetings of the said Commissioners be open and liable to their Inspection, and to the Inspection of all Persons affected by this Act without Fee or Reward.

Appointment
of Officers.

XVIII. And be it further enacted, That the said Commissioners shall and may from Time to Time, whenever they shall think necessary, by Writing under their Hands, appoint and employ a Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Receiver or Receivers of the Rates, Assessments, and Monies herein mentioned, and also a Surveyor or Surveyors, and such other Officer and Officers, Person and Persons for the Execution of this Act, as they the said Commissioners shall think proper, and from Time to Time remove them, or any of them, and in like Manner appoint others in the room of those removed; and out of the Monies to be raised by virtue of this Act pay such Salaries, Wages, or Allowances to the said Officers and other Persons as they the said Commissioners shall think reasonable; and the said Commissioners shall, and they are hereby required to take such sufficient Security from every such Treasurer and other Officer for the due Execution of his Office as they shall think proper; and all such Officers so to be appointed shall, under their Hands, (at such Time and Times, and in such Manner as the said Commissioners shall direct), deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and all the said Officers so accounting, shall upon Oath (which Oath the said Commissioners or any Two or more of them, are hereby empowered and required to administer) verify their said Accounts; and if any such Officer or Person shall refuse or wilfully neglect to make, and render, or to verify upon Oath any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days next after being thereunto required by the said Commissioners, by Notice in Writing signed by their Clerk, to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and

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

XIX. And be it further enacted, That if any Collector, or Receiver of the Monies to be levied by Authority of this Act, shall die, or become incapable of acting in the Execution of this Act, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, For Appointment of Officers in case of Death.

though not assembled at a Meeting in pursuance of this Act by any Writing under their Hands, to appoint any Person to be Collector or Receiver of the same Monies until a Collector or Receiver shall be appointed by the said Commissioners at a Meeting to be holden in pursuance of this Act, any Thing herein contained to the contrary notwithstanding.

Trustees to
sue and be
sued in the
Name of the
Clerk.

XX. And be it further enacted, That the Commissioners to be appointed under this Act shall and may sue and be sued, and take all Bonds or Securities in the Name or Names of their Treasurer or Treasurers, Clerk or Clerks, for the Time being, to be appointed under this Act; and that no Action or Suit which may be brought by or against the said Commissioners, or any of them, in relation to this Act, in the Names of their Treasurer or Treasurers, Clerk or Clerks, shall abate or be discontinued by the Death or Removal of such Treasurer or Treasurers, Clerk or Clerks, or by the Act of him or them, without the Consent of the said Commissioners, as the Case may be; but the Treasurer or Treasurers, Clerk or Clerks, for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, in every Action or Suit, as the Case may be; provided always, that all and every such Treasurer or Treasurers, Clerk or Clerks, shall be reimbursed out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences, as he or they shall be put unto or become charged or chargeable with by reason of his or their so being made Plaintiff or Defendant, or Plaintiffs or Defendants as aforesaid, provided that the said Action or Defence shall be prosecuted, carried on, and continued with the Consent of the said Commissioners, as the Case may be.

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

XXI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to contract and agree with any Person or Persons, Body or Bodies Politick, Corporate, Collegiate, or Sole, as shall be, or deemed to be the Owner or Owners, Proprietor or Proprietors of or otherwise interested in any Building or Buildings, Erection or Erections, projecting into, over, or upon any of the Footways or Carriage-ways within the said Town, or any Door or Doors of any Cellar or Cellars, or any Steps belonging thereto, or any other Projection or Encroachment in, over, or upon any such Footways or Carriage-ways, or any Lands, Tenements, or Hereditaments which the said Commissioners shall judge necessary and proper to be purchased for the Purpose of improving and widening any of the said Streets, Lanes, publick Passages, or Places, or any of them, and for otherwise improving the said Town in Manner by this Act directed, for the absolute Purchase of all such Buildings, Erections, Cellars, Doors, Steps, Projections, Encroachments, Lands, Tenements, or Hereditaments, or any of them, or for the Damage to be done thereto respectively in the Execution or for the Purposes of this Act, and to take down and alter all or any of such Buildings, Erections, Steps, Projections, Encroachments, Tenements, and Hereditaments so to be purchased, or any Part or Parts of the same respectively, and also to appropriate all or any of the Lands, Tenements, or Hereditaments, so to be purchased for all or any of the Purposes aforesaid, as they the said Commissioners shall think fit.

Powers for
Bodies Poli-
tick to sell.

XXII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, and all Corporations,

tions whether Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunaticks and Ideots, and other Trustees whomsoever, not only for and on Behalf of themselves and their Heirs and Successors, but also for and on Behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, or Femmes Covert, and also to and for all Femmes Covert who are or shall be seised in their own Right, and to and for all Persons, whether Tenants for Life or Tenants in Tail General or Special, or for Years determinable on any Life or Lives, and to and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any Lands, Houses, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or other Hereditaments, or any Part thereof, which the said Commissioners are by this Act enabled to purchase for any of the Purposes of this Act, to treat, contract, and agree with the said Commissioners for the Sale thereof, or any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever, of, in, and to the same, to the said Commissioners, and their Successors, for any of the Purposes of this Act, and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Estate, Right, Interest, Use, Property, Claim, and Demand whatsoever, of the said several and respective Cestuique Trusts, and all claiming or to claim, by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

XXIII. And be it further enacted, That if any Body Politick, Corporate or Collegiate, or any Corporation whether Aggregate or Sole, or any Feme Covert, or any Tenant for Life, or Tenant in Tail general or special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Person or Persons whosoever interested in any Building or Buildings, Erection or Erections, projecting in or upon any of the Footways within the said Town, or of any Door or Doors of any Cellar or Cellars, or in any Steps belonging thereto, or in any other Projection or Encroachment upon any such Footway whatsoever, or in any Lands, Houses, or other Buildings, Tenements, or Hereditaments which the said Commissioners are enabled by this Act to purchase or treat for, shall refuse to treat, contract, or agree as aforesaid, or by reason of Absence or otherwise, shall be prevented from treating, contracting, or agreeing, or shall decline or refuse to sell, convey, and dispose of the Premises whereof, or wherein or whereunto they respectively shall be so seised, possessed, interested, or entitled as aforesaid, or their respective Rights, Titles, Claims, or Interests into or upon the same, or any Part thereof, unto the said Commissioners, or to such Person or Persons as they shall nominate for the Purposes, and according to the Tenor, true Intent and Meaning of this Act, or shall not or cannot pro-

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Provision in
Cases of Re-
fusal or In-
ability to
sell.

duce or make out a clear Title to the Premises they are in Possession of, or to the Interest they claim therein to the Satisfaction of the said Commissioners; or if any Dispute or Difference shall arise touching such Purchase or Purchases, then and in every such Case the said Commissioners are hereby empowered and authorized before the next General or Quarter Sessions of the Peace, to be holden for the said County, or any Adjournment thereof, to give or cause to be given to such Owner or Owners, or the principal Officer or Officers of such Bodies Politick, Corporate or Collegiate, or to leave or cause to be left at the House of the Tenant in Possession, Thirty Days Notice in Writing, signed by their Clerk, denoting and particularly describing the Lands, Buildings, Houses, Tenements, or other Hereditaments, intended to be purchased, and purporting that the Value thereof shall be adjusted and settled by a Jury at the said Sessions or Adjournment thereof; and the Justices at the said Sessions, or any Adjournment thereof, upon Proof to them made of such Notice having been so given or left, are hereby authorized and required to charge the Grand Jury at such Session assembled, or the Jury to try Prisoners at such Sessions well and truly upon their Oaths, to assess the Value of the said Lands, Buildings, Houses, Tenements, or other Hereditaments comprized in the Notice so given, and the Damages and Recompence to be awarded or given for the same to the respective Owner or Owners thereof, according to their respective Interests therein, and to which said Jury the said Commissioners, and all Persons interested in the said Lands, Buildings, Houses, Tenements, or other Hereditaments, shall have their lawful Challenges; and the Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given concerning the Nature, Quality, or Value of the Lands, Houses, Buildings, Tenements, or other Hereditaments so to be sold and conveyed as aforesaid, shall by their Verdict assess the Damages and Recompence to be given for the same to the respective Owner or Owners, Occupier or Occupiers thereof, according to their respective Interests therein, and such Verdict of the said Jury, and the Judgement of the said Justices upon the same, shall be final, binding, and conclusive to the said Commissioners, and to all Person and Persons interested in the said Lands, Buildings, Houses, Tenements, and other Hereditaments; and such Verdict, and the Judgement of the Justices thereupon, shall be fairly entered and kept among the Records of the Sessions for the said County, and the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proofs in any Court of Law or Equity whatsoever, and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying Sixpence for every Seventy-two Words, and so in Proportion for any greater or less Number of Words: Provided always, that in case the Sum or Sums so assessed by the said Jury, and ordered and adjudged to be paid by the said Commissioners as a Satisfaction to the Owners, Occupiers, or others, for their respective Interests in the said Premises, shall not be paid, tendered, left, or deposited, according to the true Intent and Meaning of this Act, within Six Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury shall not be binding upon the said Parties; any Thing herein contained to the contrary thereof in anywise notwithstanding.

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

Provision for Payment of Costs of Verdict.

XXIV. And be it further enacted, That in all Cases where any Verdict shall have been given for any greater Sum or Recompence than shall have been

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

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

Application
of Compensation Money,
if amounting
to 200l.

mined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by the Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased in case such Purchase or Settlement were made.

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

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

Application of Compensation, if less 20 l.

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

In case of not making out Titles, or if Persons cannot be found, Pur-

XXVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by this Act, shall refuse to accept the same, or shall not be able to make a good Title

to

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

chafe Money to be paid into the Bank, subject to the Order of the Court of Chancery, on Motion or Petition.

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

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

XXX. Provided also, and be it enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required

[*Loc. & Per.*]

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The Court of Chancery may order reasonable Expences of Purchases to

as Fines or common Recoveries would do, if levied or suffered by the proper Parties in due Form of Law.

XXXIII. And whereas the said Commissioners under the Provisions of this Act may purchase Lands, Tenements, and Hereditaments which may be found not necessary for the Purposes thereof, be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them acting in the Execution of this Act, to sell and dispose of, and by Indenture or Indentures under their Hands and Seals, to grant and convey by Way of absolute Sale in Fee Simple for a Consideration in Money, all or any Part or Parts of the Lands, Tenements, or Hereditaments as may have been so purchased as shall, in the Judgment of the said Commissioners at any of their Meetings to be holden in pursuance of this Act, not be wanted for the Purposes of this Act, and upon Payment of the Money which shall arise from or by the Sale or Sales of such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, it shall and may be lawful for the Treasurer or Treasurers, Clerk or Clerks, for the Time being, to the said Commissioners, to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands, Tenements, or Hereditaments shall be so sold, or for so much thereof as in such Receipts shall be expressed or acknowledged to be received; and such Person or Persons shall not be afterwards answerable or accountable for any Losses, Misapplication, or Nonapplication of such Purchase Money or any Part thereof: Provided always, that the said Commissioners before they shall sell and dispose of such Lands, Tenements, or Hereditaments, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same, or who would have been then entitled thereto in case such Lands, Tenements, or Hereditaments had not been purchased by the said Commissioners, the Price at which the same shall be resold being adjusted and settled by a Jury in like Manner as the Price for any Land to be taken in pursuance of this Act, is herein-before directed to be settled, in case of Difference or Dispute as to the Value thereof; and if such Person or Persons shall not agree, or shall refuse to repurchase the same, it shall and may be lawful to and for any Person or Persons not interested in the Premises to make an Affidavit to be sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such Lands, Tenements, or Hereditaments, shall lie or be, stating such Offer was made by or on the Behalf of the said Commissioners, and that such Person or Persons did not agree or did refuse to purchase such Lands, Tenements, or Hereditaments, as the Case may be, and such Affidavit shall in all Courts be sufficient Evidence and Proof that such Offer was made and not agreed to or refused.

XXXIV. And be it further enacted, That the Monies arising from the Sale of such Lands, Tenements, and Hereditaments shall be applied and disposed of by the said Commissioners for carrying the several Purposes of this Act into Execution.

XXXV. And be it further enacted, That in all Grants and Conveyances to be made by the said Commissioners, under or by virtue, and in pursuance of the several Powers and Authorities to them hereby given, the

Commissioners may resell Lands.

Money to be received to be applied to the Purposes of this Act.

The Words "grant, bargain, and sell," to operate as

Covenants
for Title.

the Words, "Grant, Bargain, and Sell," shall amount unto, and be construed and adjudged in all Courts of Judicature, to be express Covenants to the Grantee or other Purchaser, his, her, or their Heirs, Executors, Administrators, and Assigns, from the said Commissioners and their Successors, that they the said Commissioners, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant or Conveyance, seized of the Hereditaments and Premises thereby granted, conveyed, and sold, of an indefeasible Estate of Inheritance, in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof, against the said Commissioners, their Successors and Assigns, and all claiming under them, and all such Purchasers shall be indemnified and saved harmless by the said Commissioners.

Damages
how to be as-
certained
and settled.

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

Possession to
be delivered.

XXXVII. And be it further enacted, That all and every Person and Persons, Body and Bodies Politick, Corporate, and Collegiate, in Possession of any Houses or Buildings, Lands, Tenements, or Hereditaments, which shall be purchased by virtue of this Act by the said Commissioners, or any Part thereof, shall at the End of Six Months next after Notice shall be given to him, her, or them for that Purpose, under the Hands of Five or more of the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises, with such Fixtures as are or shall be the Property of the Landlord, to such Person or Persons as shall be authorized by the said Commissioners to take Possession thereof; and in case any such Person or Body Politick, Corporate, or Collegiate, shall refuse to give up such Possession as aforesaid, it shall and may be lawful to and for the said Commissioners to issue their Precept or Warrant, signed by any Five or more of the said Commissioners, to One or more of the Serjeants at Mace, of and for the said Town, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same; and the said Serjeant or Serjeants is and are hereby required to deliver such Possession accordingly, and to levy such Costs as shall accrue upon the Issuing or Execution of such Precept or Warrant on the Person or Persons so refusing to give Possession as aforesaid by Distress and Sale of his, her, and their Goods, returning the Overplus (if any) to the Owner thereof on Demand.

Streets to be
named.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby empowered to describe and direct the Limits and Extent of the several Streets, Lanes, publick

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

XXXIX. And whereas it is expedient, that the Streets, Lanes, Highways, publick Passages, and Places, which are intended to be better paved, lighted, cleaned, watched, and otherwise improved, under the Regulations of this Act, should be precisely fixed and ascertained, be it therefore enacted, That, from and after the passing of this Act, all the Streets, Lanes, Highways, publick Passages, and Places, which are within the Boundary next herein-after described, shall be deemed and taken to be subject to the Operation of this Act for the Purposes above mentioned; that is to say, the said Boundary shall begin at the North End of *Northgate-street*, where the North Gate formerly stood, and on the East Side thereof, and proceeding thence in a South Direction to *Scurfe-lane*, and then in an East and South Direction along the North and East Sides of the said Lane, to the South West Corner of a House or Building, now or late in the Occupation of *Garwood*, and thence in an East and North East Direction on the North Side of *Musto-street* and *Eastgate-street*, to a Point on the West Side of a Road leading from *Bury Saint Edmund's* aforesaid, to *Fornham*, opposite to the North End of *Chapel-house*, belonging to *Philip Bennet* Esquire, and thence crossing the said Highway in a straight Line to the North End of the said House, and thence proceeding in a South West Direction, on the South East Side of the said Highway, to the South West Point of the Walls and Premises of the said *Philip Bennet*, and thence, in an Eastern Direction, crossing the Road leading to *Ixworth*, to the Fence on the South East Side of the *Ixworth* Road, and thence in a South West Direction along the said Fence to the South Corner of a Messuage, also in the Occupation of the said *Philip Bennet*, and thence in a West Direction, crossing the Highway there to the South East Corner of *Eastgate-street* aforesaid, and thence along the South Side of the said Street, and of the Road leading through the Water there, called *Eastgate Water*, and thence along the Fence on the North Side of the said Water, and along the Abbey Wall, and the South Side of *Musto-street*, and along the East Side of *Angel-bill*, to the *Saxon Tower*, commonly called the *Church Gate*, and thence passing through, and including the Whole of the open Ground within the said Tower, and proceeding along the North East and South Sides of the *Church Yard* to the Gate opposite, to the Mansion House belonging to *John Ranby* Esquire, and passing through the said Gate, and proceeding in an East and South Direction along the North and East Sides of *Schoelhall-street*, and

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on the East Side of *Raingate-street* and *Haberden*, to *Southgate-street*, and proceeding in a South Direction along the East Side of *Southgate-street* aforesaid, to the Messuage at the South End thereof, now, or lately belonging to *John Durrant*, and crossing the Road there in a Western Direction to the Chapel of *Saint Petronilla*, and thence along the South Side thereof, to the *Grindle*, and thence along the South Side of the said *Grindle*, and South and West Sides of *Friar's-lane* to *Westgate-street*, and thence in a West Direction along the South Side of the said Street to the South West Corner of the Butts, and thence in a North Direction along the West Side of *Saint Andrew's-street*, to the North East Corner of a Messuage in the Occupation of Master *John Green*, and thence in a West Direction along the South Side of *Risbygate-street*, to the West End of the *Spital Houses* there, and thence crossing the said Street in a straight Line and North Direction, to the North Side of the said Street, and thence in an East Direction along the same Side of the said Street, to the South East Corner of a Messuage in the Occupation of Master *Frewer*, and thence, in a North Direction, along the West Side of *Saint Andrew's-street* aforesaid, to *Tayfen-water*, and thence, in a North East Direction, along the North Side of the Road there, to the North End of *Northgate-street*, where the same Boundary begins: Provided always, that nothing in this Act contained, shall extend, or be construed to alter, or in any Manner affect, the present Boundaries of the Town or Borough of *Bury Saint Edmund's* aforesaid, otherwise than for the Purposes above mentioned.

Penalty on
Owners not
restoring
Numbers.

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

Pavements,
&c. vested in
Commission-
ers.

XLI. And be it enacted, That all the present and future Pavements in the several Streets, Lanes, Highways, and other publick Passages and Places, and the Stones, Gravel, and other Materials of which, as well the Footways as Carriageways of such Streets, Lanes, Highways, and other publick Passages and Places, do and shall consist, and also all the Dirt, Dust, Dung, Ashes, and Filth to be swept, gathered, and collected in or from those Places, or any of them, and also all Lamps, Lamp Irons, Lamp Posts, Watch Boxes, Watch Houses, and other Houses and Buildings, which now are, or shall hereafter be used, erected, or fixed up by order of this Act, and all Materials, Implements, and other Things which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to, and be the Property of, and are hereby vested in the said Commissioners, and the said Commissioners shall and may cause to be brought, any Action or Actions, or direct the preferring of any Bill

or

or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy the several Articles and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof, and in all such Actions and Bills of Indictment respectively, it shall be, and be deemed and taken to be sufficient to state generally, that the Article or Articles Thing or Things, for or on Account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners for the Improvement of the Town of *Bury Saint Edmund's*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners, and the said Commissioners shall have full Power and Authority, from Time to Time, to sell and dispose of, for the Purposes of this Act, all or any of the said Articles and Things, or any Part or Parts of the same respectively, to such Person or Persons, and in such Manner as they the said Commissioners shall think proper.

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

XLIII. And be it further enacted, That during the Time any Street, Lane, publick Passage or Place shall be new paving, flagging, or repairing, or any of the Grates, Drains, or other Sewers therein shall be altering or repairing, the said Commissioners shall have Power to order the necessary Materials to be lodged in that or any adjoining Street, Lane, publick Passage, or Place, according to their Discretion, and also to stop up the Way through that or any adjacent Street, Lane, publick Passage, or Place, so long as shall be necessary for such Purposes, and the said Commissioners are hereby indemnified from any Prosecution or Action whatever for so doing. Where Ma-
terials for
paving may
be lodged.

XLIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from Time to Time, to appoint such and so many Paviers, Artificers, Workmen, Labourers, Carters, and others, and also to purchase any Horses, Carts, Tools, and Implements, as they shall judge necessary for the Purpose of carrying this Act into Execution. Paviers and
Carters to be
appointed,
and Horses,
&c. pur-
chased.

XLV. And be it further enacted, That such Person or Persons as the said Commissioners shall employ, having an Order in Writing for the Purpose, made at a Meeting of the said Commissioners, and subscribed by their Clerk, is and are hereby authorized to search for, dig, cut, gather, take, and carry away, any Stone, Gravel, Clay, Sand, or other Materials, for the Purpose of paving, flagging, mending, or repairing any of the said Streets, Lanes, publick Passages, or Places, out of any Lands or Grounds situate in the Town or Borough of *Bury Saint Edmund's*, not being a Yard, Garden, Orchard, Paddock, Lawn, Pleasure Ground, Nursery for Trees, nor the Abbey Lands, now walled in, being the Property of the Right Honourable *Frederick William Earl of Bristol*; Power to get
Materials.
such

Such Person or Persons tendering to the Owners or Occupiers of such Lands and Grounds, for such Materials, and for Damage done thereto, such Recompence and Satisfaction as shall be agreed upon by the said Commissioners and such Owners or Occupiers; or in case of any Difference touching the Amount of such Recompence or Satisfaction as shall be settled and determined by the Justices assembled at a General Quarter Sessions of the Peace of the said County for the Division in which *Bury Saint Edmund's* is situated, who shall, in a summary Way, settle and determine the same, and award Costs to either Party, and the Judgement or Order of such Justices therein shall be final and conclusive to all Parties, and the said Commissioners shall have full Power and Authority to cause to be dug, carted, and carried out of, or brought into, the said Streets, Lanes, publick Passages, and Places, such Gravel, Stones, Clay, Sand, and other Materials.

Land to be provided for depositing Materials.

XLVI. And be it further enacted, That the said Commissioners shall have full Power to purchase or rent Lands, so that no Lease be made for a longer Term than Seven Years, for depositing Stones and other Materials for the several Purposes of this Act, and for depositing Dirt, Dung, Soil, Ashes, Cinders, and Rubbish, and the Purchase Money or Rent thereof shall be paid out of the Money arising by virtue of this Act.

Power for the Commissioners to pave the Streets.

XLVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from Time to Time, and at all Times hereafter, when they shall think proper, to order and direct all or any of the several Streets, Lanes, Highways, and other publick Passages and Places of the said Town, or any Part or Parts thereof, as well in the Carriage as Foot Ways, to be new paved, flagged, gravelled, repaired, and amended, and the Pavements and Flagging thereof to be taken up and relaid, and the Ground thereof to be raised, lowered, or altered, from Time to Time, in such Manner and with such Materials as they shall think fit, and to cause to be cut or made in, through, over, or under any such Streets, Lanes, Highways, and other publick Passages and Places, any new Sewers, Drains, Sinks, Gutters, or Watercourses and Grates, to be placed for conveying the Water from such Streets, Lanes, publick Passages, and Places, in such Manner as they shall think proper, and also to cause any of the present Gutters, Sinks, Drains, Sewers, or Watercourses, 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; and it shall and may be lawful to and for the said Commissioners to take up and remove, or cause to be taken up and removed, all or any Posts, Rails, Pales, or Trees, in such Streets, Lanes, Highways, and other publick Passages and Places, or any of them, as they the said Commissioners shall judge uselets, or to be a Nuisance either to Foot Passengers or Carriages.

Power to make Cess-pools, &c. in the present Sewers.

XLVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners to make, or cause to be made, proper Cess-pools, Sinks, Gutters, Drains, and Watercourses, for conveying the Water off and from the several Streets, Lanes, publick Passages, and Places, and the several Houses and Buildings within the said Town, into the present publick and private Sewers within the said Town, making good any Damage that may be occasioned thereby; but the said present publick
and

and private Sewers shall be from Time to Time and at all Times repaired and renewed by the Person and Persons, and by and out of such Fund or Funds as is and are now liable to and chargeable with the repairing and renewing of the same.

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

No Person to alter the Pavement.

L. And be it further enacted, That whenever the Pavement or Flagging of any of the said Streets, Lanes, Highways, and other publick Passages and Places within the said Town, shall be broken up for the making or repairing of any Vault, Drain, or Sewer, under the said Streets, Lanes, Highways, and other publick Passages and Places, or any of them, or for any other lawful Purpose, the Person or Persons breaking up the same, or liable to the Repair of such Vault, Drain, or Sewer, and the Person or Persons for whom or by whose Order the same shall be done, shall, and he, she, or they is and are hereby required at their own proper Costs and Charges, to make or repair such Vault, Drain, and Sewer, without the least Delay, and forthwith afterwards to relay, amend, and repair the Pavement of the said Street, Lane, publick Passage or Place, so broken up, in a good and substantial Manner, to the Satisfaction of the said Commissioners or their Surveyor appointed for the Purposes of this Act; and in Default thereof, it shall and may be lawful to and for the Surveyor to the said Commissioners, or any Person or Persons acting by or under the Authority of the said Commissioners, to repair, amend, and make good, the Street, Lane, publick Passage, or Place so broken up, and the Costs and Charges thereof shall be borne and paid by the Person or Persons by whom or by whose Order such Street, Lane, publick Passage, or Place, or any Part thereof, shall have been so broken up; and in

For repairing the Pavement when broken up for Repairs.

[Loc. & Per.]

Q a

Default

Default of Payment thereof for Seven Days next after Demand shall be made by such Surveyor, or other Person acting by or under the Authority of the said Commissioners, such Costs and Charges, together with any Sum not exceeding Ten Pounds by Way of Penalty, shall and may be levied and recovered in such and the like Manner as any Penalty can or may be levied and recovered by virtue of this Act, from the Person or Persons so making such Default.

Commissioners may direct the Streets to be cleaned.

LI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required to nominate and appoint any Person or Persons, and to purchase any Cart or Carts, or other Carriage or Carriages; and also any Horse or Horses, for the Purpose of cleansing and watering the several Streets, Lanes, Highways, and other publick Passages and Places within the said Town, and of carrying away the Dust, Dung, Manure, Dirt, and Soil thereof; or it shall and may be lawful to and for the said Commissioners to contract with any Person or Persons for cleansing and watering the same, and for carrying away the Dust, Dung, Manure, Dirt, and Soil thereof.

Power to dig Wells, &c.

LII. And be it further enacted, That the said Commissioners shall have Power to cause any Well or Wells to be dug or sunk in such Places as they shall think proper, within any of the said Streets, Lanes, Highways, and other publick Passages and Places; and also any Pump or Pumps to be erected in or near such Places for the Purpose of cleansing and watering the same, so as the same do not interfere or affect the publick Sewers or Drains, or Watercourses, and so as no Vault, Cellar or other Building be thereby destroyed or damaged.

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

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

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

LIV. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to any Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, or Rubbish, which any of the Inhabitants of the said Town shall occasion and think fit to preserve and keep within their own respective Houses, Yards, and Gardens, but the same shall respectively belong to and be at the Disposal of the Person or Persons so reserving the same, so as such Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, or Rubbish, be not laid down, or placed in any of the said Streets, Lanes, publick Passages, or Places, in the said Town, for any longer Time than shall be necessary for loading and carrying away the same, nor suffered to annoy the Neighbour or Neighbours of such Person or Persons; but in case such Person or Persons so reserving such Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, or Rubbish, shall wilfully or negligently permit or suffer the same to lie in any of

of the said Streets, Lanes, publick Passages, and Places in the said Town, for any longer Time than Two Hours, for the Purpose of loading and carrying away the same, or shall suffer the same to annoy his, her, or their Neighbour or Neighbours, or permit or suffer the Soil, or Contents of any Privy, or Necessary House, to remain in any of the said Streets, Lanes, publick Passages, or Places, after the Hour of Five in the Morning, or permit or suffer the Door for emptying any Privy or Necessary House to remain open any longer than shall be requisite for that Purpose, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall and may be lawful for the Person or Persons to be appointed by or contracting with the said Commissioners for cleansing the said Streets, Lanes, publick Passages, and Places, and they are hereby authorized and directed to take and convert such Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, and Rubbish, to his and their own Use and Uses, and to sell or dispose of the same without rendering any Satisfaction for the same.

LV. And be it further enacted, That the Person or Persons employed by or contracting with the said Commissioners, for cleansing the several Streets, Lanes, Highways, and other publick Passages and Places, within the said Town, or the Person or Persons employed by or acting under the Direction of such Person or Persons so contracting with the said Commissioners, shall on every *Saturday*, between such Hours, and also on such other Days, and at or between such Hours as the Commissioners aforesaid shall from Time to Time appoint, sweep, and collect together all Dirt, Dust, Manure, Filth, or Rubbish, in such Streets, Lanes, Highways, and other publick Passages and Places, and shall also bring, or cause to be brought, a Cart or other proper Carriage into such Streets, Lanes, publick Passages, and Places, where such Cart or other Carriage can pass; and shall at his or their Approach with such Cart or other Carriage, and not before, by Sound of Bell, Voice, or otherwise, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Passage, or Place, into which such Cart or Carriage cannot pass, and such Person or Persons aforesaid shall immediately take the Dust, Dirt, Manure, Rubbish, Cinders, Ashes, and other Filth, (except Filth from any Privy or Necessary House), from the respective Premises in such several Streets, Lanes, publick Passages, and Places, and put the same into such Cart or Carriage, all which Dust, Dirt, Manure, Rubbish, Cinders, Ashes, and Filth, (except as aforesaid), as well as all such Dust, Dirt, Dung, Ashes, and other Filth, as shall be swept up and collected together as aforesaid, such Person or Persons shall then immediately, or as soon as may be, carry away, or cause to be carried away, to the Place or Places appointed for depositing the same, upon Pain of forfeiting any Sum not exceeding Forty Shillings for every Offence or Neglect therein; and the Person or Persons so employed as aforesaid shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters on the Front or on some other conspicuous Part of every Cart or Carriage used for the Purposes aforesaid, on Pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect therein; and if any such Person so employed as aforesaid shall sweep or throw any Dust, Dirt, Manure, Ashes, or Filth into any Street, Drain, Sewer, Sink, or Watercourse within the said Town, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Scavenger's
Duty.

Directions
for sweeping
Footways.

LVI. And be it further enacted, That the respective Occupiers of Houses and other Buildings, in the several Streets, Lanes, publick Passages, and Places shall, and they are hereby required to cause to be well and sufficiently swept and cleansed the Footways or Foot Pavements before, behind, and at the Sides of their respective Houses, Buildings, Walls, and Premises, as the Situation thereof shall require, every Morning in the Year before the Hour of Nine of the Clock, upon Pain of forfeiting and paying, for every Neglect therein, any Sum not exceeding Five Shillings; and also in Times of Frost or Snow at any Time of the Day thereafter cause to be cleansed away all Ice and Snow from such Foot Pavement, being thereunto required by the said Commissioners, or any Three or more of them, or their Surveyor or Surveyors, for the Time being, within Two Hours after having been so required, upon Pain of forfeiting any Sum not exceeding the Sum of Five Shillings for every Neglect therein; and that it shall be lawful for the said Commissioners to compound with any of the Inhabitants within the said Town by the Year, for such Sum or Sums of Money as they shall think proper, for the sweeping and cleansing directed to be done by such Inhabitants respectively, provided that such Composition shall be always paid in Advance.

Exemption
of Turnpike
Roads, ex-
cept, &c.

LVII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to subject to the Operation of this Act any of the Highways within the said Town of *Bury Saint Edmund's*, which are under the Controul of any existing Acts, commonly called *Turnpike Acts*, except that it shall be lawful for the Commissioners appointed by this Act, and they are hereby authorized to water, or cause to be watered, the said Highways at such Seasons of the Year as may be necessary for preventing any Annoyance from the Dust of the said Highways.

Lamps to be
set up.

LVIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time, and at any Time after the passing of this Act, to order and direct Lamp Irons to be affixed into, upon, or against the Walls, Pallisades, or other Parts of the Houses, Tenements, Walls, or Buildings, within the said Town, or in any other Manner that they shall think proper and convenient, and to purchase, provide, affix, set up, alter, take down, and renew such and so many Lamp Irons and Lamps of such Sizes and Sorts, and to erect such Lamp Posts, and in such Places, and in such Manner as to them shall seem necessary or proper for lighting all or any of the Streets, Lanes, publick Passages, or Places aforesaid, and also to contract with any Person or Persons for furnishing and providing, and for lighting the said Lamps, at such Seasons of the Year, and for so many Hours as they shall judge necessary.

Penalty for
breaking
Lamps.

LIX. And be it further enacted, That if any Person or Persons shall wilfully break, take away, throw down, or otherwise destroy or damage, any Lamp or Lamps already erected, or which shall be erected by or by Order of the said Commissioners, or by any Person or Persons, at his, her, or their own Expence, for the Purpose of lighting any of the said Streets, Lanes, publick Passages, or Places, or any Post, Iron, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, it shall be lawful to and for any Justice of the Peace

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

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

For negligently breaking Lamps.

[*Loc. & Per.*]

P p

LXI. And

Commissioners to appoint Watchmen.

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

Penalty on Victuallers harbouring Watchmen while on Duty.

LXII. And be it further enacted, That if any Victualler or Keeper of any Publick House shall knowingly harbour or entertain, or suffer to remain in his or her Publick House, any such Watchman as aforesaid during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper shall on Conviction forfeit and pay any Sum not exceeding Twenty Shillings.

Power to reward disabled Watchmen.

LXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to give such Rewards in Money to the Watchmen respectively to be appointed as aforesaid, who may be disabled or wounded in the Execution of their Office, as they the said Commissioners shall think reasonable; such Money to be paid out of the Monies to be raised for the Purposes of this Act.

Power to remove Projections and Encroachments.

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

ments, Projections, and Annoyances, belonging or which shall be hereafter affixed or belong to any House or Houses, or other Buildings, and which do or shall in the Judgement of the said Commissioners obstruct the free and commodious Passage along the Carriage or Footways of any of the said Streets, Lanes, Highways, and other publick Passages and Places of or within the said Town, and also to cause the Water to be conveyed from the Roofs, Cornices, Eaves, and Penthouses of or belonging to such Houses or other Buildings respectively, by proper Pipes or Trunks to be affixed to the Sides of such Houses or other Buildings respectively, and to be brought down to the Ground, and that the Costs, Charges, and Expences attending the taking down, taking away, removing, altering, or regulating such Signs, Sign Irons, Sign Posts and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Shew Glasses, Shew Boards, Pools, Cess Pools, Cisterns, and Reservoirs for Water, and other Encroachments, Projections, and Annoyances, or any of them, and of making and affixing such Pipes or Trunks as aforesaid, shall be borne and defrayed out of the Money to be raised by virtue of this Act: Provided nevertheless, that it shall be lawful for the said Commissioners, and they are hereby empowered to demand of the Owners of such Houses, Buildings, or Premises, if they shall think fit, any Sum of Money on Account of such Removals or Alterations, not exceeding One Half Part of the Amount of the Expence thereby incurred; and in Default of Payment thereof for Fourteen Days next after Demand thereof in Writing shall have been made by the Clerk to the said Commissioners, such Sum of Money shall and may be levied and recovered in like Manner as any Penalty can be recovered by virtue of this Act: Provided always, that if the said Commissioners shall cause to be taken up or removed any Stumps, Posts, or other Guards at the Corner of any House or Buildings forming a Corner of any Street, Lane, publick Passage or Place, for the Protection of such House from Injury by Carriages, they the said Commissioners shall, by some other proper Ways or Means, sufficiently guard and protect the same from Damage as aforesaid; and in case any Damage shall at any Time happen to any such House by Reason of taking up or removing any such Stumps, Posts, or other Guards, by the said Commissioners, they the said Commissioners shall from Time to Time make good such Damage out of the Monies to be raised by virtue of this Act.

Protections
for Corners
of Buildings.

LXV. And be it further enacted, That if any House or other Building in or near any Street, Lane, publick Passage or Place within the said Town, shall, after the passing of this Act, be made, erected, or built in such Manner or Form as in the Front or in any of the Gables or Sides thereof to project into or over such Street, Lane, Highway, and other publick Passage or Place, or in any other Manner or Form than in a perpendicular Line or Direction upwards from the Foundation of such House or Building, or if any Spout, Pipe, or Trunk for conveying Water from the Roof, Eaves, or Cornices of any House or other Building in any Street, Lane, publick Passage or Place in the said Town, shall be affixed otherwise than from the Roofs, Eaves, or Cornices thereof, by such Spouts, Pipes, or Trunks on the Fronts or Sides of such Houses or Buildings respectively, and brought down to the Ground; or if any Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Cellar Door,

For prevent-
ing future
Projections.

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

Drivers of Carriages punishable for Misbehaviour.

LXVI. And be it further enacted, That if any Driver of any Cart, Car, Dray or Waggon, shall ride upon any such Carriage in any Street, Lane, publick Passage or Place within the said Town, not having some other Person on Foot or on Horseback to guide the same, (such Carriages as are usually conducted by some Person holding the Rein of the Horse or Horses drawing the same excepted,) or if the Driver of any Carriage whatsoever shall in any such Street, Lane, publick Passage or Place, by Negligence or wilful Misbehaviour, cause any Hurt or Damage to any Person or Carriage passing, or shall wilfully be at such Distance from such Carriage whilst it shall be passing in any such Street, Lane, publick Passage or Place, that he cannot have the Direction and Government of the Horse or Horses, or other Cattle drawing the same, or shall by Negligence or wilful Misbehaviour prevent, hinder, or interrupt the free Passage of any other Carriage, or of any of His Majesty's Subjects in any such Street, Lane, publick Passage or Place, or if the Driver of any empty or unloaded Waggon, Cart, or other Carriage, shall refuse or neglect to turn aside and make Way for any Coach, Chariot, Chaise, loaded Waggon, Cart, or other loaded Carriage, then and in every such Case, every such Driver so offending and being convicted of any such Offence, either by his own Confession, the View of a Justice of the Peace, or by the Oath of One or more credible Witness or Witnesses before any Justice

Justice of the Peace for the said Borough, shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Shillings in case the Driver shall not be the Owner of such Carriage; and in case such Driver be the Owner of such Carriage, then any Sum not exceeding Twenty Shillings, and every such Driver offending in any of the said Cases shall and may by Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed; and it shall and may be lawful to and for the Person or Persons so apprehending such Driver, to convey such Driver, or cause him to be conveyed or delivered to a Constable or other Peace Officer, in order to be conveyed before some Justice of the Peace for the said Borough, to be dealt with according to Law; and if such Driver in any of the Cases aforesaid, shall refuse to disclose his Name, it shall and may be lawful to and for the Justice of the Peace before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the House of Correction for any Time not exceeding Three Months, or to proceed against any such Offender for the Penalty aforesaid, by a Description of his Person, and the Offence; and expressing in such Proceedings, that the said Driver refused to disclose his Name.

LXVII. And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Foot Pavements, within the said Town, run, draw, drive, or carry thereon, any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, or roll any Cask or Tub, other than for the necessary loading or unloading thereof, unto, upon, from, or out of any Carriage, or for any longer Space than the Extent of the Premises in the Occupation of the Person from or to whose House or Building such Cask or Tub shall be rolled, such Premises adjoining to, or having immediate Communication with such House or Building, from or to which such Cask or Tub shall be rolled, or if any Person shall wilfully ride, lead, or drive, any Horse or other Beast, or any Cattle whatever, on any of the said Footways or Foot Pavements, or set any Cask, Tub, Pail, Bucket, Stool, Bench, Stall, or erect, set up, put, or place, any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any Way to cause any Obstruction or Impediment in the Footway, or on the Foot Pavement, or shall in any Street, Lane, publick Passage, or Place within the said Town, hoop, fire, cleanse, wash, or scald, any Cask or Tub, or hew, saw, or cut, any Stone, Wood, or Timber, or bore any Timber, or make or repair any Coach, Chaise, Waggon, Sledge, or other Carriage, except such as may want immediate Repair from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose); or if any Person shall hang out, or cause to be hung out, any Cloth or Linen for the Purpose of airing the same, upon or from any Window, other than Garret or attick Windows, within any Street, Lane, publick Passage, or Place within the said Town, or if any Person shall in, or upon any Street, Lane, publick Passage, or Place, within the said Town, shoe, bleed, farry, or kill, any Horse or other Beast or Cattle, (except in Cases of Accident), or if any Person shall within any Street, Lane, publick Passage, or Place, within the said Town, (except only in such Place as the said Commissioners shall direct), shew or expose any Stallion or Stone Horse, or expose to Sale any Horse or other Beast within the said Town, or if any Person shall make or assist in making any Bonfire, (except by the Permission of the Alderman of the said Borough

For preventing Annoyances in the Streets.

[Loc. & Per.]

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for

for the Time being), or let off or fire any Gun, Pistol, Serpent, or Rocket, or throw any Cracker, Squib, or other Firework, or if any Person shall kill or slaughter, or shall scald, finge, dress, or cut up any Animal, either wholly or in part, in any of such Streets, Lanes, publick Passages, or Places, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shamble, into the same, or any of them, or shall hang up, place, or expose to Sale, any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Matter or Thing projecting over, in, or upon the Footway or Carriage Way of any such Streets, Lanes, publick Passages, or Places, or so as to obstruct or incommode the Passage of any Person or Carriage therein, or shall occasion any other Kind of Obstruction or Annoyance in or upon any such Street, Lane, publick Passage, or Place within the said Town, then, and in every such Case, every Person so offending, in any of such Cases, shall, for every such Offence, forfeit and pay any Sum not exceeding For y Shillings: Provided nevertheless, that nothing herein contained shall extend, or be construed to extend, so as to prevent or hinder any Person or Persons from placing any Stall, Booth, Stool, Bench, or Form for the Sale of Goods or Wares, or from exposing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing, in any Market Place within the said Borough, or in the usual Place of holding the annual Fairs on the usual Day and Days thereof.

Regulations
as to Night
Soil.

LXVIII. And be it further enacted, That if any Person or Persons shall begin to empty any Privy, or take or carry away any Night Soil, or bring or place any Carts for removing the same from any House, Building, or Place, within the said Town, before the Hour of Eleven in the Night, or shall continue to remove the same after the Hour of Five in the Morning, or shall at any Time negligently spill, or put, or cast any Night Soil out of any Cart, Tub, or otherwise, in or over any of the said Streets, Lanes, Highways, or other publick Passages or Places, or in any Respect improperly, carelessly, or negligently remove the same, or shall use any other than a close Cart for such Purpose, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Power to im-
pound Beasts
wandering in
the Streets.

LXIX. And be it further enacted, That if any Sort of Cattle or Swine shall at any Time be found wandering about any of the Streets, Lanes, publick Passages, or Places, within the said Town, it shall and may be lawful to and for any Person or Persons appointed by the said Commissioners to seize and impound such Cattle or Swine in the common Pound of the said Borough, or in such other Places as the said Commissioners shall appoint, and the same there to detain until the Owner or Owners thereof shall, for every such Head of Cattle or Swine so impounded, pay the Sum of Two Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum, Charges, and Expences shall not be paid within Seven Days after such impounding, it shall and may be lawful to and for the said Commissioners to sell, or cause to be sold, the same, and the Money arising from such Sale, after deducting the said Sum, and the Charges and Expences of impounding, keeping, and selling such Cattle or Swine, shall be paid to the Persons whose Property the Cattle or Swine so sold shall appear to have been.

LXX. And

LXX. And be it further enacted, That if after the passing of this Act, any Waggon, Cart, Dray, or other Carriage, shall be left to stand or remain in or upon any Street, Lane, publick Passage, or Place, within the said Town, with or without Horses or other Cattle, for any Time longer than shall be necessary for unloading or loading thereof, (except on Market Days or Fair Days, and then in such Places only, and under and subject to such Orders, Rules, and Regulations as the said Commissioners shall, from Time to Time, appoint, make, establish, and direct), or if any Timber, Bricks, Lime, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, or Merchandize, or other Materials or Things whatsoever, shall be laid or placed, or left to remain in or upon any of the said Streets, Lanes, publick Passages, or Places, for any longer Time than shall be necessary for moving or housing the same; or if any Glafs or Earthenware, Ashes, (save and except Ashes or other Matter for the Purpose of preventing Passengers from slipping in the Time of Frost), Rubbish, Dust, Dirt, Dung, Filth, or any other Nuisance or Annoyance whatsoever, shall be wilfully thrown or cast into, or laid in or upon, any of the said Streets, Lanes, publick Passages, or Places, then, and in every such Case, the Owner or Driver of every such Waggon, Cart, Dray, or other Carriage, and the Owner of any such Timber, Bricks, Lime, Goods, Wares, and Merchandize, Materials, and other Things, which shall be so left, or suffered to remain in or upon any of the said Streets, Lanes, publick Passages, or Places, and the Person or Persons who shall wilfully throw, cast, or lay, or cause to be thrown, cast, or laid, any Glafs or Earthenware, Ashes, (save and except as aforesaid), Rubbish, Dust, Dirt, Dung, Filth, or any other Nuisance or Annoyance, into or upon any of the said Streets, Lanes, publick Passages or Places, shall, for every Offence for any of the Cases aforesaid, forfeit and pay any Sum not exceeding Forty Shillings: Provided nevertheless, that no Person shall be subject to any Penalty by virtue of this Act, for or on account of any Building Materials, Rubbish, or Dirt, being in or upon any of the Streets, Lanes, publick Passages, or Places, before the House or Tenement of such Person occasioned by the building or pulling down, rebuilding or repairing, of such House or Tenement, so as there be convenient Room left for Carriages to pass, and a sufficient Way kept clean for Foot Passengers by the Person laying or occasioning such Building Materials, Rubbish, and Dirt, to be removed out of such Lane, Street, publick Passage, or Place, within a reasonable Time after such building; pulling down, or repairing shall be finished, or upon Notice to be given to him or her, or left at such House or Tenement for such Purpose in Writing, signed by the Clerk to the said Commissioners, and so that during the Time the same shall be lying in such Street, Lane, publick Passage, or Place, such Owner or Occupier shall set up and maintain a Light during the Night-time, to prevent Mischief happening to Passengers or Cattle.

Obstruc-
tions, &c. not
to be left in
the Streets.

LXXI. And, for raising Money to answer and defray the Charge and Expence of obtaining and passing this Act, and carrying the same into Execution, be it enacted, That the said Commissioners shall, and they are hereby authorized and required, once in every Year, to rate and assess the several Tenants or Occupiers of all Houses, Buildings, Mills, Yards, Orchards, and Gardens, within the said Town and Borough of *Bury Saint Edmund's*, in any Sum not exceeding Two Shillings in the Pound by the Year

Rates.

Year of the annual Value of such Houses, Buildings, Mills, Yards, Orchards, and Gardens respectively, and also all Tenants or Occupiers of all Lands, Tithes, Paddocks, Pleasure Grounds, and other Hereditaments, except as aforesaid, within the said Town and Borough of *Bury Saint Edmund's*, in any Sum not exceeding One Shilling in the Pound by the Year of such Lands, Tithes, Paddocks, Pleasure Grounds, and other Hereditaments respectively; such annual Value to be, from Time to Time, settled and fixed according to the several Rents which such Houses, Buildings, Mills, Yards, Orchards, Gardens, Lands, Tithes, Paddocks, Pleasure Grounds, and Hereditaments are or shall be assessed at, for the Relief of the Poor of the Parishes within the said Town and Borough previously to the making of such Rate or Assessment by the said Commissioners, and the First Year for which such Rate or Assessment shall be made shall commence and be computed from the Twenty-fifth Day of *March* One thousand eight hundred and eleven, and the Money so to be rated and assessed shall, from Time to Time, be levied and paid by quarterly Payments to such Person or Persons as the said Commissioners shall appoint to be Collector or Collectors of the same, and all such Sum and Sums of Money shall be paid over by such Collector or Collectors to the Treasurer of the said Commissioners: Provided, that no Rate or Assessment to be made in pursuance of this Act shall be valid until the same shall be signed by Five of the said Commissioners; and the said Commissioners are hereby empowered to amend any such Rate or Assessment, after the same shall have been so signed, by inserting the Name of any Person who ought to have been rated or assessed, or by striking out the Name of any Person who ought not to have been so rated or assessed, or in such other Respects as Circumstances may require.

Apportionment of Rates.

LXXII. And be it further enacted, That One Third Part of all such first-mentioned Rates and Assessments shall be allowed by the Owner or Owners of all and every the said Houses, Buildings, Mills, Yards, Orchards, and Gardens, within the said Town of *Bury Saint Edmund's*, and Two Third Parts of all such Rates and Assessments on the said Lands, Tithes, Paddocks, and Pleasure Grounds, to the Tenants or Occupiers thereof respectively, who shall pay the same; and such Tenants and Occupiers are hereby authorized and empowered to deduct and detain out of their respective Rents such Sums of Money as they shall respectively pay for and on the Behalf of the respective Landlords or Owners of such respective Premises, and the Payments of such One Third Part and Two Third Parts respectively by the said Tenants or Occupiers, shall be considered as Money actually paid for Rent due or to become due to such Owners or Landlords, who shall allow the same to their respective same Tenants or Occupiers out of their Rent accordingly, and the other Two Third Parts and One Third Part thereof respectively shall be borne and sustained by such respective Tenants or Occupiers.

Exemption from Rates.

LXXIII. And be it further enacted, That no Person or Persons shall be chargeable with any such Rate or Assessment who shall not occupy within the said Town a House or Hereditament of an annual Rent exceeding Five Pounds a Year, such Occupier or Occupiers not being an Owner or Owners of any House or Hereditament within the said Town; and that where any Person or Persons shall own or occupy any Messuage or Dwelling House, or Messuages or Dwelling Houses, and shall let any Part or

Parts

Parts thereof to any Tenant or Undertenant, Tenants or Undertenants, or Lodgers, the Owner or any One of the Occupiers thereof shall be liable to pay the Whole of the Money, which shall be assessed on such Messuage or Dwelling House by such Rate or Assessment: Provided, that if any such Persons shall be liable to the Payment of any of the assessed Taxes, other than the inhabited House or Window Duties, such Persons shall be liable to such Rate or Assessment.

LXXIV. And be it further enacted, That all Persons who shall be from Time to Time excused from the Payment of the Rate or Assessment made for the Relief of the Poor, shall be wholly exempt from the Rate or Assessment to be made under or by virtue of this Act: Provided always, that in all Cases in which the Persons so exempted shall not be Owners of the Hereditaments which they occupy, the Owners thereof shall be liable to and bound to pay the Landlord's Proportion of the Rate or Assessment.

Further Ex-
emption from
Rates.

LXXV. And be it further enacted, That the said Commissioners may, and they are hereby required yearly and every Year, and as often as there shall be Occasion, to grant and issue their Warrants under the Hands and Seals of any Five or more of them, thereby to authorize and require such Person or Persons as the said Commissioners shall appoint to be Collector or Collectors of the Rates and Assessments to be made by virtue of this Act; and that all the said Rates and Assessments shall be paid to the said Collectors by the respective Tenants or Occupiers of the said respective Houses, Buildings, Lands, Ground, or other Hereditaments as aforesaid, rateable by virtue of this Act; and that if any Neglect or Refusal of Payment of any Rate or Assessment as aforesaid shall be made to any such Collector or Collectors upon Demand made by any such Collector or Collectors, on the Occupier or Occupiers of such Houses, Buildings, Lands, Grounds, or other Hereditaments, as aforesaid, either in Person or by Writing left at the usual Place of Abode of such Occupier or Occupiers, by the Space of Seven Days, it shall be lawful to and for any Justice of the Peace for the said Borough, upon Proof, upon Oath, of such Demand and Non-payment by Warrant under his Hand and Seal, (which he is hereby empowered to grant), to authorize and direct the said Collector or Collectors to raise every such Rate or Money so in Arrear, together with the Costs and Charges, (to be ascertained by such Justice), by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay as aforesaid, and to sell and dispose of the Goods and Chattels so distrained, for and towards Payment of the said Rates and Assessments, and the Costs and Charges attending the same, rendering the Overplus (if any) to the Owner or Owners thereof on Demand.

Collectors.

Rates to be
paid by Te-
nants.

LXXVI. And be it further enacted, That it shall and may be lawful for the Collector or Collectors of the Rates or Assessments to be made by virtue of this Act, or of any other Person or Persons authorized by the said Commissioners, at all convenient Times to inspect the Books of Assessment of the Land Tax, House Tax, and Assessed Taxes; and also to take Copies thereof, and make Extracts therefrom, which Inspection, Copies and Extracts, the Collectors of the Land Tax and other Taxes, or other Officer or Officers, Person or Persons, having the Custody of such Books and Assessments, are hereby required to permit and suffer to be

Collectors
may inspect
Rates.

[Loc. & Per.]

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made,

made, without Fee or Reward; and in case any such Collector or Collectors of the Land Tax and other Taxes, or other Officer or Officers, Person or Persons, shall neglect or refuse so to do within Five Days after the Order of the said Commissioners for that Purpose shall be produced and shewn to him or them, or left at his or their last or most usual Place of Abode, then, and in every such Case, he or they so refusing or neglecting shall, for the First Offence, forfeit the Sum of Five Pounds, for the Second Offence the Sum of Ten Pounds, and for every other Offence the Sum of Twenty Pounds.

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

LXXVII. And whereas several Dwelling Houses within the said Town may be by the Landlords or Owners thereof let out into Lodgings or Tenements to divers Tenants, whereby it may be difficult to rate such Dwelling Houses, and to recover such Rates or Assessments when made; for Remedy whereof be it enacted, That the said Commissioners shall and may rate and assess any Person or Persons who shall stand charged or assessed in the Rate made for the Relief of the Poor of the said Borough, to such Dwelling House or Dwelling Houses, which shall be occupied by Two or more Tenants, and the Person or Persons so charged or assessed in the said Rate made for the Relief of the Poor, shall pay the same accordingly; but in case the said Dwelling House or Dwelling Houses shall not be rated to the Relief of the Poor, then, and in every such Case, the Rates and Assessments to which the Owner or Owners of the said Dwelling House or Dwelling Houses are hereby made liable, shall be collected from, and paid by the Occupier or Occupiers of the same as shall be named and specified in the said Rates and Assessments herein authorized and directed to be made; but no Occupier or Occupiers shall at any Time pay, or be liable to pay, any greater Sum for or towards the Discharge of the said Rates or Assessments, and Arrears thereof, than the Amount of the Rent due and payable by such Occupier or Occupiers, to the Landlord or Landlords, Owner or Owners of the Premises occupied by him, her, or them.

For recovering of Tenants' Proportion of Rates, in case of Removal.

LXXVIII. And be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of any House, Building, Land, or other Hereditaments, Mansion or Dwelling House, before such Rate or Rates, Assessment or Assessments, shall be paid by him, her, or them, and shall not reside within the said Borough of *Bury Saint Edmund's*, then, and in every such Case, if he, she, or they, shall neglect or refuse to pay the same for the Space of Seven Days next after the same shall be demanded by the Collector, or by any Person authorized by the said Commissioners for that Purpose, such Part and Parts of such Rate or Rates, Assessment or Assessments, as is and are herein-before imposed on such Tenant or Tenants, Occupier and Occupiers, and which are not to be reimbursed and allowed to him, her, or them, by his, her, or their respective Landlord or Landlords, shall and may be levied by Distress and Sale of the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place, where such Tenant or Occupier shall reside, which Warrant such Justice or Justices is and are hereby empowered to grant upon Proof made before him or them upon Oath of such Demand and Nonpayment, together with the Costs and

Charges attending the same; such Costs and Charges to be ascertained by such Justice or Justices, and the Goods and Chattels so distrained shall and may be sold and disposed of for and towards the Payment of the said Rates and Assessments, Costs and Charges, rendering the Overplus (if any) to the Owner or Owners thereof on Demand.

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

For Recovery of Landlord's Proportion of Payment of Rates, when Tenants remove or quit,

LXXX. And

Persons removing to pay in Proportion.

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

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

LXXXI. And be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, shall pay to the said Collector or Collectors, any more Money on Account of the Part or Parts of the said Rates and Assessments hereby imposed and laid on the respective Landlord or Landlords, Owner or Owners thereof, than shall be due from the said Tenant or Tenants, Occupier or Occupiers, for the Rent of his, her, or their House, Building, Land, Ground, or other Hereditaments, then, and in every such Case, the Overplus thereof shall and may be levied on the Landlord or Landlords, Owner or Owners, of such House, Building, Land, Ground, or Hereditaments, by Distress and Sale of the Goods and Chattels of such Landlord or Landlords, Owner or Owners, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place, where such Goods and Chattels shall be, in case such Landlord or Landlords, Owner or Owners, shall have refused or neglected to pay the same for the Space of Seven Days after Demand made thereof by such Tenant or Tenants, Occupier or Occupiers, or by his, her, or their Attorney or Agent for that Purpose appointed; and such Money, when so raised and levied, shall be paid to the said Tenant or Tenants, Occupier or Occupiers, who shall have so advanced the same.

Agreements not to be void by this Act.

LXXXII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed, deemed, or taken to extend, so as to alter, impeach, or make void, any Contract or Agreement made between Landlord and Tenant, expressed in any Lease already granted, or to be granted, in pursuance of any Contract or Agreement for a Lease now subsisting, touching or concerning the paving of the said Streets, Lanes, publick Passages, or Places, or any Part of them; but that every Person who by virtue of any Lease already granted, or any Lease hereafter to be made in pursuance of any Contract or Agreement for a Lease now subsisting is, are, or ought to be obliged or liable to pave and keep in
Repair

Repair any Part of the Streets, Lanes, publick Passages or Places, shall in lieu thereof be obliged to pay the Rates hereby directed to be assessed on the severall Landlords, Owners, or Proprietors of the said House, Buildings, Lands, Grounds, and other Hereditaments respectively, or so much thereof as by the said Commissioners shall be deemed just and reasonable, according to the true Meaning of such Lease, Contract, and Agreement, for and during such Time as such Lease, Contract, or Agreement shall remain in force, or ought to have Continuance; and in case any Dispute shall arise concerning any such Lease, Contract, or Agreement, the said Commissioners shall and they are hereby authorized and required to hear and determine the same.

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

Payment of Rates, &c. not to gain a Settlement.

LXXXIV. And whereas the Alderman, Capital Burgeses, and Burgeses of the Common Council of the Borough of *Bury Saint Edmund's* for the Time being, the Churchwardens of the said Town and Borough, the Feoffees or Trustees of certain Estates in the said Town and Borough, applicable to charitable and publick Uses, and the Surveyors of the Highways, are accustomed to pave and repair certain Parts of the said Town, and it being intended that such Paving and Repair shall in future be done by and under the Direction of the said Commissioners, it is hereby further enacted, That, from and after the passing of this Act, the said Alderman, Capital Burgeses, and Burgeses of the Common Council, Churchwardens, Trustees, and Surveyors respectively, shall repay and reimburse to the said Commissioners all such Money as they shall from Time to Time expend in repairing and maintaining such Part and Parts of the said Streets, Lanes, and publick Passages and Places, as the said Alderman, Capital Burgeses, and Burgeses of the Common Council, Churchwardens, Trustees, and Surveyors respectively, are now liable to repair and maintain, and the said Alderman, Capital Burgeses, and Burgeses of the Common Council, Churchwardens, Trustees, and Surveyors respectively, shall stand Debtors upon an implied Promise to the said Commissioners for such Repair as for Work and Labour done, and the said Commissioners are hereby authorized and empowered to commence and prosecute one or more Action or Actions, Suit or Suits, in any of His Majesty's Courts of Record at *Westminster* aforesaid, against the said Alderman, Capital Burgeses, and Burgeses of the Common Council, Churchwarden, Trustees, and Surveyors respectively, wherein they shall recover a reasonable Satisfaction for such Work, Labour, and Materials, together with Costs of Suit: Provided, that it shall be lawful for the said Commissioners from Time to Time to compound and agree with the said Alderman, Capital Burgeses, and Burgeses of the Common Council, Churchwardens, Trustees, and Surveyors respectively, in respect of such Repair, for such Sum of Money as the said Commissioners shall think reasonable; and the said Alderman, Capital Burgeses, and Burgeses of the Common Council, Churchwardens, Trustees, and Surveyors, are hereby authorized and

Power to compound with publick Bodies.

[*Loc. & Per.*]

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allowed

allowed to take Credit in their Accounts respectively for the Money they shall pay and disburse on Account of the Premises.

Power to
borrow
Money.

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

WE, _____ of the Commissioners acting in the Execution
of an Act of Parliament made in the _____ Year of the Reign
of King George the Third, intituled, [*here set forth the Title of this Act,*]
in Consideration of the Sum of _____ advanced and lent
by *A. B.*, upon the Credit of the said Act, do assign unto the said *A. B.*,
(or to his Trustee or Trustees, as the Case may require,) his Execu-
tors, Administrators, and Assigns, such Proportion of the Rates, Assess-
ments, and Monies to be raised, levied, collected, and received by virtue
of the said Act, as the said Sum of _____ doth or shall bear to
the whole Sum which may at any Time be borrowed or become due
and owing, or be charged upon the Credit of the said Rates, Assess-
ments, or Monies to be had and holden from this _____ Day of
_____ until the said Sum of _____ with Interest, at
per Centum per Annum for the same, shall be repaid and satisfied. In
Witness whereof we the said Commissioners have hereunto set our Hands
and Seals, the _____ Day of _____ in the Year

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

Power to
borrow Mo-
ney at a
lower Inter-
est to dis-
charge Secu-
rities at
higher.

LXXXVI. Provided always, and be it enacted, That in case the said Commissioners can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments or Securities which shall be then in force shall bear, it shall and may be lawful to and for the said Commissioners to charge the said Rates, Assessments, or Monies in Manner aforesaid, with such Sum or Sums of Money as they shall

shall think proper, and the Interest thereof, at such low Rate as aforesaid, and to pay off and discharge the Assignments or Securities, bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

LXXXVII. And be it further enacted, That when and as soon as the Sinking Fund herein-after directed to be created shall have accumulated to the Sum of One thousand Pounds, One Half Part of the Rate charged upon the Lands shall cease; and when such Fund shall have accumulated to the Sum of Two thousand Pounds, the remaining Half Part of such Rate shall cease, and the Lands and other Property, by this Act chargeable with any Sum not exceeding One Shilling in the Pound, shall no longer be chargeable under or by virtue of this Act; and that when and as soon as all the Money to be borrowed by virtue of this Act upon the Credit of the said Rates, and the Interest thereof, shall be fully discharged and paid off, the Rate upon the Houses, Buildings, and other Property, shall be reduced so far as existing Circumstances will admit.

When the Debts shall be discharged, Rates on Lands and Tithes to cease.

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

Application of Money.

LXXXIX. And be it further enacted, That the said Commissioners shall, and they are hereby required, yearly, and every Year, to appropriate and set apart the yearly Sum of Fifty Pounds, by and out of the Monies and Rates to be received under this Act, and to manage the same at Interest, as a Sinking Fund for the Discharge of all such Monies as shall be borrowed by Way of Mortgage upon the Credit of the Rates to be raised under this Act; and that such yearly Appropriation shall continue until the Purpose for which it is intended shall have been effected: Provided always, that if a greater Appropriation can at any Time or Times be made, consistently with the other Objects of this Act, the said Commissioners are hereby authorized and empowered to appropriate such further or other Sum or Sums of Money, whether yearly or otherwise, accordingly.

Appropriation of Part of Rates as a Sinking Fund for the Discharge of the Monies to be borrowed.

XC. And be it further enacted, That in case the said Commissioners shall think it advisable to raise all or any Part of the Money to be borrowed

Power for Commissioners to raise

Money by
Annuities.

rowed by virtue of this Act, by granting Annuities for Lives, instead of Assignments as aforesaid, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant an Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer or Treasurers to the said Commissioners, any Sum or Sums for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor, at the Time of Payment of his or her Contribution or Purchase Money, so that no such Annuity do exceed the Rate of Ten Pounds *per Centum per Annum* upon a single Life, and the Expences of every such Grant shall be paid by the said Commissioners out of the Monies so contributed, and the Form of every such Annuity shall be in the Words or to the Effect following :

‘ WE, _____ of the Commissioners appointed by or in
 ‘ pursuance of an Act of Parliament made in the _____ Year
 ‘ of the Reign of King George the Third, intituled, [*here set forth the*
 ‘ *Title of this Act,*] in Consideration of the Sum of
 ‘ paid by *A. B.* to *C. D.* the Treasurer, appointed in pursuance of the
 ‘ said Act, do hereby grant unto the said *A. B.* an Annuity or yearly Sum
 ‘ of _____ to be paid out of the Rates, Assessments, and
 ‘ Monies to be raised, levied, collected, and received by virtue of the
 ‘ said Act, which Annuity or yearly Sum of _____ shall be
 ‘ paid to the said *A. B.* or his Assigns, during the Term of his natural
 ‘ Life, or, [*as the Case may be,*] to the said *A. B.*, his Executors, Ad-
 ‘ ministrators, and Assigns, during the natural Life of *C. D.*, upon the
 ‘ _____ Day of _____ in every Year during the natural
 ‘ Life of him the said _____ at the
 ‘ the first Payment thereof to be made upon the _____ Day of
 ‘ _____ next ensuing the Date hereof. In Witness whereof, we
 ‘ the said Commissioners have hereunto set our Hands and Seals, the
 ‘ _____ Day of _____ in the Year

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

Power of
transferring
Assignments
and Annuities
in a pre-
scribed Form.

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

‘ I *A. B.*

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

And a Copy of every Security or Assignment, together with the Number
 or Numbers thereof, and of every Grant of Annuity which shall be made
 in pursuance of this Act, and an Extract or Memorial of every Trans-
 fer thereof, respectively, shall be entered in a Book to be kept for that
 Purpose by the Clerk to the said Commissioners, which Extract or Memo-
 rial shall specify and contain the Date and Names of the Parties, and Sums
 of Money thereby transferred, to which Book any Person interested shall,
 at all reasonable Times, have Access, and shall have free Liberty to inspect
 the same, without Fee or Reward, and for the entering of such Transfer
 the said Clerk shall be paid, by the Person to whom such Transfer shall be
 made, the Sum of Two Shillings and Sixpence, and no more; and every
 such Transfer, after Entry thereof, as aforesaid, shall entitle the Person
 to whom the Transfer shall be made, and his or her Executors, Admi-
 nistrators, and Assigns, to the Benefit of the Security thereby transferred,
 without any other Registry or Enrolment whatsoever.

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

Penalty on
 obstructing
 Commis-
 sion-
 ers, &c.

XCIII. And be it further enacted, That all Penalties and Forfeitures,
 by this Act imposed, the Manner of levying or recovering whereof is not
 hereby particularly directed, shall be levied and recovered by Distress and
 Sale of the Goods and Chattels of the Offender or Offenders, by War-
 rant, under the Hand and Seal of any Justice of the Peace of the County,
 City, Borough, or Place, where such Person shall be or reside, which
 Warrant such Justice is hereby empowered and required to grant, upon
 the Confession of the Party or Parties, or upon the Oath of One or more
 credible Witness or Witnesses, which Oath such Justice is hereby empow-
 ered to administer, rendering the Overplus, if any, of the Money arising
 by such Sale, upon Demand, to the Party or Parties, whose Goods and
 Chattels shall be so distrained; and after deducting the Charges of such
 Distress and Sale; and all such Penalties and Forfeitures, when reco-
 vered, shall, if not herein directed to be otherwise applied, be paid to

Penalties,
 how to be re-
 covered.

[*Loc. & Per.*]

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the

the Treasurer to the said Commissioners, and applied to the Purposes of this Act; or in case it shall appear to such Justice by the Oath of any credible Witness, which Oath any Justice is hereby empowered to administer, or on the Confession of the Offender or Offenders, that such Offender or Offenders hath or have not sufficient Goods and Chattels within the Jurisdiction of such Justice, whereon the Penalty, Forfeiture, and Charges of levying the same can be raised; or in case sufficient Distress shall not be found after such Warrant shall have been issued, or if such Penalty and Forfeiture shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol for the said County, City, Borough, or Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless such Penalties or Forfeitures, and all reasonable Charges, shall be sooner paid or satisfied.

Persons distraining not to be deemed Trespassers for Want of Form.

XCIV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money, to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on Account of any Defect or Want of Form of any Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, on Account of any Irregularity; but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff or Plaintiffs shall recover, in any such Action, for Irregularity, or for any Trespass or wrongful Proceeding in any such Distress or Levying, unless Notice in Writing shall have been given to the Treasurer or Clerk of the said Commissioners, Twenty-one Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or his, her, or their Attorney, by and on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall be made, it shall be lawful for the Defendant or Defendants, in any such Action, by Leave of the Court, at any Time before Issue joined, to pay into Court such Sum of Money, as he, she, or they, shall be advised, whereupon such Proceeding, Order, and Judgement, shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Form of Conviction.

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

‘ Borough of } BE it remembered, That on the Day of
 ‘ Bury Saint } in the Year A. B. is convicted before
 ‘ Edmund’s. } of His Majesty’s Justices of the Peace for the
 ‘ said Borough, [here state the Offence], and I [or we] the said Justice
 ‘ [or Justices], do adjudge him, [her, or them], to forfeit and pay the
 ‘ Sum of Given under my Hand
 ‘ and Seal, [or our Hands and Seals], the Day and Year aforesaid.’

XCVI. And be it further enacted, That in all Cases where Cognizance is given to any Justice or Justices of the Peace, by this Act, it shall be lawful for such Justice or Justices of the Peace to administer an Oath to any Person for his or their more certain Information in the Matter then depending.

Justices may administer Oaths.

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

Commissioners may compound Penalties.

XCVIII. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief is appointed, such Person or Persons may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace, to be held at *Bury Saint Edmund's*, for the County of *Suffolk*, or any Part thereof, within Five Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving Twenty-one Days Notice in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Commissioners, and, within Seven Days after such Notice, entering into Recognizance before some Justice of the Peace for the said County or Town, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of, and pay such Costs as shall be awarded by, the Justices at such Quarter Sessions; and the said Justices, at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the Entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to either Party, as they, the said Justices, shall think proper; and the Determination of such Quarter Sessions shall be final and conclusive to all Intents and Purposes.

Appeal to the Sessions.

XCIX. Provided always, and be it enacted, That in every Appeal from the said Rate or Assessments, or any of them, to be made for the Purposes of this Act, the Justices at the General Quarter Sessions of the Peace to be holden at *Bury Saint Edmund's* aforesaid, or any Adjournment thereof, shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments, with respect to any other Persons mentioned therein; but if, upon Appeal from the whole Rate or Assessment, it should be found necessary to set aside the same, then, and in every such Case, it shall be lawful for such Justices to order a new Rate or Assessment to be made in Manner herein directed.

Justices may relieve on Appeal without quashing the whole Rate.

C. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Inhabitant of the said Town or Borough of *Bury* may be Witnesses.

Inhabitants of Bury Saint Edmund's may be Witnesses.

Bury Saint Edmund's shall be disqualified from giving Evidence by reason of his or her being charged with, or liable to pay, any Rate by virtue of this Act.

No Proceed-
ing to be re-
moved by
Certiorari.

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

Commission-
ers may re-
ward In-
formers.

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

Limitation of
Actions.

CIII. And be it further enacted, That no Action or Suit shall be brought against any Person or Persons for any Thing done in pursuance of this Act, or in relation to the Matters herein contained, after Six Calendar Months from the Fact committed; and every such Action or Suit shall be brought and tried in the County of *Suffolk*, and not elsewhere; and the Defendant and Defendants, in every such Action or Suit, shall or may, at his or their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall have been brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant shall have appeared; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in other Cases by Law.

Publick Act.

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