



ANNO PRIMO

GEORGIIV. REGIS.

Cap. lxi.

An Act to amend, extend, and render more effectual an Act of His late Majesty, for paving, lighting, cleansing, watching, and otherwise improving the Town of *Bury Saint Edmunds*, in the County of *Suffolk*. [8th July 1820.]

WHEREAS an Act was passed in the Fifty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better paving, lighting, cleansing, watching, and otherwise improving the Town of Bury Saint Edmunds, in the County of Suffolk*: 51 G. 3. c. 9.
And whereas great Progress hath been made in executing the said Act, and the whole of the Money thereby authorized to be raised and borrowed hath been expended: And whereas the Provisions contained in the said Act for raising the Sums of Money thereby given by way of Income, to defray the Expences of carrying the said Act into Execution, have been and are subject to be defeated: And whereas it is expedient that more effectual Provision should be made for raising a sufficient Income for paying the Interest of the said Debt, and for carrying the Provisions of the said Act and of this Act into Execution: And whereas divers Works necessary to be done for the Completion of the Improvements of the said Town cannot be executed unless the Powers and Provisions of the said Act be amended and enlarged: 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

[Local.]

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Commissioners of former Act to execute this Act.

bled, and by the Authority of the same, That the Commissioners named and appointed, or who shall or may be hereafter named or appointed under or by virtue of the said recited Act of the Fifty-first Year of the Reign of His said late Majesty, shall be the Commissioners for carrying this Act into Execution, and shall have the same Powers, Privileges, and Authorities, in respect of the several Matters and Things herein-after enacted, which they could or might have had in case this Act had been incorporated into and formed Part of the said recited Act.

Power to borrow a further Sum of Money.

II. And whereas it is by the said recited Act enacted, that it shall and may be lawful to or 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 should judge necessary for the several Purposes of that Act, so as the Amount of the Monies which should be borrowed should 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 that Act: And whereas it is expedient that a further Sum of Money should be borrowed for the Purposes of the said recited Act and this Act, be it therefore enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered to take up at Interest, (over and above the said Sum of Ten thousand Pounds allowed to be raised as aforesaid) any Sum or Sums of Money not exceeding Four thousand Pounds, so that the whole Amount of the Money so borrowed shall not exceed at any one Time the Sum of Twelve thousand Pounds, instead of Eight thousand Pounds, as in the said recited Act is provided; such additional Sum or Sums of Money to be raised by the said Commissioners by any or either of the Ways and Means of borrowing Money mentioned in the said recited Act; and the same when raised to be applied by the said Commissioners in the first Place in paying and discharging the Costs, Charges, and Expences of applying for and passing of this Act, and the Residue thereof shall be applied by the said Commissioners for the Purposes of the said recited Act and this Act.

Clause in former Act requiring Commissioners to lend 100l. on the Rates repealed.

III. And be it further enacted, That so much of the said recited Act of the Fifty-first Year of the Reign of His said late Majesty, as enacts or requires that no Person shall be capable of acting as a Commissioner in the Execution of that Act, except as therein mentioned, until he shall have advanced and lent at Interest the Sum of One hundred Pounds upon the Credit of the Rates, Assessments, and Monies therein granted, or mentioned, shall be and the same is hereby repealed and made void.

Provisions of former Act and this Act to extend to the Boundaries of the Borough,

IV. And whereas it is by the said recited Act enacted, that all the Streets, Lanes, Highways, public Passages, and Places which are within the Boundary next hereinafter described, should be deemed and taken to be subject to the Operation of the said Act; (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 Edmunds* aforesaid to *Fornham*, opposite to the North End of Chapel House, belonging to *Philip Bennett* 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 Bennett*, 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 Bennett*, 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 Hill* 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 *School Hall Street*, and 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 Petronella*, 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 Mr. *John Green*, and thence in a West Direction along the South Side of *Risby Gate 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 Mr. *Frewer*, and thence in a North Direction along the West Side of *Saint Andrew's Street* aforesaid to *Tay-fen 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: And whereas it is expedient that the Authorities by the said Act given to the said Commissioners should extend over all Streets, Lanes, Highways, Public Passages, and Places within the Borough of *Bury Saint Edmunds*; be it therefore enacted, That from and after the passing of this Act all and singular the Streets, Lanes, Highways, and Public Passages and Places within the said Borough shall be deemed and taken to be subject to the Operation of the said Act and of this Act, in the same Manner to all Intents and Purposes as if the same were situate within such Boundary Line as aforesaid; and all and singular the Powers, Provisoos, Matters, and Things whatsoever, which by the said recited Act are given to the said Commissioners, or to any Person or Persons whomsoever, or are in any Manner enacted in respect

respect to the Streets, Lanes, Highways, and Public Passages and Places within the said Boundary Line, or to any Matter or Thing done or to be done within the same, shall be and are hereby given to the said Commissioners, or to such Person or Persons as aforesaid, and are hereby enacted and made in full force in respect to all and singular the Streets, Lanes, Highways, and public Passages and Places within the said Borough of *Bury Saint Edmunds*, or any Part thereof: Provided always, that nothing herein contained shall be deemed or taken to subject any Person or Persons to any Penalty or Penalties for or in respect of any Nuisance, Obstruction, Damage, Mischief, or other Matter or Thing which was before the passing of this Act by him or them caused, occasioned, done, made, permitted, or omitted or neglected in any Place whatever, without such Boundary Line as aforesaid, and for the causing, occasioning, doing, making, permitting, omitting or neglecting of which he or they would not have been liable to such Penalty or Penalties before the passing of this Act.

Persons may be indicted for not repairing Highways, &c. as before the recited Act.

V. And be it further enacted, That notwithstanding any thing in this Act or in the said recited Act expressed and contained, all and every Person and Persons shall at all Times remain and be liable to be indicted or presented for not repairing any Highway, Street, Square, Lane, or other public Passage or Place within the said Borough of *Bury Saint Edmunds*, in the same Manner as if this Act and the said recited Act had not passed; and if upon the Trial of any such Indictment or Presentment, the Court before which the same shall be tried shall impose any Fine, Issue, Penalty, or Forfeiture upon such Person or Persons so indicted or presented, for not repairing such Highway, Street, Square, Lane, or other public Passage or Place, or for not appearing to such Indictment or Presentment, then and in every such Case it shall be lawful for such Court, if it shall see fit, to order the Treasurer of the said Commissioners to pay the said Fine, Issue, Penalty, or Forfeiture, together with the Costs and Charges attending the same, out of the Money then in his Hands, or next to be received by him, which Order shall be binding upon such Treasurer, and he is hereby authorized and required to obey the same.

How the annual Value of Lands assessed is to be ascertained.

VI. And whereas the said Commissioners are by the said recited Act authorized and empowered to levy and raise upon and from the several Tenants and Occupiers of all Houses, Buildings, Mills, Yards, Orchards, Gardens, Lands, Tithes, Paddocks, Pleasure Grounds and other Hereditaments within the said Town and Borough of *Bury Saint Edmunds*, certain yearly Sums, according to the annual Value of such Houses, Buildings, Mills, Yards, Orchards, Gardens, 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 other Hereditaments are, or from Time to Time shall be assessed at for the Relief of the Poor of the Parishes within the said Town and Borough: Now be it enacted, That from and after the Twenty-ninth Day of *September* such annual Value shall from Time to Time be settled and fixed in such Manner as to the said Commissioners shall from Time to Time seem just, subject nevertheless to such Appeal as in the said recited Act is mentioned, in respect of the several Matters and Things for, against, or in respect of which an
Appeal

Appeal is thereby given: Provided nevertheless, that so far as regards the Hereditaments within the said Borough, which by the said recited Act are now charged with the Annual Sum of One Shilling in the Pound, the same shall not be increased or affected by this Act, but the Assessment upon the same shall be fixed and remain at the Amount at which the same Hereditaments stand assessed in the Rate made thereon by the said Commissioners immediately preceding the passing of this Act, during the Time the same Hereditaments are by the said recited Act to be so charged, except as to such of the same Hereditaments as have been or shall or may hereafter be built upon, from which Time such Buildings shall be charged in like Manner as any other Buildings are chargeable under the said recited Act and this Act.

VII. And whereas it is by the said recited Act enacted, that when and as soon as the Sinking Fund therein-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 that Act chargeable with any Sum not exceeding One Shilling in the Pound should no longer be chargeable under or by virtue of that Act; be it therefore enacted, That whenever and so often as such Sinking Fund shall amount to the Sum of One thousand Pounds, it shall and may be lawful for the said Commissioners to pay off and discharge so much of the Monies as shall from Time to Time have been borrowed or raised under or by virtue of or for the Purposes of the said recited Act or this Act, as the said Commissioners shall think fit, until the whole of such Monies shall be paid and discharged: Provided always, that the said Lands shall not, in consequence of such Application of the said Sinking Fund, be in any Manner deemed or taken to be subject or liable to any Rate or Assessment whatever to which they would not have been subject or liable in case such Sinking Fund, or any Part thereof, had not been so applied.

As to Application of the Sinking Fund.

VIII. And be it further enacted, That so much of the said recited Act as directs or requires any Receivers, Collectors, Surveyors, or other Officers or Persons to account upon Oath, and subjects them to any Penalty for refusing to verify their Accounts upon Oath, and as authorizes any Persons to administer any such Oath, shall be and the same is hereby repealed and made void.

Repealing Clause in former Act requiring Officers to account on Oath.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the same Person who has been or may be appointed to act as their Clerk in the Execution of the said recited Act and this Act, or either of them, or the Partner of any such Clerk, the Treasurer for the Purposes of the said recited Act and this Act, or either of them, or to continue or appoint the same Person who has been or may be appointed to act as their Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Act and this Act, or either of them, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer, shall act as Clerk, in the Execution of the said recited Act and this Act, or either of them, every Person so offend-

Same Person not to be Clerk and Treasurer.

ing shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of Commissioners and Creditors.

X. And be it further enacted, That the Commissioners of the said recited Act and this Act shall and they are hereby required from Time to Time and at all Times during the Continuance of the said recited Act and this Act, to order and direct a Book or Books to be provided and kept by their Treasurer for the Time being, in which Book or Books such Treasurer shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out and expended for or on account of the said Commissioners, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any of them, or any Creditor or Creditors on the Rates granted by the said recited Act and this Act, without Fee or Reward; and the said Commissioners and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case any Treasurer shall refuse to permit, or shall not permit any of the said Commissioners or Creditors to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, the Treasurer so refusing shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to light Streets with Gas.

XI. And whereas it may be convenient that the said Borough, or some Part or Parts thereof, should be lighted with Gas, 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 dig and sink Trenches, and to lay Mains and Pipes, and to put Stop Cocks or Plugs or Branches from or upon any of such Mains or Pipes; and (with the Consent of the Owners and Occupiers but not otherwise) to place and affix Pipes against the Houses, Tenements, Walls, or Buildings within the said Borough, and to do all other reasonable and proper Acts for conducting Gas or Gas Lights for the Purpose of lighting such Streets, Highways, Lanes, Squares, and public Passages and Places, or any of them; and either to make and manufacture and supply a sufficient and proper Quantity of Gas for the Purposes aforesaid, or to enter into any Contract or Contracts with any Person or Persons ready and willing to light the said Borough or any Part or Parts thereof with Gas, at such Seasons of the Year, for so many Hours, and for such Term or Terms of Years, not exceeding at any one Time Ten Years, and in such Manner as to the said Commissioners shall seem fit.

Power to light Houses with Gas.

XII. And be it further enacted, That it shall be lawful for the said Commissioners to enter into any Agreement or Agreements, or to authorize or permit any such Contractor or Contractors as aforesaid to enter into any Agreement or Agreements, for supplying Gas to any Person or Persons who shall be desirous to light or cause to be lighted with Gas any House, Shop, or other Building within the said Borough; and for that Purpose it shall be lawful for the said Commissioners to open or cause

or permit to be opened the necessary Communications between the Mains and Pipes which shall be laid down for the Purpose of lighting the said Borough or any Part thereof with Gas in Manner aforesaid, and the Mains or Pipes which shall or may be necessary or shall or may be used for the Purpose of lighting with Gas such House, Shop, or Building as aforesaid, and to do all other Acts which shall and may from Time to Time be necessary and proper for carrying any such Agreement or Agreements into Execution.

XIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Persons acting under their Authority, to make such Sewers or Cuts of such Breadth, Depth, and Dimensions, and in such Manner as they shall think expedient, under the Streets, Ways, Lanes, Avenues, and Places within the said Borough, for the Purpose of carrying off the Washings or other Waste Liquids which may arise in the Prosecution of the Works aforesaid; the said Commissioners and all Persons acting under their Authority doing as little Damage as may be in making the said Sewers or Cuts, and immediately repairing at their own Expence all such Damages; but that it shall not be lawful for the said Commissioners to empty, carry, or convey, or cause to be emptied, carried, or conveyed to or into the River *Lark* or *Linnet*, or any other River, or into any Ditch, Brook, running Water, or Canal, that will convey it into the *Lark* or *Linnet*, or any other River, any Washings or Liquids, or any Lime or other Ingredients, Matter, or Thing which shall arise or be produced in manufacturing or producing the said Gas, or in or by the Prosecution of any of the Works aforesaid.

Sewers to be made for carrying off waste Liquids.

XIV. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to prevent any Person or Persons from proceeding by Action, Indictment, or otherwise howsoever against the said Commissioners or any of them, or against any of their Officers, Servants, or Workmen, or any Person or Persons whomsoever, for or in respect of any Works of the said Commissioners which shall or may at any Time or Times be erected, instituted, or used by the said Commissioners, or such other Person or Persons as aforesaid, in making or preparing such Gas, or for or in respect of the Method which shall be employed by them the said Commissioners, or by such other Person or Persons as aforesaid, for furnishing such Light as aforesaid, as a public or private Nuisance; or from bringing any Actions against the said Commissioners, or any of their Officers, Servants, or Workmen, or any other Person or Persons acting under their Authority, for any Injury sustained or to be sustained by reason of any such Works or Method of lighting, whether such Injury shall proceed from the Nature of such Method of lighting, or the Carelessness or Want of Skill of the Persons employed therein, or otherwise howsoever.

Persons causing Nuisances in the Execution of those Powers may be indicted.

XV. And be it further enacted, That so much of the said recited Act as enacts, 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, public 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

Repealing the Clause in the former Act as to Penalty for breaking Lamps.

lawful to and for any Justice of the Peace for the Borough of *Bury Saint Edmunds* 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 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 should 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 for 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, shall be and the same is hereby repealed.

Repealing the
Clause in former
Act for
preventing
Annoyances,
&c.

XVI. And be it further enacted, That so much of the said recited Act as enacts, 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, or 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, public 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
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airing the same upon or from any Window, other than Garret or Attic Windows, within any Street, Lane, public Passage or Place within the said Town; or if any Person shall in or upon any Street, Lane, public 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, public Passage or Place within the said Town (except only in such Place as the said Commissioners shall direct) show or expose any Stallion or Stonehorse, 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 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, singe, dress, or cut up any Animal, either wholly or in part, in any of such Streets, Lanes, public Passages or Places, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shamble into the same, or any of them, or shall hang up, place, or expose to Sale any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Matter or Thing, projecting over, in, or upon the Footway or Carriageway of any such Streets, Lanes, public Passages or Places, or so as to obstruct or incommode the Passage of any Person or Carriage therein, or shall occasion any other Kind of Obstruction or Annoyance in or upon any such Street, Lane, public 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 Forty Shillings: Provided nevertheless, that nothing therein 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, shall be and the same is hereby repealed and made void.

XVII. And be it further enacted, That from and after the passing of this Act if any Person or Persons shall upon any of the Footways or Foot Pavements within the said Borough, 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 Cart, or wilfully ride, lead, or drive any Horse or other Beast or Cattle whatever on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereon, or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements, or set any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall, on or in the said Footway or Foot Pavement; or erect, set up, put or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in anyway to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall in any Street, Lane, public Passage or Place within the said Borough, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any

For preventing various Nuisances, Annoyances, and Obstructions.

[Local.]

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Timber,

Timber, or make or repair or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or wet, slack, or mix any Lime, or wet, mix, or make any Mortar, or shoe, bleed, or farry any Horse or other Beast (unless in case of sudden Accident), or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or show or expose any Stallion or Stonehorse (except only in such Place as the said Commissioners shall direct), or show, or expose, or exercise, or expose to sale any Horse or other Beast, or kill or slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop or Shamble, into the Streets, or any of them, or shall sell or assist in selling by Auction or public Sale any Cattle, Goods, Wares, Merchandize, or Thing or Things whatsoever, without the Leave of the Commissioners for that Purpose had and obtained; or hang up, place, or expose to sale, or cause or permit to be hanged up, placed, or exposed to sale, any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butchers' Meat, or other Matter or Thing in or upon, or so as to project over or upon the Footway or Carriageway of any such Streets, Lanes, public Passages or Places, or beyond the Line, or on the Outside of the Window or Windows of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to sale, or so as to obstruct or incommode the Passage of any Person or Carriage; or leave open after Sun-set the Door or Window of any Cellar or other underground Room or Apartment, without having placed or left a sufficient Light therein to warn and prevent Persons passing in the Streets, Lanes, and public Places of the said Borough, from falling into such Cellars or other underground Rooms or Apartments; or bait or cause to be baited any Bull or other Animal, or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner, or play at Football, or at any other Game, to the Annoyance of any Passenger or Passengers; or shall wilfully break, aid, or abet, or assist in wilfully breaking any Glass or Window Panes, or Windows in or belonging to any Dwelling House or Building; or cause, make, or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss, or other Fire Arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework, or shall occasion any other Kind of Obstruction or Annoyance in or upon any such Street, Lane, public Passage or Place, or shall obstruct or incommode, hinder, or prevent the free Passage of any Footway or Causeway, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing, or going thereon, within the said Borough, then and in every such Case every Person so offending shall forfeit and pay for the First Offence any Sum not exceeding Forty Shillings and not less than Ten Shillings, and for the Second and every subsequent Offence the Sum of Five Pounds; and it shall and may be lawful to and for any Constable or other Peace Officer, or any one of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said Borough, in order

to his, her, or their Conviction of such Offence: Provided nevertheless, that nothing herein contained shall extend or be construed to extend so as to prevent or hinder any Person or Persons from selling or exposing to sale any Horse, Beast, Cattle, Sheep, or Swine, or 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 Days of such Market or Fairs.

XVIII. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall wilfully break, take away, throw down, cut, 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, public Passages or Places, or any Lamp Posts, Iron, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, or shall wilfully cut, damage, or destroy any Main Pipe, Plug, Stop-cock, Branch, or other Matter or Thing, which shall or may at any Time hereafter belong to or be used or employed by the said Commissioners, or by any such Contractor or Contractors as aforesaid, in or about the lighting of the said Borough, or any Part thereof, or any House, Shop, or Building therein with Gas, then and in every such Case it shall be lawful to and for any Justice of the Peace for the Borough of *Bury Saint Edmunds* 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 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, and if there shall be more than One such Offender, then they shall severally forfeit and pay for the First Offence any Sum or Sums of Money not exceeding Five Pounds nor less than Forty Shillings for each Lamp, Lamp Post, Iron, Cover, or other Furniture thereof, or other Works as aforesaid so extinguished, broken, taken away, thrown down, or otherwise destroyed or damaged, and for the Second and every subsequent Offence, the Sum of Ten Pounds for each and every such Lamp, Lamp Post, Iron, Cover, or other Furniture or other Works as aforesaid; and such Offender or Offenders, whether in case of a first or of any subsequent Offence, shall besides the Penalty or Penalties hereby imposed as aforesaid, 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 or Penalties by him, her, or them incurred,

Penalty on
breaking
Lamps, &c.

curred, and also make 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 Two Calendar Months for the First Offence, and not exceeding Six Calendar Months for the Second and every other subsequent Offence, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Penalty or Satisfaction as aforesaid shall be sooner paid, made, and given.

Provisions of
the former
Act to extend
to this Act.

XIX. And be it further enacted and declared, That the several Clauses, Provisions, Powers, Authorities, Limitations, Restrictions, Indemnities, Exemptions, Punishments, Penalties, Forfeitures, and Power of Appeal, and all other Matters and Things contained in the said recited Act, except such and so much thereof as is and are by this Act varied, altered, or repealed, shall continue in full Force, and shall be exercised and put in Execution, and shall be applicable and applied in, to, and in respect of all Cases that shall arise under this Act, as well as under the said recited Act, by all Persons whomsoever, as well in regard to enforcing the Collection and Payment of the said several Rates or Assessments, Duties and Impositions to be made, assessed, imposed, or collected for the Purposes of this Act, as for doing and performing all such other Matters and Things, and making all such Appeals as are authorized to be done and performed by virtue of the said recited Act and of this Act, in such and the like Manner in all Respects as if the said several Clauses, Provisions, Powers, Authorities, Limitations, Restrictions, Indemnities, Exemptions, Punishments, Penalties, Forfeitures, and Power of Appeal, and the several other Matters and Things contained in the said recited Act were re-enacted in the Body of this Act.

Public Act.

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

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