



ANNO SEXTO

# GEORGIIV. REGIS.

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## *Cap. cxxix.*

An Act for paving, lighting, watching, cleansing, regulating, and otherwise improving the Town and Parish of *Louth*, in the County of *Lincoln*.

[10th June 1825.]

**W**HEREAS the Town and Parish of *Louth*, in the County of *Lincoln*, is large and populous, and a Place of considerable Trade, and also a great Thoroughfare for Travellers: And whereas the Streets, Lanes, Highways, and other public Places within the said Town and Parish are not properly paved and cleansed, and are not lighted or watched; and the same Streets, Lanes, Highways, and Places are subject to various Encroachments, Obstructions, Nuisances, Annoyances, and other Inconveniences; and some of them are very narrow and incommodious; and several of the Highways within the said Town are out of repair: And whereas it would tend greatly to the Safety, Comfort, and Convenience, not only of the Inhabitants of the said Town and Parish, but of all other Persons resorting to and travelling through the same, if the said Streets, Lanes, and other public Places were more effectually paved, cleansed, and regulated, and if the same were lighted and watched, and several of them widened and improved, and if all Encroachments, Obstructions, Nuisances, and Annoyances were removed and prevented in future, and if Regulations and Provisions were made respecting the Highways within the said Town and Parish, and for executing the several public Improvements herein-after mentioned within the said Town and Parish; but the same cannot be effected without the Aid of Parliament: May it, therefore, please Your Majesty that it may be

[Local.]

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enacted;

Commis-  
sioners.

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 the Worshipful the Warden and Six Assistants of the Town of *Louth*, and Free School of King *Edward* the Sixth in *Louth*, in the County of *Lincoln*, the Head Master and Under Master of the said School, the High Steward and the Town Clerk, the Vicar and Churchwardens of *Louth* aforesaid, and their respective Successors, together with *William Allison, Edward Allison, William Grant Allison, Henry Alington, Charles Bellwood, Christopher Byron, Charles Marshall Clarke, John Campbell, Thomas Aquila Dale, William Dunn, John Emeris Clerk, William Espin, Adam Eve, John Fytche, Charles Thomas Gladwin Clerk, Stephen Gray, Field Flowers Goe, Langley Gace, William Hardy, William Hyde, Christopher Ingoldby, John Jackson, Wolley Jolland Clerk, William King, William Petch Kime, Joseph Larder, Henry Lucas, Frederic Lucas, John Maddison, John Naull the younger, Samuel Carter Pettiner, Thomas Bentley Phillips, John Michael Phillips (Clerk), Stephen Preston (Clerk), John Parkinson, Lysimachus Parker the younger, Anthony Sharpley, George Searle, Richard Soper, William Wilson, John Waite Clerk, William Wrangham, Charles Wing*, and their Successors, to be elected and appointed in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for carrying this Act into Execution.

For supply-  
ing Decrease  
in Number  
of Commis-  
sioners.

II. And for continuing a sufficient Number of Commissioners for putting this Act into Execution, be it further enacted, That when any of the Commissioners hereby appointed or to be elected in manner herein-after mentioned shall die, refuse to act, resign, become bankrupt, or incapable of acting, or otherwise disqualified, the surviving or remaining Commissioners shall and they are hereby empowered from Time to Time, at some Meeting to be held for that Purpose by Writing under their Hands, to elect and appoint a Person in the Place of every Commissioner dying, or refusing or declining to act, becoming bankrupt, or incapable of acting, or disqualified; and the said Commissioners, or any Five of them, may declare the Non-attendance of any Commissioner during the Period of One whole Year Evidence of his Refusal to act or resigning: Provided always, that in case it shall happen that the surviving or remaining Commissioners shall neglect or refuse to appoint a new Commissioner within Twenty-one Days after any Vacancy, then and in every such Case it shall be lawful for any Two of the surviving or remaining Commissioners, by Writing under their Hands, to make Complaint thereof to the Warden and Justice of *Louth*, and such Justices are hereby authorized, as often as they find Occasion, to nominate and appoint such proper Person as they in their Discretion shall think fit to be a Commissioner for such Vacancy; and every such new Commissioner who shall be appointed in either of the Ways aforesaid shall from thenceforth have the like Powers and Authorities as if he had been originally named a Commissioner in and by this Act.

Qualification  
of Commis-  
sioners, and  
Oath.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in any Case in the Execution of this Act, during the Time he shall hold or enjoy any Office or Place of Profit under this Act, or be concerned in any Contract made by virtue or in pursuance of this Act, or in any Case wherein he shall be in any-

wise personally or beneficially interested in the Matter in question (except as a Creditor on the Rates or Assessments hereby authorized); nor unless he shall be in his own Right, or the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments of an Estate of Inheritance, or for a Life or Lives, or for any Term of Years not less than Ninety-nine Years, either absolutely or determinable on any Life or Lives, of the yearly Value of Fifty Pounds; or possessed of such Estate or Estates as last mentioned and a Personal Estate jointly, or a Personal Estate alone, to the Amount or Value of One thousand two hundred Pounds; or shall be possessed of a Personal Estate of the Amount or Value of One thousand Pounds; and also shall be rated by virtue of this Act, at not less than Thirty Pounds *per Annum*, for the House, Warehouse, or Shop, or Houses, Warehouses, or Shops, or other Buildings, Hereditaments, or Premises which shall be occupied by him, situated within the said Town and Parish; nor (except in administering the Oath or Affirmation to the Chairman of a Meeting as herein-after mentioned) until he shall have taken and subscribed an Oath, or being a Quaker, until he shall have made and subscribed an Affirmation in the Form or Words following; and an Entry or Minute shall be made in the Book of Proceedings of the Commissioners, of the taking or making and subscribing of such Oath or Affirmation, and of the Date of administering the same:

‘ I *A. B.* do swear [*or being One of the People called Quakers*, do solemnly Oath.  
 ‘ declare and affirm], That I am really and *bonâ fide* in my own Right  
 ‘ [*or in the Right of my Wife, late or present, as the Case may be*] now  
 ‘ in the actual Possession, Enjoyment, and Receipt of the Rents and  
 ‘ Profits of Messuages, Lands, Tenements, or Hereditaments of an Estate  
 ‘ of Inheritance, or for a Life or Lives, or for a Term or Terms of Years  
 ‘ not less than Ninety-nine Years, either absolutely or determinable on a  
 ‘ Life or Lives, of the clearly yearly Value of Fifty Pounds; *or* possessed  
 ‘ of such Estate or Estates as last mentioned and a Personal Estate jointly,  
 ‘ or a Personal Estate alone, to the Amount or Value of Twelve hundred  
 ‘ Pounds; *or* am possessed of a Personal Estate of the Amount or Value  
 ‘ of One thousand Pounds; and also that I am rated by virtue of this Act  
 ‘ for Premises in my Occupation at not less than Thirty Pounds *per*  
 ‘ *Annum*; and that I will truly and impartially, according to the best of  
 ‘ my Skill and Judgment, execute and perform all the Powers and Autho-  
 ‘ rities reposed in me as a Commissioner by virtue of an Act passed in the  
 ‘ Sixth Year of the Reign of His Majesty King *George* the Fourth,  
 ‘ intituled *An Act* [*here insert the Title of this Act*].

‘ So help me GOD.’

[*Or, being a Quaker, omit the Words ‘ So help me God.’*]

IV. Provided always, and be it further enacted, That if any Person not being qualified as aforesaid, or not having taken and subscribed the Oath as aforesaid, or being a Quaker, not having made and subscribed the Affirmation as aforesaid, or being in any Manner disqualified as aforesaid, shall act as a Commissioner in the Execution of this Act, except in administering the Oath herein-before mentioned, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs.

Penalty on  
disqualified  
Persons act-  
ing as Com-  
missioners.

Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparance shall be allowed; and every Person so sued or prosecuted for acting, not being duly qualified, shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty and Costs, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, though not duly qualified, done previous to his being so convicted, shall be as valid and effectual as if such Person had been duly qualified as aforesaid.

Proceedings  
by Three or  
more Com-  
missioners to  
be valid.

V. And be it further enacted, That the Powers and Authorities by this Act given to, and all the Provisions, Matters, and Things by this Act directed and authorized to be done by the Commissioners for executing the same, shall and may be executed and done by or before any Three or more of the said Commissioners assembled at any Meeting to be held in pursuance of this Act, and shall be of as full Force and Effect as if executed or done by or before all the Commissioners, (except in such Cases where any such Power, Authority, Provision, Matter, or Thing is by this Act particularly directed or authorized to be executed or done by any other Number of Commissioners, or in any other Manner); and all Acts, Orders, Proceedings, and Determinations of the Commissioners acting in the Execution of this Act, made at any such Meeting consisting of Three or more Commissioners, wherein the major Part of the Commissioners present at such Meeting shall concur, shall be as valid and effectual as if all the Commissioners present at such Meeting had concurred therein; and at all such Meetings at which the Warden of the said Town for the Time being shall attend at the Hour appointed for holding the same, the said Warden for the Time being (if duly qualified to act as a Commissioner) shall preside and be the Chairman; but in case the Warden of the said Town shall not attend the Meeting at the Time appointed, or shall be disqualified from acting, some [other Commissioner shall be elected Chairman, by the Voices of a Majority of the Commissioners then present, and shall preside at such Meeting; and in all Cases where there shall be an Equality of Votes upon any Question, (including the Vote of the Chairman) such Chairman shall have the decisive or casting Vote; and at all such Meetings the Commissioners present shall pay and defray their own Expences.

Chairman to  
have casting  
Vote.

No Act valid  
except at  
Meetings.

VI. And be it further enacted, That no Act, Order, or Proceeding of the said Commissioners, or any of them, shall be valid, unless had, made, or done at some Meeting to be holden in pursuance of this Act, except only in regard to the calling or convening of Meetings; and that no Order, Appointment, or Proceeding whatever, made at any Meeting of the Commissioners holden in pursuance of this Act, shall be revoked or altered at any subsequent Meeting, unless at a Meeting holden for the express Purpose, nor unless Notice specifying the Revocation or Alteration intended to be made, signed by One or more of the said Commissioners, or by the Clerk or Clerks to the said Commissioners, shall be given, by Letter addressed to each of the acting Commissioners, and left at the General  
Post

Post Office in the said Town for such Commissioners, or at his or their usual Place of Abode, or delivered personally to him or them; at least Twenty-one Days before such subsequent Meeting; nor unless a Majority of the Commissioners present at such subsequent Meeting shall decide in favour of such Revocation or Alteration, and a greater Number of Commissioners shall be present at such subsequent Meeting; than were present at the Meeting when such Order, Appointment, or Proceeding was had or made.

VII. And be it further enacted, That the said Commissioners shall hold their First Meeting for the Execution of this Act at the Guildhall in the said Town, within Twenty-one Days next after the passing of this Act, between the Hours of Eleven in the Forenoon and Four in the Afternoon, or at such other convenient Place in the said Town, and on such other Day and Time, as the said Commissioners, or any Three or more of them, although not assembled at a Meeting, shall think fit to appoint, by Notice in Writing to be affixed on the Church Door of the said Parish at least Seven Days before the Day of Meeting, or by Letter addressed to each of the acting Commissioners, and left at the General Post Office in the said Town for such Commissioners, or at his or their usual Place of Abode, or delivered personally to him or them, at least Three Days before the Day of Meeting; and it shall be lawful for the Commissioners present at such First Meeting, or at any subsequent Meeting for the Execution of this Act, from Time to Time to adjourn, and from Time to Time to appoint their next Meeting, to be holden at any future Day and Time not exceeding Fourteen Days from the last Day of Meeting, and at the same or any other convenient Place within the said Town; and if at the Time and Place appointed for any Meeting there shall not be a sufficient Number of Commissioners to act, or in case the Commissioners at any Meeting assembled shall omit to adjourn, then and in every such Case any Commissioner present, or the Clerk or Clerks of the said Commissioners, shall adjourn the Meeting to some future Day, not exceeding Fourteen Days then next ensuing, of which Adjournment such Clerk or Clerks shall give at least Seven Days previous Notice in Writing to be affixed on the Church Door of the said Parish; and in case no Adjournment or Notice shall be made or given as aforesaid, then it shall and may be lawful for any Three or more of the said Commissioners, although not assembled at a Meeting, or their Clerk or Clerks, to call a Meeting of the Commissioners, by Notice in Writing to be affixed on the Place aforesaid, or by Letter addressed to each of the acting Commissioners, and left at the General Post Office in the said Town for such Commissioners, or at his or their usual Place of Abode, or delivered personally to him or them, appointing a Meeting to be held on some future Day, not sooner than Seven Days and not exceeding Fourteen Days from the Day of affixing such Notice, or the Delivery of such Letters as aforesaid, as the Case may be.

First and  
other Meet-  
ings.

VIII. And be it further enacted, That if it shall at any Time be thought necessary to hold a Meeting before the Time at which a Meeting is herein-before directed or required to be held as aforesaid, then and in such Case it shall be lawful for the said Commissioners, or any Three or more of them, or their Clerk or Clerks, by the Direction in Writing of

Meeting on  
Emergencies.

[Local.]

any Three or more of the said Commissioners, to call an earlier Meeting, of which at least Three Days previous Notice shall be given, in the same Manner as last herein-before mentioned.

Appointment  
of Clerks and  
other Offi-  
cers.

IX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and required, from Time to Time, to nominate and appoint a Clerk or Clerks, a Treasurer or Treasurers, a Collector or Collectors of the Rates herein-after mentioned, a Surveyor of Works, and such other Officers as the said Commissioners shall think necessary and proper for the due Execution of this Act; and the said Commissioners are hereby required to take Security from their Treasurer or Treasurers, or such of the said Officers as shall be entrusted with the Receipt and Disbursement of Money, for the due Execution of his or their respective Offices; and it shall be lawful for the said Commissioners from Time to Time to remove and displace any of such Officers, and to nominate and appoint another or others in the Room or Place of any of them who shall be so removed or displaced, or who shall die or resign such Offices, or become incapable of acting therein, and out of the Monies to be raised as herein-after mentioned to make and pay such Salaries or other Allowances to such Officers respectively, and also to such other Person or Persons as shall be aiding and assisting to the said Commissioners in the Execution of this Act, as to the said Commissioners shall from Time to Time seem reasonable.

Treasurer  
and Clerk  
not to be  
the same  
Person.

X. And be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has or have been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, the Clerk or Clerks to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered with  
full

full Costs of Suit 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.

XI. And be it further enacted, That if any Clerk or Clerks, Treasurer or Treasurers, or other Officer or Officers employed by the said Commissioners for the Purposes of this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever (other than such Salary or Allowance as shall be appointed and allowed by the said Commissioners, or as is specified and allowed in and by this Act), for or on account of any thing done by virtue of this Act, or for forbearing to do any thing ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his or their Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of this Act, every such Person so offending shall be incapable afterwards of serving or being employed under the said Commissioners, and shall forfeit and pay the Sum of Five Pounds for every such Offence.

Clerks or  
Treasurers  
not to exact  
Fees.

XII. And be it further enacted, That all such Officers as shall be so appointed to any of the Offices aforesaid, shall at any 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 or for the Purposes of this Act, and how much thereof hath been paid and disbursed, and to whom and for what Purposes, together with Vouchers and Receipts for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Commissioners, or such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or neglect to make and render any such Accounts, or to produce and deliver up such Vouchers and Receipts 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 Twenty-one Days after being thereunto required by the said Commissioners, by Notice in Writing to be given to or left at the last known or usual Place of Abode of such Officer or Person, all Books, Papers, or Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Commissioners respecting the same, then and in every such Case, upon Complaint made by the said Commissioners or any One or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to 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 authorized and required, by 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, or not being to be found, to hear and determine the Matter in a summary

Officers to  
account.

mary

mary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby authorized 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 in the Hands of such last-mentioned Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment 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 and Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money and the Charges for distraining and selling the same, or if it shall appear to such Justice that such Officer or Person has refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid, such Justice shall commit such Offender to the House of Correction for the County, Division, or Place where such Offender shall be and reside, there to remain without Bail or Mainprize until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the Commissioners are hereby empowered to make and receive), and until he shall have given up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners or to such Justice: Provided always, that no Person who shall be committed by virtue of this Act on account of not having sufficient Goods and Chattels, shall be detained in Prison for any longer Term than Three Calendar Months; provided also, that if any Money shall remain due from such Officer or Person, the Commitment of him to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety or Sureties, but such Officer or Person, and his Surety and Sureties, shall remain liable to the Payment thereof, in the same Manner as if such Officer had not been committed to Prison.

In case an Officer die, his Executors, &c. to account.

XIII. And be it further enacted, That in case of the Death of any Officer before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of this Act, or made such Composition for the same as aforesaid, then and in every such Case the Executors or Administrators of such Officer so dying shall pay and satisfy the same out of the Estate and Effects of such Officer unto the said Commissioners, or any Person appointed by them in that Behalf, in like Manner as other Debts are directed by Law to be discharged by such Executors or Administrators; and also shall deliver up all Books, Papers, Writings, and other Things concerning his Office or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators, who shall and may plead such Payment in any Action or Suit which may be brought against them on account of the said Estate and Effects, and give the same in Evidence; and in case of the Non-payment of such Monies, or the Non-delivery of such Books, Papers, Writings, and Things,



Things, for the Space of Twenty-one Days after Demand made thereof in Writing by or on the Behalf of the said Commissioners, it shall be lawful for the said Commissioners to commence and prosecute an Action or Actions in any of His Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, for the Recovery of the said Monies, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action or Actions full Costs of Suit shall be recoverable by the said Commissioners.

XIV. And be it further enacted, That the said Commissioners shall cause proper Books to be provided and kept, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all such Commissioners as shall be present at their several Meetings; and all Entries in such Books shall be signed by the Commissioners at such Meeting concurring in the Act, Order, or Proceedings so made and entered, and all Entries so signed shall be deemed Originals; and the said Books shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and such Books shall be kept by the Clerk or Clerks to the said Commissioners, and shall at all Meetings be open to the Inspection of the Commissioners; and any of the said Commissioners, or any other Person or Persons charged to the Rates herein-after granted and made payable, and all Creditors on the said Rates or any of them, shall at all seasonable Times be permitted to have Copies of any Entries in such Books, paying for such Copies after the Rate of Sixpence for every One hundred Words.

Proceed-  
ings to be  
entered, &c.

XV. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time, and at all Times hereafter, to order and direct a Book or Books to be provided and kept by the Clerk or Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money which shall be received, paid, laid out, and expended in pursuance of the Powers and Provisions of this Act, by or 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 paid, laid out, and expended; which Books shall at all seasonable Times be open to the Inspection of the Commissioners, and any Creditor or Creditors on the Rates hereby granted, and any Person or Persons who shall be rated to the same, without Fee or Reward; and the said Commissioners and Creditors, and such Persons rated as aforesaid, or any of them, shall and may take Copies of or Extracts from the said last-mentioned Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk or Clerks shall refuse to permit or shall not permit the said Commissioners, or such Creditors, or such Persons so rated as aforesaid, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, he and they shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Books of  
Account to  
be kept by  
Clerks.

XVI. And be it further enacted, That an annual Meeting of the said Commissioners shall be held in the Month of *September* in every Year, which shall be called the Annual General Meeting of the Com-

Accounts to  
be audited at  
the annual  
Meeting.

missioners; and at such Annual General Meetings, or some Adjournment thereof, the Accounts of all Monies received and paid in pursuance of the Provisions and Powers of this Act, by, for, or on account of the said Commissioners, shall be produced, stated, examined, audited, and settled; and that an Abstract of the same Accounts shall be published yearly in some Newspaper printed or circulated within the said Town.

All Monies to be paid to the Treasurer.

XVII. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the said Commissioners, by or from any of the Rates or Assessments hereby authorized, or which shall be by them borrowed on Mortgage, or received on the Sale of Annuities for the Purposes of this Act, or which shall be otherwise payable to them under any of the Provisions of this Act, shall from Time to Time be paid into the Hands of the Treasurer or Treasurers of the said Commissioners for the Time being; and no Sum or Sums of Money shall be disbursed or paid by such Treasurer or Treasurers of the said Commissioners on behalf or on the account of the said Commissioners, without an Order in Writing signed at a Meeting of the said Commissioners to be held in pursuance of this Act by the Chairman of such Meeting for the Time being; and there shall be several Orders for the Payment of all Monies to be disbursed on account of the Paving and Highway Rate, and on account of the Lighting, Watching, and Improvement Rate.

In whose Name Commissioners may sue and be sued.

XVIII. And be it further enacted, That the said Commissioners may sue and be sued in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers for the Time being; and no Action or Suit so to be brought and commenced by or against the said Commissioners, shall abate or be discontinued by the Death, Removal, or Default of any such Clerk or Clerks, Treasurer or Treasurers, but shall be continued and carried on in the Name or Names of the Clerk or Clerks, or Treasurer or Treasurers, in whose Name or Names the same shall have been brought or defended; and the Clerk or Clerks, Treasurer or Treasurers, shall always be Plaintiff or Plaintiffs, or Defendant or Defendants, in such Action or Suit, as the Case may be: Provided always, that all Costs and Expences to be incurred by the said Commissioners, or their Clerk or Clerks, Treasurer or Treasurers for the Time being, in prosecuting or defending any Action or Suit touching the Execution of this Act, shall be defrayed out of the Money to be collected and raised under the Provisions of this Act: Provided always, that such Clerk or Clerks, Treasurer or Treasurers, shall not on that Account be deemed an inadmissible Witness or Witnesses in any such Action or Suit, except only in such Action or Suit as shall be on his or their own personal Account.

Expences to be paid out of Monies raised by Act.

Clerk and Treasurer admissible as Witnesses.

Actions against Clerk and Treasurer to be brought in the Name of a Commissioner.

XIX. Provided always, and be it further enacted, That in any Action to be brought by the said Commissioners against the Treasurer or Treasurers, or Clerk or Clerks for the Time being, the same shall be commenced and prosecuted in the Name of One of the Commissioners for executing this Act; and that no such Action shall abate or be discontinued by reason of the Death or Resignation, or by the Act of such Commissioner, without the Consent of the said Commissioners, or any One or more of them; but that such Commissioner in whose Name any such Action shall be brought shall be deemed to be the Plaintiff in every such

such Action, and shall be fully reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Damages, Costs, Charges, and Expences as by the Event or in consequence of any such Action or Proceeding he shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being made such Plaintiff as aforesaid.

XX. And be it further enacted, That no Contract which shall be made by the said Commissioners for any of the Purposes of this Act, shall be binding upon the said Commissioners as Individuals, or in their private Capacities; nor shall any of the said Commissioners personally, or their respective Estates, be answerable for or subject to the Payment of any of the Mortgages or Annuities to be granted in pursuance of this Act; and all Money which shall be expended by or recovered against the said Commissioners, or any of them, by or in any Action, Prosecution, or Appeal, to be brought either by or against the said Commissioners touching the Execution of this Act, shall be defrayed out of the Monies to be raised for the general Purposes of this Act.

Commis-  
sioners not  
individually  
answerable  
for Contracts,  
&c.

XXI. Provided always, and be it further enacted, That all and every the Commissioners herein-before named and hereafter to be appointed, shall from Time to Time, and at all Times hereafter, be fully indemnified, from and out of the Monies to be raised under and by virtue of this Act, of and from all Costs, Charges, Damages, and Expences which they, or any of them, or their Treasurer or Treasurers, or Clerk or Clerks as aforesaid, shall or may pay, sustain, or be put unto for or by reason of any Action, Suit, or Proceedings which may be had, sued, commenced, or prosecuted against them, or any or either of them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of this Act, and the Trusts reposed in them under the same.

Commis-  
sioners in-  
demnified  
when acting  
legally.

XXII. And be it further enacted, That it shall be lawful for the said Commissioners to erect and build, or from Time to Time to hire any Room or Building and Premises, as they shall think fit, in any convenient Part or Parts within the Limits of this Act, for the Purpose of making use thereof as and for an Office or Offices for keeping their Accounts, holding their Meetings, and transacting the Business relating to this Act, and as a Storehouse or Storehouses for keeping their Implements and Materials, and for other the Purposes of this Act; and to pay out of the Money to arise by virtue of this Act the Expence of making such Erections and Buildings, or such yearly Rent or Rents as they the said Commissioners shall from Time to Time agree upon, and also to accept and take a Lease of such Room, Building or Buildings, and Premises, to themselves or any of them, or any Person or Persons in Trust for them, for any Term or Number of Years, at and under such yearly Rent or Rents as they shall from Time to Time think fit, and to pay such Rent or Rents out of the Monies aforesaid.

Commis-  
sioners may  
build or hire  
Rooms, &c.

XXIII. And be it further enacted, That all present and future Pavements in the several Streets, Lanes, Highways, Passages, and other public Places within the said Town, and the Stones, Flags, Bricks, Gravel, and other Materials of which as well the Carriageways as the Footways within the said Streets, Lanes, Highways, Passages, and other public Places, do and shall

Pavements  
and Mate-  
rials of  
Streets, &c.  
vested in the  
Commission-  
ers.

shall consist; and also such Office and Store Room as aforesaid; and all Watch Boxes and other Erections, which shall be hereafter erected, provided, fixed, or set up by virtue or for the Purposes of this Act; and all the present and future public Wells, Pumps, Posts, Rails, Chains, and Grates in the said Streets, Lanes, Highways, Passages, and other public Places; and the Materials of all Houses and other Buildings which shall be purchased and pulled down by the said Commissioners in pursuance of this Act; and all Materials, Tools, Utensils, Carriages, Implements, and other Things, which shall be purchased or provided by the said Commissioners for the Purposes of this Act; and all the Soil, Manure, Ashes, Dirt, and Rubbish, which shall be deposited or laid, or be swept, gathered, or collected in the said Streets, Lanes, Highways, Passages, and other public Places, or any of them, shall belong to and be the Property of, and the same are hereby vested in the said Commissioners for the Time being; which Commissioners shall be known by the Name of "The Commissioners for the Improvement of the Town and Parish of *Louth*;" and the said Commissioners shall and may cause any Action or Actions to be brought, or direct any Bill or Bills of Indictment to be preferred, (as the Case may require) against any Person or Persons who shall steal, take, or carry away, detain, deface, damage, injure, or destroy the several Articles and Things hereby vested in 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 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 such Bill or Bills of Indictment shall be preferred, is or are the Property of "The Commissioners for the Improvement of the Town and Parish of *Louth*," without stating or specifying the Names of all or any of the said Commissioners.

Penalty on  
damaging  
Property  
vested in  
Commis-  
sioners.

XXIV. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break, throw down, destroy, deface, or otherwise damage or injure any of the Articles or Things hereby vested in the said Commissioners, or any of the Works executed by them or by their Order in pursuance of this Act, then every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds, and shall moreover pay unto the said Commissioners such Sum of Money as shall be a full Satisfaction for the Damages so done as aforesaid; and such Damages having been ascertained by some Justice or Justices of the Peace, the same shall and may be levied and recovered from such Person or Persons so offending as aforesaid; in the Manner herein-after directed for the Recovery of Penalties incurred by virtue of this Act; and when so recovered, the same shall be paid to the Treasurer of the said Commissioners, to be applied as herein-after mentioned.

Penalty on  
taking away  
Materials  
provided by  
Commis-  
sioners.

XXV. And be it further enacted, That if any Person or Persons shall remove or take away any Stones, Gravel, or other Materials laid upon or near such Streets, Lanes, Roads, Highways, Paths, or other public Passages or Places, or any Part thereof, without the Order of the said Commissioners for that Purpose, or if any Person or Persons shall take away any Stones, Gravel, or other Materials which have been dug, got, or gathered by or by Order of the said Justice or Justices or Commissioners, in any Land, Field, or Waste Ground, River or Brook, for the Purpose of amending or repairing such Streets, Lanes, Roads, Highways, Paths,  
or

or other public Passages or Places, or any Part or Parts thereof, or shall get or take away any Stones, Gravel, or other Materials out of any Pit or Quarry which shall have been made for the Purpose of getting such Materials, before the said Commissioners, or their Surveyor or Surveyors, or Workmen, shall have discontinued working therein for the Space of Six Weeks, (except the Owner or Occupier of any private Ground wherein such Pit or Quarry shall have been made, and Persons authorized by such Owner or Occupier to get Materials therein for his or her own private Use only, and not for Sale,) every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XXVI. And be it further enacted, That all and every the present and future Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Parish, comprehending as well the Carriageways as the Footways, shall, for the Purposes of this Act, absolutely vest in and belong to the said Commissioners for the Time being; and it shall be lawful for the said Commissioners, and they are hereby authorized and required, from Time to Time and at all Times hereafter, to cause the said Streets, Roads, Lanes, Highways, Passages, and other public Places to be paved and flagged, or otherwise repaired, amended, and supported, and widened and improved, in such Manner and with such Materials as the said Commissioners shall think proper; and to cause the Pavements, Flags, and other Materials thereof, from Time to Time to be taken up and relaid, and the Ground whereupon the same shall be laid to be raised, lowered, or altered, in such Manner as the said Commissioners shall direct; and from Time to Time to cause any Gutters, Drains, or Watercourses to be made in, through, over, or under any of the said Streets, Lanes, Roads, Highways, Passages, or other public Places, for carrying off Water from the same, and any of the present or future Gutters, Drains, or Watercourses therein to be stopped up, or otherwise opened, enlarged, altered, or cleansed, in such Manner as the said Commissioners shall think expedient; and from Time to Time to cause Grates to be placed in or over any of the said Gutters, Drains, or Watercourses, and to remove, alter, or vary the Situations of the present or any future Grates placed or to be placed in or over the same, in such Manner as the said Commissioners shall think proper; and also to order and cause the Removal of all or any of the Posts, Stones, Rails, or Pales, which are or shall be in any of the said Streets, Lanes, Roads, Highways, Passages, or other public Places, and which shall be useless or an Obstruction to the free Passage along the same, and from Time to Time and at all Times to cause all Acts, Matters, and Things to be done and executed which shall be necessary and proper for maintaining the said Streets, Lanes, Roads, Highways, Passages, and other public Places in complete Order and Repair; and for the Purposes aforesaid, or for the Purposes herein-after mentioned, or any of them, from Time to Time to appoint and employ such and so many Paviours, Artificers, Workmen, Labourers, Carters, and other Persons, and to purchase or hire, employ and use such Horses, Carts, Tools, and Implements, as the said Commissioners shall judge to be necessary for carrying this Act into Execution; and the several Persons so to be appointed and employed by the said Commissioners for the aforesaid Purposes, shall have and are hereby invested with full Power and Authority to execute the same.

Streets and Highways vested in Commissioners, with Power to pave, &c.

To appoint Paviours, &c.

To allow the  
Construction  
of Vaults.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to prevent the Construction of any Vaults or Areas below the Level of the said Roads, Footways, or Pavements, on the Side or Sides thereof; and that it shall be lawful for the said Commissioners to authorize and empower any Person or Persons, being the Owners or Occupiers of any House or Houses erected or to be erected on the Side or Sides of such Roads, Footways, or Pavements, or any Part thereof, to construct any Arch or Arches under the said Roads, Footways, or Pavements in front of such House or Houses, for the Purpose of making any Cellar or Cellars, or otherwise.

Commissioners  
not to be  
liable to the  
Repair of  
Bridges, &c.

XXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend to compel or oblige the said Commissioners to repair, amend, or maintain any Bridges whatsoever within the said Town and Parish, which the Inhabitants of the said Town and Parish are not at present bound by Law to repair and amend; but that the same and every of them shall be repaired, amended, and maintained by such Person or Persons, or Body or Bodies Politic or Corporate, as would have been subject and liable to repair and amend the same respectively in case this Act had not been passed.

Surveyors to  
be appointed  
by Commis-  
sioners, with  
Salary.

XXIX. And be it further enacted, That at all Times from and after the passing of this Act, the said Commissioners, or any Five of them (the Warden or Justice of *Louth* for the Time being being One), shall and may, by Warrant under their Hands and Seals, yearly and every Year appoint One or more substantial Inhabitant or Inhabitants of the said Town and Parish, duly qualified according to the Provisions of the General Highway Statutes, to be the Surveyor or Surveyors of the Streets, Lanes, Roads, Highways, Passages, and public Places within the said Town and Parish; and the said Commissioners, or any Five of them (such Warden or Justice being One), shall also have Power from Time to Time to remove any such Surveyor or Surveyors, and to appoint any other such Person or Persons in his or their Stead; and shall and may allow to any Surveyor or Surveyors so to be appointed by them as aforesaid, such Salary or other Recompence for executing the said Office as the said Commissioners shall think proper; and if any Person to be appointed a Surveyor in pursuance of this Act shall not, within Six Days after being served with the Warrant of his Appointment, or a Copy thereof, signify his Acceptance of the said Office of Surveyor, either in Person or by Writing, to the Clerk or Clerks of the said Commissioners; or after having accepted such Office shall neglect or refuse to perform and execute any lawful Order or Direction which shall be given to him by the said Commissioners under the Authority of this Act, relating to the Execution of his Office, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Ten Pounds: Provided nevertheless, that no Person shall be obliged to serve the said Office of Surveyor for a longer Period than Two Years together, nor in any Case wherein he shall have paid the said Penalty for refusing to accept the said Office of Surveyor; nor shall any Person be liable to be again appointed to the said Office, without his own Consent, during the Space of Ten Years next after his having served the same, or paid the said Penalty for not accepting the same as aforesaid; nor shall any Person above the Age of Sixty Years be compellable to serve the said Office of Surveyor.

XXX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required from Time to Time, and at all Times hereafter, to cause all or any of the public Wells and Pumps, Springs, Rivulets, and Watercourses within the said Town and Parish, to be repaired, supported, scoured out, cleansed, and kept in good Order and Condition, and made and kept serviceable for the Use of the Inhabitants of the said Town and Parish, and all Nuisances or Obstructions thereto to be removed; and also to cause such and so many Common Sewers, new Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses, of such Dimensions and Forms as they may think sufficient and necessary, to be made and constructed in, along, through, over, under, across, or adjoining any of the said Streets, Lanes, Roads, Highways, Passages, and public Places; and also from Time to Time to cause any of the present or future Sewers, Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses, or any Part or Parts thereof respectively, to be altered, stopped up, opened, scoured, cleansed, widened, deepened, straightened, or completed, or the Form or Line thereof to be turned, altered, varied, or changed, in such Manner as they the said Commissioners shall think fit; and in case it shall be found necessary for completing any of the aforesaid Sewers, to carry and continue the same into and through any inclosed Lands or Grounds lying within the said Town and Parish, it shall be lawful for the said Commissioners to carry and continue the same into and through the said Lands or Grounds accordingly, such Lands or Grounds respectively not being occupied as Courts, Yards, Gardens, or Orchards, or as Avenues or Approaches to any Dwelling Houses: Provided always, that if the Owners of any such Lands or Grounds, into or through which any such Sewer shall be carried or continued by the said Commissioners as aforesaid, shall be injured or damaged thereby, and such Owners shall refuse to treat, or cannot agree with the said Commissioners as to the Recompence or Compensation to be paid for such Injury or Damage, then the said Commissioners shall make and pay to such Owners respectively, such Recompence or Compensation for the same as shall be assessed and awarded by the Inquisition of a Jury, to be had in like Manner and subject to the same Provisions as are hereinafter directed in regard to other Inquisitions of Juries to be had touching other Compensations to be made by the said Commissioners.

Power to maintain public Wells and Pumps, and make, alter, or stop up Sewers, Drains, &c.

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

Private Drains to be repaired, &c. at the Expence of Owners.

XXXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or their Surveyor or Surveyors for the Time being, and the Person or Persons appointed by them, and they are hereby respectively authorized, from Time to Time, to open, scour,

Surveyors to cleanse, alter, or stop up private Drains, &c. if Owners cleanse,

neglect after  
Notice  
given.

cleanse, widen, straighten, make deeper, turn, alter, vary, or stop any of the present or future private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses running into, over, under, through, adjoining, or upon any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Parish, or to make or cause to be made any new private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses in, through, under, over, or adjoining to any such Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Parish, for the Purpose of conveying, draining, and taking away any Sink Float or other refuse Water, and preventing the same from running over the Surface of the Streets, Lanes, Roads, Highways, Passages, and other public Places, in case the Owner or Owners, or Occupier or Occupiers of the Messuages, Buildings, Lands, or Tenements adjoining the same shall neglect or refuse so to do Ten Days next after Notice in Writing, signed by the Clerk or Clerks of the said Commissioners, and delivered to or left at the last or usual Place or Places of Abode of such Owner or Owners, Occupier or Occupiers, requiring them so to do.

Pavements,  
Drains, &c.  
not to be  
taken up or  
altered.

XXXIII. And be it further enacted, That if any Person or Persons shall at any Time hereafter take up, remove, or alter, or cause to be taken up, removed, or altered, any Part of the Pavements, Flags, or other Materials of the Carriageways or Footways in the said Streets, Lanes, Highways, Passages, or other public Places, or any of them, or shall make or cause to be made any Alteration in any of the Tunnels, Gutters, Soughs, Drains, or Watercourses therein, without the previous Consent or Authority of the said Commissioners in Writing, signed by the Clerk or Clerks to the said Commissioners, and made or given at some Meeting held in pursuance of and according to the Directions of this Act, every Person so offending shall forfeit and pay for every such Offence the Sum of Five Pounds, over and above the Expence of reinstating the same; and the said Pavements, Tunnels, Gutters, Soughs, Drains, or Watercourses, shall be reinstated under the Direction and to the entire Satisfaction of the said Commissioners or their Surveyor.

New Streets,  
when paved,  
&c. to be  
public  
Streets.

XXXIV. And be it further enacted, That it shall be lawful for any Two Justices of the Peace acting for the said Town, when and so often as any new Street, Road, or Passage, which has heretofore been or shall be hereafter laid out and made in the said Town and Parish of *Louth*, shall be well and effectually paved, stoned, or otherwise be put into good Order and Repair, to the Satisfaction of such Justices, and they are hereby empowered, on Application of the Owners of the Messuages or Buildings therein, or a Majority of them in Value, according to the Poor's Rate for the said Town and Parish of *Louth*, from Time to Time, by any Writing under their Hands, to declare the same to be public Streets, Roads, Highways, Passages, and Places; and from and after such Declaration made, such new Streets, Roads, Lanes, Passages, or Places as aforesaid, and every of them, shall be deemed and taken to be public Streets, Roads, Highways, Passages, and Places, to all Intents and Purposes, and shall be repaired and kept in Repair by the said Commissioners under the Powers and Provisions of this Act, and subject to the several Provisions herein contained relating to the present Streets, Roads, Highways, Passages, and Places.

XXXV. And



XXXV. And be it further enacted, That the respective Owners or Occupiers of Land, the Hedges of which next adjoin to any Street, Lane, Road, Highway, public Passage or Place within the said Town and Parish, shall from Time to Time cut, frame, and trim such Hedges, so that they shall not exceed the Height of Six Feet from the Surface of the Ground; and also cut down, prune, or lop the Branches of the Trees, Bushes, and Shrubs growing in or near such Hedges or other Fences adjacent to every such Street, Lane, Road, Highway, public Passage or Place, in such Manner that the Road shall not be prejudiced by the Shade thereof, and that the Sun and Wind may not be excluded from such Road to the Damage thereof; and if any such Owner or Occupier shall not, within Ten Days after Notice given for that Purpose by a Surveyor appointed under this Act, cut, frame, and trim such Hedges, or cut down, prune, or trim such Branches of Trees, Bushes, or Shrubs in manner aforesaid, it shall and may be lawful for the said Surveyor, and he is hereby required, to make Complaint thereof to some Justice of the Peace for the said Town, who shall summon before him such offending Occupier to answer the said Complaint; and if it shall appear to such Justice that such Occupier has not complied with the Requisites of this Act in that Behalf, it shall and may be lawful for such Justice, upon hearing the said Surveyor and Occupier, or in default of the Appearance of such Occupier, upon having due Proof of the Service of such Summons, and considering the Circumstances of the Case, to order such Hedges to be cut, trimmed, and pruned, and such Branches of Trees, Bushes, and Shrubs to be cut down, or pruned or trimmed, as hereby required; and if the Occupier of such Lands shall not obey such Order within Ten Days after he or she shall have had due Notice thereof, he or she shall for every such Offence forfeit the Sum of Twenty Shillings; and any Surveyor as aforesaid, in case of such Default made by the Occupier, shall and he is hereby required to cut, prune, and trim such Hedges, and to cut down, prune, or trim such Branches of Trees, Bushes, and Shrubs, in the Manner directed by the said Order, and such Occupier shall, over and above the said Penalty, pay the Charges and Expences of doing the same, or in default thereof the same shall be recovered and levied in such Manner as is authorized for Forfeitures incurred against any of the Provisions of this Act: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to any Fences, Trees, Bushes, or Shrubs, being in any Garden, Orchard, Plantation, Walk, or Avenue to a House, nor to any Trees, Bushes, or Shrubs, being an Ornament or Shelter to a House, unless the same shall hang over the Road, or any Part thereof, in such Manner as to impede or annoy any Carriage or Person travelling thereon.

For cutting  
Hedges and  
Trees.

Penalty of  
20s. for not  
doing so,  
over and  
above the  
Expence of  
cutting, &c.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners or their said Surveyor, during such Time as any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Parish shall be under Repair, or during the making or repairing of any Sewers or Drains therein, to cause such and so many Bars, Posts, Rails, and Chains, to be fixed, set up, and placed across or in any of the said Streets, Lanes, Roads, Highways, Passages, or other public Places, to prevent the passing of Carriages, Horses, and Cattle, whilst such Works and Repairs are in progress, as to the said Commissioners shall seem proper; and if any Person or Persons shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, or Chains,

Power to  
place Bars,  
&c. across  
Streets under  
Repair.

[Local.]

39 R

without

without the Authority or Consent of the said Commissioners, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Power to set up Posts for guarding Footways.

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to erect and set up, in such Parts of the said Streets, Lanes, Roads, Highways, Passages, and other public Places as the said Commissioners may think necessary, any Posts, Pillars, Stones, Rails, Bars, Chains, or other Fence, either permanent or temporary, for the Purpose of preserving any of the Footways within the said Town and Parish clear from Annoyance by Horses, Cows, Swine, or other Beast, and for the Purpose of keeping off Carriages and Cattle from any of the said Footways, and for the Prevention of Accidents.

Occupiers of Houses to cleanse Footpaths.

XXXVIII. And be it further enacted, That the several and respective Occupiers of Houses, Buildings, and Premises in the several Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Parish, shall and they are hereby required to cause the several Foot Pavements along the whole Length of their respective Houses and Buildings and Premises thereto adjoining, to be well and sufficiently swept and cleansed every *Tuesday* and *Saturday* in each and every Week in the Year, before Ten of the Clock in the Morning of each of the aforesaid Days, and at all other Times when Snow or Ice shall lodge thereon; and in case of any Default in the Premises, every such Occupier so making Default shall forfeit and pay any Sum not exceeding the Sum of Ten Shillings for each Default.

Commissioners may cleanse Footpaths.

XXXIX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, and as they shall think proper, to compound by the Year or otherwise, at their Discretion, with all or any of the Occupiers of Houses or Buildings within the said Town and Parish, for relieving the Persons so compounding from the Burthen of sweeping and cleansing of any of the said Foot Pavements to which the said Owners would have been liable under the Provisions of this Act, at or for such Sum or Sums of Money as the said Commissioners shall think reasonable in that Behalf; upon Condition, nevertheless, that such Composition Money shall always be paid in advance; and such Compositions when so made shall, during the Existence thereof, protect the Owners so compounding from incurring any Penalties for neglecting to sweep or clean any of the said Foot Pavements.

Streets may be watered.

XL. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Streets, Lanes, Roads, Ways, and public Passages and Places within the said Town and Parish, to be watered at such Seasons and Times as the said Commissioners shall direct, and to cause such Number of Wells and Pumps to be dug, sunk, and made in any of the said Streets, Highways, Passages, and Places as they shall think necessary, and from Time to Time to alter and repair the same as there shall be Occasion, and to defray the Expences thereof out of the Monies to be raised by virtue of this Act: Provided that no such Well or Pump shall be sunk or made so as to injure any House or other Building in, or any Vault or Cellar under any of the said Streets or other public Passages or Places.

**XLI.** And be it further enacted, That it shall and may be lawful for the said Commissioners, and they or any Five of them (the aforesaid Warden or Justice for the Time being being One) are hereby required, from Time to Time, to appoint and employ any proper Person or Persons to be and act as a Scavenger or Scavengers for cleansing the Streets, Lanes, Roads, Passages, and other public Places within the said Town and Parish, and for carrying all Dirt, Dust, Dung, Filth, and Soil away from the same, and from Time to Time to order and direct on what Days and at what Times in every Week the particular Streets, Lanes, Roads, Passages, and other public Places within the said Town and Parish shall be cleansed, and the Dirt, Dust, Dung, Filth, and Soil carried away therefrom, and how and in what Manner the same shall be carried away, and where the same shall be deposited, and to give such Orders and Directions to any such Scavenger or Scavengers as shall appear necessary to such Commissioners; or otherwise it shall be lawful for the said Commissioners from Time to Time to contract with any Person or Persons willing to act as such Scavenger or Scavengers, for cleansing every or any Part of the said Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town, and for carrying all Dirt, Dust, Dung, Filth, and Soil away from the same, at such Times and in such Manner as shall appear expedient to the said Commissioners.

Scavengers<sup>s</sup> may be appointed.

**XLII.** And be it further enacted, That no Scavenger or other Person shall sweep, rake, or place, or cause to be swept, raked, or placed, any of the Mud, Dirt, Dust, Rubbish, Ashes, Filth, or Soil to be found in any of the said Streets or other public Passages or Places within the Limits of this Act, or brought therein, into any Common Sewer, Drain, or Tunnel thereunto belonging, but every such Person shall place, sweep, or rake the same together, so as to lie at the Distance of Six Feet at the least from each Side of the Grates to belong to or be placed over such Common Sewers, Drains, or Tunnels, and at the Distance of Three Feet at the least from the Channel where the Width of the Street, Lane, or Place will admit thereof; every Person or Persons so offending shall forfeit and pay any Sum not exceeding Twenty Shillings.

Soil not to be swept into the Drains.

**XLIII.** And be it further enacted, That if any Person or Persons who shall have entered into any Contract or Contracts with the said Commissioners for cleansing the Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Parish, or any of them, shall omit or neglect to perform, execute, and fulfil the Conditions of such Contract in every respect according to the true Intent and Meaning thereof, then and in such Case it shall and may be lawful for the said Commissioners to commence and prosecute any Action or Actions against any such Person or Persons so contracting, for any Breach of any such Contract.

Penalty on Scavengers not performing their Contracts.

**XLIV.** Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to take away the Liability of the said Warden and Assistants, as Guardians of the Free Grammar School of King *Edward* the Sixth in *Louth* aforesaid, or their Lessees or Lessee for the Time being, to repair, amend, cleanse, and sweep the Pavements in the several Market Places in the said Town, heretofore usually repaired, amended, cleansed, and swept by them, but the same shall from Time to Time and at all Times hereafter be paved, amended, and kept in

Warden and Assistants, or their Lessees, liable to repair and cleanse Pavements as heretofore.

repair,

repair, and shall be swept and cleansed by the said Warden and Assistants, or their Lessees or Lessee for the Time being of the Tolls arising from the Markets or Fairs held in the said Town, in such Manner and Form, at such Times, and under and subject to such Orders, Rules, Regulations, and Appointments, as they the said Commissioners, or any Five or more of them, shall order, direct, and appoint; and in case the said Warden and his Assistants, their Lessees or Lessee, shall refuse or neglect to repair, amend, cleanse, and sweep the same Pavements and Places, or such Part or Parts thereof as he, she, or they are respectively liable and directed to do, for the Space of Fourteen Days as to repairing, and One Day as to cleansing, after Notice in Writing under the Hands of the said Commissioners or any Three or more of them, or signed by their Clerk or Clerks, shall be given to such Defaulter or Defaulters, or left at his, her, or their usual Place of Abode, then and in such Case it shall and may be lawful for the said Commissioners, and they are hereby authorized and required, to order and direct, and cause the same to be forthwith, by their own Workmen, repaired and amended with their own Materials, and to be cleansed and swept, and to charge the full Expences thereof to and upon such Defaulter or Defaulters, and also to impose any Fine for every such Neglect not exceeding Twenty Shillings; and in case such Defaulter or Defaulters shall refuse or neglect to pay such Expences, together with the said Fine, within Five Days after the same shall be demanded by the Collector or Collectors, that then and in every such Case the same Expences, together with the said Fine, shall be recovered and recoverable in the same Manner as is herein-after directed for the Recovery and Application of Penalties.

No Dirt to be taken from Streets except by Scavengers.

XLV. And be it further enacted, That no Person or Persons, other than the Person or Persons to be appointed or contracted with as Scavenger or Scavengers, shall take or carry away, or cause to be taken or carried away, any Dust, Dirt, Dung, Drift, Offal, Rubbish, Ashes, Filth, or Soil (other than Rubbish or Dirt occasioned by Building), out of or from any of the said Streets, Lanes, Roads, Passages, or other public Places, for the Purpose of cleansing the same, upon pain of forfeiting and paying any Sum not exceeding the Sum of Five Pounds for every such Offence: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to the Sweepings of any Pavements or Places within the said Town which shall have been swept and cleansed by any Person or Persons (other than such Scavenger) liable to sweep and cleanse the same, or to prevent any Person or Persons from keeping any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth which shall have arisen or been made within his, her, or their respective Houses, Buildings, Yards, or Premises, or from making use or disposing of the same for Manure or otherwise, so as the same be not suffered to remain there to become a Nuisance or Annoyance to any of the Inhabitants of the said Town and Parish, so as the same be not laid down or placed in any Street, Lane, Road, Highway, Passage, or other public Place within the said Town and Parish, for any longer Time than shall be necessary for loading and carrying away the same.

Inhabitants suffering their Ashes, &c. to become a Nuisance.

XLVI. Provided always, and be it further enacted, That if any Person or Persons keeping any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth which shall have arisen or been made within his, her, or their respective

respective Houses, Buildings, Yards, or Premises, shall suffer the same to remain there so as to become a Nuisance or Annoyance to any of the Inhabitants of the said Town and Parish, and shall not remove the same within Twelve Hours after Notice in Writing shall have been given to him, her, or them, signed by the Clerk or Clerks to the said Commissioners, to remove the same, which Notice shall be signed by such Clerk or Clerks after the Commissioners shall have made an Order for the Purpose, and which they are hereby authorized to do on Complaint being made to them of such Nuisance or Annoyance; or if any such Person or Persons in removing any such Nuisance or Annoyance shall put or place the same in any Street, Lane, Road, Highway, public Passage or Place, and shall permit or suffer the same to remain in any such Street, Lane, Road, Highway, public Passage or Place, for any longer Time than Six Hours; then and in either of the said Cases every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Ten Shillings for every Day that such Nuisance or Annoyance shall remain after the respective Times so limited as aforesaid.

XLVII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to subject any Person or Persons to any Penalty or Penalties for or on account of any Building Materials, Dirt, or Rubbish being laid or placed in any Street, Lane, Road, Highway, public Passage or Place, in the Course of erecting, pulling down, altering, or repairing any Building or Buildings, so as there be full and sufficient Space, in the Opinion of the Commissioners or of their Surveyor for the Time being, left in or at the Side of the Street, Lane, Road, Highway, public Passage or Place, where such Materials, Dirt, or Rubbish shall be or be placed, for Carriages to pass and repass, and a sufficient Way to be kept clear for Foot Passengers, by the Person or Persons laying or causing to be laid or placed such Materials, Dirt, or Rubbish as aforesaid; and so as a sufficient Light be at his, her, or their own Expence set and maintained at the Place where such Materials, Dirt, or Rubbish shall be so laid or placed, from Sun-set to Sun-rise, to prevent any Accident to Passengers or Cattle; and so as such Materials, Dirt, or Rubbish be inclosed or fenced off in such Manner and within such Time as the said Commissioners, or their Surveyor for the Time being, shall by any Notice, signed by their Clerk or Clerks or Surveyor, to be given to such Person or Persons, direct or appoint; and so as such Materials, Dirt, or Rubbish be removed at the Expence of the Person or Persons so laying or causing the same to be laid, within such Time as shall be expressed in any Notice in like Manner given by the said Commissioners, or their Surveyor for the Time being.

Penalties not to extend to Rubbish occasioned by Building, &c.

XLVIII. And be it further enacted, That the said Commissioners shall or may cause to be painted, engraved, or otherwise described, and placed on a conspicuous Part or Parts of any One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of every Street, Lane, Road, Passage, or other public Place within the said Town, the Name by which such Street, Lane, Road, Passage, or other Place now is or shall be called or known; and shall and may also cause every House and Building in the several Streets, Lanes, Roads, Passages, and other public Places in the said Town, to be marked and numbered with Figures, either on the Door thereof or otherwise, and in such a Manner as they

Names of Streets and Numbers of Houses to be put up.

[Local.]

shall

shall think most proper for distinguishing the same; and if any Person shall wilfully destroy, obliterate, deface, remove, or without the Consent of the Commissioners first obtained alter any such Name, Number, or Figures, or any Part thereof, or cause or procure the same to be so done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Forty Shillings.

Numbers on Houses to be renewed within Ten Days after Notice.

XLIX. And be it further enacted, That when any such Numbers or Figures painted, engraved, or otherwise described, and placed on any House or other Building within the said Town, or on the Door thereof, shall by Accident, Decay, or otherwise be defaced or rubbed out, the Occupier or Occupiers of such House or Building shall, upon Notice in Writing being given in that Behalf, signed by the Clerk or Clerks to the said Commissioners, cause the same Numbers or Figures to be painted, engraved, or otherwise described, and placed on such House or other Building, or on the Door thereof, within Ten Days after such Notice; and in case of Neglect or Refusal to comply with such Order, every such Occupier shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Ten Shillings.

Penalty on defacing public Buildings.

L. And be it further enacted, That if any Person or Persons whomsoever shall injure, damage, or deface any Wall, Pillar, Door, Window, or other external Part of the Mansion House or of the Guildhall of the said Town, or of the Church, Engine House, or any Chapel, public School, Bridges, or other public Building whatsoever within the said Town and Parish, or any Wall, Pillar, or Gate belonging to any Churchyard or Burial Ground within the said Town, or any Tomb, Monumental Stone, or Inscription in any such Churchyard or Burial Ground as aforesaid, or shall fix up any Bills or Papers (other than such Notices as may be directed by Parliament or other competent Authority) against any of the aforesaid Edifices, or any of the Walls or Doors thereof, or shall write with Chalk or any other Matter thereupon, or shall play at Ball or Fives or other Sports or Games upon or against the same, or shall deposit any Filth or commit any Nuisance upon, in, about, or against any of the aforesaid Edifices, or the Walls, Doors, or Steps thereof, or in or about any such Churchyard or Burial Ground as aforesaid, then and in any of the said Cases, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Forty Shillings.

Penalty on firing Chimnies.

LI. And be it further enacted, That if any Person or Persons shall wilfully set fire to, or cause, permit, or suffer the Chimney of any House, Workshop, Outhouse, or other Building in the said Town to be set on fire, the Person setting fire to the same, or the Occupier of every such House, Workshop, Outhouse, or other Building, or of any Part or Parts thereof, from whence such Fire shall commence or happen, shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

New Buildings adjoining to other Buildings to have Party Walls and

LII. And for better preventing Damage by Fire within the said Town, be it further enacted, That no House or other Building shall be erected or built adjoining to any other House or Houses, Building or Buildings, unless the End or Side of such new House or other Building, which shall adjoin any such other House or Building, shall consist of a Party or Division

sion Wall of Brick or Stone, of the Thickness of Nine Inches at the least; such Party or Division Wall to be carried up Four Inches and a Half above the Top of the Roof of such new House or Building; and that the Ends of every House or other Building which shall hereafter be erected or built in the said Town, whether adjoining or not to any other House or Houses, Building or Buildings, shall consist of a Party or Division Wall of Brick or Stone, of the Thickness of Nine Inches at the least, and be carried up above the Top of the Roof of such new House or Building; and that no Person shall cover or cause to be covered any House or other Building to be hereafter erected and built within any of the said Streets, Lanes, or other public Passages or Places, in the whole or in part with Thatch or Straw, upon pain that the Person employed to erect or build such House or other Building as aforesaid shall forfeit the Sum of Five Pounds, and that the Owner of and also every Person inhabiting every such House or other Building, not having such Party or Division and End Wall or Walls, and all and every Person as well the Owner as the Occupier of any House or Building hereafter built and covered with Thatch or Straw as aforesaid, shall forfeit the Sum of Forty Shillings for every Month such House or other Building shall continue without having such Party or Division and End Wall or Walls as aforesaid, or shall continue covered with Thatch or Straw as aforesaid.

End Walls of a certain Thickness, and no Buildings to be covered with Thatch.

LIII. And be it further enacted, That before any House or Building, or any Wall on new or old Foundations, or on Foundations partly new and partly old, within the said Town, shall after the passing of this Act be begun to be built or rebuilt, the Master, Workman, or other Person causing such House, Building, or Wall to be built or rebuilt, or employed in the Building thereof, shall give Twenty-four Hours Notice thereof in Writing to the Surveyor appointed by the said Commissioners; and such Surveyor shall view the said House, Building, or Wall, and see that all the Rules and Regulations in this Act contained are well and truly observed; and if any Person shall, after the passing of this Act, begin any such House, Building, or Wall, or presume to cut into any Wall now built, or to be hereafter built under the Authority or in compliance with the Directions of this Act, without first giving such Notice as aforesaid to the said Surveyor, or shall refuse such Surveyor Admittance from Time to Time, at seasonable Hours, for the Purpose of viewing the same, then every Person so neglecting to give such Notice, or so refusing such Admittance, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and also every such House, Building, or Wall so begun to be built or rebuilt without such Notice having been given, or without Admittance having been given or granted to such Surveyor as aforesaid, in case the same be not built or rebuilt in every respect agreeably to the Regulations herein contained, shall be demolished or amended by Order of any Two Justices of the Peace for the said Town, by the Builder and Owner, or such One of them as the said Justices shall require, which Order the said Justices are hereby empowered to make within Two Calendar Months after the House, Building, or Wall shall be finished; and for Disobedience to any such Order, the Party disobeying may be proceeded against by Indictment.

For preventing building contrary to the foregoing Provisions.

LIV. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Parish, and every

Doors and Gates to open inwards.

of

of them, are hereby respectively required, at their own Costs and Charges, from Time to Time, within Seven Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by the Clerk or Clerks of the said Commissioners, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their respective Occupations, (and not being Cellar Doors or Trap Doors), which now do or shall hereafter open outwards, and when opened project over any of the Streets, Lanes, Roads, Highways, Footways, Passages, and other public Places within the said Parish, to be altered so as that such Doors or Gates shall thenceforward open inwards and into their respective Premises; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by the said Commissioners in any such Door or Gate within the Period specified in such Notice, such Occupier making Default therein shall forfeit and pay any Sum not exceeding the Sum of Ten Shillings a Day for every Day during which any such Gate or Door shall be suffered to remain opening outwards after the Expiration of the Time specified in such Notice: Provided nevertheless, that when the Occupier of any such House, Building, Yard, Garden, or Land, being a Tenant at Rack Rent, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him or her to deduct and retain out of his or her Rent the reasonable Charges of altering the same, and the Proprietor or Landlord of every such House, Building, Yard, Garden, or Land so held at such Rack Rent, is hereby required to allow the same accordingly, except only in Cases where such Door or Gate opening outwards and so altered, shall have been originally put up by or under the Authority of such Occupier, in which Case such Occupier shall bear the Expence of altering the same.

Regulations  
as to Privies.

LV. And be it further enacted, That if any Person or Persons shall hereafter empty or cause to be emptied any Privy or Necessary House within the said Town and Parish, or carry or cause to be carried any of the Soil thereof through any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Parish, at any Time of the Year between the Twenty-fifth Day of *March* and the Twenty-ninth of *September*, except between the Hours of Eleven of the Clock in the Evening and Five of the Clock in the Morning, or at any Time of the Year between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March*, except between the Hours of Eleven of the Clock of the Evening and Seven of the Clock in the Morning, or shall at any Time lay, cast, empty, or spill, or cause to be laid, cast, emptied, or spilt, any of the Soil from any Privy or Necessary House, or any Night Soil, in or near any of the said Streets, Lanes, Roads, Highways, Passages, or other public Places, or into any Drains or public Sewers, or shall erect or continue any Privy or Necessary House so as to annoy the Passengers passing along the same, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Ten Pounds.

Slaughter  
Houses, &c.  
to be removed,  
if deemed a Nuisance.

LVI. And be it further enacted, That in case any Slaughter House, Hog-stye, Necessary House, Manure Heap, or other noisome or offensive Building or Place whatsoever, in or near any of the said Streets, Lanes, Roads, Highways, Passages, or other public Places, shall upon Complaint made



made to the said Commissioners, by any of the Inhabitants or Persons residing therein, be by any Five of such Commissioners deemed a Nuisance to any such Inhabitant or Person, it shall and may be lawful to and for the said Commissioners, by Notice in Writing under the Hands of any Five or more of the said Commissioners, or under the Hand of their Clerk or Clerks for the Time being, to order any such Nuisance or Offence to be removed; and in case the same shall not be removed within Fourteen Days after such Notice given to or left at the last known or usual Place of Abode of the Person or Persons who ought to remove the same, or for or on whose behalf the same exists, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremoved after the Expiration of the Time mentioned in such Notice: Provided always, that where any Person or Persons, thinking himself, herself, or themselves aggrieved by such Order as aforesaid, shall give Notice to the said Commissioners, or their Clerk, of his, her, or their Intention to appeal against the said Order, and shall enter into a Recognizance within the Time and in the Manner herein-after mentioned and provided for in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person or Persons shall not be subject to or liable to pay any such Penalty or Forfeiture until the Expiration of Fourteen Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Commissioners.

LVII. And be it further enacted, That the Owner or Owners, or Proprietor or Proprietors, or Occupier or Occupiers for the Time being of each House or Building fronting or next adjoining any Street, Lane, Road, Highway, Passage, or other public Place in the said Town or Parish, the Footpath of the Front or of such next adjoining Part whereof is or shall be flagged, paved, or formed with hard Materials, shall within Twenty-one Days next after Service of any Order or Direction for the Purpose, signed by Three or more of the said Commissioners, or by the Clerk or Clerks to the said Commissioners, on him, her, or them personally, or left at his, her or their last known or usual Place of Abode, put up and place, and for ever afterwards keep in Repair and Condition, a Spout of the whole Length of such Front or next adjoining Part, with a Pipe or Trunk to be fixed to the Front or Side of such House or Building, from the Roof down to the Ground, to carry off or conduct the Water from the Roof of such House or Building, in such a Manner that such Water shall pass underneath the Flagging or Foot Pavement into the common Channel, and so as not to fall upon or incommode the Persons passing over or along such Footpath or Pavement; and every Tenant or Occupier of any such House or other Building, except Houses or Buildings held on Lease, granted for any Term of Twenty-one Years or upwards, who shall put up or place any such Spout, Pipe, or Trunk, or keep the same in Repair, shall be entitled to deduct and retain, out of the Rent payable to the Owner or Proprietor, or Owners or Proprietors of such House or Building, so much Money as such Tenant or Occupier shall have expended in putting up or placing, or in keeping in repair any such Spout, Pipe, or Trunk; and the Payment of such Expences by any such Tenant or Occupier shall be a sufficient Discharge for him, her, or them for so much of his, her, or their Rent as the Amount of such

Water from  
Roofs of  
Houses next  
flagged or  
paved Foot-  
paths to be  
carried off  
by Spouts or  
Pipes.

Expences shall be equal to, and shall be abated or allowed to him, her, or them by the Owner or Owners, or Proprietor or Proprietors of such House or Building, out of such Rent; and if any such Owner or Owners, Proprietor or Proprietors, or Occupier or Occupiers, shall for the Space of Twenty-one Days after Service as aforesaid of any such Order or Direction, neglect to put up or place, or neglect to repair any Spout, Pipe, or Trunk as aforesaid, then and in any and in every such Case it shall be lawful for the Commissioners acting in Execution of this Act, to cause any such Spout, Pipe, or Trunk to be put up or placed against any such House or Building, at the Expence of the Owner or Proprietor thereof; and in case any such Owner or Proprietor shall refuse to pay such Expences, the same shall and may be levied and recovered by the said Commissioners, by the same Ways and Means as the Rates or Assessments by this Act granted may be levied and recovered: Provided always, that the Person or Persons who for the Time being shall be entitled to any Term of Years in any such House or Building, whereof the Term of Fourteen Years shall remain unexpired, or who shall be entitled to such House or Building during the Continuance of One or more Life or Lives, shall, as to the Payment of such aforesaid Expences, be considered the Owner or Owners of such House or Building.

For preventing Annoyances and Nuisances, Misbehaviour in Drivers of Carriages, &c.

LVIII. And be it further enacted, That if any Person or Persons shall, in any of the present or future Streets, Lanes, Roads, Highways, Passages, or other public Places in the said Town and Parish, expose for sale or sell any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, (except in any public Market or Fair), or expose or shew any Stallion (except in such Place or Places as shall be appointed for that Purpose by the said Commissioners); or shoe, bleed, or farry any Horse or Beast (except in Cases of Accident); or clean or dress any Horse or other Beast; or ride, lead, or drive any young Horse or Beast, for the Purpose of breaking in or training the same; or turn loose or suffer to be at large any Horse, Ass, Sheep, Bull, Cow, Swine, Goat, or other Beast, or any ferocious Dog not being muzzled, or permit or suffer any Dog whatsoever to go at large after any public Notice given by the Town Crier or Bellman, by Order of any Justice or Justices of the Peace for the said Town, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness; or ride on the Shafts of any Waggon, Dray, Cart, Sledge, or other such Carriage, or any other Part of such Waggon, Dray, Cart, Sledge, or other such Carriage or Part of a Carriage, or any of the Horses, Asses, Mules, or Cattle drawing the same, without holding the Reins, or drive the same faster than a Walk, or be at such a Distance from the same as not to possess the complete Direction over the Horses, Asses, Mules, or Cattle drawing the same; or if any Person on Horseback or driving any Carriage, Waggon, Wain, or Cart, and meeting another Horse, Carriage, Waggon, Wain, or Cart, shall not keep on the Left or Near Side of the said Streets, Lanes, Roads, Highways, Passages, or Places, and promptly and readily turn out of the Road on meeting or being overtaken by any other Horse or Carriage, Horses or Carriages, so as to leave proper and sufficient Quarter for such Horse or Carriage, Horses or Carriages; or if any Blacksmith, or other Person occupying a Blacksmith's Shop, situate near any public Road, and having a Window or Windows fronting upon or exposed to the said Road, shall not, by good and close Shutters every Evening

Evening after it becomes Twilight, bar and prevent the Light from such Shop shining into or upon the said Road; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing any Carriage, Waggon, Wain, or Cart under his, her, or their Care, upon the said Streets, Lanes, Roads, Highways, Passages, or Places, or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person; or drive the same against and injure or damage any Curb Stone, or Foot Pavement, or Causeway; or suffer any Waggon, Cart, Dray, or other Carriage to stand or remain with or without Horses longer than may be necessary for loading or unloading thereof; or suffer the same during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary; or suffer any Stage Coach, Diligence, Post Chaise, or other Carriage let to hire, to remain longer than may be necessary for the taking up or setting down of any Passenger or Passengers, or for loading or unloading their Baggage; or draw any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials (except in or on some Carriage); or build, make, or repair any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose); or let off or fire any Musket, Gun, or Pistol, or other Firearms (except in case of necessity for Self-defence); or make or assist in making any Bonfire; or set fire to, or let off, or throw any Crackers, Squibs, Rockets, or other Firework; or play at Football, or any other Game or Games, to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers; or wilfully break, aid, or abet, or assist in wilfully breaking any Glass or Window Panes or Windows; or burn, dress, or cleanse any Cork; or hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, bore, or cut any Timber or Stone; or throw, cast, lay, or place any Hay, Straw, Coals, Stones, Slates, Tiles, Lime, Bricks, Mortar, Timber, Boards, Iron, or other heavy Substance (except Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building, or Dirt or Rubbish thereby occasioned, which shall be placed or inclosed in manner mentioned in this Act, so as to prevent any Mischief happening to Passengers), or any Dust, Dirt, Dung, Soil, Filth, Carrion, Blood, Offal, Refuse of Garden Stuff, or any Sort of Rubbish; or shall sift, screen, or slack any Lime, or mix any Mortar; or throw or cast any such Matters or Things, or any Rubbish, into any Common Sewer, Drain, Sink, or Watercourse; or throw or cast any Animal or Carcase, or any noxious or offensive Materials, Ingredients, Offal, or Filth, into any public Well, Spring, Pump, Watercourse, or Reservoir for Water, or common River or Brook, or otherwise interrupt the free Course of such common River or Brook within the said Parish; or shall sell or assist in selling by Auction or public Sale any Cattle, Goods, Wares, Merchandize, or Thing or Things whatsoever, in any of the said Streets, public Passages or Places, without the Leave of the Commissioners, or any Three of them, for that Purpose first had or obtained; or hang up, place, or expose to Sale the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or other Matter or Thing, in or upon, or so as to project over or upon any Footway or Carriage-way,

way, or beyond the Line of or on the Outside of the Window or Windows of the House or Shop at which the same shall be so hung up or placed or exposed to sale, or so as to obstruct or incommode the Passage of any Person or Carriage; or kill or slaughter, or singe, scald, or dress any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any Shop or other Place adjoining and exposed to any of such Streets, Lanes, Roads, Highways, Passages, or other public Places; or cause or permit any Offal, Blood, Filth, or other offensive Matter, to run from any Slaughter House, Shambles, Butcher's Shop, Hog-stye, or Dunghill, into any of the said Streets, Lanes, Roads, Highways, Passages, or other public Places in the said Town and Parish; or permit Washings or waste Water to drain from any Yard or Premises upon or over any public Road or Footway adjoining the same; or fix up any Flower Pot, or Bow Pot, or Pots, at any Window or Windows without sufficiently guarding the same, so as to prevent their being blown or thrown down; or leave open (after Sun-set) the Door, Hatchway, or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to, or securing any Cellar, Coal Hole, Vault, Office, or other underground Room or Apartment, or of any Area, or not effectually secure the same so as to prevent Accidents and prevent Persons from falling into such Cellars or other under-ground Rooms or Apartments, or Areas; or leave open, or not effectually fasten and secure any Grate, Stone, Plate, Board, or other Covering placed over any Opening in any Pavement, and used for putting Coals or other Articles into any Cellar or other Place underground; 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 bait or cause to be baited any Bull, Bear, or other Animal, in any Part of the said Town, or commit or occasion any public Nuisance, Obstruction, or Annoyance whatsoever within any of the Roads, Streets, Highways, public Passages or Places within the said Town and Parish; or run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever upon any Footway or Causeway (except only for the Purpose of crossing such Footway or Causeway); or drag thereon any Timber or Log of Wood, or any Stone or Metal, or roll thereon any Cask or Tub (other than for the necessary loading or unloading thereof), into, upon, from, or out of any Cart or Carriage; or set or place thereon any Furniture, Goods, Wares, and Merchandize, or any Cask, Tub, Barrel, Box, Pail, Bucket, Stool, Basket, Chopping Block, Bench, or Stall; or erect, set up, or place, or continue any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any way to cause any Obstruction or Impediment in any such Footway or Causeway, or permit or suffer any Scraper to project from any House or Building into or over any Footway or Causeway, or slide upon any such Footway or Causeway, or by standing, loitering, or remaining on any such Footway or Causeway without some reasonable or good and sufficient Cause, or in any other Manner obstruct or incommode, hinder or prevent the free Passage of any such Footway or Causeway, or prejudice or annoy any Person or Persons travelling, passing, or going thereon; or throw, cast, lay, or sift any Ashes, (except in the Time of Frost only, and to prevent Accidents), or wilfully ride, lead, or drive on any Footway or Causeway any Horse, Mule, Ass, Swine, or other Beast or Cattle of any Kind whatsoever; or wilfully permit or suffer any Horse or other Beast or Cattle,

which

which such Person may be riding, driving, or leading, to go thereon, or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway; each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing aforesaid, as the Case may be (in any of such Cases where the Person actually offending cannot be found or discovered), or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Peace Officer, or for the Surveyor or any other Officer of the said Commissioners, or any other Person acting by or under the Order or Authority of any One of the said Commissioners, 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 Town, in order to his, her, or their Conviction of such Offence.

Power to  
seize Of-  
fenders.

LIX. And be it further enacted, That not only shall the said Penalties lastly enacted become payable and be recovered, but it shall and may be lawful to and for any Person or Persons appointed or to be appointed by the said Commissioners as aforesaid, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel, Sledge, Wheelbarrow, Bier, or Carriage, Horse, Beasts, or Cattle, Cask, Tub, Pail, Bucket, Stool, Bench, Shew Board, Chopping Block, Stall, Basket, Blind, Shade, Coverlid, or Awnings, or other Things, Stone, Wood, or Timber, Coach, Chaise, Waggon, or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules, if any shall be thereunto belonging, with the Harness, Gear, and Accoutrements thereof, or any such Goods, Wares, Merchandizes, Fruit, Vegetables, or Garden Stuff, Butchers Meat, or other Things, or any of them, and forthwith, or with all convenient Speed, carry or cause the same to be carried before some Justice of the Peace for the said Town; and if it shall appear to such Justice upon the Oath or Affirmation of any One or more credible Witness or Witnesses, that such Goods, Carriage, Horse, Ass, or Mule, Materials, Fruit, Vegetables, Garden Stuff, Meat, or Things, occasioned any Kind of Obstruction or Annoyance, or was or were in any Situation contrary to the Provisions of this Act, then and in such Case it shall be lawful for the said Justice, in case any of the Goods, Wares, or Merchandizes so seized shall be perishable, or shall be Articles of Food, to order and direct the Person or Persons who shall seize the same to deliver or cause the same to be delivered to the Churchwardens or Overseers of the Poor of the said Town and Parish or some of them, or to the Master of the Workhouse of the said Town and Parish, and the same shall and may be given and distributed by them or him unto and among the poor Inhabitants of the said Workhouse, to and for his, her, or their Benefit, but if the Goods, Wares, or Merchandizes, Materials or Things so seized shall not be perishable, or shall not be Articles of Food, or if any Carriage, Horse, Mule, or Ass shall be so seized, then the said Justice shall order and direct the Person or Persons who shall have seized such last-mentioned Goods, Wares, Merchandize, Materials, or Things, Carriage, Horse, Ass, or Mule, to remove the same to any Place appointed by the Commissioners

Articles oc-  
casioning  
Nuisances  
may be seized  
without any  
Warrant, &c.

[Local.]

39 U

for

for the Reception thereof, within the Limits aforesaid, if any such there be, or otherwise to such Place or Places as the said Justice shall judge convenient; and the Person or Persons so seizing any such Goods, Wares, or Merchandizes, or any such Horse, Mule, Ass, Materials, or Things, shall give parol or written Notice of such Place or Places whereunto the same shall be removed, unto the Owner, Driver, or other Person having any Interest in the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials or other Things so seized or removed, if he, she, or they shall be then and there present, and the same shall be kept and detained until such Owner, Driver, or other Person interested therein as aforesaid shall cause to be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Ass or Asses, Mule or Mules, if any; and in case the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or Things so removed (not being perishable or Articles of Food), shall not be claimed, and the said Penalty and Charges be paid within Five Days next after such Removal thereof, then and in every such Case it shall and may be lawful to and for the said Commissioners, or their Surveyor or other Person as aforesaid, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, after deducting the said Penalty, and such Costs, Charges, and Expences attending such seizing, removing, keeping, appraising, and selling the same, as the said Commissioners shall ascertain and allow: Provided always, that it shall be lawful to and for the said Justice; if he shall think fit, to order and direct that any of such Goods, Wares, Merchandizes, Carriage, Horse, Mule, Ass, Materials or other Things, Fruit, Vegetables, or other Articles of Food, so seized, to be restored to the Owner or Owners thereof, upon Payment of such reasonable Sum to the Person or Persons who shall seize the same, for his and their Pains and Trouble therein, as the said Justice shall think fit.

Not to extend to exposing Goods in Markets and Fairs.

LX. Provided also, and be it further enacted, That nothing herein contained shall extend to subject any Person whomsoever to any Penalty by virtue of this Act for placing, setting, or exposing to Sale any Provisions, Goods, Wares, Merchandizes, or other Articles or Things whatsoever, after the same shall have been taken out of any Waggon, Cart, or other Carriage employed for the Transport thereof, or otherwise deposited for Sale in any such Parts of the several Streets, Lanes, Roads, Passages, and other public Places (not being Footways) within the said Town as shall from Time to Time be appointed and fixed upon by the Warden and Assistants of the said Town for the Time being, for the Purpose of placing, setting, and exposing to Sale such Goods, Wares, Merchandizes, and other Articles, at the Times of the usual Fairs and Markets held within the said Town; nor for placing, setting, or exposing to Sale any Provisions whatsoever, after the same shall have been so taken out or deposited as aforesaid, at any other Time or Times in any such public Places within the said Town as the Warden and Assistants of the said Town shall from Time to Time direct, nor for setting up any Stallages or Standings whereupon any of the said Articles may be exposed to Sale, or for placing any Waggon, Cart, or other Carriage, in which any such Provisions, Goods, Wares, or Merchandizes shall have been brought for Sale as aforesaid, in any such Places within the said Town (not being a Footway) as shall be appointed in that Behalf by the said Warden

and Assistants, for such a Space of Time only as shall be necessary for the unloading or emptying the same; due Care nevertheless being taken in all the aforesaid Cases to impede as little as possible the public Passage within the said Town.

LXI. And be it further enacted, That the several public Markets which have been usually holden within the said Town on *Wednesday* and *Saturday* in every Week, and the Spring and Autumn Stock Markets, and also the several Stock Markets which have been usually holden on the *Friday* in every Week during the Spring and Autumn in each Year, and also the several Fairs which have been usually holden within the said Town, shall continue to be and shall and may be lawfully holden and kept upon the several Days whereupon the same and every of them are now usually holden and kept, under and subject nevertheless to such Rules as are herein-after contained and authorized to be made.

Markets and  
Fairs to be  
held as usual.

LXII. And for avoiding the Inconveniencies and Obstructions to which the Markets and Fairs within the said Town are now subject, and for preventing Accidents and Injuries to the Persons resorting to the same, be it further enacted, That it shall be lawful for the said Warden and Assistants of the said Town for the Time being from Time to Time to make and establish such Bye Laws, Rules, Orders, and Regulations as to the said Warden and Assistants for the Time being shall seem meet, as well for preventing Horses and Carriages from passing through the several Market Places within the said Town, and the Approaches to the same, during the Time of the said several Markets and Fairs, as for fixing and appointing proper Places for the loading and unloading of Waggon, Carts, and other Carriages, and for the standing of such Waggon, Carts, and Carriages, after being unloaded at the said Markets and Fairs; and for fixing, appointing, and determining by what Streets, Avenues, or Ways such loaded and unloaded Waggon, Carts, and Carriages shall pass into, through, and out of the said Town during the Time of the said Markets and Fairs, and what particular Streets or Places shall be used for the Exhibition of Neat Cattle, Horses, Sheep, Pigs, and other Animals, brought or exposed for Sale at the said Markets and Fairs, and whether such Animals, or any of them, shall be kept confined within any Pens or otherwise, and what specific Market Places within the said Town shall be used for the exposing to Sale of the different Kinds of Provisions, Wares, Merchandizes, and Goods brought for Sale to the said Markets and Fairs; and also for regulating the setting out and fixing up and Removal of the Sheds, Stalls, Standings, Blocks, Tressels, and other Articles used to place such Provisions, Wares, Merchandizes, and Goods upon, during the Time of the said Markets and Fairs; and also for inspecting the Sorts and Quality of all Flesh Meat brought to the said Markets and Fairs; and for weighing and ascertaining the Weight and Measure of all Provisions, and other Articles sold by Weight or Measure in the said Markets or Fairs; and for ascertaining whether the Steelyards, Scales, Weights, and Measures used in the said Markets and Fairs are just and true; and for seizing and destroying publicly all Flesh Meat of unsound or unwholesome Quality, and all false and deficient Steelyards, Scales, Weights, and Measures that shall be found in the said Markets or Fairs; and all such other Bye Laws, Rules, Orders, and Regulations, for the good Order and Government of the said several Markets and Fairs to be held within the said

Powers for  
regulating  
Markets, &c.

said Town, and of the several Persons resorting thereto, as to the said Warden and Assistants for the Time being, in their Judgment and Discretion, shall seem proper and expedient for the common Benefit of the said Town, and the Persons resorting to the Markets and Fairs thereof; and that it shall be lawful for the said Warden and Assistants of the said Town for the Time being to annul, alter, or vary such Bye Laws, Rules, Orders, and Regulations, or any of them, as shall be found expedient; and likewise to fix, impose, and lay such reasonable Penalties, Fines, and Forfeitures, not exceeding the Sum of Forty Shillings for each Non-observance or other Breach of such Bye Laws, Rules, Orders, and Regulations, or any of them, as to such Warden and Assistants for the Time being shall appear necessary and expedient; and all such Bye Laws, Rules, Orders, and Regulations, being published as herein-after mentioned, shall be good and binding upon and observed by all Persons, and shall be sufficient in any Court of Law or Equity to justify any Person who shall act under or in pursuance of the same; and all such Penalties, Fines, and Forfeitures shall be recoverable and payable in the same Manner as is herein-after directed concerning other Penalties to be incurred by virtue of this Act: Provided nevertheless, that such Bye Laws, Rules, Orders, and Regulations be not inconsistent with the Provisions of this Act, or repugnant to the Laws of that Part of the United Kingdom called *England*; and provided also, that no such Bye Law, Rule, Order, or Regulation, or any Alteration or Amendment thereof, shall have any Force or Effect until the same shall have been duly sealed with the Common Seal of the Warden and Assistants, and until written or printed Copies thereof shall have been affixed upon the outer Door of the Guildhall, and also upon other public Places in the said Town; and all such Bye Laws, Rules, Orders, and Regulations, having been published in the Manner aforesaid, shall be valid and in force until the same shall be annulled, altered, or varied by the Warden and Assistants of the said Town for the Time being; but nevertheless, any Determination or Judgment under such Bye Laws, Rules, Orders, and Regulations, or any of them, shall be subject to Appeal in the Manner herein-after directed.

Penalty on  
obstructing  
Officers in  
Markets, &c.

LXIII. And be it further enacted, That if any Person shall assault, hinder, or obstruct any Officer or Person appointed or employed by the said Warden and Assistants, or by the Warden of the said Town for the Time being, to carry into Effect any Bye Law, Rule, Order, or Regulation made under the Provisions of this Act, in respect to the good Order and Government of the Markets and Fairs therein; or if any Person shall wilfully destroy, deface, injure, remove, pull down, or take away any Building, Shambles, Wall, Fence, Post, Rail or Chain, or any Shed, Stall, Standing, Block, Tressel, Hurdle, Pen, or other Erection set up or to be set up by the Authority of the Warden and Assistants of the said Town for the Time being, for the Use, Purpose, or Convenience of the said Markets and Fairs, or any Board, Notice, or Inscription to be affixed by the like Authority in or near the Places of holding the said Markets and Fairs; every Person offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding the Sum of Forty Shillings for every such Offence, to be recoverable and payable in the same Manner as is herein-after directed concerning other Penalties to be incurred by virtue of this Act.

LXIV. And



LXIV. And be it further enacted, That if any Horse, Ass, Sheep, Bull, Cow, Swine, or other Beast or Cattle, shall be found straying or at large in any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town and Parish, it shall be lawful for the Clerk or Clerks, or any other Officer or Officers appointed by the said Commissioners, or any other Person or Persons whomsoever, to impound any such Beast or Cattle in any common Pound used by the Inhabitants of the said Parish, or in such other Place as shall be appointed, from Time to Time for the Purpose by the said Commissioners, and to detain the same in such Pound or other Place as aforesaid, until the Penalty imposed by this Act in such Case, and the Expence of impounding and keeping such Beast or Cattle, shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Five Days after such Beast, Cattle, or Swine shall be so impounded, it shall be lawful for any One or more Justice or Justices of the Peace for the said Town to order every such Beast, Cattle, or Swine to be sold, and the Costs and Charges of impounding and keeping such Beast, Cattle, or Swine, and of selling the same, and the said Penalty, shall be defrayed by the Money arising from such Sale, and the Overplus (if any) of the said Money shall be paid to the Owner or Owners of the said Beast, Cattle, or Swine, upon Demand: Provided always, that whether such Beast, Cattle, or Swine so found straying or at large, shall be impounded as aforesaid or otherwise, the Owner or Owners thereof shall nevertheless forfeit and pay for such Beast, Cattle, or Swine the Penalty in that respect imposed by this Act: Provided also, that no Owner of any such Beast, Cattle, or Swine shall in any Case pay more than the Sum of Five Pounds, over and above the Charges and Expences of impounding and keeping the same, for any Number of Beasts, Cattle, or Swine so found straying or at large as aforesaid at any one Time.

For impounding  
ing stray  
Cattle.

LXV. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cow, Horse, Ass, Swine, or other Live Stock or Cattle, which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Swine, or other Live Stock or Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County, Division, or Place where the Offence shall have been committed, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness (and which Oath the said Justice is hereby authorized and empowered to administer), be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the County, Division, or Place where the Offence shall have been committed, there to remain and be kept to hard Labour, without Bail or Mainprize, for any Time not exceeding Three Calendar Months.

Punishment  
of Persons  
guilty of  
Pound-  
breach.

To prevent  
rescuing of  
Goods, &c.

LXVI. And be it further enacted, That if any Person or Persons whomsoever, whether being the Owner or Proprietor of any Erection, Building, Shed, Stall, Portico, Porch, Penthouse, Awning, Covering, Inclosure, Post, Bar, Rail, Bricks, Lime, Mortar, Furniture, Meat, Provisions, Vegetables, Goods, Matters, Materials, or Things, shall by any Ways or Means rescue or attempt to rescue the same or any of them, or any Part thereof, from the Person or Persons who by Authority of this Act shall have the same in his or their Custody, Possession, or Power, every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds:

For prevent-  
ing future  
Projections.

LXVII. And be it further enacted, That if any House or other Building in or near any present or future Street, Lane, public Passage or Place within the said Town and Parish, shall after the passing of this Act be made, erected, or built, or new-fronted or rebuilt in such Manner and 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 public Passage or Place, or in any other Manner or Form than in a perpendicular Line or Direction upwards from the Foundation of such House or Building, or project beyond the general Line of such Street, Lane, Highway, or other public Passage or Place, or nearer than Five Yards from the Centre of any new Street or Road which shall hereafter be laid out or made in the said Town; or if any Windmill shall hereafter be erected or built within Two hundred Feet of any Turnpike Road or other public Highway in the said Town and Parish; or if any Spout, Pipe, or Trunk for conveying Water from the Roof, Eaves, or Cornices of any House or other Building in any such Street, Lane, public 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 Windows, Cellar Doors, Bow Windows, or other projecting Window, Window Shutter, Stump, Rail, Palisade, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir for Water, Frontsteads, Court Yards, or any other Encroachment or Projection against or in front or outside of any House or other Building within or adjoining to any present or future Street, Lane, public 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, Cellar Doors or Window, Bow or other projecting Window, Window Shutter, Stump, Rail, Pale, Palisade, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir for Water, Frontstead, Court Yard, 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 for each and every Day such House or other Building, Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Cellar Doors or Windows, Bow or other projecting Window, Window Shutter, Stump, Rail, Pale, Palisade, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir of Water, Spout, Pipe, or Trunk, Frontstead,

Frontstead, Court Yard, or other Encroachment or Projection, shall continue in such State as herein provided against, and shall be paid and payable by the respective Tenants or Occupiers of such Houses and other Buildings, Sign Irons, and other Things; 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 Notice to be given to the respective Owners or Proprietors, Feoffees, Trustees, or Occupiers of all such Houses and other Buildings, Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Cellar Doors or Windows, Bow or other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Show Glasses, Show Boards, Pools, Cesspools, Cisterns, and Reservoirs for Water, Spouts, Pipes, Trunks, Frontstead, Court Yard, and other Encroachments and Projections, or any of them, to take down, remove, take away, alter, and regulate the same, in such Manner and Form as they the said Commissioners shall from Time to Time judge proper; and in case the Owners or Proprietors, Feoffees, Trustees, or Occupiers shall refuse or neglect to do as before directed for the Space of Fourteen Days next after such Notice shall be given to him, her, or them respectively (which Notice shall be given in Writing under the Hand of the Clerk or Clerks to the said Commissioners, or under the Hand of their Surveyor for the Time being, and delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee, Trustee, or Occupier respectively), it shall and may be lawful to and for the said Commissioners to cause all such Houses and other Buildings, Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Cellar Doors or Windows, Bow or other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Show Glasses, Show Boards, Pools, Cesspools, Cisterns, and Reservoirs for Water, Pipes, Trunks, Frontstead, Court Yard, and other Encroachments and Projections, or any of them, to be taken down, removed, taken away, altered, and regulated in such Manner as they shall think proper; and the Charges and Expences attending the same shall be reimbursed to the said Commissioners, and be paid and payable by the respective Tenants or Occupiers of such Houses and Premises; and if any Tenant or Occupier of any such Premises shall neglect or refuse to pay such Charges within Fourteen Days after personal Demand made thereof, or by Notice in Writing under the Hand of the said Clerk, Surveyor, or other Person appointed by the said Commissioners, to be delivered to or left at the Dwelling House of such Tenant or Tenants, Occupier or Occupiers, the same, together with the aforesaid Penalty or Penalties, shall and may be levied on every such Tenant or Tenants, Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace (which Warrant the said Justice or Justices is and are hereby authorized and empowered to grant upon Information on Oath of such Neglect or Refusal), returning the Overplus (if any) of the Monies raised by such Distress and Sale, after deducting all Costs and Charges attending the same, to the Owner or Owners of such Goods or Chattels so distrained and sold, on demand; and where any House or other Building shall be let or demised to more than One Tenant or Occupier, any One or more of such Tenants or Occupiers shall be deemed the actual Tenant or Tenants, Occupier or Occupiers for the Purposes of this Act; and in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of such House or other Building, before such Charges, Penalty and Penalties,

Notice to be given to Owners, &c. to remove.

In case of Refusal to remove Nuisances, &c. Commissioners to cause it to be done;

and levy the Expences and Penalties on the Occupiers after Fourteen Days Notice.

House, &c. let to more than One Tenant.

Remedy for  
recovering in  
case of Re-  
moval, &c.

Penalties, 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 defray such Charges and Penalties, or if it shall happen that any of the said Premises shall be untenanted, then and in every such Case such Houses and other Buildings shall be and the same are hereby made a Security for and chargeable with all such Charges, Expences, and Penalties, and the same shall and may be levied by Distress and Sale (by Warrant as aforesaid) of any Goods and Chattels which shall afterwards be found in or upon the same respective Premises, or of the Goods and Chattels of the Owner or Proprietor, Feoffee or Trustee thereof, in case such Owner or Proprietors, Feoffee or Trustee, shall neglect or refuse to pay the same for the Space of Seven Days next after the same shall be personally demanded of him, her, or them, or by Notice in Writing under the Hand of the said Clerk, Surveyor, or other Person, to be delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee or Trustee, be levied by Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, City, Town, or Place, where such Owner or Proprietor, Feoffee or Trustee shall reside, or where such Goods and Chattels shall be found.

Expences to  
be allowed  
to the  
Tenants.

LXVIII. And be it further enacted, That it shall be lawful for any Tenant or Occupier who shall have performed any of the Works, Matters, or Things in Manner as directed by this Act, or who shall have paid and reimbursed to the said Commissioners the Expences of doing the same, and shall have paid the said Penalty or Penalties, or on whom any such Expences and Penalties shall have been levied, to deduct out of his or her Rent the Charges, Expences, and Penalties which such Tenant or Occupier shall pay or have levied upon him or her on any of the Accounts aforesaid; and the Owner or Proprietor, Feoffee or Trustee of such Premises, is hereby required to allow such Deductions and Payments upon the Receipt of the Residue of his or her Rent; and in case any Tenant shall pay or have levied upon him or her more Money on account of any thing done by virtue of this Act, than shall be due from him or her for the Rent of his or her House or other Building, the Overplus thereof shall and may be levied on the Owner or Proprietor, Feoffee or Trustee of such respective Premises, by Distress and Sale of the Goods and Chattels of such Owner or Proprietor, Feoffee or Trustee, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, City, Town, or Place where such Goods and Chattels shall be found, such Owner or Proprietor, Feoffee or Trustee, having refused or neglected to pay the same for the Space of Seven Days after Demand made thereof by such Tenant or Occupier, his or her Attorney or Agent for that Purpose appointed; except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Tenant or Occupier, in which Case he or she shall bear the Expence of altering or removing the same, and the Penalty, Costs, and Charges attending the same.

Compensa-  
tion to be  
made to the  
Owners of  
Buildings,  
&c.

LXIX. Provided also, and be it further enacted, That for the Purpose of improving the said Town and Parish, and widening the said Streets, Lanes, Roads, Passages, and public Places; 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 to enter into any Agreement relative to the Line or Direction, or Mode of erecting, altering, or building any Houses, Edifices, or Buildings fronting or adjoining or near any of the present or future Streets, Lanes, Roads, Highways, Passages, and public Places in the said Town and Parish, or to any Alterations or Change of the Line or Direction in which any old Houses or Buildings now stand, or relative to any Projections or other Changes thereof, with the Owners or Proprietors thereof, and to make or give such Compensation or Satisfaction for any Injury, Loss, or Damage which any such Owners or Proprietors may sustain by acceding to any such Plan of Improvement, or any Five or more of the said Commissioners shall think reasonable for the Object or Purposes of Improvement to be thereby obtained, and to pay such Compensation or Satisfaction out of any Monies to be raised by virtue of this Act, so as that in any one Instance the Compensation or Satisfaction shall not exceed the Sum of Two hundred Pounds, over and above any Sum or Sums of Money which may come to the Hands of the said Commissioners or their Treasurer by any voluntary Subscription or Contribution, or from any Legacy or Bequest made for promoting the Improvement of the said Town and Parish.

Not exceeding 200*l.* over and above voluntary Subscriptions, &c.

LXX. And be it further enacted, That whenever any House or other Building standing in any Street, Lane, Highway, Passage, or other Place within the said Town, shall be taken down for the Purpose of other Buildings being erected on the Site thereof, it shall be lawful for the said Commissioners, by Notice in Writing signed by any Five or more of them, to require the Owner or Owners of such House or other Building, on the Erection of any such new Buildings as aforesaid, to cause the Front thereof to be set back to such Distance as shall be requisite to make the Front of such new Buildings, or the Ground inclosed in front thereof, to range with the general Line of the Street, Lane, Road, Passage, or public Place wherein the same shall be situate, or in such other Manner as to the said Commissioners shall seem proper, and to give such Directions in that Behalf as the said Commissioners shall think fit; and if any House or other Building or Inclosure shall be afterwards built or erected or made on the Site of the House or Building which shall have been so pulled down, contrary to the Tenor of such Notice and Directions, the same shall be deemed an Encroachment, Nuisance, and Annoyance, within the Intent and Meaning of this Act; and it shall be lawful for the said Commissioners to cause the same to be taken down and removed by such Person or Persons and in such Manner as the said Commissioners shall direct, by any Order in Writing signed by any Five or more of the said Commissioners; and the Costs and Charges of taking down and removing the same shall be paid and reimbursed to the said Commissioners by the Owner or Owners of such House or other Building or Inclosure; and in default of Payment thereof within Fourteen Days next after Demand in Writing made in that Behalf by the Clerk of the said Commissioners, or other Person authorized in Writing under his Hand to make such Demand, the same, having been ascertained by some Justice or Justices of the Peace, shall and may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when so recovered the same shall be paid to the Treasurer of the said Commissioners, to be applied to the general Purposes of this Act: Provided always nevertheless, that full Recompence and Satisfaction shall in all such Cases be made to the

Provision for setting back the Fronts of new Erections on ancient Sites.

[*Local.*]

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Owner

Owner or Owners of the Premises for the Value of the Ground so taken for the Use of and given up to the Public by the setting back of such House or other Building or Inclosure; and in case such Owner or Owners and the said Commissioners cannot agree as to the Amount of the Recompence and Satisfaction to be paid in such respect, then the same shall be assessed and awarded by the Inquisition of a Jury to be had for that Purpose, in like Manner and subject to the same Provisions as are herein-after directed in regard to other Inquisitions of Juries to be had touching other Compensations to be made by the said Commissioners.

Directions  
for the Re-  
moval of  
Signs, &c.

LXXI. And be it further enacted, That the several and respective Occupiers of Houses and other Buildings situate in the several Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing signed by the Clerk or Clerks of the said Commissioners, to cause all Signs, Sign Irons, Sign Posts, Barbers Poles, Stalls, Blocks, Bulks, Show Boards, Butchers Hooks, Spouts, and Water Pipes, which now are or hereafter shall be in anywise affixed or set up against or in front of their respective Houses or other Buildings, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Town, to be taken down, removed, and carried away, or otherwise altered or reformed in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Sign, Sign Iron, Sign Post, Barber's Pole, Stall, Block, Bulk, Show Board, Butchers Hook, Spout, or Water Pipe, which shall be so considered an Annoyance or Nuisance as aforesaid, to be taken down, removed, and carried away or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by some Person or Persons acting under their Authority, and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace for the said Town, shall and may be recovered from the Occupier of such House or Building, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when received the same shall be paid to the Treasurer or Treasurers of the said Commissioners, to be applied to the general Purposes of this Act; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent, and the Proprietor or Landlord of such House or other Building so held at Rack Rent is hereby required to allow the same accordingly; except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered, shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Costs and Expences of altering or removing the same.

LXXII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required from Time to Time, and at all Times after the passing of this Act, to cause the Streets, Lanes, Roads, Passages, and other public Places within the said Town, to be well and sufficiently lighted, either with Gas, Oil, or otherwise, at such Seasons and Times as the said Commissioners shall judge necessary and proper; and for that Purpose the said Commissioners are hereby empowered, if they shall think it necessary, to rent or purchase any Building or Buildings, Land or Lands, such Land not to exceed Two Statute Acres, of and from any Person or Persons who shall be willing to let, sell, or dispose of the same, and to erect and build the several Works necessary for such Purposes, and to cause Mains or Pipes for the Conveyance of Gas to be laid and carried along, through, and under the Streets, Lanes, Roads, Passages, and other public Places within the said Town, or any of them, and to cause such and so many Lamp Irons, Lamp Posts, Pillars, Pilasters, and Pipes as they shall judge necessary to be affixed or set up into, upon, or against the Walls or Palisades of all or any of the present or any future Houses or Buildings, or any Walls or Fences within the said Town, or in or upon any of the Carriageways or Footways within the said Town, in such Situations and at such Distances, and in such Manner as the said Commissioners shall think proper; and to cause so many Glass or other Lamps, with such Sorts of Burners, and of such Dimensions, Constructions, and Qualities as the said Commissioners shall judge proper, to be provided and affixed upon or to such Lamp Irons, Lamp Posts, Pillars, or Pilasters or any of them, and to cause the same Lamp Irons, Lamp Posts, Pillars, and Pilasters, and Lamps, or any of them, to be from Time to Time taken down, removed, altered, repaired, renewed, or replaced, when and as often as they shall think proper; and to cause such Lamps or any of them to be lighted at such Seasons of the Year, on such Evenings, and at such Hours of the Evening, and to be kept burning for so many Hours as shall be thought necessary by the said Commissioners; but nothing herein contained shall authorize or empower the said Commissioners, or any Person or Persons acting by or under their Authority, to carry, lay, or fix or continue any Pipe or Pipes or other Thing for the Conveyance of the said Gas or Inflammable Air through or against any Dwelling House or Dwelling Houses, or public or private Buildings, Hereditaments, and Premises, without the Consent in Writing of the Owner and Occupier of every such Dwelling House or Building respectively for that Purpose; and nothing herein contained shall extend or be construed to extend so as to authorize or empower the said Commissioners, or any Person or Persons acting by or under their Authority, to lay or carry any Pipe or Pipes in, through, over, or upon any private Lands or Grounds, or to continue the same, without the Consent of the Owner and Owners and Occupier and Occupiers for that Purpose.

Provisions for  
lighting the  
Streets.

LXXIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to contract and agree with any Company of Proprietors, or with any other Person or Persons, to light the said Streets, Lanes, Passages, and other public Places or any of them with Gas, Oil, or otherwise, as to the said Commissioners shall from Time to Time seem proper and expedient, and to provide and set up all necessary Lamps, Lamp Posts, Lamp Irons, and other Works necessary for such Purposes.

Power to  
contract for  
lighting.

LXXIV. Pro-

Commissioners not to lay Pipes on private Premises, &c. without Consent.

LXXIV. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners or their Successors, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, Lanes, Highways, and other public Places, to carry or lay any Pipe or Pipes, Cocks or Branches from any Mains or Pipes, against, into, or through any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, or to continue the same, without the Consent in Writing of the Owner or Owners, Occupier or Occupiers for the Time being of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid respectively, nor to enable the said Commissioners or their Successors, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, Lanes, Highways, and other public Places, to enter into or upon any private Lands or Grounds, without the Consent in Writing of the Owners and Occupiers of such Lands or Grounds for that Purpose first had and obtained.

Service Pipes to be fully charged with Gas.

LXXV. And be it further enacted, That the Branch or Service Pipes which shall be put down for lighting the said Streets, Lanes, Highways, and other public Passages and Places, shall be fully charged with Gas, and the Stopcocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Owners of private Grounds may alter the Position of Pipes.

LXXVI. Provided also, and be it further enacted, That in case the said Commissioners, or any Body or Bodies Corporate or Politic, or other Person or Persons contracting with the said Commissioners, shall at any Time hereafter break up the Soil, Pitching, or Pavement of any private Road or Way, for the Purpose of laying any Main or Pipe along, under, or across the same, with the Consent of the Owner or Owners of the Soil for the Time being, and after the same shall have been so laid and placed, such Owner or Owners shall be desirous of having the same removed, it shall be lawful for such Owner or Owners, at any Time or Times thereafter, if he, she, or they should deem it necessary or expedient, and at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to relay the same, so that no Damage be done thereby to the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners, and so that they be not thereby prevented from or obstructed in lighting any public or private Lamp, unless such Damage or Obstruction be unavoidable.

Commissioners to remove Pipes when Tenants quit, if required.

LXXVII. Provided always, and be it further enacted, That the said Commissioners shall, at their own Expence, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, Lanes, Highways, or other public Passages and Places, on the Expiration or Determination of the Tenancy or Tenancies of any such Occupier or Occupiers so giving Consent as aforesaid, or within Fourteen Days of the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose for or on behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Dwelling Houses, Manufactory or



or Manufactories, or public or private Building or Buildings as aforesaid, remove, take, and carry away, or cause to be removed, taken, or carried away, any Pipe or Pipes, Cocks or Branches from any Main or Pipe, which shall have been placed or laid by the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, Lanes, Highways, and other public Passages and Places, to or against any such Dwelling House or Dwelling Houses, Manufactory or Manufactories, or public or private Building or Buildings as aforesaid, pursuant to the Power for that Purpose herein-before contained, and repair and make good such Dwelling House or Dwelling Houses, Manufactory or Manufactories, or public or private Building or Buildings, to or against which the same shall have been so placed or laid, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall and may be lawful to and for such Owner or Owners, or for such new Occupier or Occupiers, as the Case may require, or any Person or Persons acting under his, her, or their respective Authority or Authorities, to cause such Pipes, or Cocks, or Branches to be removed, taken, and carried away, and the said Dwelling House or Dwelling Houses, Manufactory or Manufactories, or public or private Building or Buildings, to or against which the same shall have been so placed or laid, to be repaired and made good, and the reasonable Costs and Charges of doing the same shall be immediately paid by the said Commissioners or their Treasurer for the Time being, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, Lanes, Highways, and other public Passages and Places, to such Owner or Owners, Occupier or Occupiers, as the Case may require; and if such reasonable Costs and Charges shall not be paid within Ten Days next after Demand thereof shall be made by such Owner or Owners, Occupier or Occupiers, or other Person or Persons as aforesaid, Proof of such Demand being made by the Oath of One credible Witness before the said Warden and Justice, or either of them, such reasonable Costs shall and may be levied and recovered by Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices of the Peace for the said Town, which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may be.

LXXVIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or by any Company or Companies, or Proprietors, or Body or Bodies Politic or Corporate, or any other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town and Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, the said Commissioners, Company or Companies, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall immediately after Notice given to them or him, by Parole or in Writing, of any such Escape of Gas, from any Inhabitant or Inhabitants within the said Limits, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, or the Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within

For preventing the Escape of Gas.

Twenty-four Hours next after such Notice shall be given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the Commissioners, or the Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information, to be laid before some One or more Justice or Justices of the Peace, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Commissioner, or of the Goods and Chattels of the said Company or Companies, Body or Bodies Politic or Corporate, or of the other Person or Persons as aforesaid.

Power to convey Washings.

LXXIX. And be it further enacted, That no Washings or other waste Liquids, or any other Matter or Thing made or arising in the Manufacture of such Gas, shall be conducted or conveyed into any River, Brook, or running Stream; and that no such Sewer or Cut shall be made in any Situation where the same can, shall, or may in any manner interfere with, prejudice, or affect any of the present or future public or private Wells, Sewers, or Drains within the Limits of this Act, or without the Consent of the Commissioners acting under the Authority of this Act.

Penalty for conveying Washings into any River, Stream, &c.

LXXX. Provided always, and be it further enacted, That if the said Commissioners, or any Company or Companies, or Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town and Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at any Time drain or carry, or cause or suffer to be drained or conveyed, or to run or flow any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or Springhead, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, whereby the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in every such Case the said acting Commissioners, or such Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty and Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, 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, Privilege, Wager of Law, or more than One Imparlance shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same is sued for within Twelve Calendar Months after the Time when such Annoyance, Act, or Thing shall have ceased: Provided also, that in Addition to the said Penalty of Two hundred Pounds, and whether such

such Penalty shall or shall not be recovered, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquid, Substances, or Things, shall be drained, conducted, or conveyed, or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Commissioners, or any of them, or to the Company or Companies of Proprietors, or any of them, or to the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, and the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours after Notice given, stop and prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, waste Liquids, or noisome or offensive Liquids or Things, shall be so drained, conducted, or conveyed, or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied, and shall be paid to the Informer, or the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance or Damage by such Act done or committed.

LXXXI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Highway, or other Passage or Place within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street, Lane, Highway, or other public Passage or Place will allow thereof, at the Distance of Four Feet at the least from the nearest Part of any Water Pipe already laid down, or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, Highways, or other Passages or Places within the Limits of this Act, except in Cases where it shall be unavoidably necessary, to lay the Gas Pipes across any of the Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes, at the greatest practicable Distance therefrom, and shall form therewith a Right Angle; and in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and that in laying down the said Gas Pipes, the said Commissioners, Contractors, or other Persons supplying Gas, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe, as near as may be, in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

keep

keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Offence the Sum of Five Pounds.

Commis-  
sioners, &c.  
to prevent  
Contamina-  
tion of  
Water.

LXXXII. And be it further enacted, That whenever the Water of any Waterworks within the said Town and Parish, or the Water in any Well or Pond belonging to or used by any Party or Person whomsoever, should be contaminated or affected by the Gas of the said Commissioners, or of any Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town and Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, the said Commissioners, Company or Companies of Proprietors, Bodies or Body Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, Well, or Pond, or the Party or Person using any such Water, and suing for such Penalty; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any of the Directors, or by the Treasurer, or by the Manager or Chief Clerk for the Time being of and for the said Company of Proprietors, or by other the Owners or Proprietors of any Waterworks, Well, or Pond, or by any Party or Persons interested in or using any such Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or at the last or usual Place of Abode of such Party or Person as aforesaid, cause Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof Notice shall be given as aforesaid, then and in every such Case the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Persons as aforesaid, shall on each and every Complaint, whereof Notice shall be so given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any such Waterworks, or to the Party or Persons interested in or using any such Water, and complaining as aforesaid, for the Use and Benefit of the same Proprietors or Owners, or Party or Person, over and above the before-mentioned Penalty of Twenty Pounds,

to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which any such Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information, to be exhibited, on the Oath of One credible Witness, by and in the Name of the Treasurer, Manager, or Chief Clerk for the Time being of the said Company of Proprietors of any Waterworks, or by and in the Name of any One or more of the Directors of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, at the Option of the Parties prosecuting such Information, or in the Name of the Party or Person interested in or using any such Water, and complaining as aforesaid against the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, before any Justice of the Peace, with Costs to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, together with the Charge of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer, or to one of the Directors for the Time being of the Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use of the same Owners or Proprietors, or to the Party or Person interested in or using any such Water, and informing or complaining as aforesaid.

LXXXIII. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Commissioners, or Body or Bodies Corporate or Politic, or other Person or Persons so contracting to light or lighting as aforesaid; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Company of Proprietors, or other the Owners or Proprietors of any Waterworks, to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of such Gas aforesaid, the Costs and Expence of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, Body or Bodies Corporate or Politic, or Person or Persons as aforesaid, which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid, then and in such Case the said Company of Proprietors, or others the Owners or Proprietors of any Waterworks,

For ascertaining if the Water is contaminated.

[Local.]

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shall

shall bear and pay all the Costs and Expences of such Examination, Repair, and Search; and shall also make good to the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets, Lanes, Highways, and other public Places so broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

Act not to protect Persons lighting with Gas from being indicted for a Nuisance.

LXXXIV. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend or be construed to extend to protect the said Commissioners, or any Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town and Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, or any of the Servants or Officers or Workmen of the said Commissioners, or any of such Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, from any Indictment or Prosecution for a public or private Nuisance in respect to any of the Works, or the Means which shall be employed by them in making the said Gas and using the same, or furnishing any such Gas Light, nor from any Action or Actions for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Lamps, &c. vested in Commissioners.

LXXXV. And be it further enacted, That all the Posts, Pillars, Pilasters, Lamp Irons, Pipes, and Lamps, which from Time to Time shall be erected, set up, or furnished for the public Lighting of the said Town, or any Part thereof, either by or by the Order of the Commissioners, or by any such Gas Light Company as aforesaid, in pursuance of any Contract or Contracts between the said Commissioners and such Gas Light Company, shall (subject only to such Power as in or by any such Contract or Contracts may be reserved to such Gas Light Company, to remove, take, and carry away to their own Use any of the said Posts, Pillars, Pilasters, Lamp Irons, Pipes, and Lamps which may have been previously erected or furnished at their Expence, in the Event of there being a Discontinuance of such Contracts between the said Commissioners and such Gas Light Company) be held and deemed to belong to and be the Property of, and the same are hereby vested in the said Commissioners for the Time being; and the said Commissioners shall and may cause any Action or Actions to be brought, or direct any Bill or Bills of Indictment to be preferred, or other Proceedings had, as the Case may require, against any Person or Persons who shall steal, take or carry away, detain, deface, damage, injure, or destroy the several Articles and Things so hereby vested in 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,

respectively, it shall 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 such Bill or Bills of Indictment shall be preferred, or other Proceedings had, is or are the Property of the Commissioners for the Improvement of the Town of *Louth*, without stating or specifying the Names of all or any of the said Commissioners.

LXXXVI. And be it further enacted, That if any Person or Persons whomsoever shall wilfully or maliciously take away, break, throw down, or otherwise deface or damage any Lamp or Lamps which shall have been set up by or by the Order of the said Commissioners, or by any Gas Light Company, or other Person or Persons, for the public Lighting of any Part of the said Town, or any Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of or in any such Lamp or Lamps, it shall be lawful for any Justice or Justices of the Peace for the said Town, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons who shall see any such Offence committed to apprehend, and for any other Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, and 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 or Justices of the Peace for the said Town; and upon the Party or Parties accused being brought before such Justice or Justices, such Justice or Justices shall and he is required to proceed to examine upon Oath any Witness or Witnesses who shall appear to give Evidence touching such Offence or Offences; and if the Party or Parties so accused shall be convicted of such Offence or Offences, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds, and the Offender or Offenders shall also make full Satisfaction to the said Commissioners for the Damages so done; and such Damages, having been ascertained by such Justice or Justices, shall and may be levied and recovered from such Offender or Offenders in the Manner herein-after directed for the Recovery of Penalties incurred by virtue of this Act, and when so recovered the same shall be paid to the Treasurer of the said Commissioners, to be applied in aid of the Expences of lighting the said Town.

Penalty for  
wilfully  
breaking  
Lamps, &c.

LXXXVII. And be it further enacted, That if any Person shall carelessly, negligently, or accidentally break, throw down, or otherwise destroy or damage any Lamps, or the Post, Iron, Cover, or Furniture thereof respectively, and shall not upon Demand make Satisfaction for the Damage done, then and in every such Case it shall be lawful for any Justice of the Peace for the said Town, and he is hereby required, upon Complaint thereof made, to summon before him the Party or Parties so complained of, and upon his, her, or their appearing or making Default to appear, (Oath being made that the Party complained against had been served with such Summons, or that the same had been left at his, her, or their usual Dwelling or Place of Abode if known), 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 any credible Witness, shall

Penalty on  
negligently  
breaking  
Lamps, &c.

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 the Owner or Owners of such Lamp or Lamps, as to such Justices shall appear just and reasonable; and in case the Sum 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 in such and in the same Manner as any Fine or Penalty is by this Act directed to be levied and recovered, and when so recovered the same shall be paid to the Treasurer of the said Commissioners, to be applied in aid of the Expences of lighting the said Town.

Power to  
employ  
Watchmen.

LXXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners or any Five of them, (the Warden or Justice for the Time being being One), and they are hereby authorized and empowered from Time to Time, when and as they shall think it expedient, to employ such and so many Watchmen and Night Patroles as they shall judge expedient and necessary, to be employed for the Security and good Order of the said Town, and such Watchmen and Night Patroles from Time to Time to remove and displace, and to appoint others in their Stead, and also to order and direct how many of the said Watchmen and Night Patroles shall attend nightly, and how they shall be armed, and at what Stations they shall be placed, and for what Number of Hours they shall watch, and how often they shall go their Rounds, and also to fix and determine what Wages or other Allowances shall be paid to them for their Services; and the said Commissioners are hereby empowered to make such further Orders and Regulations from Time to Time, for the better Government and Direction of the said Watchmen and Patroles, as the Nature of their Services shall require.

Duties of  
Watchmen.

LXXXIX. And be it further enacted, That the said Watchmen and Night Patroles shall exert themselves in the Prevention of Fires, and also of Murders, Burglaries, Robberies, and other Outrages, Disorders, and Breaches of the Peace; and they are hereby required and empowered to apprehend all Night-walkers, Felons, Malefactors, Vagrants, and Disturbers of the Peace, and all disorderly and suspected Persons who shall be found misbehaving or wandering within the said Town, and to lodge them in a Watch House or the Common Gaol of the said Town, or other Prison or Place of Security, to be there detained until they can conveniently be carried before some Justice of the Peace for the said Town, to be examined and dealt with according to Law; and all such Watchmen and Night Patroles shall be sworn in as Constables before any Justice of the Peace for the said Town, and act as such while in the Execution of the Powers and Authorities of this Act, and they shall have and are hereby respectively vested with such and the same Powers, Authorities, Privileges, and Protections, as Constables are invested with and entitled to by Law.

Penalty on  
Neglect of  
Duty by  
Watchmen.

XC. And be it further enacted, That if any of the Watchmen or Night Patroles shall not attend in their respective Turns of Service, to keep Watch at the Hour appointed, or shall cease keeping Watch and going their Rounds during the several Hours appointed, or shall refuse or neglect to arrest any Night-walker, Felon, Malefactor, Vagrant, Disturber of the Peace, or other disorderly or suspected Person, or shall not observe the Rules, Orders, and Regulations of the said Commissioners,



sioners, or shall in any other Manner neglect their Duty or misbehave, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Twenty Shillings, and shall also, if the said Commissioners think fit, be dismissed from his Employment.

XCI. And be it further enacted, That if any Victualler, Alehouse Keeper, or other Person selling Ale, spirituous or other Liquors, shall entertain or harbour in his or her House or Outhouse, any Watchmen or Night Patrole during any of the Hours or Times appointed for his Attendance on Duty, every such Person shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Forty Shillings.

Penalty on  
Persons  
harbouring  
Watchmen.

XCII. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, molest, or interrupt any Watchman, Night Patrole, Workman, or other Person who shall be employed by or under the Authority of the said Commissioners by virtue or in pursuance of this Act, in the Exercise of any of the Powers hereby granted, or in the Performance or Execution of any Works or other Duties, Matters, or Thing whatsoever by this Act directed or authorized to be done, then and in every such Case every Person so offending shall for every such Offence forfeit [and pay any Sum not exceeding the Sum of Forty Shillings.

Penalty on  
Persons  
molesting  
Watchmen.

XCIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause such Rewards in Money to be paid to any Watchmen or Night Patroles who may be disabled, wounded, or hurt in the Execution of their aforesaid Duties, as the said Commissioners shall think proper and reasonable.

Disabled  
Watchmen  
may be re-  
warded.

XCIV. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered to erect, provide, or procure a proper and sufficient House or Houses, or other Building or Buildings, with Rooms therein for the Accommodation of the said Commissioners, the Constables of the Night, the Superintendants of the Watch and Watchmen, and with Cells or proper Places therein for the Confinement and safe Custody of Culprits of every Denomination, that shall be apprehended in the said Parish of *Louth*, keeping the Male Culprits separate and apart from the Female Culprits, until such Time as they shall or can be brought or taken before a Justice of the Peace for the said Town to be dealt with according to Law; and also from Time to Time to provide and set up Watch Boxes in such Situations in any of the Streets, Lanes, Roads, Highways, Passages, and other public Places of the said Town, as they shall judge proper and expedient; and in case any Person or Persons shall displace, overturn, damage, injure, or deface any such Boxes, when so provided and set up, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For provid-  
ing Watch  
Houses, &c.

XCV. 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 to enter into any Contract or Contracts as well for paving, repairing, amending, cleansing, widening, fencing, and improv-

Commis-  
sioners may  
enter into  
Contracts  
for paving,  
cleansing,

[*Local.*]

widening,  
fencing,  
watching,  
lighting, &c.

ing, as for lighting the several Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town and Parish or any of them, or for doing any other of the Works by this Act authorized to be done, or for furnishing any Materials, Labour, or any other necessary Matters and Things whatsoever, for the Performance thereof, or for any other of the Purposes of this Act, with any Person or Persons who shall be willing to undertake and engage in the same: Provided always, that no such Contract or Contracts shall be made for a longer Term than Three Years from the making thereof; and that before any such Contract or Contracts shall be entered into, Ten Days Notice at the least shall be given in some Newspaper or Newspapers printed and circulated in the said County of *Lincoln*, expressing the Purpose or Purposes of the Contract or Contracts intended to be made, in order that Persons willing to undertake the same may make Proposals to the said Commissioners at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done and the Prices to be paid for the same, and the Time or Times when the said Works are to be completed, together with the Penalties to be incurred in case of Nonperformance thereof; and the same shall be signed by the said Commissioners, or any Five or more of them, and also by the Person or Persons contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk or Clerks of the said Commissioners: Provided always, that it shall be lawful for the said Commissioners to contract with any Person or Persons for the doing and performing of any of the Works or Things aforesaid, although the Price or Prices to be paid for the same shall not be the lowest Tender, if the said Commissioners shall be of Opinion the same will be advantageous to the Inhabitants and Occupiers of the said Town and Parish.

Surveyors  
to inspect  
Works; Re-  
medy on  
Breach of  
Contracts.

XCVI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby directed, to cause all and every the Works to be done in pursuance of all or any such Contracts, as shall be entered into in pursuance of this Act, to be inspected by such Person or Persons as they shall from Time to Time appoint; and in case the same shall not be well and sufficiently performed according to the true Intent and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times the same shall be stipulated or agreed to be completed, the said Commissioners shall and may bring or cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster*, either in their own Names or in the Name of their Treasurer or Clerk for the Time being, against any Person or Persons, Body or Bodies Corporate, Company or Companies of Proprietors, so contracting and neglecting to perform such Contract or Contracts, for any Penalty or Penalties, Damage or Damages, which shall be contained in such Contract or Contracts, or suffered or sustained on account of the Nonperformance thereof, the said Commissioners shall be entitled to and shall recover such Penalty or Penalties, Damage or Damages, with Costs of Suit; and such Penalty or Penalties, Damage or Damages, when recovered, shall be applied to or for the Purposes of this Act.

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, or Body or Bodies Politic or Corporate, who shall have entered into any Contract or Contracts with the said Commissioners in pursuance or under the Authority of this Act, for any Penalty or Penalties contained in any such Contract or Contracts, or in any Bond or Bonds or other Security or Securities, for such Sum or Sums of Money or other Recompence as the said Commissioners shall think proper.

Composition  
for Breach of  
Contract.

XCVIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, in pursuance of an Order or Orders made at a Meeting of the said Commissioners to be held for that Purpose, of which Seven Days Notice at least shall be given, from Time to Time to contract and agree with any Body or Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Tenant or Tenants for Life or Years, or in Fee Tail General or Special, or with any Feoffees in Trust for charitable or other Purposes, Husbands, Guardians, Committees for Lunatics or Idiots, Executors or Administrators, or other Trustees whomsoever, not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes Covert, or other Persons under any Disability of acting for themselves, or with any Femmes Covert seised, possessed, or interested in their own Right, or entitled to Dower or other Interest, or with any other the Owners or Proprietors for the Time being of any Houses, Buildings, Lands, Grounds, Steps, Projections, Encroachments, or Tenements, or of any other Hereditaments whatsoever, situate within the said Town and Parish, or of any Part of such aforesaid several Premises, or of any Estate, Right, or Interest therein, for the absolute Purchase as well of such Part or Parts thereof as are specified in the Schedule hereunto annexed as of any other of the said several Premises, or of any of them, or any Part thereof, or of any Estate, Right, or Interest therein, which the said Commissioners, or any Five or more of them, shall consider proper and necessary to be purchased for the Purposes of this Act, or for improving and widening any of the Streets, Squares, Market Places, Highways, Lanes, and other public Passages which now are or hereafter shall be within the said Town and Parish, or for opening Communications therewith, and for otherwise improving the said Town, or for any Damage to be done to the said Premises respectively in the Execution of this Act; and to take down or alter all or any of such Houses, Buildings, 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 Part thereof, or of the Land or Ground which shall be cleared by the taking down of any such Building, for all or any of the Purposes aforesaid, as the said Commissioners or any Five or more of them shall think fit: Provided always, that it shall not be lawful for the said Commissioners to take or make use of any Houses, Buildings, Lands, Tenements, or Hereditaments for the Purposes of this Act, except Land which may be required for the Purposes of widening any Road or Roads, without the Consent in Writing of the Owners thereof, except such as are mentioned

Power to  
purchase  
Buildings,  
&c.

Only such  
Buildings as  
are com-  
prized in  
Schedule to  
be taken  
without  
Consent.

tioned in the Schedule annexed to this Act, and except as is hereinbefore mentioned.

Misnomers  
or wrong  
Description  
in Schedule  
not to pre-  
vent the  
Execution of  
the Act.

XCIX. Provided always, and be it further enacted, That if any of the Lands, Messuages, Tenements, or Hereditaments mentioned and described in the Schedule hereunto annexed, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Owners, Leaseholder or Leaseholders thereof, or any other Person or Persons interested therein, or in any Part thereof, shall happen by Mistake to be misnamed or incorrectly described, then and in such Case, on the same being certified by any Two of His Majesty's Justices of the Peace, such Misnomer or incorrect Description shall not prevent or retard the Execution of this Act, but the same Premises and Part thereof shall and may be purchased, sold, assessed, and valued in Manner as in this Act mentioned, and afterwards conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same was or were properly named and described in this Act, or in the said Schedule hereunto annexed.

Dwelling  
Houses, &c.  
mentioned in  
Schedule not  
to be taken  
unless pur-  
chased in  
Five Years.

C. Provided also, and be it further enacted, That in case the said Commissioners shall not purchase the Lands, Buildings, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, within the Space of Five Years from the passing of this Act, all the Powers granted by this Act for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Corporate  
Bodies, &c.  
may sell.

CI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenant or Tenants for Life or Years, or in Fee Tail, General or Special, and all Feoffees in Trust for charitable and other Purposes, Husbands, Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and other Trustee and Persons whomsoever, not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, and to and for all Femes Covert who are or shall be seised, possessed, or interested in their own Right, or entitled to Dower or other Interest, and for all and every other Person and Persons whomsoever, who is, are, or shall be seised or possessed of or interested in any Messuages, Buildings, Lands, Tenements, or Hereditaments, or entitled to any Estate, Right, Title, Lien, Charge, or Interest whatsoever in or to any Messuages, Buildings, Lands, Tenements, or Hereditaments, situated within the Parish of *Louth* aforesaid, whether the same shall be specified in the Schedule to this Act annexed or not, which the said Commissioners shall consider proper and necessary to be purchased for the Purposes of this Act, to contract and agree with the said Commissioners for a Lease or Leases, or for the absolute Sale thereof, or of any Part or Parts thereof, and of all or any Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same,

same, unto the said Commissioners for the Purposes of this Act, and to demise, convey, and assign the same respectively unto the said Commissioners; and all such Contracts, Leases, Bargains, Sales, Conveyances, and other Assurances shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, but also to convey all the Estate, Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them, or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates; and the same shall be deemed and considered to bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of the same Party, or Parties claiming under them, or any of them respectively; any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding.

CII. And be it further enacted, That all Sales, Conveyances, and Assurances to be made to the said Commissioners of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, by virtue of this Act, may be made in the Form or to the Effect following; that is to say,

Conveyances to be made in the following Form.

‘ [ *or We, as the Case may be* ] of  
 ‘ in consideration of the Sum of paid to me, [*or*  
 ‘ to us, *or into the Bank of England, as the Case may be,*] by the Commis-  
 ‘ sioners acting under the Authority of an Act passed in the Sixth Year  
 ‘ of the Reign of King George the Fourth, intituled [*here insert the Title*  
 ‘ of this Act] do hereby grant and convey unto the said Commissioners  
 ‘ all [*here describe the Premises to be conveyed*] and all my [*or our*] Right,  
 ‘ Title, and Interest in and to the same, to hold the same unto the said  
 ‘ Commissioners and their Successors from henceforth for ever, for such  
 ‘ Uses and Purposes as by the said Act they are enabled to take and  
 ‘ hold the same. In witness whereof I [*or we*] have hereunto set my  
 ‘ Hand and Seal [*or our Hands and Seals, or our Common Seal, as the*  
 ‘ Case may be] this Day of in the Year of our  
 ‘ Lord

And that every such Sale, Conveyance, and Assurance, made in Manner aforesaid, shall be valid and effectual to all Intents and Purposes, and shall be sufficient in Law to vest the Property of and in any such Messuages, Buildings, Lands, Tenements, or Hereditaments, Estate or Interest, so purchased or conveyed as aforesaid, in the said Commissioners for the Time being, for the Uses and Purposes for which the said Commissioners are authorized to take and hold the same by this Act; any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding.

CIII. And be it further enacted, That if any such Body or Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Tenant or Tenants for Life or Years, or in Fee Tail General or Special,  
 [Local.] 40 C Feoffees

Juries may assess Damages in certain Cases.

Feoffees in Trust for charitable or other Purposes, Husbands, Guardians, Committees or Trustees, or any other Owners, Proprietors, or Occupiers, or other Person or Persons whomsoever, either seised, possessed of, or interested in his, her, or their own Rights, or on the Behalf of any incapacitated Person or Persons so seised, possessed, or interested of, in, or to any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments, situate within the said Town and Parish of *Louth*, and as are specified in the Schedule hereunto annexed or mentioned, or comprised or intended to be comprised in the Clause herein contained, making Provision for setting back the Fronts of new Erections on ancient Sites, and which may be required by the said Commissioners for the Purposes of this Act, shall, for the Space of Three Calendar Months next after Notice shall be given to or left at the last known or usual Place or Places of Abode of such Person or Persons, or of the Clerk or Head Officer of any such Body Politic, Corporate or Collegiate, or at the House or Houses of the several Tenants in possession of the said Premises, signed by the Clerk or Clerks of the said Commissioners, and signifying the Intention of the said Commissioners to contract for the Purchase thereof, neglect or refuse to treat, or shall not agree with the said Commissioners for the Sale of any such Messuages, Buildings, Lands, Tenements, and Hereditaments, or any Part or Parts thereof, or any Estate or Interest therein, or for the taking or using the same or any Part or Parts thereof, or shall be prevented by Absence or otherwise from treating for such Sale, taking, or using, or shall decline or refuse to sell, convey, demise, or dispose of the said Premises, or any Part or Parts thereof, or their respective Estates, Rights, or Interest therein, unto the said Commissioners, according to the Intent and Meaning of this Act, or shall not or cannot produce a clear Title to the said Premises, or to the respective Estates, Rights, or Interests which they respectively claim therein, to the Satisfaction of the said Commissioners, then and in every such Case it shall be lawful for the said Commissioners to cause it to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the Parts of *Lindsey* in the County of *Lincoln*, (which Oaths the said Commissioners or any Five or more of them is and are hereby empowered to administer) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to the Owners, Proprietors, or Occupiers respectively of the said Messuages, Buildings, Lands, Tenements, Hereditaments, Estates, Rights and Premises, for or by reason of the same being purchased or taken by the said Commissioners for the Purposes of this Act; and in order thereto the said Commissioners, or any Five or more of them, are hereby authorized, empowered, and required from Time to Time to summon and call before them all Persons who shall be thought necessary and proper to be examined as Witnesses before the said Jury upon Oath, (which Oath the said Commissioners or any Five or more of them is and are hereby empowered to administer), and they shall order and require the said Jury to view the Premises in question, and to use all other lawful Ways and Means for the said Jury's Information in the Premises; and after the said Jury shall have ascertained, awarded, and assessed such Damages and Recompence as aforesaid, they the said Commissioners shall thereupon order and direct the Sum or Sums of Money so awarded and assessed by the said Jury to be paid to the Owners, Proprietors,

or

or Occupiers of the said Premises, or other the Person or Persons interested therein, according to the Verdict or Inquisition of the said Jury; which Verdict or Inquisition, Order and Direction, when so had and made, shall be binding and conclusive to all Intents and Purposes whatsoever, against all Persons, as well absent as present, and whether claiming in Possession, Reversion, or otherwise; and all and every such Owners, Proprietors, Occupiers, and other Persons in anywise interested in the said Premises shall be thereby and from thenceforth divested to all Intents and Purposes of all Right, Title, Claim, Remainders, Reversions, Interest or Property of, in, to, or out of the same; and upon Payment of the Money so awarded or assessed to the respective Parties entitled thereto, or on paying the same into the Bank of *England* in the Manner directed by this Act, (in Cases where the Provisions of this Act require or allow the same to be so paid), it shall be lawful for the said Commissioners to cause the Premises in respect whereof such Money shall be so awarded and assessed to be taken Possession of and disposed of, and such Acts to be done thereto, as if the Purchase or taking thereof had agreed to and completed, and the said Premises were untenanted, and the Purchase Money or Recompence had been actually received by the Person or Persons entitled thereto.

CIV. And be it further enacted, That each and every of the said Jury shall be sworn to ascertain and assess such Recompence and Satisfaction as aforesaid in the Form following, except so far as it may be necessary to change the same for the Purpose of describing the Matter or Thing, Matters or Things, for which the said Recompence or Satisfaction is to be made, ascertained, or given:

‘ I *A. B.* do swear [*or affirm, as the Case may be*], That I will well and truly assess and inquire, without any Favour, Partiality, of Affection whatever, the Sum which ought to be paid or granted [*as the Case may be*] for and in recompence of [*describe the Premises only, if the total Value thereof is to be the Matter of Enquiry, or if any separate Interest or Interests therein, then say*] the Estate and Interest of *A. B.* or of the several and respective Estates and Interests of *A. B., C. D., E. F.,* and each and every of them, in the [*describe the Premises to be purchased*], under and by virtue of an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled [*here recite the Title of this Act*]; and that I will give a true Verdict according to the Evidence.

‘ So help me GOD.’

[*Or being a Quaker, omit the Words ‘ So help me God.’*]

CV. And be it further enacted, That for summoning and returning such Jury as aforesaid, the said Commissioners are hereby empowered to issue their Warrant or Warrants, signed by any Three or more of them, to the Sheriff of the County of *Lincoln*, thereby requiring such Sheriff to summon, impanel, and return an indifferent Jury of Twenty-four Persons, Inhabitants of the said Parts of *Lindsey*, to appear before the said Commissioners or any Five or more of them, at such Time and Place within the said Parish of *Louth* as in such Warrant or Warrants shall be appointed; and such Sheriff or his Deputy is hereby required to summon, impanel, and return such Twenty-four Persons accordingly; and out of the Persons so summoned, impanelled, and

Jury to be sworn.

Form of Oath.

Commissioners to issue their Warrant for summoning Juries.

Default in  
Attendance  
of Jurors  
summoned.

Jurors may  
be chal-  
lenged.

Commis-  
sioners may  
impose Fines  
on Sheriff,  
Jury, and  
Witnesses.

Allowance  
to Sheriff  
and Jury.

By whom  
Expences of  
Juries to be  
paid.

and returned, or out of such them as shall appear according to or upon such Summons, the said Commissioners shall swear or cause to be sworn Twelve Persons, who shall be the Jury for the Purpose aforesaid; and in default of the Attendance of a sufficient Number of Jurymen, or in case of their Number being reduced by Challenge as herein-after mentioned, the said Sheriff or his Deputy shall return other indifferent Men of the Standers-by, or who can be speedily procured to attend that Service, so that the Jury may amount to the Number of Twelve; and in case the Jury to be sworn as aforesaid shall return to the said Commissioners that they cannot agree in their Verdict, the said Sheriff or his Deputy is hereby authorized and required, upon receiving any other Warrant or Warrants from the said Commissioners in that Behalf, to summon, impanel, and return another Jury in the Manner and for the Purposes aforesaid: Provided always, that all Persons concerned shall have their lawful Challenges against any of the said Jurymen, in the same Manner as any Party in any Action depending in any of His Majesty's Courts of Record at *Westminster* is by Law entitled thereto; and the said Commissioners are hereby empowered to impose any reasonable Fine or Fines upon the said Sheriff or his Deputy making any Default in the Premises, and also on any of the Persons who shall be summoned and returned to serve on such Jury, and who shall not appear (without some sufficient Excuse), or after having appeared shall refuse to be sworn on the said Jury, or having been sworn shall refuse to give or shall not give a Verdict in the Matter in question, or who shall in any other Manner wilfully neglect his or their Duty therein, and also upon any of the Persons who, being summoned or required to give Evidence before the said Jury touching the Premises, shall neglect or refuse to appear (without sufficient Excuse), after having been paid or tendered a reasonable Sum of Money for his or her Expences, or appearing shall refuse to be sworn, or to be examined, or to give Evidence touching the Premises; but no such Fine shall exceed the Sum of Fifty Pounds on any such Sheriff or Deputy, or the Sum of Five Pounds upon any other Person for One Offence.

CVI. Provided always, and be it further enacted, That each and every Jurymen who shall be sworn for the Purposes of this Act, shall for his Trouble and Expences in the Premises be allowed the Sum of Twenty-one Shillings for each Day's Attendance, and no more, notwithstanding such Jurymen shall be sworn on several Enquiries and Assessments on the same Day; and that the Sheriff, for summoning, impanelling, and returning of each Jury, and taking and recording their Verdict or Verdicts, shall be allowed the Sum of Five Pounds and no more.

CVII. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Commissioners as a Recompence or Satisfaction for any such Messuages, Buildings, Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, all the Costs and Charges incurred in summoning, impanelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Commissioners out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Seven



Days after the Time appointed for Payment thereof, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Commissioners, or of any Goods or Chattels of the Treasurer or Treasurers of the said Commissioners (unless such Treasurer or Treasurers shall pay such Costs and Charges out of any Monies received by him by virtue of this Act, which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice or Justices of the Peace, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Commissioners, as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne by the Party or Parties refusing or neglecting to treat or agree as before mentioned; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the Commissioners, the Costs and Charges so incurred shall be borne by the said Commissioners in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said Parts not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Commissioners from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

CVIII. And be it further enacted, That from and immediately after actual Payment being made of the Monies contracted or agreed, or otherwise awarded to be paid as the Purchase Money or Recompence for any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased or taken by virtue or in pursuance of this Act, either to the Person or Persons, Party or Parties respectively entitled to receive the same Monies, or, where the Provisions of this Act shall so require or allow, into the Bank of *England*, for the Purpose of being disposed of in the Manner in this Act directed, all and every the Premises, Estate, Right, or Interest for or in respect whereof such Monies shall have been so paid, shall absolutely vest in the said Commissioners paying such Purchase Money, for the Purposes for which they are by this Act respectively authorized to purchase or take the same; and such Commissioners shall be deemed in Law to be in the actual Possession thereof

Property to vest in Commissioners on Payment of Purchase Money.

thereof to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims and Demands whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding; and after Payment of such Purchase Money as aforesaid, the said Commissioners or any of them shall not be answerable or accountable for the Loss, Misapplication, or Nonapplication of the said Purchase Money, or any Part thereof.

Tenants to deliver Possession after Notice.

CIX. And be it further enacted, That all and every Person and Persons, Bodies Politic, Corporate, and Collegiate, in Possession of any Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Part of any Houses, Buildings, Lands, Tenements, or Hereditaments which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in them for any of the Purposes of this Act, shall, at the End of Six Calendar Months next after Notice in Writing, signed by the Clerk or Clerks of the said Commissioners, shall have been given to him, her, or them, or left at his, her, or their last known or usual Place or Places of Abode, or at the Premises which shall be the Subject of such Notice, and upon Payment or Tender being made to him, her, or them of such Recompence or Satisfaction for their Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or shall, in default of such Agreement, or in case such Person or Persons is or are absent or not known, be settled, ascertained, and awarded by the Verdict or Inquisition of a Jury in manner aforesaid, (and to which all the Provisions hereinbefore contained as to other Inquisitions shall be held to apply), quit and relinquish the said several Premises so in their respective Possessions unto the said Commissioners, or such Person or Persons as shall be appointed by them to receive Possession of the same; and all Leases, Demises, Contracts, and Agreements whatsoever, under or by virtue whereof any such Persons shall hold the said Premises, shall, at and from the End and Expiration of such Six Calendar Months, be absolutely void and of none Effect as against the said Commissioners; and if any such Person or Persons as aforesaid shall refuse or neglect to, or shall not deliver up the Premises in his or her Possession at the Expiration of such Six Calendar Months, it shall be lawful for any Justice of the Peace to issue his Precept or Warrant to the Constables of the said Parish of *Louth* for the Time being or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that special Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same on behalf of the said Commissioners; and the said Constables and every of them are thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly.

Mortgagees to assign on Tender of Principal and Six Calendar Months Interest, or on Payment of Principal and

CX. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on any such Houses, Buildings, Lands, Tenements, or Hereditaments which shall be purchased in pursuance of this Act, his, her, or their Heirs, Executors, Administrators, and Assigns respectively, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on Tender of the Principal Money and Interest due thereon, together with Six Calendar Months Interest of the said

said Principal Money, by the said Commissioners or by such Person or Persons as they shall appoint, immediately assign such Mortgage or Mortgages to the said Commissioners, or to such Person or Persons as they shall appoint in trust for them; or in case such Mortgagee or Mortgagees shall have Notice in Writing given to him, her, or them from the said Commissioners, or any Person authorized by them, that they will pay off and discharge the Principal and Interest Money which, at the Expiration of the said Six Calendar Months, to be computed from such Notice given, shall be due on such Mortgage, that then at the End of the said Six Calendar Months, on Payment or Tender of the Principal or Interest Money so due, such Mortgagee or Mortgagees shall convey and assign his, her, and their respective Estates and Interests in the said mortgaged Premises to the said Commissioners, or to such Person or Persons as they shall nominate and appoint in trust for them; and if any such Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, shall refuse so to do on such Tender or Payment, then all Interest on every such Mortgage shall cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained as directed by this Act, then the said Commissioners shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises, so ascertained as aforesaid: Provided also, that in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like Manner as is herein directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in trust for him, her, or them, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever: Provided also, that if such Mortgage or Mortgages shall comprise any other Lands, Tenements, or Hereditaments, than those which shall be so purchased or taken by the said Commissioners, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum so ascertained as the Value of the said Lands, Tenements, or Hereditaments as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, or Hereditaments to the said Commissioners, or to such Person or Persons as shall be appointed in trust for them; and in default of their so doing, and on Payment of such Money into the Bank of *England* for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as above mentioned, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in trust for them, in the said Lands, Tenements, or Hereditaments, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the said Premises, to all Intents and Purposes whatsoever,

soever, and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages.

Directing  
Application  
of Purchase  
Money when  
amounting  
to 200*l.* and  
upwards.

1 G. 4. c. 35.

CXI. And be it further enacted, That if any Money shall be contracted or agreed or awarded to be paid for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic or Idiot, or any other Person or Persons under any Disability or Incapacity, such Money, in case the same shall amount to or exceed the Sum of Two hundred Pounds, shall with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Commissioners for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Party or Parties who would have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Buildings, Lands, Tenements, or Hereditaments, or affecting other Messuages, Buildings, Lands, Tenements, or Hereditaments standing and being settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Buildings, Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Bank Annuities shall from Time to Time be paid, by the Order of the said Court, to the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, and Hereditaments

Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

CXII. Provided always, and be it further enacted, That if any Money so contracted, or agreed or awarded to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Party or Parties who for the Time being shall be entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, or for his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Lunacy, or Idiocy, to be signified in Writing under their respective Hands, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Party or Parties making such Option, and approved by Three or more of the Commissioners for executing this Act, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends and Produce thereof, may be applied in the Manner herein-before directed, as far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Directing Application of Purchase Money when less than 200*l.* and exceeding 20*l.*

CXIII. Provided also, and be it further enacted, That where such Money so contracted or agreed or awarded to be paid as aforesaid shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners for executing this Act, or any Three or more of them, shall think fit; or in Cases of Infancy, Lunacy, or Idiocy, then to the Guardian or Guardians, Committee or Committees of the Infants, Lunatics, or Idiots entitled to such Rents and Profits, to and for the Use and Benefit of such Infants, Lunatics, or Idiots respectively.

Directing Application of Purchase Money not exceeding 20*l.*

CXIV. 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 Lands or Hereditaments to be purchased, taken, or used by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the

Compensation Money to be paid into the Bank in certain Cases.

[Local.]

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said

said Commissioners to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands and Hereditaments (describing them), subject to the Order, Control, and Disposition of the Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and to whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

Persons in possession to be deemed entitled.

CXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Party or Parties to any Money to be paid into the Bank of *England*, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, or of any Estate, Right, or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any of such Money, or to the Dividends of any such Bank Annuities, the Party or Parties who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments; or Part, Estate, Right, or Interest therein, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends of the said Bank Annuities, and also the Capital of the same Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Party or Parties was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Part, Estate, or Interest therein.

Costs of Purchases for incapacitated Persons to be paid by the Commissioners.

CXVI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Party or Parties entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of any other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such last-mentioned Purchases, or so much

of such Expences as the said Court shall deem reasonable, together with Charges of obtaining such Order, to be paid by the Commissioners herein-before mentioned, who shall purchase or take from such disabled or incapacitated Party or Parties; and which Commissioners shall, from Time to Time, out of the Monies to be raised by virtue of this Act, pay such Sums of Money for the Purposes aforesaid as the said Court shall direct.

CXVII. 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 to cause all and every the Messuages and other Buildings which shall at any Time or Times be purchased or taken by the said Commissioners under the Powers and for the Purposes of this Act, or any of them, or any Part or Parts thereof, to be appropriated to any of the Purposes of this Act, or otherwise to be pulled down and removed, and to cause all or any Part or Parts of the Sites thereof, and any other Land or Ground to be purchased or taken under the Powers and for the Purposes of this Act, to be added or laid to or into, and made Part of any of the Streets, Lanes, Roads, Passages, or public Places within the said Town and Parish, for the Purpose of widening or otherwise improving the same, or for making any Communication or Communications between any of the Streets, Lanes, Roads, Passages, or other public Places within the said Town and Parish, in such Manner as the said Commissioners shall judge proper; and that it shall be lawful for the said Commissioners to cause all or any of the Materials of the several Messuages or other Buildings, or Parts of Messuages or Buildings, which shall be taken down in pursuance of this Act, to be sold, and all the Monies to be produced by the Sale thereof (after deducting the Expences of taking down such Buildings, and of such Sale) shall be applied and disposed of for or towards the general Purposes of this Act.

Power to pull down Buildings, &c.

CXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to sell so much or such Part or Parts of the Houses, Buildings, Lands, Tenements, or Hereditaments, to be purchased by or vested in them by virtue of the Powers herein contained, as shall at any Time or Times be found by them to be unnecessary or more than sufficient for the Purposes of this Act; and for completing and carrying any such Sales into effect, the said Commissioners, or any Five or more of them, are hereby authorized and empowered to make and execute any Conveyances of such of the said Premises as shall be so sold unto the Purchasers thereof; and such Conveyances shall in all Cases be deemed sufficient in Law to vest such of the said Premises as shall be expressed and intended to be granted by such Conveyances in the Purchasers thereof, and his, her, or their respective Heirs and Assigns: Provided nevertheless, that the Person or Persons who shall be Owner or Owners of the House, Building, or Land adjoining to the said Premises, shall have the first Preference of purchasing such Part or Parts of the said Premises as shall be found unnecessary as aforesaid; and in case such Owner or Owners shall, upon the same being offered to him, her, or them by the said Commissioners, decline or refuse to purchase the same, then and in every such Case, on an Affidavit being made and sworn before a Master or Masters Extraordinary of the Court of Exchequer, by some Person or Persons (not interested in the Premises), stating that such Offer was made by

Power to resell Premises not wanted.

Owners of adjoining Premises to have the first Offer.

In case such Owners cannot agree, Price to be fixed by Jury.

Monies to arise by Sale applied to Purposes of Act.

Restraining Commissioners from purchasing more than Two Acres of Land from incapacitated Persons.

by or on the Behalf of the said Commissioners, and that such Owner or Owners declined or refused to purchase the said Premises, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was declined or refused by such Owner or Owners; but in case such Owner or Owners shall be desirous of re-purchasing the same, and cannot agree with the said Commissioners in regard to the Price to be paid for the Purchase thereof, then and in such Case the Price or Value thereof shall be settled and ascertained by a Jury, in like Manner as the Recompence or Satisfaction for any Hereditaments to be purchased or taken by the said Commissioners for the Purposes of this Act is herein-before directed to be settled and ascertained, and the Costs and Charges of ascertaining and determining the same shall be borne and paid in like Manner as herein-before is directed with respect to Purchases made by the said Commissioners, *mutatis mutandis*; and all Monies to arise by any Sales which may be made by the said Commissioners of the said Premises, or any Part or Parts thereof, shall be applied to the general Purposes of this Act; but the Purchasers thereof, having paid his, her, or their Purchase Monies to the Treasurer or Treasurers of the said Commissioners, and obtained his or their Receipt or Receipts for the same, shall not be liable to see to the Application of the said Monies, or answerable or accountable for the Misapplication or Nonapplication of the same.

CXIX. And whereas the said Commissioners are enabled to purchase Two Statute Acres of Land by virtue of this Act for the Purposes thereof; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whosoever, are empowered to sell such Quantity or Number of Acres to the said Commissioners: And whereas it is expedient to restrain the said Commissioners from selling any such Land so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or instead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Use Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such Two Statute Acres; and in case the said Commissioners shall afterwards sell the Whole or any Part of such

Two



Two Statute Acres so purchased, it shall not be lawful for the said Commissioners to purchase of, or for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Commissioners any other Lands in lieu or instead of such Two Acres, or any Part thereof so sold or disposed of by the said Commissioners.

CXX. And in order to raise Money to defray and pay the Charges and Expences of paving, flagging, repairing, amending, and cleaning the Streets, Lanes, Roads, Highways, and other public Passages and Places within the said Town and Parish, and the Salaries of the Surveyors of the said Highways, and also the Costs, Charges, and Expences of or attending or incident to the obtaining and passing this Act (over and above such Sums of Money as have been raised by voluntary Subscription for that Purpose); be it further enacted, That it shall be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered, when and so often as they shall think necessary, at any Meeting or Meetings to be holden for that Purpose, to order and direct a Rate or Rates, Assessment or Assessments, not exceeding Three Shillings in the Pound in any One Year, under the Name and Description of "The Paving and Highway Rate," on the full annual Rent or Value of all Houses, Buildings, Warehouses, Shops, Cellars, Vaults, Furnaces, Steam and other Engines, Mills, Stables, Coach Houses, Counting-houses, Brewhouses, Granaries, and other Buildings and Works, Tolls, Pickages, Stallages, Tenements, and Hereditaments already or hereafter to be erected, built, received, or made, or situate, standing, and being, or arising within the said Town and Parish of *Louth*, and upon the several Gardens, Orchards, Paddocks, Curtilages, Yards, and other Conveniences thereto adjoining or belonging, and also upon the several Lands and Grounds within the said Town and Parish; such Rate or Rates, Assessment or Assessments, to be made, assessed, charged, and levied upon the Tenant or Tenants, Occupier or Occupiers of all and every such Houses, Buildings, Warehouses, Shops, Cellars, Vaults, Furnaces, Engines, Mills, Stables, Coach Houses, Counting-houses, Brewhouses, Granaries, and other Buildings and Works, Tolls, Pickages, Stallages, Tenements, and Hereditaments, Gardens, Orchards, Paddocks, Curtilages, and other Conveniences, Lands, and Grounds; and such Rate or Rates, Assessment or Assessments, shall be made at any Time after the passing of this Act, and shall be paid to and raised, levied, and collected by any Collector or Collectors to be appointed by the said Commissioners, and shall when collected be paid to the Treasurer or Treasurers for the Time being of the said Commissioners, for defraying and paying the several Charges and Expences last aforesaid; such annual Rent or Value to be from Time to Time settled, ascertained, and fixed in such Manner as the said Commissioners shall direct or appoint.

Power to levy a Paving and Highway Rate on Buildings and Lands.

Annual Value to be settled by Commissioners.

CXXI. And in order to raise sufficient Money to defray and pay the Charges and Expences of lighting, watching, and regulating the Streets,

[Local.]

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Lanes,

Power to levy a Lighting, Watching,

and Improve-  
ment Rate,  
on Build-  
ings, &c. and  
on Paddocks,  
Gardens,  
&c. adjoining  
Streets, and  
Highways.

Lanes, Roads, Passages, and other public Places within the said Town, and all the Charges and Expences of or attending or incident to the executing this Act, and carrying the several Powers and Purposes thereof into Execution (save and except for paving, flagging, repairing, amending, and cleansing the Streets, Lanes, Roads, Highways, and other public Paths and Passages within the said Town and Parish, and the Salaries of the Surveyors employed therein), and for purchasing any Messuages, Cottages, Buildings, Lands, or Tenements, for the Purpose of widening or improving any Street, Lane, Road, Passage, or other public Place within the said Town and Parish as herein mentioned; be it further enacted, That it shall be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered from Time to Time, when and so often as they shall think necessary, at any Meeting or Meetings to be holden for that Purpose, to order and direct a Rate or Rates, Assessment or Assessments, not exceeding Two Shillings in the Pound in any One Year, under the Name and by the Description of "The Lighting, Watching, and Improvement Rate," on the full annual Rent or Value of all Houses, Warehouses, Shops, Offices, Cellars, Vaults, Foundries, Furnaces, Engines, Mills, Stables, Coach Houses, Counting-houses, Brewhouses, Granaries, and other Buildings, Works, or Tenements already built, erected, or made, or which shall hereafter be erected, built, or made within the said Town and Parish of *Louth*, and upon the several Gardens, Yards, and other Conveniences thereto adjoining or belonging, and upon all Gardens, Orchards, Paddocks (adjoining to and occupied with Dwelling Houses, or any Part of such Paddocks not exceeding One Acre), Tenements, and Hereditaments adjoining to or upon any of the Streets, Lanes, Roads, Highways, Passages, or other public Places which are already made or built, or which shall hereafter be made or built within the said Town and Parish of *Louth*; such last-mentioned Rate or Rates, Assessment or Assessments, to be made, charged, assessed, and levied upon the Tenant or Tenants, Occupier or Occupiers, of all and every such Houses, Warehouses, Shops, Offices, Cellars, Vaults, Foundries, Furnaces, Engines, Mills, Stables, Coach Houses, Counting-houses, Brewhouses, Granaries, and other Buildings, Works, or Tenements, Yards, Gardens, Orchards, Paddocks, and Tenements; and such Rate or Rates, Assessment or Assessments, shall be made at any Time after the passing of this Act, and shall be paid to and raised, levied, and collected by any Collector or Collectors to be appointed by the said Commissioners, and shall, when collected, be paid to the Treasurer or Treasurers for the Time being of the said Commissioners, for defraying and paying the several Charges and Expences aforesaid; such annual Rent or Value to be from Time to Time settled, ascertained, and fixed in such Manner as the said Commissioners shall direct or appoint.

Annual Value  
to be settled  
by Commis-  
sioners.

Exemptions  
from Rates.

CXXII. Provided always, and be it further enacted, That no Person shall pay the several Rates or Assessments, which shall be made by virtue of or in pursuance of this Act, who shall occupy a House or Houses therein rated at or under the yearly Value of Four Pounds, or who, by reason of his or her own Poverty only is or shall be excused from paying any Rate made for Relief of the Poor of the said Town and Parish; nor shall any Person be charged with, or rated in or by any of the Rates or Assessments to be made under the Name and by the Description of "The Lighting, Watching, and Improvement Rate," for or on account

of any Land whatsoever which shall at the Time of making any such Rates or Assessments be Woodland, or used as Arable, Meadow, or Pasture Ground only, except Paddocks adjoining to and occupied with Dwelling Houses, or any Part of such Paddocks not exceeding One Acre.

CXXIII. And be it further enacted, That every Tenant or Occupier of Premises rated to the said Rate or Assessment called "The Lighting, Watching, and Improvement Rate," shall first pay the whole Rate made in respect of the Premises so rated as aforesaid in his or her Possession by virtue of this Act, and then afterwards shall be entitled to deduct out of the Rent payable to his or her Landlord One-third Part of such Rate or Assessment.

Tenants to pay the whole Improvement Rate.

CXXIV. And be it further enacted, That where any House, Building, or Tenement, in respect whereof any Rate or Assessment shall be made as aforesaid, shall be let out ready furnished, or in separate Apartments, by the Lessee, Tenant, or Landlord thereof, any One or more of such Lodgers shall be subject and liable to the Payment thereof; and all and every such respective Lodger or Lodgers who shall pay any such Rate or Assessment, or any Part thereof, or from whom the same or any Part thereof shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the net Rent due and payable, or to be due and payable from him, her, or them, to such respective Lessee, Tenant, or Landlord; and the Receipt for such Payment shall be a sufficient Discharge for such Lodger or Lodgers, to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or as shall be levied on him, her, or them, by virtue of this Act: Provided always, that no such Lodger or Lodgers shall at any Time be required to pay, or be subject or liable to pay any greater Sum for or towards the Discharge of the same Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Lodger or Lodgers to the Lessee, Tenant, or Landlord of the Premises so occupied by him, her, or them.

Houses let out in Apartments, One or more of Lodgers to be deemed the Occupiers.

No Lodger liable to pay any greater Sum in discharge of Rates than the Amount of Rent due.

CXXV. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Building, or Tenement which shall be rated or assessed by virtue of this Act, such Person shall be liable to such Rate or Assessment in proportion to the Time that he or she occupied the same; and in all Cases where any Person shall come into or occupy any House, Building, or Tenement rated or assessed as aforesaid, of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making any Rate or Assessment was empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment in respect thereof, in proportion to the Time that he or she occupied the same; which said respective Proportions, in case of Dispute, shall be settled and ascertained by the Warden and Justice of *Louth* for the Time being, or One of them.

Persons quitting or entering on Premises rated to pay Proportions of Rates.

CXXVI. Provided also, and be it further enacted, That if any Person shall, by reason of his or her Occupation of a House or Houses rated at or under the yearly Value of Four Pounds, or of his or her Poverty, as herein-before provided, not be liable to the Payment of the several

Landlords to pay the whole Rates in certain Cases.

several Rates or Assessments which shall be made by virtue of or in pursuance of this Act, then the said Rates or Assessments charged or rated upon every such Person shall be wholly borne and paid by his or her Landlord, who shall be liable thereto, and subject to all and every the said Remedies for Recovery thereof, as if he was the Tenant or Occupier instead of the Person so exempted.

Landlords,  
how to be  
ascertained.

CXXVII. Provided always, and to prevent Dispute touching the Designation of Landlord or Owner, Lessee or Lessees, intended to be made on certain Cases liable to Rates by this Act, be it enacted, That the Person or Persons receiving or claiming to be entitled to the Rent of every House, Tenement, or Hereditament, or Part of a Tenement, immediately payable by the Tenant or Occupier thereof, shall be deemed or taken to be the Landlord or Owner, Lessee or Lessees of the same for the Purposes of this Act, and shall continue to be rated or liable to the Payment of all and every such Rates as therein and herein-before mentioned.

Not to affect  
Agreements  
between  
Landlord  
and Tenant.

CXXVIII. Provided always, and be it further enacted, That nothing herein contained shall be deemed or taken to make void any Contract, Covenant, or Agreement between any Landlord and Tenant, or touching or concerning the Payment of any Rates or Assessments to be raised or made by virtue of this Act.

Commis-  
sioners to  
appoint As-  
sessor.

CXXIX. 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, by Warrant under the Hands and Seals of any Five or more of them, the Warden or Justice being One, to appoint Two or more Inhabitants of the said Town and Parish of *Louth* liable to serve Parish Offices there, and not being of the Number of the said Commissioners, to be Assessors for any Period not exceeding Two Years from the Time of their Appointment, of the several Rates or Assessments herein-before authorized to be made; and such Persons so from Time to Time appointed Assessors are hereby empowered and required to make and assess all such Rates and Assessments as shall be ordered and directed by the said Commissioners upon all Tenants or Occupiers of Houses, Shops, Warehouses, Cellars, Vaults, Foundries, Furnaces, Steam and other Engines, Mills, Stables, Coach Houses, Counting-houses, Brewhouses, Granaries, and other Buildings, Erections, Works, or Tenements, Gardens, Yards, Orchards, Paddocks, and other Convenience, Lands, Tenements, Tolls, Pickages, Stallages, and Hereditaments within the said Town and Parish which shall be liable to be rated under the Direction of this Act: Provided nevertheless, that no Rate or Assessment to be made by virtue of this Act shall be valid, or of any Force or Effect, until the same shall be allowed, confirmed, and signed by Five or more of the said Commissioners; and after the said several Rates or Assessments shall respectively have been so made, allowed, confirmed, and signed as afore-said, the same shall and may respectively be demanded, collected, levied, raised, recovered, and received by such Collector or Collectors as the said Commissioners, by Warrant under the Hands and Seals of any Five or more of them, shall from Time to Time appoint for that Purpose, and who are hereby respectively invested with full Power and Authority to demand, collect, levy, raise, recover, and receive the same.

Rates to be  
signed by  
Commis-  
sioners.

CXXX. And

CXXX. And be it further enacted; That if any Person appointed an Assessor of the said Rates or Assessments, or any of them as aforesaid, shall refuse or neglect to take upon himself the Office of Assessor within Seven Days next after Notice in Writing of such Appointment, without assigning some reasonable Cause, to be allowed by the said Commissioners, for his Refusal, or if such Person who shall be so appointed as an Assessor shall refuse to be sworn, or being a Quaker to affirm, faithfully, truly, and impartially to execute such Office, every Person so neglecting or refusing shall for every such Neglect or Refusal forfeit and pay any Sum not exceeding the Sum of Ten Pounds: Provided nevertheless, that no Person shall be obliged to serve the said Office of Assessors for a longer Period than Two Years together, nor to be liable to be appointed to the said Office within Ten Years next after his having served the same, or paid the said Penalty as aforesaid; and no Person above the Age of Sixty Years shall be compellable to serve or undertake the said Office of Assessor as aforesaid.

Persons refusing to execute Office of Assessor.

Not obliged to serve the Office of Assessor longer than Two Years.

CXXXI. And for affording Facility to the making of the Rates and Assessments authorized by this Act to be laid and assessed, be it further enacted; That the said Commissioners shall and may cause all or any of the Books or Assessment of Rates, made and to be made towards the Relief of the Poor within the said Town, to be brought before them without Fee or Reward, and shall and may cause Copies to be made and taken of such Books or Assessments, or any Part or Parts thereof; and if any Person in whose Custody or Power any of the said Books or Assessments shall be, shall, after receiving Notice signed by the Clerk of the said Commissioners for the Purpose, refuse to permit or suffer Copies thereof to be taken by the Order of the said Commissioners, then and in every such Case, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Poor Rates may be inspected.

CXXXII. And be it further enacted; That such Assessor or Assessors shall appear at such Time and Place as the said Commissioners shall by Writing signed by any Three or more of them order and appoint, and shall then and there produce and deliver to the said Commissioners such Rates or Assessments made and subscribed by such Assessor or Assessors, and shall from Time to Time, upon reasonable Notice to him or them given by the said Commissioners, attend the said Commissioners at any of their Meetings, and shall then and there explain any such Rates or Assessments.

Assessors to attend Commissioners with Assessments

CXXXIII. Provided always, and be it further enacted; That the Collector or Collectors of the said Rates shall once at least in every Month, or oftener if required so to do by the said Commissioners, by Writing signed by their Clerk, or Clerks for the Time being, pay the Money to be collected or received by virtue of this Act to the Treasurer or Treasurers for the Time being of the said Commissioners, or to such Person or Persons as the said Commissioners shall appoint to receive the same, to be applied to and for the Uses and Purposes herein-before mentioned; and all and every such Collector or Collectors shall and is and are hereby required, at the Time of making every Payment of Money as aforesaid, to deliver to the Person or Persons empowered to receive the same, true and exact Accounts of all Sums of Money received by him or them respectively, and also of such Sums of Money, Rates or Assessments, if any, which

Collectors to pay over to Treasurer once a Month, or oftener if required, the Money collected.

shall remain uncollected, together with the Reason why the same have or hath not been collected, to the End that it may appear whether such Non-payment or Non-collection happened through the Insolvency of the Person or Persons rated, or through the Default of the Collector or Collectors; and no such Collector or other Officer acting in the Execution of this Act (except the Treasurer) shall at any Time retain in his or their Hands a larger Sum than Fifty Pounds for more than One Day, upon pain of forfeiting to the said Commissioners any Sum not exceeding the Sum of Ten Pounds for every such Offence.

Assessors or  
Collectors  
over-rating  
or misbe-  
having to for-  
feit 5*l.*

CXXXIV. And be it further enacted, That if any such Assessor or Assessors, Collector or Collectors, shall wilfully over-rate any Person or Persons, or collect more than the respective Sum or Sums which shall have been rated or assessed as aforesaid, or shall otherwise misbehave himself or themselves in his or their respective Office or Offices, he or they shall for every such Offence or Misbehaviour forfeit and pay any Sum not exceeding Five Pounds, and also be discharged from his or their respective Office or Offices, if the said Commissioners shall think fit.

Commis-  
sioners may  
amend Rates.

CXXXV. And be it further enacted, That if any such Assessor or Assessors shall at any Time or Times hereafter, in any Rate or Assessment by him or them to be made by virtue or in pursuance of this Act, neglect or omit to rate or assess any Person or Persons liable to pay such Rate or Assessment; or shall in any such Rate or Assessment under-rate or over-rate any Person or Persons liable to pay any such Rate or Assessment, then and in every such Case it shall and may be lawful for the said Commissioners to rate and assess in the said Rate or Assessment such Person or Persons so omitted to be rated or assessed, and to raise or reduce such Person or Persons so under-rated or over-rated, or otherwise to amend such Rate or Assessment in such Manner as to the said Commissioners shall seem just and reasonable; and the said Commissioners shall and may and they are hereby empowered to strike out the Name or Names of any Person or Persons whom they shall determine to be not liable to the Payment of the Rates hereby directed respectively to be raised; and that all such Additions to or Alterations in any Rate or Assessment shall be valid and effectual to all Intents and Purposes whatsoever.

Rates how  
recovered.

CXXXVI. And be it further enacted, That in case at any Time or Times hereafter any Owner or Owners, or Occupier or Occupiers of any Messuage, Land, Tenement, or Hereditament situate in any Street or Place within the said Town and Parish, for and in respect whereof he or they shall be rated or assessed, or liable to pay any Rate or Assessment made or to be made by the said Commissioners to and for the Purposes of this Act, shall refuse or neglect to pay the Money rated and assessed upon him or them respectively, or which he or they may be liable to pay by virtue of this Act, and all Arrears, it shall be lawful for any One of His Majesty's Justices of the Peace for the said Town, and he is hereby authorized and directed by Writing under his Hand, on Complaint made by the Commissioners or any One or more of them, or any Officer or other Person appointed by them, to summon all and every Person and Persons who shall have refused and neglected as aforesaid, to appear at a Time and Place to be mentioned in such Summons before such Justice, or before any Justice or Justices of the Peace for the said Town, who shall be then and there present, the Collector or Collectors of such Rates or  
Assessments

Assessments having previously made Oath that he or they had duly demanded the said Rates or Assessments, and that the same were then in arrear and unpaid; and it shall be lawful for any Person appointed to collect and receive such Rates or Assessments, or for any of the Constables of the Parish of *Louth*, or for any other Person authorized by the said Commissioners, to serve all and every such Summons and Summonses upon all and every Person or Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his or their last or usual Place or Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments mentioned in such Summonses shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he, she, or they shall attend and shall not show good and sufficient Cause to such Justice or Justices as may be then and there present that he, she, or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, then and in every such Case every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all Cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses, or who shall have directed such Summons or Summonses to be signed and issued as aforesaid, or for any other Justice of the Peace for the said Town, and he is hereby authorized and required upon Oath made before him of the due Service of such Summons or Summonses by the Person who shall have served the same, and Proof on Oath that such Rate or Rates, Assessment or Assessments, is or are actually due and owing, to grant a Warrant under his Hand and Seal authorizing or directing any such Person appointed to collect such Rate or Rates, Assessment or Assessments, or any Constable or other Person as aforesaid, to levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the said Costs and Charges of the Summons (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the Costs, Charges, and Expences of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing, or upon the Goods, Chattels, and Effects found in or upon the Premises for or in respect whereof such Rates are then due and unpaid; and if within Five Days next after any Distress shall be made, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, together with all the said Costs and Charges for the said Summons and Warrant, and the Charges and Expences of executing the same Warrant, and of making such Distress and of keeping Possession of such Goods and Chattels, shall not be paid, then the said Person appointed to collect as aforesaid, or the Constable or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by One or more Appraiser or Appraisers, and to be sold, either on the Premises where the same shall be distrained or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the said Costs, Charges, and Expences of the said Summons, Warrant, Distress, Removal, or keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs, Charges, and Expences of appraising and selling the same, and shall return the Overplus (if any) to

to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him or them; and in case no such Goods and Chattels can be found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up or secured, or shall be removed, so that such Person appointed to collect the said Rate or Assessment as aforesaid, or such Constable or other Person cannot distrain the same, or in case after such Distress and Appraisement or Sale as herein-before are directed, the Proceeds thereof shall not be sufficient to pay such Rates or Assessments, with the Arrears due thereon, and all the said Costs, Charges, and Expences as aforesaid, then and in any of such Cases, upon Information thereof given to any Justice of the Peace for the said Town, it shall be lawful to and for any such Justice of the Peace, and he is hereby authorized and required to issue a Warrant under his Hand and Seal for the Apprehension of any such Person or Persons making default in the Payment of such Rates or Assessments, and the Arrears thereof, or of any Part thereof, and of such Costs, Charges, and Expences or any of them, and to commit such Person or Persons to the Common Gaol or House of Correction for the said Town, or for the Parts of *Lindsey* in the said County, there to remain and be kept to Labour, without Bail or Mainprize, for any Time not exceeding the Space of Three Calendar Months, unless such Rates or Assessments, and all Arrears thereof, and all Costs, Charges, and Expences, or so much thereof as shall remain unsatisfied by any such Distress or Distresses or otherwise, shall be sooner paid.

Form of  
Warrant of  
Distress.

CXXXVII. And be it further enacted, That any Warrant of Distress for the Nonpayment of any such Rates or Assessments to be made under this Act, shall be in the Words or to the Effect following :

Lincolnshire, } To the Collector or Collectors of the Rate for paving, &c.  
Louth, to wit: } the Town and Parish of *Louth*, in the County of *Lincoln*,  
and to all Constables and other Peace Officers of the same Town  
and Parish.

WHEREAS the under or hereafter-mentioned Persons, now or late Inhabitants, Holders, Landlords, Tenants, Occupiers, or Enjoyers of Lands, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, or other Buildings, Tenements, or Hereditaments, or Parts of Buildings or Tenements within the Town and Parish of *Louth* aforesaid, were and are truly rated and assessed, or liable to the Rate and Rates duly made for the Purposes of an Act made in the Sixth Year of the Reign of King *George* the Fourth, intituled [*here insert the Title of this Act*]: And whereas the said Persons have refused or neglected to pay the several Sums of Money at and against their Names hereunder or hereafter respectively set down, for Money due from them for or towards the Purposes in the said Act mentioned, and the said several Sum and Sums are still remaining due, in arrear, and unpaid, as appeareth upon Oath to One of His Majesty's Justices of the Peace for the said Town; and the said several Persons having been summoned to appear before me to answer the Premises, as also appeareth to me the said Justice upon Oath, and the said several Persons so summoned, or any of them, not having shown any sufficient Cause why such Sum or Sums of Money should not be paid; these are therefore in His Majesty's Name to will and require you or any of you forthwith to levy the said several Sums due from the said Persons as hereafter set at and opposite to their Names respectively, by Distress and Sale





Actions may  
be brought  
for Rates, or  
Monies due.

CXXXIX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think it more expedient, to bring or cause to be brought, in the Name of their Treasurer or Clerk, or any of one or more of them the said Commissioners, any Action or Actions of Debt, or special Action on the Case, in any of His Majesty's Courts of Record at *Westminster*, for all or any of the Rates or Assessments to be made by virtue of this Act, or for Monies to become due to the said Commissioners by virtue of this Act: Provided always, that nothing herein contained shall authorize the said Commissioners to commence any Action for the Recovery of any such Rate or Assessment in any Case where the Amount of the Rate or Assessment, or Rates or Assessments in Arrear, shall be less than Five Pounds, and in no Case where sufficient Distress can be had upon the Premises rated or assessed.

Persons  
aggrieved  
may appeal  
against  
Rates;

first to  
Commis-  
sioners;

then to the  
Quarter Ses-  
sions.

CXL. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, such Person or Persons having first paid such Rate or Assessment shall or may apply for Relief in the Premises to the said Commissioners, at their First or Second Meeting to be holden next after he, she, or they shall have paid the same; and the said Commissioners are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Order or Determination of the said Commissioners thereupon, then such Person or Persons may appeal against such Order or Determination to the General Quarter Sessions of the Peace for the Parts of *Lindsey* in the said County of *Lincoln*, or some Adjournment thereof, within the Time and in the Manner hereinafter directed in that behalf.

Rates may  
be inspected,  
&c.

CXLI. And be it further enacted, That all Rates and Assessments made or assessed by virtue of this Act shall be deposited with the Clerk or Clerks of the said Commissioners, who shall permit any Person rated by virtue of this Act, or any Creditor on any of the said Rates or Assessments, to inspect the same at all seasonable Times, upon Payment of One Shilling each Time; and such Clerk or Clerks shall, within Ten Days after Demand, deliver a true Copy of such Rates or Assessments, or any of them, or of any Part thereof, to any Person rated as aforesaid, or any such Creditor on the said Rates, being first paid for the making of such Copy after the Rate of Sixpence for every Seventy-two Words or Figures thereof.

Rate Books  
and Dupli-  
cates thereof,  
Evidence.

CXLII. And be it further enacted, That the Books of Rates, or Duplicates thereof, to be delivered to the said Clerk or Clerks, Collectors, or other Officers, by the Commissioners, and all Entries afterwards made therein, or examined Copies thereof respectively, being signed by any Three or more of the said Commissioners, shall be received as Evidence of the Rates imposed by virtue of this Act, and of the Payment of such of them, or any Part thereof, as shall by such Entries appear to have been paid to such Collectors.

Power to  
mortgage  
Rates.

CXLIII. And for the more speedily and effectually enabling the said Commissioners to discharge so much of the Costs, Charges, and Expences of and attending and incident to the obtaining and passing of  
this

this Act, as the voluntary Subscription entered into for that Purpose shall fall short of, and of executing the several Powers hereby vested in them, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time, when and as often as they shall think it expedient, to borrow and take up at Interest any Sums of Money not exceeding in the whole the Sum of Five thousand Pounds, upon the Credit of the said several Rates or Assessments hereby authorized to be made and collected, under the Names and by the Description of "The Paving and Highway Rate," and "The Lighting, Watching, and Improvement Rate," in the Proportions following; that is to say, not exceeding the Sum of Three thousand Pounds upon the Credit of the said Rate called "The Paving and Highway Rate," and also not exceeding the Sum of Two thousand Pounds upon the Credit of the said Rate called "The Lighting, Watching, and Improvement Rate;" and by any Writing or Writings under the Hands and Seals of the said Commissioners, or any Five or more of them, to mortgage, grant, or assign the said several Rates or Assessments, or any or either of them, or any Part or Parts thereof respectively, to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with such Interest as the said Commissioners and the Parties lending such Money shall agree upon, not exceeding Five Pounds for every One hundred Pounds by the Year; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Commissioners out of the Money advanced upon each respective Security; and a separate and distinct Mortgage shall be made in respect of each and every Sum of One hundred Pounds so to be borrowed; and every such Mortgage or Security shall be in the Words or to the Effect following; (that is to say),

No.

BY virtue of an Act passed in the Sixth Year of the Reign of King George the Fourth, intituled *An Act [here set forth the Title of this Act]*, we whose Names and Seals are hereunto subscribed and set, being Five or more of the Commissioners acting in the Execution of the said Act, in consideration of the Sum of \_\_\_\_\_ advanced and lent by \_\_\_\_\_ upon the Credit and for the Purposes in the said Act set forth, and paid by him [or her, or them, as the Case may be] to the Treasurer of the said Commissioners, do hereby grant and assign unto the said \_\_\_\_\_ [or to his, her, or their Trustee or Trustees, as the Case may be], his, [her, or their] Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments authorized by the said Act to be raised, levied, and collected under the Name and by the Description of "The Paving and Highway Rate [or of "The Lighting, Watching, and Improvement Rate," as the Case may be] as the said Sum of \_\_\_\_\_ Pounds doth or shall bear to the whole Sum to be borrowed upon the Credit of the same Rates and Assessments, to be had and holden from the Day of the Date of these Presents until the said Sum of \_\_\_\_\_ Pounds, with Interest for the same after the Rate of \_\_\_\_\_ per Centum per Annum, shall be fully repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals, the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

And

And all such Mortgages or Securities shall be good, valid, and effectual in the Law, and shall be numbered, commencing with No. 1., and so proceeding in arithmetical Progression ascending, whereof the common Exception and Difference shall always be one in respect of every Sum of One hundred Pounds, for which a separate Mortgage shall be so granted as aforesaid.

Power to  
raise Money  
by Annuity.

CXLIV. Provided always, and be it further enacted, That in case the said Commissioners shall think it advisable and more advantageous to raise all or any Part of the said several Sums of Three thousand Pounds and Two thousand Pounds respectively herein-before authorized to be raised, or any Part of the same Sums respectively, by granting of Annuities for Life or Lives, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by Writing under the Hands and Seals of any Five or more of them, to grant an Annuity or Annuities to any Person or Persons who shall advance and pay into the Hands of the Treasurer or Treasurers to the said Commissioners such Sum or Sums of Money as to the said Commissioners shall seem right and proper for the absolute Purchase of any Annuity or Annuities, to be paid or payable during the natural Life or Lives of every such Person or Persons, either with or without Benefit of Survivorship, so that no such Annuity do exceed the Rates herein-after mentioned; and the Expences of every such Grant or Annuity shall be defrayed by the said Commissioners out of the Money so advanced; and the Grant of every such Annuity shall be in the Words or to the Effect following; (that is to say),

Form of  
Grant of  
Annuity.

WE, Five or more of the Commissioners appointed by or in pursuance of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act [here set forth the Title of this Act]* in consideration of the Sum of \_\_\_\_\_ paid by \_\_\_\_\_ to the Treasurer of the said Commissioners for the Purposes in the said Act set forth, do hereby grant unto the said \_\_\_\_\_ and his, or her, or their Assigns, [or if by Survivorship] unto the said \_\_\_\_\_ and to the Survivor and Survivors of them] an Annuity or yearly Sum of \_\_\_\_\_ to be paid out of the Rates or Assessments authorized to be raised and collected by virtue of the said Act, under the Name and by the Description of "The Paving and Highway Rate," or of "The Lighting, Watching, and Improvement Rate," [as the Case may be]; which Annuity or yearly Sum of \_\_\_\_\_ shall be paid to the said \_\_\_\_\_ or his [her, or their] Assigns, during the Term of his [or her] natural Life, [or if by Survivorship, unto and amongst them the said \_\_\_\_\_ and the Survivor and Survivors of them] by Four equal Payments, upon the \_\_\_\_\_ Day of \_\_\_\_\_, the \_\_\_\_\_ Day of \_\_\_\_\_, the \_\_\_\_\_ Day of \_\_\_\_\_, and the \_\_\_\_\_ Day of \_\_\_\_\_, in every Year; and the first Payment thereof to be made upon the \_\_\_\_\_ Day of \_\_\_\_\_ next ensuing the Date of these Presents. In witness whereof we have hereunto set our Hands and Seals, the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

And

And every such Grant shall be good, valid, and effectual in the Law, any Law or Statute to the contrary thereof notwithstanding; and all Annuities to be granted as aforesaid shall be and are hereby charged upon and shall be paid and payable free from all Charges and Deductions, by the Treasurer or Treasurers to the said Commissioners for the Time being, out of such of the said Rates or Assessments hereby authorized to be raised and collected, as in such Grant shall be mentioned and set forth.

CXLV. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, and according to the Rate prescribed by Two several Acts, one made in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*, and the other made in the Fifty-second Year of His said Majesty, intituled *An Act for amending Two Acts passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

Rates of Annuities to be made according to 48 & 52 G. 3.

CXLVI. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed on 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 or Times, by Writing under their respective 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; (that is to say),

Power of transferring Mortgages and Grants of Annuities.

‘ I being entitled to the Sum of  
 ‘ [or an Annuity of ] secured to me, my Executors,  
 ‘ Administrators, and Assigns, by virtue of an Assignment [or Grant of  
 ‘ an Annuity, or Assignment of the original Grant, as the Case may be]  
 ‘ bearing Date the Day of under the Hands and  
 ‘ Seals of of the Commissioners acting in Execution of an Act  
 ‘ passed in the Sixth Year of the Reign of King George the Fourth, inti-  
 ‘ tuled [here set forth the Title of this Act] upon the Credit of the Rates  
 ‘ or Assessments authorized to be raised and collected by virtue of the  
 ‘ said Act, under the Name and by the Description of “ The Paving and  
 ‘ Highway Rate,” [or of “ The Lighting, Watching, and Improvement  
 ‘ Rate,” as the Case may be] do hereby transfer all my Right and Title in  
 ‘ and to the same Sum [or Annuity], and all Interest and other Money  
 ‘ now due and arising thereon, unto his Executors,  
 ‘ Administrators, and Assigns. Dated the Day of in  
 ‘ the Year of our Lord One thousand eight hundred and .’

Form of Transfer.

CXLVII. And be it further enacted, That the several Persons to whom any such Mortgage or any such Grants of Annuities shall have been made, shall be severally entitled to their respective Quota of the said Rates and Assessments respectively, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, and the

No Preference in Payment of Mortgages and Annuities.

[Local.]

40 I

annual

annual Amount of the said Annuities, without any Preference by reason of the Priority in Date of any such Mortgage or Grant, or on any other Account whatsoever.

Register  
Book to be  
kept.

CXLVIII. And be it further enacted, That a Book shall be provided by the said Commissioners, in which Book shall be entered and registered Copies of all Mortgages and Grants of Annuities made in pursuance of this Act, and of every Transfer thereof, which Book shall be open to the Inspection of the several Holders of Mortgages and Grants of Annuities made by virtue of this Act, and their respective Executors, Administrators, and Assigns, at all reasonable Times, without Fee or Reward; and for the Entry of every such Transfer the Clerk or Clerks shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more; and every such Transfer after such Entry as aforesaid, but not before, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

How Interest  
Money or An-  
nuity may be  
recovered.

CXLIX. And be it further enacted, That in case the Interest of any Money lent, or any Part thereof, on the Security of the said Rates hereby authorized, or any of them, or any Annuity secured as aforesaid, shall be in arrear and unpaid for the Space of Three Calendar Months next after the same shall respectively become due and shall have been demanded, then and in such Case it shall and may be lawful for the Creditor or Creditors, upon his, her, or their first giving Ten Days Notice in Writing to the Treasurer to the said Commissioners for the Time being, to commence an Action on the Case or of Debt, in any of His Majesty's Courts of Record at *Westminster*, against the Treasurer for the Time being, for the Recovery of the said Interest of any such Money, or for the said Annuity.

Money may  
be borrowed  
at lower In-  
terest to pay  
off existing  
Mortgages.

CL. And be it further enacted, That in case the said Commissioners shall at any Time be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall happen to be payable upon any of the original or other Mortgages which may have been granted by the said Commissioners, and which may happen to be then existing; it shall be lawful for the said Commissioners from Time to Time to charge the said Rates or Assessments in manner aforesaid, with any Sum or Sums of Money so borrowed at such lower Rate of Interest, and the Interest thereof at such lower Rate as aforesaid, and therewith to pay off and discharge any of the said original and other Mortgages bearing a higher Rate of Interest, according to the Directions and Regulations herein-after prescribed for paying off Mortgages.

Provision for  
Payment of  
Mortgages by  
Ballot.

CLI. And in order that no undue Preference may be given in paying off the aforesaid Mortgages, be it further enacted, That when and so often as the said Commissioners shall under the Provisions of this Act be required, or be enabled and think it expedient to pay off one or more of the said Mortgages, or any Portion thereof, they shall cause the several Numbers of all the Mortgages granted and then in force to be written upon distinct Pieces of Paper of an equal Size, and all such Paper shall be rolled up in the same Form and be put into a Box, and the Clerk or

Clerks of the said Commissioners shall in the Presence of Three or more of the said Commissioners, draw separately out of the said Box One of the said Numbers for each Mortgage then intended to be paid off in the whole or in part by the said Commissioners, and thereupon the Mortgage or Mortgages corresponding with the Number or Numbers which shall be so drawn, shall be accordingly paid off in the whole or in part by the said Commissioners; and after every such Ballot the said Commissioners shall cause a Notice, signed by their Clerk or Clerks, to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall, from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless the Money shall be demanded pursuant to such Notice and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

CLII. And be it further enacted, That from and after the Expiration of Three Years from the passing of this Act, a Sum equal to One-twentieth Part at the least of the Principal Monies borrowed upon Security of the Rate or Rates hereby granted, shall be annually applied by the said Commissioners, out of the Monies to be raised by virtue of this Act, to the Creditor or Creditors on the said Rate or Rates respectively, in discharge of the Principal Monies due or owing to such Creditor or Creditors on the Credit of the said Rate or Rates in manner aforesaid: Provided always, that if it shall happen that any Mortgage, Assignment, or Security, the Number whereof shall be drawn out in Manner above mentioned, shall be for a greater Sum than the One-twentieth Part of such Principal Monies so to be borrowed as aforesaid, no more than One-twentieth Part of the said Principal Monies shall be then discharged in consequence of such Number being drawn, unless the said Commissioners shall think proper.

One-twentieth Part of Principal Monies to be paid annually, after Three Years from the passing of the Act.

CLIII. And be it further enacted, That when and so often as any Person or Persons for whose Life or Lives any Annuity or Annuities shall be granted by virtue of this Act shall die, or any Sum or Sums of Money so to be borrowed shall be paid off and discharged, then it shall be lawful for the said Commissioners to borrow any further Sum or Sums of Money at Interest, or upon any other Life or Lives by way of Annuity, and so *toties quoties*: Provided nevertheless, that the Sum or Sums of Money owing from original or subsequent Advances, shall not at any one Time exceed the Sum of Three thousand Pounds in the whole upon Security of the said Rate called "The Paving and Highway Rate," and shall not at any one Time exceed the Sum of Two thousand Pounds in the whole upon the Security of the said Rate called "The Lighting, Watching, and Improvement Rate."

As Annuity-tants die, other Annuities may be granted.

CLIV. And be it further enacted, That all the Monies which shall hereafter be raised by virtue of this Act, from and by the several Rates

Application of Paving and Highway Rate.

and Assessments herein-before authorized to be assessed and levied under the Name and by the Description of "The Paving and Highway Rate," and all the Monies which shall be borrowed on Mortgage of the same Rates or Assessments, or received from the Sale of Annuities to be granted out of the same, shall be and the same are hereby vested in the said Commissioners, and the same shall from Time to Time and at all Times be paid, applied, and disposed of by and under the Orders of the said Commissioners in manner following; (that is to say), in the first Place in paying and defraying so much of the Costs, Charges, and Expences of applying for or incident to the obtaining and passing of this Act, as the voluntary Subscription entered into for that Purpose shall fall short of, and in and for the paying and defraying the Charges and Expences of paving, flagging, repairing, amending, cleansing, widening, fencing, and improving the Streets, Lanes, Roads, Footways, and other public Highways and Passages within the said Town and Parish of *Louth*, the present and future Tunnels, Gutters, Sinks, Drains, Sewers, and Watercourses in or belonging thereto, the Salaries of Surveyors of the said Highways, and other Persons employed in the Repair and Management thereof, and in the Execution of this Act, and in and for paying off the annual Interest of the Principal Monies to be borrowed on the Credit of such Rates and Assessments, and all Annuities which may be granted thereon by virtue of this Act, and in and for paying off the Principal Monies to be borrowed as aforesaid, and to or for no other Use, Intent, or Purpose whatsoever.

Application  
of the Light-  
ing, Watch-  
ing, and Im-  
provement  
Rate.

CLV. And be it further enacted, That all the Monies which shall be raised by virtue of this Act from and by the Rates and Assessments herein-before authorized to be assessed and levied under the Name and by the Description of "The Lighting, Watching, and Improvement Rate," and all the Monies which shall be borrowed on Mortgage of the same Rates and Assessments, or received from the Sale of Annuities to be granted out of the same, and all the Monies which are herein directed to be applied to the general Purposes of this Act, in regard to the Disposal of which no specific Directions are herein given, shall be and the same are hereby vested in the said Commissioners, and the same shall from Time to Time and at all Times be paid, applied, and disposed of by and under the Order of the said Commissioners in Manner following; (that is to say), in the first Place in paying and defraying the Charges and Expences of lighting, watching, and regulating the Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Town in the Manner hereby directed, and for paying the Purchase Monies for and the Costs, Charges, and Expences of and attending or incident to the purchasing of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate, Right, or Interest of or in any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof which by this Act are authorized to be purchased, and all other Costs, Charges, and Expences relating or incident to the Execution of this Act, and the Powers and Authorities hereby given and granted to the said Commissioners, and in and for paying the annual Interest of the Principal Monies to be borrowed on the Credit of such Rates and Assessments, and all Annuities which may be granted thereon by virtue of this Act, and in and for paying off the Principal Monies to be borrowed as last aforesaid, and in and for carrying the Intents and Purposes of this Act into full and complete Execution



Execution in other respects, or in or for any of the aforesaid Purposes, and for no other Use, Intent, or Purpose whatsoever: Provided nevertheless, that no Part of the Monies which shall come to the Hands of the Commissioners by virtue of this Act, under the Name or by the Description of "The Lighting, Watching, and Improvement Rate," shall be disposed of or applied in defraying the Expences of paving, flagging, repairing, amending, and fencing the Streets, Lanes, Roads, Highways, or other public Places or Passages within the said Town and Parish.

CLVI. And be it further enacted, That the Surveyors, Collectors, and Assessors for the Time being of the said Commissioners shall and they are hereby respectively directed and expressly enjoined to enquire and examine into, and also upon any Complaint to be made by any Inhabitant of the Town and Parish of *Louth* aforesaid forthwith personally to view and inspect all Nuisances, Annoyances, Obstructions, and other Offences done, committed, or suffered contrary to any of the Provisions of this Act; and in case of any such Nuisance, Annoyance, Obstruction, or other Offence, to lay an Information or Informations against the Offender or Offenders before any Justice or Justices of the Peace for the said Town, in order that such Offender or Offenders may be dealt with for the same according to the Powers and Provisions of this Act; and if any such Surveyor, Collector, or Assessor shall wilfully neglect or refuse to inquire and examine into such Nuisances, Annoyances, Obstructions, or other Offences as aforesaid, or after any such Complaint made to him as aforesaid personally to view or inspect the Matters of such Complaint, or shall neglect or refuse to lay any such Information or Informations against any such Offender or Offenders as aforesaid, then and in every such Case such Surveyor, Collector, or Assessor so refusing or neglecting shall forfeit and pay for every such Refusal or Neglect any Sum not exceeding the Sum of Five Pounds.

Surveyors,  
&c. to lay In-  
formations  
against Of-  
fenders.

CLVII. And be it further enacted, That if any Person or Persons whomsoever shall at any Time or Times obstruct, hinder, molest, or interrupt any Watchman, Night Patrole, Workman, or other Person who shall be employed by or under the Authority of the said Commissioners by virtue or in pursuance of this Act, in the Exercise of any of the Powers hereby granted, or in the Performance or Execution of any Works or other Duties, Matters, or Things whatsoever by this Act directed or authorized to be done, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Penalty on  
interrupting  
Persons in  
the Employ  
of the Com-  
missioners.

CLVIII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, taken, incurred, done, or committed by the said Commissioners, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made stating the Order of such Justice or Justices from the Clerk to the said Commissioners or their

In case of  
Nonpayment  
of Compen-  
sation for  
Materials or  
Damages,  
&c. done by  
Commis-  
sioners.

[Local.]

40 K

Treasurer

Treasurer or Treasurers, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer or Treasurers for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Commissioners, or to their Treasurer or Treasurers for the Time being, as the Case may be: Provided always, that every such Treasurer or Treasurers shall and may retain, out of any Monies which may come into his or their Hands in pursuance of this Act, all such Sum or Sums of Money, Costs, and Expences as he or they shall pay, bear, or be put unto, by reason of such Order to be made by such Justice or Justices as aforesaid.

Damages and Charges, in case of Dispute, to be settled by Justices.

CLIX. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any such Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties or Forfeitures.

Recovery and Application of Penalties.

CLX. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any Justice or Justices of the Peace in and for the Town of *Louth*, or any Justice of the Peace for the Parts of *Lindsey*, in a summary Way, upon Information or Complaint made and exhibited in Writing, (and which shall in every Case be made and exhibited within Three Calendar Months at farthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid, the said Justice or Justices shall examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture

ture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then, except in Cases otherwise provided by this Act, the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justices or Justice (which he and they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus of the Money arising by such Sale, if any, to the Party or Parties whose Goods and Chattels shall be so distrained, one Moiety of which Penalties not herein directed to be otherwise applied shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer of the said Commissioners for the Time being, to be applied in aid of the said Lighting, Watching, and Improvement Rate; save and except the Penalties that may be incurred by the said Commissioners, or the Body or Bodies, Person or Persons, contracting to light the Streets and public Places within the said Town and Parish with Gas, which said Penalties shall be paid to the Overseers of the Poor of the said Parish of *Louth*, to be by them applied towards the Relief and Maintenance of the Poor of the said Parish; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made, to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices for his, her, or their Appearance before the said Justice or Justices, on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, then it shall be lawful for the said Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the House of Correction for the said Town, or for the Parts of *Lindsey* in the said County of *Lincoln*, there to remain and be kept to hard Labour, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

CLXI. And be it further enacted, That it shall and may be lawful for any of the said Commissioners, or for any of their Collectors, Surveyors, or other Officers, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such

For securing  
transient  
Offenders.

Commis-

Commissioners, Collectors, Surveyors, or Officers), who shall commit any Offence or Offences against this Act, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said Town of *Louth*; and such Justice and Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Convictions  
to be drawn in  
the following  
Form.

CLXII. And for the more easy Conviction of Offenders against this Act, or against any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good; (that is to say),

‘ Lincolnshire, } **BE** it remembered, That on the \_\_\_\_\_ Day  
‘ to wit. } of \_\_\_\_\_ in the Year of our Lord  
‘ \_\_\_\_\_ is [or are, as the Case may be] convicted  
‘ before me [or us, as the Case may be], \_\_\_\_\_ of  
‘ His Majesty’s Justices for the Town of *Louth*, in the said County [or  
‘ for the Parts of *Lindsey* in the said County, as the Case may be,] of  
‘ having [here state the Offence, and Time and Place when and where the  
‘ same was committed], contrary to an Act of Parliament [or contrary to  
‘ any Bye Law duly made in pursuance of an Act of Parliament, as the  
‘ Case may be,] passed in the Sixth Year of the Reign of His Majesty  
‘ King *George* the Fourth, intituled [here set forth the Title of this Act],  
‘ for which Offence I [or we, as the Case may be,] do adjudge the said  
‘ \_\_\_\_\_ to have forfeited the Sum of  
‘ \_\_\_\_\_ [here state the Amount of the Penalty, Fine, or Forfeiture for  
‘ the Offence], according to the said Act of Parliament, [and in any Case  
‘ where the Justice or Justices may see cause to mitigate the Penalty, here  
‘ insert, and I, or we, the said Justice [or Justices], seeing cause to miti-  
‘ gate and lessen the said Penalty, do, according to the Provisions of the  
‘ said Act of Parliament, mitigate and lessen the same to the Sum of  
‘ \_\_\_\_\_ ] which said Sum of  
‘ [here insert the Amount of the Penalty, or mitigated Penalty, as the Case  
‘ may be,] is to be distributed and applied in manner following, that is to  
‘ say [here state in what Proportion, if distributable, and to whom the Con-  
‘ viction Money is to be paid], according to the Provisions of the said Act  
‘ of Parliament. Given under my Hand and Seal [or our Hands and  
‘ Seals, as the Case may be], the Day and Year first above written.’

Witnesses  
not appear-  
ing, or re-  
fusing to be  
examined.

CLXIII. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, or against any such Bye Law, Rule, or Regulation as aforesaid, either on behalf of the Prosecution or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse can be given for such Nonappearance, or appearing shall refuse to be examined upon Oath or Affirmation, or to give Evidence touching the Matter in question before such Justice or Justices, then and in every such Case every Person so offending shall forfeit

feit and pay for every such Offence any Sum not exceeding the Sum of Ten Pounds, to be recovered as other Fines and Penalties are by this Act recoverable.

CLXIV. And be it further enacted, That in all Cases where the Provisions of this Act direct or require the Oath or Affirmation of any Witness or Witnesses to be had or taken in any Proceeding or Proceedings before any Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace, and he and they is and are hereby respectively authorized and required to administer such Oath or Affirmation.

Justices empowered to administer Oaths.

CLXV. And be it further enacted, That no Justice of the Peace shall be disqualified from acting as a Justice in any Case whatsoever, in the Execution of this Act, by reason of his being one of the said Commissioners.

Justices not disqualified from acting by being Commissioners.

CLXVI. And be it further enacted, That no Person shall be disqualified from being admitted to give Evidence in any Information, Prosecution, Appeal, Cause, or Proceeding whatsoever, relating to the Execution of this Act, or any Bye Law, Order, or Determination made in pursuance thereof, by reason of his or her paying or being charged with or liable to pay any of the Rates or Assessments hereby authorized to be made, or any other Rate or Assessment within the said Parish, or being one of the Commissioners for putting this Act into Execution, or holding any Office under the said Commissioners.

Persons paying Rates, &c. may be Witnesses.

CLXVII. 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 shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect of Form in such Distress, or in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on any account of any subsequent Irregularity in the proceeding of such Distress, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for Special Damages in an Action upon the Case.

Distress not to be avoided for want of Form.

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

Proceedings not to be quashed for want of Form.

CLXIX. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Party for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender

Plaintiffs not to recover without Notice.

of sufficient Amends shall have been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Directions as  
to Service of  
Notices, &c.

CLXX. And be it further enacted, That in all Cases of Notices or Demands in Writing directed or required by this Act to be given or served, or which shall or may be necessary for carrying into Execution any of the Powers of this Act, the Service of any such Notice or Demand, by delivering the same, or a true Copy thereof, to the Person or Persons to whom the same ought to be given, or by leaving the same or a true Copy thereof at his, her, or their Dwelling House, or usual or last Place of Abode, shall be valid and effectual Service thereof, except only in Cases where personal Service is herein-before expressly required.

Limitation  
of Actions.

CLXXI. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done or to be done in pursuance or under the Authority of this Act, after the Expiration of Six Calendar Months next after the Fact committed, or the Cause of Action ceased and determined, except as may be herein otherwise directed; and all such Actions and Suits shall be laid and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as herein-before authorized, then and in any of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Treble Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law; provided nevertheless, that in case of paying Money into Court as aforesaid, the Defendant or Defendants shall be entitled to Treble Costs.

General  
Issue.

Appeal.

CLXXII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by  
any

any Rate or Assessment made and assessed under and by virtue of this Act, or by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Order, Regulation, Bye Law, or Rule made by virtue of this Act, or by any other Matter or Thing made or done in pursuance of this Act, (except in Cases where the Verdicts or Inquisitions of Juries are directed to be taken), he, she, or they may, within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at some General or Quarter Sessions of the Peace, or some Adjournment thereof, to be holden for the said Parts of *Lindsey* in the said County of *Lincoln*, or other County, Division, or Place where the Cause or Matter of Appeal shall arise (except at the Sessions held for the said Town of *Louth*), the said Party or Parties, Appellant or Appellants, having given at least Fourteen clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, except where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any other Matter or Thing made or done by the said Commissioners, or by any Justice or Justices of the Peace, then to the Clerk or Clerks of the said Commissioners, and within Four Days next after Notice, causing Recognizances to be entered into before some Justice of the Peace for the said Town, or other such County, Division, or Place as aforesaid, by Two sufficient Persons, in the Sum of Twenty Pounds each, conditioned for the Party or Parties, Appellant or Appellants, to try such Appeal, and abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such Sessions, upon due Proof upon Oath of such Notice and Recognizances having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

CLXXIII. Provided always, and be it further enacted, That on any Appeal from or against any Rate or Assessment to be made in pursuance of or for any of the Purposes mentioned in this Act, the Justices of the Peace at the General Quarter Sessions of the Peace, to which such Appeal shall happen to be made, shall and may alter and amend any such Rate or Assessment in such Manner as they shall think necessary for giving Relief to any Party or Parties injured or aggrieved thereby, without quashing or altering such Rate or Assessment with respect to any other Persons mentioned in the same; but if upon any such Appeal it shall by such Justices be thought necessary to set aside the whole Rate or Assessment, then and in such Case it shall be lawful for such Justice so to do, and to order a new Rate or Assessment to be made in the Manner herein-before directed.

Justices on Appeal may alter or quash Rates.

CLXXIV. And be it further enacted, That the several Sums of Money agreed to be paid, subscribed, and contributed in or towards defraying the

Expences of Act.

Costs,

Costs, Charges, and Expences incurred and to be incurred in and about the applying for, obtaining, and passing of this Act, shall be paid to the Treasurer to be appointed by the said Commissioners immediately after the passing of this Act, and be applied by the said Commissioners for the Purposes aforesaid; and that the Residue (if any) of such Costs, Charges, and Expences, and also the Interest of the Money which shall have been advanced for those Purposes, shall be paid and discharged by the Commissioners aforesaid, by and out of the Monies hereby authorized to be raised by them.

Where the  
Warden or  
Justice of  
Louth are  
interested.

CLXXV. Provided always, and be it further enacted and declared, That in all Cases wherein the Warden or Justice of the said Town may or shall be personally interested (otherwise than by Payment of the Rates hereby granted) in any Matter brought before them or him by virtue of this Act, or whenever he, they, or either of them shall refuse or neglect to act in the Execution thereof, then and in either of the said Cases, it shall and may be lawful to and for the said Justices of the Peace acting for the Parts of *Lindsey* in the County of *Lincoln*, or any of them, to act as Justices within and for the said Town of *Louth*, for the Purposes of this Act; any Law, Custom, or Usage to the contrary thereof notwithstanding.

Saving  
Rights.

CLXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed, deemed, or taken to extend, to prejudice, abridge, alter, or affect the Jurisdiction, Rights, Powers, or Privileges of the Warden and Justice, of His Majesty's Justices of the Peace for the said Town for the Time being, or any of them, or to affect, extinguish, defeat, abridge, impeach, annul, prejudice, or destroy the Right, Title, or Interest Powers or Privileges of the Warden and Assistants of the said Town, Lords of the Manor of *Louth* aforesaid, or of the Lords of such Manor for the Time being, of, in, or to the Seignories, Rights, Royalties, Charters, Franchises, Jurisdictions, Rents, Services, Liberties, Privileges, Powers, and Authorities, appendant, appurtenant, incident, or belonging to the said Warden and Assistants, or to the Lords of the said Manor of *Louth*, or to any Rates, Tolls, Pickage, Stallage, free Customs, Dues, Duties, Profits, or Advantages belonging, due, or in anywise appertaining to the said Warden and Assistants, Owners of the Fairs and Markets within the said Town of *Louth*, or the Owner or Owners of such Fairs and Markets for the Time being; but that the said Warden and Assistants, and the Lord or Lords of the said Manor for the Time being, shall (except as in this Act is expressly excepted) have, hold, use, exercise, take, and enjoy all and every the Seignories, Right of Soil, or any other Rights, Royalties, Charters, Franchises, Pre-eminences, Jurisdictions, Rates, Services, Authorities, Liberties, Privileges, Powers, Tolls, Duties, Customs, Immunities, Advantages, Emoluments, Rents, Revenues, or Services now belonging to or vested in the said Warden and Assistants, by Charter, Prescription, or otherwise, or to the said Manor belonging or incident, appendant, appurtenant, or usually exercised, holden, or enjoyed therewith, in such and the like Manner as if this Act had not been passed; and the said Warden and Assistants, Owners of the said Fairs and Markets, and the Owner or Owners of the said Fairs and Markets for the Time being, shall and may demand, exact, take, and enjoy all such Rents, Tolls, Pickage, Stallages, free Customs, Dues, Duties, Profits, and Advantages, with all Powers and Remedies for enforcing Payment thereof, in such and the like Manner and



and as fully and beneficially to all Intents and Purposes as if this Act had not been passed.

CLXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers authorized and empowered to act in the said Town and Parish, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual, as if this Act had not been made. Saving Rights of Commissioners of Sewers.

CLXXVIII. 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. Public Act.

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The SCHEDULE referred to by this Act.

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1. So much of the Stables and Ground belonging to the Warden and Six Assistants of Louth, now under Lease to John Holland, as lays on the South Side of a Line to be drawn from the South-west Corner of the Common Pound to a Point Ten Feet North of the Gateway opening into Saint Mary's Churchyard, so as to leave the Road leading from Bridge Street and the Mill Bridge to the said Churchyard of the Width of Twenty-seven Feet throughout.

2. The Ground and Buildings thereon, belonging to the Heirs and Representatives of Sarah Belgrave, and in the Occupation of Naomi L'Oste and Joseph King, or One of them, laying on the North Side of a Line to be drawn from the North-west Corner of the newly-erected Dwelling House in Eastgate, belonging to and occupied by William Coulam the younger, unto the North-east Corner of a Dwelling House in the Occupation of the said Naomi L'Oste and Joseph King, or One of them, belonging to such Heirs and Representatives.

3. A Piece of Garden Ground, adjoining West on Ugate and South on Kidgate, belonging to and in the Occupation of James Copeland.

4. A Blacksmith's Shop and the Allotment adjoining, on the North Side the Quarry, next the Turnpike Road leading from Aswell Lane in Louth to the Town of Alford, belonging to the said Warden and Six Assistants, and in the Occupation of Joseph Bowers.

5. The Coach House, Buildings, and Ground in Westgate, belonging to and in the Occupation of the Reverend John Emeris, lying on the North Side of a Line to be drawn from the North Corner of the Pillar at the North-east End of the Palisades in the Front of the House

[Local.]

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6<sup>o</sup> GEORGII IV. Cap. cxxix.

in the Occupation of Frances Emeris to the North-west Corner of the Gable End of the House in Westgate, in the Occupation of Mrs. Gilliatt.

6. The Ground in Westgate, belonging to and in the Occupation of Charles Marshall Clarke, M. D., lying on the North Side of the said last-mentioned Line, to be drawn from the said Pillar to Mrs. Gilliatt's House, as above mentioned.

7. The Dwelling House and Blacksmith's Shop belonging to the Feoffees of Coals in Louth, on the North Side the Church, now in the Occupation of Richard Hewison.

8. The Two Tenements and remaining Buildings and Premises of the said Feoffees on the North Side of the last-mentioned Buildings, in the Occupation of the said Feoffees, and of John Kennington, William Burks, and William Dawson, or some of them.

9. The House and Premises belonging to and in the Occupation of Ann Tomlinson, on the North Side the Church, and near or adjoining to the last-mentioned Premises.

10. Three Houses belonging to Bryan Smith, adjoining to the last-mentioned House, and in the several Occupations of James Smith, Susanna Cook, and Elizabeth Hubbard.

11. Projection of the Shop belonging to Richard Smith, situate in the Market Place, and in the Occupation of Samuel Cook Blakelock.

12. So much of the Close belonging to and in the Occupation of Messrs. Anthony Sharpley, Thomas Leech Cross, and William Edwards, next the East Field Road, as lies South of a Line to be drawn from the South-west Corner of the House belonging to Paul Strawson, in the Tenure of Francis Palmer, to the South-west Corner of the same Close, belonging to and in the Occupation of the said Messrs. Sharpley, Cross, and Edwards.

13. The South-west Corner of the Swan Public House, near the Fish Shambles, being so much thereof as lies on the South Side of a Line to be drawn from the South-west Point of the Gable of John Shepherd's House to a Point Four Feet North of the South-west Corner of the same Public House, belonging to Joseph Wilson, and in the Occupation of John Hickling.

14. The North-east Corner of the Black Bull Public House in Uppgate, being so much thereof as lies on the East Side of a Line to be drawn from the North-east Point of the Gable End of the Blue Stone Tavern to a Point Four Feet Westward of the North-east Corner of the said Public House called the Black Bull, belonging to Eleanor Eyeon, and in the Occupation of William Crow.

15. Projection on the North-west Corner of the West Weaving Room of the Carpet Manufactory on the South Side of James Street, belonging to and in the Occupation of Adam Eve, being Two Feet Four Inches at such Corner, and diminishing Eastwards to a Point, forming a right Line with the Front Wall of the Building in James Street West thereof, and thereto adjoining.

16. The

16. The Wall, Steps, Stone Work, Rail, and Posts to the public Fountain in James Street.

17. The projecting Steps and Staircase in front of the Granary or Warehouse (formerly a Barrack) on the South Side of Eastgate, belonging to or in the Occupation of Anthony Sharpley, his Tenants or Under-tenants.

18. The projecting Steps in front of the Dwelling House, with Part of the Stables and Buildings, belonging to and in the Occupation of Richard Codd, on the South Side of Westgate.

19. The South-west Corner of a House (on the North Side of the Church, near to Mrs. Orme's) belonging to the Dean and Chapter of Lincoln, under Lease to John Holland, and in the Occupation of Thomas Broddell.

20. Part of a Mud Wall, Stable, and the Yard adjoining the same, belonging to Stephen Gray, situate on the North Side of the Church, being so much thereof as lies on the South Side of a Line to be drawn parallel with the Wall on the South Side of Robert Forster's Yard, to a Point near to the South-west Corner of the Feoffee House and Premises in Tenure of Richard Hewitson.

21. Two Tenements fronting Nichol Hill, belonging to the Representatives of the late Godfrey Outram, and in the Occupation of James Bratton and Sarah Stephens.

22. The Steps, Pump, Post, Rails, and Pales, with the Ground lying West of the Tenements belonging to William Butler, as Lessee of the Dean and Chapter of Lincoln, and in the Occupation of William Thompson, Tamer Leonard, Henry Woolhouse, and Edward White.

23. The Two Cottages and Ground thereto belonging, at the South-east Corner of Mr. Hyde's, Spittal Hill Close, belonging to Thomas Cuthbert, and in the Occupation of Richard Wakelin and George Ashton.

24. The projecting Steps and Rails in front of the Dwelling House belonging to and in the Occupation of William King, situate in Upgate.

25. The projecting Steps and Rails in front of the Dwelling House belonging to the said Warden and Assistants, also in Upgate, under Lease to Mrs. Misdall, in the Occupation of Lysimachus Parker the younger.

26. The East Side of the Lime Kilns and Ground adjoining, belonging to and in the Occupation of Thomas Haywood and William Coulam, the whole Length of the Front next the Turnpike, of the Width of Fifteen Feet.

27. The East Side of the Gunby Croft Close, to the Extent of Fifteen Feet (the whole Length of the Frontage thereof), and belonging to the said Warden and Assistants, and in the Occupation of Francis Overton.

28. The Iron Palisades and Gates in front of Ann Grant's House, in Nicholl Hill.

29. The

29. The Pales, Rails, and Fence in front of the Baptist Chapel, and the Houses belonging to Finlator Cameron, in the Occupation of himself and John Topham Taylor.

30. The South-east Corner of the Plantation belonging to and in the Occupation of William Espin, from the South-west Corner of Messrs. Sharpley, Cross, and Edwards's Close, to a Point nearly opposite the Tenement belonging to the said Warden and Assistants, in the Occupation of Widow Andrews.

31. The Ground to the Extent of Ten Feet along the East Side of William Hurst's Limekiln, and the Ground South thereof, fronting the Quarry Road.

32. The Tenement, with the Ground on the South Side thereof, at the South-west Corner of Goosepool, belonging to Mary Smith and John Smith, and in the Occupation of the said John Smith.

33. So much of the Ground as lays on the West Side of a Line to be drawn from the Door-way opening into the Yard belonging to the Free Grammar School in Louth, to the North-west Corner of the Warehouse or Building in School House Lane, belonging to Wright Milson.

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