



ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

Cap. lxxiii.

An Act for paving, lighting, watching, and improving the Town of *Bradford*, in the County of *Wilts.* [1st July 1839.]

WHEREAS the Town of *Bradford* is a Place of considerable Trade, the Population of which has of late Years considerably increased: And whereas it would be of great Convenience and Advantage to the Inhabitants of the Town and the Public at large if Provision were made for paving, cleansing, lighting, and otherwise improving the said Town and Suburbs, and the Streets, Lanes, and Passages thereof, and for removing and preventing Nuisances and Annoyances therein; but the several Object scannot be properly effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 in the Construction of this Act every Word importing the Singular Number or Masculine Gender only shall be construed to mean and include Two or more Persons or Things, and a Female as well as a Male, and where the Word Corporation shall

Construction
of Terms.

[*Local.*]

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shall

shall be used the same shall extend to a Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, unless in any of the aforesaid Cases it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Commis-
sioners.

II. And be it further enacted, That all Her Majesty's Justices of the Peace for the Time being residing within the said Parish of *Bradford*, together with *William Fifield Adye, William Adye, Arthur Adye, George Alford, John Alford, Henry Baskerville, John Bailward, Joseph Baines, John Bubb, John Bush, John Alderton Bush, James Payne Budgett, Henry Brooke, Edward Cooper, Edward Peter Cooper, Charles Cadby, William Coles, William Dunsdon, John Dory, Ezekiel Edmonds, Samuel Edmonds, Ezekiel Edmonds junior, John Edmonds, Samuel Everett, Sir Thomas Fellowes Knight, Stephen Gishford, Robert Harris, Reverend Henry Harvey, Thomas Hopkins, John Rees Jones, Charles Jones, Brian Jones, John Knapp, William Knapp, John Lewis, William Merrick, Isaac Matthews, Thomas Mixen, James Pearce, Channing Pearce, Samuel Pitman, James Parsons, George Rolf, John Saunders, Thomas Smart, George Smart, John Slater, Charles Spackman, Thomas Spackman junior, George Spencer, John Spencer, Thomas Spencer, William Stone, John Tatam, Samuel Taylor, William Taylor, Charles Timbrell, William Timbrell, Cornelius Taylor, Richard Travers Way, Reverend Edward Turner Whinfield, Alexander Wilkins, Edward Wilton, Thomas Wheeler*, and their Successors (to be elected in manner herein-after mentioned), shall be and they are hereby appointed Commissioners for putting this Act into execution; and as often as any of the Commissioners herein named, or hereafter to be elected in pursuance of this Act, shall die, or refuse or neglect to act for the Space of Two Years, it shall be lawful for the several Persons duly rated and assessed in the last effectual Rate made in pursuance of this Act, or the major Part of them present at any Meeting to be convened for that Purpose, to nominate and appoint another fit Person in the Place or Stead of every such Commissioner so dying, or refusing or neglecting to act as aforesaid, Notice of the Time and Place of every such Election being given by the Clerk to the said Commissioners, by fixing the same on the Door of the Parish Church and the several Dissenting Chapels within the said Town Six clear Days at least before the Meeting for such Election; and every Person so elected shall have the same Power and Authority for putting this Act into execution as if he had been named a Commissioner in and by this Act: Provided always, that no Person shall be entitled to vote at any such Election who shall not have paid and discharged all Arrears of Rates then due and payable by him or them respectively, or tendered the same for Payment to the Collector or other Person duly authorized to receive the same.

For supply-
ing Va-
cancies.

Qualification
of Commis-
sioners.

III. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act unless he shall be an Inhabitant in the said Town or within Two Miles thereof, and shall be seised or possessed of, in his own Right or in the Right of his Wife, and be in the actual Possession and Receipt of the Rents and Profits of a Real Estate of the clear yearly Value of Twenty Pounds

Pounds, above Reprizes, arising within the said Town, or shall be an Occupier of an House, Hereditaments, or Premises within the said Town rated in pursuance of this Act at the annual Value of Twenty Pounds, or shall be an Inhabitant in the said Town, and possessed of a Real or Personal Estate, or a Real and Personal Estate together, of the Value of or to the Amount of One thousand Pounds, clear of all Incumbrances whatsoever.

IV. And be it further enacted, That no Person, except a Commissioner by virtue of his Office, shall be capable of acting as a Commissioner in the Execution of this Act, except in administering the Declaration herein-after mentioned, until he shall have taken and subscribed before any Two or more of the said Commissioners, who are hereby authorized and empowered to administer the same, a Declaration in the Words or to the Effect following; (that is to say,)

Commis-
sioners to
make De-
claration.

‘ I do solemnly and sincerely declare, That I
‘ am an Inhabitant within the Limits of an Act passed in the
‘ Year of the Reign of Queen *Victoria*, and am seised
‘ and possessed in my own Right, or in Right of my Wife, and in
‘ the actual Possession and Receipt of the Rents and Profits of a
‘ Real Estate of the clear Value of Twenty Pounds, above Reprizes,
‘ arising within the Limits of the said Act; [*or*] that I am the
‘ Occupier of a House, Hereditaments, or Premises within the Limits
‘ of this Act, rated at the annual Value of Twenty Pounds; [*or*] that I
‘ am an Inhabitant within the Limits of the said Act, and am really
‘ and *bonâ fide* possessed of a Real or Personal Estate, or Real and
‘ Personal Estate together, of the Value or to the Amount of One
‘ thousand Pounds clear of all Incumbrances whatsoever, and that
‘ I will faithfully and impartially, according to the best of my Skill
‘ and Judgment, execute and perform all and every the Powers and
‘ Authorities reposed in me as a Commissioner by virtue of the
‘ said Act.’

V. Provided always, and be it further enacted, That no Commissioner hereby appointed or hereafter to be appointed as aforesaid shall be capable of acting as a Commissioner during the Time he shall hold or enjoy any Office or Place of Trust or Profit under this Act, or be concerned in or have any Benefit or Interest in any Contract whatsoever made by virtue of this Act, or in any Case wherein he shall be directly or indirectly, personally or beneficially, interested, (save and except as a Creditor on the Rates or Assessments,) nor shall any such Commissioner be capable of taking any Contract under the said Commissioners whilst he shall be a Commissioner: Provided nevertheless, that nothing herein contained shall extend or be deemed to extend to prevent any Commissioner who is or may be a Member of any Gas Company within the said Town from acting as a Commissioner by reason of any Contract entered into between the Commissioners for executing this Act and such Company, but no Commissioner being a Member of such Company shall vote on any Question relating to this Act in which the said Company may be interested.

Disqualifica-
tion of Com-
missioners.

VI. And

Penalty for acting as a Commissioner not being qualified.

VI. And be it further enacted, That if any Person, not being qualified in Manner herein-before mentioned, or being disqualified by any of the Causes aforesaid, shall act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall inform or sue for the same, to be recovered, with full Costs, by Action of Debt in either of Her Majesty's Courts of Record at *Westminster*; and the Person so prosecuted shall prove that he was so qualified, and not disqualified as aforesaid, without any other Proof or Evidence on the Part of the Prosecutor than that such Person had 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, although such Person shall not be duly qualified as aforesaid, or shall be disqualified previously to his being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person had been qualified according to the Directions of this Act.

Commissioner may act as a Justice.

VII. And be it further enacted, That it shall be lawful for any Commissioner who shall be a Justice of the Peace to act, and he is hereby authorized and empowered to act as a Justice of the Peace for putting in execution the several Powers and Authorities granted by this Act, notwithstanding his being a Commissioner under this Act.

Meetings of Commissioners.

VIII. And be it further enacted, That the said Commissioners shall meet at some convenient Place in the Town of *Bradford* aforesaid on the First *Monday* after the passing of this Act, or so soon after as conveniently may be, between the Hours of Ten and Twelve of the Clock in the Forenoon, and shall then and there proceed to put this Act into execution, and shall and may at any Meeting held in pursuance of this Act from Time to Time adjourn themselves to and meet at the Place aforesaid, or at any other convenient Place in the said Town, as they the said Commissioners at such Meeting shall appoint, provided that no Adjournment shall be made for more than One Calendar Month; and the said Commissioners shall then and there make such Orders, Rules, and Regulations as shall to them, or the major Part of them, appear necessary and proper, for better and more effectually carrying this Act into execution; and if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said Commissioners a sufficient Number to act at such Meeting and to adjourn to any other Day (Two Commissioners being always deemed sufficient for the Purpose of adjourning), or if they shall neglect or omit to adjourn, or if any Adjournment shall be made longer than for One Calendar Month, or any wrong Adjournment shall be made, then and in every such Case any Five of the said Commissioners, although not assembled at a Meeting, shall and may, by public Notice signed by them, to be fixed upon the Doors of the Church and the several Chapels aforesaid Six clear Days at the least before every such Meeting, call a Meeting at the Place whereat the last Meeting of the said Commissioners was appointed to be held; and the said Commissioners shall and may meet accordingly at the Time and Place mentioned in the said Notice, and proceed to the Execution of this Act; and at all Meetings to be held

held in pursuance of this Act the Commissioners shall defray their own Expences.

IX. And be it further enacted, That notwithstanding any Adjournment or Non-adjournment of any previous Meeting of the said Commissioners, it shall be lawful for any Five of the said Commissioners, although not assembled at any Meeting, from Time to Time and at any Time, by Notice in Writing under their Hands, to be delivered to the Clerk to the said Commissioners, or left at his usual Place of Abode, and to be fixed on the Door of the Church and several Chapels aforesaid, to convene and appoint a Meeting of the said Commissioners, to be held at any Time, and in any convenient Place in the said Town, to be specified in such Notice, such Time not being less than Three clear Days after such Notice shall have been so delivered and affixed as aforesaid: Provided always, that no other Business shall be transacted at any such Meeting than what shall have been specified in such Notice as being the Purpose for which such Meeting shall be called.

Special Meetings may be called.

X. And be it further enacted, That all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by them, or by the major Part of them present at any Meeting to be held in pursuance of this Act, (or by a smaller Number, in Cases where a smaller Number is in this Act mentioned,) such Commissioners present at any such Meeting, or such major Part of them, not being less than Five in Number, and the Signatures of the said Commissioners present at such Meeting, or of such major Part of them as aforesaid, and all the Acts, Orders, and Proceedings of such Commissioners, or of such major Part of them as aforesaid, shall have the same Force and Effect as if the same were signed by or made and done by all the said Commissioners for the Time being; and such one of the Commissioners present as the major Part of them then attending shall appoint shall preside as Chairman, and in case of Equality of Votes of the Commissioners assembled (including the said Chairman's Vote) such Chairman shall have upon all such Occasions another and decisive Voice; and no Act of the said Commissioners in the Execution of this Act shall be good or valid unless done at some Meeting to be held in pursuance of this Act (except in Cases particularly specified in this Act); and all Acts, Orders, and Proceedings of the said Commissioners made or had at such Meetings shall be entered in a Book of Proceedings; and all Entries in such Book of Proceedings, being signed as herein-before mentioned, shall be deemed Originals, and shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others; and such Book shall be kept by the Clerk to the said Commissioners, or by such other Person, and at such Place as the said Commissioners shall direct; and the same shall, at all convenient and reasonable Times, without Fee or Reward, be open and liable to the Inspection of any of the said Commissioners, and of every Person rated and assessed for the Purposes of this Act, or otherwise affected thereby.

Commissioners to act at Meetings.

Chairman.

XI. And be it further enacted, That the said Commissioners shall and they are hereby required to cause a Book to be provided and kept,

Accounts of Receipts and Disbursements to be

made up, and
be open to
Inspection.

kept, in which shall be entered true and regular Accounts of all Monies received, paid, laid out, and expended in the Execution of this Act, and of the several Articles, Matters, and Things for which such Monies shall have been disbursed, laid out, and paid; which Book shall at all reasonable Times be open to the Inspection of the said Commissioners, or any Creditor on the Rates hereby authorized to be made, without Fee or Reward, and the said Commissioners and Creditors shall or may take Copies of or Extracts from the said Book, or any Part thereof, without paying any thing for the same; and if the Clerk to the said Commissioners, or other Person with whom any Book or Account belonging to the said Commissioners shall have been deposited, shall, on any reasonable Demand, refuse to permit or shall not permit any or either of the said Commissioners or Creditors to inspect such Book or Account, or to take Copies thereof or Extracts therefrom, such Clerk or other Person so refusing or offending shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Annual Ac-
count to be
made up, and
a Copy trans-
mitted to
Clerk of the
Peace.

XII. And be it further enacted, That the said Commissioners shall and they are hereby required to cause an annual Account in Abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied under or by virtue of this Act for every Year, under the several distinct Heads of Receipts and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by Three of the said Commissioners, and the said Commissioners shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Wilts*, on or before the First Day of *January* in each Year; which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Commissioners shall omit or neglect to cause to be prepared and transmitted such Account as aforesaid, they shall forfeit and pay for every such Omission and Neglect the Sum of Twenty Pounds.

Officers to be
appointed.

XIII. And be it further enacted, That the said Commissioners at any Meeting may nominate and appoint a Clerk, Treasurer, Collector of the Rates or Assessments herein-after mentioned, and such other Officer for the Execution of this Act as they shall think proper; and the said Commissioners may remove and displace any such Clerk, Treasurer, Collector, or Officer from Time to Time whenever they shall think proper; and the said Commissioners shall take such Security from every such Treasurer and Collector, for the due Execution of such their Offices, as to them shall seem meet, and shall and may, out of the Monies which shall arise and be collected by virtue of this Act, allow and pay to such Officer such Salaries or Allowances as the said Commissioners shall think reasonable.

Clerk and
Treasurer not
to be the
same Person.

XIV. And be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the
Partner

Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of such Treasurer or of his Partner, the Clerk of the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place 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 by Action of Debt, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*.

XV. And be it further enacted, That all Officers appointed under this Act shall under their Hands, at such Time and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officers respectively received by virtue of and for the Purposes of this Act, and how much thereof hath been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person as they shall appoint to receive the same; and if any such Officer shall refuse or wilfully neglect to make and render any such Account, or to produce and deliver up the Vouchers relating to the same in his Possession or Power, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such Person as they shall appoint to receive the same, within Ten clear Days after being thereunto required by the said Commissioners, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Commissioners or such other Person as aforesaid respecting the same, then and in every such Case, upon Complaint made on behalf of the said Commissioners, by any Person whom they shall appoint for that Purpose, of any Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County or Place wherein such Officer so refusing or wilfully neglecting shall be or reside, and such Justice may and he is hereby authorized and required to summon the Officer so neglecting or refusing to appear before him, and on his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way, and to settle the said Account, if produced, in the same Manner as the said Commissioners might have done; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, it shall appear to such Justice

Officers to
account.

that

that any of the Monies that shall have been collected or raised by virtue of this Act shall remain due from such Officer; 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; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of Distress and Sale, or if it shall appear to such Justice that such Officer shall have refused or wilfully neglected to render and give such Account, or to produce the Vouchers relating thereto in his Possession or Power, or that any Book, Paper, or Writing relating to the Execution of this Act shall be in the Custody or Power of such Officer, and he shall have refused or wilfully neglected to deliver or give Satisfaction relating to the same as aforesaid, then and in each and every such Case such Justice shall commit such Offender to the Common Gaol or House Correction for the County or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), or until he shall have delivered a true Account as aforesaid, together with such Vouchers as aforesaid, or until he shall have delivered up such Book, Paper, and Writing, or give Satisfaction in respect thereof to the said Commissioners, or to such other Person as aforesaid (as the Case may be): Provided always, that no Person who shall be committed by virtue of this Act on account of his not having sufficient Goods or Chattels shall be detained in Prison for any longer Time than Three Calendar Months: Provided always, that no Prosecution or Commitment under the Provisions of this Act of any such Officer shall acquit or discharge any Security that shall or may have been taken by or given to the said Commissioners, for the due and faithful Execution of his Office, or the Payment of the Monies received or to be received by him.

Commissioners may sue and be sued in the Name of their Clerk or of a Commissioner.

XVI. And be it further enacted, That the said Commissioners may sue and be sued, for or in respect of any Matter or Thing relating to this Act, in the Name of their Clerk for the Time being; and no Action or Suit which may be brought, cominenced, or prosecuted by or against the said Commissioners by virtue or on account of this Act shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk done or suffered without the Consent and Direction of the said Commissioners, but such Clerk shall be deemed Plaintiff or Defendant in any such Action or Suit (as the Case may be), except such Action as shall be prosecuted between the said Commissioners and their said Clerk; provided also, that in all Cases in which the said Clerk shall, in pursuance of this Act, be the Plaintiff or Defendant on the Record in any Action or Suit in which in effect the said Commissioners shall be suing or sued in the Name of such Clerk, such Clerk (although appearing as the Plaintiff or Defendant on the Record) may and shall nevertheless (if not otherwise interested

Lanes, and other Places within the said Town which shall hereafter be paved, cleansed, and lighted by the Commissioners for executing this Act, and the Stones, Gravel, and other Materials of which as well the Footways as the Carriageways of such Streets, Lanes, and other Passages and Places do and shall consist, and also all Lamps, Lamp Irons, Lamp Posts, Cesspools, Grates, Drains, Sewers, Tunnels, Gutters, Erections, or Buildings which hereafter shall be used, erected, or fixed up by virtue of this Act, and all Materials, Implements, and other Things to be purchased for the Purposes of this Act, and also all the Dust, Dung, Dirt, Ashes, and Filth to be swept, gathered, and collected in or from the said Streets, Lanes, and other public Passages and Places, or any of them, shall belong to and be the Property of and are hereby vested in the said Commissioners; and the said Commissioners shall have full Power and Authority to sell and dispose of, for the Purposes of this Act, any of the said Articles and Things, to such Person and in such Manner as the said Commissioners shall think proper; and the said Commissioners shall and may cause to be brought any Action, or direct the prosecuting any Bills of Indictment, as the Case may require, against any Person who shall steal, take away, or retain, damage, injure, or destroy the several Articles and Things hereby vested in the said Commissioners as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Thing for or on account of which such Action shall be brought, or such Bill of Indictment shall be preferred, is the Property of "The Commissioners for improving the Town of *Bradford* in the County of *Wilts*," without stating or specifying the Names of all, any, or either of the said Commissioners.

No Money arising from Turnpikes to be laid out in the Repair of Streets.

XX. And be it further enacted, That it shall not be lawful for the Trustees or Commissioners of any Turnpike Road to lay out or expend any Money arising by virtue of any Act relating to such Turnpike Road in or for or towards paving, repairing, improving, lighting, cleansing, or watching any of the Streets or public Places within the said Town, or to erect or continue any Toll Gate or Turnpike, or to take any Tolls within the same.

Power of Commissioners to pave Streets, &c.

XXI. 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 hereafter, when they shall think proper, to cause, order, and direct all or any of the Streets, Lanes, and other Passages and Places hereafter to be paved, cleansed, and lighted under the Provisions of this Act, as well Carriageways as Footways, or any Part thereof, to be repaired, made, formed, paved, amended, and sustained in such Manner and with such Materials as the said Commissioners shall think proper, to cause the Materials thereof to be taken up and relaid and renewed, and the Ground and Soil thereof to be raised, lowered, and altered from Time to Time in such Manner and with such Materials as the said Commissioners shall think proper, and also to cause all or any of the said Streets, Lanes, and other Passages and Places from Time to Time to be cleansed and watered, at such Seasons and Times and in such Manner as the said

Commissioners may think proper and order and direct; and the said Commissioners may and they are hereby empowered, from Time to Time, as Occasion shall require, to contract with any Person for the cleansing, watering, paving, and repairing, and also for keeping in good and sufficient Repair, all or any of the said Streets, Lanes, and Passages and Places, and shall enter into any Contract for doing the same; but, previous to the making of any such Contract, Twenty clear Days previous Notice in Writing shall be given, signed by the Clerk for the Time being or by Five of the said Commissioners, to be fixed on the Door of the Church and Chapels aforesaid, and by Advertisements in some Newspaper printed or published within the said County of *Wilts*, expressing the Intention of entering into such Contract, in order that any Person willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in such Notice to be mentioned.

XXII. And be it further enacted, That if any Person shall take up or cause to be taken up, or make or cause to be made any Alteration in the Form of the Pavement or Carriageways or Footways in any or either of the said Streets, Lanes, and other Passages or Places now paved, cleansed, and lighted, or hereafter to be paved, cleansed, and lighted, within the said Town, without the Consent in Writing of the said Commissioners, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in case the Person so taking up or altering such Pavements or Carriageway or Footway respectively shall not, within Ten Days after Notice in Writing by the Surveyor to the said Commissioners, or such other Person as they shall appoint, given to or left at the last or usual Place of Abode of such Person, cause the same Pavement or Carriageway or Footpath respectively which shall have been so taken up or altered to be reinstated and put into its former State, then and in every such Case the Surveyor to the said Commissioners shall cause the same to be done, and the Costs and Charges thereof shall be borne and paid by the Person who shall have taken up or altered such Pavement or Carriageway or Footway respectively; and in case of Nonpayment thereof, on Demand, to the said Surveyor, or other Person acting by or under the Authority of the said Commissioners, such Costs and Charges shall and may be levied and recovered by the said Commissioners, or by or on behalf of such Surveyor or other Person, in such and the like Manner as any Penalty is by this Act directed to be levied and recovered.

Pavements not to be altered without the Consent of Commissioners.

XXIII. And be it further enacted, That the said Commissioners shall from Time to Time appoint and employ such Number of able-bodied Watch-house Keepers, Constables, Watchmen, Patrols, Street Keepers, and other Persons as they shall think sufficient for the proper Protection of the Inhabitants, Houses and Property, Streets and other Places, within the Limits of this Act, by Day and by Night, and provide all such Watch-house Keepers, Constables, Watchmen, Patrols, and Persons as aforesaid with such Clothing, Arms, Ammunition, and Weapons, and shall assign to them such Beats or Rounds and Duties, and appoint such Hours for them to be on Duty, and also such

Watchmen, &c., to be appointed.

such Wages, Rewards, and Gratuities or Remunerations for their Services, and also make such Rules, Orders, and Regulations relative to such Watch-house Keepers, Constables, Watchmen, Patrols, Street Keepers, and other Persons, and their Duties, as to the said Commissioners shall seem meet; and also shall and may offer and give, as well to the said Persons as to any others not specially employed by them, such Gratuities and Rewards for apprehending Felons and other Offenders, within the Limits of this Act, as to them shall seem proper, and shall and may defray the Expence of prosecuting any such Felons and Offenders, and defending any of the said Persons or other Officers of the said Commissioners in the Execution of their Duty, as they shall think proper; and the said Wages, Rewards, Gratuities, and the Costs of such Prosecutions or Defences, and all other Expences that may be incurred by the said Commissioners for the Protection and Guard of such Inhabitants, shall and may be paid by the said Commissioners, or their Treasurer, out of the Monies arising from the Rates by this Act directed to be raised.

Watchmen
to have the
Power of
Constables.

XXIV. And be it further enacted, That all Watchmen and Patrols to be appointed under this Act shall be sworn in as Constables before any Justice or Justices of the Peace for the County of *Wilts*, and shall act as such while in execution of the Powers and Authorities of this Act; and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities; and shall be subject and liable to such and the like Penalties and Forfeitures, as any Constable or Constables is or are invested with, or shall or may have and enjoy, or is or are or shall be subject or liable to by Law.

Watchmen,
&c., to pre-
vent Disturb-
ances.

XXV. And be it further enacted, That the Watchmen, Constables, Patrols, and other Persons to be appointed by virtue of this Act shall during the Time of their being on Duty use their utmost Endeavours to prevent any Mischief by Fire, and also Robberies, Burglaries, and other Felonies and Misdemeanors, Affrays, and other Outrages, Disorders, and Breaches of the Peace within the Limits of this Act; and it shall be lawful for the said Watchmen, Constables, Patrols, or other Persons, while on Duty, to apprehend and secure all Felons, Rogues, Vagabonds, Night-walkers, and disorderly Persons who shall disturb the public Peace, or any Person or Persons wandering, secreting, or misbehaving himself, herself, or themselves, or whom they shall have reasonable Cause to suspect of any evil Design, and to secure and keep in safe Custody every such Person, in order that he, she, or they may be conveyed as soon as conveniently may be before one of Her Majesty's Justices of the Peace for the said County of *Wilts*, to be examined and dealt with according to Law; and it shall be lawful for the said Watchmen, Constables, Patrols, and other Persons so appointed as aforesaid to call and require any other Person to aid and assist them in apprehending such Felons, Rogues, Vagabonds, and all such disorderly or suspected Persons as aforesaid.

Regulations
relative to
rebuilding
Houses, &c.

XXVI. And be it further enacted, That when any House or Building, the Front, Foundation, or any Part of which now stands or projects beyond the regular Line of the Street or Place in which the
same

same is situate, or beyond the Front of the Houses or Buildings on each Side, or of the House or Building on either Side thereof, in any of the Streets or public Places within the said Town, shall be taken down to be rebuilt, altered, or amended, whether wholly or in part, the same shall be set back to the Line of the Street or Place aforesaid; or to the Line of the adjoining Houses or Buildings, or adjoining House or Building, in such Manner as shall to the said Commissioners appear most convenient and expedient for the Improvement of such Street or Place; and in Cases where the next Houses or House, Buildings or Building, shall not adjoin the House or Building to be so taken down, but shall be separated therefrom by any Street, Way, or Ground, then the same shall be set back to the Line of such Street or Place; and it shall be lawful for the said Commissioners to order or cause any House or Building which shall be rebuilt or erected contrary to the Provisions of this Act to be taken down, altered, or regulated at the Expence of the Owner or Proprietor thereof, to be recovered in manner in this Act mentioned for the Recovery of Damages and Expences; and where any House or Building shall be in the Whole or in Part altered, amended, or rebuilt, pursuant to the Provisions herein contained, and by reason whereof the Owner or Proprietor of such House or Building shall have suffered Loss or Damage, it shall be lawful for the said Commissioners and they are hereby required to tender and make full Compensation to such Owner or Proprietor for such Loss or Damage; and in case the Amount of the Compensation for any such Loss or Damage tendered by the said Commissioners shall be disputed, the Compensation for such Loss or Damage shall or may be ascertained and settled by any Two Justices of the Peace, and shall and may be levied and recovered by Warrant under the Hands and Seals of such Justices, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justices, by Distress and Sale of the Goods of the said Commissioners or of their Treasurer, unless such Treasurer shall pay and discharge the same, which he is hereby authorized to do, out of any Monies received or to be received by him as such Treasurer as aforesaid: Provided always, that it shall be lawful for the said Commissioners and they are hereby empowered to admit any Buildings to be advanced and brought forward for the Purpose of improving and conforming to the general Line of the Street or Place in which such Buildings shall be situate, or of the Building or Buildings adjacent thereto.

XXVII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to cause the several Houses and other Buildings in the several Streets, Lanes, Passages, and Places within the said Town to be numbered, and also to cause to be affixed or painted on a conspicuous Part of some House, Building, or Place, at or near each End, Corner, or Entrance thereof respectively, the Names by which such Streets, Lanes, Passages, or Places are respectively to be called or known; and if any Person shall wilfully or maliciously destroy, pull down, or deface any such Number or Name, or any Part thereof, or shall fix or put up any Number or Name different to the Number or Name fixed or put up by Order of the said Commissioners, he shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Commis-
sioners em-
powered to
cause Houses
to be num-
bered and
to name
Streets.

[Local.]

17 Y

XXVIII. And

Power to
make Com-
mon Sewers,
&c.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to cause such and so many Common Sewers, Drains, Vaults, Culverts, and Watercourses, public Wells, and Pumps, of such Materials, Dimensions, and Forms as they may think sufficient and necessary, to be constructed and made in, along, or across any Street, Lane, Passage, or Place within the said Town, and also to cause any of the Common Sewers, Drains, Vaults, Culverts, and Watercourses, public Wells or Pumps, which now are or hereafter shall be within the same, to be altered, enlarged, repaired, cleansed, or completed, when and so often as to such Commissioners shall seem proper; and in case it shall be found necessary for making or completing any of the aforesaid Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, to carry and continue the same into and through any inclosed Land or Ground lying within the said Town, it shall be lawful for the said Commissioners to carry and continue the same into and through the said Land and Ground accordingly, such Land or Ground respectively not being occupied as a Court, Yard, or Garden attached to any Dwelling House: Provided always, that if the Owner of any such Land or Ground into, through, or in which any such Sewer, Drain, Vault, Culvert, or Watercourse, Well or Pump, shall be made, carried, or continued, by such Commissioners as aforesaid, shall be injured or damnified thereby, and such Owner shall refuse to treat or cannot agree with such Commissioners as to the Recompence or Compensation to be paid for such Injury or Damage, then such Owner may apply to the next or Second General or Quarter Sessions of the Peace to be holden for the said County of *Wilts*, and the Justices of the Peace at such Sessions shall have Power to direct the Jury which shall attend at such Sessions for the Trial of Traverses to inquire into and assess the Recompence Money which ought to be paid to such Owner for such Injury or Damage as aforesaid, and thereupon the Justices in such Sessions shall adjudge and order such Recompence so found and assessed by the Jury to be paid to such Owner accordingly; and such Inquiry and Judgment shall be final to all Intents and Purposes; and the said Justices shall and may award, order, and adjudge Costs to either Party, as they shall think proper.

Private
Drains may,
with Consent
of Commis-
sioners, be
turned into
Common
Sewers.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners to authorize and empower any Person, at his own Expence, to turn or carry any private or branch Drain into any Common Sewer, Drain, Vault, Culvert, or Watercourse already made or which shall be made by virtue of this Act; but if any Person shall at any Time hereafter turn or carry any such private or branch Drain into any Common Sewer, Drain, Vault, Culvert, or Watercourse, without the Licence and Consent of such Commissioners first had and obtained, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Private
Drains to be
cleansed at
the Expence
of the Owner.

XXX. And be it further enacted, That all private Drains which now do or which by Permission of the said Commissioners hereafter shall issue into any of the said public Sewers, Drains, Vaults, Culverts, or Watercourses, shall be made, repaired, and cleansed,
6
by

by or under the Inspection and Direction of and according to such Plan as shall be approved of by the proper Officer of the said Commissioners, at the Cost and Charges of the Owner and Occupier of the Lands or Tenements to which the said private Drains do or shall respectively belong; such Costs and Charges, if paid by the said Commissioners, to be recovered by them in like Manner as the Rates to be raised by virtue of this Act are directed to be recovered.

XXXI. And be it further enacted, That the said Commissioners, or any Surveyor or other Person to be employed by them, or any Person to be appointed or employed by such Surveyor or other Person, shall and may and he and they is and are hereby empowered to take any Stones out of the River *Avon*, and also to search for, dig, gather, take, and carry away any Stones, Gravel, or other Materials fit and proper for paving and covering the Pavements, and pitching or repairing any of the said Streets, Lanes, and other Passages and Places, or for any other Purpose whatsoever in the Execution of this Act, or of any of the Powers or Authorities herein contained, in, upon, out of, and from any Waste or Common within the said Town, or within any adjoining Parish, without paying for the same, but levelling the Pits; and it shall be lawful for the said Commissioners, or any Surveyor or other Person to be employed by them, or any Person to be employed by such Surveyor or other Person, to search for, dig, gather, take, and carry away any such Materials, in, upon, out of, and from the Lands, Fields, or Grounds of any Person where the same may be had and found, such Lands, Fields, and Grounds not being a Yard, Garden, Orchard, Park, Wood, Coppice, Nursery, or inclosed Ground planted with any Avenue of Trees for Ornament; they the said Commissioners, or their Surveyor or other Person having an Order from the said Commissioners for so doing, filling up the Pits and levelling the Grounds from which such Materials shall be taken, and paying or offering to pay to the respective Owners or Occupiers of such Lands, Fields, or Grounds, such Damages, for the cutting, digging, taking, and carrying away such Materials, and for carrying the same over any inclosed Lands or Grounds, as the said Commissioners shall adjudge reasonable; and in case of any Difference concerning the same any Two or more Justices of the Peace of the said County of *Wilts* shall and may, on Ten clear Days Notice given by the said Commissioners or their Surveyor to the said Owner or Occupier, or by him to the said Commissioners or to their Surveyor, or to be left at their or his respective Places of Abode, hear, settle, and determine the Matter in dispute, and ascertain what Damages shall be paid; and the Order and Determination of the said Justices shall be final and conclusive upon all Parties.

Materials may be got for the Purposes of the Act.

XXXII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners, or any Person acting under their Authority, to search for, dig, take, or carry away any Materials for the Purposes aforesaid out of or from any inclosed Lands or Grounds, until Ten clear Days Notice in Writing, signed by the Clerk of the said Commissioners, shall have been given to the Occupier

Not to take Materials from inclosed Lands without Notice.

cupier of the Lands from which such Materials are intended to be taken, to appear before some Justices of the Peace of the County of *Wilts* to show Cause why such Materials shall not be had or taken from such Lands or Grounds; and in case such Occupier or his Agent shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, the said Justices shall, if they shall think proper, authorize such Person as the said Commissioners shall appoint for the Purpose to take, dig, and carry away such Materials at such Time as to the said Justices shall seem meet and proper; and if such Occupier shall neglect or refuse to appear in Person or by his Agent, then the said Justices shall and may, upon Proof on Oath of the Service of such Notice, make such Order in the Premises as they shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier or his Agent had attended in pursuance of such Notice.

Penalty on carrying away Materials without Consent.

XXXIII. And be it further enacted, That the said Commissioners shall have full Power and Authority to cause any Stones, Gravel, Sand, Earth, or other Materials as aforesaid to be carried and brought into the said Streets, Lanes, Passages, and Places, or any of them, and laid down there for the Purposes of this Act; and if any Person whomsoever shall, without the Licence and Authority of the said Commissioners or their Surveyor for the Time being, remove or take away any such Stones, Gravel, Sand, Earth, or other Materials which shall be so brought or laid in the said Streets, Lanes, Passages, and Places, or any of them, or shall remove or take away any such Stones, Gravel, Sand, Earth, or other Materials which shall have been dug or gathered by Order of the said Commissioners or their Surveyor, every Person so offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Scavenger.

XXXIV. And be it further enacted, That the said Commissioners shall and may contract with such Person as they shall think proper to act as Scavenger, with such Salary, Wages, or Reward as they the said Commissioners shall think proper and direct; and the Person employed as a Scavenger shall in such Manner, in every Week, or as often as the said Commissioners shall direct, bring or cause to be brought such Sort of Cart or other Carriage as the said Commissioners shall direct and appoint, in all and every the Streets, Lanes, and other Passages and Places which shall at any Time be paved, cleansed, and lighted by the said Commissioners, where such Cart and Carriage can pass, and shall, at or before his Approach, by Sound of Bell or otherwise, give Notice to the Inhabitants, and give the like Notice in every Court, Alley, and Place in which the said Cart and Carriage cannot pass, and shall abide and stay a convenient Time in or near the said Places respectively, to the Intent that all Persons concerned may bring forth their respective Dust, Dirt, Ashes, and Filth to the Door of their respective Houses or other Premises, wherefrom the Scavenger shall carry or cause the same to be carried away to such Place as the said Commissioners shall appoint; and the said Scavenger shall sweep and cleanse, or cause to be swept and cleansed, in a proper Manner, all the said Streets, Lanes, and other Passages and Places as the said Commissioners shall direct
and

and appoint, and afterwards take up and carry away the Dirt and Soil there made and found or swept up out of the same, immediately or within such Time as the said Commissioners shall direct, under a Penalty not exceeding Twenty Shillings for every Neglect.

XXXV. And be it further enacted, That no Person shall take or carry away, or cause to be taken or carried away, any Ashes, Dust, Dirt, Muck, Dung, or Manure which shall be made in or laid upon any or either of the said Streets, Lanes, or other public Passages or Places, besides the Scavenger or such other Person as shall be appointed by the said Commissioners, upon pain of forfeiting and paying the Sum of Ten Shillings for every such Offence.

No Person to carry away the Soil of the Streets but the Scavenger.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to cause the several Streets, Lanes, and other Passages and Places within the said Town, although the same or some of them may not be public Streets, Lanes, Passages, or Places, or such of them as they shall think proper, to be lighted, either by means of Oil Lamps or by means of Gas or Inflammable Air, or partly by one Means and partly by another, or otherwise, at such Times and Seasons as the said Commissioners shall think fit, and to direct what Part of the same shall be lighted with Oil and what by means of Gas or Inflammable Air, or otherwise; and it shall be lawful for the said Commissioners from Time to Time to contract and agree with any Company or other Person to light the said Streets, Lanes, and other Passages and Places, or any of them, or any Part thereof respectively, by means of Oil or Gas or Inflammable Air, or otherwise, in such Manner, and upon such Terms and Conditions, Stipulations and Agreements, as the said Commissioners shall think proper; and to provide and set up, fix, or place all necessary Lamps, Lamp Posts, Lamp Irons, and Iron or other Pipes, for the Conveyance of Gas or Inflammable Air, or otherwise, and other Works necessary for the Purposes of this Act, upon or against the Walls or Palisadoes of any House, Tenement, Building, or Inclosure, (doing as little Damage or Injury thereto as possible,) or in such other Manner as they shall think proper, and for the Purpose of lighting all or any of the said Streets, Lanes, Passages, and Places with Gas or Inflammable Air, or otherwise, to direct the breaking up the Soil or Pavement of any of the Footways or Carriageways of any of the said Streets, Lanes, Passages, and Places, and the opening, digging, sinking, and removing the Ground, and the laying and fixing or placing Pipes, Stopcocks, Plugs, Branches, and any other Works or Machinery, by any Company or other Person, for the Conveyance of the said Gas or Inflammable Air, or otherwise, for the Purpose of lighting such Streets, Lanes, Passages, and Places, or any Part thereof, and for the Purpose of repairing, altering, and renewing the same.

Power of Commissioners to light Streets, &c.

XXXVII. And be it further enacted, That for the Purposes aforesaid it shall be lawful for the said Commissioners to manufacture Gas or Inflammable Air, and for that Purpose to establish Gasometers and all Apparatus and Machinery necessary or convenient thereto, and to purchase and hold or rent, or lease for a Term of Years, any

Power to manufacture Gas and establish Gasometers.

[Local.]

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Land

Land or Ground not exceeding Three Statute Acres, for such Purposes: Provided always, that the said Commissioners shall not sell any Gas manufactured by them, nor shall the said Commissioners manufacture any Gas or Inflammable Air for the Purpose of selling the same.

Gas Pipes not to be laid on private Premises without Consent.

XXXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners, or any Company or any other Person, to carry, lay, or fix, or continue any Pipe or Cock, or Branch from any Pipe or Thing, for the Conveyance of Gas or Inflammable Air into or through any Dwelling House or private Building, or into or through any private Lands or other Hereditaments or Premises, or so to continue the same without the Consent of the Owner or Occupier of every such Dwelling House, Building, Lands, and Hereditaments respectively; nor to enable the said Commissioners, or any Company or any Person, to enter into or upon any private Lands or Grounds, for any Purposes relating to the Supply or Use of Gas, without such Consent as aforesaid for that Purpose first had and obtained.

Commissioners to repair Damage done to any Building by affixing Lamps, &c.

XXXIX. Provided also, and be it further enacted, That if any Injury or Damage shall be occasioned to any Building or Wall or other Erection, by the affixing, setting up, taking down, altering, or removing any Lamp, or any Lamp Iron or other Fastening thereof, or any Pipe or other Matter or Thing used for the Conveyance of Gas or Inflammable Air within the said Town, and laid under the Authority of this Act, the said Commissioners or Company or Person occasioning the same shall immediately cause the said Injury or Damage to be well and sufficiently repaired.

Branch and Service Pipes to be kept charged with Gas.

XL. And be it further enacted, That every Branch or Service Pipe which shall be used for lighting with Gas the said Streets, Lanes, or other Passages and Places, shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede or prevent any such Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Gas Pipes to be laid at a Distance from Water Pipes, and in a particular Manner.

XLI. And be it further enacted, That every Pipe or other Conduit to be used or laid for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, or other Passage or Place in the said Town, shall be laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street, Lane, or other Passage or Place will allow thereof, at the Distance of Four Feet at 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, or other Passages or Places, excepting in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said 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 Case the said Gas Pipes so crossing the said Water Pipes shall

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 in laying down the said Gas Pipes the said Commissioners, Company, or other Person 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 form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep every such Pipe, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Offence the Sum of Five Pounds, which shall be paid either to any Person annoyed or damaged by any such last-mentioned Act, who shall be the Informer, or to any other Person who (in the Judgment of the Justice of the Peace before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed, as the said Justice shall direct, and which shall be levied and recovered as any other Penalty is by this Act directed to be levied and recovered.

XLII. And be it further enacted, That if the said Commissioners, or any Company or other Person whomsoever, shall at any Time drain or convey, 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 produced in the Prosecution of any such Gas Work, or in the Manufacture or Process of making or procuring any such Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Moat, Pond, Springhead or Well, or into any Drain, Sewer, or Ditch communicating therewith, 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, Canal, Aqueduct, Waterway, Feeder, Moat, Pond, Springhead or Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be spoiled, fouled, or corrupted, then and in each such Case the said Commissioners, Company, or Person shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall or may be sued for and recovered, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case; and one Moiety thereof shall be paid to the Person who shall sue for the same, and the other Moiety to the Person against whom any such Annoyance, Act, or Thing shall have been done or committed, or who shall have been injured thereby: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined; provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained,

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

drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or Reservoir, Canal, Aqueduct, Waterway, Feeder, Moat, Pond, Springhead or Well, or into any Drain, Sewer, or Ditch communicating therewith, 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 to whom the same shall belong, or by any other Person whomsoever, to the said Commissioners, Company, or other Person, and the said Commissioners, Company, or other Person as aforesaid shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, 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 Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, Company, or Person as aforesaid shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered, levied, and applied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered, levied, and applied.

XLIII. And be it further enacted, That whenever any Gas shall be found to escape from any or either of the Pipes which have already or shall hereafter be laid down or set up by the said Commissioners, or by any Company or any other Person whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town, the said Commissioners, Company, or other Person as aforesaid shall, immediately after Notice in Writing of any such Escape of Gas by any Person whomsoever, to be left at the usual Office or Place of transacting Business of the said Commissioners, Company, or other Person making, furnishing, or supplying such Gas as aforesaid, (as the Case may be,) cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, Company, or other Person as aforesaid shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any further Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, Company, or other Person as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each Day after the Expiration of Twenty-four Hours after the Time of giving such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be from Time to Time recoverable in a summary Way, on the Oath or Affirmation of a credible Witness, before a Justice of the Peace, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, or of such Company or other Person, by the Warrant of such Justice, to be granted in like
Manner

For prevent-
ing the Es-
cape of Gas.

Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered, and shall be paid to the Informer, or to the Person who in the Judgment of the said Justice shall have sustained any Annoyance, Injury, or Damage thereby.

XLIV. And be it further enacted, That whenever the Water in any Well, Pond, Spring, or Watercourse belonging to or used by any Person within the said Town shall be contaminated by any Gas used, burnt, or consumed within the said Town, the said Commissioners, Company, or Person making, furnishing, or supplying such Gas shall forfeit and pay the Sum of Twenty Pounds, to be levied and recovered as any Penalty is hereby directed to be levied and recovered, and shall be applied to and for the Benefit of the Person aggrieved thereby; 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 Person making, furnishing, or supplying such Gas shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any Person interested in or making use of such Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, Company, or other Person making, furnishing, or supplying such Gas, cause the most proper and effectual Measures to be taken to stop, and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting the Water as aforesaid; and in case the said Commissioners, Company, or Person making, furnishing, or supplying such Gas shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent 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 the said Commissioners, Company, or Person making, furnishing, or supplying such Gas as aforesaid shall on each Complaint forfeit and pay to the Person aggrieved, for the Use and Benefit of the same Person, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated or affected by such Gas, and in default of Payment thereof as aforesaid such Penalty shall and may be recovered as any other Penalty is hereby directed to be recovered, and shall be applied to and for the Benefit of the Person aggrieved.

XLV. And whereas it may become a Question upon any such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Commissioners or Company or Person as aforesaid; be it therefore further enacted, That in every such Case it shall be lawful for any Person interested in such Well, Pond, Spring, or Watercourse which may be deemed affected as aforesaid, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, Company, or Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Commissioners, Company, or Person as aforesaid; and if it shall appear that the Water has been contaminated by any Escape of Gas

[*Local.*]

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of

For preventing the Contamination of Water by Gas.

For ascertaining if the Water be contaminated.

of the said Commissioners, Company, or Person as aforesaid, and such Person interested as aforesaid shall have given Twenty-four Hours Notice in Writing to the said Commissioners or Company or Person as aforesaid, or to their or his Clerk or Surveyor, of their or his Intention to dig and make such Search and Examination, to the Intent that they or he may attend such Search or Examination, then and in such Case the Costs and Expences of the Digging, Search, and Examination and Repair of any Pavement which shall be taken up or disturbed in any such Examination or Search, shall be borne and paid by the said Commissioners or Company or Person as aforesaid, which Costs and Expences shall be ascertained and determined (if necessary) by any One Justice of the Peace, and be recovered in like Manner as Penalties or Damages 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 Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners or Company or Person as aforesaid, then and in such Case the Person interested as aforesaid shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, Company, or Person as aforesaid any Loss, Injury, or Damage which may be occasioned to the Mains, Pipes, Conduits, or Apparatus of the said Commissioners, Company, or Person, in and by such Search and Examination, and also to any Pavement, Gutter, and Watercourse broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, in case of any Dispute respecting the same, by such Justice of the Peace, and shall or may be levied and recovered, in case of Non-payment thereof, as any other Penalties are herein-after directed to be levied and recovered.

Not to protect Persons supplying Gas from being indicted for a Nuisance.

XLVI. Provided also, and be it further enacted, That nothing in this Act contained shall extend to protect the said Commissioners or any Company or any Person making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town, or any of the Servants, Officers, or Workmen of the said Commissioners, Company, or other Person as aforesaid, from any Indictment or Prosecution for a public or a private Nuisance in respect of any Gas Works, or the Means which shall be employed by them in making the said Gas and using the same, and furnishing any Gas Light, nor from any Action 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.

Penalty for wilfully breaking Lamps, &c.

XLVII. And be it further enacted, That if any Person shall wilfully, wantonly, or maliciously break, throw down, destroy, or otherwise deface, damage, or injure, any Lamp, Pipe, Post, Pillar, Pilaster, Lamp Iron, Lamp Cover, or Furniture thereof, or any Engine or Cart, or other Property hereby vested in the said Commissioners, or shall wilfully, wantonly, or maliciously extinguish the

the Light in any such Lamp, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall also make full Satisfaction, in addition to the said Penalty, to the said Commissioners, or to the Party injured, for the Damage so done; and in case any Person shall negligently or accidentally break, throw down, or otherwise damage any Lamp, Pipe, Post, Pillar, Pilaster, Lamp Iron, Lamp Cover, or Furniture thereof, Engine, Cart, or other Property of the said Commissioners, and shall not, upon Demand, make Satisfaction to the said Commissioners, or to the Party injured, for the Damage so done, it shall be lawful for any Justice of the Peace and he is hereby required, on Complaint thereof made on Oath, to summon the Party complained of, and upon his appearing, or making default to appear (Oath being made that the Party complained of was served with such Summons, or that the same was left at his Dwelling House or Place of Abode, if known, or that he could not be found), such Justice shall proceed to examine the Matter of the said Complaint, and upon Proof thereof, either upon Confession of the Party complained of or by the Oath of One credible Witness, shall award and order such Sum of Money, by way of Satisfaction for such Damage, with Costs, to be paid by the Party complained of, to the said Commissioners or to the Party injured, for such Damage, as such Justice shall think reasonable.

Persons accidentally breaking Lamps to make Satisfaction.

XLVIII. And whereas Houses, Walls, and Buildings within the said Town are or may be, either from litigated Titles thereto, or the Obstinacy, Neglect, or Poverty of the Owners thereof, or of the Parties interested therein, or from some other Cause, in so ruinous a Condition that the Inhabitants thereof and Passengers thereby are in danger of their Lives or Limbs from the falling thereof, or of the Brick, Stones, or Timber therefrom; be it further enacted, That on any Information, signed by Four or more Householdiers living near to any House, Wall, or Building within the said Town, that such House, Wall, or Building is in a ruinous and dangerous Condition, it shall be lawful for any Two Justices of the Peace to cause a Survey to be made by Two Surveyors or able Workmen, and if upon such Survey it shall be certified that the said House, Wall, or Building is dangerous or ruinous, it shall be lawful for the said Commissioners and they are hereby required, on Notice of any such Presentment being made, and a Copy thereof being laid before them, to cause, with all convenient Speed, a proper and sufficient Hoard to be put up for the Safety of all Passengers passing thereby, and cause Notice in Writing to be given to the Owner or other Person interested therein, if he can be found, and if not to cause such Notice in Writing to be affixed to and upon the Door or other notorious Part of such House, Wall, or Building so presented to be in such ruinous Condition, to repair or to pull down the same, as the Case may require, within Twenty Days then next ensuing; and if such Owner or other Person interested in any such House, Wall, or Building do not begin to repair or take down the same within the said Twenty Days after such Notice so given or affixed as aforesaid, and complete such Repairs or take down the same as soon as the Nature of the Case will admit, then, a Declaration being made before any Justice of the Peace for the

Where any Building is presented as ruinous a Hoard to be put up for Safety of the Passengers.

the said County of such Notice having been so given or affixed as aforesaid, the said Commissioners are hereby authorized and required, with all convenient Speed, to order and cause such House, Wall, or Building so presented to be in a ruinous Condition, or so much thereof as the said Commissioners find necessary for the Safety of Passengers, to be taken down and secured in such Manner as shall from Time to Time be requisite; and to sell and dispose of such of the Materials as the said Commissioners shall judge necessary and expedient, and out of the Monies arising from the Sale thereof to reimburse, repay, and satisfy themselves, and every Person employed for the Purposes aforesaid, all the Costs and Charges of such Survey and Presentment, and putting up every such Hoard, and of such taking down and securing all or any Part of every such House, Wall, or Building so taken down or secured as aforesaid, and of selling the said Materials as aforesaid, or so much thereof as the Monies arising by such Sale will extend to pay, and shall account for and pay the Surplus of the Monies arising by such Sale (if any be) to the Owner of every such House, Wall, or Building, upon personal Demand thereof made by such Owner to the said Commissioners or their Treasurer; provided nevertheless, that any such Owner, his Executors or Administrators, shall and may, at any Time within the Term of Six Years then afterwards, be entitled to have and receive such Overplus from the said Commissioners, or their Treasurer for the Time being, within Ten Days after Demand thereof personally made by such Owner, his Executors or Administrators; and if it shall happen that the Money arising by such Sale shall fall short and is deficient to repay and satisfy all such Costs and Charges, then such Deficiency shall from Time to Time be paid by the Owner of every such House, Wall, or Building, if known and to be met with; and if such Owner, on Demand thereof, shall neglect or refuse to pay the same, then such Deficiency may be levied by Warrant under the Hand and Seal of any Justice of the Peace, by Distress and Sale of the Goods and Chattels of such Owner, if any such can be found; and if no such Owner can be met with, or being met with shall not, on Demand, pay the said Deficiency, and no sufficient Distress of his Goods and Chattels can be met with whereupon such Deficiency of such Costs and Charges may be levied and recovered, then the Person who shall at any Time thereafter occupy any such House or Building, or the Ground where the same or any Wall stood, is and are hereby required and authorized to pay the same out of the Rent thereof; and if he neglect or refuse to pay such Deficiency of Charges, then the same shall, by Warrant under the Hand and Seal of any such Justice, be levied by Distress and Sale of the Goods and Chattels of any such Occupier of the Premises, together with the Costs of every such Distress and Sale; provided always, that nothing herein contained shall extend to render such Occupier as aforesaid liable to pay a larger Sum than shall be due from him for Rent of such Premises; and the Owner of the Premises is hereby required to allow to every such Occupier all such Deficiency and Charges which he shall so pay, or which shall be recovered or levied by Distress and Sale from him as aforesaid, out of any Rent which shall be due for the said Premises, or any Part thereof; and every Occupier shall be acquitted and discharged for so much Money as he shall pay, or as shall be recovered from him, in
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the same Manner as if the same had been actually paid to such Person to whom his Rent was due and should have been paid.

XLIX. And be it further enacted, That it shall and may be lawful for the said Commissioners from Time to Time to cause all or any of the Porches, Sheds, projecting Windows, Steps, Cellars, Cellar Windows, Cellar Doors, Signs, Sign Posts, and Sign Irons, Showboards, Stalls, Window Shutters and Flaps, Walls, Gates, Railings, and all other Obstructions, Encroachments, and Projections whatsoever, which at the Time of the passing of this Act are erected, fixed, set up, or laid down, or exist against or in front of any House or other Buildings in any of the said Streets, Lanes, Passages, or Places within the said Town, and which in the Judgment of the said Commissioners are 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 said Streets, Lanes, Passages, or Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, as shall be thought proper and expedient by the said Commissioners, first causing Twenty Days clear Notice in Writing under the Hands of the said Commissioners to be given to the respective Owners and Occupiers of such Houses and Buildings, of their Intention to take down, fill up, remove, alter, or reform such Obstructions or Projections respectively, and causing as little Damage to be done in effecting every such Removal or Alteration as the Nature of the Case will allow: Provided always, that the said Commissioners shall and they are hereby required to make reasonable Satisfaction and Compensation to the several Owners and Occupiers of such Houses and Buildings for any Damage or Injury which shall be done thereto in consequence of such Removal or Alteration as aforesaid; and if the said Commissioners and such Owners and Occupiers cannot agree as to the Sum to be paid by the said Commissioners, the Amount thereof shall be ascertained, fixed, and determined by any Two or more Justices of the Peace for the said County of *Wilts*, who, upon Application made to them by both or either of the Parties, shall examine into the Matter of the Dispute, and determine and settle the Amount of Compensation which shall be payable by the said Commissioners.

For removal
of existing
Projections.

L. And be it further enacted, That the several Owners or Occupiers of Houses, Buildings, and Premises situate in the several Streets, Lanes, Passages, and Places within the said Town, and every of them, are hereby required, at their Expence respectively, within Twenty Days next after their respectively receiving Notice in Writing signed by the said Commissioners, to cause all and every the Porches, Sheds, Projections, Windows, Steps, Cellar Windows, Cellar Doors, Signs, Sign Posts, and Sign Irons, Showboards Stalls, Window Shutters, and Flaps, Walls, Gates, Railings, and other Obstructions, Encroachments, and Projections whatsoever, which shall hereafter be erected, affixed, set up, or laid down, or stand or be against or in front of or belonging to their respective Houses or other Buildings, and which in the Judgment of the said Commissioners, at any Meeting of the said Commissioners to be called for that Purpose, and which Meeting

Future Pro-
jections to be
removed.

[*Local.*]

18 B

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the said Commissioners are hereby empowered to hold, giving, by their Clerk, Ten Days clear Notice thereof in Writing, to be affixed on the Door of the Church aforesaid, stating the Object of such Meeting, shall be considered public Obstructions, Annoyances, or Nuisances, to be taken down, removed, or carried away, or otherwise altered or reformed within such Time and in such Manner as shall be directed by the said Commissioners; and in case the Owner or Occupier of any such House, Building, or Premises as aforesaid shall neglect or refuse to cause any such Porches, Sheds, Projections, Windows, Steps, Cellar Windows, Cellar Doors, Signs, Sign Posts, Sign Irons, Showboards, Stalls, Window Shutters and Flaps, Walls, Gates, Railings, or other Obstructions or Projections whatsoever, so adjudged to be a public Obstruction or Annoyance 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 acting under their Authority; and the Costs and Charges attending the same shall and may be recovered from the Owner or Occupier of such House or Building in the same Way and Manner as the Rates and Assessments by this Act granted may be levied or recovered: Provided always, that the Occupier of any such House or 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, and not being the Person who originally made or occasioned such Nuisance, shall and may deduct and retain the Amount thereof out of his Rent, and the Owner or Person entitled to the said Rent is hereby required to allow the same accordingly; provided also, that in case such Occupier shall be entitled to deduct and retain such Costs and Charges as aforesaid, he shall not be liable to pay or have recovered from him as aforesaid a larger Sum of Money than shall be due from him for the Rent of such Premises.

Shutes, &c.
to be put up.

LI. And be it further enacted, That the Owner or Occupier of every House or Building in or adjoining any Street, Lane, or other Passage or Place, within the said Town shall, within Twenty Days next after Service of any Order or Direction for that Purpose, signed by the said Commissioners, on him personally, or left at his last or usual Place of Abode, put up and place, and for ever afterwards keep in good Repair and Condition, a Shute, Spout, or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed to the Front or Side of such Building, from the Roof to the Ground, to carry off or conduct the Water from the Roof of such House or Building in such Manner that such Water shall not fall upon or incommode the Persons passing near such House or Building; and every Tenant or Occupier at Rack Rent of any such House or Building who shall put up or place any such Shute, Spout or Trough, Pipe or Trunk, or keep the same in repair, shall be entitled to deduct, out of the Rent payable to the Owner 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 Shute, Spout, Trough, Pipe, or Trunk; and the Payment
of

of such Expences by any such Tenant or Occupier shall be a sufficient Discharge for him for so much of his Rent as the Amount of such Expences shall be equal to, and shall be abated or allowed to him by the Owner of such House or Building out of such Rent; and if any such Owner or Occupier shall, for the Space of Twenty Days next after Service as aforesaid of any such Order or Direction, neglect to put up or place or neglect to repair any Shute, Spout, Trough, Pipe, or Trunk as aforesaid, then and in every such Case it shall be lawful for the said Commissioners to cause any such Shute, Spout, Trough, Pipe, or Trunk to be put up or placed against any such House or Building, at the Expence of the Owner or Occupier thereof; and in case any such Owner or Occupier 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 or recovered.

LII. And be it further enacted, That the Water from all Houses and Buildings in any Street, Lane, or other Passage or Place within the said Town shall be conveyed from such Houses and Buildings, either by means of underground Drains or Tunnels below the Surface of the Pavement or Flagging of the Footpath, or by means of Iron Drain Gutters to be fixed and placed in the Flagging or Pavement, and that for the Purpose of laying or forming such Drains or Tunnels, or fixing or placing such Iron Drain Gutters as aforesaid, it shall be lawful for the Owner of any such House or Building and he is hereby required, at his own Expence, to take up so much of the Pavement or Flagging of any Footpath or Carriageway as may be requisite, and to lay down and form the said Drains or Tunnels, or fix or place the said Iron Drain Gutters, under the Direction of the said Commissioners or such Person as they shall appoint, and all Damage which may be thereby occasioned to the Pavement or Flagging of the Footpath or Carriageway shall be made good at the Expence of such Owner: Provided always, that in case Default shall be made in the Formation of such Drains or Tunnels, or in the fixing or placing of such Iron Drain Gutters in manner aforesaid, it shall be lawful for the said Commissioners, or any Person acting by or under their Authority, to lay down and form the said underground Drains and Tunnels, or to fix and place the said Iron Drain Gutters, and the Costs and Charges thereof shall be paid and borne by the Owner of any such Houses and Buildings; and in default of Payment thereof for Ten Days next after Demand made by any Person acting by or under the Authority of the said Commissioners, such Costs and Charges shall and may be levied and recovered from the Person so making such Default in the same Way and Manner as any Rates or Assessments as are by this Act authorized to be recovered.

Water from Houses, &c. to be conveyed in underground Drains.

LIII. And be it further enacted, That no House, Outhouse, or other Building which shall hereafter be built or erected abutting to or adjoining any Street, Lane, or other Passage or Place within the said Town, shall be covered with Thatch or Straw, wholly or in part; and in case any such House, Outhouse, or other Building shall

Houses, &c., not to be covered with Thatch.

shall be so erected, the Owner thereof shall forfeit and pay the Sum of Forty Shillings for every Calendar Month the same shall continue with such Covering.

Footways,
&c. to be
swept.

LIV. And be it further enacted, That the respective Occupiers of Houses, Buildings, Yards, and Tenements within or adjoining the Streets, Lanes, and other Passages and Places in the said Town shall and they are hereby required, Once in every Day (*Sundays* excepted), before Ten of the Clock in the Forenoon of each Day, to scrape, sweep, and cleanse, or cause to be scraped, swept, and cleansed, the Footways and Pavements in front or at the Sides of their respective Houses, Buildings, Yards, and Tenements; and every such Occupier making default herein shall for every such Offence forfeit and pay any Sum not exceeding Five Shillings.

Cattle suf-
fered to stray
may be im-
pounded.

LV. And be it further enacted, That if any Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle, shall be found straying in any Street, Lane, or other Passage or Place within the said Town, the Owner thereof shall, for every such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Head of Cattle, forfeit and pay any Sum not exceeding Five Shillings; and it shall be lawful for any Officer appointed by the said Commissioners to impound any such Horse or other Beast or Cattle as aforesaid in any Pound such Commissioners may provide (and which they are hereby authorized and empowered to provide) and sustain within the said Town, or in any other public Pound in the said Town, and to detain the same in such Pound until the said Penalty, and the Expences of impounding, feeding, and keeping the same in the Pound, shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Three Days after such Horse or other Beast or Cattle as aforesaid shall be so impounded, it shall be lawful for any Person who shall be appointed by such Commissioners for that Purpose to sell or cause the same to be sold; and the Costs and Charges of impounding, feeding, and keeping such Horse or other Beast or Cattle as aforesaid in Pound, and of selling the same, and the said Penalty, shall be defrayed by such Sale; and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner of the said Horse or other Beast or Cattle, upon Demand: Provided always, that whether such Horse or other Beast or Cattle as aforesaid shall be impounded as aforesaid, or otherwise, the Owner thereof shall nevertheless be liable to the Payment of the Penalty as aforesaid.

Punishment
for Pound
Breach.

LVI. And be it further enacted, That in case any Person shall release or attempt to release any Horse or other Beast 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 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 shall attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or
before

before such Horse or other Beast or Cattle, Article, Matter, or Thing, so seized or 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 Justice of the Peace, either upon Confession of the Party offending or upon the Oath of One credible Witness, be committed by such Justice, by Warrant under his Hand and Seal, to some Common Gaol or House of Correction in the said County of *Wilts*, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months.

LVII. And be it further enacted, That if any Driver of any Waggon, Cart, Dray, Sledge, or other Carriage of the like Description, (except Carriages driven by some Person holding the Reins of the Horse, Beast, or Cattle drawing the same,) shall ride upon the Shaft or upon any other Part of such Carriage, or upon any of the Horses, Asses, Mules, or Cattle drawing the same, or shall drive the same faster than a Walk, in any Street, Lane, or other Passage or Place within the said Town; or if the Driver of any Carriage whatsoever shall be at such a Distance from the same during its Passage through any Part of the said Town as not to possess the complete Direction over any Horse or Beast drawing the same; or if any Person shall place any Cart or other Carriage athwart or across any such Street, Lane, or other Passage or Place; or if any Person, when driving any Sort of Carriage whatsoever, and meeting any other Carriage, shall not keep his Carriage on the Left or near Side of the Street, Lane, or other Passage or Place, or shall in any Manner wilfully prevent any other Person from passing him, or any Carriage under his Care, within any such Street, Lane, or other Passage or Place, or by Negligence or Misbehaviour prevent or interrupt the free Passage of any Carriage or of Her Majesty's Subjects within any such Street, Lane, or other Passage or Place, or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Person; then and in every such Case every such Driver, Rider, or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

For preventing Misbehaviour in Drivers of Carriages.

LVIII. And be it further enacted, That if, in any Street, Lane, or other Passage or Place within the said Town, any Person shall leave or suffer to stand or continue any Waggon, Cart, Dray, or other Carriage of the like Description, either in the Night or in the Daytime, either loaded or unloaded, or with or without Horses, for any longer Time than for the necessary loading or unloading thereof, and except whilst the same shall be loading or unloading, or in case the same shall not during such Time be placed so as to interrupt the public Passage as little as possible; or shall lay, place, or suffer to remain any Timber, Iron, Bricks, Stones, Slates, Tiles, Sand, Lime, Mortar, Hay, Straw, Goods, Wares, Merchandize, Materials, Articles, Matters, or Things whatsoever, longer than shall be necessary for removing and housing the same; then and in every such Case every such Person, and the Owner of every such Carriage, or of any such Goods, Wares, Merchandize,

For preventing Obstructions.

[Local.]

18 C

Materials,

Materials, Articles, Matters, or Things, shall for every such Offence in any of the aforesaid Particulars forfeit and pay any Sum not exceeding Forty Shillings; provided only that One Penalty shall be levied for One and the same Offence.

For Protec-
tion of Foot-
ways

LIX. And be it further enacted, That if any Person shall run, draw, or drive or carry any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, on any Foot Pavement or other Footway in any Street, Lane, or other Passage or Place within the said Town (except only for the Purpose of crossing the same); or shall set or place any Furniture, Goods, Wares, or Merchandize, or erect, set up, or place any Blind, Shade, Covering, or Awning, (except such Blind, Shade, Covering, or Awning shall be Eight Feet at least in Height in every Part thereof from the Surface of the Ground, and shall extend over the whole of such Footway,) 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 on any such Footway; or shall wilfully ride, lead, or drive on any such Footway any Horse or other Beast or Cattle of any Kind whatsoever; or shall annoy, insult, or wilfully jostle any Passenger or Person travelling, passing, or going on such Foot Pavement or other Footway, or shall by loitering or standing or in any other Manner obstruct or incommode, hinder, or prevent the free Passage of any such Footway; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

For pre-
venting Nui-
sances.

LX. And be it further enacted, That if any Person shall, in any Street, Lane, Passage, or Place in the said Town, expose for Sale or sell or fodder any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle (except in such Place or in such Manner as shall be appointed for that Purpose); or exhibit or place for Exhibition any Caravan or other Carriage containing any Animal or other public Show, or in any other Manner exhibit or cause to be exhibited any public Show (except in such Place as shall be appointed for that Purpose); or turn loose or suffer to be at large any Bull Dog, Mastiff, or other ferocious Dog of any other Species, not being muzzled, or permit or suffer any Dog whatsoever to go at large after any public Notice given by the said Commissioners during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness (and which said Dogs so at large such Commissioners are hereby authorized to destroy or direct to be destroyed); or shall, after Nine of the Clock in the Morning, wash or clean, or make or repair, any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage (except such Carriages as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall mischievously or wantonly let off or fire any Musket, Gun, or Pistol or other Fire-arms, or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Fire-
work,

work, in or near any such Street, Lane, Passage, or Place, to the Annoyance of any Inhabitant or Passenger; or play at Football or any other Game, to the Annoyance of any Inhabitant or Passenger; or if any Person shall hew, saw, bore, or cut any Timber or Stone; or shall kill or slaughter, or singe, scald, or dress, or shall cause or procure to be killed, slaughtered, or singed, scalded, or dressed, any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any such Street, Lane, Passage, or Place, or in any Shop or other Place adjoining, and exposed to or opening into the same; or cause or permit any Offal, Blood, Filth, or other offensive Matters to run from any Slaughter-house, Shambles, Butcher's Shop, Swinestye, or Dunghill, into any such Street, Lane, Passage, or Place; or kill or slaughter or dress within the said Town any unsound Swine, Ox, Cow, Calf, Sheep, Lamb, or other Beast or Cattle, and which shall be unwholesome Meat for the Purposes of Sale; or sell or offer or expose for Sale within the said Town any unwholesome Fish or Meat; or use any false or deficient Weights or Measures; or if any Person, being a Licensed Publican or Victualler; or being a Dealer in Beer, Ale, Cider, or other strong Liquors by Retail, within the said Town, shall not erect or construct with Flags or other proper Materials, in some convenient and proper Situation, and as little exposed as possible, about such Public House or Victualling House, a Recess or Convenience, with proper Drains from the same, for making Water against, so as effectually to prevent any unnecessary and indecent Exposure of the Person; or if any Person shall, in any such Street, Lane, Passage, or Place, engage or instigate or abet any Prize Fight or pitched Battle; or in any public Situation in any Part of the said Town bathe so as to expose his Person; or shall in any such Street, Lane, Passage, or Place leave open (after Sunset) the Door, Window, or other Covering giving Light or Air to any Cellar or Office or other underground Room or Apartment, or of any Area, without having placed a sufficient Light to warn Persons from falling into such Cellar, Office, or other underground Room or Apartment, or shall leave open or not effectually secure any Grate, Board, or other Covering over any Opening in the Pavement used for putting Coals or other Articles into any Cellar or other Place underground; or if any Person, in any such Street, Lane, Passage, or Place, shall sift, screen, wet, slack, or mix any Lime; or shall cause or instigate any Dog Battle or Dogs to fight; or shall shoe, bleed, or farry (unless in case of any sudden Accident), or clean, dress, drive, or turn loose, show, exhibit, train, exercise, or break-in, any Horse or other Beast; or shall show or expose any Stallion or Blood Horse; or shall indecently expose his Person; or shall use any obscene or indecent Language, or write or describe any obscene or indecent Language or Figure on any Wall, Door, Post, or public Place within the said Town, or post or distribute any indecent or obscene Handbill, Notice, or Placard within the said Town; or affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building, without the Consent of the Owner or Occupier thereof, or write upon, or otherwise deface or mark the same by means of Chalk, Paint, or any other Material whatsoever; or if any Person shall, within the Distance of Two hundred Yards from any Dwelling

Dwelling House situate in or near any Street, Lane, public Passage, or Place within the said Town, burn any Rags or Bones or other offensive Substance for making Manure, Ivory or other Black, or Ammoniac, or for any other Purpose of Trade, Manufacture, or Commerce, to the Annoyance of any Inhabitant of the said Town, or whereby any such Inhabitant shall be annoyed; or place, deposit, or keep any Nightsoil, or the Emptyings, Cleansing, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any Soap Lees, ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground within the aforesaid Distance from any such Dwelling House as aforesaid, to the Annoyance of any Inhabitant of the said Town, or whereby any such Inhabitant shall be annoyed, otherwise than during the Time of the same being removed; 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 as 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.

Penalty on Persons using Forges not preventing the Light from shining into the Streets.

LXI. And be it further enacted, That if any Blacksmith, Whitesmith, Anchor-smith, Nail-maker, or other Person using a Forge, and having a Door, Window, or Aperture fronting or opening into or towards any Street within the said Town, shall not close such Door, or fasten the Shutters or other Fastenings of such Window, and close such Aperture, every Evening within One Hour after Sunset, so as effectually to prevent the Light in such Forge from shining through the Doorway, Window, or Aperture into or upon such Street, every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Shillings.

Penalty on firing Chimneys.

LXII. And be it further enacted, That if any Person shall set fire to, or cause, permit, or suffer the Chimney of any House, Workshop, Outhouse, or other Building within the said Town to be set on fire, the Person setting fire to the same shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Pigsties, &c., to be removed.

LXIII. And be it further enacted, That in case any Slaughterhouse, Pigstye, Necessary House, Manure Heap, Dung Heap, Cesspools, or any other noisome Matter whatsoever, in or near any of the Streets, Lanes, Passages, or Places within the said Town, shall be complained of by any Inhabitant as a Nuisance or Annoyance, it shall be lawful for the said Commissioners, on such Complaint being made to them, to inquire into the Matter complained of, and if they shall deem the same to be a Nuisance or Annoyance, they are hereby empowered and required, by Notice in Writing under the Hand of their Clerk or Surveyor, to order such Nuisance or Annoyance to be abated or removed within Fourteen Days after such Notice given to the Person who ought to abate or remove the same, or left at his last or usual Place of Abode or Business, or on the Premises

Premises where such Nuisance shall be occasioned; and in case the same be not abated or removed as aforesaid within the Time mentioned in such Notice, every such Person shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unabated or unremoved after the Expiration of the Time mentioned in such Notice, unless an Appeal as herein-after mentioned, shall be prosecuted with Effect against the Order of the said Commissioners, and in case Notice of such Appeal shall be given the said Penalty shall not be inflicted until after the Determination of such Appeal.

LXIV. And be it further enacted, That the Proprietor or Owner of all Messuages, Cottages, or other Tenements occupied by several distinct Tenants within the said Town shall and he is hereby required, where no sufficient Necessary Houses or Privies are attached, to provide and keep in good Repair such and so many Necessary Houses or Privies, with such proper Doors and Coverings to the same as the said Commissioners shall consider requisite, for the Use of the Tenants or Occupiers thereof; and if such Proprietor or Owner shall not provide and keep in repair such Necessary Houses or Privies, with such Doors and Coverings to the same, within Twenty-one Days next after Notice in Writing for that Purpose from the Clerk or Surveyor of the said Commissioners given to such Proprietor or Owner, or left at his usual Place of Abode or Dwelling, then and in every such Case every such Proprietor or Owner making default shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Necessary House or Privy, and Door or Covering to the same, which shall not be so provided and kept in repair, and any further Sum not exceeding Five Shillings for every Week during which such Necessary House or Privy, or such Door or Covering, to the same shall not be provided after the Expiration of such Notice.

Owners of Houses, &c. to provide sufficient Privies for the use of their Tenants.

LXV. And be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend to hinder or prevent any Person from erecting or building any Hoard or Inclosure, either within or without the Area of his House, Wall, or Building, for the Purpose of making Mortar, or laying down Bricks or Stones, or making or working up of any Lime, Sand, or other Materials, for making, building, altering, or repairing any House, Wall, or other Building, or to subject him to any Penalty on account thereof, or for or on account of any Building Materials, Rubbish, or Dirt being in or upon any of the said Streets, Lanes, or other Passages and Places before or near the House or Building of such Person, occasioned by the building or pulling down, altering or repairing of such House or Building, so as there be convenient Room left for Carriages to pass and a sufficient Way kept clear for Foot Passengers: Provided always, that the Owner or Occupier of such House or Building do and shall, within One Month next after such House or Building shall be covered in, cause such Hoard or Inclosure as aforesaid to be placed in such Manner as to leave One Half of the Width of the Flagging or Pavement on the Outside

Hoards may be erected during the building or repairing of Houses.

[Local.]

18 D

for

for the Convenience of Foot Passengers, and do and shall cause such Hoard or Inclosure, and such Materials, Rubbish, and Dirt, to be removed out of the said Streets, Lanes, and other Passages and Places within a reasonable Time after such Buildings, pulling down, or repairing shall be finished, or upon Notice given to him, signed by the said Commissioners, or by the Clerk or Surveyor to the said Commissioners; and in case any Person shall neglect or refuse to remove such Hoard or Inclosure, Materials, Rubbish, and Dirt, within the Time to be specified by such Notice, after such building, repairing, or pulling down as aforesaid, any Person making such Default shall forfeit and pay the Sum of Ten Shillings for every Day during which any such Obstruction or Annoyance shall continue after the Expiration of the Time specified in such Notice for the Removal thereof.

Regulations
as to Re-
moval of
Nightsoil.

LXVI. And be it further enacted, That no Person shall empty or begin to empty any Privy, or take or carry away any Nightsoil, or bring or place any Cart for removing the same from any House, Building, or Place within any Street, Lane, or other Passage or Place within the said Town, before the Hour of Twelve in the Night, or shall continue to take away the same after the Hour of Five in the Morning; and no Person shall unload or cart or spill, or wilfully cause or suffered to be unloaded, carted, or spilt, any such Nightsoil, out of any Cart, Tub, or otherwise, in any Street, Lane, or other Passage or Place within the said Town; and if any Person shall offend herein he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Fire Engines
to be pro-
vided.

LXVII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to purchase or provide such Engines for extinguishing Fire, and such Water Buckets for the Supply of such Engines, and such Pipes, Tubes, and other Apparatus for such Engines, and also such Fire Escapes, Ladders, or other Implements of Safety or Use in case of Fire, and to hire or purchase and keep such Horses for the Use of the same; as they the said Commissioners shall think fit, and to erect and purchase, or to hire and rent a proper Place for keeping such Engines, Buckets, and Apparatus, and to hire and employ a proper Number of Persons as Firemen to attend the same, and to pay them such Wages or Salaries as they may think proper, and from Time to Time to displace all or any of such Persons or Firemen, and to appoint others in their Stead, and also to give to such Firemen or other Persons such Rewards for their Exertions in Cases of Fire, and to make such Rules and Orders for the Regulation of such Firemen, as the said Commissioners shall think fit; and such Firemen or other Persons hired or employed as aforesaid shall in all Cases of Fire be at liberty to take and use, for the Purpose of extinguishing any such Fire or working the said Engines thereat, any Water now or hereafter to be provided for watering the said Town.

Penalty on
Publicans
harbouring
Watchmen.

LXVIII. And be it further enacted, That if any Victualler or Keeper of any House, Shop, Room, or other Place for the Sale of
any

any Liquor, whether spirituous or otherwise, shall knowingly harbour or entertain any Watchman, Patrol, Street Keeper, Police Officer, or Constable acting or employed within the said Town, or permit any such Watchman, Patrol, Street Keeper, Police Officer, or Constable to remain in such House, Shop, Room, or other Place during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper as aforesaid shall, on Conviction before any Justice of the Peace, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

LXIX. And for raising Money to defray the Expences attending Rates. the obtaining of this Act, and of carrying into execution the several Purposes thereof, be it further enacted, That the said Commissioners shall have full Power and Authority and are hereby required, from Time to Time, Once in every Year, or oftener if they shall think necessary, (the first Year to be computed from the First Day of *August* One thousand eight hundred and thirty-nine, and every succeeding Year from the said Day in every Year respectively,) to rate and assess and to make an equal Rate or Assessment upon the Tenants or Occupiers of all Houses, Shops, Coach-houses, Stables, Brewhouses, Cellars, Vaults, Buildings, Erections, Yards, and Gardens within the said Town, that are or shall be in or adjoining or contiguous to any Street, Lane, Court, Passage, or other like Place within the said Town, or wholly or in part within the said Town, and within the Distance of One hundred Yards in a direct Line from any Lamp or public Light, now or hereafter to be affixed or put up under the Powers of this Act (save and except all Churches, Chapels, and Buildings set apart for public Worship or public Charity, and all Mills, Factories, Warehouses, Common Breweries and Maltings,) and also upon the Tenants or Occupiers of all Wharfs within the said Town wholly or in part within the Distance of Fifty Yards in a direct Line from any such Lamp or public Light as aforesaid, according to the net Annual Value of the same respectively, and upon the Tenants or Occupiers of all Mills, Factories, Warehouses, Common Breweries and Maltings, that are or shall be erected within the Limits of this Act, according to One Half of the full net Annual Value of such Mills, Factories, Warehouses, Common Breweries, and Maltings respectively, so that no such Rate or Assessment shall exceed in the whole the Sum of Two Shillings and Sixpence in the Pound on the full net Annual Value, or One Half of the full net Annual Value of the same respectively, as the Case may be, in any One Year for which such Rate or Assessment shall be made; and the Money so rated or assessed on the said several Tenants or Occupiers shall be paid by such Tenants or Occupiers respectively to the Collector or other Person appointed by the said Commissioners to collect the same, upon such Day or Time as the said Commissioners shall order and appoint; and the said Rate or Assessment, and the Monies arising therefrom respectively, shall be and are hereby vested in the said Commissioners: Provided always, that no such House, Shop, Mill, Warehouse, Coach-house, Stable, Brewhouse, Malting, Cellar, Vault, Building, Erection, Yard, Garden, or Wharf, as shall not be occupied at

at the Time of making such Rate or Assessment, shall be chargeable therewith until the same shall become occupied, nor shall any Owner of such Houses, Shop, Mill, Warehouse, Coach-house, Stable, Brew-house, Malthouse, Cellar, Vault, Building, Erection, Yard, Garden, or Wharf be liable to pay such Rate or Assessment during the Time the same shall be unoccupied.

Certain Cottages, &c. not liable to be rated under this Act.

LXX. Provided always, and be it further enacted, That no small Dwelling Houses or Cottages within the said Town that shall not be assessed or liable to be assessed to the Relief of the Poor of the Parish of *Bradford* aforesaid at a gross Annual Value exceeding the Sum of Five Pounds shall be liable to be rated or subject to the Payment of any Rate to be made and raised under the Provisions of this Act.

Rates may be increased.

LXXI. Provided always, and be it further enacted, That in case it shall at any Time appear that the said Rate hereby authorized to be made and assessed as before mentioned is not sufficient for the Purposes aforesaid, then and in any such Cases it shall and may be lawful to and for the Rate-payers under this Act, assembled at any Meeting to be holden for that express Purpose in pursuance of this Act, of which Fourteen clear Days Notice in Writing at the least shall be given, signed by Six of the said Rate-payers, and affixed on the Door of the Church and Chapels aforesaid within the said Town, and given to or left for the Clerk to the said Commissioners at his Place of Abode or Business, specifying the Purpose of such Meeting, to increase such Rate to any Sum not exceeding in the whole Five Shillings in the Pound on Houses, Shops, Mills, Warehouses, Coach-houses, Stables, Brewhouses, Malthouses, Cellars, Vaults, Buildings, Erections, Yards, Gardens, and Wharfs; but no such Rate shall be so increased unless Two Thirds in Number of the Rate-payers as aforesaid present at such Meeting shall agree to the same.

Commissioners may rate Persons omitted or under-rated.

LXXII. And be it further enacted. That if the said Commissioners shall at any Time hereafter neglect or omit to rate or assess any Person liable to such Rate or Assessment, or shall underrate or assess any Person liable to such Rate or Assessment, and therein rated and assessed, then and in any such Cases it shall be lawful for the said Commissioners to rate and assess such Person so omitted or underrated in such Manner as to the said Commissioners shall seem just, and such Addition or Alteration shall be as valid to all Intents and Purposes whatsoever as if the same had been Part of the original Rate or Assessment, any Statute, Law, Usage, or Custom to the contrary notwithstanding.

Recovery of Rates.

LXXIII. And be it further enacted, That the Rates or Assessments by this Act authorized to be made shall be paid by the Tenant or Occupier of the several Premises so rated to the Collector or Person appointed to receive the same; and if any such Tenant or Occupier shall neglect or refuse to pay any of the said Rates and Assessments respectively to the said Collector or other Person appointed to collect the same, for the Space of Ten clear Days next after

after Demand made thereof, by Notice in Writing under the Hand of the said Collector or other Person as aforesaid, to be delivered to or left at the Dwelling House or usual Place of Abode of such Tenant or Occupier, or on the said Premises, the same shall be levied and recovered, on and from such Tenant or Occupier so neglecting or refusing, by Distress and Sale of his Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace, such Defaulter having been duly summoned by such Justice to appear before him at a Time and Place to be mentioned in such Summons, to show Cause for such Neglect or Refusal; and the Overplus (if any) of the Monies to be raised by such Distress and Sale, shall be returned, on Demand, to the Owner of the Goods and Chattels so distrained and sold, together with such Part of the said Goods and Chattels (if any) as shall be unsold, after deducting all Costs, Charges, and Expences previous to and attending such Distress and Sale, such Costs and Expences to be ascertained and determined by the said Justice; and in default of such Distress it shall be lawful for any Justice of the Peace to commit such Person to the Common Gaol or House of Correction for the County of *Wilts*, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, or until Payment of such Sum of Money as shall have been found to be due and in arrear upon any of such Rates or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, the Amount of such Costs, Charges, and Expences to be ascertained and determined by the said Justice.

LXXIV. And be it further enacted, That when any House, Shop, Warehouse, Coach-house, Stable, Brewhouse, Malthouse, Cellar, Vault, Building, Erection, Wharf, Yard, or Garden shall be let or demised to more than One Tenant or Occupier, any One or more such Tenant or Occupier shall be deemed the Tenant or Occupier or the Purposes of this Act; and in case any Tenant or Occupier shall remove out of or from or give up the Possession of such House, Shop, Warehouse, Coach-house, Stable, Brewhouse, Malthouse, Cellar, Vault, Building, Erection, Wharf, Yard, or Garden, before such Rates or Assessments shall be paid by him, or if the Goods and Chattels of such Tenant or Occupier shall be insufficient to defray such Rates or Assessments, then and in every such Case such respective Premises shall remain a Security for and be chargeable with all such Rates or Assessments, and the same shall or may be levied by Distress and Sale, by Warrant as aforesaid, of any Goods and Chattels which shall be thereafter found in or upon the same: Provided always, that any Tenant or Occupier of any such Premises who shall pay a larger Portion of any such Rate or Assessment than shall be due from him, or any Arrear thereof, or upon whose Goods and Chattels the same shall be levied as aforesaid, shall and may recover such additional Amount or such Arrear as aforesaid from the Person liable to the Payment of the same by Distress and Sale of the Goods and Chattels of such Person, in the same Manner as the said Commissioners are authorized to recover

If Houses are let to more than One Tenant any One of them may be deemed the Occupier.

and enforce the Payment of the Rates and Assessments hereby granted.

Rating Land-
lords of
Houses, &c.
let at less
than Ten
Pounds a
Year Rent.

LXXV. And be it further enacted, That where the yearly Value of any Premises made liable to be rated as aforesaid shall not amount to Ten Pounds, and also where any such Premises, whatever the annual Value may be, shall be let to any weekly or monthly Tenant, or in separate Apartments, furnished or unfurnished, the Rents whereof shall become payable or to be collected at any shorter Period than quarterly, then and in every Case it shall be lawful for the Persons making any Rate or Assessment by virtue of this Act, in or by such Rate or Assessment, at their Discretion, to rate and assess the Landlord or Owner of any such Premises for the Payment of such Rate or Assessment, and in such Case the Landlord or Owner of such Premises respectively shall from thenceforth, and until the Expiration of the Period for which such Rate or Assessment shall be made, be deemed and taken for the Purposes of this Act to be the Occupier of such Premises, and shall thereupon pay or cause to be paid such Rate or Assessment made upon and in respect of the same, and upon Nonpayment the said Collector or Person appointed to receive the same is hereby authorized to levy the same by Distress and Sale of the Goods and Chattels of such Landlord or Owner, wheresoever the same may be found respectively: Provided always, that where any of such Premises shall be void and unoccupied during the whole of any Period equal to a Quarter of a Year, or Two or more Quarters of a Year, the said Commissioners and their Collector are and is hereby authorized and required to allow and forego to the Landlord or Owner aforesaid a Proportion of the said Rate charged upon him in respect of the Quarter or Quarters of a Year during which the same Premises shall have been void and unoccupied; provided also, that the Goods and Chattels of every Person renting or occupying any such Premises, or any Part thereof, rated and assessed by virtue of this Act, are hereby made liable and subject at all Times to be distrained and sold for Payment of the said Rate or Assessment, and of all Arrears thereof; but no such Person so renting or occupying shall at any Time be required to pay, or be subject or liable to pay, or to have his Goods or Chattels distrained and sold for or in respect of any greater Sum for or towards the Discharge of the said Rate or Assessment so made on the Landlord or Owner of the said Premises, or any Arrears thereof, than the Amount of the Rent actually due by such Person so renting or occupying to the Person rated in such Rate or Assessment in respect of the Premises so occupied by him; provided also, that every such Person so renting or occupying as aforesaid, who shall pay any such Rate or Assessment, or any Arrear thereof, or upon whom the same shall be levied, shall and may from Time to Time deduct the Amount of the Sum which shall be so paid or levied from the Rent then due, or at any Time thereafter to become due from him to the Person who was liable to pay such Rate or Assessment in respect of such Premises, and the Receipt for such Payment shall be a good and sufficient Discharge for the Person so renting or occupying as aforesaid

Tenants
Goods how
far liable to
Rates, &c.

said to such Person for so much Money as he shall pay in the Manner directed by this Act.

LXXVI. And be it further enacted, That the Person legally authorized and empowered to receive and collect, or receiving and collecting, or entitled to receive and collect, the Rent of any such Premises as aforesaid from the Tenant or Occupier thereof, shall be deemed and taken for the several Purposes of this Act to be Landlord or Owner thereof; and in all Cases in which either the Landlord or Owner is made liable by this Act, such Person so authorized and empowered to receive and collect, or receiving and collecting, or entitled to receive and collect the Rent of any such Premises from the Tenant or Occupier thereof, shall be liable as Landlord or Owner thereof, unless the Landlord or Owner shall be distinctly and certainly known to be such to the Satisfaction of the said Commissioners; and the Receiver or Collector of such Rent is hereby authorized to pay the said Rate and Assessment charged and payable for and on account of the said Premises, and to deduct the same out of the Rent received or to be received by him.

Defining
Landlords or
Owners for
the Purposes
of this Act.

LXXVII. And be it further enacted, That the Warrant of Distress for the Nonpayment of any Rate or Assessment to be made under or by virtue of this Act may include One or more Person or Persons, and be in the Words or to the Effect following, *mutatis mutandis*; that is to say,

Warrant
of Distress.

‘ to wit. } To the Collector of the Rates made by the Commis-
‘ sioners for executing an Act passed in the
‘ of the Reign of Her Majesty Queen *Victoria*, intituled
‘ [here insert the Title of this Act], and also to the
‘ Constables and other Peace Officers of the Parish of
‘ *Bradford*.

‘ **WHEREAS** the undersigned Persons, now or late Inhabitants,
‘ Landlords, Tenants, or Occupiers of Houses, Shops, Mills,
‘ Warehouses, Coach-houses, Stables, Brewhouses, Malthouses,
‘ Cellars, Vaults, Buildings, Erections, Yards, Gardens, or Wharfs
‘ within the said Town, have been duly rated and assessed under
‘ the Authority of the said Act, and there is now due from them
‘ respectively the several Sums of Money at their Names herein-
‘ after respectively set down, which they have respectively refused
‘ or neglected to pay, as appeareth upon due Proof upon Oath
‘ to me, One of Her Majesty’s Justices of the Peace for the said
‘ and the said several Persons, having
‘ been summoned to appear before me to answer the Premises,
‘ not having shown any sufficient Cause why such Sums of Money
‘ should not be paid; These are therefore, in Her Majesty’s
‘ Name to will and require you forthwith to levy the said several
‘ Sums herein mentioned, by Distress and Sale of the respective
‘ Goods and Chattels of the Persons aforesaid, rendering to them
‘ respectively the Overplus (if any), the reasonable Charges of
‘ such Summonses, Warrants, Distresses, Sale, and Keeping being
‘ first deducted; and if no sufficient Distress can be had or taken,
‘ that

‘ that then you certify the same to me, to the end that such
 ‘ further Proceedings may be had as the Law doth authorize and
 ‘ direct: And I do hereby strictly charge and demand all and
 ‘ singular the Constables and other Her Majesty’s Peace Officers
 ‘ for the said County to be aiding and assisting in all Things relating
 ‘ to the Premises. Given under my Hand and Seal this
 ‘ Day of One thousand eight hundred and

‘ A. B. } Sum due.’
 ‘ C. D. }

Commissioners may call upon Surveyors of certain Tithings for Payment of Expences of repairing Footways, &c., lying within such Tithings.

LXXVIII. And whereas the Parish of *Bradford* is divided into Tithings, each containing its own Highways: And whereas the Streets, Lanes, and Passages within the Limits of the Town of *Bradford*, as the same are herein-after defined and described, lie partly in Four of such Tithings; namely, the Borough Tithing, the Tithing of *Trowle*, the Tithing of *Winsley*, and the Tithing of *Leigh* and *Woolley*: And whereas after the passing of this Act the Surveyors of the Highways of the said Four several Tithings will not be liable to repair the Pavements, Footways, and Carriageways of the said Streets, Lanes, and Passages which lie within the aforesaid Limits, but the Burthen of such Repair will be cast upon the Commissioners appointed or to be appointed under the Provisions of this Act: And whereas it is just and reasonable that the said Commissioners should be reimbursed the Costs and Expences of such Repair out of the several Highway Rates of the said Four several Tithings: Be it therefore enacted, That the said Commissioners, at their first Meeting to be holden next after the Appointment of Surveyors of the Highways in every Year; shall and they are hereby authorized and empowered, by Writing under their Hands, to call upon the Surveyors of each of the said Four several Tithings called the Borough Tithing, the Tithing of *Trowle*, the Tithing of *Winsley*, and the Tithing of *Leigh* and *Woolley*, to pay to the Treasurer or Treasurers of the said Commissioners, at such Time (not exceeding Four Weeks after Notice of such Call shall have been given to or left at the Residence of the said Surveyor) as shall be mentioned in such Call, such Sum of Money as shall be equal to the estimated Cost and Expence of repairing the Pavements, Footways, and Carriageways of such of the said Streets, Lanes, and Passages as lie within each of the said Tithings respectively, from the Date of such Call, up to and including the last Day of *February* then next following, which Estimates the said Commissioners shall prepare, or cause to be prepared by competent Persons, previously to such their said Meeting; and the said Commissioners are hereby directed and required to keep separate and distinct Accounts of the Monies disbursed by them for the Repair of the Pavements, Footways, and Carriageways of each of the said Four Tithings respectively, and to make and render a Statement thereof to the Surveyors of the said Tithings respectively in the first Week of *March* in every Year; and in case the Sum disbursed by the said Commissioners shall exceed the Sum called for by them from any or either of the said Tithings, then the said Commissioners shall make a supplemental Call on the Surveyor of such Tithing, or Tithings for

the Balance, which supplemental Call shall be made payable at the Expiration of Seven Days from the Date thereof; but if the original Call made by the said Commissioners on any of the said Four Tithings shall exceed the Sum by them disbursed, then the Balance appearing to be due from the said Commissioners shall either be paid over by them to the Surveyors of the said Tithings, or be carried to the Credit of the Surveyors of such Tithing for the ensuing Year; and the Surveyors of the said Four Tithings respectively shall and they are hereby directed to pay to such Treasurers the Sum mentioned in such Calls (whether supplemental or original), at such Time or Times as shall be therein specified or appointed, out of the Highway Rates of their said several Tithings; and in case Default shall be made in Payment accordingly by the Surveyors of any of the said Four several Tithings, the said Commissioners shall and may and they are hereby authorized and empowered, by themselves, or any Person or Persons by them authorized at any Meeting, to levy the Sum or Sums mentioned in such Call or Calls upon such Surveyor so making default by Distress and Sale of his Goods and Chattels, in the same Manner as the Rates or Assessments hereby granted are directed to be levied from the Tenants or Occupiers of Premises liable to the Payment of such Rates or Assessments.

LXXIX. And be it further enacted, That the Proprietor or Owner of any Messuage or Dwelling House, or other Erection or Building, now erected, built, set up, standing, or being adjoining to or by the Side of any Street, Lane, Passage, or Place within the said Town, and the Proprietor or Owner of any Messuage or Dwelling House or other Erection or Building which shall at any Time hereafter be erected, built, or set up adjoining to or by the Side of any of the said Streets, Lanes, Passages, or Places, or any Street, Lane, Passage, or Place herein-after to be formed within the said Town, shall forthwith cause the Front of such Messuage or Dwelling House, Erection or Building, to the Middle of such Street, Lane, Passage, or Place, both in the Carriageway and Footway, to be paved, pitched, stoned, or put in good Order and Repair, in such Manner as the said Commissioners shall direct; and in case any such Proprietor or Owner shall neglect or refuse to cause the same to be paved, stoned, or put in good Order and Repair as aforesaid, for the Space of One Calendar Month next after due Notice shall have been given to him by the said Commissioners or their Clerk for that Purpose, then it shall be lawful for the said Commissioners and they are hereby authorized and empowered to do and complete the same; and in case such Proprietor or Owner shall refuse to pay the Charges of such Carriageways and Footway being paved, pitched, stoned, or put in good Order and Repair, for the Space of Ten Days next after Demand made thereof by the said Commissioners or their Clerk, then and in such Case such Charges, together with all reasonable Charges attending the same, shall and may be recovered in such and the like Manner as the Rates or Assessments by this Act authorized to be levied may be recoverable: Provided also, that the Expence of all future Repairs of the Carriage and Foot Ways to be made in pursuance

Persons
erecting new
Buildings to
pave in front
of them.

of this Act (such first Work herein-before directed to be done at the Expence of the said Proprietor or Owner having been certified by Two of Her Majesty's Justices of the Peace to have been well and sufficiently done) shall be borne and paid by the said Commissioners out of the Money to be raised for the Purposes of this Act.

Power to
purchase
Houses, &c.

LXXX. And be it further enacted, That it shall be lawful to and for the said Commissioners and they are hereby authorized and empowered to treat, contract, and agree for the absolute Purchase of any Messuages, Buildings, Tenements, Lands, Grounds, Hereditaments, and Premises within the said Town, which the said Commissioners shall deem desirable and proper to purchase for the general Improvement of the said Town, or for other the Purposes of this Act, with any Person or Corporation, Tenant for Life or by the Courtesy, or in Fee Tail, General or Special, or for any Term of Years, absolute or determinable on any Life, or with any Feoffee in Trust, Executor, Administrator, Husband, Guardian, or Committee of or for Lunatics or Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised, possessed of, or interested in their own Right, or with any other Person whomsoever who shall be willing to sell the same, or his Estate, Right, or Interest therein; and it shall and may be lawful to and for the said Commissioners to purchase, and hold to them and their Successors and Assigns, such Messuages, Buildings, Tenements, Lands, Grounds, and Hereditaments, and any Term, Right, and Interest therein so purchased, and also to sell, either by public Auction or private Contract, and dispose of, such Messuages, Buildings, Tenements, Lands, Grounds, and Hereditaments, or any Part thereof, and again from Time to Time to purchase and hold other Messuages, Buildings, Lands, Grounds, or Hereditaments which the said Commissioners shall deem more eligible for the Purposes aforesaid, as they shall think proper, and afterwards to sell and dispose of the same as aforesaid, without incurring or being liable or subject to any of the Penalties of Forfeitures of the Statute of Mortmain, or of any other Law or Statute whatsoever.

Bodies Politic
empowered
to sell.

LXXXI. And be it further enacted, That it shall be lawful for all Corporations, and all Tenants for Life or by the Courtesy or in Fee Tail, General or Special, or for any Term of Years, absolute or determinable on any Life, and all Feoffees, Trustees, Executors, Administrators, Husbands, Guardians, Committees for Lunatics or Idiots, and other Trustees whomsoever, acting not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and to and for all other Persons whomsoever who are or shall be seised, possessed of, or interested in any Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments, of what Nature or Tenure soever, or any Parts thereof, which shall be thought necessary by the said Commissioners to be purchased for the Uses and Purposes of this Act, to contract and agree with the
said

said Commissioners for the Sale thereof, or of any Part thereof, and to sell and convey the same, or any Part thereof, to the said Commissioners, for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be made by virtue of this Act shall, without any other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Corporation or Person conveying, but also to convey all Estate, Right, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower of the Wives of such Persons; and all Estates Tail, and other Estates in Possession, Remainder, or Expectancy, and the Issue of such Person claiming under them, as effectually as Fines or Common Recoveries would have done if levied, suffered, or extracted by proper Parties in due Form of Law, or as the Conveyances substituted in lieu thereof would do, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Corporations, and all Tenants for Life or in Fee Tail, General or Special, or for any Term of Years, absolute or determinable on any Life, and all Feoffees, Trustees, Executors, Administrators, Husbands, Guardians, Committees, and all other Trustees whomsoever, and every other Person, is, are, and shall be hereby indemnified for what he or they shall do by virtue of this Act.

LXXXII. And be it further enacted, That if any Money shall be agreed to be paid for the Purchase of any Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments to be taken or used by virtue of this Act, or for any Compensation or Satisfaction for Damages in respect of any Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments, which any Corporation, or any Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, shall be entitled unto, interested in, or otherwise capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* "The Commissioners for improving the Town of *Bradford* in the County of *Wilts*," pursuant to the Directions of an Act passed in the First Year of the Reign of His 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

Application
of Purchase
Money
amounting
to 200*l*.

1G. 4. c. 35.

Fee

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 Petition to be preferred in a summary Way by the Person who should have been entitled to the Rents and Profits of the said Messuages, Buildings, Tenements, Lands, Grounds, and Hereditaments, in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments, or Part thereof, or affecting other Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments standing settled therewith to the same or the like Uses, Intents, and 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, Tenements, Lands, Grounds, 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, Tenements, Lands, Grounds, and Hereditaments which shall be purchased for the Purposes of this Act, or in respect of which Compensation or Satisfaction shall be payable as aforesaid, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court upon Application being made thereto as aforesaid, 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, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Corporation or Person who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Buildings, Tenements, Lands, Grounds, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were then actually made.

If under
200*l.* and not
less than 20*l.*

LXXXIII. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments, or any Estate or Interest therein, purchased for the Purposes of this Act, belonging to any Corporation or Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Corporation or Person for the Time being entitled to the Rents and Profits of the Messuages, Buildings, Tenements, Lands, Grounds, and Hereditaments; or Parts, Estates, or Interests, so purchased, or of his
Guardian

Guardian or Committee in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Corporation or Person making such Option, and approved of by the said Commissioners, 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 to arise thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain Direction or Approbation of the said Court.

LXXXIV. Provided also, and be it further enacted, That where such Money so to be paid as last before mentioned shall be less than the Sum of Twenty Pounds, then and in such Cases the same shall be applied to the Use of the Corporation or Person who would for the Time being have been entitled to the Rents and Profits of the Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments, Parts, Estates, and Interests, so to be purchased for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiocy, or Lunacy, then to his or their Guardian or Committee, to or for the Use and Benefit of such Corporation or Person so entitled respectively.

If less than 20*l*.

LXXXV. And be it further enacted, That where any Question shall arise touching the Title of any Corporation or Person to any Money to be paid into the Bank of *England* in pursuance of this Act, for the Purchase of any Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments, or of any Share, Estate, Right, or Interest in any Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Corporation or Person who shall have been in Possession of such Messuages, Buildings, Tenements, Lands, Grounds, or Hereditaments, or Share, at the Time of such Purchase, and all Corporations and Persons claiming under such Corporation or Person, or under Possession of such Corporation or Person, shall be deemed and taken to have been lawfully entitled to such Messuages, Buildings, Tenements, Lands, Grounds, Hereditaments, or to some Estate or Interest therein.

Persons in possession presumptively entitled.

LXXXVI. And be it further enacted, That where by reason of any Disability or Incapacity of any Corporation or Person entitled to any Messuages, Buildings, Tenements, Lands, Grounds, Hereditaments, and Premises to be purchased, taken, or used under the Authority of this Act, or from any other Cause, the Purchase Money for any Messuages, Buildings, Tenements, Lands, Grounds, Hereditaments, and Premises, or any Money to be paid by way of Compensation

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Commissioners.

[*Local.*]

18 G

compensation

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual, to all Intents and Purposes whatsoever; and shall be sufficient in Law to vest the Property of and in any such Messuages, Buildings, Tenements, Lands, Grounds, Hereditaments, and Premises, so purchased and conveyed as aforesaid, in the said Commissioners, for the Uses and Purposes of this Act, any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

LXXXIX. And be it further enacted, That for the Purpose of completing and carrying into effect any Sale by the said Commissioners of any Messuages, Buildings, Tenements, Lands, Grounds, Hereditaments, and Premises to be purchased by or vested in them by virtue of the Powers herein contained, the said Commissioners are hereby authorized and empowered to make and execute a Conveyance of such of the said Premises as shall be so sold or disposed of unto the Purchaser, and such Conveyance shall in all Cases be deemed sufficient in the Law to vest such of the said Premises as shall be expressed and intended to be granted by such Conveyance in the Purchaser thereof, and his respective Heirs, Executors, Administrators, or Assigns, as the Case may be.

Power to sell Messuages, &c. not wanted.

XC. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, from Time to Time, when and so often as they shall think it expedient, to borrow and take up at Interest any Sum of Money they shall judge necessary, upon the Credit of the Rates or Assessments to be made or collected by virtue of this Act, and in the Event of the same Sum of Money, or any Part thereof, being repaid by the said Commissioners, to borrow and take up at Interest in like Manner any other Sum of Money, and so *toties quoties*, but so nevertheless that there shall not be owing upon the Security aforesaid at any One Time more than the Sum of One thousand five hundred Pounds, and by Writing under their Hands and Seals to assign over the said Rates and Assessments, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same; and the Charges and Expences of every Assessment to be made by the said Commissioners shall be from Time to Time defrayed by the said Commissioners out of the Money so to be borrowed; and every such Assessment shall be by Deed duly stamped, in which the Consideration for such Assessment shall be truly stated and specified, and may be in the Words or to the Effect following:

Power to raise Money.

BY virtue of an Act passed in the _____ Year of the
 Reign of Her Majesty Queen *Victoria*, intituled [*here set forth*
the Title of this Act], we _____ of the Commissioners
 appointed by or by virtue of the said Act, in consideration of the
 Sum of _____ paid to us by *A. B.* of _____ for the
 Purposes of the said Act, do grant and assign unto the said *A. B.*,
 his Executors, Administrators, and Assigns, such Proportion of
 the Rates or Assessments assessed by virtue of the said Act as the said
 Sum of _____ doth or shall bear to the whole Sum which
 is _____

Form of Assignment.

‘ is or shall be borrowed on the Credit of the said Rates or Assess-
 ‘ ments, to be had and holden from this Day until the said Sum of
 ‘ with Interest at *per Cent. per Annum* for the
 ‘ same, shall be fully paid and satisfied. In witness whereof we
 ‘ have hereunto set our Hands and Seals this Day of
 ‘ One thousand eight hundred and .’

Power to
transfer Se-
curities.

XCI. And be it further enacted, That it shall be lawful for the Person entitled to any Security for Money borrowed as aforesaid, or his Executors, Administrators, or Assigns, by Writing under his or their Hand and Seal or Hands and Seals, to transfer such Security to any Person whomsoever; which Transfer shall be by Deed duly stamped, in which the Consideration for such Transfer shall be truly stated and specified, and may be in the Words or the Effect following :

Form of
Transfer.

‘ I being entitled to the Sum of
 ‘ secured to his Executors, Administrators, and
 ‘ Assigns, by virtue of an Assignment bearing Date the
 ‘ Day of under the Hands and Seals of
 ‘ of the Commissioners acting in the Execution of an Act passed in
 ‘ the Year of the Reign of Queen *Victoria*,
 ‘ intituled [*here set forth the Title of this Act*], upon the Credit of
 ‘ the Rates and Assessments granted or payable by the said Act,
 ‘ do hereby transfer all my Right and Title in and to the same
 ‘ Sum, and all Interest and other Money due and owing thereon,
 ‘ unto his Executors, Administrators, and Assigns.
 ‘ Dated the Day of One thousand eight
 ‘ hundred and .’

Entry to be
made of Se-
curities.

And a Copy of every Security or Assignment which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and have free Liberty to inspect the same, without Fee or Reward; and for the Entry of any such Transfer the said Clerk shall be paid, by the Person to whom such Transfer shall be made, the Sum of Five Shillings, and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the same shall be made, and his Executors, Administrators, or Assigns, to the Benefit of the Security thereby transferred; and all Persons to whom such Assignment shall be made, or who shall be entitled to the Monies thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Assessments equally one with another, without any Preference in respect of the Priority of advancing such Monies, or the Dates of any such Assignments respectively.

No Priority
of Securities.

Commission-
ers may bor-
row Money

XCII. Provided always, and be it further enacted, That in case the said Commissioners can at any Time borrow any Money for any

any of the Purposes of this Act at a lower Rate of Interest than any Security which shall then be in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates, or any Part thereof, in the Manner aforesaid, with such Sum of Money as they shall think proper, and the Interest thereof at such lower Rates as aforesaid, to pay off and discharge any Security bearing a higher Rate of Interest, so that the whole Sum to be charged on the said Rates shall not at any One Time exceed the Sum authorized to be borrowed, raised, and charged thereon by this Act.

at a lower Rate to pay off Securities at a higher Rate of Interest.

XCIII. And be it further enacted, That every Assignment which shall be made by virtue of this Act shall and may be redeemed by the said Commissioners at such Time and in such Manner as they shall think fit, Three Calendar Months previous Notice in Writing under the Hands of the said Commissioners having been given, to the Person entitled to the Sum advanced upon such Assignment, of the Intention of the said Commissioners to redeem the same.

Assignments may be redeemed.

XCIV. And be it further enacted, That all the Money which may be borrowed upon the Credit of the Rates or Assessments hereby granted shall be applied and disposed of, in the first place, in paying and defraying the Charges and Expences which shall have been incurred in or shall be incident to and attending the soliciting, obtaining, and passing of this Act, and in such permanent Improvements hereby authorized within the said Town as the said Commissioners shall direct; and the Money to arise by or from the said Rates or Assessments, and all other Money to be levied or received under or by virtue of this Act, (except Money borrowed upon the Credit of the said Rates or Assessments as aforesaid,) shall be applied, in the first place, in paying the Interest of all Monies due and owing on the Credit of the Rates and Assessments by this Act granted; then in defraying the Costs, Charges, and Expences of paving, cleansing, lighting, draining, and watering the several Streets, Lanes, and other Passages and Places in the said Town, and otherwise improving the same in manner hereby directed, and of carrying the several other Purposes of this Act into execution; and afterwards in reducing, paying off, and discharging the Principal of all Monies due and owing on the Credit of the Rates and Assessments by this Act granted, and for no other Use, Intent, or Purpose whatsoever.

Application of Rates and other Monies.

XCV. And be it further enacted, That in all Cases where Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by any Justice of the Peace; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justice by or before whom any Offender

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

[*Local.*]

18 H

shall

shall be convicted of such Offence ; and such Justice is hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Recovery and
Application
of Penalties.

XCVI. And be it further enacted, That all the Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by virtue of any Rule or Order made in pursuance thereof, the Manner of levying and recovering whereof is not herein otherwise particularly directed, may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice of the Peace, on Complaint for that Purpose made, and afterwards be levied, as well as the Costs (if any) of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Person liable to pay the same, by Warrant under the Hand and Seal of such Justice, who is hereby authorized and required to summon any Witness touching or concerning such Offence, Matter, or Thing ; and the Overplus (if any) of the Money so raised or recovered, after discharging such Fine, Penalty, or Forfeiture, and the Costs and Expences aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained ; all which Fines, Penalties, and Forfeitures, not directed to be otherwise applied, shall be paid, One Moiety to the Informer, and the Remainder to the said Commissioners, to be by them employed for the Purposes of this Act, unless any such Fine, Penalty, or Forfeiture shall be incurred by the said Commissioners, and in such Case one Moiety of such Fine, Penalty, or Forfeiture shall be paid to the Informer, and the other Moiety to such public Charity within the Town as the convicting Justice shall direct ; and in case such Fines, Penalties, or Forfeitures shall not be forthwith paid, it shall be lawful for such Justice and he is hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security, to the Satisfaction of such Justice, for his Appearance at such Time as shall be appointed for the Return of such Warrant of Distress, such Time being not more than Eight Days from the taking such Security, and which Security any such Justice is hereby empowered to take by way of Recognizance or otherwise ; but if upon the Return of any such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Fines, Penalties, or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear, to the Satisfaction of such Justice, upon the Confession of the Offender, or otherwise, that he has not sufficient Goods and Chattels whereupon such Fines, Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justice shall not be required to issue such Warrant of Distress, but he is hereby required, by Warrant under his Hand and Seal, to commit such Offender to some Common Gaol or House of Correction for the County of *Wilts*, there to remain for any Time not exceeding Three Calendar Months, or until such Fine, Penalty, or Forfeiture shall be paid and satisfied, together with all Costs and Charges attending such Proceedings

Proceedings as aforesaid, to be ascertained by such Justice, or until such Offender shall otherwise be discharged by due Course of Law.

XCVII. And be it further enacted, That in all Cases in which by this Act any Fine, Penalty, or Forfeiture is made recoverable by Information before any Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act, it shall be lawful for such Justice to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Fine, Penalty, or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

XCVIII. And be it further enacted, That if any Person, having been summoned as a Witness to give Evidence before any Justice of the Peace touching any Complaint for any Offence against this Act, or against any Rule or Order made in pursuance thereof, whether on the Part of a Prosecutor or of the Person complained against, (a reasonable Sum for his Costs and Charges having been tendered to him,) shall refuse or neglect to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for such Refusal or Neglect, to be examined on Oath or Affirmation to give Evidence before such Justice, then and in either of the said Cases such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For compelling the Attendance of Witnesses.

XCIX. And be it further enacted, That it shall be lawful for any Commissioner under this Act, or for any Officer or Servant of the said Commissioners, to seize and detain any Person whose Name and Residence shall be unknown to such Commissioner, Officer, or Servant, who shall commit any Offence against this Act, and to convey him with all convenient Dispatch before some Justice of the Peace, without any Warrant or other Authority than this Act, and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

For securing transient Offenders.

C. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the Form or to the Effect following:

Form of Conviction.

to wit. } **B**E it remembered, That on the _____ Day of _____
 One thousand eight hundred and _____
 is convicted before _____ of Her Majesty's Justices of
 the Peace for the _____ of having [*here specify the*
Offence or Omission, and the Time and Place when and where
committed, as the Case may be]; and I do adjudge that the said
 hath forfeited for the said Offence the Sum _____
 of _____

‘ of Given under my Hand and Seal the
‘ Day and Year first above written.’

Distress not
unlawful for
Want of
Form.

CI. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in any Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards done by the Party distraining, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff shall recover in an Action for such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on behalf of the Party who shall have committed any Act, Irregularity, Trespass, or wrongful Proceedings before such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall be brought, at any Time before Issue joined, to pay such Money into Court as he shall see fit, whereupon such Proceedings, Orders, and Judgments shall be had, made, or given in and by such Court as in other Actions, where the Defendant is allowed to pay Money into Court.

Power of
Appeal.

CII. Provided always, and be it further enacted, That if any Person shall think himself aggrieved by any Rate or Assessment made in pursuance of this Act, such Person shall apply for Relief to the said Commissioners at their First or Second Meeting to be held after Demand made of such Rate or Assessment, and the said Commissioners are hereby authorized and empowered to grant or refuse Relief to the Person appealing or not, and make such Order therein as to them shall seem meet; and if any Person shall think himself aggrieved by any thing done in pursuance of this Act, such Person, in any or either of the said Cases, may appeal to the Justices of the Peace at the then next General or Quarter Sessions of the Peace to be held for the said County of *Wilts* within Six Calendar Months after the Determination of the said Commissioners, or Cause of Complaint shall have arisen, such Appellant first giving Eight clear Days Notice in Writing at least of his Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Commissioners, and within Three Days after such Notice entering into a Recognizance before a Justice of the Peace of the said County, conditioned to try such Appeal, and to abide the Order of such General or Quarter Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given, and Recognizance entered into, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as the said Justices shall think proper; and the Determination of such General or Quarter Sessions shall be binding and conclusive to all Intents and Purposes.

CIII. Pro-

CIII. Provided always, and be it further enacted, That in any Appeal from the said Rates or Assessments, or any of them, the Justices at the General or Quarter Sessions to be holden for the said County shall and may amend the same, in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned therein; but if upon Appeal against the whole Rate or Assessment it shall be found necessary to set aside the same, then and in every such Case it shall be lawful for the said Justices to order a new Rate or Assessment to be made in manner herein-before directed.

Rates may be amended without quashing.

CIV. And be it further enacted, That no Rate or Assessment, or any Proceeding to be had touching the Conviction of any Offence against this Act, or Order made, or other Matter or Thing to be done or transacted in or relative to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of Her Majesty's Courts of Record at *Westminster*.

Rates and Proceedings not to be quashed for Want of Form.

CV. And be it further enacted, That no Inhabitant within the Limits of this Act shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceeding, to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being rated or liable to be rated by virtue of this Act.

Persons rated to be competent Witnesses.

CVI. And be it further enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the Affirmation of any Person before he shall be examined by or before such Justices.

General Powers to Justices to administer Oaths.

CVII. And be it further enacted, That for all and every the Purposes of this Act the Town of *Bradford* shall comprise and be deemed to extend over all those Parts of the several Tithings in the Parish of *Bradford* called the Borough or Borough Tithing, *Leigh* and *Woolley, Troll* and *Winsley*, which shall lie within the Circumference of One Mile in a straight Direction from the Centre of the said Town of *Bradford*, a certain Messuage called the *Swan Inn* being considered and taken as such Centre.

Limits of the Town defined for the Purposes of this Act.

CVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or defeat any Right, Interest, Property, Power, Privileges, Franchise, or Authority of the Lord of the Manor and Hundred of *Bradford*, but all such Rights, Interests, Property, Powers, Privileges, Franchises, and Authorities may be exercised and enjoyed in as full and ample a Manner, to all Intents and Purposes, as the same were exercised and enjoyed before the passing of this Act.

Saving Rights of Lord of Manor.

[*Local.*]

18 I—L

CIX. And

1598

2° & 3° VICTORIÆ, *Cap.* lxiii.

Public Act.

CIX. 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.

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