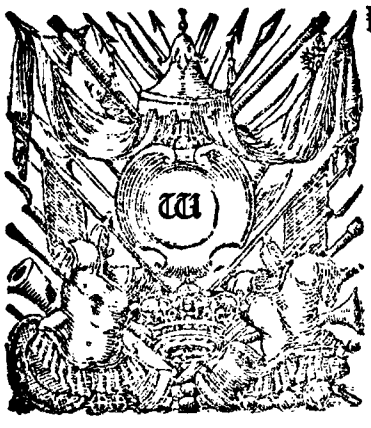
Anno tricesimo

Georgii II. Regis.

An Act for Cleansing, Paving, and Lightening, the Streets of the City of *Bath*, and Liberties thereof; and for Regulating Chairmen; and also for the Keeping a sufficient and well-regulated Watch in the Night-time, in the said City and Liberties; and to oblige all Owners of Houses, and other Buildings, within the said City and Liberties, to bring down the Water from the Roofs of their Houses, and other Buildings, by proper Pipes, down the Sides or Walls of such Houses and Buildings; and also to oblige all Coal Carriages to pass by the Borough Walls of the said City during the Night Season.



WHEREAS by an Act of Parliament made and passed in the Sixth Year of the Reign of Her late Majesty Queen Anne, intituled, An Act for Repairing, Amending, and Enlarging, the Highways between the Top of *Kingsdown Hill* and the City of *Bath*; and also several other Highways leading to and through the said City; and for Cleansing, Paving, and Lightening the Streets; and Regulating the Chairmen there; and Two other Acts of Parliament made and passed in the Seventh Year

Preamble, reciting the Act 6 *Annæ*.

Year of the Reign of his late Majesty King George the First, and the Twelfth Year of the Reign of His present Majesty respectively, and referring to the first-mentioned Act, several Powers, Provisoes, Rules, Orders, and Donations, were made, given, directed, provided, established, and enacted, for, about, and concerning, the cleansing, paving, and enlightening, the Streets, Lanes, and publick Places, providing a Watch, and regulating the Chairmen, within the City of Bath, and the Liberties thereof, and which were to continue and be in Force during the respective Times in and by the said several Acts respectively limited, appointed, and prescribed: And whereas some of the Directions and Provisions in the said Acts respectively contained have, by Experience, been found to be improper and unnecessary, others of them insufficient and ineffectual to answer the Purposes thereby intended, and others of them of great Benefit and Utility, and proper to be continued and made perpetual: Wherefore, in order to make and establish an effectual Provision to answer the Ends, Intents, and Purposes aforesaid; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Churchwardens and Overseers of the Poor, and other the Inhabitants of each of the Parishes within the said City of Bath, and Liberties of the same, and they are hereby respectively authorized, impowered, and required, to assemble and meet together, in some publick Place in each of the said Parishes respectively, to be appointed by them, or any Nine or more of them, for that Purpose, on the First Monday in March in every Year, between the Hours of Ten and Twelve in the Forenoon, and then to adjourn, or appoint another Meeting, on some other Day or Days before the Twenty fifth Day of the same Month of March, in the same or some other publick Place in each of the said Parishes, to be for that Purpose assigned and appointed; and the said Churchwardens, Overseers, and Inhabitants, so assembled, shall and may, and they are hereby authorized and required, at such their First or adjourned Meeting, as aforesaid (Notice of every such Meeting being always given in their Parish Church, on the Sunday next before such Meeting, immediately after Divine Service, by the Churchwardens and Overseers of each respective Parish, or any One of them) to nominate and appoint Two of the principal Inhabitants residing in each of the said Parishes to be, and who are

Directions for Meetings given,

to appoint Surveyors.

hereby appointed, Surveyors of the Streets, Lanes, Alleys, and publick Places, within their respective Parishes in the said City, and the Liberties and Precincts thereof; and in case of the Death or Removal of any of the Persons so nominated, chosen, or appointed, or their refusing to act, it shall and may be lawful to and for the said Churchwardens, Overseers, and Inhabitants, of the said Parishes respectively, to meet in such publick Place or Places, so to be appointed as aforesaid (such Notice being given of the said Meeting as aforesaid) and then and there to nominate, elect, and appoint, another fit Person, or other fit Persons, inhabiting within the said Parishes respectively, to supply the Place of such Person or Persons as shall die, remove, or refuse to act, to be joined with the Surveyor or Surveyors of the said Parishes respectively; and all and every Person or Persons to be nominated, elected, and appointed, Surveyor or Surveyors, in pursuance of this Act, shall, within Ten Days after such Appointment, take upon themselves respectively the Charge and Care of surveying, ordering, cleansing, and enlightening the Streets, Walks, and publick Places as aforesaid; and if any Person so elected and appointed, shall neglect or refuse to take upon him the said Office of Surveyor, such Person so neglecting or refusing shall forfeit the Sum of Twenty Pounds, to be levied by Distress and Sale of his Goods, by Warrant under the Hands and Seals of Two or more of His Majesty's Justices of the Peace for the City of Bath; which Warrant or Warrants the said Justices are hereby impowered and required to make, upon the Information of One or more credible Witness or Witnesses upon Oath (and which Oath the said Justice or Justices are hereby impowered and required to administer without Fee or Reward) and the said Sum of Twenty Pounds so forfeited, and to be levied as aforesaid, shall go, and be applied and laid out, for and towards enlightening and cleansing the Streets, Walks, Lanes, Alleys, and publick Places as aforesaid; and in case no such Distress as aforesaid can be had, then the Person or Persons so neglecting or refusing to pay such Forfeiture as aforesaid, shall, by Warrant under the Hands and Seals of any Two or more of the said Justices, be committed to Prison, there to continue, without Bail or Mainprize, until he or they shall have paid such Forfeiture or Penalty as aforesaid.

for cleansing and lighting the Streets.

Penalty for not acting.

And it is hereby further enacted by the Authority aforesaid, That the said Churchwardens, Overseers, and Inhabitants of the said Parishes respectively, shall, at such Meetings as aforesaid, also nominate, elect, and appoint,

Power to appoint Scavengers.

appoint, so many and such fit Person and Persons as they shall think proper, to be Scavenger or Scavengers, Raker or Rakers, of the said Parishes respectively for the Year ensuing; and also shall and may contract and agree with such Scavenger or Scavengers, Raker or Rakers, so to be nominated and appointed as aforesaid, for the cleansing and carrying away all the Dirt, Dust, Filth, Ashes, Rubble, and Rubbish, from the Doors of the Inhabitants of the said Parishes respectively, and for the cleansing the said Streets, Lanes, Alleys, and publick Places, within the same Parishes respectively.

Housekeepers to sweep before their Houses,

And it is hereby further enacted and declared, That every Housekeeper and Housekeepers, inhabiting and residing within the said City, or the Liberties and Precincts thereof, shall Thrice in every Week; that is to say, On every Tuesday, Thursday, and Saturday, at the least, sweep and cleanse, or cause to be swept and cleansed, all the Streets, Lanes, Alleys, and publick Places, before their respective Houses, Buildings, and Walks, and all other publick Places, to the end the Filth, Ashes, Dirt, Dust, Rubble, and Rubbish, may be ready to be carried away by the Scavenger or Scavengers, Raker or Rakers, or other Officers appointed for that Purpose, upon Pain to forfeit Three Shillings and Four Pence for every such Offence or Neglect, to be recovered and levied in Manner herein before mentioned; and also, that no Person or Persons whatsoever shall throw, cast, or lay, or cause, permit, or suffer, to be thrown, cast, or laid, any Ashes, Filth, Dust, Dirt, Rubbish, Dung, or other Annoyance, in any open Street, Lane, or Alley, within the said City, or the Liberties, Precincts, or Places aforesaid, before his, her, or their own Dwelling-houses, Buildings, or other publick Places, within the said City, but shall keep, or cause the same to be kept, in their respective Houses, Yards, or Backsides, until such Time as the Scavenger, or other Officer therefore appointed, shall come by or near their Houses, Doors, or Places, with his Cart or Carriage used for the cleansing the Streets, and carrying away thereof; and then shall carry, or cause to be carried, the said Ashes, Dirt, or other such Filth or Annoyances, as aforesaid, out of their Houses, Yards, and Backsides, and deliver it to the Raker, Scavenger, or other Officer, to put the same into his Cart or Carriage, as aforesaid, upon Pain to forfeit for every such Neglect the Sum of Five Shillings, to be levied and recovered in Manner herein before mentioned; and if any Person or Persons shall have any Hay or Straw brought and thrown down for the Use of any Inn, or

and to carry out their Dirt to the Raker.

any other House, in any of the Streets, Lanes, Alleys, or other publick Places, within the said City, or the Liberties and Precincts thereof, and shall not carry away the same into their Yards, Backsides, or Stables, and cause the same Streets, Lanes, or Alleys, to be swept and cleansed, where such Hay or Straw hath been laid down or carried to his, her, or their Yard or Stable, within One Hour next after such Straw or Hay shall be unloaded, he, she, or they, so neglecting, shall forfeit for every such Neglect the Sum of Five Shillings, to be levied and recovered as aforesaid.

And whereas many Persons do frequently pick and sift Dirt, Dust, and Ashes, in the publick Streets within the City, and Liberties of the City of Bath, and in the triangular Piece of Ground lying before the Front of the North Parade, and in the Slip of Ground lying before the South Parade respectively, to the great Annoyance and Disturbance as well of the Inhabitants, as of the Persons passing by and through the said Streets and Places; for Remedy whereof, it is hereby further enacted, That if any Person or Persons shall offend in the Premisses, and Complaint thereof shall be made to the Mayor, or any One Justice of the Peace of the said City, it shall and may be lawful to and for the Mayor, or such other Justice, to grant his Warrant or Warrants, to bring before him any Person or Persons so complained of; and on Proof being made before such Mayor or Justice of such Offence, by the Oath of One or more Witness or Witnesses, to commit the Person or Persons so offending to the Gaol of the said City, there to remain for any Time not exceeding Ten Days.

Persons convicted of picking and sifting Ashes and Dirt in the Streets, &c. to be committed.

And it is hereby further enacted, That no Scavenger, or other Person or Persons whatsoever, shall throw, cast, or empty, or cause to be thrown, cast, or emptied, any Filth, Ashes, Dirt, Soil, Rubble, or Rubbish, from off either of the Parades in Bath aforesaid, into or upon the triangular Piece of Ground, lying before the Front of the North Parade in Bath aforesaid, or into or upon the Piece or Slip of Ground, of about Twelve Feet wide, lying before the Front of the South Parade, and which extends from a Tenement, lately belonging to Francis Cornish, to the River Avon, upon Pain of forfeiting for every such Offence the Sum of Five Shillings, to be recovered and levied in Manner herein before-mentioned; and also, that no Scavenger, or other Person whatsoever, employed, or to be employed, by virtue or in pursuance of this Act, for the taking and carrying away the Dirt, Dust, Ashes, Soil, Filth, Rubble, and Rubbish, as aforesaid, shall drive, or cause

Scavengers not to lay their Dirt before the North Parade, &c.

to

to be driven or drawn, any Cart or other Carriage, shod with Iron, in, over, or upon, any of the Streets, Lanes, Alleys, or other Places, lying and being within the said City or the Liberties thereof, where such Carts or Carriages do not usually come, and which are not pitched or paved as the Streets in the City of Bath, used as and for the publick and common Highway or Passage for Waggons, Carts, and Carriages, are pitched and paved respectively, upon Pain of forfeiting for every such Offence the Sum of Five Shillings, to be recovered and levied in Manner herein before mentioned.

Coal Carriages not to pass through the City in the Night.

And it is hereby further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty seven, no Waggon, Cart, or other Carriage, loaden with or carrying, or going for Coals, shall go, pass, or be drawn in, or through Stall Street, Cheap Street, or the Market-place, within the City of Bath, after the Hour of Ten in the Evening; and that all such Waggons, Carts, and Carriages, as shall, after that Hour, come to the said City from Landsdown or the London Road, shall, upon their coming or arriving at the Place where the North Gate of the said City lately stood, turn and pass on the Right Hand, by the Borough Walls, into the lower End of Stall Street, and so on through Southgate Street; and all such Waggons, Carts, and Carriages, as shall after that Hour have Occasion to go, pass, or be driven, from Southgate Street to the Place where the North Gate lately stood, shall, upon their coming to the lower End of Stall Street aforesaid, turn and pass on the Left Hand, and go by the Borough Walls, to the Place where the North Gate lately stood; and if any such Waggon, Cart, or Carriage, shall be driven or pass in or through Stall Street, Cheap Street, or the Market-place, aforesaid, contrary to the Directions, Tenure, and true Meaning of this Act, the Owner or Driver, or other Person having Charge of any such Waggon, Cart, or Carriage, shall, for every such Offence, forfeit and pay to the Person who shall discover the same, the Sum of Twenty Shillings; and in case the same shall not be paid on Demand, it shall and may be lawful to and for the Person so discovering the same, to seize and take any of the Horses or Beasts of Draught drawing such Waggon, Cart, or Carriage, together with all Geers, Bridles, Halters, and Accoutrements, to such Horse or Beast belonging; and to detain, keep, and dispose of the same, in such Manner, and subject to such Directions and Provisions, as are directed, appointed, and prescribed, in

and

and by an Act of Parliament made in the Twenty fifth year of the Reign of his present Majesty, intituled, An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto; until the said Penalty, and all the Charges and Expences attending such Seizure and Detention, shall be paid, satisfied, and discharged.

Surveyors may raise Money for lighting and cleansing the Streets.

And, in order to raise Money for defraying the Charges and Expences of enlightening and cleansing the Streets, Walks, and Places aforesaid, be it further enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, One thousand seven hundred and fifty eight, the said Surveyors, to be nominated and appointed as aforesaid, shall, within Fourteen Days after they shall respectively be appointed as aforesaid, meet at some publick Place within their said respective Parishes, and then and there make and set an equal Rate or Rates, Assessment or Assessments, upon all Occupiers and Owners of Lands, Messuages, Houses, Tenements, Malt-houses, Granaries, Buildings, Yards, Orchards, Garden-grounds, and Hereditaments, situate, lying, and being within the said Parishes respectively; and upon all such Lands, Messuages, Houses, Tenements, Malt-houses, Granaries, Buildings, Yards, Orchards, Garden-grounds, and Hereditaments respectively; and which said Rates and Assessments, so to be made in pursuance of this Act, shall be signed and confirmed by Two or more of the Justices of the Peace for the said City.

How the same is to be levied.

And it is hereby further enacted, That after such Rates and Assessments shall be so made and confirmed as aforesaid, the Churchwardens, Overseers, and Inhabitants of the said several Parishes respectively, so assembled as aforesaid, shall have full Power, and they are hereby authorized and required to cause the same to be collected by Quarterly Payments, and to appoint Two or more Persons for each of the said Parishes to collect and receive the same, within the said Parishes respectively: And if the said Surveyors, so to be appointed as aforesaid, shall neglect or refuse to make such Rates and Assessments as aforesaid, within the Space of Time herein before directed for that Purpose; then it shall and may be lawful to and for the Mayor, and One or more Justice or Justices, of the said City of Bath, and they are hereby authorized and required to make and settle such Rates and Assessments as afore-mentioned.

Notice to be given in the Church.

And it is hereby further enacted, That if any Person or Persons shall wilfully refuse or neglect to give, or cause to be given, such Notice in the Church as is herein before di-

refted or required, or to affefs or collect fuch Rates and Affeffments as aforefaid, being thereunto fummoned and appointed as aforefaid, every fuch Perfon or Perfons fhall, for every Offence, forfeit and pay the Sum of Ten Pounds, to be recovered, levied, applied, and difpofed of, in fuch Manner, and to and for fuch Purpofes, as the Penalty hereby inflicted on any Perfon refufing or neglecting to take upon himfelf the Office of Surveyor, as aforefaid, is herein before directed and appointed to be levied, recovered, applied, and difpofed of.

Power to levy the Money, on Non payment.

And it is hereby further enacted and declared, That the Money raifed and collected by fuch Rates and Affeffments as aforefaid, fhall be laid out and applied for cleanfing and enlightening the Streets, Lanes, Alleys, and Publick Places aforefaid, in each Parifh only where it was raifed and collected: And in cafe any Perfon or Perfons fo rated and affeffed, fhall refufe or neglect to pay fuch Rate or Affeffment, for the Space of Ten Days next after Demand thereof made, it fhall and may be lawful to and for the faid Collectors refpectively, by Warrant under the Hands and Seals of Two or more of the faid Juftices, to levy the fame by Diftrefs and Sale of the Goods and Chattles of the Perfon fo refufing or neglecting to pay the fame, if fuch Goods and Chattles can be found within the faid City, Liberties, and Precincts thereof; rendering to fuch Perfon or Perfons, fo refufing or neglecting, the Overplus (if any be) the neceffary Charges of making fuch Diftrefs and Sale being firft deducted; and the fame Penalties fo recovered, fhall be applied and difpofed of in Manner and for the Purpofes herein after-mentioned, declared, and provided.

Lofs by Infolvency to be made up.

And it is hereby further enacted, That in cafe any Money received by any fuch Collector or Collectors, fo to be appointed as aforefaid, fhall be loft by the Infolvency of any fuch Collector or Collectors, the faid Surveyor or Surveyors for the time being of the faid Parifh where fuch Lofs or Infolvency fhall happen, fhall and may, and they are hereby authorized and impowered to make a new or additional Affeffment on the faid Parifh, for fupplying and making up fuch Lofs or Deficiency, and the Charges occafioned by or on account of the fame.

Where Houfes are lett in Tenements.

And whereas feveral Houfes in the faid City, and the Liberties and Precincts thereof, are by the Landlords or Owners thereof lett out in divers Tenements to feveral Tenants, whereby it is difficult to rate and affefs fuch Houfes, or to recover fuch Rates and Affeffments when made: For Remedy whereof, be it enacted by the Authority aforefaid, That it fhall and may be lawful to and for the

the Surveyor and Surveyors, to be appointed for the several Parishes aforesaid, for the time being, from time to time, and at all Times, when they are directed to make a Rate or Rates in pursuance of this Act, to rate and assess the Owner or Owners of all such Houses or Tenements as shall be lett to, or occupied by, Two or more Tenants; which Rate and Assessment shall be paid by One or more of the Occupiers of any Part or Parts of such Houses: And in case any Occupier or Occupiers of any Part of such Houses or Tenements shall refuse to pay the same, then the said Rate and Assessment shall be levied by Distress and Sale of the Goods of him, her, or them, so refusing to pay the same, in such Manner as other Distresses and Sales are ordered and directed by this Act: And such Occupier or Occupiers of such Tenements are hereby required and authorized to pay such Sum and Sums of Money, as shall be so rated or assessed on the Owner or Owners thereof, in pursuance of this Act, and to deduct the same out of the Rent thereof; and the Landlords or Owners thereof are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of their Rents; and every Tenant paying such Assessment, shall be acquitted and discharged for so much Money as the said Assessment or Assessments shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent should have been due and payable.

Assessments to be paid by the Occupiers.

And it is hereby further enacted by the Authority aforesaid, That every Owner or Occupier of any House or Houses or Lands next adjoining to any Street, Lane or Place within the said City, or the Liberties or Precincts thereof, shall, from time to time, within Ten Days next after Notice given by the Surveyor or Surveyors so to be appointed respectively as aforesaid, well and sufficiently pitch, pave, or cause to be pitched or paved, the Street, Lane or Place, before his or their Houses, Habitations, Lands and Publick Places respectively, into the Middle of the Street, Lane, or Place, except in the Market-place within the said City, where the several and respective Occupier or Owner of any House or Houses, or other Buildings or Lands, shall pitch or pave only Eight Feet from his, her, or their House or Houses, or other Buildings or Lands, under the Penalty of Ten Shillings for each Perch not so pitched, or amended, and so in Proportion for any greater or lesser Quantity or Space of Ground; and the like Sum of Ten Shillings for every Month until the same shall be pitched, paved, or amended, to be levied by Distress and Sale of the Goods of the Person or Persons so offending; and

Occupiers to pave before their Houses.

and shall be applied and disposed of in such Manner as is herein after directed and appointed.

And to deduct for the same out of their Rent.

And it is hereby further enacted, That it shall and may be lawful for the Tenant or Tenants for the time being, to repair or amend the Pitching or Pavement in the Street, Lane, or Place, before his House or Lands, in Manner aforesaid, and to detain and retain out of his or her Rent the reasonable and necessary Charges thereof; and every Landlord is hereby required to allow the same.

Proviso.

Provided always, That nothing in this Act contained shall extend to make void or alter any Covenant or Agreement already made, or hereafter to be made, between any Landlord and Tenant, for or concerning the Repair of the Pitching or Paving of any such Streets, Lanes, or Places.

Lamps to be set up.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, One thousand seven hundred and fifty eight, it shall and may be lawful to and for the Mayor, and One or more Justice or Justices of the said City of Bath, and they are hereby authorized and required to order, direct, and appoint what Number and Sort of Lamps, and how and where they shall be set up, or to what House or Building within the said City, or the Liberties or Precincts thereof, they shall be fixed, or where the same shall be placed; and for what and how long Time the same shall be and continue lighted, so as in such Order and Direction Care be taken, in the First Place, that the most publick and most frequented Streets and Places of and in the said City, and the Liberties and Precincts thereof, be the best lightened; and also that it shall be lawful for the said Surveyors, in their respective Parishes, to nominate and appoint such Person or Persons as they shall think proper, to be Keeper, Lighter or Lighters of the Lamps so to be put up; and to order, direct, and appoint what Wages and Allowances shall be made and given to such Lamp-keepers or Lamp-lighters respectively; and that it shall and may be lawful to and for the said respective Surveyors, in their respective Parishes, to contract with any Person or Persons for a sufficient Number of Lamps necessary to be set up in the said City and Liberties, and for Irons and Posts for fixing them on, and for finding and providing the said Lamps with all requisite and necessary Materials, and for lighting, attending, dressing, and repairing the same, according to the Tenor and Purport of this Act, for any Time not exceeding One Year, so as Ten Days Notice at least be given by Writing to be fixed up at the Guild-Hall of the said City, for all Persons willing to undertake

Power to contract for lighting them.

the lightening the Streets, according to the Tenor and true Meaning of this Act, to make Proposals for that Purpose, to be offered and presented to the said Surveyors at a certain Time and Place in such Notice to be mentioned.

Persons wilfully damaging them to be punished;

And whereas several evil-disposed Persons have broken, and may wilfully and maliciously break and destroy, the Lamps hung out in the Streets of the said City; Now, to prevent the like malicious Practices for the future, be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the said Twenty fifth Day of March, One thousand seven hundred and fifty eight, wilfully and maliciously take away, break, throw down, or extinguish, any Lamp that now is or shall be hung out, or set up, to light the Streets, or other Places, or wilfully damage the Posts, Irons, or other Furniture thereof, every Person so offending therein, and being thereof convicted by the Oath of One or more credible Witness or Witnesses, before any One or more Justice or Justices of the Peace for the said City, shall, for the First Offence, forfeit the Sum of Twenty Shillings for each Lamp so broken, thrown down, or extinguished, or otherwise damaged, and for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Three Pounds, to be levied and recovered by Distress and Sale of the Goods and Chattles of the Person or Persons so offending; and in case sufficient Distress cannot be found, the said Justice or Justices shall and may, and they are hereby authorized and required to commit the Person or Persons so offending to the Gaol of the said City for One Month, without Bail or Mainprize.

or carelessly, to make them good.

And it is hereby further enacted, That in case any Person or Persons shall carelessly, negligently, or accidentally, break, throw down, or otherwise damage, any of the said Lamps so hung out and set up, or to be hung out or set up as aforesaid, or the Irons, Posts, or other Furniture thereof, or extinguish the Lights thereof, and shall not immediately, upon Demand, make Satisfaction for the Damage done thereto, then, and in such Case, it shall and may be lawful to and for any One or more of the said Justices, upon Complaint thereof to him or them made, by any One or more credible Person or Persons, to summon before such Justice or Justices the Person or Persons who shall be complained of, for doing such Damage as aforesaid; and, upon hearing the Allegations and Proofs of both Parties, or Non-appearance of the Person or Persons so complained of, to award such Sum or Sums of Money, by way of Satisfaction for such Damage,

mage, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded, within Three Days after demanded, to cause the same, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices, to be levied by Distress and Sale of the Goods and Chattles of the Person or Persons who shall so have done such Damage, rendering to him, her, or them, the Overplus, if any shall be, after deducting the Costs and Charges of such Warrant, and of such Distress and Sale, when demanded; and in case no sufficient Distress can be found, such Justice and Justices shall and may, by like Warrant, commit the Person or Persons so neglecting or refusing to pay the Sum or Sums so to be awarded as aforesaid, to the Gaol of the said City, there to remain until he, she, or they shall make such Satisfaction as aforesaid, or for any Time not exceeding the Space of Ten Days.

Proprietors of Houses to bring down the Water from the Roof by Pipes.

And it is hereby further enacted, That the Owners and Proprietors of the several Houses, or other Buildings, erected and built, or which shall hereafter be erected and built, in any Square, Street, Lane, Alley, or publick Place, within the City of Bath, or the Liberties thereof, shall, on or before the Twenty fifth Day of December, One thousand seven hundred and fifty eight, or within Six Months after the same shall be finished, where the same is not already done, make and provide, or cause to be made and provided, sufficient Pipes, and fix, and cause the same Pipes to be fixed, to the said Houses, and other Buildings, so as to convey the Rain and Snow Water from the Tops of the said Houses and Buildings to the Ground or Soil thereof respectively, and shall and will, from time to time, and at all Times thereafter, maintain and keep such Pipes so fixed, and to be fixed respectively as aforesaid, in good Order and Repair; and in case any Owner or Occupier of any such Houses, or other Buildings, shall refuse or neglect to fix or repair, or cause to be fixed or repaired, any such Pipes as aforesaid, for the Space of Forty Days after Notice given for that Purpose by any of the Surveyors appointed by virtue of this Act, to the Occupier or Occupiers of such Houses, or other Buildings, every Person so neglecting or refusing shall forfeit and pay the Sum of Ten Pounds, to be recovered and levied by Sale of the Goods and Chattles of the Person and Persons so neglecting or refusing, to be applied in the making, fixing, and repairing, such Pipes as aforesaid: And it shall and may be lawful to and for the Tenant or Tenants of the said Houses and Buildings respectively, to fix and repair the same, and to retain and defalk the

Charges and Expence thereof out of the next Rent or Rents payable for the said Houses, or other Buildings; and every Owner, Proprietor, or Landlord, is hereby required to allow the same, in Manner herein before mentioned.

Chairmen to be regulated.

And, for the better regulating and governing the Chairmen of the said City of Bath, it is hereby further enacted by the Authority aforesaid, That from and after the First Day of June, One thousand seven hundred and fifty seven, the Mayor and Aldermen of the said City, or any Five or more of them, whereof the Mayor for the time being to be One, shall and may, and they are hereby impowered, authorized, and required, under their Hands and Seals, to license all or any Person or Persons who shall carry or keep any Glass Chair or Bath Chair, after the said First Day of June, within the said City of Bath, or the Liberties or Precincts thereof, the Charge of every such Licence to be paid or borne by every respective Chairman (besides the Duty by Act of Parliament) not to exceed the Sum of Three Shillings; and that the Number of all Glass and Bath Chairs so to be licensed, shall not be under the Number of Seventy, if so many be requested by any Person or Persons fitly qualified; and the said Licences, and every of them, shall be granted to continue for and during the Term of One Year from the Date of each respective Licence, and no longer.

Marks to be fixed on Chairs.

And be it further enacted, That from and after the said First Day of June, no Person or Persons shall presume to keep or carry, or lett to Hire, by the Hour or Day, or otherwise, any Glass Chair or Bath Chair, within the City of Bath, the Suburbs, Liberties, or Precincts thereof, without such Leave or Licence first had from the said Mayor and Aldermen, or any Five or more of them, as aforesaid, according to the true Intent and Meaning of this Act, upon Pain to forfeit, for every such Offence, the Sum of Thirteen Shillings and Four Pence; and that every Chair shall have a Mark of Distinction by Figure, or otherwise, as the said Mayor and Aldermen shall think fit; and the said Mark shall be placed on the Back of every such Chair, in the most conspicuous and convenient Manner to be taken Notice of.

Penalty on not marking them.

And, for the better discovering and convicting any Chairman offending against this Act, it is hereby further enacted, That no Chairman shall carry, or make use of, any other Chair than what shall be so marked; and that no Person shall blot out, obliterate, alter, or deface, the Mark or Figure of Distinction, appointed by the said Mayor and

and Aldermen for his Chair, under the Forfeiture of Three Pounds for every such Offence.

Mayor, &c. to direct where Chairs shall stand.

And be it further enacted by the Authority aforesaid, That from and after the said First Day of June, all Chairmen that are or shall, from time to time, be licensed, shall keep such Stands or Places with their Chairs as the Mayor and Justices of the said City for the time being, or any Two of them, whereof the Mayor shall be One, shall, by any Writing under their Hands, to be affixed upon the Guild-hall, and on the Pump-house, in the said City, order, direct, or appoint; and if any Chairman shall, after such Notice, neglect or refuse to obey, observe, and conform to, such Orders or Directions as aforesaid, every Chairman so offending shall, for every such Offence, forfeit the Sum of Ten Shillings, to be levied by Distress of the Goods and Chattles of the Person so offending, by Warrant of any One Justice of the Peace for the said City; and to be applied and disposed of for the Use of the Poor of the Parish where such Offence was committed; and if sufficient Distress cannot be had there, it shall and may be lawful to and for any Two or more Justices of the said City, to commit the Person offending to Prison, there to remain, without Bail or Mainprize, until he shall have paid such Penalty or Forfeiture as aforesaid.

Power to suspend Chairmen.

And it is hereby further enacted, That it shall and may be lawful to and for any Two or more Justices of the said City, upon Complaint to them made, to suspend any of the said Chairmen from working in the said City, or the Liberties thereof, for any Time not exceeding Forty Days.

Rates to be paid them.

And be it further enacted by the Authority aforesaid, That from and after the said First Day of June, no Hackney Chairman carrying any Chair licensed, or to be licensed, by the Mayor and Aldermen of the said City, by virtue of this or the said first-mentioned Act, shall presume to take, ask, or demand, for any One Fare, from any One Part within the Walls of the said City to any other Place within the Walls of the same, more than the Sum of Six Pence; or from any Place within the Walls of the said City to any other Place without the Walls of the same, not exceeding the Distance of Five hundred Yards, nor from any Place without the Walls of the said City to any Place within the Walls of the same, not exceeding the like Distance, more than Six Pence; and for any greater Length, not exceeding One measured Mile, One Shilling; nor more than the Sum of Six Pence for every half Hour's waiting; and so proportionably for any longer Space of Time.

Provided

Provided always, That no Chairman shall be required or obliged to carry any Chair out of the Liberties of the said City on the North and West Side thereof, nor further than the Foot of Beechen-Cliff, Widcomb Hill, Clarton Down, and Bathwick Down, on the South and East Side of the said City. Where Chairmen may refuse to go.

Provided also, That such Person as the said Chairman shall at any Time carry, may cause the said Chairman to stop as often as he or she shall require, so as such Person do not detain such Chairman above the Space of Ten Minutes in every Six-penny Fare, or Twenty Minutes in every Twelve-penny Fare; and in case any Chairman shall refuse to carry any such Fare, or shall exact, demand, or take more for his Fare or Hire than the several Rates by this Act allowed, or shall utter any abusive Language, or offer any other Insult to the Person he so carries, such Chairman so offending, and being thereof convicted by the Oath of One or more credible Witness or Witnesses, before the Mayor and Aldermen of the City of Bath, or any Three or more of them, shall, for every such Offence, forfeit and pay the Sum of Ten Shillings, to be levied and recovered in the Manner, and for the Purposes herein last before-mentioned. Punishment of Chairmen for Misbehaviour.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the said First Day of June, refuse or neglect to pay any Chairman or Chairmen the Money justly due to him or them for carrying in his or their Chair; or shall wilfully cut, deface, or break, any such Chair, it shall and may be lawful to and for the Mayor and Aldermen of the said City, or any Two of them, upon Complaint thereof made to them, or any Two or more of them, to grant a Warrant to bring before them the Person against whom such Complaint shall be made; and, upon Proof made by One or more Witness or Witnesses upon Oath (which Oath such Mayor and Aldermen, or any One of them, have and hath hereby Power to administer) to award reasonable Satisfaction to the Party grieved for his Damage and Costs; and, upon Refusal to pay and make such Satisfaction, to issue out Warrants of Distress to levy the same on the Offenders Goods and Chattles, and for want of Distress, to commit the Party or Parties so offending, to Prison for One Month, or until Satisfaction be made; and such Penalty, so to be recovered, shall be applied to and for the Use of the Poor of the Parish where such Offence shall be committed. Punishment for damaging Chairs.

Provided always, and be it enacted by the Authority aforesaid, That this Act, or any thing therein contained, Persons may keep their own Chairs.

shall not extend, or be construed to extend, to prohibit or hinder any Person or Persons to have, keep, or use, a Chair of his own, or to appoint such Person or Persons to carry the same, as he or they respectively shall think fit: Provided that no Chairman, hired or employed to carry such Chair or Chairs as aforesaid, shall carry any other Fare than such Person, or his Family, so hiring them as aforesaid, on Pain of forfeiting, for every such Offence, the Sum of Ten Shillings, to be levied, recovered, and disposed of as aforesaid; and, for want of Distress, such Chairman so offending shall be liable to be committed by any One Justice of the Peace of the said City, to the Common Gaol of the said City for One Month: Provided that every Person so hiring his own Chairmen shall enter such Chair, with the Names of the Chairmen, in the Office of the Clerk of the Peace for the said City; for which Entry no Fee or Reward shall be paid.

To keep a Watch in the Streets.

And whereas the keeping a sufficient and well-regulated Watch in the Night-time within the said City of Bath, Liberties and Precincts thereof, will be of great Importance to the Preservation of the Persons and Properties of the Inhabitants thereof, and the Safety of all Persons resorting thither; and also may prevent Fires, Murders, Burglaries, Robberies, and other Outrages and Disorders: And whereas by the Laws now in being, no effectual Provision is made for the establishing, ordering, or well-governing, such Nightly Watch within the said City, Liberties and Precincts thereof, or for the due levying and collecting any Money for defraying the necessary Charges, and of the Watchmen who shall be appointed to take care of the same: Now, for effecting such good Purposes for the future, and to the End that a due Application, and a just Account may be had and taken of the Money which shall hereafter be levied and collected by virtue of this Act, for the Uses aforesaid; be it further enacted by the Authority aforesaid, That the Mayor, Recorder, and Justices of the said City, for the time being, or any Two or more of them, shall, and they are hereby impowered and required, on the First Monday in the Month of October, One thousand seven hundred and fifty seven, and so in every Year ensuing, on the First Monday in the Month of October in each succeeding Year, to order and appoint what Number of Watchmen, and Night Constables, they shall judge necessary and proper to be kept within each of the Parishes of the said City, Precincts, and Liberties thereof, for One whole Year, commencing from the Day next ensuing the said Order, and

Money to be raised to pay the Expences.

shall

shall them and there direct how they ought to be armed, how long they are to watch, what Wages and Allowances shall be given to the said Watchmen, and Night Constables, for their Attendance, and shall also order and direct what Number of Constables or Watchmen shall attend every Night in each respective Parish, and shall make all such other Orders and Regulations, as the Nature of each particular Service shall seem to them to require; and shall nominate and choose such honest and able-bodied Men, to be employed as Watchmen, within the said City, Liberties, and Precincts thereof, as they shall think best qualified for the Service, and shall then order and set down in Writing, at what Stands it is fit for the said Watchmen to be placed, and in what Manner, and how often it shall be required of them to go their Rounds, and shall then make such other Orders and Regulations, concerning the Watchmen and Night Constables, as the Nature of each particular Service shall appear to them to require; and if any of the said Watchmen, so by them appointed, shall die within the Time for which they are appointed to serve, or shall be negligent in his or their Duty, or guilty of any Misbehaviour, or if it shall be found necessary to repeal, amend, or alter, any of the Nominations, Appointments, Orders, or Regulations, by them made, it shall and may be lawful for the Mayor, Recorder, and Justices of the said City, or any Two or more of them, at any intermediate Times of the Year, to remove any of the said Watchmen, so by them appointed, and to nominate and appoint One or more Person or Persons fitly qualified, in the Room or Stead of him or them so dying, or of him or them who shall be removed for Misbehaviour, as aforesaid; and also to make such further Orders and Regulations for the better Government and Direction of the said Watchmen, and Night Constables, within the said City, Liberties, and Precincts, as they shall think proper.

The Manner of raising the Money.

And, for the better raising and levying of Monies for paying the Wages of the said Watchmen and Night Constables, and other Charges incident thereto; be it further enacted by the Authority aforesaid, That the said Mayor, Recorder, and Justices of the said City, or any Two or more of them, every Year, as aforesaid, shall then and there, and they are hereby authorized and impowered to determine and direct what Sum and Sums of Money shall be raised and levied upon each respective Parish within the said City, Liberties, and Precincts thereof, for answering the Purposes aforesaid; and, for raising the said several Sums of Money, to

direct the Churchwardens of each respective Parish within the said City and Liberties thereof, to make an equal Rate and Assessment before the Tenth Day of October yearly, and to commence from Michaelmas preceding, upon all and every the Person and Persons who do and shall inhabit, hold, occupy, or enjoy, any Land, House, Shop, Warehouse, or other Tenement, within their respective Parishes; Regard being had in making the said Rate, to the Rent paid by the said several Inhabitants and Occupiers so to be rated and assessed; and the Churchwardens of the several Parishes within the said City, Liberties, and Precincts thereof, are hereby authorized and required to make such Rate and Assessment for their respective Parishes, in such Manner and Form as shall be so directed by the said Mayor, Recorder, and Justices of the said City, or any Two or more of them; which said Rates and Assessments so to be made, and all Arrears due upon the same, shall be collected quarterly from the several Inhabitants or Occupiers in each of the said Parishes, by such Collectors in each of the said respective Parishes, as the Churchwardens and Overseers of the said Parishes shall respectively appoint; and in case any of the Inhabitants or Occupiers shall refuse or neglect to pay the Sum so rated and assessed upon him, her, or them, it shall and may be lawful to and for such Collector or Collectors, by Warrant under the Hand and Seal of the Mayor of the said City, for the time being, or any Two of the said Justices (which Warrant the said Mayor, or any Two Justices, is and are hereby authorized and required to grant, upon Oath made before him or them by the said Collector or Collectors, of the Party or Parties so refusing or neglecting to pay) to levy the same by Distress and Sale of the Goods of the Party so neglecting or refusing, rendering to him or her the Overplus (if any be) the reasonable Charges of making such Distress and Sale being first deducted; and for want of such Distress, to commit the Offender or Offenders to the Common Gaol of the said City; there to remain without Bail or Mainprize for the Space of Fourteen Days, or until Payment of the Sum so to be assessed in the mean Time.

Power of Appeal.

Provided always, and it is hereby enacted and declared, That if any Person shall think him or herself aggrieved by any Rate or Assessment to be made by virtue or in pursuance of this Act, it shall and may be lawful to and for any such Person, within the Space of Ten Days after the Sum so rated or assessed shall be demanded,

to

to appeal to the said Mayor and Justices in their General or Quarter Sessions, or some Adjournment thereof; and their Determination and Decision shall be final and conclusive, and shall not be removed by Writ of Certiorari, or otherwise.

And be it further enacted by the Authority aforesaid, That a true Copy or Transcript, as well of all the Orders and Regulations, as of all such Nominations, Appointments, Orders, and Regulations, as shall be so made, from time to time, as aforesaid, for the better Direction and Government of the Watchmen, shall be fairly written and signed by the Mayor, Recorder, and Justices, and shall be delivered to all and every the Night Constables of the several Parishes within the said City, Liberties, and Precincts; and, that from and after the said First Monday in October yearly, One or more of the said Inhabitants of each of the said Parishes as shall be judged necessary by the said Mayor, Recorder, and Justices, or any Two or more of them, shall be appointed Night Constable or Night Constables, and shall attend every Night by Turns, and shall keep Watch and Ward within their respective Parishes, in Manner following; that is to say, From the said First Monday in October to the First Day of April following, from the Hours of Ten in the Evening, till Seven the next Morning; and from the First Day of April until the First Monday in October, from Ten in the Evening, till Five the next Morning; and from thenceforth yearly and every Year, the said Night Constable or Night Constables shall attend from the First Monday in October to the First Day of April, from the Hour of Ten in the Evening, till Seven the next Morning; and from the First Day of April until the First Monday in October, from Ten in the Evening, till Five the next Morning; and the said Night Constable or Night Constables shall, in their several Turns or Courses of watching, use their best Endeavours to prevent Fires, Murders, Burglaries, Robberies, and other Outrages and Disorders; and to that end shall, and they are hereby impowered and required to arrest and apprehend all Night-walkers, Malefactors, and suspected Persons, who shall be found wandering or misbehaving themselves, and shall carry the Person or Persons who shall be so apprehended, as soon as conveniently may be, before One or more Justice or Justices of the Peace of and for the said City, to be examined and dealt with according to Law; and shall Twice, or oftner, at convenient Times, in every Night, go about their respective Parishes, and take Notice whether all the Watchmen perform their Duties in their several

Copy of Orders and Regulations to be given to the Officers.

Hours of watching.

Power to take up suspected Persons.

Stations, according to such Orders and Regulations as shall have been made for that Purpose by the Mayor, Recorder, and Justices of the said City, or any Two or more of them; and in case any such Watchman shall misbehave himself, or neglect his Duty, the said Night Constables, or One of them, as soon as conveniently may be, shall give Notice thereof to the Mayor, Recorder, and Justices, or any Two or more of them, to the end that they may be forthwith summoned for the Examination and Punishment of such Offence.

Persons neglecting to watch, to be punished.

And be it further enacted by the Authority aforesaid, That if any of the said Night Constable or Night Constables so appointed, or Watchmen, shall wilfully neglect to attend any Night, in his or their Turn, to keep Watch and Ward within their respective Parishes, or shall not come to keep Watch and Ward within their respective Parishes, or shall not come to keep Watch and Ward at the respective Hours appointed by this Act for his and their Attendance thereon, or shall depart from or leave keeping Watch and Ward, during the respective Hours appointed by this Act for the keeping the same, or shall neglect in any Night of his or their Watching for the Purpose of this Act, or shall otherwise misbehave himself or themselves against the Duty prescribed to them by this Act; in each and every of the said Cases, the Person or Persons so offending shall respectively forfeit the Sum of Twenty Shillings for every such Offence, to be levied and recovered by any of the Ways and Means herein before mentioned.

Persons apprehended,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Watchmen, or any of them, in the Absence of the Constable, and they are hereby also authorized and required, in their several Stations, during the Time of their keeping Watch and Ward as aforesaid, to apprehend all Night-walkers, Malefactors, Rogues, Vagabonds, and all disorderly Persons whom they shall find disturbing the publick Peace, or shall have just Cause to suspect of any evil Designs; and to deliver the Person or Persons so apprehended, as soon as conveniently may be, to the Constable of the Night; who is hereby required to carry him, her, or them, as soon as conveniently may be, before One or more Justice or Justices of the Peace of the said City, to be examined and dealt with according to Law.

to be carried before a Justice.

Directions concerning Collectors.

And be it further enacted, That if any of the Persons who shall, from time to time, be directed and appointed Collectors of the several Rates and Assessments herein last before directed and appointed to be levied and collected, shall neglect or refuse to take upon him or them the said Office,

Office, or duly to execute the same, according to the true Intent and Meaning of this Act; he and they shall respectively forfeit the Sum of Ten Pounds, to be levied by Warrant of Distress, under the Hands and Seals of Two or more Justices of the Peace of the said City, and Sale of the Offenders Goods, and shall continue liable to be appointed into the said Office again the Year following; and in case of his or their Refusal, they shall be again liable to the like Penalty as often as he or they shall refuse to take upon him or them the said Office; and upon every such Refusal of any Person or Persons, so to be appointed Collector or Collectors as aforesaid, to take upon him or them the said Office, or, in case of Death after such Appointment, it shall and may be lawful for the Mayor, Recorder, and Justices of the said City, or any Two or more of them, to direct and appoint any other Person or Persons, inhabiting in any the same Parish, to be Collector or Collectors, in the room or stead of such Person or Persons who shall so refuse to take upon him or them the said Office, or shall die after such Appointment; and in case such Person or Persons, so directed and appointed, shall refuse to take upon him or them the said Office, he or they shall be liable to the like Penalties as herein before are appointed for Neglect or Refusal of the Collector of the Rates, and for defraying the Expences of cleansing and lighting the said Streets, and to be recovered in like Manner.

Assessments to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all and every the Collector or Collectors of the said Rates and Assessments, within the said respective Parishes, shall collect the same quarterly, and shall severally enter into some Book or Books, to be by them respectively kept for that Purpose, the several Sums which they shall, from time to time, receive on account of the said Rates and Assessments, and likewise the Names of the Persons from whom, and the particular Times when, they received the same; which Book and Books they shall, at all convenient Times, produce upon Demand, and shew to the Mayor, Recorder, and Justices, or any Two or more of them, or to such Person or Persons as they shall appoint; and shall pay the Money by them respectively received, on account of the said Rates and Assessments, into the Hands of the Mayor, Recorder, and Justices, or to such Person or Persons as they, or any Two of them, shall appoint, as he or they shall receive the same, and in such Manner, as that such Collector shall never have a Sum exceeding Ten Pounds so collected at One Time in his or their Hands, by the Space of Twenty Days; and if any of the said Collectors shall neglect to make such Entries, or

Directions for Payment of Money when collected,

shall refuse to produce and shew to the Mayor, Recorder, and Justices, or to such Person or Persons as by them to be appointed as aforesaid, the Book or Books hereby directed to be by them respectively kept for the Purposes aforesaid (the same having been demanded of them), or if any of them shall keep or retain in his or their Hands more than the said Sum of Ten Pounds longer than Twenty Days, in each and every the said Cases the Person or Persons so offending shall, for every such Offence respectively, forfeit the Sum of Twenty Pounds, to be levied in manner aforesaid; and on Payment of every such Sum of Money into the Hands of such Person or Persons, so appointed as aforesaid, such Collector or Collectors shall take a Receipt for the same from the said Person or Persons so appointed as aforesaid; in which Receipt shall be specified and expressed the Name of such Collector or Collectors, the Sum paid, and the Name of the Parish wherein the Money hath been collected; and the respective Person or Persons so appointed as aforesaid shall be obliged, and he and they is and are hereby required, to give such Receipt, without Fee or Reward; and such Receipts shall, by the Collector or Collectors, be produced to the Mayor, Recorder, and Justices, or such Person or Persons so appointed as aforesaid, at the Time they shall settle and adjust his and their yearly Account and Accounts, and shall, by the said Mayor, Recorder, and Justices, or any Two or more of them, or such other Person or Persons so appointed as aforesaid, be taken and allowed as a full and sufficient Discharge for all and every such Sum and Sums of Money such Collectors shall have received and paid to the Mayor, Recorder, and Justices, or to the Person or Persons so appointed as aforesaid to receive the same; and the said several Collectors shall, within Eight Days next after the End of every Three Months, after their severally taking upon themselves the said Office as a Collector, produce and deliver to the Mayor, Recorder, and Justices, or any Two of them, or to such Person or Persons so by them appointed as aforesaid to receive the same, the Book or Books in which they entered the Sums by them severally received, on account of the said Rates, and shall at the same time give and deliver to the said Mayor, Recorder, and Justices, or any Two of them, or to such Person or Persons as they shall appoint to receive the same, a true Account in Writing of all such Persons as have neglected or refused to pay the said Rates and Assessments, to the Intent that the same may afterwards be levied by Distress and Sale of the Offender's Goods as aforesaid.

And

And be it further enacted; That such Sum or Sums of Money as shall be assessed and collected in the said several Parishes for cleansing and enlightening the Streets, Walks, and Publick Places, shall be yearly accounted for by the Collectors thereof, for the time being, to Two or more Justices of the Peace for the said City and Liberties (whereof the Mayor to be One) within Ten Days after the Election of the new Collectors for the ensuing Year; and such Sum or Sums of Money, as shall be remaining in their Hands, shall be by them paid over to the next succeeding Collector or Collectors elected and appointed for the said Parishes respectively; and the Mayor of the said City, and any One Justice of the Peace for the said City, may commit to Prison such Collector or Collectors who shall refuse or neglect to account or pay the Money remaining in his or their Hands; there to remain, without Bail or Mainprize, until he or they have made a true Account, and satisfied and paid so much as upon the said Account shall be remaining in his or their Hands. Collectors obliged to account Yearly, and pay over Money;

And be it further enacted by the Authority aforesaid, That the Mayor, Recorder, and Justices, or any Two of them, or such Person or Persons so appointed by them as aforesaid, shall, and he and they are hereby authorized and required to pay all and singular the Orders and Draughts on them to be made by the Collectors of the respective Parishes within the said City, Liberties, and Precincts thereof, in Discharge of the Watchmen and Night Constables, and other incident Charges in relation to the Watching of the several Parishes in pursuance of this Act; and the said respective Collectors of the several Parishes, for the time being, shall and are hereby required to keep regular and plain Entries in a Book to be for that Purpose by them severally provided, of all and singular the Receipts and Payments they shall make on account of the Night Watch, and Night Constables, within their respective Parishes as aforesaid, and other Charges incident thereto; which Books shall be produced to the said Mayor, Recorder, and Justices, Quarterly, or oftener, if required; and also that the Collectors respectively, for the time being, shall have the same Account audited and passed between the First Day of November and the Tenth Day of November, Yearly, by the Mayor, Recorder, and Justices, or any Two of them, in which the Money so to be accounted for shall be collected. Application thereof.

Provided nevertheless, That it shall and may be lawful to and for such Mayor, Recorder, or Justices of the Peace, or any Two of them, from time to time, where they see Cause, to mitigate, compound, or lessen, any of the said Power to mitigate Fines.

Fines and Penalties, as he or they, in their Discretion, shall think fit, so as such Mitigation do not extend to remit above Three Fourths of the said Fines and Penalties directed to be levied by this Act; and every such Mitigation shall be a sufficient Discharge to the Person offending respectively, of or for so much of the said Fines and Penalties as shall be so lessened, mitigated, or remitted.

Power of Appeal.

Provided also, That if any Person or Persons shall find him, her, or themselves aggrieved, or remain unsatisfied, in any Judgements pronounced by virtue of this Act, for any Offences committed or arising within the Jurisdiction of the City of Bath; then such Person and Persons shall and may, by virtue of this Act, complain or appeal to the Justices of the Peace at the next Quarter Sessions to be held for the said City, or at any Adjournments thereof, who are hereby impowered and required to summon and examine Witnesses upon Oath, and finally to hear and determine the same; and in case the said Judgement or Judgements shall be affirmed, to issue a Warrant or Warrants for levying and compelling, by such Ways and Means as aforesaid, the Payment of the said Penalties and Forfeitures, and to make such Order therein as to them shall seem meet; and such Order shall be final, and bind and conclude all Parties.

Application of pecuniary Penalties.

And it is hereby also enacted and declared, That all the pecuniary Penalties and Forfeitures, hereby inflicted and directed to be levied for any Offences committed against this Act, so far as the same relates to Watching the Streets, and which are not otherwise hereby ordered and provided for, shall go and be applied as follows; that is to say, One Half thereof to the Person or Persons who shall inform and prosecute for the same, and the other Half to the Collector or Collectors of the Parish where such Offence shall be committed, to be by him or them paid and applied for and towards defraying the Expences of Watching the said Streets, and also of the Wages of the Watchmen and Night Constables, and other Charges incident thereto; and the pecuniary Penalties and Forfeitures for Offences committed against this Act, in relation to the cleansing and enlightening the Streets, not otherwise hereby directed and provided for, shall go and be applied, One Half to the Informer, and the other Half for and towards the Charges and Expences of cleansing and enlightening the said Streets; and the pecuniary Penalties and Forfeitures for Offences committed against this Act by the Chairmen, and not otherwise directed or provided for, shall go and be paid to the Churchwardens and Overseers of the Poor of the respective Parishes where the Offences shall be committed,

committed, for the Use and Benefit of the Poor of the said Parishes respectively.

Power to make Re-assessments

And it is hereby further enacted, That in case there shall be any Deficiency in any One Year's Rate or Assessment, so to be made for raising Money for Watching the Streets as aforesaid, in any of the Parishes within the said City, Liberties and Precincts thereof, either by Houses, Shops, Warehouses, Buildings, or other Tenements, being empty, or by the Insolvency or Removal of any of the Inhabitants, Tenants, Occupiers, or otherwise, for which or upon whom such Rates or Assessments are respectively charged or chargeable by this Act, so that the Wages and Allowances to Watchmen and Night Constables, and other incident Charges, cannot be fully satisfied, paid, and discharged in that Year; then and in such Case the Deficiency so happening in the said Parish, shall be paid out of the next succeeding Year's Rate and Assessment; and if there shall happen to be any surplus Money collected by such Rates and Assessments as aforesaid, in any of the said Parishes, in any One Year, such Surplus shall be carried on to the Credit of the Account of the next Year's Rate and Assessment, and shall be applied for such Uses, and in such Manner, as the Rates and Assessments collected in such Parish are by this Act directed to be laid out and applied, and to no other Use or Purpose whatsoever.

Payments of Assessments for watching, &c. not to gain Settlement.

Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons, who shall be charged in, or pay to, any Rate or Assessment, by virtue or in pursuance of this Act, for watching, cleansing, repairing, or enlightening the Streets, shall be deemed or construed thereby to gain any Settlement within any of the Parishes, Precincts, and Liberties of the said City of Bath.

Power to make a Re assessment for Deficiency in the Watch-money.

And it is hereby further enacted, That in case any Money received by any such Collector or Collectors so to be appointed for collecting and raising Money for the Watch, as aforesaid, shall be lost by the Insolvency of any such Collector or Collectors, the Churchwardens, for the time being, of the said Parish where such Loss or Insolvency shall happen, shall and may, and they are hereby authorized and impowered to make a new or additional Assessment in the said Parish, for supplying and making up such Loss or Deficiency, and the Charges occasioned by or on account of the same.

Occupiers to pay Rates,

And, for the more easy and effectual recovering and receiving the said Rates and Assessments upon any House or Houses in the said City, which by the Landlord or Landlords, or Owner or Owners thereof, are or shall be let

let out in Tenements, be it enacted, That it shall and may be lawful to and for the Churchwardens to be appointed for the several Parishes aforesaid, for the time being, from time to time, and at all Times, when they are directed, to make a Rate or Rates in pursuance of this Act, to rate and assess the Owner or Owners of all such Houses or Tenements as shall be let to or occupied by Two or more Tenants; which Rate and Assessment shall be paid by One or more of the Occupiers of any Part or Parts of such Houses; and in case any Occupier or Occupiers of any Part of such Houses or Tenements shall refuse to pay the same, then the said Rate and Assessment shall be levied by Distress and Sale of the Goods of him, her, or them, so refusing to pay the same, in such Manner as other Distresses and Sales are ordered and directed by this Act; and such Occupier or Occupiers of such Tenements are hereby required and authorized to pay such Sum and Sums of Money as shall be so rated or assessed on the Owner or Owners thereof in pursuance of this Act, and to deduct the same out of the Rent thereof; and the Landlords or Owners thereof are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of their Rents; and every Tenant, paying such Assessment, shall be acquitted and discharged for so much Money as the said Assessment or Assessments shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent, should have been due and payable.

and to deduct them out of the Rents.

Power for Corporations and Guardians to sell Lands, &c.

And whereas it may happen that some Persons, or Bodies Politick, Corporate, or Collegiate, Feoffees in Trust, or others, who are seised of some Houses or Grounds which may be necessary to be pulled down or purchased, and set out or assigned, for making convenient Ways and Passages to and from the Streets and Lanes lying within, and adjoining to the said City of Bath, and the Liberties thereof, may be willing to treat and agree for the Sale of such Houses or Grounds, in order to perfect so useful and necessary a Work, but are incapable of selling, granting, and conveying the same, by reason of Infancy, or other Disability; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, or other Trustees whatsoever, for or on Behalf of any Infants, Femes Covert, or other Persons under such Disability, and for all and every other Person and Persons whatsoever,

ever, who are or shall be seised, possessed of, or interested in, any House or Houses, or Ground, to sell and convey to the Mayor, Recorder, Aldermen, and Common Council, of the said City of Bath, or to such other Person as they shall appoint, all or any such Houses and Ground, or any Part thereof, for the Purposes aforesaid; and that all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid, to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and that all Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, Corporations Aggregate or Sole, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue of, or in pursuance of, this Act.

Power for Mayor, &c. to give general Directions;

And be it hereby further enacted, That it shall and may be lawful to and for the Mayor, Recorder, and Justices of the Peace for the said City of Bath, or any Two or more of them, whereof the Mayor to be always One, to make and give such Rules, Orders, Directions, and Provisions, with reasonable Penalties, for the better Regulation and Governance of the Night Constables, Watchmen, Scavengers, and Lamplighters, to be employed pursuant to, and for the Purposes of this Act; and for the better and more effectually preventing such Coal Carriages passing in the Night as aforesaid, according to the general Tenor, Purport, true Intent, and Meaning of this Act, as to the said Justices, or any Two or more of them, whereof the Mayor to be always One, shall seem requisite and expedient, so as such Rules, Orders, and Directions, be not repugnant to the present Act, or to any other Law then in being, relating to or concerning the Premisses, and so as the same be consonant and conformable to the Laws of this Kingdom.

which shall be good.

And it is hereby enacted and declared, That such Rules, Orders, and Directions, so made and published as aforesaid, shall be as good and effectual, to all Intents and Purposes, as if the same were expressly inserted, contained, and enacted, in the Body of this present Act.

The Three former Acts to be void, except what relates to the Roads.

And it is hereby further enacted and declared, That immediately after the several Powers, Authorities, and Provisions, herein before given, granted, established, declared, and provided, shall commence and take effect respectively for the several Purposes, and according to the Tenor and true Meaning of this Act, the said Three former Acts, made in the Sixth Year of the Reign of her late Majesty Queen Anne, the Seventh Year of the Reign of His late Majesty King George the First, and the

the Twelfth Year of the Reign of His present Majesty, and all the Powers, Provisions, Clauses, Matters, and Things, therein respectively contained (other than and except so far as the same concern or relate to the repairing and enlarging the Highways between the Top of Kingsdown Hill and the City of Bath, and for amending several other Highways leading to the said City) shall be, and the same are hereby repealed and made void.

Limitation of Actions. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, that in every such Case the Action or Suit shall be brought within Six Calendar Months next after the Fact committed, and not afterwards; and shall be laid and brought in the County of Somerset, and not elsewhere; and the Defendant or Defendants, in such Action

General Issue. or Suit, shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at the Trial to be had thereupon; and if the Plaintiff or Plaintiffs shall be Nonsuited, or discontinue his, her, or their Action or Actions, Suit or Suits; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover

Double Costs. Double Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any Case by Law.

Publick Act. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken, to be a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same. 2

FINIS.