Anno ſecundo

Georgii III. Regis.

An Act for the Enlightening the Streets, Lanes, and Paſſages, within the Town and County of the Town of *Nottingham*.



WHEREAS the Town and County of the Town of Nottingham is a Place of conſiderable Trade, and is very populous: And whereas the enlightening the Streets, Lanes, and Paſſages, within the ſaid Town, will be of great Uſe and Importance, and tend to the Preſervation of the Perſons and Properties of the Inhabitants thereof, and other Perſons reſorting thereto: Therefore may it pleaſe Your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this preſent Act the Repreſentatives in Parliament of the County of Nottingham for the time being; the Repreſentatives in Parliament of the Town and County of the

Preamble.

Truſtees.

the Town of Nottingham for the time being; the Commissioners of the Land Tax within the said Town and County of the Town of Nottingham for the time being; the Vicar of the Parish of Saint Mary, the Rector of the Parish of Saint Peter, and the Rector of the Parish of Saint Nicholas, and their Successors, together with so many of the Inhabitants of the said Town of Nottingham as are or shall be assessed to the Poor's Rate, in the said Three several Parishes of Saint Mary, Saint Peter, and Saint Nicholas, after the respective Rents of Ten Pounds per Annum and upwards, for their respective Messuages, Houses, Tenements, Malthouses, Granaries, and Buildings only; shall be and they are hereby nominated, constituted, and appointed Directors and Trustees of and for the Intents and Purposes in this Act mentioned and declared.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Directors and Trustees so appointed and constituted as aforesaid, or any Thirteen or more of them, to meet, and they are hereby authorized and required to meet and assemble together, at the Guildhall within the said Town, on the Day Four Weeks after the Day of passing this Act, between the Hours of Ten and Twelve of the Clock in the Forenoon, in order to put this Act in Execution; and shall and may, from and after that Time, by Adjournment meet there, or at any other convenient Place within the said Town, as they, or any Thirteen or more of them, shall appoint.

Trustees to appoint Keepers and Lighters of the Lamps,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Directors and Trustees, or any Thirteen or more of them, to nominate and appoint One or more Person or Persons to be Keeper or Keepers, Lighter or Lighters of the Lamps; and also One or more Person or Persons to be Clerk or Clerks, Treasurer or Treasurers, to the said Directors and Trustees; and such respective Officers so appointed from time to time to remove, and to place others in their Stead; which Officers aforesaid shall be yearly chosen and appointed by the said Directors and Trustees, or any Thirteen or more of them.

who shall obey all Orders made by the Trustees,

And be it further enacted by the Authority aforesaid, That all and every Person and Persons to be appointed pursuant to this Act, for the Duties and Services herein before or herein after mentioned, any or either of them, shall, from time to time, and at all Times, obey and observe, perform and duly execute, all and all Manner of Orders, Directions, and Rules, which shall, from time to time,

time, be made or given by the ſaid Directors and Truſtees, and their Succeſſors, or any Thirteen or more of them, aſſembled for or concerning the Duties, Services, Matters, and Things to be done, performed, and executed, for the Purpoſes aforeſaid, and as herein after is mentioned, according to the true Intent and Meaning of this Act, upon Pain of forfeiting Twenty Shillings for every Offence, Refuſal, or Neglect. upon Pain of forfeiting 20 s.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Truſtees, or any Thirteen or more of them, ſo aſſembled as aforeſaid, to order 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 Town 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; and alſo ſhall appoint what Wages and Allowances ſhall be paid and given to ſuch Keepers and Lighters of Lamps, and other Officers to be appointed by them; and ſhall and may, from time to time, make ſuch further Orders and Regulations, as the Nature of the Service ſhall ſeem to them to require. Truſtees to order what Number and Sort of Lamps &c. and alſo the Wages to the Lighters of the Lamps;

And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this preſent Act, the ſaid Directors and Truſtees, or any Thirteen or more of them, ſo aſſembled as aforeſaid, ſhall and may under their Hands and Seals nominate and appoint Two Inhabitants, reſident in each reſpective Pariſh within the ſaid Town, to be Aſſeſſors, in order to raiſe Money for the Purpoſes in this Act mentioned; and ſuch Perſons ſo nominated and appointed Aſſeſſors, are hereby impowered and required to make and ſettle a Quarterly or Half-yearly Rate or Rates, Aſſeſſment or Aſſeſſments, upon all Occupiers of any Meſſuages, Houſes, Tenements, Malthouſes, Granaries, and Buildings only, ſituate and being within the ſaid ſeveral Pariſhes within the ſaid Town, not exceeding the Sum of Two hundred and thirty Pounds yearly and every Year, by an equal Rate and Aſſeſſment on all ſuch Meſſuages, Houſes, Tenements, Malthouſes, Granaries, and Buildings only, within the ſaid Town, which are or ſhall be rated to the Poor's Rate at Three Pounds or upwards; which Rates and Aſſeſſments hereby directed to be made, ſhall be ſigned by Two or more Juſtices of the Peace for the ſaid Town; and after ſuch Rates and Aſſeſſments, ſo made and ſigned, the ſaid Directors and Truſtees, or any Thirteen or more of them, ſhall have full Power, and they are hereby authorized and required to cauſe the ſame to be collected Quarterly or and to appoint Aſſeſſors: Juſtices to confirm the ſame. Truſtees to cauſe the ſame to be collected.

half-yearly, and to appoint Two or more Persons to collect the same in each and every of the said Parishes within the said Town; which said Rates and Assessments shall be paid by the respective Inhabitants for the time being of the respective Premisses so rated and assessed, according to their respective Estates and Interests therein, to such Person or Persons as they the said Directors and Trustees, or any Thirteen or more of them, shall have appointed to collect the same: And in case any Person or Persons so assessed shall refuse or neglect to pay such Rate or Assessment, by the Space of Ten Days next after Demand thereof made by the Person duly authorized to receive the same, it shall and may be lawful to and for the said Collectors respectively, by Warrant under the Hands and Seals of Two or more of the said Justices, to levy the same by Distress and Sale of the Goods and Chattles of the Person or Persons so refusing or neglecting to pay the same, rendering to such Person or Persons so neglecting or refusing the Overplus, if any be; the necessary Charges of making such Distress and Sale being first deducted.

Person's refusing to pay.

the same may be levied by Distress and Sale.

And be it further enacted by the Authority aforesaid, That the Directors and Trustees appointed in or by virtue of this Act, shall not be impowered to do any Act in the Execution of the Powers hereby given to them, except it be at a Meeting to be by them held in pursuance of this Act; and Four Days previous Notice of every adjourned Meeting of the said Directors and Trustees shall be affixed on all the Market Crosses and Church Doors within the said Town.

Trustees not to act except at a publick Meeting.

And be it further enacted by the Authority aforesaid, That the said Directors and Trustees are hereby required to take such Security from their Treasurer, Collectors, and other Officers, for the due Execution of his and their respective Office and Offices, as to the said Directors and Trustees, or any Thirteen or more of them, shall seem meet.

Officers to give Security.

Provided always, and it is hereby declared, That in case any Person or Persons shall think him, her, or themselves aggrieved by any Rate or Assessment to be made as aforesaid, for or concerning their respective Proportions of any such Rates or Assessments, then and in every such Case, the said Directors and Trustees for the time being, or any Thirteen or more of them, shall and may, and are hereby impowered, upon Application made to them by such Person or Persons, to summon before them the Parties, and to examine into the Matter of Complaint upon Oath (which Oath the said Trustees, or

Trustees to determine all Differences.

any

any One or more of them, at such Meeting assembled, are hereby authorized to administer) and the said Trustees, or any Thirteen or more of them, are impowered, in a summary Way, to hear and determine all and every such Difference and Dispute; and their Determination therein shall be final and conclusive.

Persons rated not deemed to gain a Settlement.

Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons who shall be charged with or pay any Rate or Assessment to be made, or who shall be employed by virtue of this Act, shall thereby gain, or be deemed or construed to gain, any Settlement in any Parish or Place wherein such Assessment, Taxation, Payment, or Employment shall be made.

Collectors to account upon Oath

And be it enacted by the Authority aforesaid, That all and every Person and Persons, who shall receive any Money by virtue of this Act for the Purposes aforesaid, shall, from time to time, as often as the said Directors and Trustees, or any Thirteen or more of them, at any Time assembled, shall require, make and render to such Directors and Trustees, or unto such other Person or Persons as they shall appoint, a true and perfect Account upon Oath (which said Oath the said Directors and Trustees, or any of them, is and are hereby impowered to administer) of all such Sums of Money, by such Person or Persons collected and received, or which shall have been rated and assessed as aforesaid and not received, and all other Matters and Things committed to their Charge, by virtue of and under the Authority of this Act, and pay and deliver unto such Person or Persons as the said Directors and Trustees, or any Thirteen or more of them, shall direct and appoint, all and every such Sum and Sums of Money as shall remain in his or their Hand or Hands at the Time of such Account; and if such Collector or Collectors shall refuse or neglect to account for and pay such Sum or Sums of Money accordingly, any Two or more of the Justices of the Peace for the said Town, shall and may, upon Complaint thereof being made to them by the said Trustees, or any Thirteen or more of them, or their Clerk or Treasurer for the time being, commit such Person or Persons to the Common Gaol or House of Correction of the said Town, there to remain without Bail or Mainprize, until he or they shall have made a full & perfect Account or Satisfaction, and paid so much as, upon the said Account, shall appear to be remaining in his or their Hand or Hands, or shall have compounded for the same with the said Trustees, or any Thirteen or more of them; which Composition the said Trustees, or

and pay over the Balance.

any Thirteen or more of them, are hereby impowered to make,

Lamps, &c. veſted in the Truſtees.

And be it further enacted by the Authority aforeſaid, That the Property of the ſaid Lamps, Irons, and other Utenſils appurtenant thereto, ſhall be and are hereby veſted in the ſaid Truſtees, and they, or any Thirteen or more of them, as they ſhall think proper, are hereby authorized and impowered to bring Actions, or prefer Bills of Indictment, in the Names of any Thirteen or more of them, or in the Name of their Clerk or Treaſurer, againſt any Perſon or Perſons ſtealing, taking away, or wilfully breaking, extinguiſhing, or damaging the ſame; and all and every Perſon or Perſons who ſhall maliciouſly or wilfully break, throw down, or extinguiſh, any Lamp or Lamps put up by virtue of this Act, or maliciouſly or wilfully damage the Poſts, Irons, or other Furniture thereof, every Perſon or Perſons offending therein ſhall, for every Lamp ſo broken, thrown down, extinguiſhed, or damaged, forfeit the Sum of Five Pounds, to be levied and applied as hereafter directed.

Perſons wilfully breaking the ſame to pay 5*l.*

Truſtees may adjourn, giving Notice;

And be it further enacted by the Authority aforeſaid, That if it ſhall happen, that there ſhall not appear at any Meeting, which ſhall be appointed to be held by the ſaid Directors and Truſtees, a ſufficient Number thereof to act at ſuch Meeting, and to adjourn to another Day, then and in ſuch Caſe the Clerk to them ſhall and may, by publick Notice in Writing to be affixed at or on all the Market Croſſes and Church Doors within the ſaid Town, at leaſt Four Days before the next Meeting, appoint the ſaid Directors and Truſtees to meet at the Place where the laſt Meeting of the ſaid Directors and Truſtees was appointed to be held, on ſome certain Day to be inſerted in ſuch Notice.

and keep a Regiſter.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Truſtees, or any Thirteen or more of them, and they are hereby required to direct that a Book or Books ſhall be prepared and kept, wherein ſhall be fairly entered the Names of the Keeper or Keepers, Lighter or Lighters of the Lamps, Aſſeſſors and Collectors, and other Officers, which ſhall be appointed purſuant to this Act; and Copies of all Orders and Proceedings relating to the ſaid Lamps, and alſo an Account of all Sums of Money aſſeſſed, received, or paid, and how the ſame have been applied for the Purpoſes mentioned in this Act; which Book or Books every Perſon or Perſons contributing to the Charge of the ſaid Lamps, may, from

from time to time, and at all seasonable Times, resort to and inspect without Fee or Reward.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act incurred or imposed (the Manner of recovering and levying whereof is not otherwise hereby particularly directed) shall, if not paid within Ten Days after demanded by the Person authorized to receive the same, be recovered and levied by Distress and Sale of the Goods and Chattles of the Offenders, by Warrant or Warrants under the Hands and Seals of any Two Justices of the said Town for the time being; 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 before them, or any Two of more of them; and that all the Penalties and Forfeitures when recovered, after rendering the Overplus, if any be, when demanded, to the Party or Parties whose Goods and Chattles shall be so distrained and sold (the Charges of such Distress and Sale being first deducted) shall be paid into the Hands of such Treasurer or Clerk, and be laid out and applied to and for such Uses and Purposes mentioned in this Act, as the said Directors and Trustees, or any Thirteen or more of them, shall under their Hands direct and appoint; and in case no sufficient Distress can be found, the said Two Justices shall and may, by Warrant under their Hands and Seals, commit the Person or Persons so neglecting or refusing to pay the Sum or Sums so to be awarded as aforesaid, to the House of Correction of the said Town, there to remain for any Time not exceeding Three Months, or until he, she, or they, shall have paid the said respective Penalties or Forfeitures, or have compounded for the same in Manner herein after directed.

Penalties may be mitigated.

Provided always, That it shall and may be lawful to and for the Directors and Trustees for the time being, or any Thirteen or more of them, from time to time, where they see Cause, to mitigate, compound, or lessen, any of the Penalties or Forfeitures, as they, in their Discretion, shall think fit; and every such Mitigation or Composition, being duly paid or complied with, shall be a sufficient Discharge to the Persons offending respectively.

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 Matter or Thing done in pursuance of this Act, then, and in every such Case, the Action or Suit shall be brought within Six Calendar Months next after the Fact committed, and not after-

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afterwards; and ſhall be laid and brought in the Town and County of the Town of Nottingham, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon: And if it ſhall appear to be done in purſuance of this Act, or that ſuch Action or Suit ſhall be brought after the Time herein before limited in that Behalf, or ſhall be brought in any other County, City, or Place, than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be Nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant ſhall have appeared; or if, upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law: And this Act ſhall be taken and allowed in all Courts of Juſtice within this Kingdom as a Publick Act; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

General Iſſue.

Treble Coſts.

Publick Act.

FINIS.