Anno tertio

Georgii III. Regis.

An Act for paving, lighting, and cleanſing, the City of *Coventry*, and its Suburbs; for preventing Annoyances therein; and for better ordering the publick Wells and Pumps there.

WHEREAS the City of Coventry is a large, populous, and trading City, and many heavy Carriages are uſed therein, and in its Suburbs, and daily paſs and repaſs through the ſame, whereby the Pavements in the Streets, Cauſeways, Lanes, and Paſſages therein, are ſo torn and broke up as to be in many Places dangerous and almoſt impaſſable: And whereas it would tend greatly to the Safety, Preſervation, and Benefit of the Inhabitants of the ſaid City and Suburbs, if the ſaid Streets, Cauſeways, Lanes, and Paſſages, were kept in good Order, clean, and properly lighted; and if the ſame, and Places contiguous or near thereto, within the ſaid City and Suburbs, were kept free from Annoyances, and the publick Wells and Pumps therein properly regulated and maintained; May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted Preamble.

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 Act, the Mayor of the said City for the time being, James Birch, John Bird, Esquires; Edward Bibbins the younger, John Beynon, William Belcher, Thomas Collett, Nathaniel Cox, Charles England, Edward Freeman, Gentlemen; William Grove Esquire, John Hewitt, Richard Hall, Daniel Hunt, John Kirkman, John Lowke, Thomas Nutt, Samuel Oldham, George Porter, John Remington, Raphael Sumervile, and John Wills, Gentlemen; shall be, and they are hereby constituted and appointed Commissioners for putting this Act in Execution; and when any of the Commissioners herein named, or at any Time to be elected in pursuance of this Act (except the Mayor of the said City for the time being, who is to be a Commissioner by virtue of his Place or Office of Mayor) shall die, or remove out of the said City or Suburbs to dwell, or refuse to act, or be rendered incapable of being a Commissioner or acting as such, by becoming an Alderman of the said City, it shall and may be lawful for the remaining Commissioners, at any Meeting in pursuance of this Act, or the major Part of them at such Meeting, to elect a fit Person or Persons inhabiting within the said City or Suburbs, to supply the Place or Places of him or them so dying, removing, or refusing to act, or being rendered incapable as aforesaid; (Notice in Writing, signed by the Clerk for the time being of the said Commissioners, of such Meeting, and of the Purpose and Intent thereof, being previously given to, or left at the House or last Place of Abode, within the said City or Suburbs, of each of the said Commissioners, Three Days at least, exclusive of the Day of giving or delivering the same, and of the Day of Meeting) and all Persons who shall be so elected are hereby vested with the same Powers for putting this Act in Execution as the Persons in whose Stead they shall be elected were vested with.

Commissioners Names.

On Death, &c. of Commissioners, others to be chosen.

Provided nevertheless, That there be always Four, but not more, of the Aldermen of the said City for the time being, Commissioners for the Execution of this Act.

Only 4 Aldermen Commissioners.

And be it further enacted by the Authority aforesaid, That the said Commissioners nominated and appointed by, or elected in pursuance of this Act, or any Three or more of them, shall meet and assemble together at Saint Mary's Hall in the said City, on the Tuesday Fortnight after the passing of this Act, between the Hours of Nine

Time and Place of Commissioners Meeting.

and Twelve in the Forenoon, in order to put this Act in Execution; and shall then, and from time to time afterwards, adjourn themselves to meet and assemble together at the same Place (but so as not to interfere with, or obstruct, the Business or publick Affairs of the Corporation of the said City) or at any other convenient Place within the said City, as they, or the major Part of them, present at such Meeting or Assembly, shall appoint: And if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said Commissioners, a sufficient Number thereof to act, and to adjourn to another Day, or if they shall omit or neglect to adjourn, or if there shall be any special Occasion for any Meeting, between the Time of any Adjournment, or at any other Time, then, and in every such Case, their Clerk, or any Three or more of the said Commissioners, shall and may call a Meeting, at the Place where the last Meeting was appointed to be held, or at some other convenient Place, between the Hours of Nine and Twelve in the Forenoon, or of Two and Five in the Afternoon of such Day on which such Meeting shall be called, Notice thereof being given as hereafter is mentioned.

Power to adjourn.

Provided always, and be it enacted by the Authority aforesaid, That previous to any Meeting of the said Commissioners in pursuance of this Act, subsequent to such First Meeting as aforesaid, there shall, from time to time, be delivered to each of the said Commissioners, or left at each of their Houses, or last Places of Abode, within the said City or Suburbs, a Notice in Writing, by their Clerk, or by Three or more Commissioners, of the Time and Place of every such Meeting, which Notice shall be so delivered or left Three Days at least before every such Meeting, exclusive of the Day of delivering or leaving the same, and of the Day of Meeting.

Notice of Meetings.

And, for the better paving, repairing, and keeping in Repair, lighting, and cleansing the said Streets, Causeways, Lanes, and Passages, and keeping the same free from Obstructions and Annoyances, be it enacted, That from and after the said Tuesday Fortnight after the passing of this Act, the said Commissioners nominated and elected by or in pursuance of this Act, at any Meeting or Assembly for putting the same in Execution, or the major Part of them at such Meeting, shall have full Power and Authority, from time to time, to order and direct any of the said Streets, Causeways, Lanes, and Passages, or any Part or Parts thereof, to be paved, repaired, raised, or altered, lighted, and cleansed, when, where, and in such Manner, and as often as to them the said Commissioners

Commissioners to direct the paving, lighting, and cleansing, the Streets, &c.

sioners so assembled as aforesaid, or the major Part of them, shall appear expedient and proper, and to be most wanting, without any undue Favour, Preference, or Partiality whatsoever; and, for that Purpose, to limit and appoint such and so many Paviours, Scavengers, Surveyors, Rakers, and Cleansers of the Streets, Causeways, Lanes, and Passages, Keepers and Lighters of the Lamps, Clerks, Treasurers, and other Officers, as they shall think proper, and to remove and displace them as they shall see Occasion, and appoint others in their Stead; and also to limit and appoint what Wages and Allowances shall be paid and given to them respectively; and shall and may, from time to time, make such Orders and Regulations as the Nature of each particular Service shall seem to them to require, and to do all other Things as to them shall seem necessary and expedient for putting this Act in Execution: Which Orders and Regulations so as aforesaid to be from time to time made, shall be valid and effectual to all Intents and Purposes; and all and every such Officer and Officers as aforesaid, shall observe and obey the same in all Things touching their respective Offices, on Pain of forfeiting Five Shillings for every Default in the due Observance thereof.

and appoint Officers,

and their Wages,

and make Orders.

Penalty on Officers disobeying Orders.

President at Meetings.

And it is hereby further enacted by the Authority aforesaid, That at every Meeting of the Commissioners in pursuance of this Act, the Mayor, if present, or, in his Absence, the senior Alderman of the said City then present; or if neither the said Mayor or any Alderman be present, then such One of the Commissioners present, as the major Part of them then attending shall appoint, or otherwise elect by Ballot, shall preside and be called President; and in case of Equality of Voices of the Commissioners assembled (including his own) such President shall, upon all Occasions, have a casting and decisive Voice.

Casting Voice.

Inhabitants to sweep their Streets,

And be it further enacted by the Authority aforesaid, That all and every Person and Persons inhabiting within the said City of Coventry, or the Suburbs thereof, and all others, to be rated by virtue of this Act, shall, from and after the said Tuesday Fortnight after the passing of this Act, sweep and cleanse, or cause to be swept and cleansed, all the Streets, Causeways, Lanes, and Passages, within the said City and Suburbs, before their respective Houses, Shops, Stables, and other Buildings (not being dead Walls) to the Middle of such Streets, Causeways, Lanes, and Passages, Twice in every Week; that is to say, Every Wednesday and Saturday, between the Hours of Two and Seven in the Afternoon, or upon such other Days, and at such other Times, as the said Commissioners

Commiſſioners ſo aſſembled as aforeſaid, or the major Part of them, ſhall appoint, and collect and put together the Dirt and Soil in the ſaid Streets, Cauſeways, Lanes, and Paſſages, to the End the ſame may be ready for the Scavenger to carry away, upon Pain of forfeiting One Shilling for every Offence or Neglect; and the Scavenger and Scavengers, or other Officer or Officers, to be from time to time appointed as aforeſaid for that Purpoſe, ſhall, and they are hereby required to ſweep and cleanſe, or cauſe to be ſwept and cleanſed, the Street or Place within the ſaid City commonly called The Market-Place, and before the Place called The Mayor's Walk, near to the Market Croſs in the ſaid City, and all ſuch Parts near or about the ſaid Croſs as have been heretofore uſually ſwept and cleanſed at the Expence of the Mayor, Bailiffs, and Commonalty of the ſaid City, and before all void Houſes, dead Walls, void or waſte Grounds and Places, Churches, Church Yards, Meeting Houſes, the School called the Free School, Halls, or other publick Buildings within the ſaid City and Suburbs, at ſuch Times as ſhall be appointed by the ſaid Commiſſioners ſo aſſembled as aforeſaid, or the major Part of them, and collect and put together the Dirt and Soil thereof, to the End the ſame may be ready for ſuch Scavenger to load and carry away, upon Pain of forfeiting One Shilling, for every Offence or Neglect; and no Perſon or Perſons whatſoever ſhall throw, caſt, or lay, or cauſe, permit, or ſuffer to be thrown, caſt or laid, any Aſhes, Rubbiſh, Duſt, Dirt, Dung, or other Filth or Annoyance whatſoever, in any open Street, Cauſeway, Lane, publick Paſſage, Watercourſe, or Place within the ſaid City or Suburbs, or in any open Street before or againſt his, her, or their Dwelling Houſe or Houſes, Buildings, or Walls, or before the Dwelling Houſe, Buildings, or Walls of his, her, or their Neighbour or Neighbours, or other the Inhabitants there, or within, before, or againſt any Church or Church Yard, publick Building or Places whatſoever, within the ſaid City or Suburbs, (except the Dirt and Soil to be collected and put together as aforeſaid) upon Pain of forfeiting for every ſuch Offence One Shilling, to be levied, recovered, and diſpoſed of, as herein after is directed; but ſhall, and he, ſhe, and they are hereby required to keep, or cauſe the ſame to be kept, in their reſpective Houſes, Backſides or Yards, until ſuch Time as the Scavenger, or other Officer thereto appointed, ſhall come by or near their Houſes or Doors with a Cart or Carts, or other Conveniencies for carrying away the ſame, upon Pain

and collect together the Soil.

Scavengers to ſweep the Market-Place and before empty Houſes, &c.

and collect together the Soil.

Penalty on Annoyances.

Pain of forfeiting One Shilling for every ſuch Offence; which Scavenger or Scavengers, or other Officer thereto appointed in purſuance of this Act, ſhall come every Monday and Thurſday in every Week, or on ſuch other Days or Times as the ſaid Commiſſioners ſo aſſembled as aforeſaid, or the major Part of them, ſhall appoint, and bring, or cauſe to be brought, a Cart or Carts, or other Conveniencies, into all Streets and Places within the ſaid City and Suburbs where ſuch Cart, Carts, or other Conveniencies can paſs, and at or before their Approach, by Bell, loud Voice, or otherwiſe, ſhall give Notice to the Inhabitants of his or their Coming, and give the like Notice in every Court, Paſſage, or Place into which the ſaid Cart, Carts, or other Conveniencies cannot paſs, and abide and ſtay there a convenient Time, ſo that the Inhabitants or Perſons concerned reſpectively may bring forth their Aſhes, Rubbiſh, Duſt, Dirt, Dung and other Filth, to ſuch Cart, Carts, or other Conveniencies; all which Aſhes, Rubbiſh, Duſt, Dirt, Dung and Filth, as well as all ſuch Dirt and Soil as ſhall be ſwept up and collected together as aforeſaid, the ſaid Scavenger or other Officer appointed for that Purpoſe, ſhall then immediately, or as ſoon as may be, carry away, or cauſe to be carried away, gratis, upon Pain of forfeiting Ten Shillings for every Offence or Neglect; and no Perſon or Perſons whatſoever ſhall take or carry away, or cauſe to be taken or carried away, any Aſhes, Duſt, Dirt, Muck, Dung, or Manure, out of the ſaid Streets, Cauſeways, Lanes, and Paſſages in the ſaid City and Suburbs, beſides ſuch Scavenger, or other Officer to be appointed by the ſaid Commiſſioners for that Purpoſe as aforeſaid (except and unleſs the ſame ſhall be taken or carried away by the Perſon or Perſons to whom the ſame ſhall reſpectively belong, or by his, her, or their Order or Direction, before the Time that ſuch Scavenger or other Officer as aforeſaid ſhall come to carry away the ſame; and except ſuch Muck, Dung, or Manure as ſhall be brought into the ſaid Streets, Cauſeways, Lanes, and Paſſages by the reſpective Inhabitants of the ſaid City and Suburbs, from their reſpective Dung-holes) on Pain of forfeiting and paying the Sum of Twenty Shillings for every ſuch Offence; and no Inhabitant of the ſaid City or Suburbs, or any other Perſon, ſhall permit or ſuffer any Muck, Dung, or Manure by them, or any of them, brought or cauſed to be brought into the ſaid Streets, Cauſeways, Lanes, and Paſſages as aforeſaid, in order to be carried away, to continue and remain therein above

Scavenger to carry away the Soil:

Notice of his Approach.

None but the Scavengers to carry away the Soil:

Exceptions.

No Manure in the Streets above Forty eight Hours.

the Space of Forty eight Hours, on Pain of forfeiting Ten Shillings for every such Offence.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons who shall for the future set out, lay, drive, or carry, or cause, or procure, or permit, or suffer to be set out, laid, drove, or carried, any Timber, Boards, Bricks, Tubs, Hogsheads, Barrels, Thralls, Stalls, Benches, Crates, Pens, Horses, or other Cattle, Waggons, Drays, Carts, or other Carriages (any longer than shall be reasonably necessary for the loading or unloading the same) or any other Material, Matter or Thing, which shall occasion any Annoyance, Nusance or Obstruction whatsoever, in any of the said Streets, Causeways, Lanes, or Passages, so as to stop, obstruct, incommode, or annoy any Person or Persons, Carriage or Carriages whatsoever, passing thereon (except as aforesaid, and except such Stalls, Benches, Crates or Pens, or other Conveniencies, which shall or may be used during the Times of any publick Fairs or Markets, within the said City or Suburbs, or which shall or may be used in the said Street or Place, called the Market Place; and except such Scaffoldings or other Erections, Bricks, Lime, or other Materials as shall be reasonably necessary for the building and repairing Houses, and other Works; and except such Rubbish as shall be necessarily occasioned by such Buildings or Repairs; so as such Scaffoldings, Erections, Bricks, Lime, Materials, and Rubbish, be set up and continued with as little Annoyance and Inconvenience to Passengers and Carriages as may be, and be continued no longer than shall be reasonable and necessary) it shall and may be lawful for the said Commissioners, or any Three or more of them, either at any Meeting in Pursuance of this Act, or without any such Meeting, upon Complaint of any such Obstruction, Nusance or Encroachment, to cause the same to be removed, taken, carried away, and deposited in such Place or Places as the said Commissioners, or any Three or more of them, shall direct or appoint, there to remain until the Offender or Offenders shall have paid and discharged all Costs, Charges, and Expences attending the carrying away and depositing the same as aforesaid; as also the Sum or Fine of Ten Shillings for every such Offence; and if any Butcher or other Person or Persons (after such Notice as hereafter is mentioned) shall singe any Swine within any Yard or Backside, contiguous or near to any of the publick Streets within the said City or Suburbs, so as that the same shall be dangerous and unsafe in respect of any

Regulations for freeing the Streets from Annoyances:

Exceptions.

Singeing Swine in Back Yards.

Buildings, or of any Hay, Straw, Faggots, or other combuſtible Materials, joining or near to ſuch Yard or Backſide, and which the ſaid Commiſſioners ſo aſſembled as aforeſaid, or the major Part of them, ſhall adjudge to be dangerous and unſafe, in their Opinions, and of ſuch their Adjudication ſhall give Notice in Writing under their Hands to the Occupier or Occupiers of ſuch Yard or Backſide, or leave the ſame upon the ſaid Premiſſes, in caſe he, ſhe, or they cannot be found, every Butcher or other Perſon or Perſons ſo offending, ſhall forfeit and pay the Sum of Twenty Shillings for every ſuch Offence.

Butchers may ſet out Benches as before.

Provided always, That nothing herein contained ſhall extend to hinder the Butchers of the ſaid City from ſetting out Benches, and expoſing their Meat thereon to Sale, in the Butchers Rows of the ſaid City, in ſuch Manner as they might have done in caſe this Act had not been made.

Emptying Night Soil.

And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, ſhall empty any Privy or Neceſſary Houſe, within the ſaid City or Suburbs, or remove or carry any Dung, Filth, or Night Soil thereout, at any other Time than between the Hours of Eleven at Night and Four in the Morning; and every Perſon offending herein, ſhall for every Offence forfeit and pay the Sum of Ten Shillings; nor ſhall any Perſon or Perſons whatſoever, ſuffer any Sort of Swine to go looſe about the Streets, Cauſeways, Lanes, or Paſſages, within the ſaid City or Suburbs; and every Perſon or Perſons ſo offending ſhall forfeit and pay the Sum of Two Shillings and Six Pence, for every ſuch Offence.

Swine in the Streets.

Stalls, &c. in the Market-Place to be removed every Evening.

And be it further enacted by the Authority aforeſaid, That all Stalls, Crates, Benches, Lumber, and other Things uſed in the ſaid Market-place, by any Perſon or Perſons keeping Stalls or Standings there, ſhall be taken or carried away before Twelve of the Clock at Night upon every Saturday in every Week, and before Eight of the Clock in the Evenings of all other Days, by the reſpective Perſons uſing the ſame, on Pain of forfeiting Five Shillings for every Offence or Neglect therein.

Commiſſioners may contract for Lamps, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, ſo aſſembled as aforeſaid, or the major Part of them, at any of their ſaid Meetings, to contract with any Perſon or Perſons for a ſufficient Number of Lamps, neceſſary to fix and ſet up in the ſaid City and Suburbs, and for Irons, Poſts, and other Materials needful for fixing the ſame from time to time, and for finding and

providing

providing the said Lamps with all Requisites, and for lighting, supporting, attending and repairing the same; and also with any Person or Persons to be and act as Scavenger or Scavengers to carry away the Dirt and Soil of the Streets, Causeways, Lanes, and publick Passages in the said City and Suburbs, according to the Purport of this Act; and to purchase, lease, or otherwise agree for One or more Piece or Pieces of Land or Ground, lying near the said City and Suburbs, where the Dirt, Dust, Rubbish, Ashes, Soil, and Filth, of the said City and Suburbs, may be carried to and laid upon; and also to contract and agree for Stones, Gravel, and all other Goods, Materials, and Things, which they shall judge fit and necessary for the Uses and Purposes by this Act directed; and to contract with any Person or Persons annually or otherwise, for repairing the said Streets, Causeways, Lanes, and Passages, or any Part or Parts thereof, and to make and enter into any such other Contracts and Agreements as they shall judge expedient and proper to answer the Intents and Purposes of this Act: And the said Commissioners so assembled as aforesaid, or the major Part of them, are hereby also authorized, impowered, and required to put up to the best Bidder, or otherwise contract for, sell, or dispose of, all such Dung, Dirt, or Manure, or shall arise in the said Streets, Causeways, Lanes, and Passages, or be collected, carried, and laid together, and by such Scavenger or Officer for that Purpose taken and carried away as aforesaid, and to apply the Money arising therefrom for the Purposes in this Act mentioned.

Scavengers,

Ground to lay the Soil on,

Stone and other Materials,

Repair of Pavements, &c.

and sell the Soil of the Streets.

And it is hereby further enacted by the Authority aforesaid, That the Property of the said Pavements, Lamps, and all Materials and Furniture thereto belonging or affixed, with all the Tools and Implements of the said Scavengers, and any other Persons, which shall be bought, ordered, or provided, for any of the Purposes of this Act, shall be, and are hereby vested in the Commissioners for the time being; and they or any One or more of them, is and are hereby authorized and impowered in his or their Name or Names, to bring Actions and prosecute Indictments against any Person or Persons for stealing, taking, or carrying away, breaking, extinguishing, spoiling, or damaging the same; and all and every Person and Persons who shall wilfully or maliciously break, throw down, take away, extinguish, damage, or spoil, any Lamp or Lamps, put up by virtue of this Act, or wilfully damage the Posts, Irons, or other Furniture thereof, or wilfully and maliciously break up the said Pave-

Pavements, Lamps, &c. vested in Commissioners,

who may sue or prosecute.

Wilfully damaging Lamps, &c. or obstructing Commissioners.

ments,

ments, or any Part or Parts thereof, or wilfully hinder or obſtruct any of the Commiſſioners, or Officers employed in any Manner in the Execution of this Act, every Perſon or Perſons ſo offending in any of the Matters aforeſaid, which ſhall be taken and deemed diſtinct and ſeparate, ſhall, upon being convicted thereof by the Oath, or Affirmation being of the People called Quakers (which Oath or Affirmation ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter without Fee or Reward) of One or more Witneſs or Witneſſes, or by the Confeſſion of the Party, before any One or more Juſtice or Juſtices of the Peace for the ſaid City, forfeit for the Firſt Offence the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Three Pounds; the ſaid ſeveral Penalties to be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender, by Warrant under the Hand and Seal, or Hands and Seals, of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made; and in caſe the Perſon or Perſons ſo offending and convicted ſhall have no Goods and Chattles, whereupon the ſame can be levied, then it ſhall and may be lawful to and for One or more ſuch Juſtice or Juſtices of the Peace as aforeſaid, by Warrant under his or their Hand and Seal, or Hands and Seals, to cauſe the Offender or Offenders to be apprehended, and to commit him, her, or them, to the Houſe of Correction, there to remain for any Time not exceeding Two Calendar Months, nor leſs than Three Days, to be reckoned from the Day of Commitment; and the Perſon or Perſons ſo incurring, and being convicted of any of the ſaid pecuniary Penalties, ſhall not be diſcharged until he, ſhe, or they ſhall have paid the Sum forfeited as aforeſaid, or until the Expiration of the ſaid reſpective Times: And in caſe any Perſon or Perſons ſhall careleſsly, negligently, or accidentally, break, throw down, or otherwiſe damage any of the ſaid Lamps ſo put up as aforeſaid, or the Irons, Polls, 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 Juſtice or Juſtices of the Peace of the City, County, or Place, where ſuch Perſon or Perſons ſhall be or reſide, upon Proof thereof by Oath or Affirmation as aforeſaid (which ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter without Fee or Reward) of One or more Witneſs or Witneſſes,

Careleſsly damaging Lamps, or putting them out.

Witneſſes, or by the Confeſſion of the Party, to award ſuch Sum or Sums of Money by way of Satisfaction for ſuch Damage, 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.

Lamps may be removed.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners ſo aſſembled as aforeſaid, or the major Part of them, and they are hereby authorized and impowered from time to time, as there ſhall be Occaſion, to affix and ſet up, alter and take down, or cauſe to be affixed and ſet up, altered and taken down, ſuch and ſo many Lamps as they ſhall from time to time find neceſſary and expedient, in, upon, or from any dead Walls, and the outſide Walls of any Houſe or Buildings within the ſaid City and Suburbs, making good all ſuch Damages as may at any Time happen to be done thereby.

Regulations as to common Wells and Pumps:

And to the End that the common Wells and Pumps within the ſaid City and Suburbs may, for the future, be duly ordered and maintained, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, ſo aſſembled as aforeſaid, or the major Part of them, from time to time, to contract with any Perſon or Perſons, either yearly or otherwiſe, as there may be Occaſion, for the ordering, cleanſing, and repairing, the common Wells and Pumps aforeſaid, and for the putting down any new Pumps in the Room of ſuch as may be worn out or decayed, and make and enter into any ſuch other Contracts and Agreements as they ſhall judge expedient and proper for the due Order and Regulation of the Premiſſes; and all and every Perſon and Perſons with whom any ſuch Contracts ſhall be made, ſhall and may, and they are hereby reſpectively authorized and impowered for the Purpoſe of fulfilling any ſuch Contracts, to take up, or cauſe to be taken up, any ſuch Pumps, and any of the Pavement near or belonging thereto, as there may be Occaſion, repairing and making the ſame good again, and to do all other Acts and Things expedient and neceſſary in the Premiſſes.

Damaging the same.

And be it enacted by the Authority aforesaid, That all and every Person and Persons who shall wantonly, wilfully, carelessly, or maliciously, break, throw down, pull up, damage, or injure, any of the said common Wells or Pumps, or any Irons, Stones, Pavements, or other Materials and Things belonging thereto, or shall wantonly, wilfully, carelessly, or maliciously, throw or convey, or cause or procure to be thrown and conveyed, any Filth or Nastiness into the said Wells or Pumps; every such Person and Persons so offending in any of the Matters aforesaid, which shall be taken and deemed distinct and separate, shall, for the First Offence, forfeit the Sum of Twenty Shillings; and, for the Second Offence, the Sum of Forty Shillings; and, for the Third and every other Offence, the Sum of Three Pounds.

Commissioners not to act if interested.

Provided always, and it is hereby enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, during the Time he shall hold any Place of Profit, or be under any Contract, or have any Share or Interest in any Contract relating to the Execution of any of the Powers of this Act; but all such Commissioners as are Justices of the Peace may act as Justices of the Peace in the Execution hereof, notwithstanding their being Commissioners; and the said Commissioners, at all their Meetings, shall defray their own Expences.

May act as Justices;

to defray their own Expences.

Actions against Contractors.

And be it further enacted by the Authority aforesaid, and it is hereby declared, That all Contracts entered into at any Meeting of the said Commissioners with any Workmen or other Person or Persons, for any of the Purposes of this Act, shall be binding upon such Workmen or other Person or Persons making the same; and that Actions and Suits in the Name or Names of any One or more of the said Commissioners, or of their Clerk or Clerks, Treasurer or Treasurers for the time being, shall and may be maintained thereon, and Damages and Costs recovered against the Parties failing in the Execution thereof; and that the Sum of Money requisite for fulfilling the said Contracts, according to the true Intent and Meaning thereof, shall be the Measure of the Damages to be recovered in any Action against such Contractor or Contractors as aforesaid, making Default in fulfilling his said Contract; any Law or Usage to the contrary notwithstanding; and all such Damages and Costs as shall be so recovered, shall be applied to the Uses and Purposes of this Act.

Monies how to be raised.

And for defraying the Expences of obtaining, or by reason of passing or putting this Act in Execution; be it

further enacted by the Authority aforesaid, That from and after the passing of this Act, the said Commissioners, so assembled as aforesaid, or the major Part of them, shall and may yearly and every Year, and so often as there shall be Occasion, under their Hands and Seals, nominate and appoint, and they are hereby impowered and required to nominate and appoint, Four or more Inhabitants or Residents in each Parish in the City or Suburbs aforesaid, to be Assessors of and for their said Parishes respectively, in order to raise Money for the Purposes in this Act mentioned; and the said Commissioners so assembled as aforesaid, or the major Part of them, shall and may, and they are hereby authorized and required, Once in every Year, or oftener, as there may be Occasion, to fix and ascertain, and as soon as may be afterwards, to issue their Order, under their Hands, to the said Assessors of each of the said several Parishes for the time being, expressing how much in the Pound shall be raised by Taxation in Manner herein after mentioned, by and out of the said City and Suburbs generally, so that the same do not in any One Year exceed the Sum of Eighteen Pence in the Pound, and thereby to direct the said Assessors of each such Parish respectively, to rate and assess, and the said Assessors are hereby commanded and required to rate and assess accordingly, all Tenants and Occupiers (which Tenants and Occupiers shall and are hereby made liable to pay the Whole of every such Rate) of all such Messuages, Houses, Stables, Coach-houses, Shops, Cellars, Vaults, Warehouses, Malt-houses, Granaries, Brew-houses, and other Buildings (except such Sheds or Shops that are or may be set up by the said Mayor, Bailiffs and Commonalty in the aforesaid Market-place) Yards, Gardens, or Garden Grounds, and Orchards, situate, lying, and being within the said City and Suburbs, according to the true annual Rent or Value thereof respectively; and also upon the aforesaid Mayor, Bailiffs and Commonalty (over and besides any Rates or Assessments they may be otherwise liable to by this Act) in respect of the aforesaid Street or Place called The Market Place, and such Part of the Street or Pavement before the said Mayor's Walk, and round the Market-cross aforesaid, as are herein before mentioned, Regard being always had therein, as well to the particular Circumstances and Situation of such Streets or Pavements, by which they may be more or less exposed to be broke up or annoyed, as to the Compass and Extent thereof, and the Number of Lamps which shall be found necessary for the lighting the same; and where

Assessors.

Commissioners to fix the Rates, not exceeding 18 *d.* *per* Pound, *per Annum*.

Rates on Occupiers of Houses, *&c.*

Where ſeveral Occupiers, Rates to be apportioned.

where any of ſuch Houſes, Buildings, and other Premiſſes as before mentioned, ſhall be tenanted or occupied by different and ſeveral Tenants or Occupiers, then the ſaid Aſſeſſors of each of the ſaid Pariſhes reſpectively, ſhall and are hereby impowered and required to divide and apportion the Share or Part of every ſuch Rate or Aſſeſſment as aforeſaid, according to the Value of the particular Part thereof ſo held by each ſuch Tenant or Occupier, in proportion to the whole yearly Value.

Publick Buildings to be rated,

And foraſmuch as it is reaſonable that all Publick Buildings be rated and aſſeſſed in a due Proportion towards the good and beneficial Purpoſes of this Act; be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Aſſeſſors appointed in purſuance of this Act, and they are hereby required, when and at ſuch Time and Times as the Rates and Aſſeſſments hereby directed to be made ſhall from time to time be made, to rate and aſſeſs every Pariſh Church, Church Yard, Meeting Houſe, Gaol, Houſe of Correction, County Hall, Publick School, and all Publick Halls, Hoſpitals, and other Publick Buildings whatſoever (except Pariſh Work-houſes and Alms-houſes) ſituate and being in the reſpective Pariſhes within the ſaid City or Suburbs for which they ſhall reſpectively be Aſſeſſors as aforeſaid, for and towards the Uſes and Purpoſes of this Act; ſuch Regard being had therein, as is before directed and preſcribed with reſpect to the rating the ſaid Mayor, Bailiffs, and Commonalty.

except Work-houſes and Almshouſes.

Perſons to be rated for Publick Buildings.

And it is hereby further enacted by the Authority aforeſaid, That the Treaſurer or Treaſurers for the time being of the ſaid Mayor, Bailiffs, and Commonalty, the Treaſurer or Treaſurers for the time being of the County of the ſaid City, and all and every the reſpective Churchwardens for the time being of the ſeveral Pariſh Churches, the reſpective Feoffees, Truſtees, or Head Officers for the time being of all Meeting Houſes, or any One of them, the reſpective Bailiffs, Receivers or Maſters for the time being of all Schools and Hoſpitals, and the Maſter, Wardens, or other Head Officers for the time being of the Company of Drapers in the ſaid City, and the Occupiers or Proprietors of all other Publick Buildings and Places within the City or Suburbs aforeſaid, ſhall be, and they reſpectively are hereby charged with and required to pay the reſpective Rates and Aſſeſſments which ſhall from time to time be ſo rated and aſſeſſed upon the ſaid reſpective Publick Buildings and Places, or upon them, or any of them, in reſpect thereof, purſuant to this Act, and this Act ſhall be to them reſpectively a ſufficient

Voucher

Voucher, Indemnification, and Authority for any such Payment; and in case of Non-payment thereof, every such Rates and Assessments shall and may be recovered from him and them in the Manner and by the Means hereafter appointed for the Recovery of the Rates and Assessments hereby directed to be made.

Rates may be confirmed by Commissioners;

And it is hereby further enacted by the Authority aforesaid, That all Rates and Assessments which shall be made in pursuance of this Act, shall be allowed and signed by the said Commissioners so assembled as aforesaid, or the major Part of them, and they shall and may have Power to amend any such Rates or Assessments, by inserting, or causing to be inserted, the Name or Names of any Person or Persons who ought to have been rated, and shall appear to be ommitted therein; which Person or Persons, whose Name or Names shall be so inserted, the said Assessors shall, and are hereby required, to rate and assess, according to the Tenor, true Intent and Meaning of this Act: And such Assessors shall appear and bring with them, at a Time and Place to be prefixed in such Order, Two Copies or Duplicates of such Assessments, fairly written and subscribed by them, and shall deliver the same unto the said Commissioners; and shall, upon any reasonable Notice from time to time, to be to them given by the said Commissioners so assembled as aforesaid, or the major Part of them, or by their Clerk for the time being, be attending upon them at any of their Meetings in pursuance of this Act, and at any Court or Courts of Quarter Sessions, or at any Adjournment thereof, or otherwise, as there shall be Occasion, then and there to explain, amend, or justify such their Assessments: And after the said Rates or Assessments are so made and confirmed, the said Commissioners so assembled as aforesaid, or the major Part of them, shall and may, and they are hereby authorized and required to cause the same to be collected and received as soon as may be, of and from the Person and Persons respectively on whom the same shall be respectively rated, charged and assessed; and shall and may yearly and every Year, and so often as there shall be Occasion, under their Hands and Seals, nominate and appoint the said Assessors, or any Four or more other Inhabitants or Residents in each Parish within the City or Suburbs aforesaid, to be Collectors of and for their said Parishes, of all such Rates and Assessments respectively as aforesaid, and shall and may, and they are hereby required from time to time, as soon as may be after such Rates and Assessments are made and brought in, to issue their Order under their Hands to the said Collectors of

who may amend them, &c.

Assessors to bring in Assessments,

and attend Meetings, &c.

Collectors.

each of the said several Parishes for the time being, and thereby to direct them in their respective Parishes jointly and severally to collect and receive, and the said Collectors are hereby commanded and required to collect and receive accordingly, within One Calendar Month from the Date thereof, or sooner if it can be done, the respective Sums of Money expressed or contained in such respective Assessments as aforesaid, Duplicates of which Assessments, under the Hands of the said Commissioners so assembled as aforesaid, or the major Part of them, shall be delivered, together with the said Order, to such Collectors of each said Parish respectively; and as well all such Assessors as aforesaid, as all the said Collectors to whom any Order or Orders from the said Commissioners shall from time to time be directed in pursuance of this Act, shall obey and execute the same in all Respects; and the said Commissioners so assembled as aforesaid, or the major Part of them, shall and may from time to time as they see Occasion, remove any Assessor or Assessors, Collector or Collectors, and appoint any other or others being Inhabitant and Resident as aforesaid, in his and their stead: And in case any Person or Persons so rated or assessed, or charged as aforesaid, shall refuse or neglect to pay any such Rate or Assessment to the Collector or Collectors of the proper Parish, or to some Person for that Purpose acting under him or them, for the Space of Three Days after personal Demand thereof, or Demand in Writing left at the last Place of Abode of such Person or Persons so rated, assessed, or charged, and refusing or neglecting to pay as aforesaid, it shall and may be lawful to and for any One or more Justice or Justices of the Peace of the said City, upon Oath, or Affirmation of the said People called Quakers (which Oath or Affirmation they are hereby impowered and required to administer without Fee or Reward) of any such Demand and Nonpayment, by Warrant under his or their Hand and Seal, or Hands and Seals, which he or they are hereby impowered and required to grant, to authorize and direct the said Collectors respectively, and any other Person to be therein named, to levy, as soon as may be, such Rate or Monies so in Arrear, and refused or neglected to be paid, together with the Costs attending the same, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattles of every such Person or Persons so in Arrear, and refusing or neglecting to pay as aforesaid, wherever such Goods and Chattles can be found, not only in the Parish where such Assessment was made, but in any other Parish or Place within the City or County of the City

Rates to be collected.

Assessors and Collectors to obey Commissioners Orders;

may be removed, and others appointed.

Rates to be levied by Distress.

City of Coventry, rendering the Overplus, if any be, to the Party or Parties so distrained, or leaving the same for his, her, or their Use, at the Place where such Distress shall be made; and all and every of the said Collectors of each of the said Parishes respectively, shall, and he and they are hereby required to pay the Money he or they shall respectively collect and receive by virtue of this Act, within Fourteen Days after the Expiration of the Time in which the same is herein before directed to be collected, to the Treasurer or Treasurers acting under the said Commissioners, or to such other Person or Persons as they, or the major Part of them so assembled as aforesaid, shall appoint to receive the same, to be applied for the Uses and Purposes of this Act; and shall, and hereby is and are required, at the Time of his or their making every such Payment of such Money so collected, to deliver over to the Person or Persons so impowered to receive the same, a true and exact Copy or Duplicate of the Assessment whereby he or they hath or have collected the same, with an Account thereupon or thereunder written, of all and every such Sum and Sums of Money in such Assessment rated, as remains or remain uncollected (if any such there happen to be) together with the Reasons why the same hath or have not been collected and received, that it may appear whether the Nonpayment thereof hath happened through the Insolvency of the Party rated, or through the Default of such Collector or Collectors; and in case any such Assessor or Assessors, Collector or Collectors, shall refuse or neglect to take upon him or them respectively the said Offices, or duly to execute the same, according to the true Intent and Meaning of this Act, he and they so offending, shall respectively forfeit and pay for every such Offence, the Sum of Five Pounds, and shall continue liable to be again appointed into the said Offices respectively the Year following, or sooner, if the said Commissioners so assembled as aforesaid, or the major Part of them, shall so think fit; and in case of his or their Refusal or Neglect to take upon him or them respectively the said Offices, or duly to execute the same, he or they so refusing or neglecting shall be again liable to the like Penalty, and so as often as he or they shall refuse to take upon him or them the said Offices.

Collectors to pay Monies over to Treasurers, &c.

Duplicate of Assessments to be delivered therewith,

with an Account of Money uncollected.

Penalty on Assessors or Collectors not serving or duly executing their Offices.

And be it enacted by the Authority aforesaid, That all and every Inhabitant and Inhabitants of the said City and Suburbs, paying the Rates and Assessments made in pursuance of this Act, shall be, and they and every of them is and are hereby exempted and discharged from the Charges and Expence of paving, cleansing, and keeping

Inhabitants paying to the Rates discharged from all Repairs, &c. of the Streets.

in Repair, the said Streets, Causeways, Lanes, or Passages, or any of them.

No Distinction of Parishes between St *Michael's* and St. *John's*.

Provided always, and be it further enacted by the Authority aforesaid, That the Parishes of Saint Michael and Saint John Baptist, within the City and Suburbs aforesaid, shall, as to any Rates or Assessments to be made by virtue of this Act, or the Appointment of any Assessors or Collectors to assess or collect the same, and all and every other Matters and Things herein contained, be deemed and taken to be One Parish, in the same Manner as they now are with respect to the Poor's Rates and Highway Levies, without any Distinction or Separation of Parishes whatsoever.

Exemptions from Rates,

of public Gardens,

of Lands,

of personal Estate,

and of Persons not paying to the Poor.

Provided also, and be it enacted by the Authority aforesaid, That no Person shall be rated, or pay to the Rates or Assessments which shall be made by virtue or in pursuance of this Act, for or upon account of any Gardens, Garden Grounds, or Orchards, within the said City or Suburbs, during the Time they shall or may be occupied for the Purpose only of selling the Fruit and Produce thereof; or for or upon account of any Arable, Meadow, or Pasture Ground, held or occupied within the said City or Suburbs; nor shall any Person be rateable by virtue of this Act for or in respect of any Stock in Trade, Money, or Personal Estate; nor shall any Person or Persons whatsoever, be rated or pay to the said Rates or Assessments, who by reason of his, her, or their Poverty only, is or are exempted from the usual Taxes, Payments, and Contributions towards the Poor; any thing herein contained to the contrary notwithstanding.

Suburbs explained and limited.

Provided also, and be it further enacted by the Authority aforesaid, That no Messuages or other Buildings, Yards, Gardens, Orchards, or other Hereditaments, shall be construed or taken to be within the Suburbs of the said City, as to the Purposes of this Act, the Situation or Situations whereof respectively is or are without and beyond the known or reputed Limits of the several Wards of the said City.

How Rates are to be paid where Occupiers remove,

or for intermeditate Times.

And be it further enacted by the Authority aforesaid, That where any Person or Persons shall come into or occupy any House, Buildings, Hereditaments, or Premisses, rated or assessed, or liable to be rated or assessed by virtue of this Act, out of or from which any other Person assessed shall be removed, or which at the Time of making any Rate in pursuance of this Act, was empty or unoccupied; that then every Person so removing from, and every Person so coming into or occupying the same, shall be liable to pay to such Rate in Proportion to the Time

Time that such Person occupied the same respectively, in the same Manner and under the like Penalty of Distress as if such Person so removing had not removed, or such Person so coming into and occupying such House, Buildings, Hereditaments, or Premisses, had been originally rated and assessed in such Rate; which said Proportion in Case of Dispute, shall, by the said Commissioners so assembled as aforesaid, or the major Part of them, be settled and ascertained.

Treasurer's Payments.

And be it further enacted by the Authority aforesaid, That all and every Treasurer and Treasurers to be appointed in pursuance of this Act, shall, and is and are hereby authorized and required to pay and apply all such Monies as he or they shall respectively receive by virtue hereof, to such Person and Persons, and in such Manner, and at such Time and Times as the said Commissioners so assembled as aforesaid, or the major Part of them, shall from time to time by any Order or Orders under their Hands direct and appoint, for the Uses and Purposes of this Act, and such Commissioners are hereby impowered to make such Order or Orders accordingly.

Collectors and Treasurer, their Account.

And be it further enacted by the Authority aforesaid, That all and every such Collector and Collectors, Treasurer and Treasurers as aforesaid, shall yearly or oftener, as the said Commissioners so assembled as aforesaid, or the major Part of them, shall require, make, and render to such Commissioners, or any such other Person or Persons as they shall appoint, a true and perfect Account in Writing upon Oath, or (being of the People called Quakers) upon Affirmation, if required (which Oath or Affirmation the said Commissioners, or any One or more of them, at such Assembly or Meeting, are hereby impowered to administer) of all Sum or Sums of Money by him or them respectively collected, received, or paid, and applied as aforesaid, or which shall have been rated and assessed as aforesaid, and not received, and of all other Matters and Things committed to their respective Charge by virtue and under the Powers of this Act, and shall pay and deliver unto such Person or Persons as the said Commissioners so assembled as aforesaid, or the major Part of them, shall direct and appoint, all and every such Sum and Sums of Money as shall remain in his or their Hands at the Time of such Account; and if such Collector or Collectors, Treasurer or Treasurers, respectively, or any of them, shall refuse or neglect to pay such Sum and Sums of Money accordingly, it shall and may be lawful to and for any One or more Justice or Justices of the Peace of the said City, and he and they is and are

Distress in case of Refusal to pay what remains in Hand.

hereby required, upon Proof thereof by the Oath, or Affirmation of the People called Quakers (which Oath or Affirmation such Justice or Justices is and are hereby impowered and required to administer, without Fee or Reward) of One or more Witness or Witnesses, or by the Confession of the Party, by Warrant under his or their Hand and Seal, or Hands and Seals, to cause the same to be levied, together with the Costs attending the same, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattles of every such Person or Persons so refusing or neglecting to pay as aforesaid, in like Manner and with like Powers as are hereby given with respect to Distresses for Nonpayment of Rates, rendering the Overplus (if any be) to the Party or Parties so distrained, or leaving the same for his or their Use, at the Place where such Distress shall be made; and in case no such sufficient Distress can be found, or in case such Collector or Collectors, Treasurer or Treasurers respectively, or any of them, shall refuse or neglect to make and render such Account as is herein before directed, then the said Justice or Justices, on due Proof thereof by Oath or Affirmation as aforesaid (which such Justice or Justices is and are hereby impowered and required to administer without Fee or Reward) of any One Person so being impowered to make such Distress, or of any One or more Witness or Witnesses, shall, and is and are hereby authorized and required by Warrant under his or their Hand and Seal, or Hands and Seals, to cause the Offender or Offenders to be apprehended wherever he or they can be found within the City or County of the City of Coventry, or in any other City, County, or Place (such Warrant being first backed or countersigned by some Magistrate in such other City, County, or Place) and to commit him or them to the Common Gaol of any such City, County, or Place, wherein any such Offender or Offenders shall or may be apprehended, there to remain without Bail or Mainprize, until he or they have made a true and perfect Account and Satisfaction, and paid so much as upon the said Account shall appear to be remaining in his or their Hands; and all Costs and Charges attending such Proceedings as aforesaid (to be ascertained by such Justice or Justices) shall be fully paid, or Composition paid for the same (which Composition the said Commissioners so assembled as aforesaid, or the major Part of them, are hereby impowered to make) or otherwise be delivered by due Course of Law.

Commitment for want of Distress, or for refusing to account.

And it is hereby further enacted by the Authority aforesaid, That the said Commissioners so assembled as aforesaid,

Treasurer's Security.

said, or the major Part of them, shall, and they are hereby required to take such Security from the Treasurer or Treasurers to be appointed for the Purposes of this Act, for the due Execution of his or their Office or Offices, as to them shall seem meet; such Security to be taken in the Name or Names of such One or more of the said Commissioners appointed by or in pursuance of this Act, as they the said Commissioners so assembled as aforesaid, or the major Part of them, shall order and appoint.

Collector not compellable to serve more than Once in Five Years.

Provided always, That no Person or Persons whatsoever shall be appointed or liable to serve the said Office of Collector oftener than Once in Five Years, unless he or they voluntarily accept the same.

Application of Monies.

And be it further enacted by the Authority aforesaid, That all and every the Monies to be rated and raised within the City or Suburbs aforesaid, and all Fines, Penalties, and Forfeitures recovered by virtue of this Act (not otherwise hereby particularly disposed of) shall be applied by the said Commissioners so assembled as aforesaid, or the major Part of them, to pay off and discharge in the First Place, all the Costs and Charges incident to or attending the obtaining or passing of this Act, and afterwards for the respective Uses and Purposes, and according to the Powers hereby directed, appointed, and prescribed, and shall be applied from time to time in general and without Distinction, in such Manner as if the said City and Suburbs were but One entire Parish; and

Books of Proceedings.

all the Orders and Proceedings of the said Commissioners at their several Meetings to be held in pursuance of this Act, or otherwise, under the Powers herein contained, shall, from time to time, be fairly wrote and entered in some proper Book or Books to be provided and kept for such Purposes, and that all such Books shall, at any Meetings of the said Commissioners in pursuance of this Act, be open and liable to the Inspection of any Person rated and paying to the said Rates and Assessments; and

Entries signed by Three Commissioners, deemed Originals, and may be read in Evidence.

all such Orders and Proceedings so entered shall be signed by Three or more of the said Commissioners so assembled as aforesaid, and shall be deemed Originals, and shall be admitted to be read as Evidence in all Courts whatsoever, in all Cases, Suits, and Actions, touching any Thing to be done in pursuance and under the Authority of this Act.

Annual Accounts.

And be it enacted by the Authority aforesaid, That sometime between the Twentieth Day of April, and the Twentieth Day of June in every Year, a fair and just Account shall be made and wrote out of all Monies received and paid by virtue and in pursuance of this

Act,

Act, and how and to whom, and when, and for what Purposes the same have been laid out, paid, and expended; a Copy or Duplicate of which Account signed by Three or more of the said Commissioners so assembled as aforesaid, shall be deposited with the Clerk of the Peace of the said City for the time being, to be kept among the Records of the Sessions of the Peace, who shall permit any Person so rated as aforesaid to inspect the same at all reasonable Times, paying Six Pence for such Inspection, and shall, upon Demand, forthwith give Copies of the same or any Part thereof, to such Person paying at the Rate of Six Pence for every Hundred Words, and so in Proportion for any greater or less Number; which Account and Copy or Duplicate thereof, the said Commissioners so assembled as aforesaid, or any Three or more of them, are hereby impowered and required to cause to be wrote out, signed, and delivered accordingly.

Duplicate signed by Three Commissioners to be left with the Clerk of Peace, and inspected for 6 *d.*

Copies to be made at the Rate of 6 *d.* for every 100 Words.

Appeal.

Provided always, and it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall apprehend him, her, or themselves aggrieved by any Rate or Assessment made in pursuance of this Act, it shall and may be lawful for such Person or Persons, giving reasonable Notice to the respective Collectors of the Parish in which he, she, or they shall be rated, or to any One of them, to appeal to the Justices of the Peace at any General or Quarter Session of the Peace for the said City, or at any Adjournment thereof, which shall first happen next after Notice of such Appeal given as aforesaid; or if any Person or Persons shall apprehend him, her, or themselves aggrieved by any Act, Order, Judgement, or Proceeding (other than such Rate or Assessment) of the said Commissioners, or of any Justice or Justices of the Peace under the Authority of this Act, it shall and may be lawful for such Person or Persons to appeal to the Justices of the Peace at any General or Quarter Session of the Peace to be held for the City, County, or Place wherein the Cause of Complaint shall arise, or at any Adjournment thereof, which shall first happen next after Notice of such Appeal given as is hereafter mentioned; such Appellant or Appellants first giving reasonable Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Clerks for the time being of the said Commissioners, or of the said Justice or Justices by whose Act, Order, Judgement, or Proceeding, the Grievance shall have most immediately arisen, and entering into Recognizance before some Justice of the Peace for such City, County, or Place, with Two sufficient Sureties, conditioned to try such Appeal

at

at, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Session or Adjournment: And the said Justices at such Session or Adjournment shall hear and finally determine the Causes and Matter of any such Appeal in a summary Way, and award to the Party or Parties for whom such Appeal shall be determined, such Costs as to them in their Discretion shall seem reasonable.

No Settlement under this Act.

Provided also, and it is hereby further enacted by the Authority aforesaid, That no Person who shall be charged with, or pay to any Rate or Assessment to be made in pursuance of this Act, or shall execute any Office or Offices, or otherwise be employed under any of the Powers in this Act contained, shall thereby gain a Settlement in any Parish or Place whatsoever.

Justices may mitigate Penalties.

Provided likewise, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justice or Justices of the Peace before whom any Offender or Offenders shall be convicted in pursuance of this Act, from time to time, to mitigate, compound, or lessen, any of the Fines, Penalties, or Forfeitures, by or under this Act imposed, as they in their Discretion shall think fit; and every such Mitigation or Composition shall be a sufficient Discharge to the Persons offending respectively, for so much of the said Fines, Penalties, and Forfeitures, as shall be so mitigated or lessened.

Offences how to be heard and determined.

And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any One or more Justice or Justices of the Peace of and for the said City, to hear and determine any of the Offences (not herein directed to be otherwise heard) which are made subject to, and punishable by, any pecuniary Penalties directed by this Act; and upon any Information or Complaint (which shall in all Cases be made within Six Days after the Offence committed) exhibited before him or them, to summon the Party or Parties accused, and the Witnesses on either Side, to be and appear before him or them, or any other Justice or Justices of the Peace for the said City, at such Time and Place within the said City or Suburbs as shall be therein appointed; and upon the Appearance, or Contempt of the Party accused in not appearing according to such Summons, it shall and may be lawful to and for such Justice or Justices before whom the Party or Parties accused shall be summoned to appear (such Summons being first proved to be either personally served on the Party or Parties accused, or left at his, her, or their last and usual Place of Residence within the said City or Suburbs) to proceed to the Examination of any

Witness or Witnesses, on Oath or Affirmation as aforesaid (which such Justice or Justices is and are hereby impowered and required to administer without Fee or Reward) and to hear the Circumstances of the Case, and thereupon, or upon Confession of the Party, to give and sign such Conviction and Judgement for the Forfeiture and Payment of such Penalty, or to acquit the Party accused for want of due Proof of the Offence, as shall be just and conformable to the Tenor and true Meaning of this Act; and where the Party or Parties so accused shall be convicted upon or by reason of any such Information or Complaint, then the Penalty or Forfeiture wherein he, she, or they shall be so severally convicted, and all and every other Penalties and Forfeitures, and all Fines by or under this Act incurred and imposed (the Manner of recovering and levying whereof is not otherwise hereby particularly directed) shall and may, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace of and for the said City, which he or they are hereby impowered and required to grant, be recovered, with the Costs of the Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Offender's Goods and Chattles, wherever such Goods and Chattles can be found within the City or County of the City of Coventry, rendering the Overplus of such Distress (if any be) to the Party or Parties so distrained, or leaving such Overplus for his, her, or their Use, at the Place where such Distress shall be made; and all and every the Penalties, Fines, and Forfeitures, which shall be incurred, imposed, and recovered, by virtue of this Act, and which are not herein directed to be otherwise wholly applied, shall be applied immediately, from and after the Recovery, Imposition, and Payment thereof respectively, as follows; that is to say, One Moiety thereof to the Informer, and the other Moiety thereof to be paid to the Treasurer or Treasurers of the said Commissioners for the time being, or to any other Person or Persons as they, or the major Part of them so assembled as aforesaid, shall appoint, for the Uses and Purposes in this Act mentioned; and in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to and concerning the Execution of this Act, any Inhabitant within the City or Suburbs aforesaid may and shall be admitted to give Evidence, the Rate or Contribution charged as aforesaid upon any such Inhabitant by virtue hereof notwithstanding.

Fines, Penalties, and Forfeitures, how to be recovered and applied.

Inhabitants, tho' rated, may be Evidences.

Provided

Provided always, and be it enacted by the Authority aforesaid, That no Nomination, Appointment, Contract, Bond, Information, Warrant, Order, Judgement, Conviction, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals, of any of the Commissioners for putting this Act in Execution, or of any Justice or Justices of the Peace, or only signed by them, or any of them, or exhibited before them, or any of them, respectively, touching, concerning, or in Execution of, any of the Powers or Authorities by this Act vested in such Commissioners, or Justices of the Peace, or any of them, shall be charged or chargeable with any Stamp Duty whatsoever. Writings without Stamps.

And be it enacted by the Authority aforesaid, That no Writ of Certiorari to remove any Rates made in pursuance of this Act, or to remove any Orders or other Proceedings taken or made by the said Justices at the said General or Quarter Sessions, or any Adjournment thereof, touching such Rates, or touching any other Matter or Thing as to which any Appeal is given to the said Justices at such Sessions or Adjournment thereof by this Act, shall be sued out or granted, but upon a Motion to be made some Time in the next Term after the Time for appealing as aforesaid is expired; and that no such Certiorari shall be allowed until sufficient Security be given to the Treasurer or Treasurers acting under the said Commissioners, or to their Clerk for the time being, in the Sum of Fifty Pounds, to prosecute such Writ with Effect, and to pay the Costs to be ascertained by the Court to which such Rates, Orders, or Proceedings, shall be removed, in Case such Rates or Orders shall be confirmed; nor shall any such Rates, Orders, or Proceedings be quashed or vacated for want of Form only; and all Costs and Charges of the said Commissioners occasioned by any such Removal, other than such as they shall recover or receive, under or by virtue of such Security as aforesaid, shall be defrayed out of the then subsisting, or any subsequent Rate, made or to be made by virtue of this Act. Terms of *Certiorari*. Proceedings not to be quashed for want of Form. Charges occasioned by any *Certiorari*, to be paid out of the Rates.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced or prosecuted against any Person or Persons who shall have been employed in the collecting or receiving any Money in pursuance of this Act, or any Rate or Rates which shall or may be quashed or discharged on any Certiorari to be brought in any of his Majesty's Courts of Record at Westminster, or otherwise, for any Money collected or received on any such Rate or Rates, before such Writ of Certiorari shall be brought and allowed; but that Indemnity to Collectors, &c. in case of Rates discharged on any *Certiorari*;

but Persons paying such Rates to be relieved in a future Rate.

tice may be done to such Persons, who shall or may pay towards any Rate which shall be quashed or discharged, the several Sums which shall appear to have been paid by them on such Rates, either in whole, or in part, more than they ought to have paid, shall be repaid, or allowed to them in the next Rate or Rates which shall be made in pursuance of this Act, as though the same had been paid on such new Rate or Rates; any thing in this Act, or any Law, Usage, or Custom to the contrary thereof in any wise notwithstanding.

Reservation of Rights to the Proprietors of Water-works,

Provided always, and it is hereby enacted by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend, to prejudice the said Mayor, Bailiffs, and Commonalty, or their Successors, or the Owners or Proprietors of the Water-works of the said City or Suburbs for the time being, in respect to any Right they now have respectively of breaking up the Pavements or Ground of any Street or Place within the said City or Suburbs, from time to time, as there shall be Occasion, for the Purposes of laying down, amending, repairing, and taking up the Conduits and Water-pipes belonging to them, or to the said Waterworks respectively, the aforesaid Mayor, Bailiffs and Commonalty, and their Successors, and the said Owners and Proprietors respectively, from time to time, and at all Times, repairing and making good (as heretofore they usually and respectively have done) such Parts, and so much of the said Pavements, Ground or Places within the said City or Suburbs, as they, or any Person or Persons by their Order, or by the Order of any Bailiff, Receiver, or other Person or Persons employed by them respectively, shall break up for the Purposes aforesaid: But in case the said Mayor, Bailiffs and Commonalty, or their Successors, or the said Owners and Proprietors, respectively, shall not repair and make good the said Pavements or Ground, so broke up for the Purposes aforesaid, within Three Days exclusive after Notice thereof, by any Three or more of the said Commissioners, or by their Clerk, to the Mayor of the said City for the time being (in case it shall belong to the said Mayor, Bailiffs and Commonalty to do such Repairs) and to the said Owners and Proprietors respectively, then the breaking up the said Pavements or Ground (although for the Purposes aforesaid) shall be deemed wilful and malicious, within the Intent and Meaning of this Act; and all and every the Person and Persons therein concerned, be subject and liable to the like Penalties and Forfeitures, which shall and may be levied and recovered in

making good Pavements, &c.

Penalty on Default after 3 Days Notice.

like

like Manner, and with like Powers of Diſtreſs, Sale, and Commitment, as is or are by this Act preſcribed or mentioned with reſpect to any Perſon or Perſons guilty of wilfully and maliciouſly breaking up the ſaid Pavements, or any Part or Parts thereof.

And be it further enacted by the Authority aforeſaid, That where any Diſtreſs and Sale ſhall be made for any Sum or Sums of Money directed to be levied, or any Perſon or Perſons ſhall be apprehended or committed by virtue of this Act, ſuch Diſtreſs, Sale, Arreſt, or Commitment, ſhall not be deemed to be unlawful, nor the Party or Parties making or doing the ſame reſpectively, be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or want of Form, or other Irregularity, in any Warrant of Appointment, or other Warrant, or in any Rate or Aſſeſſment, Summons, Conviction, Order, Commitment, or other Proceeding or Proceedings whatſoever, relating to or concerning any ſuch Diſtreſs, Sale, Arreſt, or Commitment, nor ſhall the Party or Parties making ſuch Diſtreſs, Sale, Arreſt, or Commitment reſpectively, be deemed or conſtrued a Treſpaſſer or Treſpaſſers ab initio, on account of any Irregularity which ſhall be afterwards done or tranſacted in any ſuch Caſe, by him or them; but the Perſon or Perſons aggrieved by any ſuch Irregularity, ſhall and may, by Action on the Caſe, recover Satisfaction for the Special Damages only, and in every ſuch Action ſhall have no more Coſts than Damages. Clauſe to prevent vexatious Suits.

Provided always, That no Action or Suit whatſoever ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act, or any Clauſe, Power, or Thing herein contained, until after One Calendar Month's Notice thereof in Writing, ſigned by the Party aggrieved, ſhall be given to the Clerk of the Juſtices of the ſaid City, or to the Clerk of the ſaid Commiſſioners for the time being, under whoſe Power or Authority the Grievance ſhall have moſt immediately ariſen; nor after a ſufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties ſo alledging him, her, or themſelves to be aggrieved; nor after Six Calendar Months next following ſuch Grievance, and the Fact committed; and every ſuch Action ſhall be laid in the County of the City of Coventry, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit, ſhall and may plead at his Election, Specially, or the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon; and that the ſame was done in purſuance of this Act, and by Force of ſome or One of the Limitation of Actions.

Powers and Authorities hereby given; and if the same shall appear to be so done, or that such Action or Suit shall be brought before One Calendar Month's Notice had been thereof given, or after sufficient Satisfaction made or tendered, or after the Time limited for bringing the same as is herein before directed, or shall be laid in any other County or Place than as aforesaid, then the Jury in every such Case shall find a Verdict for the Defendant or Defendants; and in every such Action, if a Verdict shall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall be Nonsuited, or discontinue his, her, or their Action or Actions, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Treble Costs.

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

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FINIS.