ANNO TRICESIMO QUARTO

# Georgii III. Regis.

***

ments in the ſaid Town ſtill remain unfiniſhed, and cannot be executed, nor can the above-mentioned Debt be diſcharged, without the further Aid of Parliament: And whereas ſeveral Amendments and further Regulations are wanting to the ſaid Act, to render it more extenſively uſeful: May it therefore pleaſe Your 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,

Commiſſioners empowered to raiſe a further Sum of Money.

That it ſhall be lawful for the Commiſſioners for executing this Act, and they are hereby authorized and empowered to raiſe (over and above the Monies allowed to be raiſed by the ſaid former Act) any Sum or Sums of Money not exceeding Five thouſand Pounds, the ſame to be raiſed and paid in the following Proportions; (that is to ſay), Two Fifth Parts of ſuch Sum or Sums, ſo to be raiſed in purſuance of this Act, ſhall be paid by and on Account of the Univerſity of *Cambridge*, One Twelfth Part of the remaining Three Fifths ſhall be paid by or on Account of the Corporation of the ſaid Town, and the remaining Part of ſuch Sum or Sums the ſaid Commiſſioners are hereby authorized and empowered to borrow on the Security of the Rates and Aſſeſſments, Duties and Tolls, made and levied, or to be made and levied, by virtue of this and the ſaid former Act; ſuch Sum and Sums ſo to be borrowed on Security, to be raiſed and borrowed by any or either of the Ways and Means of borrowing Money mentioned in the ſaid former Act; and the Proportion of the ſaid Sum and Sums of Money, payable as above-mentioned by the ſaid Univerſity and Corporation, ſhall be enforced in like Manner as is provided and directed with reſpect to the Payment of the Sums of Money payable by the ſaid Univerſity and Corporation, by virtue of the ſaid former Act; and the ſaid Sum and Sums of Money, when paid and raiſed, ſhall be applied by the ſaid Commiſſioners, in the Firſt Place, in the paying and diſcharging the Coſts and Expences of applying for and paſſing this Act, and then in diſcharging all Debts contracted by the ſaid Commiſſioners in the Execution of the ſaid recited Act, and now due and owing, and the Reſidue ſhall be applied by the ſaid Commiſſioners in finiſhing, completing, and making, the ſeveral Improvements in the ſaid Town yet remaining unfiniſhed, in Manner, and under the Rules, Orders, and Regulations, herein and in the ſaid former Act ſpecified and provided.

The Univerſity enabled to borrow Money.

II. And be it further enacted, That it ſhall be lawful for the Chancellor, Vice Chancellor, Maſters or Heads of the ſeveral Colleges or Halls within the ſaid Univerſity, and they are hereby authorized and empowered to borrow any Sum or Sums of Money, not exceeding in the Whole their Quota of the ſaid Money ſo to be raiſed and borrowed as above-mentioned, in ſuch Manner as is directed touching the Sum or Sums of Money authorized in and by the ſaid former Act to be borrowed by the ſaid Univerſity.

For appointing Commiſſioners, and repealing Proviſion in former Act relating thereto.

III. And be it further enacted, That the Clauſes in the ſaid former Act relating to the original Appointment of Commiſſioners for carrying the ſame into Execution, ſhall be, and the ſame are hereby repealed; and that, from and after the paſſing of this Act, the following Magiſtrates and Officers for the Time being of the Univerſity of *Cambridge*, and of the Colleges and Halls therein, (to wit), the Chancellor, High Steward, Repreſentatives in Parliament, the Vice Chancellor or his Deputy,

puty, all the Heads or Maſters of Colleges or Halls, or in their Abſence their reſpective Deputies or *Locum Tenentes*, and the Commiſſary, or in his Abſence his Deputy, alſo Two Perſons for *Trinity College*, Two Perſons for *Saint John's College*, and One Perſon for each of the remaining Colleges and Halls in the ſaid Univerſity, being Fellows or Maſters of Arts, or of the Degree herein-after mentioned, and alſo the following Magiſtrates and Perſons of the Corporation of *Cambridge*, (to wit), the High Steward, Recorder, or his Deputy, Repreſentatives in Parliament, and the Mayor, or his Deputy, and the Aldermen, for the Time being, together with Sir *John Hynde Cotton* Baronet, *Charles Cotton*, *Francis Dickens*, *William Vachell*, *Richard Greaves Townley*, *Henry Pointer Standly*, *Benjamin Keene*, *Hale Wortham*, *Samuel Knight*, *Ebenezer Hollick*, *William Hollick*, *Richard Eaton*, *Nathaniel Wedd*, *Joſeph Beldam*, *Buſick Harwood*, *Jeremy Pemberton* Clerk, *Stephen Luſhington* Clerk, *Edmund Fiſher* Clerk, *Henry Allen Lagden* Clerk, and *Henry Turner* Clerk, ſhall be, and they are hereby appointed Commiſſioners for putting this and the ſaid former Act into Execution.

Commiſſioners to be elected from each College, &c.

IV. And be it further enacted, That it ſhall and may be lawful to and for the Head or Maſter of each College and Hall within the ſaid Univerſity, except the ſaid Colleges of *Trinity* and *Saint John*, and the Maſters of Arts and Perſons of ſuperior Academical Degree reſident for the Time being within ſuch College and Hall, and on the Foundation thereof, to meet together in the uſual Place for tranſacting the College Buſineſs in the reſpective Colleges and Halls, between the Hours of Nine and Twelve in the Forenoon of the Second *Monday* after the paſſing of this Act, or as ſoon after as conveniently may be, and the major Part of ſuch Perſons then reſident and there aſſembled ſhall and may proceed to elect One of the Fellows or Maſters of Arts, or Perſons of ſuperior Degree on the Foundation of ſuch their reſpective College or Hall, to be a Commiſſioner for ſuch reſpective College or Hall; and the Head or Maſter, Maſters of Arts, and Perſons of ſuperior Academical Degree, reſident for the Time being within the ſaid Colleges of *Trinity* and *Saint John*, and on the Foundation thereof, are hereby empowered to proceed in the ſame Manner to the Election of Two Perſons of the like Degree as above-mentioned, to be Commiſſioners for each of their reſpective Colleges; and in caſe of an Equality of Votes in the Election of a Commiſſioner or Commiſſioners for any ſuch College or Hall reſpectively, the Head or Maſter, or in his Abſence his Deputy, or in their Abſence the Senior Fellow preſent of ſuch College or Hall, ſhall have the caſting Voice, and ſuch Perſon or Perſons ſo elected ſhall and may continue to act and be a Commiſſioner or Commiſſioners for putting into Execution the Powers in this or the ſaid former Act contained, during the Time he or they ſhall actually remain a Fellow or Fellows of ſuch College or Hall, or on the Foundation thereof; provided, that when and as often as any of the ſaid Commiſſioners, to be choſen by their reſpective Colleges or Halls as aforeſaid, ſhall happen to die, reſign, or refuſe to act, or his Fellowſhip or other Place on the Foundation ſhall become vacant, it ſhall and may be lawful, within One Month after ſuch Diſqualification, Death, Reſignation, Refuſal, or Vacancy, for the ſeveral Voters in the College or Hall of which ſuch Commiſſioner was a Member, to proceed to elect another Commiſſioner, in Manner above-mentioned, and ſo *toties quoties*, as Occaſion ſhall be or require.

Commiſſioners ſo appointed may act without proving any other Qualification.

V. Provided always, and be it further enacted, That all Perſons who have been or ſhall be named or appointed by any College or Hall, and all Members of the ſaid Univerſity appointed Commiſſioners in or by virtue of the ſaid former Act, or to be hereafter appointed as above-mentioned, ſhall be, to all Intents and Purpoſes, Commiſſioners for putting the ſaid former Act and this Act in Execution, in all Reſpects, without proving any other Qualification, or taking any Oath in reſpect thereto; any Thing in the ſaid former Act, or this Act, or in any other Law or Statute to the contrary in anywiſe notwithſtanding.

For Pariſhioners of each Pariſh, having a Vote for Churchwardens, to elect Two Commiſſioners.

VI. And be it further enacted, That the Pariſhioners in each and every of the Pariſhes within the ſaid Town, having a Right to vote in the Election of Churchwardens, ſhall and may meet together in the Church or Veſtry Room belonging to each of the ſaid Pariſhes reſpectively, between the Hours of Ten and Twelve in the Forenoon, on the Second *Monday* after the paſſing of this Act, or as ſoon after as conveniently may be, and the major Part of ſuch Pariſhioners then and there aſſembled, ſhall and may proceed to the Election of Two Perſons to be Commiſſioners for the Purpoſes mentioned in this and the ſaid former Act, for ſuch reſpective Pariſh, and that in caſe of an Equality of Votes in the Election of ſuch Commiſſioners or Commiſſioner for any ſuch Pariſh, the Churchwardens ſtanding firſt upon the Liſt of Pariſh Officers then preſent, or in caſe no Churchwarden ſhall be preſent, the Perſon then preſent who ſhall ſtand higheſt rated to the Poor Rate in the ſaid Pariſh, ſhall have the caſting Voice; and the Names of ſuch Perſons ſo elected Commiſſioners for each reſpective Pariſh ſhall be entered in a Book to be provided and kept for that Purpoſe by each reſpective Pariſh, in their publick Cheſt, or ſome other Place of Security, in their reſpective Churches; and ſuch Perſons to be ſo elected ſhall continue Commiſſioners for the reſpective Pariſhes until the *Eaſter Monday* next after their Election, or the Day on which Churchwardens are annually elected in ſuch reſpective Pariſhes, and no longer, at which Time or Times, or within Fourteen Days afterwards, the ſaid Pariſhioners in ſuch reſpective Pariſhes ſhall annually proceed to a new Election of Commiſſioners, in Manner aforeſaid; and no Perſon or Perſons to be ſo elected a Commiſſioner or Commiſſioners as aforeſaid, ſhall be capable of acting as ſuch, unleſs he or they ſhall, at the Time of his or their acting, be a reſident Inhabitant of the ſaid Town of *Cambridge*; and when any Vacancy ſhall happen in ſuch Commiſſioners, ſuch Vacancy ſhall be filled up in the ſame Manner as is directed by the ſaid former Act.

Further Aſſeſſment on the Town.

VII. And be it further enacted, That, for the better enabling the ſaid Commiſſioners to carry on the requiſite Improvements of the ſaid Town, it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, to make an additional Aſſeſſment or Aſſeſſments, Rate or Rates, upon the ſeveral Tenants or Occupiers of all Houſes, Buildings, Gardens, Tenements, and Hereditaments, within the ſaid Town, (except as herein-after mentioned), in any Sum of Money not exceeding Three-pence in the Pound, in any One Year (in Addition to the Rate of One Shilling in the Pound mentioned in the ſaid former Act); and which additional Rates or Aſſeſſments ſhall be made and levied, and ſhall be ſued for, collected, and recovered, in ſuch Manner and Form as in the ſaid former Act is directed concerning the ſaid Rate or Aſſeſſment therein mentioned, and ſhall be appealed againſt in ſuch Manner and Form as is herein-after directed.

VIII. And,

VIII. And, for the further enabling the said Commissioners to carry on the said Improvements, be it further enacted, That, in Addition to the Tolls granted and made payable by the said former Act, there shall be paid to the Receiver or Receivers, Collector or Collectors, appointed by the said Commissioners, once in every Day, for every Stage Coach, Diligence, or other such publick Carriage, coming to or going out of the Town of *Cambridge*, and Precincts thereof, carrying Passengers or Parcels for Hire, the further Sum of Sixpence, and the same shall be demanded and taken for and in the Name of a Paving Toll, together with the Sum of One Shilling imposed upon the said Stage Coaches, Diligences, or other publick Carriages, by the said former Act, and shall, in case of Non-payment, be demanded, levied, and distrained for, in such and the like Manner as is directed in and by the said former Act, touching the Tolls thereby made payable. Imposing an additional Toll upon publick Carriages.

IX. Provided always, and be it further enacted, That the Tenants or Occupiers of all Dwelling Houses within the said Town, the Rent of which does not or shall not exceed Five Pounds a Year, shall, from and after the passing of this Act, be exempt from the Payment of any Rate or Assessment whatsoever levied or to be levied by virtue of this Act: Provided also, that nothing in this Act shall extend to exempt the Occupiers of Shops and Stalls used for exposing Meat for Sale in the said Town, or Persons occupying more than Five Pounds a Year, from the Payment of the said Rates or Assessments; any Thing herein-before contained to the contrary notwithstanding. How Houses under the Value of Five Pounds a Year shall be rated.

X. And be it further enacted, That no Person shall be eligible to be elected a Commissioner for any Parish within the said Town, who is not rated or assessed on his or her own Account towards the Purposes of this and the said former Act, at the Time of such Election, nor shall any Person vote in the Annual Election of Commissioners, who at the Time of such Election is not so rated or assessed; any Thing herein, or in the former Act, to the contrary notwithstanding. Qualification of Commissioners.

XI. And be it further enacted, That the said Corporation shall, within One Calendar Month next after the passing of this Act, well and truly pay, or cause to be paid, unto the Treasurer of the said Commissioners the Sum of Four hundred and five Pounds, now due and in Arrear from the said Corporation to the said Commissioners, for Part of the Share of the said Corporation remaining unpaid of the Money expended by the said Commissioners in widening, improving, new paving, and lighting, the said Town, and in defraying the Annual Charges and Expences of repairing, cleansing, and lighting, the several Streets therein; and in case of Neglect or Refusal to pay the said Sum of Four hundred and five Pounds within the Time aforesaid, the said Commissioners shall and may cause the same to be levied by Distress and Sale of the Goods and Chattels of the said Mayor, Bailiffs, and Burgesses, or shall and may commence an Action, in the Name of the Clerk to the said Commissioners for the Time being, for the Recovery thereof, in any of His Majesty's Courts of Law at *Westminster*, which Action shall not abate by Reason of the Death or Removal of such Clerk to the said Commissioners. To enforce the Payment of the Corporation Debt of £405.

XII. And

For the Commissioners, out of the Rates and Tolls, to pay the Land Tax and Poors Rate for the Houses and Buildings to be pulled down.

XII. And be it further enacted, That the said Commissioners, by and out of the Rates and Tolls to be from Time to Time levied and raised under and by virtue of this and the said former Act, shall, from Time to Time, and at all Times, pay and discharge the Land Tax and Poor Rates of and for all Houses, Shambles, and Buildings, which shall or may hereafter be by them purchased and taken down for the Purposes of widening, enlarging, and improving the Streets of the said Town, such Land Tax and Poor Rates so to be paid not exceeding the Amount of the Land Tax and Poor Rates payable for, or charged and assessed upon, each of the said Houses, Shambles, and Buildings, or the Owners, Tenants, or Occupiers thereof respectively, at the Time or Times the same shall be so taken down; and in case the said Commissioners for the Time being shall refuse or neglect, by the Space of One Calendar Month after Demand made, to pay such Land Tax or Poor Rates as the same shall become due, then and so often it shall be lawful for the Collector or Collectors of the Land Tax, and the Churchwardens and Overseers of the Poor of the respective Parishes in which such Houses, Shambles, or Buildings, so to be taken down, were situate respectively, and they are hereby required, forthwith to bring an Action or Actions at Law against the Treasurer or Receiver for the Time being of the Tolls and Rates imposed by this and the said former Act, and in case a Verdict or Verdicts shall be given for the Plaintiff or Plaintiffs in such Action or Actions, or the said Treasurer or Receiver shall suffer Judgement to go by Default, the Party or Parties recovering such Verdict or Verdicts, and entering up Judgement thereon, or obtaining Judgement as aforesaid, shall have full Costs as between Attorney and Client, to be settled by the proper Officer of the Court in which such Action or Actions shall be brought, and shall and may sue out Execution upon or against all and every the Effects by this and the said former Act vested in the said Commissioners, or on the Monies collected and received by them, or on their Account, in respect of such Tolls and Rates, in full Discharge of such Judgements and Costs, together with the Costs of suing out Execution thereon.

Commissioners taking Contracts or Offices of Profit, to become incapable of acting, and others to be chosen in their Stead.

XIII. And be it further enacted, That whenever any Commissioner of this and the said former Act, shall, by the Acceptance of any Contract or of any Office of Profit made in pursuance thereof, become incapable of acting or voting as a Commissioner according to the Directions of the said former Act, then the Office of such Person shall immediately, upon his Acceptance of such Contract or Office of Profit, become vacant, and such Person shall be disqualified from attending the Meetings of the said Commissioners as a Commissioner, and if such Person shall be a Parish Commissioner, the Parish he represents and for which he was chosen a Commissioner, shall and may elect some other Person as a Commissioner, in the Room of the Commissioner becoming disqualified as aforesaid; and every Person so elected in the Place of such disqualified Commissioner, shall have the same Powers and Authorities for putting this and the said former Act into Execution, as the Person was vested with in whose Stead he shall be so elected.

That Notices of Meetings, where Orders are intended to be revoked, shall contain Copies of such Orders.

XIV. And whereas it is by the said former Act enacted, That no Order made by the said Commissioners at any of their Meetings shall be revoked, unless by a greater Number of Commissioners at some Meeting for that Purpose, of which Seven Days Notice shall be given; be it enacted, That every such Notice of any Meeting to be holden for the Purpose of revoking any such Order, shall contain a Copy of the Order proposed

poſed to be revoked, and a ſpecifick Notice of the Intention of the Commiſſioners to propoſe the Revocation of ſuch Order, at the Meeting mentioned in ſuch Notice.

Clauſe in former Act reſpecting Scavengers of Highways repealed.

XV. And be it further enacted, That the Clauſe in the ſaid former Act, relating to the Office of Surveyor of the Highways for any Pariſh or Pariſhes within the ſaid Town, and every Part thereof, ſhall be and the ſame is hereby repealed.

Exemption as to Rates on Tythes, *etc.* in former Act repealed.

XVI. And whereas Power is given to the ſaid Commiſſioners by the ſaid former Act, to levy a Rate, not exceeding One Shilling in the Pound, upon the ſeveral Occupiers of all Houſes, Buildings, Gardens, Tenements, and Hereditaments, within the ſaid Town, according to the Annual Value of the ſame; and in the ſaid Act there is alſo contained a Proviſo, that nothing therein ſhould extend or be conſtrued to extend, to rate or aſſeſs any Perſon or Perſons for any Tythes impropriate, Appropriation of Tythes, Modus or cuſtomary Payment in Lieu of Tythes, nor for any Farm, Meadow, Paſture, or Arable Land, rented or occupied by any of the Inhabitants of the ſaid Town of *Cambridge*, (ſave and except only as to the Value of his, her, or their Dwelling Houſe, Yards, Gardens, and Outhouſes, immediately contiguous thereto, and ſituate in the Town of *Cambridge* aforeſaid); and Doubts having ariſen concerning the Conſtruction of the ſaid proviſionary Clauſe; be it enacted, That the ſaid Clauſe ſhall be, and the ſame is hereby repealed.

New Exemption as to Tythes, *etc.*

XVII. Provided always, and be it further enacted, That nothing in this or the ſaid former Act contained, ſhall extend, or be conſtrued to extend, to rate or aſſeſs any Perſon or Perſons for any Tythes impropriate, Appropriation of Tythes, Modus or cuſtomary Payment in Lieu of Tythes, nor for any Farm, Meadow, Paſture, or Arable Land, rented or occupied by any of the Inhabitants of the ſaid Town of *Cambridge*, (ſave and except only as to the Value of his, her, or their Dwelling Houſe, Yards, Gardens, Barns, Outhouſes, and all other Buildings rented or occupied by any of the ſaid Inhabitants, ſituate in the Town of *Cambridge* aforeſaid).

Commiſſioners empowered to ſell Overplus Land and Premiſes, not wanted for the Purpoſes of the Act.

XVIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Nine or more of them, to ſell all or any Part or Parts of ſuch and ſo many of the Meſſuages, Lands, Tenements, and Hereditaments, which have been or may be purchaſed and conveyed to them, purſuant to and for the Purpoſes of this and the ſaid former Act, as may be found unneceſſary in their Judgement for effectuating the Purpoſes thereof, for the beſt Price or Prices that can be reaſonably procured for the ſame, by publick Auction, either together or in Parcels, as it ſhall ſeem moſt advantageous or proper, and to make an effectual Conveyance or Conveyances of the Part or Parts ſo ſold to the Purchaſer or Purchaſers of the ſame, and the Money ariſing by ſuch Sale ſhall be applied to the Purpoſes of this and the ſaid former Act: Provided always, that ſuch Sale ſhall not be made until Eight Days publick Notice has been previouſly given in the Newſpapers publiſhed in the ſaid Town, (or if no Newſpaper be there publiſhed, then in ſome other Newſpaper circulated therein), of the Time and Place of ſuch Sale; and it is hereby declared, that the Receipt or Receipts of the Treaſurer to the ſaid Commiſſioners, ſhall be an effectual Diſcharge or effectual Diſcharges to ſuch Purchaſer or Purchaſers, and his, her, or their Heirs, Executors, Adminiſtrators,

tors, and Aſſigns, for his, her, or their Purchaſe Money or Purchaſe Monies, or ſo much thereof as in ſuch Receipt or Receipts ſhall be acknowledged or expreſſed to be received, and he, ſhe, or they, ſhall not afterwards be anſwerable or accountable for any Loſs, Miſapplication, or Non-application thereof: Provided always, that the ſaid Commiſſioners, or any Nine or more of them, previous to the making Sale of, or offering to ſell, under the Directions herein-before given, all or any Part of the ſaid Meſſuages, Lands, Tenements, and Hereditaments, ſo found unneceſſary as aforeſaid, ſhall, and they are hereby authorized and directed, by Writing or Writings under their Hands, to give to the reſpective Owner or Owners, or other the Perſon or Perſons from whom ſuch Meſſuages, Lands, Tenements, or Hereditaments, have been ſo purchaſed, the Liberty, Choice, and Election, of re-purchaſing the ſame, ſuch reſpective Owner or Owners, Perſon or Perſons, by Writing or Writings under his, her, or their Hand or Hands, within Fourteen Days next after the giving ſuch Liberty, Choice, and Election, as aforeſaid, ſignifying to the ſaid Commiſſioners, or their Treaſurer or Clerk for the Time being, his, her, or their Determination to accept or decline ſuch Liberty, Choice, and Election, and in caſe he, ſhe, or they, ſhall determine to repurchaſe the ſame, and any Difference ſhall ariſe between him, her, or them, and the ſaid Commiſſioners, touching the Price or Value to be paid on ſuch Re-purchaſe or Re-purchaſes, then that the Difference ſhall be determined by a Jury, in the ſame Manner as in all other Caſes where a Jury are herein-after directed to be ſummoned and impannelled for aſcertaining the Recompence and Satisfaction to be made for or on Account of Houſes, Shambles, Buildings, Grounds, or Eſtates, to be purchaſed by the ſaid Commiſſioners, or any Five or more of them, for the Purpoſes of this and the ſaid former Act.

Proviſion reſpecting private Drains.

XIX. And be it further enacted, That if at any Time any private Drain, made by any Perſon or Perſons within the ſaid Town, ſhall be found to be offenſive by ſending forth or occaſioning noxious Smells, or ſhall, by its Communication with any publick Drain belonging to the Commiſſioners, clog or obſtruct the ſame, the ſaid Commiſſioners ſhall, by their Clerk, give Twenty-eight Days Notice in Writing to the Owner or Owners of ſuch private Drain to ſtop up the ſame; and if ſuch Owner or Owners do not comply with ſuch Notice in the Time ſpecified therein, then the Commiſſioners ſhall and may order ſuch private Drain to be ſtopped, the Expence whereof ſhall be borne and paid by the Owner or Owners of ſuch Drain; and in Default of Payment thereof upon Demand, ſuch Expence ſhall and may be recovered of and from ſuch Owner or Owners, and applied, in ſuch and the like Manner as is provided and directed for the Recovery of Penalties and Forfeitures impoſed in and by virtue of the ſaid former Act, concerning which there is no particular Direction.

New Clauſe for ſweeping Footways.

XX. And be it further enacted, That, from and after the paſſing of this Act, the Clauſe contained in the ſaid former Act, directing the Footpaths of the ſaid Town to be ſwept and cleanſed, and every Part thereof, ſhall be, and the ſame is hereby declared to be repealed; and that from thenceforth all and every Inhabitant and Inhabitants of the Town of *Cambridge*, and the Maſter of every College within the Univerſity, ſhall cauſe to be ſwept and cleanſed, the Whole of the Footways, including the Kirb Stone, before their reſpective Houſes, Buildings, Walls, Colleges, and Halls, every Day (except *Saturday* and *Sunday*) between

between the Hours of Six and Ten in the Forenoon, and between the Hours of Three in the Afternoon of every *Saturday*, and Nine in the Morning of every *Sunday* in the Year; and the Vice Chancellor for the Time being, ſhall cauſe the Footpath before the Senate Houſe and Senate Houſe Walk, and the Churchwardens of every Pariſh in *Cambridge*, for the Time being, the Footpath before the Walls of their reſpective Pariſh Churches and Church Yards, to be ſwept and cleanſed in like Manner, and at the Days and Times above ſpecified; and in caſe of Neglect in the Premiſes, ſuch Inhabitant or Inhabitants, Maſters of Colleges and Halls, Vice Chancellor and Churchwardens, ſhall reſpectively forfeit and pay for every ſuch Neglect the Sum of Five Shillings, to be recovered by Diſtreſs and Sale of Goods, and applied in ſuch Manner as is directed for the Recovery and Application of Penalties and Forfeitures by the ſaid former Act; and in caſe any Perſon or Perſons ſhall give Information to any Juſtice of the Peace in and for the ſaid Town, of any of the ſaid Footpaths being dirty and unſwept, (which Information the ſaid Juſtice may take without Oath), ſuch Juſtice ſhall and may ſummon the Perſon or Perſons who ought, by virtue of this Act, to cauſe the Footpath complained of to be ſwept; and ſuch Perſon or Perſons ſhall prove, to the Satisfaction of the ſaid Juſtice, that the Directions of the Act have been complied with by him, her, or them, or otherwiſe ſhall be liable to pay the ſaid Penalty.

Further Penalty on breaking Lamps.

XXI. And whereas ſome of the Penalties laid by the ſaid former Act upon Perſons wilfully breaking or damaging Lamps, have not proved ſufficient to prevent ſuch Offences; be it further enacted, That, from and after the paſſing of this Act, if any Perſon or Perſons ſhall wilfully break, throw down, or otherwiſe damage, any of the Lamps erected by virtue of the ſaid Act, or any of the Poſts, Iron, or other Furniture thereof, or ſhall extinguiſh any of the ſaid Lamps, every ſuch Offender ſhall forfeit and pay any Sum or Sums of Money not exceeding the Sum of Five Pounds nor leſs than Forty Shillings for each Lamp ſo broken or thrown down, damaged, or extinguiſhed as aforeſaid, the Amount of ſuch Sum or Sums to be fixed and adjudged by the Juſtice of Peace before whom ſuch Offender ſhall be convicted of the ſaid Offence, any Thing in the ſaid former Act, as to the Firſt or Second Offence, to the contrary notwithſtanding; and the ſame Methods ſhall be purſued for enquiring into, recovering, and levying, the ſaid Penalties, and otherwiſe puniſhing the Offenders, as are reſpectively preſcribed by the ſaid former Act with reſpect to the like Offences committed by Perſons matriculated, or being Members of the ſaid Univerſity, or by any other Perſon or Perſons; One Moiety of the Penalty ſo adjudged to be paid by ſuch Offender and Offenders ſhall, upon the Conviction of him, her, or them, be paid to the Informer or Informers upon whoſe Oath ſuch Offender or Offenders ſhall be convicted, and the other Moiety of the Penalty to the Treaſurer or Treaſurers of the ſaid Commiſſioners for the Purpoſes of this and the ſaid former Act.

New Penalty on ſhewing Stallions in the Street.

XXII. And be it further enacted, That the Clauſe in the ſaid former Act, forbidding the ſhewing of Stallions in the Streets of the ſaid Town ſhall be, and the ſame is hereby repealed; and from and after the paſſing of this Act, any Perſon whomſoever ſhewing or exerciſing, or cauſing to be ſhewn or exerciſed, any Stallion or Stallions, or other Horſe or Horſes, Mare or Mares, in any of the Streets or other publick Places within the

ſaid

ſaid Town, ſhall for every ſuch Offence forfeit and pay the Sum of Forty Shillings, One Moiety of ſuch Penalty to go to the Informer or Informers on whoſe Oath any Perſon or Perſons ſhall be convicted of ſuch Offence, and the other Moiety to the Treaſurer of the ſaid Commiſſioners for the Purpoſes of this and the ſaid former Act; ſuch Penalty to be recovered in ſuch Manner as is directed in the ſaid former Act for the Recovery of Penalties and Forfeitures, concerning which there is no particular Direction.

New Clauſe for preventing Nuiſances.

XXIII. And whereas the Clauſe in the ſaid Act, inflicting the Penalty of Ten Shillings upon any Perſon killing any Beaſts in the ſaid Streets, Lanes, Paſſages, or Places, or found guilty of divers other Offences therein ſet forth, wants Amendment; be it therefore enacted, That the ſaid Clauſe, and every Part thereof, ſhall be, and the ſame is hereby repealed; and from and after the paſſing of this Act, if any Perſon or Perſons ſhall kill, ſlaughter, ſinge, ſcald, dreſs, or cut up, any Beaſt or Swine, Calf, Sheep, Lamb, or other Cattle, in any of the ſaid Streets, Lanes, Paſſages, or Places, or ſhall waſh down any Blood Water therein, or ſhall hoop, cleanſe, waſh, or ſcald any Caſk, or hew or ſaw any Stone, Wood, or Timber, or bind, make, or repair, any Wheel, or ſhoe, bleed, farrier, cleanſe, or dreſs, or turn or drive looſe any Horſe, or wet, ſlack, or mix, any Lime, or wet, mix, or make any Mortar, or bait or cauſe to be baited any Bull, or throw at any Cock or Fowl in the Manner called *Cock throwing*, or ſet up any Cock or Fowl to be thrown at in ſuch Manner, or ſhall make or aſſiſt in making any Fire or Fires commonly called *Bonfires*, or ſhall ſet fire to, or let off, or throw any Squib, Serpent, Rocket, or Fireworк whatſoever, in any of the Streets, Lanes, or publick Paſſages, within the ſaid Town, or ſhall ſet, place, or expoſe, to Sale, or cauſe, permit, or ſuffer to be ſet, placed, or expoſed to Sale, any Goods, Chattels, Wares, or Merchandizes whatſoever, on the Foot or Carriage Way of any Street, Lane, or publick Paſſage in the ſaid Town, (except the ſelling of Butter, Fowls, Cheeſe, Eggs, Corn, and other Cuſtomary Articles and Things as heretofore uſual on Market Days), or hang up or expoſe any Goods, Wares, or Merchandizes, or any other Matter or Thing, ſo as to project beyond the Line of their Windows, every Perſon ſo offending in either of the ſaid Caſes, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Shillings, over and above ſuch Penalties as are inflicted on any or either of the ſaid Offences by any Law or Statute now in being.

For regulating Spouts and Gutters.

XXIV. And be it further enacted, That, from and after the paſſing of this Act, the ſaid Commiſſioners, or any Five or more of them, ſhall and may, when and where they ſhall think neceſſary, cauſe all Spouts and Gutters projecting from the Tops of Houſes and Buildings within the ſaid Town to be removed, and a Pipe or Pipes to be fixed to ſuch Houſes and Buildings, for conveying the Water down by the Sides or Fronts thereof, into the common Channels or Drains of the ſaid Town, the Expence whereof ſhall be borne and paid out of the Monies to be collected and received by virtue of this and the ſaid former Act; and all Houſes and Buildings hereafter to be erected and built within the ſaid Town, ſhall have ſuch Pipes affixed to them, for conveying the Water down by the Sides or Fronts of ſuch Houſes and Buildings, by and at the Expence of the Proprietor or Proprietors thereof; and if any Perſon ſhall hereafter erect or cauſe to be erected any Spouts or Gutters for conveying Water from any Houſe or Building within the

ſaid Town, otherwiſe than down the Sides or Fronts thereof, every ſuch Perſon ſhall forfeit and pay the Sum of Twenty Shillings for every Week ſuch Spout or Gutter ſhall remain.

Purchaſe Money for College Property, to be placed out in the Name of the Maſter of the College.

XXV. And whereas Power is given in and by the ſaid former Act, to and for any Body Corporate or Collegiate, Aggregate or Sole, to alienate and ſell for ever, any Tenements or Hereditaments, and the Scite thereof, with their Appurtenances, ſtanding or being within the Univerſity and Town of *Cambridge*; and it is provided that all and every Sum and Sums of Money to be paid to any Body Corporate or Collegiate, Aggregate or Sole, (except the Corporation of *Cambridge*), for the Purchaſe of ſuch Houſes, Tenements, or Hereditaments, ſhould be lodged in any of the publick Funds, in the Names of the Three Royal Profeſſors of Divinity, Law, and Phyſick, for the Time being, within the ſaid Univerſity, for the Uſe of the ſaid Body Corporate or Collegiate, Aggregate or Sole: And whereas the blending of Money belonging to different Colleges in One Account, in the publick Funds, has been found inconvenient; and in order to keep the Property of the ſeveral Colleges of the ſaid Univerſity diſtinct, it is thought expedient to add the Name of the Maſter of the College ſo alienating and ſelling as aforeſaid, to the ſaid Three Royal Profeſſors: Be it therefore enacted, That, from and after the paſſing of this Act, all and every Sum and Sums of Money heretofore paid or hereafter to be paid as aforeſaid, to any Body Corporate or Collegiate, Aggregate or Sole, in or belonging to the ſaid Univerſity of *Cambridge*, for the Purchaſe of any Houſes, Tenements, or Hereditaments, by them or either of them heretofore or hereafter to be alienated and ſold, veſted or to be veſted in the publick Funds, ſhall be transferred into, placed out, and ſtand, in the Name of the Maſter of the College ſo alienating and ſelling, for the Time being, as well as of the ſaid Three Royal Profeſſors, in Truſt, and to be applied to ſuch Uſes, Intents, and Purpoſes, as in the ſaid former Act are mentioned and directed of and concerning the ſame.

Jury to be choſen from the County of *Cambridge*.

XXVI. And whereas it is by the former Act enacted, That if any Bodies Politick, Corporate, or Collegiate, or other Perſon or Perſons intereſted in the Houſes, Shambles, Buildings, Grounds, or Eſtates, therein mentioned, upon Notice to them given or left in Writing as therein expreſſed, ſhould, by the Space of One Month next after ſuch Notice given or left, neglect or refuſe to treat, or ſhould not agree in the Premiſes, or by Reaſon of Abſence ſhould be prevented from treating, then, and in every or any ſuch Caſe, the Commiſſioners therein named, or any Five or more of them, ſhould cauſe to be enquired into and aſcertained, by and upon the Oaths of a Jury of Twelve indifferent Men of the ſaid Town of *Cambridge*, what Recompence and Satisfaction ſhould be made to ſuch Owner or Owners, Occupier or Occupiers, or Proprietors or other Perſons, for or on Account of the ſaid Houſes, Shambles, Buildings, Grounds, or Eſtates, and the ſaid Jury were, in the Manner therein directed, to enquire, aſcertain, and ſettle, ſuch Recompence and Satisfaction, and the ſaid Commiſſioners, or any Five or more of them, ſhould thereupon order, adjudge, and determine, the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury, to be paid to the Owners or Proprietors of, or Perſons intereſted in the ſaid Houſes, Shambles, Buildings, Grounds, or Eſtates, according to the Verdict of the ſaid Jury, which ſaid Verdict, Judgement, Order, or Determination, ſo had and made, ſhould be final

and concluſive to all Intents and Purpoſes, againſt all Parties and Perſons whomſoever as therein mentioned, and the ſaid Commiſſioners are thereby empowered to iſſue their Warrant to the Mayor of the ſaid Town of *Cambridge*, to impannel and return a Jury, and the ſaid Commiſſioners are thereby authorized to ſummon Perſons to give Evidence in Manner therein preſcribed, and the Mayor, Jury, and Witneſſes, are thereby ſubjected to certain Penalties on Neglect of their Duty concerning the ſame; be it enacted, That ſo much, and all ſuch Parts of the ſaid former Act as relate to the ſeveral Powers, Authorities, and Directions herein-before recited, ſhall be, and the ſame are hereby repealed; and that, from and after the paſſing of this Act, if any Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, who are or ſhall be ſeiſed of or entitled unto in their own Right, or as Truſtees, Feoffees in Truſt, or as Femes Covert, Guardians and Committees for Lunaticks and Idiots, Executors and Adminiſtrators, and all Guardians whatſoever, in any Houſes, Shambles, Buildings, Grounds, and Eſtates, within the ſaid Town, upon Notice to them given, or left in Writing at the Dwelling Houſe or Houſes, or Place of Abode of ſuch Perſon or Perſons, or of the Head Officer or Officers of ſuch Bodies Politick, Corporate, or Collegiate, or at the Houſe or Houſes of the Tenant or Tenants in Poſſeſſion of the Houſes, Shambles, Buildings, Grounds, or Eſtates to be taken in and made Part of the Streets, Lanes, and publick Paſſages of the ſaid Town, by virtue of the ſaid former Act, ſhall, by the Space of One Calendar Month next after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree for the Sale of the Premiſes, or by Reaſon of Abſence ſhall be prevented from treating, then, and in every ſuch Caſe, the ſaid Commiſſioners, or any Five or more of them, ſhall cauſe it to be enquired into and aſcertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of *Cambridge*, (which Oath any Juſtice of the Peace for the ſaid County or Town of *Cambridge* is hereby empowered to adminiſter), what Recompence and Satisfaction ſhall be made to ſuch Owner or Owners, Occupier or Occupiers, Proprietor or Proprietors, or other Perſons, for or on Account of the ſaid Houſes, Shambles, Buildings, Grounds, or Eſtates, to be taken into or for widening the ſaid Streets, Lanes, and publick Paſſages; and in order to aſcertain ſuch Recompence and Satisfaction, the ſaid Commiſſioners, or any Five or more of them, are hereby required and empowered, from Time to Time, as often as Occaſion ſhall be, to ſummon and call before the ſaid Jury, and examine upon Oath all and every Perſon or Perſons whomſoever who ſhall be thought neceſſary and proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, (which Oath any Juſtice of the Peace for the ſaid County or Town is hereby empowered to adminiſter), and they the ſaid Commiſſioners, or any Five or more of them, ſhall alſo order and cauſe the ſaid Jury to view the Premiſes in Queſtion, (if there be Occaſion), and uſe all other lawful Ways and Means the better to enable the ſaid Jury to judge and determine in the Premiſes, and after the ſaid Jury ſhall have enquired of, and aſcertained and ſettled ſuch Recompence and Satisfaction, they the ſaid Commiſſioners, or any Five or more of them, ſhall thereupon order and direct the Sum and Sums of Money ſo aſcertained by the ſaid Jury to be paid to the Owners or Proprietors of, or Perſons intereſted in the ſaid Houſes, Shambles, Buildings, Grounds, or Eſtates, according to the Verdict of the ſaid Jury, which ſaid Verdict, Judgement, Order, or Determination, ſo had and made, ſhall be final and concluſive, to all Intents

tents and Purpoſes, againſt all Parties or Perſons whomſoever claiming in Poſſeſſion, Reverſion, Remainder, Expectancy, or otherwiſe; their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes Covert, Idiots, Lunaticks, Ceſtuique Truſts, and Perſons under any Diſability whatſoever, Bodies Politick, Corporate, or Collegiate, and all and every Perſon and Perſons anyways intereſted in ſuch Houſes, Shambles, Buildings, Grounds, or Eſtates, upon Payment or Tender of the Sum or Sums of Money ſo aſcertained as aforeſaid, ſhall be thereby and from thenceforth, to all Intents and Purpoſes, diveſted of all Right, Title, Claim, Intereſt, or Property of, in, to, or out of the ſame.

Commiſſioners to iſſue Warrants to impannel Juries, and Parties concerned may challenge any Six of the Jury.

XXVII. And be it further enacted, That, for the ſummoning and returning ſuch Jury or Juries, the ſaid Commiſſioners, or any Five or more of them, are hereby empowered to iſſue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the ſaid County of *Cambridge* for the Time being, or if ſuch Sheriff ſhall be immediately intereſted in the Matter in Queſtion, then to One of the Coroners of the ſaid County for the Time being, thereby requiring ſuch Sheriff or Coroner to impannel, ſummon, and return, a Jury of Forty-eight Perſons, and the ſaid Sheriff or Coroner is hereby required to impannel, ſummon, and return Forty-eight Men, qualified according to the Laws of the Realm, to ſerve on Juries in the Trials of Iſſues at Law, to appear before the ſaid Commiſſioners, or any Five or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, and the Names of the Forty-eight ſo returned ſhall be written on Pieces of Paper, and put into a Box, and the Firſt Twelve Perſons drawn, of the Forty-eight attending, ſhall be Jurymen for the Purpoſes aforeſaid; and the ſaid Commiſſioners, or any Five or more of them, ſhall cauſe ſuch Jurymen to be ſworn, and ſhall adminiſter to them the following Oath:

'YOU ſhall ſwear, That to the beſt of your Skill and Judgement you will fix and aſcertain the Value of the Premiſes between the Party and Commiſſioners acting under this Act, and a true Verdict give, according to the Evidence.

'So help you GOD.'

And for Default of a ſufficient Attendance of Jurymen, the ſaid Sheriff or Coroner ſhall return indifferent and diſintereſted Men then preſent, or that can ſpeedily be procured to attend on that Service, ſo as to make up the Number of Twelve: Provided nevertheleſs, that the ſaid Commiſſioners, or any Five or more of them, or the Parties intereſted in ſuch Houſes, Shambles, Buildings, Grounds, or Eſtates, may have their lawful Challenge againſt any Six of the ſaid laſt-mentioned Jurymen, when they ſhall come to be ſworn as aforeſaid, but ſhall not challenge the Array of the Panel.

Penalty on Sheriff or Coroner for Neglect of Duty.

XXVIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, from Time to Time, to impoſe any reaſonable Sum, not exceeding the Sum of Twenty Pounds for One Offence, on the Sheriff or Coroner making Default in the Premiſes, and any reaſonable Sum, not exceeding Forty Shillings, on any of the Perſons who, after being duly ſummoned and returned, ſhall not appear, or who ſhall refuſe to be ſworn on any ſuch Jury, or being ſworn thereon, ſhall refuſe to give, or ſhall not join in giving a Verdict thereon,

thereon, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; and the ſaid Sheriff or Coroner ſhall be allowed the Sum of Twenty Shillings for impannelling and returning the ſaid Jury, and each Juryman ſhall be paid the Sum of Two Shillings and Sixpence for his Attendance each Day, in Manner herein-after mentioned; and if any Perſon or Perſons, who being required to give Evidence before the ſaid Jury touching the Premiſes, ſhall refuſe to be ſworn, or examined, or give Evidence, and having no reaſonable Excuſe, to be allowed by the ſaid Commiſſioners, or any Five or more of them, they the ſaid Commiſſioners, or any Five or more of them, ſhall and may impoſe ſuch Fine or Fines, Penalty or Penalties, not exceeding the Sum of Ten Pounds, on each Perſon ſo refuſing, as they ſhall think fit; which ſaid reſpective Fines and Penalties ſhall and may be recovered and applied in ſuch and the like Manner as is provided and directed for the Recovery of Penalties and Forfeitures impoſed in and by virtue of the ſaid former Act, concerning which there is no particular Direction.

XXIX. And be it further enacted, That the Expences attending the Determination of any Queſtion which may ariſe under this or the ſaid former Act, by ſuch Jury and Witneſſes in Manner aforeſaid, ſhall be borne and paid in the like Manner as is directed by the ſaid former Act reſpecting the Payment of the Jury and Witneſſes therein mentioned.

Appeal.

XXX. And be it further enacted, That the Clauſe in the ſaid former Act, enabling Perſons who may think themſelves aggrieved by any Rate or Aſſeſſment to be made, or Penalty impoſed, by or in purſuance of the ſaid former Act, to appeal to the General Quarter Seſſions of the Town, ſhall be, and the ſame is hereby repealed; and from and after the paſſing of this Act, if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Rate, Toll, or Aſſeſſment, to be made or collected, or Penalty impoſed by this or the ſaid former Act, or by any Act, Order, Judgement, or Proceeding, of the ſaid Commiſſioners under this or the ſaid former Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the Juſtices at the Firſt General Quarter Seſſions of the Peace to be holden for the ſaid County or Town next after the Expiration of One Calendar Month from the Time ſuch Matter of Appeal ſhall have ariſen, the Perſon or Perſons appealing having firſt given Ten Days Notice in Writing, at the leaſt, of his, her, or their Intention to bring ſuch Appeal, and of the Matter thereof, to the Treaſurer or Clerk to the ſaid Commiſſioners; and the Juſtices in ſuch Seſſions are hereby authorized and required to hear and determine the Matter of ſuch Appeal, and to make ſuch Determination therein as they ſhall judge proper; and ſuch Determination ſhall be final, binding, and concluſive to all Parties, and to all Intents and Purpoſes whatſoever: Provided nevertheleſs, that in all and every Caſe wherein a Member of the Corporation ſhall be the Appellant, or the Property of the Corporation ſhall be concerned, the Appeal ſhall be to the Quarter Seſſions of the Peace to be holden for the ſaid County.

When Appeal to be made to the County Seſſions.

Publick Act.

XXXI. And be it further enacted, That this Act 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 whomſoever, without ſpecially pleading the ſame.

FINIS.