ANNO TRICESIMO QUARTO

Georgii III. Regis.

CAP. CVI.

An Act for paving and otherwiſe improving the Town of *Abergavenny*, and the Limits thereof, in the County of *Monmouth*. [23d *May* 1794.]

WHEREAS the Streets, and other publick Paſſages and Places within the Town of *Abergavenny*, and the Limits thereof, in the County of *Monmouth*, are not properly paved, cleanſed, lighted, or watched, and are ſubject to various Encroachments, Nuiſances, and Annoyances; and the preſent Market Houſe in the ſaid Town is inconveniently ſituated, and is fallen into Decay; and the Pipes for ſupplying the Inhabitants of the ſaid Town with Water are greatly out of Repair: And whereas it would be of great Benefit and Convenience to the Inhabitants of the ſaid Town, and to Perſons reſorting to and travelling through the ſame, if the ſaid Streets, and other publick Paſſages and Places were properly paved, cleanſed, lighted, and kept free from Encroachments, Nuiſances, and Annoyances, and if the narrow Parts thereof were widened and rendered commodious, and proper Communications made between ſome of the ſaid Streets and other Paſſages and Places, and if ſome Proviſion was made for watching the ſaid Town, and if the ſaid Market Houſe was taken down, and a proper Market Place provided in a convenient Situation, and Power given to Preamble.

erect a new Market Houſe, and other Conveniencies thereon, and if the Pipes for ſupplying the Inhabitants of the ſaid Town with Water were amended, relaid, and put in good Repair; but the ſeveral Purpoſes aforeſaid cannot be effected without the Authority of Parliament: 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, That

Commiſſioners. *William Baghott*, *Gunter Brown*, *Chriſtopher Chambre*, *Barnard Davies*, *William Dinwoody*, *James Gabb*, *William Greenly*, *John Harris*, *Arthur Harris*, *Charles Herbert*, *William Jones*, *John Jones* of *Lanarth*, *Theophilus Jones*, *Thomas Jones* Attorney, *Thomas Jones* Tanner, *Robert Morgan Kinſey*, *Peter John Luard*, *William Lewis* Mercer, *William Lewis* Cabinet Maker, *Thomas Lewis*, *Richard Lee*, *James Morgan*, *William Powell*, *George Robinſon*, *Thomas Straker*, *Thomas Swinnerton*, *Thomas Tudor*, *Benjamin Waddington*, *Fowler Walker*, *William Warner*, *Timothy Wallington*, *John Watkins*, *John Hanbury Williams*, *John Williams* Clerk, *Richard Williams* ſenior, *Richard Williams* junior, and all Perſons who ſhall, in their own Right, or in the Right of their Wives, be ſeiſed of or entitled to a Freehold Eſtate ſituate within the ſaid Town, or the Limits thereof, of the clear Yearly Value of Twenty Pounds above Repriſes, ſhall be and are hereby appointed Commiſſioners for putting this Act into Execution.

Qualification of Commiſſioners. II. Provided always, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, during ſuch Time as he ſhall hold any Office or Place of Profit under this Act, or be either directly or indirectly engaged or intereſted in any Contract or Agreement relating to the Execution of any of the Powers of this Act; but it ſhall be lawful for ſuch of the ſaid Commiſſioners as are Juſtices of the Peace for the ſaid County, to act as ſuch in the Execution of this Act, notwithſtanding their being Commiſſioners; and if any Perſon, other than ſuch as are herein-before particularly named, not being ſeiſed of or entitled to ſuch Freehold Eſtate as aforeſaid, or if any Perſon herein-before made incapable of acting as a Commiſſioner, ſhall nevertheleſs act as a Commiſſioner in the Execution of this Act, he ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe.

Penalty on acting without being duly qualified.

Meetings of Commiſſioners. III. And be it further enacted, That the ſaid Commiſſioners ſhall meet at the *Greyhound* Inn, in the ſaid Town, upon the Second Day of *July* One thouſand ſeven hundred and ninety-four, between the Hours of Ten and Twelve in the Forenoon, and proceed to the Execution of this Act, and may then, and from Time to Time afterwards, adjourn themſelves, and hold their future Meetings at the ſame or ſome other Place within the ſaid Town, as they ſhall think proper; and if at any of the ſaid Meetings the Commiſſioners preſent ſhall omit or neglect to adjourn ſuch Meeting to another Day, or if there ſhall not appear a ſufficient Number of Commiſſioners to adjourn, (Two Commiſſioners to be deemed ſufficient for that Purpoſe), then and in every ſuch Caſe every ſuch Meeting or intended Meeting ſhall be, and is hereby adjourned for Three Weeks, and ſhall be holden at the ſame Place where the former Meeting

was,

was, or was intended to have been holden, and ſo from Time to Time until a ſufficient Number of the ſaid Commiſſioners ſhall meet, and adjourn, publick Notice of every ſuch Adjournment being given upon the Door of the Market Houſe of the ſaid Town, or ſuch other conſpicuous Place or Places as the ſaid Commiſſioners ſhall, at any of their Meetings, have appointed for that Purpoſe; and that at every Meeting to be held in purſuance of this Act, the ſaid Commiſſioners ſhall defray their own Expences; and that no Act of the ſaid Commiſſioners ſhall be valid, (except that of Adjournment as aforeſaid), unleſs made or done at ſome publick Meeting to be held by virtue of this Act; and all Acts, Matters, and Things, by this Act authorized, directed, mentioned, or expreſſed to be done and performed by the ſaid Commiſſioners, may be done or performed by the Majority of the ſaid Commiſſioners preſent at their reſpective Meetings, the whole Number preſent at any ſuch Meeting not being leſs than Five, and the ſame ſhall be as valid as if done or performed by all the ſaid Commiſſioners; and that a Chairman ſhall be appointed at every ſuch Meeting, and that whenever the Numbers upon any Queſtion ſhall be equal, (including the Chairman's Vote), he ſhall have the caſting Vote: Provided always, that no Order made by the ſaid Commiſſioners, at any of their Meetings, ſhall be revoked or altered, except at ſome Meeting to be held for that Purpoſe, of which Ten Days Notice ſhall be given, expreſſing the Purpoſe of ſuch Meeting, and alſo unleſs there be at leaſt Five more Commiſſioners preſent than there were at the Meeting in which ſuch Order was made; any Thing in this Act to the contrary notwithſtanding.

Proceedings of Commiſſioners to be entered.

IV. And be it further enacted, That regular Entries ſhall be made in a Book to be provided for that Purpoſe, of the Names of the Commiſſioners who ſhall attend the reſpective Meetings, and of all their Acts, Orders, and Proceedings, and the ſaid Commiſſioners ſhall ſubſcribe their Names at the End of the Proceedings of the ſaid Commiſſioners at every ſuch Meeting; and all ſuch Entries, being ſo ſigned, ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Cauſes, Suits, and Actions, relating to any Thing done in purſuance of this Act; and that every ſuch Book ſhall, at any of the Meetings of the ſaid Commiſſioners, and at all other ſeaſonable Times, be open to the Inſpection of every Perſon to be rated or aſſeſſed for the Purpoſes of this Act.

Appointment of Officers.

V. And be it further enacted, That the ſaid Commiſſioners ſhall from Time to Time appoint a Clerk and Treaſurer, and alſo a Collector or Collectors of the Rates or Aſſeſſments to be made as herein-after directed, and ſuch other Officers and Perſons as they ſhall think neceſſary to employ in the Execution of this Act, and ſhall from Time to Time take ſuch Security from every ſuch Treaſurer, Clerk, and Collector, for the due Execution of their reſpective Offices, as the ſaid Commiſſioners ſhall think proper; and the ſaid Commiſſioners may remove and diſplace any ſuch Officer and Perſon from Time to Time, whenever they ſhall think proper; and ſhall and may, out of the Monies to be raiſed by virtue of this Act, allow and pay to every ſuch Clerk, Treaſurer, Collector, and other Officer or Perſon to be employed as aforeſaid, ſuch Salary or Allowance as they the ſaid Commiſſioners ſhall think reaſonable.

Treaſurer, &c. to account.

VI. And be it further enacted, That every ſuch Treaſurer, Clerk, Collector, and other Officer to be appointed as aforeſaid, ſhall, from Time to Time, as often as thereunto required by the ſaid Commiſſioners, render and give to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint, a true, fair, and particular Account, in Writing, of all Monies which ſhall have been by him collected or received by virtue of this Act, and how, to whom, and on what Account, any ſuch Monies ſhall have been paid, together with the proper Receipts and Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as, upon the Balance of ſuch Accounts, ſhall appear to be in his Hands, to the ſaid Commiſſioners, or to ſuch Perſon, and at ſuch Time, as they ſhall direct and appoint, and every ſuch Officer ſo accounting ſhall, upon Oath, if required, (which Oath the ſaid Commiſſioners are hereby authorized to adminiſter), verify his ſaid Accounts, and the particular Items and Articles thereof, and the ſeveral Receipts and Payments which ſhall be therein contained; and if any ſuch Officer ſhall refuſe, or wilfully neglect, to render or give ſuch Account as aforeſaid, or to produce and deliver up to the ſaid Commiſſioners the Receipts and Vouchers relating to the ſame, or to verify the Items or Articles thereof, upon Oath, (if required), or to deliver up to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall for that Purpoſe appoint, within Fourteen Days next after being thereunto required, by Writing under the Hands of any Five or more of the ſaid Commiſſioners, (which Requiſition ſhall be made Once in every Year at the leaſt), all Books, Papers, and Writings, in his Cuſtody or Power, relating to the Execution of his Office or of this Act, or ſhall refuſe or neglect to pay all ſuch Money as upon the Balance of any ſuch Account ſhall appear to be in his Hands, to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall direct or appoint, and Complaint ſhall be made thereof by the ſaid Commiſſioners, or by ſuch Perſon as they ſhall appoint for that Purpoſe, of any ſuch Neglect or Refuſal as aforeſaid, to any Juſtice of the Peace for the County or Place wherein ſuch Officer ſhall be or reſide, ſuch Juſtice is hereby empowered to ſummon the Officer againſt whom ſuch Complaint ſhall be made, to appear before him at a Time and Place in ſuch Summons to be mentioned, and upon his appearing or not appearing, (the Service of ſuch Summons being proved by the Oath of any credible Witneſs, which Oath ſuch Juſtice is hereby empowered to adminiſter), to hear and determine the Matter of ſuch Complaint, in a ſummary Way, and if upon the Confeſſion of the Officer againſt whom ſuch Complaint ſhall be made, or by the Oath of any credible Witneſs, (which Oath ſuch Juſtice is hereby empowered to adminiſter), it ſhall appear to ſuch Juſtice, that any of the Money which ſhall have been collected or raiſed by virtue of this Act, ſhall be due from ſuch Officer, the ſaid Juſtice may, upon Non-payment thereof within ſuch reaſonable Time as he may appoint, by Warrant under his Hand and Seal, cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer; and if ſufficient Goods and Chattels of ſuch Officer cannot be found to anſwer and ſatisfy ſuch Money, and the Charges of levying and raiſing the ſame, or if ſuch Officer ſhall not appear before the ſaid Juſtice at the Time and Place by him to be appointed in ſuch Summons, and if it ſhall in Manner aforeſaid appear to ſuch Juſtice that ſuch Officer ſhall have refuſed or wilfully neglected to render and give ſuch Account, or to verify the ſame as aforeſaid, or to produce the Vouchers relating thereto, or to deliver up ſuch Books, Papers, and Writings, as aforeſaid,

ſaid, the ſaid Juſtice is hereby authorized, by Warrant under his Hand and Seal, to cauſe ſuch Officer to be committed to the Common Gaol, there to remain, without Bail or Mainprize, until he ſhall have delivered in his Account, and verified the ſame as aforeſaid, and ſhall have produced and delivered up the Receipts and Vouchers relating thereto, or delivered up ſuch Books, Papers, and Writings, or given Satisfaction to the ſaid Commiſſioners concerning the ſame, and ſhall have paid all Monies which ſhall appear to be in his Hands, and the Charges attending the Recovery thereof, or ſhall have compounded with the ſaid Commiſſioners for the ſame, which Compoſition the ſaid Commiſſioners are hereby empowered to make and receive; but no ſuch Officer who ſhall be committed on Account of his not having ſufficient Goods and Chattels as aforeſaid, ſhall be detained in Priſon for any longer Time than Three Calendar Months.

Pavements, &c. veſted in the Commiſſioners.

VII. And be it further enacted, That the Property of and in all the preſent and future Pavements of the Carriage Ways and Foot Ways, and all the Gravel within the ſeveral Streets, publick Paſſages, and Places, within the ſaid Town, and the Limits thereof, already or hereafter to be ſet out or made, and of and in all Lamps, Lamp Irons, and Poſts, which now are and which ſhall be erected or affixed, and of and in the Materials of the preſent Market Houſe in the ſaid Town, and of the Buildings thereto belonging, and of and in the new Market Houſe, and the Shops, Sheds, and other Conveniencies to be erected or made by virtue of this Act on the new Market Place to be ſet out as herein-after mentioned, and alſo of and in all Pipes laid or made for ſupplying the Inhabitants of the ſaid Town with Water, and all Materials, Implements, and other Things, which ſhall be purchaſed or provided by virtue or for the Purpoſes of this Act, ſhall be, and are hereby veſted in the ſaid Commiſſioners, and they are hereby authorized and empowered to cauſe any Action to be brought, or any Bill of Indictment to be preferred, againſt any Perſon who ſhall ſteal, take, or carry away, detain, ſpoil, injure, or deſtroy the ſame, or any Part thereof; and the ſaid Commiſſioners are hereby authorized and empowered to ſell and diſpoſe of all or any Part of the old Materials, and the Money ariſing by ſuch Sale ſhall be applied for the Purpoſes of this Act: Provided nevertheleſs, that nothing herein-before contained ſhall extend to veſt in the ſaid Commiſſioners any of the Broad Stones which the Owner or Occupier of and Houſe or Building ſhall have laid down, at his or her own Coſts any Charges, in the Foot Path along the Front of ſuch Houſe or Building, for which Broad Stones he or ſhe ſhall be allowed a reaſonable Price by the ſaid Commiſſioners, ſuch Price (if any Difference concerning the ſame) to be aſcertained by any Juſtice of the Peace for the ſaid County.

Streets, &c. to be paved.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, from Time to Time, to cauſe the ſeveral Streets, Lanes, and other publick Paſſages and Places within the ſaid Town, and the Limits thereof, both in the Footways and Carriage Ways, to be paved, pitched, or otherwiſe repaired, amended, and altered, in ſuch Manner as they ſhall think neceſſary or proper, and alſo to cauſe the ſaid Streets, and other publick Paſſages and Places, to be cleanſed, lighted, and watched in ſuch Manner as they ſhall think fit, and to cauſe all Steps, Penthouſes, Porches, and other Encroachments, Obſtructions, and Annoyances therein,

therein, to be removed, and Gutters, Sinks, Drains, Sewers, and Watercourſes to be cut or made in, through, or under, any of the ſaid Streets, Paſſages, and Places, and to cauſe any of the Gutters, Sinks, Drains, Sewers, and Watercourſes already made therein to be opened or widened, and the Form or Courſe thereof altered, in ſuch Manner as they ſhall think expedient, and the Ground of any of the ſaid Streets, and other publick Paſſages and Places, to be raiſed, lowered, or altered, in ſuch Manner as they ſhall think neceſſary for the Improvement thereof; and that no Perſon ſhall alter the Form of the Footways or Carriage Ways within any of the ſaid Streets, Lanes, publick Paſſages, or Places, without the Conſent of the ſaid Commiſſioners, upon Pain of forfeiting the Sum of Twenty Shillings for every ſuch Offence.

Power to get Materials.

IX. And be it further enacted, That any Perſon, to be appointed in Writing by the ſaid Commiſſioners, may, and is hereby empowered to ſearch for, dig, get, and carry away, any Stone, Gravel, Sand, or other Materials fit and proper for the Purpoſes of this Act, in, out of, and from, any Commons or Waſte Grounds within the ſaid County, without paying any Thing for the ſame, ſuch Perſon filling up the Pits, and levelling the Ground, or ſloping down the Banks where or from whence ſuch Materials ſhall be had or taken, or railing or fencing ſuch Pits, ſo that the ſame may not remain in a dangerous State.

Commiſſioners to provide Lamps, &c.

X. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners from Time to Time, if they think fit, to provide ſo many Glaſs Lamps, Lamp Irons, Poſts, and other Furniture and Things, as to them ſhall ſeem neceſſary, for lighting the ſaid Streets, publick Paſſages and Places, and to fix and place the ſame upon or againſt the Walls or Paliſadoes of the Houſes, Tenements, or Buildings, or in ſuch other Places within the Town aforeſaid, as they ſhall think proper, and to order, direct, and cauſe the ſame to be lighted, in ſuch Manner and for ſuch Time as they ſhall think fit; and if any Perſon ſhall wilfully break, throw down, take away, ſpoil, or damage, any ſuch Lamps, or any of the Irons, Poſts, or other Furniture thereof, or extinguiſh the Light of any ſuch Lamp, every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings, whereof One Moiety ſhall go to the Informer; and ſuch Offender ſhall alſo pay to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint, ſuch Sum of Money as ſhall be a full Satisfaction for the Damage ſo done, to be aſcertained by any Juſtice of the Peace for the ſaid County, whoſe Determination in that Caſe ſhall be final; and in caſe any Perſon ſhall careleſsly, negligently, or accidentally break, throw down, or otherwiſe ſpoil or damage, any of the ſaid Lamps, or the Irons, Poſts, or other Furniture thereof, and ſhall not, on Demand, make Satisfaction for the Damage done thereto, which Damage ſhall from Time to Time be aſcertained by any Juſtice of the Peace for the ſaid County, then it ſhall be lawful for any Juſtice of the Peace for the County or Place wherein ſuch Perſon ſhall be or reſide, upon Proof thereof made by the Oath of any credible Witneſs (which Oath the ſaid Juſtice is hereby empowered to adminiſter), or on the Confeſſion of the Party, to award ſuch Sum of Money, by Way of Satisfaction for ſuch Damage, as ſuch Juſtice ſhall think reaſonable, and in Default of Payment thereof upon Demand, to cauſe the ſame to be levied and recovered in ſuch Manner as is herein-after directed for

Penalty for wilfully breaking, &c. the Lamps or Furniture.

Perſons accidently breaking or damaging Lamps.

for Recovery of the Rates or Aſſeſſments to be made in purſuance of this Act.

Signs, &c. to be regulated, and Encroachments removed.

XI. And be it further enacted, That the reſpective Occupiers of Houſes and other Buildings within the ſeveral Streets, and other publick Paſſages and Places aforeſaid, ſhall and are hereby required, at their own Coſts and Charges, within ſuch Time and in ſuch Manner as the ſaid Commiſſioners ſhall from Time to Time think neceſſary, and by Notice in Writing under their Hands, to be delivered to ſuch reſpective Occupiers, or left at their reſpective Dwelling Houſes, direct and appoint, to cauſe all Signs which now or hereafter ſhall belong to ſuch reſpective Houſes or other Buildings, and which are not placed flat on the Fronts thereof, to be taken down and placed flat on the Fronts of ſuch Houſes or other Buildings, and all Sign Irons, Sign Poſts, and other Poſts, Sheds, Penthouſes, Spouts, Gutters, Steps, Window Shutters, Rails, Pales, Paliſadoes, Porches, Bulks, Shew Glaſſes, and Shew Boards, and other Encroachments, Projections, and Annoyances belonging, or which hereafter ſhall belong, to ſuch reſpective Houſes and Buildings, and which obſtruct the free Paſſage along the Carriage or Footways of any of the ſaid Streets and publick Paſſages and Places, to be removed, altered, or reformed, and alſo to cauſe the Water to be conveyed from the Roofs, Cornices, and Penthouſes of or belonging to ſuch reſpective Houſes or other Buildings, by proper and ſufficient Pipes or Trunks to be affixed to the Sides of ſuch Houſes and other Buildings reſpectively; and in caſe any ſuch Occupier ſhall neglect or refuſe ſo to do, it ſhall be lawful for the ſaid Commiſſioners to cauſe the ſame to be done, and the Coſts and Charges attending the ſame ſhall be paid by ſuch Occupier to the Treaſurer to the ſaid Commiſſioners, and in Default of Payment thereof, upon Demand, the ſame ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Occupier, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County, rendering the Overplus (if any) when demanded, to the Perſon whoſe Goods and Chattels ſhall be ſo diſtrained and ſold; and if any Tenant at Rack Rent or at Will of any ſuch Houſe or other Building ſhall remove, alter, or reform any ſuch Encroachments, Obſtructions, Projections, or Annoyances as aforeſaid, or if any ſuch Coſts and Charges ſhall be levied on the Goods and Chattels of any ſuch Tenant as aforeſaid, it ſhall be lawful for him or her to deduct and retain the Charges and Expences of removing, altering, or reforming the ſame, and alſo any Money which ſhall or may be levied upon his or her Goods and Chattels as aforeſaid, or ſuch Part thereof as the ſaid Commiſſioners ſhall judge reaſonable, out of his or her Rent, and the Owner, Proprietor, or Landlord of ſuch Houſe or other Building is hereby required to allow the ſame accordingly: Provided always, that nothing herein contained ſhall extend to the ſtopping up of any Cellar Window where there ſhall be no other Way from the Street into ſuch Cellar, unleſs the ſaid Commiſſioners ſhall make or provide ſome other commodious and ſufficient Way into ſuch Cellar.

For preventing future Projections.

XII. And be it further enacted, That it ſhall not be lawful for any Perſon hereafter to build any Porch, Bulk, Shed, Window, or other Thing againſt or in the Front or Side of any Houſe or other Building, within any of the ſaid Streets or other publick Paſſages ſo as to project into or over any of the Footways or Carriage Ways, upon Pain

of forfeiting, for every ſuch Offence, any Sum not exceeding Five Pounds, and it ſhall be lawful for the ſaid Commiſſioners to cauſe all ſuch Porches, Bulks, Sheds, Windows, or other Projections, to be taken down and removed.

Commiſſioners empowered to purchaſe and take down Houſes for erecting a Market Houſe, and for widening the narrow Parts of the Streets.

XIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to treat, contract, and agree, with the Owners of and Perſons intereſted in certain Houſes and other Buildings, ſituate near to the preſent Market Houſe of the ſaid Town, in or near a certain Street called *Croſs Street*, herein-after particularly mentioned, and alſo the Ground whereon the ſame reſpectively ſtand or belonging thereto, or any Part of ſuch Ground, for the Purpoſe of ſetting out or providing a proper Market Place for the ſaid Town, and alſo to treat, contract, and agree, with the Owners of, and other Perſons intereſted in any other Buildings, and any Lands within the ſaid Town, and the Limits thereof, which the ſaid Commiſſioners may think proper, for the Purpoſe of widening and rendering commodious any of the ſaid Streets, and other Paſſages and Places, or opening any ſuch Communications as aforeſaid, for the Purchaſe thereof, or for the Damage to be done thereto reſpectively in Execution or for the Purpoſes of this Act; and it ſhall be lawful for all Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, Committees, and other Perſons, as well for and on Behalf of themſelves, their Heirs and Succeſſors, as of any Femes Covert, Infants, Lunaticks, or Perſons under any other Diſability or Incapacity, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any ſuch Houſes and other Buildings and Lands, to ſell and convey to the ſaid Commiſſioners, or to ſuch Perſons, and their Heirs, as the ſaid Commiſſioners ſhall direct or appoint, all or any ſuch Houſes and other Buildings and Lands, or their reſpective Intereſts therein, for the reſpective Purpoſes aforeſaid, at or for ſuch Price or Satisfaction, by Annual Payment or Sum of Money in Groſs, as ſhall be agreed upon between the ſaid Commiſſioners, and the Perſon or Perſons ſeiſed, poſſeſſed of, or intereſted in, any ſuch Houſes or other Buildings or Lands; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes, any Law or other Matter to the contrary notwithſtanding; and all ſuch Corporations, Huſbands, Guardians, Truſtees, Committees, and other Perſons, ſhall be, and are hereby indemnified for what they ſhall do by virtue or in purſuance of this Act: Provided always, that if any Corporation, or the Huſbands, Guardians, Truſtees, or Committees, of any Feme Covert, Infant, Lunatick, or Perſon under any other Diſability or Incapacity, or any other Perſon ſeiſed, poſſeſſed of, or intereſted in, any of the Houſes or other Buildings or Lands herein-after mentioned; (that is to ſay), a Meſſuage called *The Dog and Bull*, with the Outbuildings, Garden, and Premiſes thereto belonging, the Property and in the Occupation of *Mary Price* Widow; a Meſſuage called *The Plume of Feathers*, with the Outbuildings, Garden, and Premiſes thereto belonging, the Property of *Charles Herbert* Ironmonger, in the Occupation of *John Morgan* Victualler; and certain Meſſuages, with the Malthouſes, Outbuildings, Gardens, and Premiſes thereto belonging, the Property of *John Hanbury Williams* Eſquire, and in the reſpective Occupations of *Thomas Leonard* Butcher, *James Harvey* Watchmaker, *William Warner* Carrier, and *Thomas Evans* Victualler, upon Notice in Writing

Corporations, &c. empowered to ſell.

ing under the Hands of Five or more of the ſaid Commiſſioners, given to or left at the Dwelling Houſe or Houſes, or other Place or Places of Abode of ſuch Perſon or Perſons, or of the principal Officer of any ſuch Corporation, or at the Houſe of the Tenant in Poſſeſſion of any ſuch Houſes or other Buildings or Lands, ſhall, for the Space of Thirty Days next after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by Reaſon of Abſence or otherwiſe ſhall be prevented from treating, then the Value of ſuch reſpective Houſes or other Buildings or Lands, ſhall be enquired into and aſcertained by a Jury, at ſome General Quarter Seſſions of the Peace for the ſaid County, and the Juſtices at ſuch Seſſion ſhall, and are hereby authorized and required, upon Application made to them for that Purpoſe, on Behalf and by the Authority of the ſaid Commiſſioners, to charge a Jury, and to cauſe them to be ſworn well and truly to enquire into and aſcertain the Purchaſe Money to be paid for ſuch Houſes or other Buildings or Lands, or the Value or Amount of the Damage to be done or occaſioned as aforeſaid, to which ſaid Jury any of the Parties intereſted ſhall have their lawful Challenges when they come to be ſworn; and any Juſtice of the Peace for the ſaid County is hereby authorized and empowered, upon Application to him by any Party intereſted, to call before the Juſtices at ſuch Seſſion, any Perſon or Perſons who ſhall be thought proper to be examined concerning the Premiſes; and the ſaid Jury upon their Oaths ſhall enquire touching ſuch Value of the Premiſes in Queſtion, and ſhall aſcertain the ſame, and the Juſtices ſhall and may give Judgement for the Money ſo to be aſcertained, which Verdict of the ſaid Jury, and the Judgement thereupon, ſhall be binding and concluſive, to all Intents and Purpoſes, upon the Parties intereſted, and ſhall be fairly entered and kept among the Records of the Quarter Seſſions for the ſaid County: Provided nevertheleſs, that, previous to any Application to the Quarter Seſſions as aforeſaid, Ten Days Notice at leaſt ſhall be given in Writing to the Owner or Owners, or other Perſon or Perſons aforeſaid, or the Tenant in Poſſeſſion of the Premiſes, by the Clerk or Treaſurer to the ſaid Commiſſioners, of ſuch intended Application; and every Sum of Money or Recompence to be agreed for or aſſeſſed as aforeſaid, ſhall be paid out of the Money which ſhall be collected or raiſed by virtue of this Act, to the reſpective Parties entitled thereto, or their Agents; and upon ſuch Payment, or (in caſe of Refuſal to accept ſuch Money or Recompence, or the Party or Parties not being to be met with) upon leaving the ſame in the Hands of the Treaſurer to the ſaid Commiſſioners, for the Uſe of the Perſon or Perſons entitled thereto, it ſhall be lawful for any Perſon or Perſons, authorized by Writing under the Hands of any Five or more of the ſaid Commiſſioners, to take down the ſeveral Houſes and other Buildings herein-before particularly deſcribed and authorized to be purchaſed, for providing a Market Place as aforeſaid, and upon the Scites of ſuch Houſes and other Buildings, and the Ground purchaſed therewith, or any Part thereof, the ſaid Commiſſioners ſhall, and are hereby authorized and required, as ſoon as conveniently may be, to cauſe a proper Market Place to be formed and ſet out, of ſuch Size and Dimenſions as they ſhall think proper, and (if they judge it expedient) to cauſe a Market Houſe to be erected thereon, of ſuch Form and Conſtruction as they ſhall think fit, and the ſaid Commiſſioners ſhall alſo cauſe to be erected on the ſaid Market Place ſuch Butchers Shops, Sheds, Stalls, Standings, and other Conveniencies,

Commiſſioners empowered to build a new Market Houſe, and take the preſent One down.

Conveniencies, as the ſaid Commiſſioners ſhall judge ſuitable or proper; and after ſuch new Market Place, with the ſeveral Erections and Conveniencies aforeſaid, ſhall be compleated, and Notice thereof ſhall have been given in ſome Newſpaper publiſhed or circulated within the ſaid County, the ſame ſhall be deemed the Market Place of the ſaid Town, and ſhall be uſed as ſuch, and all Corn and other Grain, Meal, Flour, Butchers Meat, Fiſh, Poultry, Butter, Cheeſe, Vegetables, and other Matters, and Things, uſually expoſed to Sale in the preſent Market Houſe, or the publick Streets and Places within the ſaid Town, (other than and except Horſes, Cattle, Sheep, and Swine), ſhall be expoſed to Sale and ſold within ſuch new Market Place, and not elſewhere; and for that Purpoſe the ſaid Commiſſioners ſhall, and are hereby empowered to let or ſet ſuch Butchers Shops, Sheds, Stalls, Standings, and other Conveniencies aforeſaid, to any Perſons, at or for the beſt Rents they can reaſonably get for the ſame, to be paid into the Hands of ſuch Perſon as they ſhall for that Purpoſe appoint, and in Default of Payment thereof, the ſame ſhall be recovered in ſuch Manner as any Rates or Aſſeſſments are herein-after directed to be recovered; and the like Tolls ſhall be paid for or in reſpect of all Corn, and other Matters and Things which ſhall be ſold within the ſaid new Market Place, as were heretofore payable for or in reſpect of the ſame Kind of Articles ſold at or within the preſent Market Houſe or elſewhere in the ſaid Town, unleſs the ſame ſhall be altered by virtue of the Powers herein-after given; and the ſaid Commiſſioners ſhall, as ſoon as conveniently may be, cauſe the preſent Market Houſe within the ſaid Town, and the Buildings thereto belonging, to be taken down, and the Materials thereof to be ſold, or otherwiſe diſpoſed of, in ſuch Manner as they ſhall think proper, and the Scite of the Market Houſe and Buildings ſo taken down ſhall for ever afterwards be deemed Part of the publick Street.

No Cattle to be ſold, or Stone Horſes ſhewn in the Streets.

XIV. And whereas, the expoſing Horſes and other Beaſts to Sale, and the ſhewing of Stone Horſes in the ſaid Streets, has been found inconvenient and dangerous to the Inhabitants, and Perſons reſorting to the ſaid Town; be it therefore further enacted, That after the ſaid Commiſſioners ſhall have aſcertained and appointed a Place or Places within or near the ſaid Town for the Purpoſe of expoſing Horſes and other Beaſts to Sale, and of ſhewing Stone Horſes, (and which the ſaid Commiſſioners are hereby empowered to do), and ſhall have given Notice thereof upon the Market Houſe, or ſome other publick Place within the ſaid Town, and in ſome publick Newſpaper publiſhed or circulated within the ſaid County, no Perſon ſhall expoſe to Sale any Horſes, Cattle, Sheep, or Swine, or ſhall ſhew any Stone Horſe in any other Part of the ſaid Town than ſuch as ſhall be aſcertained and appointed for that Purpoſe by the ſaid Commiſſioners as aforeſaid, upon Pain of forfeiting the Sum of Five Shillings for every ſuch Horſe or neat Beaſt, and for every Score of ſuch Sheep or Swine (and ſo in Proportion for a leſs Number than a Score) ſo expoſed to Sale, and for every Stone Horſe ſo ſhewn.

Nothing in the Act to prevent Perſons ſelling

XV. Provided always, That nothing herein contained ſhall extend to prevent or hinder any Perſon from ſelling or expoſing to Sale any Matters or Things in his or her own private Dwelling-Houſe, or in any Shop,

Shop, Part of ſuch Dwelling Houſe, in any Part of the ſaid Town, or the Limits thereof.

any Goods in their Houſes or Shops.

XVI. And whereas it may tend to encourage the bringing of Corn and other Matters and Things for Sale in the ſaid Town, if the Tolls payable thereon were veſted in the ſaid Commiſſioners, with Power to lower the ſame, and proper Compenſation made in Lieu thereof to the Perſons entitled thereto; be it therefore further enacted, That upon Application for that Purpoſe, by Direction of the ſaid Commiſſioners, to the Juſtices at any General Quarter Seſſions of the Peace to be holden for the ſaid County, the Juſtices at ſuch Seſſion ſhall, and are hereby required to cauſe the Average Annual Amount of the ſaid Tolls, for the Term of Seven Years then next preceding, to be enquired of and aſcertained by a Jury, and the ſaid Juſtices ſhall give Judgement thereupon in like Manner as herein-before directed with reſpect to the Value of any Houſes or other Buildings or Lands to be purchaſed for the Purpoſes of this Act, and the Verdict of ſuch Jury, and the Judgement thereupon, ſhall be binding and concluſive to all Intents and Purpoſes upon the Parties intereſted, and ſhall be fairly entered and kept amongſt the Records of the Quarter Seſſions for the ſaid County; Notice of the Intention to make ſuch Application to the Quarter Seſſions having been given to the Perſon or Perſons entitled, or reputed to be entitled to ſuch Tolls, by the Clerk to the ſaid Commiſſioners, at leaſt Thirty Days, and not more than Sixty Days before the Seſſion at which ſuch Application is to be made, and that for ever from and after the ſaid Average Amount of the ſaid Tolls ſhall have been aſcertained as aforeſaid, all the Tolls which ſhall be payable in reſpect of Corn, and other Matters and Things within the ſaid Town, ſhall become and be veſted in the ſaid Commiſſioners, and in Lieu and Compenſation for the ſame, there ſhall be payable to the Perſon or Perſons who would have been entitled to the ſaid Tolls if this Act had not been made, ſuch Annual Rent, (or, if it ſhall appear more Perſons than One were entitled to ſuch Tolls, then ſuch Annual Rents, according to their reſpective Intereſts), as ſhall be equal to the Average Annual Value of the ſaid Tolls ſo to be aſcertained as aforeſaid, which Annual Rent or Rents ſhall be charged upon, and ſhall be payable yearly by the Treaſurer to the ſaid Commiſſioners, out of the Rents, Tolls, Rates, and other Money by this Act veſted in or authorized to be received, collected, or taken, by the ſaid Commiſſioners, or their Treaſurer, and ſhall from Time to Time be fully paid and diſcharged before and in Preference to any other Application of any ſuch Money, and in Default of Payment thereof, the ſame ſhall and may be recovered, with full Coſts of Suit, by Action at Law: Provided always, that if any Perſon or Perſons ſeiſed of or entitled to ſuch Tolls, or any Part thereof, ſhall be willing to relinquiſh his, her, or their Intereſt therein, for the Purpoſe of more effectually carrying this Act into Execution, it ſhall be lawful for the ſaid Commiſſioners to accept of ſuch Surrender, Conveyance, or Aſſignment, under the Hands and Seals of ſuch Perſon or Perſons, and the ſame ſhall be valid and binding on ſuch Perſon or Perſons, his, her, or their Heirs and Aſſigns for ever, though the ſame ſhould be merely voluntary, and without any Conſideration paſſing to ſuch Perſon or Perſons.

Jury at the Quarter Seſſion to aſcertain the Value of the Tolls, and the Tolls then veſted in the Commiſſioners, and Compenſation to be made.

Commissioners empowered to lessen the Tolls.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, whenever they shall think it may be safely done, consistently with the other Objects of this Act, and the Security of the Persons interested in such Tolls, to lessen or reduce the Tolls payable on the Sale of such Articles, or any of them, or to ascertain and fix any Sum or Sums of Money to be payable, and to accept the same instead or in Lieu of any such Tolls, and may afterwards, if they judge it expedient, raise the Tolls so lowered, or make the Tolls in Lieu of which any Sum or Sums of Money shall have been ascertained and fixed as aforesaid, payable again, and collect and receive the same, so as the Tolls so raised do never exceed the respective Tolls heretofore payable, and so as every Sum of Money, so to be ascertained and fixed, be of less Value than the Tolls in Lieu of which the same shall be payable: Provided always, that no Alteration shall be made in any of the said Tolls, unless Notice of the Intention to make such Alteration, and of the Meeting to be holden for that Purpose, be given in Writing, to be affixed upon some conspicuous Place within the said Town, and also in some Newspaper published or circulated in the said County, at least Ten Days before such Meeting.

Houses purchased for widening the Streets, may be taken down, and the Scites laid into the Streets.

XVIII. And be it further enacted, That it shall also be lawful for any Person or Persons, authorized by Writing under the Hands of any Five or more of the said Commissioners, to take down any of the Houses or Buildings, for which Satisfaction or Recompence shall have been agreed upon and made as aforesaid, and the Scites thereof, and any such Land as aforesaid, to be laid open and added to the Street, or other publick Passage or Place, or made use of for opening and making a publick Communication between any of the said Streets, and other Passages and Places, or otherwise improving the same, in such Manner as the said Commissioners, shall think necessary or proper; and such Part thereof as shall be added to any such Street, or other Passage or Place, or made use of for opening any such Communication as aforesaid, shall for ever afterwards be deemed and taken to be Part of the Street, or other Passage or Place to which the same shall be added, or to be a publick Street or Way, as the Case shall be.

Overplus Ground may be disposed of.

XIX. Provided always, That if for the Purposes of this Act it shall be necessary to take a Part only of the Ground whereon any House or other Building stands, it shall be lawful for the said Commissioners, in Manner before mentioned, to treat and agree for the Purchase of, and for such Persons as they shall appoint for that Purpose to become possessed of the Whole of such House or other Building, and the Ground whereon the same stands as aforesaid; and it shall be lawful for the said Commissioners, and they are hereby required, to let or sell, and by Writing under the Hands and Seals of any Five or more of them, to convey any such Ground as may have been purchased or taken by virtue of this Act, and which they may deem not necessary to be made use of for the Purposes aforesaid, and such Letting, Sale, and Conveyance, shall be valid and effectual.

Tenants to deliver Possession.

XX. And be it further enacted, That every Person in Possession of any Houses or other Buildings or Lands, to be purchased, taken,

or

or made uſe of, for the Purpoſes of this Act as aforeſaid, or any Part thereof, ſhall, at the End of Six Months next after Notice ſhall be given to him or her for that Purpoſe, under the Hands of any Five or more of the ſaid Commiſſioners, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes, with ſuch Fixtures as are or ſhall be the Property of the Landlord, to ſuch Perſons as ſhall be authorized by the ſaid Commiſſioners to take Poſſeſſion thereof; and in caſe any ſuch Perſon ſhall refuſe to give up ſuch Poſſeſſion as aforeſaid, it ſhall be lawful for the ſaid Commiſſioners to iſſue their Precept or Warrant to the Sheriff of the ſaid County, to deliver Poſſeſſion of the Premiſes to ſuch Perſons as ſhall in ſuch Precept or Warrant be nominated to receive the ſame; and the ſaid Sheriff is hereby required to deliver ſuch Poſſeſſion accordingly, and to levy ſuch Coſts as ſhall accrue from the iſſuing and Execution of ſuch Precept or Warrant, on the Perſon ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his or her Goods and Chattels, returning the Overplus (if any) to the Owner.

Diſpoſal of Purchaſe Money belonging to Corporations, &c.

XXI. And be it further enacted, That the Money to be paid to any Corporation, Huſband, Guardians, Truſtees, or Committees, for or on Behalf of any Infants, Femes Covert, or Perſons under any other Diſability or Incapacity, for or in reſpect of their ſeveral Intereſts in any Houſes, Buildings, or Lands to be purchaſed for the Purpoſes aforeſaid, ſhall, by ſuch Corporation, Huſband, Guardians, Truſtees, or Committees, be laid out as ſoon as conveniently may be, in the Purchaſe of Lands or Hereditaments to be conveyed and ſettled to, for, upon, and ſubject to ſuch Uſes, Truſts, and Limitations, as the Houſes, Buildings, or Lands, ſo to be purchaſed for the Purpoſes of this Act as aforeſaid, were limited, ſettled, and aſſured, at the Time of ſuch Purchaſe; and in the mean Time and until ſuch Money ſhall be laid out, the ſame ſhall be placed by ſuch Corporation, Huſband, Guardians, Truſtees, or Committees, in ſome of the Publick Funds, in the Names of ſuch Two or more Perſons as he or they ſhall appoint, and the Intereſt ariſing or to be produced therefrom, ſhall be paid to ſuch Perſon or Perſons as would for the Time being be entitled to the Rents and Profits of the Hereditaments ſo to be purchaſed, in caſe the ſame were actually purchaſed and ſettled purſuant to the Tenor and true Meaning of this Act.

Foot Paths to be ſwept.

XXII. And be it further enacted, That the Occupier of every Houſe or other Tenement in any of the Streets, publick Paſſages, and Places, to be paved, cleanſed, and lighted, by virtue of this Act, ſhall, from and after the Foot Pavement in Front of or adjoining ſuch Houſe or Tenement ſhall be made and completed, ſweep and cleanſe, or cauſe to be ſwept and cleanſed, the ſaid Foot Pavement before ſuch Houſe or Tenement, upon ſuch Days in every Week, between the Hours of Six and Ten of the Clock in the Forenoon, as the ſaid Commiſſioners ſhall, by Writing to be affixed upon the Door of the Market Houſe, or other conſpicuous Place within the ſaid Town, order and direct, upon Pain of forfeiting the Sum of Five Shillings for each Neglect.

Penalties on cauſing Annoyances in the Streets, &c.

XXIII. And be it further enacted, That if any Perſon or Perſons ſhall run, drive, carry, or place, on any of the Foot Paths or Flag Pavements in any of the ſaid Streets, Paſſages, or Places, any Wheel, Sledge, Wheelbarrow,

Wheelbarrow, Handbarrow, Truck, or Carriage, or ſhall wilfully ride, drive, or lead, any Horſe, or other Beaſt or Cattle, on any of the Foot Paths or Flag Pavements aforeſaid, or ſhall kill, ſlaughter, ſinge, ſcald, dreſs, or cut up, any Cattle, Swine, or other Beaſt, in any of the ſaid Streets, Paſſages, or Places, or ſhall hoop, cleanſe, waſh, or ſcald, any Caſk, or hew or ſaw, or cauſe to be hewed or ſawn, any Stone, Wood, or Timber, or bind, make, or repair, the Wheel of any Carriage, or ſhoe, bleed, or farry, or turn or drive looſe any Horſe in any of the ſaid Streets, Paſſages, or Places, or ſhall ſet, place, or expoſe to Sale, or cauſe to be ſet, placed, or expoſed to Sale, any Goods, Wares, or Merchandizes, either on the Foot Paths or Carriage Ways of any of the ſaid Streets, Paſſages, or Places, (except only on Fair Days), or ſhall hang up or expoſe to Sale any Goods, Wares, Merchandizes, or other Matter or Thing, upon any Flap Window, or otherwiſe, ſo as to obſtruct or incommode the Paſſage of any of the ſaid Foot Paths, (except as aforeſaid), or if any Perſon ſhall make, or aſſiſt in making, any Fires, commonly called *Bonfires*, or ſet fire to, or let off or throw, any Squib, Serpent, Cracker, or Fire Work, within any of the Streets, Lanes, or Paſſages of the ſaid Town, or the Limits thereof, every Perſon offending in any of the ſaid Caſes, ſhall for every ſuch Offence forfeit and pay the Sum of Ten Shillings; and if any Perſon or Perſons ſhall bait, chaſe, or ſet Dogs upon any Bull or other Beaſt, within the ſaid Town, or within Two Miles thereof, in the Manner called *Bull-baiting*, or cauſe or procure the ſame to be done, or be in anywiſe aiding or aſſiſting therein, every ſuch Perſon ſhall forfeit the Sum of Five Pounds for every ſuch Offence.

Penalty on Carriages, &c. left in the Streets.

XXIV. And be it further enacted, That if any Waggon, Cart, Dray, or other Carriage, ſhall be left or remain in any of the ſaid Streets, or other publick Paſſages or Places, with or without Horſes or other Cattle, for any Time longer than ſhall be neceſſary for the loading or unloading thereof, or if any Stage Coach, Diligence, Poſt Chaiſe, or other Carriage let to Hire, ſhall be left or remain in any ſuch Street, Paſſage, or Place, with or without Horſes, for any longer Time than ſhall be reaſonable and neceſſary for the taking up or ſetting down the Paſſengers, or for loading or unloading their Baggage, or if any Swine or other Beaſt ſhall be permitted to wander, or be at large, in any of the ſaid Streets, Paſſages, or Places, or if any Timber, Bricks, Stones, Dung, Wood, Goods, or other Things, ſhall be laid or placed, and left or remain in any of the ſaid Streets, or other publick Paſſages or Places, for any longer Time than ſhall be neceſſary for moving or houſing the ſame, or if any Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance, ſhall be thrown, caſt, or laid, in any of the ſaid Streets, Paſſages, or Places, and ſuffered to remain for any longer Time than ſhall be neceſſary for removing the ſame, then and in every ſuch Caſe the Owner or Driver of every ſuch Carriage, and the Owner of any ſuch Swine or other Beaſt, Timber, or other Things as aforeſaid, and the Perſon who ſhall ſo throw, caſt, or lay any Dung, Filth, Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance as aforeſaid, ſhall forfeit and pay the Sum of Five Shillings for every ſuch Offence, and it ſhall be lawful for any Perſon or Perſons to impound any ſuch Swine or other Beaſt ſo wandering or being at large as aforeſaid, in the Common Pound, and the ſame to detain in ſuch Pound until the ſaid Penalty ſhall be fully paid and ſatisfied; and if ſuch Penalty

nalty ſhall not be paid within Six Days after ſuch Swine or other Beaſt ſhall be ſo impounded, it ſhall be lawful for ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners for that Purpoſe, to ſell ſuch Swine or other Beaſt, and the Overplus (if any) of the Money ariſing by ſuch Sale ſhall be paid to the Owner or Owners of ſuch Swine or other Beaſt.

Not to extend to Rubbiſh occaſioned by building.

XXV. Provided always, That no Perſon ſhall be ſubject to any Penalty by virtue of this Act, on Account of any Rubbiſh or Dirt lying in any of the ſaid Streets, Paſſages, or Places, before the Houſe, Tenement, or other Building of ſuch Perſon, which may be occaſioned by the building, pulling down, or repairing of any ſuch Houſe, Tenement, or Building, ſo as convenient Room ſhall be left for Carriages to paſs, and a ſufficient Way kept clean for Foot Paſſengers, and ſo as the Owner or Occupier of ſuch Houſe, Tenement, or Building, ſhall cauſe ſuch Rubbiſh or Dirt to be removed out of ſuch Street, Paſſage, or Place, at his or her own Coſts and Charges, within a reaſonable Time after ſuch building, pulling down, or repairing, ſhall be completed, and ſo as whilſt the ſame ſhall be lying in ſuch Street, Paſſage, or Place, ſuch Owner or Occupier ſhall, during the Night Time, ſet up and maintain a ſufficient Light upon or againſt, or properly incloſe the ſame, in order to prevent any Accident happening to Paſſengers or Cattle.

Penalty on Cellar Windows left open after Dark, and without a Light.

XXVI. And be it further enacted, That if any Cellar Door, Grate, or Window, in any of the ſaid Streets, Paſſages, or Places, ſhall be left open in the Night Time, without being ſufficiently lighted to prevent Accidents to Paſſengers, the Perſon leaving open ſuch Cellar Door, Grate, or Window, ſhall forfeit and pay the Sum of Twenty Shillings for every ſuch Offence; and that no Perſon ſhall hereafter cover, or cauſe to be covered, any Houſe or other Building within the ſaid Town, in the Whole or in Part, with Thatch, except for repairing the Covering of any Houſe or other Building already covered with Thatch, upon Pain of forfeiting the Sum of Five Pounds for every ſuch Offence.

Regulations for removing Night Soil.

XXVII. And be it further enacted, That if any Perſon ſhall empty, or cauſe to be emptied, any Privy or Neceſſary Houſe within the ſaid Town, or the Limits thereof, at any Time except between the Hours of Eleven of the Clock in the Night and Five of the Clock in the Morning, or ſhall lay or cauſe to be laid, or wilfully or negligently ſpill or throw down any of the Soil thereof, in any of the ſaid Streets, Paſſages, or Places, every ſuch Perſon ſhall forfeit and pay the Sum of Twenty Shillings for every ſuch Offence.

Names of the Streets to be ſet up.

XXVIII. And be it further enacted, That the ſaid Commiſſioners may order and direct to be painted, or otherwiſe deſcribed on a conſpicuous Part of ſome Houſe or other Building, at or near the End or Corner of every ſuch Street, Lane, Paſſage, and Place, the Names by which ſuch reſpective Streets, Lanes, Paſſages, and Places aforeſaid are called or known; and if any Perſon ſhall wilfully deſtroy, obliterate, or deface, any ſuch Name or Deſcription, or any Part thereof, or cauſe or procure the ſame to be done, every Perſon ſo offending ſhall forfeit and pay the Sum of Ten Shillings for every ſuch Offence.

Commiſſioners to appoint Watchmen.

XXIX. And be it further enacted, That the ſaid Commiſſioners may, and are hereby authorized and empowered, from Time to Time, (if they think it neceſſary or proper), to appoint ſuch and ſo many Watchmen and Night Conſtables to be employed in the ſaid Town, and the Limits thereof, for ſo long Time in every Night, and during the Whole or any Part of the Year, and under ſuch Regulations, and for ſuch Wages, as they ſhall think proper, and to provide proper Boxes or Places of Reception for ſuch Watchmen; and it ſhall be lawful for the ſaid Watchmen and Night Conſtables, or any of them, and they are hereby authorized and required to apprehend and ſecure all ſuch Malefactors, Diſturbers of the publick Peace, and other ſuſpected Perſons, who ſhall be found wandering or miſbehaving themſelves during the Hours of keeping Watch, and to detain, confine, and carry ſuch Perſons, as ſoon as conveniently may be, before ſome Juſtice of the Peace for the County of *Monmouth*, to be committed and dealt with according to Law.

Commiſſioners to repair and alter the preſent Water Pipes.

XXX. And be it further enacted, That the ſaid Commiſſioners ſhall, and are hereby authorized and empowered, from Time to Time, to alter, relay, repair, and amend, the preſent Pipes erected and made within the ſaid Town, and the Limits thereof, for the Purpoſe of ſupplying the Inhabitants of the ſaid Town, and the Limits thereof, with Water, and for that Purpoſe to cauſe to be dug and broke up the Soil and Pavement of any of the ſaid Streets, and other publick Paſſages and Places, in ſuch Manner as they ſhall think proper; and that whenever any of the Inhabitants of the ſaid Town ſhall, by Writing under their Hands, or otherwiſe, make Application to the ſaid Commiſſioners, to continue the Water to their Houſes, Offices, Buildings, or Yards, or to have any Water laid thereto from or by Means of any ſuch Pipes as aforeſaid, the ſaid Commiſſioners ſhall cauſe the ſame to be done, and ſuch Inhabitants ſhall reſpectively pay to ſuch Perſon as the ſaid Commiſſioners ſhall appoint to receive the ſame, ſuch Annual Sums of Money for ſuch Water as ſhall be aſcertained and fixed by the ſaid Commiſſioners; and in caſe any Perſon ſhall make Default in the Payment of any ſuch Sum of Money, it ſhall be lawful for the ſaid Commiſſioners, by ſuch Ways and Means as they ſhall think proper, to cauſe the Water to be ſtopped or prevented from running or being conveyed into the Houſe, Office, or other Building or Yard of ſuch Perſon, until full Payment ſhall be made of ſuch Money, and ſuch Money may be recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon liable to the Payment thereof, by virtue of a Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County, rendering the Overplus (if any) to the Owner of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale.

Commiſſioners may make Contracts.

XXXI. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authorized and empowered, from Time to Time, to contract with any Perſon for doing or performing all or any of the Works by this Act directed to be done or performed, in ſuch Manner, and under ſuch Penalties for the due Performance of ſuch Contracts as the ſaid Commiſſioners ſhall think fit, giving Fourteen Days Notice of their Intention to enter into every ſuch Contract, in order that any Perſon willing to undertake the ſame may make Propoſals to the ſaid Commiſſioners, at the Time and Place to be mentioned in ſuch Notice, and every

every ſuch Contract ſhall be good, valid, and binding, as well upon the ſaid Commiſſioners as upon the other Party thereto; and in caſe any ſuch Work ſhall not be well and ſufficiently done and performed according to ſuch Contract, the ſaid Commiſſioners may cauſe an Action or Suit to be brought in any of His Majeſty's Courts of Law or Equity againſt every ſuch Contractor, either for a ſpecifick Performance of ſuch Contract, or for any Penalty contained therein, or for any Damage ſuſtained by Reaſon of the Non-performance thereof: Provided always, that it ſhall be lawful for the ſaid Commiſſioners (if they think fit) to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Non-performance of any ſuch Contract, for ſuch Sum of Money as the ſaid Commiſſioners ſhall think proper, not being leſs than the Injury or Damage ſuſtained by the Breach or Non-performance of ſuch Contract, and of all Coſts, Charges, and Expences, which ſhall be occaſioned thereby.

Money to be raiſed by a Rate.

XXXII. And, in order to enable the ſaid Commiſſioners to carry the Purpoſes of this Act into Execution, be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby required, Once in every Year, to rate or aſſeſs ſuch Sums of Money as they ſhall think neceſſary for or towards the Purpoſes of this Act, upon the ſeveral Occupiers of Dwelling Houſes within the ſaid Town, and the Limits thereof, who are or ſhall be aſſeſſed or rated towards the Relief of the Poor, not exceeding in the Whole, in any One Year, Three Shillings in the Pound of the Annual Value of ſuch Dwelling Houſes reſpectively, with the Offices, Courts, Yards, and Gardens therewith reſpectively occupied, ſuch Annual Value to be from Time to Time ſettled and aſcertained by the Rate or Aſſeſſment for the Relief of the Poor, and the Firſt Year for which ſuch Rate or Aſſeſſment ſhall be made, ſhall commence on the Twenty-fourth Day of *June* One thouſand ſeven hundred and ninety-four, and the Money thereby to ariſe ſhall be paid by equal Quarterly Payments to the reſpective Collectors of the Rates to be appointed as aforeſaid, and ſhall be by every ſuch Collector paid over to the ſaid Commiſſioners, or to ſuch other Perſon, at ſuch Times, and in ſuch Manner, as the ſaid Commiſſioners ſhall from Time to Time direct.

Commiſſioners may inſpect Poor Rates.

XXXIII. And, in order to make ſuch Rates as aforeſaid, be it further enacted, That the Overſeers of the Poor of the ſaid Town for the Time being, are hereby required to permit the ſaid Commiſſioners, or any of them, or any other Perſon to be by them appointed, at any ſeaſonable Time or Times, to peruſe and inſpect, and to take a Copy or Copies of any Rate or Aſſeſſment made within One Year then next preceding, for the Relief of the Poor; and if any ſuch Overſeer ſhall refuſe or wilfully neglect to permit any ſuch Peruſal or Inſpection, or the taking of any ſuch Copy, he ſhall forfeit and pay the Sum of Ten Shillings for every ſuch Refuſal or Neglect.

Not to affect Contracts between Landlords and Tenants.

XXXIV. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to make void any Contract, Covenant, or Agreement, between any Landlord and Tenant, touching the paving or repairing any of the ſaid Streets, or other publick Paſſages or Places;

Commiſſioners to determine the Limits of the Town.

and that in caſe any Doubt, Difference, or Diſpute, ſhall ariſe reſpecting the Bounds or Limits of the ſaid Town, for the Purpoſes of this Act, the ſame

ſame ſhall be heard, ſettled, and determined by the ſaid Commiſſioners at ſome of their Meetings.

Empty Houſes chargeable with Half Rates.

XXXV. Provided always, That where any Houſe or Building rateable as aforeſaid by virtue of this Act, after the ſame ſhall have been Once inhabited or occupied, ſhall at any Time be or become empty or unoccupied, then the ſaid Commiſſioners ſhall rate ſuch Premiſes at One Half only of the Sum at which the Occupier thereof (if inhabited) would have been rated, or liable to be rated, in reſpect of ſuch Premiſes, by virtue of this Act, and the ſaid Half Rates, and all Arrears thereof, ſhall be paid by the Perſon for the Time being entitled to ſuch Premiſes, or by the Firſt or any other Tenant or Occupier thereof, and every ſuch Tenant ſhall and may deduct and retain the ſame out of his or her Rent; and that where any Houſe in reſpect whereof any Rate ſhall be made as aforeſaid by virtue of this Act, ſhall be let to more than One Tenant, any One or more of ſuch Tenants ſhall be deemed the Occupier or Occupiers thereof for the Purpoſes of this Act, and every ſuch Tenant paying more than his or her proper Share of ſuch Rate, ſhall and may deduct the Sum he or ſhe ſhall ſo pay over and above his or her proper Share as aforeſaid.

Proportions of Rates to be paid by Perſons removing.

XXXVI. Provided alſo, That where any Perſon ſhall remove from or quit any Houſe rated by virtue of this Act, ſuch Perſon ſhall be liable to pay ſuch Rate in Proportion to the Time that he or ſhe ſhall have occupied the ſame; and in all Caſes where any Perſon ſhall come into or occupy any Houſe rated as aforeſaid, out of or from which any other Perſon who ſhall have been rated for the ſame ſhall be removed, or which at the Time of making any ſuch Rate was empty or unoccupied, the Perſon coming into or occupying the ſame ſhall be liable to pay ſuch Rate in Proportion to the Time that he or ſhe occupied the ſame; which ſaid reſpective Proportions, in caſe of Diſpute, ſhall be aſcertained and ſettled by the ſaid Commiſſioners.

Recovery of Rates.

XXXVII. And be it further enacted, That in caſe any Perſon who ſhall be rated, or be liable to pay any Rate by virtue of this Act, ſhall refuſe or neglect to pay any ſuch Rate to any Collector to be appointed as aforeſaid, for the Space of Seven Days next after perſonal Demand thereof made, or Demand in Writing left at the uſual or laſt Place of Abode of ſuch Perſon, it ſhall be lawful for any Juſtice of the Peace for the County or Place wherein ſuch Perſon ſo neglecting or refuſing ſhall be or reſide, upon Proof made upon Oath of ſuch Demand and Non-payment, (which Oath ſuch Juſtice is hereby empowered and required to adminiſter *gratis*), by Warrant under his Hand and Seal, to authorize and direct ſuch Collector to levy ſuch Rate or Money ſo in Arrear, together with the Coſts and Charges attending the ſame, by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo refuſing or neglecting to pay as aforeſaid, rendering the Overplus (if any) to the Owner of ſuch Goods and Chattels, on Demand.

Rates may be reduced.

XXXVIII. Provided always, That if any Perſon, Body Politick or Corporate, ſhall think himſelf, herſelf, or themſelves, aggrieved by any Rate to be made in purſuance of this Act, ſuch Perſon, Body Politick or Corporate, may, by himſelf, herſelf, or themſelves, or his, her, or their Agent, apply to the ſaid Commiſſioners at their Firſt Meeting to be holden

holden next after the Expiration of Seven Days from the demanding of such Rate; and the Commissioners present at such Meeting are hereby authorized and empowered, (if they shall think proper), to give such Relief in the Premises as to them shall seem reasonable.

Power to borrow Money.

XXXIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby empowered, from Time to Time, to borrow and take up at Interest any Sum or Sums of Money upon the Credit of the said Market, Market House, Buildings, Lands, or Grounds, so to be vested in the said Commissioners as aforesaid, and upon the Rents, Tolls, Rates, or Assessments, and other Sums of Money herein-before granted or made payable to the said Commissioners, or any Person or Persons acting under their Authority, or any Part or Parts thereof, and by Writing under their Hands and Seals, to mortgage or assign over such Market, Market House, Buildings, Lands, or Grounds, Rents, Tolls, Rates, or Assessments, and other Sums of Money, to the Person or Persons who shall advance or lend the Money so to be borrowed, or his or their Trustee or Trustees, as a Security for such Money, together with Interest for the same; and every such Assignment shall be made according to the Form following; (*videlicet*),

'BY virtue of an Act of Parliament, made in the Thirty-fourth Year of the Reign of King *George* the Third, intituled, [*set forth the Title of the Act*], We of the Commissioners appointed by virtue of the said Act, in Consideration of the Sum of advanced and lent by *A. B.* to *C. D.* the Treasurer appointed in pursuance of the said Act, upon the Credit, and for the Purposes of the said Act, do grant and assign unto the said *A. B.* his Executors, Administrators, and Assigns, all the said Market, Market House, Buildings, Lands, Grounds, Rents, Tolls, Rates, or Assessments, and Sums of Money arising by virtue of the said Act, [*or any Part or Proportion of the same, as the Case may require*], to be had and holden from this until the said Sum of with Interest, at *per Centum per Annum* for the same, to be paid Half-yearly, shall be repaid and satisfied. In Witness whereof we have hereunto set our Hands and Seals, this Day of

And every such Assignment shall be good, valid, and effectual.

Power to raise Money by Annuities.

XL. Provided always, That in case the said Commissioners shall think it advisable to raise all or any Part of the Money necessary for the Purposes of this Act, by the granting of Annuities for Lives, then it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities to any Person or Persons who shall contribute, advance, and pay, into the Hands of the Treasurer to the said Commissioners, any Sum or Sums of Money for the absolute Purchase of any Annuity, to be paid and payable during the natural Life of every such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor, at the Time of the Payment of his or her Contribution or Purchase Money, and either with

or without Benefit of Survivorship, as the said Commissioners shall think proper, so that no such Annuity do exceed the Rate of Ten Pounds for One hundred Pounds for a Year; and the Grant of every such Annuity shall be in the Form or to the Effect following; *(videlicet)*,

'WE of the Commissioners, appointed by or in pursuance 'of an Act of Parliament, made in the Thirty-fourth Year of the 'Reign of King *George* the Third, intituled [*set forth the Title of the Act*] 'in Consideration of the Sum of paid by *A. B.* to the 'Treasurer appointed in pursuance of the said Act, do hereby grant unto 'the said *A. B.* his Executors, Administrators, and Assigns, an Annuity or Yearly Sum of out of all the said Market, Market House, Buildings, Lands, and Grounds, Rents, Tolls, Rates, or Assessments, and Sums of Money arising by virtue of the said Act, [*or any Part or Proportion of the same, as the Case may require*], which Annuity or Yearly Sum of shall be paid to the said *A. B.* his Executors, Administrators, and Assigns, at upon the in every Year, during and the First Payment thereof shall be made upon the Day of next ensuing the Date of these Presents. In Witness whereof we have hereunto set our Hands and Seals, the Day of in the Year of our Lord

And every such Grant shall be good, valid, and effectual; and every Annuity so to be granted as aforesaid, shall be, and is hereby charged upon, and shall be payable and paid, free from all Deductions, out of the Money arising by virtue of this Act: Provided nevertheless, that no greater Principal Sum than Three thousand Pounds (including the Purchase Money for the Annuity or Annuities which for the Time being shall be payable by virtue of this Act) shall at any One Time be due upon the Credit of the said Market, Market House, Buildings, Lands, and Grounds, Rents, Tolls, Rates, or Assessments, and Sums of Money; and that, before any such Money shall be borrowed, or Annuity granted, Twenty-one Days Notice at the least shall be given in some Newspaper, published or circulated in the said County, signifying the Intention of borrowing such Money, or granting such Annuities.

Securities for Money lent may be transferred.

XLI. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money which shall be borrowed, or Annuities granted as aforesaid, and their respective Executors, Administrators, or Assigns, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons; which Transfer may be according to the Form following; *(videlicet)*,

Form of Transfer.

'I *A. B.* being entitled to the Sum of [*or*, Annuity of during] secured to *C. D.* his Executors, 'Administrators, and Assigns, by virtue of a Mortgage or Assignment [*or* 'Grant of Annuity] bearing Date the Day of 'under the Hands and Seals of of the Commissioners acting in the 'Execution of a certain Act of Parliament, made in the Thirty-fourth 'Year of the Reign of King *George* the Third, intituled, [*set forth the Title of the Act*], upon the Credit, or arising out of the Market, Market House, 'Buildings,

'Buildings, Ground, Rents, Tolls, Rates, or Aſſeſſments, and Sums 'of Money granted or made payable by the ſaid Act, do hereby tranſ- 'fer all my Right and Title in and to the ſame, and the Money 'now due and to grow due thereon, unto *E. F.* his Executors, Admi- 'niſtrators, and Aſſigns. Dated the Day of

And Copies of all Mortgages or Aſſignments, and Grants of Annuity, which ſhall be made in purſuance of this Act, and Extracts or Memorials of all Transfers thereof, ſhall be entered by the Clerk to the ſaid Commiſſioners in a Book to be kept for that Purpoſe, which Extracts or Memorials ſhall ſpecify and contain the Dates, Names of the Parties, and the Sums of Money thereby transferred, to which Book any Perſon intereſted ſhall at all ſeaſonable Times have Acceſs, and ſhall have free Liberty to inſpect the ſame, without Fee or Reward; and for the Entry of every ſuch Transfer, the ſaid Clerk ſhall be paid, by the Perſon to whom ſuch Transfer ſhall be made, the Sum of One Shilling and no more; and after ſuch Entry made of any ſuch Transfer, every ſuch Transfer ſo entered ſhall entitle the Perſon to whom the ſame ſhall be made, and his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit of the Security thereby transferred.

Application of Money to be raiſed by virtue of the Act.

XLII. And be it further enacted, That all the Money to ariſe by the Rents, Tolls, and Rates or Aſſeſſments herein-before made payable to the ſaid Commiſſioners, or their Treaſurer, and which ſhall be borrowed or raiſed by the granting of Annuities as aforeſaid, and all other Money which ſhall come to the Hands of the Treaſurer, or any other Perſon acting under the Authority of the ſaid Commiſſioners in purſuance or by virtue of this Act, ſhall (after paying and diſcharging the Expences of obtaining and paſſing this Act, and which the ſaid Commiſſioners are hereby required to pay and defray thereout in the Firſt Place) be from Time to Time applied, firſt in paying the ſaid Annual Sum or Sums of Money to the Perſon or Perſons who would have been entitled to the ſaid Tolls if the ſame had not been veſted in the ſaid Commiſſioners as aforeſaid, and afterwards in defraying the Intereſt of ſuch Monies as ſhall be borrowed by virtue of this Act, and the Annuities hereby authorized to be granted, and then in defraying the Expences of paving the ſaid Streets, Lanes, publick Paſſages, and Places as aforeſaid, and in providing and ſetting out the ſaid new Market Place, and erecting and making ſuch Buildings thereon as aforeſaid, and in repairing and altering the ſaid Water Pipes, and in defraying all other Expences attending the Execution of this Act, and in paying off the ſaid Principal Money, in ſuch Manner as the ſaid Commiſſioners ſhall from Time to Time direct.

Creditors to be paid by Ballot.

XLIII. And, in order that no undue Preference may be given to any of the Perſons entitled to the Principal Money which ſhall be borrowed as aforeſaid, in diſcharging ſuch Principal Money in purſuance of this Act; be it further enacted, That when and ſo often as the Money to be raiſed by the Rents, Tolls, Rates, or Aſſeſſments, and other Sums of Money herein-before granted or made payable, ſhall amount to the Sum of One hundred Pounds, (over and above what ſhall be neceſſary to pay the growing Intereſt upon the ſaid Principal Money, and the Annuities which may be granted in purſuance of this Act, and the Expences herein-before provided

provided for or directed to be paid), the ſaid Commiſſioners ſhall cauſe the Number of all the Mortgages or Aſſignments to be granted or made, and then in force, for ſecuring the Principal Monies borrowed, to be written upon diſtinct Pieces of Paper, of an equal Size, and all ſuch Papers to be rolled up in the ſame Manner, as near as may be, and put into a Box or Glaſs, and One Number of the ſaid Mortgages or Aſſignments ſhall be drawn out of the ſaid Box or Glaſs, by the Clerk to the ſaid Commiſſioners, in the Preſence of Three or more of the ſaid Commiſſioners: Provided always, that if it ſhall happen that any Mortgage or Aſſignment, the Number whereof ſhall be drawn out as aforeſaid, ſhall be for a greater Sum than One hundred Pounds, no more than One hundred Pounds ſhall be diſcharged in conſequence of ſuch Number being ſo drawn.

Notice ſhall be given to the Perſons whoſe Aſſignments are to be paid off.

XLIV. And be it further enacted, That after any Ballot ſhall be had as aforeſaid, the ſaid Commiſſioners ſhall cauſe a Notice, ſigned by their Clerk, to be given or left at the uſual Place of Abode of the Perſon or Perſons who ſhall be entitled to the Money to be paid off purſuant to ſuch Ballot, which Notice ſhall expreſs the Sum to be paid, together with the Intereſt due thereon, and that the ſame will be paid at the Place to be mentioned in ſuch Notice, at the Expiration of Six Calendar Months from the Day of giving or leaving ſuch Notice as aforeſaid, and the Intereſt of the Principal Money ſo to be paid off ſhall, from and after the End of the ſaid Six Calendar Months, ceaſe, and be no longer paid or payable, unleſs ſuch Principal Money ſhall be demanded purſuant to ſuch Notice, and not paid; but the Principal Money in reſpect whereof ſuch Notice ſhall be given, and alſo the Intereſt thereof to the End of the ſaid Six Calendar Months, ſhall nevertheleſs be payable on Demand.

Overplus Money may be applied in Aid of the Poors Rates.

XLV. Provided always, and be it further enacted, That in caſe it ſhall happen, after the Principal Money to be borrowed as aforeſaid ſhall be paid off and diſcharged, that there ſhall in any Year be a Surplus remaining of the Money ariſing by virtue of this Act, after paying the Expences for that Year attending the Execution of this Act, the ſaid Commiſſioners ſhall, and are hereby authorized and empowered, if they think proper, to pay ſuch Surplus, or any Part thereof, into the Hands of the Overſeers of the Poor of the ſaid Town for the Time being, and the Overſeers of the Poor of the ſaid Town ſhall, and are hereby required to apply ſuch Money in Aid of the Rates for the Relief of the Poor of the ſaid Town, and the Limits thereof.

Actions may be brought in the Name of the Treaſurer or Clerk.

XLVI. And be it further enacted, That whenever any Action or Suit ſhall be brought or commenced by or by the Order of the ſaid Commiſſioners, againſt any Perſon or Perſons by virtue or in purſuance of this Act, the ſame may be brought in the Name of the Clerk or Treaſurer to the ſaid Commiſſioners, and no ſuch Action or Suit ſhall abate or be diſcontinued by the Death or Removal of the Perſon in whoſe Name the ſame ſhall be brought, or by any Act to be done by him without the Conſent of the ſaid Commiſſioners; but no ſuch Treaſurer or Clerk ſhall be ſubject to the Payment of any Coſts or Expences in reſpect thereof, but the ſame ſhall be defrayed and paid out of the Money to ariſe by virtue of this Act.

XLVII. And

XLVII. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed (where the Recovery thereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County or Place where the Offender ſhall be or reſide, which Warrant ſuch Juſtice is hereby empowered to grant upon the Confeſſion of the Party, or upon the Evidence of any credible Witneſs upon Oath, and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale, ſhall be returned, upon Demand, to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges of ſuch Diſtreſs and Sale; and the Penalties and Forfeitures, when recovered, (if not herein-before directed to be otherwiſe applied), ſhall be paid to the Treaſurer to the ſaid Commiſſioners, and be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be immediately paid, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the Offender to be committed to the Common Gaol or Houſe of Correction, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, nor leſs than Twenty-one Days, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the ſame, ſhall be ſooner paid and ſatisfied. Recovery of Penalties.

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

Form of Conviction.

'County of *Monmouth*.' 'BE it remembered, That on the Day of in the Year of the Reign 'of His Majeſty *A. B.* is convicted before 'of His Majeſty's Juſtices of the 'Peace for by virtue of an Act of 'Parliament, made in the Thirty-fourth Year of the Reign 'of His Majeſty King *George* the Third, intituled, [*ſet forth 'the Title of the Act, and ſpecify the Offence, and Time and 'Place when and where the ſame was committed, as the Caſe 'ſhall be*]. Given under our Hands and Seals [*or*, my Hand 'and Seal] the Day and Year aboveſaid.'

XLIX. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever, relating to the Execution of this Act, any Inhabitant within the ſaid Town ſhall be admitted and allowed to give Evidence, notwithſtanding his or her being charged with and liable to pay any Rate by virtue of this Act. Inhabitants may be Witneſſes.

L. Provided always, and be it further enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Rate to be made, or the ſettling and determining the Bounds or Limits of the ſaid Town, or by any Penalty impoſed, or any other Matter or Thing to be done by virtue or in purſuance of this Act, (except in ſuch Caſes where the Determination Perſons aggrieved may appeal to the General or Quarter Seſſions.

nation herein-before directed is declared to be final or concluſive), every ſuch Perſon may appeal to the Juſtices at the General Seſſion of the Peace to be holden for the County of *Monmouth*, next after the Expiration of One Month from the Time ſuch Cauſe of Appeal ſhall have ariſen, (upon giving Ten Days Notice at the leaſt of ſuch his or her Intention to appeal, and of the Cauſe thereof, to the Treaſurer or Clerk to the ſaid Commiſſioners), and the Juſtices at ſuch Seſſion are hereby authorized and required to hear and determine the Matter of ſuch Appeal, and to make ſuch Order therein as they ſhall judge proper, and their Determination ſhall be final and concluſive.

Proceedings not to be quaſhed for Want of Form, nor removeable by *Certiorari*.

LI. And be it further enacted, That no Order, Verdict, Aſſeſſment, Judgment, or other Proceedings, made concerning any of the Matters aforeſaid, or concerning the Conviction of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*.

Limitation of Actions.

LII. Provided always, and be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until Twenty-one Days Notice be thereof given to the Treaſurer or Clerk to the ſaid Commiſſioners, or after ſufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, and every ſuch Action or Suit ſhall be brought and tried in the County of *Monmouth*, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall or may plead 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 and by the Authority of this Act; and if the ſame ſhall appear to be ſo done, or if ſuch Action or Suit ſhall be brought before Twenty-one Days Notice ſhall be given as aforeſaid, or after a ſufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall recover Treble Coſts, and have ſuch Remedy for the ſame as any Defendant hath for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

Saving Rights of the King and the Lord of the Manor.

LIII. Provided alſo, and be it enacted, That nothing in this Act contained ſhall extend in any Way to change, leſſen, abridge, impeach, annul, or deſtroy, any Rights, Privileges, or Juriſdictions of the King's moſt Excellent Majeſty, His Heirs or Succeſſors, or of the Lord of the Manor of *Abergavenny*.

LIV. And

LIV. 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, without being ſpecially pleaded. Publick Act.

FINIS.