ANNO TRICESIMO SEXTO

Georgii III. Regis.

* *

CAP. LI.

An Act for paving, lighting, cleanſing, and otherwiſe improving, the Streets, and other publick Paſſages, and Places, within the Town of *Beccles*, in the County of *Suffolk*. [24th *March* 1796.]

WHEREAS the Streets, and other publick Paſſages and Places, within the Town of *Beccles*, in the County of *Suffolk*, are not properly paved, cleanſed, lighted, or watched, and are ſubject to various Encroachments, Nuiſances, and Annoyances, and it would be of great Benefit and Convenience to the Inhabitants of the ſaid Town, and to all Perſons reſorting to or travelling through the ſame, if the ſaid Streets, and other publick Paſſages and Places, were properly paved, cleanſed, lighted, and watched, and kept free from all Encroachments, Nuiſances, and Annoyances; but the ſame cannot be done 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 *John Allen*, *John Aſſey*, *Edward Arnold*, *Le Grice Browne Bohun*, *Iſaac Blowers*, *George William Browne Bohun*, *William Crowfoot*, *Tyrell Carter*, *James Cole*, *John Criſp*, *William Criſp*, *Philip Dykes*, *William Elmy*, *Thomas Farr*, *John Lang Girdleſtone* Clerk, *Owen Holmes*, *William Hatton* the younger, *Samuel Lilliſtone*, *William Oſwald*, the Portreeve and Surveyors of *Beccles Fenn* for the Time being, *Richard Purvis*, *Robert Purvis*, *Thomas Rede*, *Robert Rede*, *Robert Sparrow*, *Robert Bernard Sparrow*, *Bence Sparrow* Clerk, *James Safford* Clerk, *Thomas Webſter*, and their Succeſſors, to be

Preamble.

Commiſſioners appointed.

elected as herein-after mentioned, ſhall be, and they are hereby appointed Commiſſioners for putting this Act into Execution; and when any of the Commiſſioners hereby appointed, or to be elected as herein-after mentioned, ſhall die or refuſe to act in the Execution of this Act, it ſhall be lawful for the remaining Commiſſioners, by Writing under their Hands, to elect a fit Perſon to be a Commiſſioner in the Place of every Commiſſioner dying or refuſing to act as aforeſaid, Ten Days Notice in Writing of the Time and Place of every ſuch Election being given by the Clerk to the ſaid Commiſſioners, by affixing the ſame on the Door of the Town Hall of *Beccles* aforeſaid, or ſuch other conſpicuous Place or Places within the ſaid Town, as the ſaid Commiſſioners ſhall at any of their Meetings have appointed for that Purpoſe; and every Perſon ſo to be elected ſhall have and is hereby veſted with the ſame Powers for putting this Act in Execution, as if he had been named a Commiſſioner in and by this Act.

Appointment of new Commiſſioners.

II. Provided always, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, unleſs at the Time of his acting he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands or Tenements within the ſaid Town, of the clear Yearly Value of Twenty Pounds; and if any Perſon, not being qualified as aforeſaid, ſhall preſume to 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 who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record by Action of Debt, or on the Caſe; and the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff, than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act: Provided alſo, 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 Juſtices of the Peace in the Execution of this Act.

Qualification of Commiſſioners.

III. And be it further enacted, That the ſaid Commiſſioners ſhall meet at ſuch Houſe or Place within the ſaid Town, and upon ſuch Day as any Five or more of the ſaid Commiſſioners ſhall appoint, by Notice ſigned by them, and affixed upon the Door of the ſaid Town Hall at leaſt Fourteen Days before ſuch Meeting; and ſhall 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, or was intended to have been holden, and ſo from Time to Time until a ſufficient Number of the ſaid Commiſſioners

Meetings of the Commiſſioners.

ſioners ſhall meet and adjourn, publick Notice of every ſuch Adjournment being given upon the Door of the ſaid Town Hall, 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 appointing the Firſt Meeting, and 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 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 the Number of Commiſſioners revoking or altering the ſame ſhall be Nine at the leaſt; any Thing in this Act to the contrary notwithſtanding.

Commiſſioners Proceedings 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 Chairman at every ſuch Meeting ſhall ſubſcribe his Name at the End of the Proceedings 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.

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; and 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

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 authoriſed, 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 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 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, rendering the Overplus (if any) to ſuch Officer, upon Demand, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale; 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 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, the ſaid Juſtice is hereby authoriſed, by Warrant under his Hand and Seal, to cauſe ſuch Officer to be committed to the Common Goal, 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 Com-

miſſioners 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 Term than Three Calendar Months.

Property of Pavements, &c. veſted in Commiſſioners.

VI. And be it further enacted, That the Property of and in all the preſent and future Pavements of the Carriage Ways and Footways, and all the Gravel within the ſeveral Streets, publick Paſſages, and Places, within the ſaid Town, already or hereafter to be ſet out or made, and of and in all Lamps, Lamp Irons, and Poſts, which now are erected or affixed within the ſaid Town, and which ſhall be erected or affixed, 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.

Streets to be paved, &c.

VII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, from Time to Time, to cauſe the ſeveral Streets, and other publick Paſſages and Places, within the ſaid Town, both in the Foot Ways and Carriage Ways, to be paved, pitched, or otherwiſe repaired, amended, and altered, and the ſaid Streets, and other publick Paſſages and Places, to be cleanſed, lighted, and watched, and all Steps, Penthouſes, Porches, and other Encroachments, Obſtructions, and Annoyances 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 any of the Gutters, Sinks, Drains, Sewers, and Watercourſes already made therein to be opened or widened, and the Form or Courſe thereof altered, 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 expedient, neceſſary, or proper, according to the true Intent and Meaning of this Act; and that no Perſon ſhall alter the Form of the Foot Ways or Carriage Ways within any of the ſaid Streets, publick Paſſages, or Places, without the Conſent of the ſaid Commiſſioners, upon Pain of forfeiting the Sum of Twenty Shillings for every ſuch Offence.

Materials may be taken from Commons.

VIII. 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 Pariſh of *Beccles* aforeſaid, 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

from whence ſuch Materials ſhall be had or taken, or railing or fencing ſuch Pits, ſo as the ſame ſhall not remain in a dangerous State.

Lamps, &c. to be provided.

IX. 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 Paliſades of the Houſes, Tenements, or Buildings, or in ſuch other Places, within the ſaid Town, 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; and in caſe any Perſon ſhall careleſsly, negligently, or accidentally break, throw down, or otherwiſe ſpoil or damage, any of the ſaid Lamps, or t' Irons, Poſts, or other Furniture thereof, and ſhall not, on Dema 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 Recovery of the Rates or Aſſeſſments to be made in purſuance of this Act.

Encroachments, &c. to be removed.

X. 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, or 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, Windowſhutters, Rails, Pales, Paliſades, 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,

Cornices, and Penthouſes, of or belonging to ſuch reſpective Houſes or other Buildings by proper and ſufficient Pipes and 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 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.

No Encroachments, &c. to be hereafter erected.

XI. 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 or Places, 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.

Place and Day of holding the Market may be altered at Requeſt of the Commiſſioners.

XII. And whereas *Robert Sparrow* Eſquire, is Lord of the Manor of *Beccles* aforeſaid, and as ſuch is entitled to hold Fairs and Markets within the ſaid Town of *Beccles*, and to receive the Tolls ariſing therefrom; be it further enacted, That if it ſhall appear to the ſaid Commiſſioners that it would be of Convenience to the Inhabitants of the ſaid Town, and of the Perſons reſorting to the Market therein, if the Place for holding the ſaid Market, and alſo the Day in every Week on which the ſame is held were altered, and that the altering the Place for holding the ſaid Market would alſo be an Accommodation to Travellers paſſing through the ſaid Town, and ſhall ſignify the ſame by Writing under their Hands to the ſaid *Robert Sparrow*, his Heirs or Aſſigns (Lords of the ſaid Manor for the Time being), then it ſhall be lawful for the ſaid *Robert Sparrow*, his Heirs or Aſſigns (Lords of the ſaid Manor for the Time being), and he or they is or are hereby authorized and empowered to direct and order the Place, and alſo the Time for holding the ſaid Market, to be altered, and he or they ſhall cauſe at leaſt One Month's Notice thereof in Writing to be affixed upon the Door of the ſaid Town Hall, and by Advertiſement

in ſome Newſpaper uſually circulated in the ſaid Town, and the Neighbourhood thereof, Three Times at the leaſt, deſcribing the Place where the publick Market within the ſaid Town ſhall for the future be holden, and the Day in every Week for holding the ſaid Market; and after ſuch Notice given as aforeſaid, it ſhall not be lawful for any Perſon to make uſe of any other Place within the ſaid Town for a publick Market, or to hold any ſuch Market on any other Day in the Week than ſuch as ſhall be ſpecified in ſuch Notice; any Uſage or Cuſtom to the contrary notwithſtanding.

Place to be appointed for Sale of Cattle, &c.

XIII. And be it further enacted, That after the ſaid *Robert Sparrow*, his Heirs or Aſſigns (Lords of the ſaid Manor for the Time being), 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 he or they is and are hereby empowered to do), and ſhall have given Notice thereof upon the Town Hall, or ſome other publick Place within the ſaid Town, and in ſome 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 Place, within or near the ſaid Town, than ſuch as ſhall be aſcertained and appointed for that Purpoſe by the ſaid *Robert Sparrow*, his Heirs or Aſſigns, 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 the Sum of Twenty Shillings for every Stone Horſe ſo ſhewn.

Inhabitants to cleanſe the Pavements.

XIV. 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 Town Hall, or other conſpicuous Place within the ſaid Town, order and direct, upon Pain of forfeiting the Sum of Five Shillings for each Neglect.

Penalty on occaſioning certain Nuiſances or Obſtructions in the Streets;

XV. 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, 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 if any Perſon ſhall (except upon Fair Days) 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, or 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, or if any Perſon ſhall at any Time leave open any Cellar Door, or Grate, in any of the ſaid Streets, Paſſages, or Places, in the Night Time, without being ſufficiently lighted to prevent Accidents to Paſſengers, or 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 Works, within any of the ſaid Streets, Paſſages, or Places, every Perſon offending in any of the Caſes aforeſaid, ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Shillings.

and on leaving Carriages, &c. in the Streets.

XVI. 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 to 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 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, &c. in the Streets for building or repairing Houſes.

XVII. 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

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, Cattle, or Carriages.

A new market Houſe may be erected at the Requeſt of the Commiſſioners.

XVIII. And be it further enacted, That it ſhall be lawful for the ſaid *Robert Sparrow*, his Heirs or Aſſigns (Lords of the ſaid Manor as aforeſaid), if thereunto requeſted by the ſaid Commiſſioners, by Writing under their Hands, to cauſe a Market Houſe to be erected within any Part of the ſaid Town of *Beccles*, of ſuch Form and Conſtruction as he or they think fit, and to cauſe to be erected thereon ſuch Butchers Shops, Sheds, Stalls, Standings, and other Conveniencies, as the ſaid *Robert Sparrow*, his Heirs or Aſſigns (Lords of the ſaid Manor as aforeſaid), ſhall judge ſuitable or proper; and after ſuch new Market Houſe, with the ſeveral Erections and Conveniencies aforeſaid, ſhall be completed, and Twenty-one Days Notice thereof at the leaſt ſhall have been given in ſome Newſpaper publiſhed or circulated within the ſaid County, the ſame ſhall be deemed the Market Houſe 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 Place, 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 Houſe, and not elſewhere.

Names of the Streets to be ſet up.

XIX. And be it further enacted, That the ſaid Commiſſioners may order and direct to be painted or otherwiſe deſcribed on ſome conſpicuous Part of every Houſe or other Building, at or near the End or Corner of every ſuch Street, Paſſage, and Place, the Name by which ſuch Street, Paſſage, and Place, is called and known; and if any Perſon ſhall wilfully obliterate or deface any ſuch Name, 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.

Power to appoint Watchmen.

XX. 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 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 *Suffolk*, to be dealt with according to Law.

Commiſſioners may con-

XXI. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authorized and empowered, from Time to Time, to contract

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 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. Contract for performing the Works.

XXII. 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, who are or ſhall be aſſeſſed or rated towards the Relief of the Poor, not exceeding in the Whole, in any One Year, One Shilling and Sixpence 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-fifth Day of *March* next after the ſame ſhall have been made by the ſaid Commiſſioners, and at leaſt Fourteen Days Notice thereof given under the Hands of any Five or more of the ſaid Commiſſioners upon the Door of the ſaid Town Hall; 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: Provided always, that no Rate or Aſſeſſment to be made in purſuance of this Act ſhall be valid until the ſame ſhall be ſigned by Five or more of the ſaid Commiſſioners; and the ſaid Commiſſioners are hereby empowered to amend any ſuch Rate or Aſſeſſment after the ſame ſhall have been ſo ſigned, by inſerting the Name of any Perſon who ought to have been rated or aſſeſſed, or ſtriking out the Name of any Perſon who ought not to have been ſo rated or aſſeſſed. Rates.

XXIII. And be it further enacted, That no Perſon ſhall be chargeable with any ſuch Rate or Aſſeſſment, who ſhall not occupy within the Exemptions from Rates.

ſaid Town of *Beccles* a Houſe or Houſes, or other Hereditament, of the Annual Rent of Four Pounds at the leaſt, ſuch Houſe or Houſes, or other Hereditament, not being the Property of ſuch Occupier; and it ſhall be lawful for the ſaid Commiſſioners, upon the Application of any Perſon or Perſons ſubject to the Payment of the ſaid Rates, to exempt ſuch Perſon or Perſons ſo applying from the Payment of the ſaid Rates, or any Part thereof, where by reaſon of the Poverty of ſuch Perſon or Perſons they ſhall judge it expedient or proper, provided that Thirteen at the leaſt of the ſaid Commiſſioners be preſent at the Meeting where ſuch Exemption ſhall be ordered or directed; any Thing in this Act to the contrary hereof notwithſtanding.

Poor Rates may be inſpected.

XXIV. And 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 Perſon to be by them appointed, at any ſeaſonable Time or Times, to peruſe and inſpect, and to take 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.

Manner of rating where Houſes are empty, or let to Inmates, or quitted.

XXV. Provided always, and be it further enacted, 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, during the Time the ſame ſhall be ſo empty or unoccupied, 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, out of his or her Rent: Provided always, 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: Provided alſo, 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.

XXVI. And

XXVI. 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. Recovery of Rates.

XXVII. 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 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. Appeal to the Commiſſioners againſt Rates.

XXVIII. Provided always, and be it further enacted, That One Third Part of all ſuch Rates and Aſſeſſments ſhall be allowed by the Owner or Owners of all and every the ſaid Dwelling Houſes reſpectively, with the Offices, Courts, Yards, and Gardens within the ſaid Town of *Beccles*, to the Tenants or Occupiers thereof reſpectively who ſhall pay the ſame; and ſuch Tenants and Occupiers are hereby authorized and empowered to deduct and detain, out of their reſpective Rents, ſuch Sums of Money as they ſhall reſpectively pay for or on Behalf of the reſpective Landlords or Owners of ſuch reſpective Premiſes, and the Payments of ſuch One Third Part by the ſaid Tenants or Occupiers ſhall be conſidered as Money actually paid for Rent due or to become due to ſuch Owners, who ſhall allow the ſame to their reſpective Tenants or Occupiers out of their Rent accordingly, and the other Two Third Parts thereof ſhall be borne and ſuſtained by ſuch reſpective Tenants or Occupiers. One Third of the Rates to be borne by the Landlords.

XXIX. 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 Rates or Aſſeſſments, and by Writing under their Hands and Seals to mortgage or aſſign over ſuch Rates or Aſſeſſments 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*, Power to raiſe Money by Loan;

'BY virtue of an Act of Parliament, made in the Thirty-ſixth 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 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 Rates or Aſſeſſments 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 in Law.

or by granting Annuities.

XXX. 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 according to the Form following; *videlicet*,

'WE of the Commiſſioners appointed by or in pur- 'ſuance of an Act of Parliament, made in the Thirty-ſixth 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 the 'Rates or Aſſeſſments 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 Exe- 'cutors, 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

And every ſuch Grant ſhall be good, valid, and effectual in the Law; 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 the ſaid Rates or Aſſeſſments by virtue of this Act: Provided nevertheleſs, that no greater Principal Sum than Five 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 Rates or Aſſeſſments; 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.

Transfer of Securities.

XXXI. 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 ſhall be according to the Form following; *videlicet*,

, 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 Five or more
, of the Commiſſioners acting in the Execution of a certain Act of Par-
, liament, made in the Thirty-ſixth 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 Rates or Aſſeſſments granted or made payable by
, the ſaid Act, do hereby transfer 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, Adminiſtrators, 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 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 the Money.

XXXII. And be it further enacted, That all the Money to ariſe by the 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 in defraying the Expences of paving the ſaid Streets, and other publick Paſſages and Places as aforeſaid, and in defraying all other Expences attending the Execution of this Act, and in paying the Intereſt of the Principal Money to be borrowed, and the Annuities to be granted as aforeſaid, 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 off by Ballot.

XXXIII. 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 and paying off the ſame: Be it further enacted, That whenever the ſaid Commiſſioners think proper to pay off any of the Principal Money to be borrowed as aforeſaid, they 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 to be given to the Perſons whoſe Mortgages are to be paid off.

XXXIV. Provided always, That after any Ballot ſhall be had as aforeſaid, the ſaid Commiſſioners ſhall cauſe a Notice, ſigned by their Clerk, to be given to 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.

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

XXXV. 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.

XXXVI. And

XXXVI. 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 forthwith 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.

XXXVII. 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; *videlicet*,

Form of Conviction.

* County of } ‘BE it remembered, That on the Day of
† *Suffolk.* } in the Year of the Reign of His Ma-
‘jeſty *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-ſixth Year of
‘the Reign of King *George* the Third, intituled, [*ſet forth the*
‘*Title of the Act, and ſpecify the Offence, and the 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 firſt aboveſaid.’

XXXVIII. 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 or Aſſeſſment by virtue of this Act. Inhabitants may be Witneſſes.

XXXIX. Provided always, and be it further enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Rate or Aſſeſſment to be made, or by any Penalty impoſed, or any other Matter or Thing to be done by virtue or in purſuance of this Act, every ſuch Perſon may appeal to the Juſtices at the General Quarter Seſſion of the Peace to be holden for the County of *Suffolk* next after the Expiration of One Month from the Time ſuch Cauſe of Appeal ſhall have ariſen, (upon giving Ten Days Appeal to the Quarter Seſſions.

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 authoriſed 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.

XL. And be it further enacted, That no Order, Judgement, or other Proceeding 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.

XLI. 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 *Suffolk*, 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 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.

Treble Coſts.

Publick Act.

XLII. 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.

FINIS.