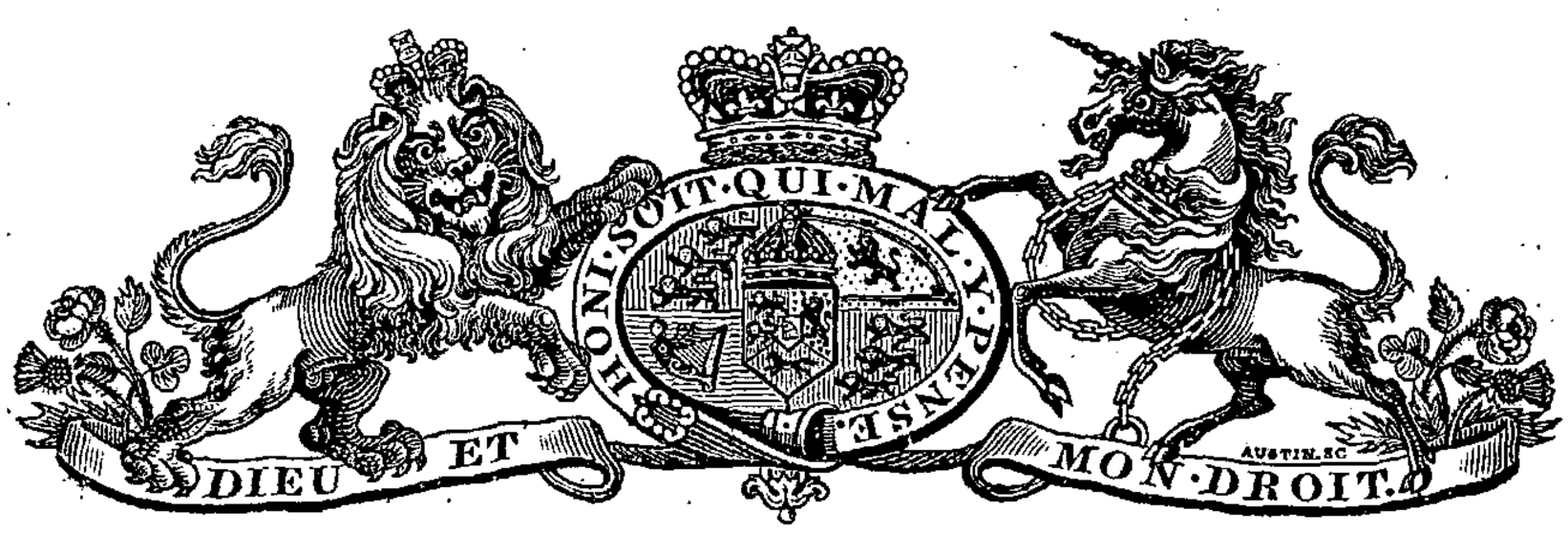


ANNO SECUNDO

GULIELMI IV. REGIS.

Cap. lxxxix.

An Act for repairing, lighting, and watching the District of the United Parishes of *Saint James* and *Saint Paul* in the County of *Gloucester*, and for the Care of the Poor thereof.

[23d *June* 1832.]

WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for dividing the Parish of* Saint James *in the City and County of* Bristol *and County of* Gloucester, *and for building a Church, and providing a Cemetery or Churchyard and Parsonage House, within the new Parish:* And whereas an Act was passed in the Thirty-eighth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to alter and enlarge the Powers of an Act passed in the Twenty-seventh Year of the Reign of His present Majesty, intituled 'An Act for dividing the Parish of* Saint James *in the City 'and County of* Bristol *and County of* Gloucester, *and for building a 'Church, and providing a Cemetery or Churchyard and Parsonage House, 'within the new Parish;'* by which Acts a certain Portion of that Part of the said Parish of *Saint James* which lay in the City of *Bristol*, and also a certain Portion of that Part of the said Parish which lay in the County of *Gloucester*, were or were intended to be divided from the said original Parish of *Saint James* and formed into the Parish of *Saint Paul*, 27 G. 3. c. 49. 38 G. 3. c. 55.

Paul, as a distinct Parish to all Intents and Purposes whatsoever; except that by the said first recited Act it was provided and enacted, that all the Rates and Levies to the Poor, and all Rates and Taxes granted or to be granted by the Authority of Parliament, or otherwise, (except all the Rates to and for the Church commonly called the Church Rates,) should be made, rated, levied, and assessed upon the Inhabitants of the said Parish of *Saint James* and of the said then intended new Parish jointly and in common, without any Distinction of the Parishes intended by that Act, and as they were before the making thereof, and also that the Poor of and within the said intended new Parish should be entitled to a Share of all the Benefactions that had been made and given to or in Trust for the Benefit of the Poor of the said Parish of *Saint James*; but by the said last-mentioned Act it was enacted, that from and immediately after the passing of that Act the said Two Parishes of *Saint James* and *Saint Paul* within the City of *Bristol* should be and be deemed and taken to be Two separate and distinct Parishes, wholly independent of each other with respect to the Election of Churchwardens, Waywardens, Overseers of the Poor, and all other Parish Officers whatsoever, and also in respect to all Parochial Rates and Assessments of every Kind whatsoever: And whereas, in consequence of the said last-mentioned Provision being confined to those Parts of the said Parishes of *Saint James* and *Saint Paul* which are within the City of *Bristol*, considerable Doubt and Uncertainty exist as to the Election, Powers, and Duties of Parish Officers with respect to those Parts of the said Parishes which lie in the County of *Gloucester*: And whereas those Portions of the said Parishes of *Saint James* and *Saint Paul* which lie in the County of *Gloucester* (and are sometimes called the United Parishes of *Saint James* and *Saint Paul* in the County of *Gloucester*) have lately become very populous, and form one of the principal Suburbs of the said City of *Bristol*, and the Roads, Streets, Ways, Lanes, and other Passages and Places therein are very insufficiently repaired, paved, lighted, cleansed, and watched: And whereas it would greatly tend to the Benefit, Convenience, and Safety of the Inhabitants of those Portions of the said Parishes of *Saint James* and *Saint Paul* which lie in the County of *Gloucester*, and of Persons resorting thereto and passing through the same, if the same were properly repaired, paved, lighted, cleansed, and watched, and if the narrow and incommodious Parts of the said Roads, Streets, Ways, Lanes, and other Passages and Places were widened, enlarged, and improved, and if proper Regulations were made and established for the Government and Police thereof, and if the aforesaid Doubt and Uncertainty with respect to Parish Officers were removed; and it would be a great Saving of Expence, and be otherwise advantageous, if the same Portions of the said Parishes were formed into a distinct District, except for Ecclesiastical Purposes, and placed under the Management of Commissioners, and if the Care and Management of the Poor within such District were vested in the same Commissioners; but the Purposes aforesaid cannot be effected without the Aid and 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 Parlia-

ment assembled, and by the Authority of the same, That on the Sixth *Monday* next after the passing of this Act such Parts of the said Parishes of *Saint James* and *Saint Paul* respectively as are situate in the County of *Gloucester*, and which were formerly that Part of the aforesaid original Parish of *Saint James* which lay in the County of *Gloucester*, and are now sometimes called the United Parishes of *Saint James* and *Saint Paul* in the County of *Gloucester*, shall for ever be and be deemed and taken to be a distinct District, (save and except for Ecclesiastical Purposes,) and such District shall be called and known by the Name of "The District of the United Parishes of *Saint James* and *Saint Paul* in the County of *Gloucester*."

Certain Parts of the Parishes of St. James and St. Paul formed into a distinct District.

II. And be it further enacted, That each and every Overseer, Collector, Waywarden, Surety, or other Person in whose Hands, Custody, or Controul any Money received or collected for the Use or Maintenance of the Poor within the said District, or for the Purpose of repairing and improving the Highways, Roads, and Streets within the said District, shall be at the Time of passing this Act, shall pay, deliver up, and account for the same to the Commissioners for executing this Act in the same Manner as if such Money had come to their or any of their Hands by virtue of this Act.

Overseers to account to Commissioners for executing this Act.

III. And be it further enacted, That every Person within the said District from whom any Arrears of Rates shall be due and payable on the said Sixth *Monday* next after the passing of this Act, either for the Use and Maintenance of the Poor within the said District, or for the Purpose of repairing and improving the Highways, Roads, and Streets within the same, shall remain and be liable to the Payment thereof in all respects as such Person was liable for the Payment thereof before the said Sixth *Monday* next after the passing of this Act, or would have been liable if this Act had not been passed; and all such Rates and Arrears of Rates shall be paid to and received by the Commissioners for executing this Act, or their Collector, and shall and may be recovered in the same Manner and by the same Ways and Means as if such Rates or Arrears of Rates had been laid and assessed or had accrued and become due under and by virtue of this Act, and as the Rates under this Act may be recovered and levied by virtue of this Act.

Arrears of Rates may be collected.

IV. And be it further enacted, That *John Addington*, *John Bailey*, *John Bangley*, *John Arthurs Braine*, *Samuel Cary*, *John Brent Cross*, *John Wesley Hall*, *Job Harril*, *John Evans Lunell*, *Francis Grevile Prideaux*, *Charles Powell*, *Benjamin Ralph*, *Joseph Brodribb Sherring*, *Joseph Grace Smith*, *John Adolphus Stansbury*, *John Vaughan*, *Robert Henry Webb*, *Thomas Wright*, and their Successors, to be elected and appointed in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for carrying this Act into execution; and such Commissioners shall be a Body Politic and Corporate, and shall be called and known by the Name of "The "Commissioners for regulating the District of the United Parishes of "*Saint James* and *Saint Paul* in the County of *Gloucester*, and for the "Care of the Poor thereof," and by that Name shall and may have perpetual

Commissioners.

petual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall and may hold any Lands, Tenements, and Hereditaments which they are by this Act authorized to purchase without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Meetings for appointing future Commissioners.

V. And be it further enacted, That it shall be lawful for the Occupiers of Lands, Tenements, or Hereditaments within the said District, assessed to and having paid the then last Rate for the Relief of the Poor, to hold Meetings in some convenient Place in the said District, for the Purpose of electing Commissioners to supply the Places of such Commissioners as shall from Time to Time go out of Office, by Ballot and Rotation, as herein-after mentioned respectively; and the First of such Meetings shall and may be held within Twenty Days next preceding the Third *Monday* in *September* in the Year One thousand eight hundred and thirty-four, and all subsequent Meetings shall and may be held within Twenty Days next preceding the Third *Monday* in *September* in every Year then following; and such Meetings shall be convened by the Clerk to the said Commissioners, by Notice to be published in Four or more of the *Bristol* Newspapers, (if there shall be so many, and if there be not so many, then in so many *Bristol* Newspapers as shall be published,) and also affixed upon the Church Door of the respective Parishes of *Saint James* and *Saint Paul*, at least Ten Days previously to the respective Days of holding such Meetings; and it shall be lawful for such Occupiers assembled at such Meetings once to adjourn the same respectively; and at such Meetings respectively the said Occupiers, or the Majority in Votes of the said Occupiers there assembled, shall and may proceed to the Election of Six Persons, being Occupiers of Lands, Tenements, or Hereditaments within the said District, of whom Three shall be Persons occupying Premises in that Part of the District which lies to the West of *Stokes Croft* and the Turnpike Road from *Bristol* to *Gloucester*, and the other Three of whom shall be Persons occupying Premises in that Part of the District which lies to the East of *Stokes Croft* and the said Turnpike Road, and all which Six Persons shall be duly qualified according to the Provisions of this Act to be Commissioners, for the Purpose of supplying the Places of such Commissioners as shall go out of Office by Ballot and Rotation as herein-after mentioned; and every such Occupier present who shall by the last Rate which shall have been made for the Relief of the Poor within the said District have been assessed or charged upon or in respect of any annual Rent or Rents, Profit or Value, shall have and be entitled to give One Vote; and at all such Meetings a Chairman shall and may be appointed, who, upon an Equality of Votes on any Question (including the Vote of such Chairman), shall have the decisive or casting Vote as Chairman.

The Commissioners herein named to go out of Office Six

VI. And be it further enacted, That on the Third *Monday* in the Month of *September* One thousand eight hundred and thirty-four Six of the said Commissioners herein named shall go out of Office, of whom Three shall be Commissioners who had been chosen from that Part of the District which lies to the West of *Stokes Croft* and the

the Turnpike Road from *Bristol* to *Gloucester*, and the other Three of whom shall be Commissioners who had been chosen from the other or East Part of the said District; and the Six Persons who shall have been elected at a Meeting of the Occupiers of Lands, Tenements, or Hereditaments within the said District, held as herein-before mentioned within Twenty Days then next preceding, shall be Commissioners in their Stead; and at the End of One Year from the said Third *Monday* in the Month of *September* in the Year One thousand eight hundred and thirty-four Six more of the said Commissioners herein named, in like Proportions from the West and East Parts of the said District, shall go out of Office, and Six Occupiers of Lands, Tenements, or Hereditaments within the said District, being elected and duly qualified according to the Provisions of this Act, shall be Commissioners in their Stead; and at the End of the succeeding Year Six more of the said Commissioners herein named, in like Proportions from the West and East Parts of the said District shall go out of Office, and Six Occupiers, being elected and duly qualified as aforesaid, shall be Commissioners in their Stead, until the whole of the Number of Eighteen Commissioners hereby appointed shall in manner aforesaid have gone out of Office; and in order to determine which Six of the said several Commissioners herein named shall go out of Office at the respective Times aforesaid, a Ballot shall be taken at a Meeting of the Commissioners to be held for that Purpose previously to the Day for electing Commissioners to supply the Places of such of the said Commissioners as shall from Time to Time go out of Office.

at a Time by Ballot.

VII. And be it further enacted, That after the Third *Monday* in the Month of *September* in the Year of our Lord One thousand eight hundred and thirty-six (when all the Persons herein named will, under the Provisions herein-before contained, have gone out of Office), then and from thenceforth Six of the Commissioners for executing this Act shall at the Expiration of every succeeding Year go out of Office by Rotation in the Order in which they shall have been elected, and Six Occupiers of Lands, Tenements, or Hereditaments within the said District, being elected and duly qualified according to the Provisions of this Act, shall be Commissioners in their Stead: Provided always, that it shall be lawful at any Meeting for Election of Commissioners as aforesaid to re-elect any Number not exceeding Two Thirds of the Commissioners then going out of Office.

Future Commissioners to go out by Rotation every Year.

Commissioners may be re-elected.

VIII. And be it further enacted, That when any of the Commissioners herein named or hereafter to be elected shall die, or be or become disqualified, or shall for the Space of One Year refuse or neglect to act, such Death, Disqualification, Refusal, or Neglect being declared by and at a Meeting of the said Commissioners, then and in every such Case the surviving or remaining Commissioners assembled at any Meeting to be held or called under or by virtue of this Act shall nominate, elect, and appoint fit Persons from the West and East Parts of the said District respectively in respect of which such Vacancies shall have occurred, qualified as herein-after

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

mentioned, to be Commissioners in the Room or Stead of the Commissioners so dying, or being or becoming disqualified, or refusing or neglecting to act as aforesaid; and every Person so to be elected and appointed a Commissioner is hereby vested with the same Powers for putting this Act into execution as if he had been expressly named and appointed a Commissioner in and by this Act; but every Person so to be elected and appointed a Commissioner as last mentioned shall continue in Office only for such Period as the Commissioner so dying, or being or becoming disqualified, or refusing or neglecting to act, would have continued in Office.

Qualification of Commissioners.

IX. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act unless he shall be rated as an Occupier of Lands, Tenements, or Hereditaments within the said District, and shall really and *bonâ fide*, in his own Right or in the Right of his Wife, be seised or possessed of Real Estate of the clear yearly Value of Forty Pounds, or be the Tenant or Occupier of Lands, Tenements, or Hereditaments within the said District of the clear annual Value of Forty Pounds; and every Person who shall upon Oath before a Justice of the Peace (whose Oath such Justice of the Peace is hereby empowered to administer and take) depose that he is not seised or possessed of such Real Estate, and that he is not the Tenant or Occupier of such Lands, Tenements, or Hereditaments as aforesaid, shall not be liable to serve the said Office, or be subject to the Penalties of this Act for not so serving; nor shall any Person be capable of acting as a Commissioner in the Execution of this Act (except in administering the Oath herein-after mentioned) until he shall have taken and subscribed, before One or more of the said Commissioners (who is and are hereby empowered to administer the same), an Oath in the Words or to the Effect following; (that is to say,)

Oath of Commissioner.

'I, do swear, That I will faithfully and impartially, 'according to the best of my Skill and Judgment, execute and 'perform all and every the Powers and Authorities vested and reposed 'in me as a Commissioner by virtue of an Act passed in the Second 'Year of the Reign of His Majesty King *William* the Fourth, in-'tituled [*here insert the Title of this Act*]. So help me GOD.'

And an Entry or Memorandum shall be made in the Book of Proceedings of the Commissioners of the taking or making and subscribing of such Oath, and of the Date of administering the same.

Disqualification of Commissioners.

X. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act who shall be or become bankrupt or insolvent, or who shall accept or hold any Place of Profit, or have any Share or Interest, either directly or indirectly, in any Bargain or Contract under this Act, or who shall sell Ale, Beer, Wine, or Spirituous Liquors by Retail; and no Person during the Time he shall be such Commissioner shall be capable of taking or entering into any such Bargain or Contract, nor shall any Com-

missioner act in any Matter in which he shall be personally interested: Provided always, that no such Disqualification as aforesaid shall extend to prevent any Person from acting as a Commissioner in the Execution of this Act, by reason of his being a Creditor on the Rates and Assessments to be raised and levied under this Act, nor by reason of his having any Share or Interest in any Gas Light Company established or to be established, save only so far as relates to the making, enforcing, compounding, or annulling any Bargain or Contract between the said Commissioners and such Gas Light Company: Provided also, that it shall be lawful for such of the said Commissioners as are or shall be Justices of the Peace to act as such in the Execution of this Act, notwithstanding their being Commissioners, except in Cases where they shall be personally interested.

Penalty for Commissioners acting when not qualified.

XI. And be it further enacted, That if any Person, not being qualified as aforesaid, or having ceased to be qualified according to the Directions of this Act, or not having taken and subscribed the Oath hereinbefore-mentioned, or being disqualified by any of the Causes aforesaid, shall, with Knowledge of his Disqualification, act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act with Knowledge of his Disqualification: Provided always, that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, though not duly qualified, done previously to his being so convicted, shall be as valid and effectual as if such Person had been duly qualified as aforesaid.

Penalty on Persons appointed refusing to take upon themselves the Office of Commissioners.

XII. And be it further enacted, That in case any Person who shall be nominated, elected, and appointed as aforesaid to be a Commissioner for executing the Powers of this Act, being duly qualified, and not being incapable of acting as a Commissioner by reason of Age or Infirmity, and not being or having been a Commissioner during the then current Year, or the Year immediately preceding, shall omit, neglect, or refuse to attend some one of the Three following Meetings of the said Commissioners, being duly summoned for that Purpose, or at some Meeting within such future Time as shall be allowed by the said Commissioners, and qualify himself, by taking the Oath herein mentioned, to act in the said Office of Commissioner; or not being qualified as herein-before mentioned, shall not, within Four Days after Notice of his Appointment, give Notice in Writing of such his Want of Qualification to the Clerk of the said Commissioners, and also appear before some Justice of the Peace, and duly take and subscribe such Oath as aforesaid of such his Want of Qualification, and forthwith leave the said

said Deposition with such Clerk; then and in such Case every such Person so offending shall not only forfeit and pay the Sum of Fifteen Pounds, but also be liable to be again nominated, elected, and appointed a Commissioner for the Purposes of this Act at any subsequent Appointment of Commissioners, in such and the same Manner as if such former Nomination, Election, and Appointment had not taken place: Provided always, that all Persons who are or shall be engaged in any Profession or Employment by virtue whereof they are or shall be exempt by Law from Liability to serve Parochial Offices, shall not be liable to any of the Penalties by this Act imposed on Persons omitting, neglecting, or refusing to qualify themselves to act in the Office of Commissioner.

Meetings and Adjournments of Commissioners.

XIII. And be it further enacted, That the said Commissioners shall meet at some convenient House or Place in the said District on the said Sixth *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten and Twelve of the Clock in the Forenoon, in order to put this Act into execution; and it shall be lawful for the Commissioners present at any Meeting appointed to be held for the Execution of this Act, from Time to Time to adjourn the same, to be holden at any future Day and Time, at any House or Place within the said District; and in case the said Commissioners present at any Meeting shall omit to adjourn the same, or in case there shall not be a sufficient Number of Commissioners present for that Purpose, then and in every such Case the Clerk of the said Commissioners may adjourn the same Meeting in the same Manner as the Commissioners might have adjourned the same; or it shall be lawful for any Five of the said Commissioners, although not assembled at a Meeting, or for their Clerk, on an Order signed by Five or more of them, to call a Meeting of the said Commissioners at some convenient Place within the said District, to transact general Business; such Meeting to be called by Notices in Writing under the Hand of such Clerk or such Five Commissioners, directed to the Commissioners, or the other Commissioners, as the Case may be, at their then or last respective Places of Abode, and sent by the Post or otherwise, and such Meeting to be held not sooner than Five and not exceeding Fourteen Days from the Day of sending such Notices.

Meetings on Emergencies.

XIV. And be it further enacted, That notwithstanding any Adjournment or Non-adjournment of any previous Meeting of the said Commissioners it shall be lawful for any Five or more of the said Commissioners, although not assembled at a Meeting, or for their Clerk (on an Order signed by Five or more of them), from Time to Time and at any Time, by Notices in Writing under their or his Hands or Hand, to be directed to the Commissioners, or the other Commissioners, as the Case may be, at their then or last respective Places of Abode, and sent by the Post or otherwise, to convene and appoint a Special Meeting of the Commissioners for proceeding in the Execution of this Act, to be held at any Time and in any convenient Place within the said District to be specified in such Notices, such Time not being less than Three Days after the sending of such Notices: Provided always, that no other Business shall be transacted at

at any such Special Meeting as aforesaid, than what shall have been specified in such Notices as being the Purport for which such Meeting shall be called.

Regulating Proceedings of Commissioners at Meetings.

XV. And be it further enacted, That all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at any Meeting to be held in pursuance of this Act, the Number present at any such Meeting not being less than Three (except in Cases where by this Act a greater Number is required); and all the Acts, Orders and Proceedings of the major Part of any such Three or more Commissioners present at such Meetings shall have the same Force and Effect as if the same were made or done by all the Commissioners for the Time being; and at every such Meeting of the said Commissioners One of the Commissioners present shall be appointed Chairman by a Majority of the Commissioners then present; and in case of an Equality of Votes of the Commissioners at such Meeting (including the Vote of the Chairman) the Chairman presiding at such Meeting shall have the decisive or casting Vote as Chairman, although he shall have previously given his Vote; and no Act of the said Commissioners in the Execution of this Act shall be good or valid unless done at some Meeting to be held in pursuance of this Act (except in Cases particularly specified in this Act); and no Order made by the said Commissioners at any of their Meetings, shall be revoked or altered unless at some subsequent Meeting to be held for that Purpose, of which Fourteen Days Notice in manner aforesaid shall be given in Writing to the Commissioners, expressing the Occasion of such Meeting, and unless a greater Number of Commissioners shall attend and vote at such Meeting to revoke and alter the Order than were present when the same was made; any thing contained in this Act to the contrary notwithstanding.

Proceedings to be entered.

XVI. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book, and fair and regular Entries to be made therein of the Names of all the Commissioners who shall attend the respective Meetings, and of all their Acts, Orders, and Proceedings relative to the Execution of this Act; and the Chairman of each Meeting of the said Commissioners shall always subscribe his Name at the End of such Proceedings of the said Commissioners; and all Entries in such Book, being signed as aforesaid, shall be deemed original, and shall be allowed to be read in Evidence in all Cases, Suits, and Actions touching any thing done in pursuance or by virtue of this Act.

Accounts to be kept of Receipts and Disbursements, which shall be open to Inspection.

XVII. And be it further enacted, That the said Commissioners shall and they are hereby required to order and direct Books to be provided and kept by their Clerk for the Time being, in which Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; and all Accounts relating to the Poor

shall be kept in distinct and separate Books from the Books which shall contain the Accounts relating to the other Purposes of this Act; all which Books shall, at all seasonable Times, be open to the Inspection of the said Commissioners, or any Person paying Rates or Assessments under this Act, without Fee or Reward; and the said Commissioners and Person aforesaid, or any of them, shall or may take Copies of or Extracts from the said Books, or any of them, or any Part thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners, or any Person aforesaid, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall for every such Offence forfeit and pay any Sum of Money not exceeding Five Pounds.

Yearly Meeting for auditing Accounts.

XVIII. And be it further enacted, That a Meeting of the said Commissioners shall be held on the Third *Monday* in *August* yearly at some House or Place in the said District, at which the Accounts of all Monies received and paid from Time to Time by virtue or in execution of this Act, by any Person whomsoever, shall be produced and stated to and examined and settled by the said Commissioners, and the same shall within Fourteen Days afterwards be printed and published in One or more of the *Bristol* Newspapers.

Officers to be appointed.

XIX. And be it further enacted, That the said Commissioners shall from Time to Time appoint and employ a Treasurer, Clerk, Collector, Receiver of the Rates and Assessments, District Surveyor, and such other Officers or Persons as and when they the said Commissioners shall think proper, for carrying this Act into execution; and the said Commissioners shall and may from Time to Time remove them or any of them, and in like Manner appoint others in the Room of those removed, or who shall die, or who shall refuse or decline such Offices, or become incapable of acting therein, and out of the Monies to be raised by virtue of this Act pay such Salaries, Wages, or Allowances to the said Officers and other Persons as they the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby required to take such Security from every such Treasurer, Collector and Receiver as they the said Commissioners shall think reasonable.

Treasurer to give Security.

Clerk not to be Treasurer, and vice versâ.

XX. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the said Commissioners for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall

 accept

accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Commissioners may appoint a temporary Collector in case of Death or Neglect.

XXI. And be it further enacted, That as often as any Collector or Receiver of any of the Rates or Assessments to be raised by virtue of this Act shall die, or become incapable of acting in the Execution of this Act, or shall neglect to perform his Duty therein, it shall be lawful for the said Commissioners, or any Five or more of them, although not assembled at a Meeting to be held pursuant to this Act, by any Writing under their Hands, to appoint another Person to be Collector or Receiver thereof until a Collector or Receiver shall be appointed by the said Commissioners at a Meeting to be holden in pursuance of this Act; any thing herein contained to the contrary notwithstanding.

Penalty on Officers taking any Fee or Reward besides Salary.

XXII. And be it further enacted, That if any Treasurer, Clerk, Collector, Receiver, or any other Officer or Person who shall be in anywise employed by the said Commissioners in putting this Act or any of the Powers thereof into execution, shall exact, take, or accept, by any Ways or Means, any Fee, Profit, or Reward whatsoever (other than such Salaries, Wages, and Allowances as shall be appointed, allowed, and approved of by the said Commissioners), for or on account of any thing done or to be done by virtue of this Act, or on any account whatsoever relative to putting the same into execution, or shall in any way be directly or indirectly concerned or interested in any Sale, Purchase, Bargain, or Contract made or to be made by or by Order of the said Commissioners for the Purpose of putting this Act into execution (unless with the Consent and Approbation of the said Commissioners), every such Person so offending shall be deemed to be disqualified, and shall be for ever incapable of serving or being employed for any of the Purposes of this Act, and shall likewise forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, within Six Calendar Months after the Offence committed, with full Costs of Suit; in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

XXIII. And

Officers to account.

XXIII. And be it further enacted, That all such Officers and Persons so to be appointed as aforesaid shall, under their Hands, (at such Time or Times and in such Manner as the said Commissioners shall direct,) deliver to the said Commissioners, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue or for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers and Receipts for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Commissioners, or to such Person as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Commissioners, or to such Person as they shall appoint, within Ten Days after being thereunto required, by or on behalf of the said Commissioners, by Notice in Writing to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Commissioners respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or by any Person whom they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place wherein such Officer or Person so neglecting or refusing shall reside or be, such Justice may and he is hereby authorized and required to summon the Officer or Person so refusing or neglecting before him, and upon his appearing, or having been summoned by Notice given to him or left with some Inmate at his last Place of Abode, and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath (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 the said Commissioners by virtue of this Act shall be in the Hands of such Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person, and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Offender to the common Gaol or House of Correction for the County, City, Town

Town Corporate, or Place wherein such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be committed by virtue of this Act on account of his not having sufficient Goods or Chattels shall be detained in Prison for any longer Term than Six Calendar Months; provided also, that if any Money shall remain due from such Officer or Person, the Commitment of him to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety, but such Surety, and the Estate and Effects of such Officer or Person, shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

In case an Officer dies, Executors to deliver up Books, &c.

XXIV. And be it further enacted, That in case of the Death of any such Officer or Person before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of his Office, or for the Purposes of this Act, then and in every such Case the Executors or Administrators of such Officer or Person so dying shall deliver up all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators; and in case of the Nondelivery of such Books, Papers, Writings, and Things for the Space of Ten Days after Demand made thereof in Writing by or on behalf of the said Commissioners, it shall be lawful for the said Commissioners to commence and prosecute an Action in any of His Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action full Costs of Suit shall be recoverable by the said Commissioners; or otherwise, in case of Nondelivery of such Books, Papers, Writings, and Things for the Space of Ten Days after Demand made as aforesaid, then, upon Complaint made by the said Commissioners, or by any Person whom they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place wherein the Executors or Administrators of such Officer or Person so neglecting or refusing to deliver up such Books, Papers, Writings, and Things as aforesaid shall reside or be, such Justice may and he is hereby authorized and required to summon the Executor or Administrator so refusing or neglecting before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath (which Oath such Justice is hereby authorized to administer), it shall appear to such Justice that any Books, Papers, Writings, or Things relating to the Execution of this Act shall be in the Custody

or Power of such Executor or Administrator, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same, then and in every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, Town Corporate, or Place wherein such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given up such Books, Papers, Writings, and Things, or have given Satisfaction in respect thereof, to the said Commissioners or to such Justice.

Costs of Suit to be paid out of Funds raised by this Act.

XXV. And be it further enacted, That the said Commissioners shall from Time to Time and at all Times hereafter pay, from and out of the respective Funds or Monies to be respectively raised under and by virtue of this Act, all Costs, Charges, Damages, and Expences which they shall or may incur, sustain, or be put unto, for or by reason of any Action, Suit, or Proceeding which may be had, sued, commenced, or prosecuted against them, or by them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of the respective Purposes of this Act: Provided always, that any such Costs, Charges, Damages, and Expences which shall be incurred in relation to the Poor or Poor's Rate shall be paid out of the Monies raised for the Relief of the Poor, and any such Costs, Charges, Damages, and Expences which shall be incurred in relation to any other Matter connected with this Act shall be paid out of the other Monies to be raised by virtue of this Act.

Certain Roads to cease to be Turnpike.

XXVI. And be it further enacted, That the Trustees of so much and such Parts of the several Turnpike Roads which pass within the said District, having Houses built on each Side thereof for the Space of One hundred Yards together, shall be exonerated and discharged from the Repairs of such Parts of the said Roads respectively as lie within the said District, and the same shall thenceforth cease to belong to the said Turnpike Roads, or to be under the Controul or Management of the Trustees thereof, and shall from Time to Time thereafter be repaired, maintained, supported, and kept in repair by the said Commissioners.

Pavements, &c. vested in Commissioners.

XXVII. And be it further enacted, That all the present Pavements, Flagstones, and Curbstones in the several Roads, Streets, Ways, Lanes, and other Passages and Places now used by the Public within the said District, and all Carriage or Foot Ways or Passages which shall hereafter be made or adopted by the Commissioners as public Ways or Passages under or by virtue of this Act, and the Stones, Gravel, and other Materials belonging thereto respectively, and also all Lamps, Lamp Irons, Lamp Posts, Watchboxes, Watch-houses, and other Houses and Buildings hereafter to be erected or fixed up or purchased by virtue of this Act, and all Materials, and other Articles, Matters, and Things, which shall be purchased or provided by the said Commissioners for the Purposes of this Act, or in any Manner relating thereto, shall belong to and be the Property of and the same are hereby vested in the said Commissioners; and the said Commissioners shall and may cause to be brought any Action, or direct the

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preferring of any Bill of Indictment, (as the Case may require,) against any Person who shall steal, take, or carry away, detain, spoil, injure, or destroy the said Materials, Articles, Matters, and Things, or any of them, or any Part or Parts thereof; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of (for the Purposes of this Act) all or any of the said Materials, Articles, Matters, and Things, or any Part of the same respectively, to such Person and in such Manner as they the said Commissioners shall think proper; and if any Person shall wilfully or maliciously break up, injure, destroy, or otherwise damage any of the Articles or Things hereby vested in the said Commissioners, or any of the Works to be done in pursuance of this Act, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Power for the Commissioners to pave the Streets, &c.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time to cause the present Roads, Streets, Ways, Lanes, and other Passages and Places now used by the Public, and all future Roads, Streets, Ways, Lanes, and other Passages and Places which shall be adopted by the Commissioners under this Act, within the said District or any Part thereof, as well the Carriage as Foot Ways, to be widened, enlarged, and improved, repaired, made, formed, amended, paved, flagged, or otherwise sustained, and the same Pavements, Flagging, and other Materials thereof, to be taken up and relaid, and the Ground thereof to be raised, lowered, or altered from Time to Time, in such Manner and with such Materials as they the said Commissioners shall think fit; and it shall be lawful for the said Commissioners to take up and remove, or cause to be taken up and removed, all or any Posts, Rails, Pales, or Trees in such Roads, Streets, Ways, Lanes, Passages, or Places, or any of them, as they the said Commissioners shall judge useless, or to be a Nuisance or Obstruction to Foot Passengers, Horses, or Carriages, and to erect and set up any other Posts, Rails, or Pales in any such Place as they shall think proper, for the better Security of Passengers or Carriages, or of the said Pavements or Curbstones, from Damage by Waggons, Carts, or other Carriages.

Pavement not to be altered without the Consent or Licence of the Commissioners in Writing.

XXIX. And be it further enacted, That no Person shall at any Time make or cause to be made any Alteration in any paved, pitched, or steined public Foot or Carriage Way, before, behind, or at the Side of his House, Building, Ground, or Land, or in the Pavement, Pitching, or Stoning thereof, without the Consent or Licence in Writing of the said Commissioners first had and obtained at One of their Meetings to be held in pursuance of this Act; and where such Alterations shall be made with such Consent as aforesaid, the same shall from Time to Time be made or done at the Expence of the Person to whom such Consent or Licence shall be given, or the Owner of such Premises for the Time being; and in case any such Person shall cause such Alterations to be made without such Consent or Licence as aforesaid, then and in such Case the said Commissioners may and they are hereby authorized to cause such Alteration or Work to be removed,

moved, altered, repaired, or placed (as the Case may be) as they shall direct or think proper; and the Charges and Expences attending the same shall be repaid to the said Commissioners by the Person causing such Alterations to be made, or the Owner of such Premises for the Time being; and in case of Nonpayment thereof within Ten Days after Demand made by the said Commissioners, or their Clerk or other Person by them authorized, then the same shall and may be levied and recovered in such and the like Manner as any Penalty is by this Act directed to be levied and recovered.

Roads to be laid out of the Width of Twenty-five Feet.

XXX. And be it further enacted, That all the present public Roads, Streets, Ways, Lanes, and other public Passages and Places which have not Houses or Buildings on any Side thereof, and which shall at any Time or Times hereafter have Houses or Buildings fronting the same on either or both Sides thereof, and also all Roads, Streets, Ways, Lanes, and other public Passages and Places which shall at any Time or Times hereafter be laid out, made, or formed, and which shall have Houses or Buildings on each Side thereof fronting the same on One or both Sides thereof, shall be of the clear Width of Twenty-five Feet at the least, to be measured from the Area or Fence (if any) in front of the Houses or Buildings on each or either Side thereof, and where there shall not be any such Area or Fence on both Sides or on One Side, then the Distance to be measured from the front Elevation of the Houses or Buildings respectively not having such Area or Fence, and so that no House, Area, or Fence shall be at a less Distance than Twelve Feet and a Half from the Centre of such Road, Street, Way, Lane, or other public Passage or Place; and when and as often as any House or Building whatsoever shall be built within the said District on the Side of or near any such present or future Road, Street, Way, Lane, or other public Passage or Place, the House or Building so to be built shall be built at lest Twelve Feet and a Half from the Centre of such Road, Street, Way, Lane, or other public Passage or Place; and if any Person shall erect any House or Building in any such present or future Road, Street, Way, Lane, or other public Passage or Place within the said District, of which the Elevation or the Area or Fence shall be nearer than Twelve Feet and a Half from the Centre of such Road, Street, Way, Lane, or other public Passage or Place, then and in every such Case such House or Building, Area or Fence, shall be deemed an Encroachment, Nuisance, and Annoyance, and it shall be lawful for the said Commissioners, by Writing under their Hands, to cause the same to be pulled down and removed or filled up by such Person as they shall direct or appoint; and the Costs and Charges of pulling down and removing or filling up the same shall, when ascertained by the said Commissioners, be paid and reimbursed to them or to their Order, by the Owner of such Houses or Buildings; and in default of Payment thereof within Seven Days next after Demand in Writing, made in that Behalf by the Clerk to the said Commissioners, by leaving the same at the usual Place of Abode of such Owner, if resident within the said District, or otherwise on the Premises, shall and may be recovered in like Manner as any Penalties and Forfeitures are by this Act authorized to be recovered, and when recovered, the same shall be paid

paid to the Treasurer to the said Commissioners, to be applied for the Purposes of this Act.

New Streets, &c. to be paved by the Owners.

XXXI. And be it further enacted, That whenever any new Road, Street, Way, Lane, or other public Passage or Place within the said District, of the Width of Twenty-five Feet or upwards, shall be laid out and formed, the Owners and Proprietors of the Houses, Buildings, and Premises adjoining to such Road, Street, Way, Lane, or other public Passage or Place, shall and they are hereby required, when and so soon as Three-quarter Parts thereof shall be built, to cause the Fronts of their Houses, Buildings, or Premises, to the Middle of such new Road, Street, Way, Lane, or other public Passage or Place, both in the Carriage and Foot Way, to be paved, stoned, or put in good Order and Repair, in such Manner as the said Commissioners shall direct.

New Roads, &c. when paved, may be declared to be public Highways.

XXXII. And be it further enacted, That when any such new Road, Street, Way, Lane, or other public Passage or Place, of the Width of Twenty-five Feet or upwards, shall be laid out and made in the said District, and shall be paved, stoned, or put in good Order and Repair to the Satisfaction of the said Commissioners, then, on Application of the Owner or Owners of the Soil, or a Majority of them in Value according to the Poor's Rates in the said District, it shall be lawful for the said Commissioners and they are hereby required, from Time to Time, by any Writing under their Hands, to declare the same to be a public Road, Street, Way, Lane, Passage, or Place, and from and after such Declaration made such new Road, Street, Way, Lane, Passage, or Place aforesaid shall be deemed and taken to be a public Highway to all Intents and Purposes, and shall be from thenceforth repaired and kept in repair by the said Commissioners, in the same Way and Manner as the other Parts of the Roads, Streets, Ways, Lanes, and other public Passages and Places within the said District are by this Act directed to be repaired and kept in repair.

Power to adopt new Streets, not being less than Fourteen Feet.

XXXIII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think proper, but not otherwise, to adopt any new Road, Street, Way, Lane, or other public Passage or Place within the said District, although the same shall not be of the aforesaid Width of Twenty-five Feet, or although the same shall not be made and put in good Order and Repair; but nothing herein contained shall authorize the said Commissioners to adopt any such Road, Street, Way, Lane, or other public Passage or Place, unless the same shall be of the Width of Fourteen Feet; and from thenceforth all such Roads, Streets, Ways, Lanes, and other public Passages and Places so adopted shall be deemed and taken, to all Intents and Purposes, to be public Highways, and shall be from thenceforth repaired and kept in repair by the said Commissioners, in the same Way and Manner as the other Parts of the said Roads, Streets, Ways, Lanes, and other public Passages and Places within the said District are herein directed to be repaired and kept in repair.

Dangerous Walls, &c. to be repaired or taken down.

XXXIV. And be it further enacted, That whenever any Wall or Fence within the said District shall be in a dangerous State of Decay, or shall fall down, so as in either Case to become incommodious or a Nuisance to the Public, or shall impend over any Road, Street, Way, Lane, or other public Passage or Place, it shall be lawful for the said Commissioners to order the Occupier or Owner of the House, Land, or Ground to which such Wall or Fence shall belong to put up, rebuild, and repair the same, or to pull down and rebuild any such impending Wall; and in case any such Person shall neglect to put up, rebuild, and repair such Wall or Fence, or to pull down and rebuild the same, as the Case may be, for the Space of Ten Days after having received Notice in Writing so to do from the Clerk to the said Commissioners (such Notice to be left at the usual Place of Abode of such Person, if resident within the said District, or otherwise on the Premises), then it shall be lawful for the said Commissioners to cause the same to be put up, rebuilt, and repaired, or pulled down and rebuilt, as the Case may require, and the Expences thereof shall be paid and recovered of such Person in the same Manner and by such Ways and Means as any Penalty is by this Act directed to be paid and recovered.

Power to make, &c. Common Sewers.

XXXV. And be it further enacted, That it shall be lawful for the said Commissioners to cause such and so many Common Sewers, Drains, Vaults, Culverts, and Watercourses, public Wells or Pumps, of such Materials, Dimensions, and Forms as they may think sufficient and necessary, to be constructed and made in, along, or across any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places within the said District, and also to cause any of the Common Sewers, Drains, Vaults, Culverts and Watercourses, Wells or Pumps, which now are or hereafter shall be within the same, to be altered, enlarged, repaired, cleansed, or completed, when and so often as such Commissioners shall deem proper; and in case it shall be found necessary, for completing any of the aforesaid Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, to carry and continue the same into and through any inclosed Lands or Grounds lying within the said District, it shall be lawful for such Commissioners to carry and continue the same into and through the said Lands or Grounds accordingly, such Lands or Grounds respectively not being occupied as Courts, Yards, Gardens, or Orchards, or as Avenues or Approaches to any Dwelling House: Provided always, that if the Owner of any such Lands or Grounds into, through, or in which any such Sewer, Drain, Vault, Culvert, or Watercourse, Well or Pump, shall be made, carried, or continued by such Commissioners as aforesaid, shall be injured or damnified thereby, and such Owner shall refuse to treat or cannot agree with such Commissioners as to the Recompence or Compensation to be paid for such Injury or Damage, then such Owner may apply to the next or Second General or Quarter Sessions of the Peace to be holden for the said County of *Gloucester*; and the Justices of the Peace at such Sessions shall have Power to direct the Jury which shall attend at such Sessions for the Trial of Traverses to enquire into and assess the Recompence Money which ought to be paid to such Owner for such Injury or Damage as aforesaid,

If Owners of Land through which Sewers are taken be dissatisfied, they may apply to the Quarter Sessions.

aforesaid, and thereupon the Justices in such Sessions shall adjudge and order such Recompence so found and assessed by the Jury to be paid to such Owner accordingly; and such Inquiry and Judgment shall be final to all Intents and Purposes, and the said Justices shall and may award, order, and adjudge Costs to either Party, as they shall think proper.

Consent to be had for turning Private Drains into Common Sewers.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners to authorize and empower any Person, at his own Expence, to turn or carry any new private or Branch Drain into any common Sewer, Drain, Vault, Culvert, or Watercourse already made, or which shall be made by virtue of this Act; but if any Person shall at any Time hereafter turn or carry any such new private or Branch Drain into any such Common Sewer, Drain, Vault, Culvert, or Watercourse, without the Licence and Consent of such Commissioners first had and obtained, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Private Drains to be cleansed at the Expence of the Owners.

XXXVII. And be it further enacted, That all private Drains which now do, or which by Permission of the said Commissioners hereafter shall issue into any of the public Sewers, Drains, or Vaults, shall be made, repaired, and cleansed by or under the Inspection and Direction of and according to such Plan as shall be approved of by the proper Officer of the said Commissioners, at the Costs and Charges of the Owner or Occupier of the Lands or Tenements to which the said private Drains do or shall respectively belong, such Costs and Charges, if paid by the said Commissioners under this Act, to be recovered by them in like Manner as the Rates to be raised by virtue of this Act are directed to be recovered.

Where Materials may be lodged.

XXXVIII. And be it further enacted, That during the Time any Road, Street, Way, Lane, or other public Passage or Place, or any of the Drains, Sewers, or other Works therein, shall be under Repair, the said Commissioners shall have Power to order the necessary Materials to be lodged in that or any adjoining Road, Street, Way, Lane, or other public Passage or Place, according to their Discretion, as also to stop up the Way through that or any adjacent Road, Street, Way, Lane, or other public Passage or Place, so long as they shall deem necessary; and the said Commissioners, and all Persons acting under their Directions, are hereby indemnified from any Prosecution or Action whatsoever for so doing.

Power to divert public Highways.

XXXIX. And be it further enacted, That it shall be lawful for the said Commissioners, if they shall think proper, with the Consent in Writing of the Owner of the Soil on both Sides thereof, to order and direct any public Highway or Footpath within the said District to be diverted or turned, so as to make the same nearer or more commodious to the Public: Provided always, that no such Order and Direction shall have any Force or Effect until after the Expiration of Four Calendar Months next after Notice thereof shall have been given by affixing the same for Two successive *Sundays* on the Church

Church Doors of the Parishes of *Saint James* and *Saint Paul*, and also by inserting the same Twice in some One and the same Newspaper printed and circulated in the said City of *Bristol*; and every such Order and Direction shall be subject to Appeal in manner herein-after mentioned.

Commissioners may light the Roads, Streets, &c.

XL. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to cause the Roads, Streets, Ways, Lanes, and other public Passages and Places in the said District, although the same or any of them shall not be public Highways, to be well and sufficiently lighted with Oil or with Gas, or in some other Manner, and from Time to Time hereafter to purchase and provide such and so many Glass Lamps, of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts, as they shall judge necessary, and to direct the same respectively to be or remain affixed or set up upon or against the Walls, Posts, or Palisades of all or any of the several Houses or Buildings, or upon or against any other Walls, or in or upon such other Places within the said District, and to be altered, taken down, or renewed in such Manner as they shall think fit, and to cause such Lamps or any of them to be lighted either with Oil or with Gas, or otherwise, at such Times and Seasons of the Year, and on such Evenings, and on such Hours of the Evening, and to be kept burning for so many Hours, as to them shall seem necessary or proper for the well and sufficiently lighting of all or any of the said Roads, Streets, Ways, Lanes, and other public Passages and Places within the said District; and it shall be lawful for the said Commissioners from Time to Time to contract with any Gas Light Company now or hereafter to be established, or with any other Person, for lighting the said District with Oil or with Gas, or otherwise, for any Number of Years or other Time, and upon such Terms and Conditions in all respects, as such Commissioners shall from Time to Time think proper: Provided nevertheless, that nothing herein contained shall authorize or empower the said Commissioners to carry or lay any Pipe or Pipes through or against any Dwelling House, Manufactory, public or private Building, Yard, or Ground, for the Purpose of lighting the said Roads, Streets, Ways, Lanes, and other public Passages and Places with Gas, or to continue the same, without the Consent of the Owner and Occupier of every such Dwelling House, Manufactory, Building, Yard, or Ground through or against which any such Pipe or Pipes may be carried or laid for the Purposes aforesaid.

Power to contract for lighting.

Act not to protect Persons, &c. lighting with Gas from being indicted for a Nuisance.

XLI. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend or be construed to extend to protect any Person making, furnishing, or supplying any Gas used, burnt, or consumed within the said District, or any of the Servants, Officers, or Workmen of any such Person as aforesaid, from any Indictment or Prosecution for a public or private Nuisance, in respect of any Works, or the Means which shall be employed by them in making the said Gas or using the same, or furnishing any such Gas Light, nor from any Action for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury

or

or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatever.

Penalty on Persons conveying Washings into any Canal, &c.

XLII. Provided always, and be it further enacted, That if any Person whosoever shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Act or Thing to the Water contained in any such Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Spring Head, Well, Drain, Sewer, or Ditch, then and in every such Case such Person shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed, and the whole thereof shall be paid to the Person annoyed, injured, or damaged by any such Proceeding as aforesaid, who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case of any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person to whom the same shall belong, or by any other Person whomsoever, to the Person causing such Annoyance, Nuisance, Injury, Damage, Act, or Thing, and such Person shall not, within Twenty-four Hours after such Notice shall have been given to him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case such Person shall forfeit and pay the Sum of Twenty Pounds for each and every Day during which such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed,

veyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to any Person annoyed, injured, or damaged by any such last-mentioned Act, who shall be the Informer, or to such other Person as in the Judgment of the Justice before whom the Conviction shall take place) shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

Provision for stopping the Escape of Gas.

XLIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by any Person as aforesaid, such Person shall, at his own Expence, immediately after receiving Notice in Writing from any Inhabitant of the said District, or any other Person, of such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case such Person shall not, within Twenty-four Hours after such Notice in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case such Person shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be paid either to the Informer or to the Person who (in the Judgment of the Justice before whom the Conviction shall take place) shall have sustained any Annoyance, Injury, or Damage thereby, as the said Justice shall direct.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

XLIV. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Road, Street, Way, Lane, or other public Passage or Place in the said District shall be so laid at the greatest practicable Distance, and wherever the Width of the Carriageway in such Road, Street, Way, Lane, or other public Passage or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places in the said District, unless in Cases where it shall be unavoidably necessary to lay the Pipes for the Conveyance of Gas across any Water Pipes, in which Cases the said Pipes for the Conveyance of Gas shall, if practicable, be laid at a Distance of at least Six Inches under or over such Water Pipes, and in such Cases the said Pipes for the Conveyance of Gas so crossing the said Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Pipes for the Conveyance of Gas shall be nearer to any Part of the said Water Pipes than Three Feet at least; and in laying down the said Pipes for the Conveyance of Gas the Person to whom the same shall belong shall in no Case join

Two or more Pipes for the Conveyance of Gas together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom or from any Part thereof, upon pain of forfeiting for every such Offence the Sum of Five Pounds, which shall be paid either to any Person annoyed or damaged by any such last-mentioned Act, who shall be the Informer, or to any other Person who (in the Judgment of the Justice before whom the Conviction shall take place) shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed, as the said Justice shall direct, and which shall be levied and recovered as any other Penalty is by this Act directed to be levied and recovered.

To prevent Escape of Gas and Contamination of Water, &c.

XLV. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks shall be contaminated or affected by the Gas of any Person as aforesaid, such Person shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, and the same shall be applied to and for the Use and Benefit of the Company of Proprietors affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case such Person shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Manager or Chief Clerk for the Time being of and for such Company, to be left at the House or usual Office or Place of transacting the Business of such Person as aforesaid, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from his Works, Mains, or Pipes, or contaminating or affecting such Water; and in case such Person shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof such Notice shall be given as aforesaid, then and in every such Case such Person shall, on every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being of the Company of Proprietors affected, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and such Penalty and Costs shall be paid to the Treasurer for the Time being of such Company of Proprietors.

For ascertaining if the Water is contaminated.

XLVI. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for any Company of Proprietors of Waterworks to dig to and about and search and examine the Mains, Pipes, Conduits,

duits, and Apparatus of such Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of such Person; and if it shall appear that the said Water has been contaminated by any Escape of Gas from any of the Mains, Pipes, Conduits, or Apparatus of such Person, the Costs and Expences of the said digging, Search, Examination, and Repair of the Pavement of the Road, Street, Way, Lane, or other public Passage or Place which shall be taken up or disturbed shall be borne and and paid by such Person as aforesaid; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, Conduits, or Apparatus of such Person as aforesaid, then and in such Case the said Water Company shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to such Person any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of such Person in and by such Search or Examination, and also to the Pavement of the said Road, Street, Way, Lane, or other public Passage or Place so taken up or disturbed in such Search or Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice of the Peace as aforesaid.

Restrictions as to the breaking up of Pavements, Roads, &c.

XLVII. Provided always, and be it further enacted, That notwithstanding any thing herein contained it shall not be lawful for any Person whomsoever to break, take up, or disturb the Pavement or Ground in any Road, Street, Way, Lane, or other public Passage or Place, for the Purpose of laying down any Main Pipe (except Service Pipes of a Diameter not exceeding One Inch in the Bore), without the Consent in Writing of the said Commissioners first obtained; but nothing in this Act contained shall be deemed or construed to prevent any Person whomsoever from laying down, repairing, or altering any such Main Pipe (after such Consent as aforesaid), or from opening, taking up, or removing any of the Ground, Stones, Soil, or Pavement, or otherwise, in or of any Road, Street, Way, Lane, or other public Passage or Place whatsoever, for the laying down, repairing, or altering of any such Service Pipes, or of any Apparatus leading from such Main Pipes (after such Consent as aforesaid).

Requiring Pavements, &c. to be reinstated after Pipes, &c. have been laid down.

XLVIII. And be it further enacted, That when and as often as any Person as aforesaid shall have lawfully broken up or removed the Stones, Ground, Soil, or Pavement in or of any Road, Street, Way, Lane, or other public Passage or Place, or any Part thereof, the said Person as aforesaid shall and he is hereby required immediately thereafter to reinstate and make good such Ground, Soil, or Pavement, to the Satisfaction of the said Commissioners; and the said Person as aforesaid shall carry or cause to be carried away all surplus Earth, Filth, and Rubbish occasioned thereby, at his Costs and Charges; and during the Time that such Works are carrying on, and until such Ground, Soil, or Pavement is reinstated as aforesaid, the said Person shall provide proper Watchmen, with necessary Lights at Night, and otherwise

otherwise guard the said Works so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Person shall make Default in reinstating such Ground, Soil, or Pavement as aforesaid, or removing any Rubbish occasioned thereby, or in placing or setting up such Lights at Night, or providing such Watchmen as aforesaid, and otherwise guarding the said Works so as to prevent Accidents to Passengers, Cattle, and Carriages, then and in every sucn Case it shall be lawful for the said Commissioners to reinstate such Ground, Soil, and Pavement; and the Expences thereof shall be repaid by the said Person as aforesaid to the said Commissioners; and in default of Payment thereof within Thirty Days next after Demand in Writing shall have been made for and on the Behalf of such Commissioners, (Proof being made thereof by the Oath of One credible Witness, before One Justice of the Peace,) all such Sum or Sums of Money so paid, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Person, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of any such Justice, who is hereby empowered to grant the same.

Penalty for breaking Lamps, &c.

XLIX. And be it further enacted, That if any Person shall wilfully, wantonly, or maliciously remove, take away, break, throw down, destroy, or otherwise deface, damage, or injure any Lamp, Pipe, Post, Pillar, Pilaster, Lamp Iron, Lamp Cover, or Furniture thereof, Watch-house or Watchbox, Engine or Cart, or other Article, Matter, or Thing by this Act vested in the said Commissioners, or that shall be set up by their Order, or in pursuance of any Contract made by such Commissioners, or that may be otherwise procured by them, or by any Person at his own Expence, under the Authority of this Act, or shall wilfully, wantonly, or maliciously extinguish the Light of any such Lamp, it shall be lawful for any Justice of the Peace for the said County of *Gloucester*, and he is hereby required, upon Oath of the Commission of any such Offence, to issue a Warrant for apprehending the Party accused; or it shall be lawful for any Person who shall see any such Offence committed to apprehend, and for any other Person to assist in apprehending the Offender, and by the Authority of this Act, and without any other Warrant, to deliver him into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County; and upon the Party accused being brought before such Justice such Justice shall proceed to examine upon Oath any Witness who shall appear to give Evidence touching such Offence; and if the Party so accused shall be convicted of any such Offence, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, together with the Costs of Conviction, and the Offender shall also make Satisfaction for the Damages so done.

Damages to be paid for Lamps

L. And be it further enacted, That if any Person shall carelessly or accidentally break, throw down, or damage any of the said Lamps already

broken accidentally.

already hung or set up, or to be hereafter hung or set up as aforesaid, or the Irons or other Furniture thereof, or any Pipe, Post, Pillar, Pilaster, Cover, or other Furniture thereof, Watch-house or Watch-box, Engine or Cart, or any Plug or other Apparatus, Matter, or Thing belonging to the same, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such Case it shall be lawful for any Justice of the Peace for the said County of *Gloucester*, upon Complaint thereof to him made by any credible Person, to summon before such Justice the Party who shall be complained of for doing such Damage as aforesaid; and upon hearing the Allegations and Proofs on both Sides, or Non-appearance of the Party so complained of, to award such Sum of Money as the Damage to be proved shall amount unto, together with the Costs of such Summons and the Conviction thereon; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded, and the said Costs, within Five Days after Demand, to cause the same to be recovered in such Manner as Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

Power to Commissioners to employ Watchmen, &c.

LI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby required, from Time to Time, when and as often as they shall think it expedient, to provide and set up Watch-houses and Watchboxes in such Situations as they shall judge proper and expedient within the said District, and to appoint and employ a sufficient Number of able Men as Watchmen, Patrols, Superintendants, and Beadles, as well for the Day as Night, as they shall judge expedient and necessary to be employed for the Security and good Order of the same District; and the said Commissioners shall and may from Time to Time fix what Wages or other Allowances shall be paid or given to such Watchmen, Patrols, Superintendants, and Beadles; and all such Watchmen, Patrols, Superintendants, and Beadles shall be sworn in by any One of His Majesty's Justices of the Peace for the said County of *Gloucester* to act as Constables for preserving the Peace, and preventing Robberies and other Felonies, and apprehending Offenders against the Peace; and the Men so sworn in shall, within the said District, have all such Powers, Authorities, Privileges, and Advantages, and be liable to all such Duties and Responsibilities, and subject to such Penalties for Breach of Duty and Misconduct, as any Constable within his Constablewick has or is subject or liable to; and such Commissioners shall frame such Orders and Regulations as they shall deem expedient relative to the general Government of the Men so to be appointed, and the Places of their Residence, and all such other Orders and Regulations relative to the said Watchmen, Patrols, Superintendants, and Beadles, as the said Commissioners shall from Time to Time deem expedient; and such Commissioners may at any Time suspend or dismiss from their Employment any Man belonging to the said Establishment whom they shall think remiss or negligent in the Discharge of his Duty, or otherwise unfit for the same; and when any Man shall be so dismissed, and Notice thereof in Writing from the Clerk or other Officer of such Commissioners shall be given to or left for him at his last or usual Place of Abode, or shall cease to belong

to the said Establishment, all Powers vested in him as a Constable by virtue of this Act shall immediately cease.

Duties of Watchmen, &c.

LII. And be it further enacted, That the said Watchmen, Patrols, Superintendants, and Beadles shall and they are hereby required, during the Time they shall respectively be on Duty, to apprehend all loose, idle, and disorderly Persons whom they shall find disturbing the public Peace, or whom they shall have just Cause to suspect of any evil Design, and all Persons whom they shall find, between Sunset and the Hour of Six of the Clock in the Morning, lying in any Street or other public Passage or Place in the said District, or loitering therein, and not giving a satisfactory Account of themselves, and to detain and lodge them in any Watch-house or other Place of Security within the said District which shall be provided or appointed for that Purpose by the said Commissioners, to be there safely kept and detained until they can conveniently be carried before some Justice of the Peace, to be examined and dealt with according to Law, or until they shall give Bail for their Appearance before a Justice of the Peace in the Manner herein-after mentioned.

Constables attending at Watch-houses in the Night, may take Bail by Recognizance from Persons brought before them for petty Misdemeanors; such Recognizance to be conditioned for the Appearance of the Parties before a Justice.

In default of Appearance Recognizance to be forfeited.

LIII. And be it further enacted, That where any Person charged with any petty Misdemeanor shall, without the Warrant of a Justice of the Peace, be taken by or brought into the Custody of any Constable appointed under this Act, during his Attendance in the Night-time at any Watch-house or Station-house appointed by the said Commissioners, it shall be lawful for such Constable, if he shall deem it prudent, to take Bail by Recognizance, without any Fee or Reward from such Person, conditioned that such Person shall appear for Examination before a Justice of the Peace at some Time and Place to be specified in the Recognizance within Seven Days next after such Recognizance shall be taken; and every Recognizance so taken shall be of equal Obligation on the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and the said Constable shall enter in a Book, to be kept for that Purpose in such Watch-house or Station-house, the Names, Residence, and Occupation of the Party and his Surety (if any) entering into such Recognizance, together with the Condition thereof, and the Sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the Time and Place when and where the Party is required to appear; and if the Party does not appear at the Time and Place required, or within One Hour after, or within such further Time as shall be allowed by the said Justice in manner herein-after mentioned, or within One Hour from the Time which shall be so further allowed, the said Justice shall cause a Record of the Recognizance to be drawn up, to be signed by the Constable, and shall return the same to the next General or Quarter Sessions of the Peace, with a Certificate at the Back thereof, signed by such Justice, that the Party has not complied with the Obligation therein contained, and the Clerk of the Peace shall make the like Estreats and Schedules of every such Recognizance as of Recognizances forfeited in the Sessions of the Peace; and if the Party not appearing shall apply by any Person on his

Time of Hearing may be postponed.

his Behalf to postpone the hearing of the Charge against him, and the Justice shall think fit to consent thereto, the Justice shall be at liberty to enlarge the Recognizance to such further Time as he shall appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint, or by binding the Party over to answer the Matter thereof at the Sessions or otherwise, the Recognizance for the Appearance of the Party before a Justice shall be discharged without Fee or Reward.

Penalty on Watchmen, &c. for Neglect of Duty.

LIV. And be it further enacted, That if any of the said Watchmen, Superintendants, Patrols, or Beadles, so appointed or employed as aforesaid, shall not observe and perform all the Orders and Regulations made by the said Commissioners, for their Conduct and Government in their said Employment, or shall in any other Manner neglect their Duty or misbehave, every Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; or it shall be lawful for any Justice of the Peace for the said County of *Gloucester*, upon Complaint against any such Watchman, Patrol, Superintendant, or Beadle, of any such Neglect or Misconduct, in lieu of such Fine, to commit any such Watchman, Patrol, Superintendant, or Beadle to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Three Calendar Months.

Penalty on Publicans, &c. harbouring Watchmen, &c. during the Time they should be on Duty.

LV. And be it further enacted, That if any Victualler, or Keeper of any House, Shop, Room, or other Place for the Sale of any Liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any such Watchman, Patrol, Superintendant, or Beadle as aforesaid, or permit any such Watchman, Patrol, Superintendant, or Beadle to remain in his House, Shop, Room, or other Place during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper as aforesaid shall, on Conviction before any Justice of the Peace for the said County of *Gloucester*, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to reward disabled Watchmen, &c.

LVI. And be it further enacted, That it shall be lawful for the said Commissioners to give such Rewards in Money to the Watchmen, Patrols, Superintendants, and Beadles respectively to be appointed as aforesaid, who may conduct themselves with any particular Merit, or who may be disabled or wounded in the Execution of their Office, as such Commissioners shall think reasonable, such Money to be paid out of the Monies to be raised by virtue of this Act.

Commissioners to appoint or contract with Scavengers.

LVII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby required, from Time to Time, to appoint and employ any proper Person to be and act as a Scavenger, and to purchase or hire Carts or other Carriages and Horses, for cleansing the Roads, Streets, Ways, Lanes, and other public Passages and Places within the said District, and for carrying all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil away from the same, and from Time to Time to order and direct on what Days and at what Times in every Week the particular Roads, Streets, Ways,

Ways, Lanes, and other public Passages and Places within the said District shall be cleansed, and the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil carried away therefrom, and how and in what Manner the same shall be carried away, and where the same shall be deposited, and to give such Orders and Directions to any such Scavenger as shall appear necessary to such Commissioners; or otherwise it shall be lawful for such Commissioners from Time to Time to contract with any Person willing to act as such Scavenger for the cleansing of the said Roads, Streets, Ways, Lanes, and other public Passages and Places within the same District, and for carrying all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil away from the same, at such Times and in such Manner as shall appear expedient to such Commissioners.

Scavengers Duty.

LVIII. And be it further enacted, That the Person employed by or contracting with the said Commissioners for cleansing the several Roads, Streets, Ways, Lanes, and other public Passages and Places within the said District, or the Person employed by or acting under the Directions of such Person so contracting with such Commissioners, shall, on such Days and at such Times as such Commissioners shall from Time to Time appoint, sweep and collect together all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil in such Roads, Streets, Ways, Lanes, and other public Passages and Places, and shall also bring or cause to be brought a Cart or other proper Carriage into such Roads, Streets, Ways, Lanes, and other public Passages and Places within the said District where such Cart or other Carriage can pass, and shall immediately take the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil from such several Roads, Streets, Ways, Lanes, and other public Passages and Places within the said District, and put the same into such Cart or Carriage; all which Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil such Person shall then immediately, or as soon as may be, carry away or cause to be carried away to the Place appointed by the said Commissioners for the depositing the same, upon pain of forfeiting and paying any Sum not exceeding Five Pounds for every Offence or Neglect therein; and the Person so employed or contracting as aforesaid, shall cause the Words "Scavengers Cart" to be painted in large Roman Letters on the Front or on some conspicuous Part of every Cart or Carriage used for the Purpose aforesaid, on pain of forfeiting and paying any Sum not exceeding Twenty Shillings for every Neglect therein.

Penalty on casting Rubbish into the Streets.

LIX. And be it further enacted, That if any Person whosoever shall lay, place, deposit, throw, or cast, or cause or permit to be laid, placed, deposited, thrown, or cast, any Building Materials, Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, or Soil whatsoever, into or in any Road, Street, Way, Lane, or other public Passage or Place within the said District, (with the Exception of such Ashes as may be laid down upon any Foot Pavement in Time of Frost for the Prevention of Accidents, and with such further Exceptions as are herein-after specified,) every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings;

Shillings; or if any Person whosoever shall throw or cast, or cause to be thrown or cast, any Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, or Soil, or any Animal or Carcass, or any noxious or offensive Materials or Ingredients, or any other Substance whatsoever, into any Common Sewer, Drain, Sink, public or private Well, Pump, Canal, Pond, Pool, or Reservoir for Water within the said District, (except such Night Soil or other Filth as may be conveyed into any Common Sewer from any Privy or Water Closet within the said District,) every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty not to extend to Rubbish occasioned by building.

LX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to subject any Person whomsoever to any Penalty by this Act inflicted for or on account of any Building Materials, Dirt, or Rubbish being laid or placed in any such Road, Street, Way, Lane, or other Public Passage or Place as aforesaid, in the course of erecting, pulling down, altering, or repairing any Building, so as there be full and sufficient Space, in the Opinion of the said Commissioners, left in or at the Side of the Road, Street, Way, Lane, or other public Passage or Place where such Building Materials, Dirt, or Rubbish shall lie or be placed, for Carriages to pass and repass, and a sufficient Way be kept clean for Foot Passengers, by the Person laying or causing such Dirt or Rubbish to be laid or placed as aforesaid, and so as a sufficient Light be, at his own Expence, set and maintained at the Place where such Building Materials, Dirt, or Rubbish shall be so laid or placed, from Sunset to Sunrise, to prevent any Accident to Passengers or Cattle; and so as such Building Materials, Dirt, or Rubbish be enclosed and fenced about in such Manner and within such Time as such Commissioners, or any Officer or other Person appointed by them in that Behalf, shall, by any Notice to be by them or him given to such Person, direct and appoint; and so as such Building Materials, Dirt, or Rubbish be removed at the Expence of the Person so laying or causing the same to be laid, within such Time as shall be expressed in any Notice to be in like Manner given by the said Commissioners, or any such Officer or other Person appointed by them in that Behalf; and in case the same shall not be removed according to such Notice, the Person so making default shall (in addition to any Penalty herein in that Behalf imposed), forfeit and pay any Sum not exceeding Twenty Shillings a Day for every Day such Building Materials, Dirt, or Rubbish shall be unfenced or shall continue unremoved after the Expiration of the Time specified in such Notice, and any Sum not exceeding Twenty Shillings for every Night such Light shall not be set and maintained as aforesaid.

Occupiers of Houses to sweep Snow from Footways.

LXI. And be it further enacted, That the several and respective Occupiers of Houses and Buildings, with the Yards, Gardens, Pleasure Grounds, and other Appurtenances next adjoining the several Roads, Streets, Ways, Lanes, and other public Passages and Places within the said District, the Churchwardens and Chapelwardens of every Church or Chapel, the Owner of every dead Wall and other

Fences, and vacant Pieces of Land (not used as Arable, Meadow, or Pasture only), the Trustee, Treasurer, and Minister of every Meeting House or Place of public Worship, or any One or more of them, and the Person who for the Time being shall be the ostensible Director or Manager of every Hospital, School, Theatre, or other public Building, respectively situate or being next adjoining the same several Roads, Streets, Ways, Lanes, and other public Passages and Places, shall and they are hereby required, when any Snow shall have fallen, to cause the same, on each and every Day before Ten of the Clock in the Morning, to be well and sufficiently swept and removed from the several Footpaths or Foot Pavements along the whole Length of the Front of their respective Houses, Buildings, and Premises aforesaid (except as aforesaid), and to the full Extent of the said Footpaths or Foot Pavements, before, behind, and on the Side or Sides of the same respectively; and every such Occupier or other Person as aforesaid making default therein shall for every such Offence forfeit and pay the Sum of Five Shillings.

Cellar Windows and Grates to be secured.

LXII. And be it further enacted, That if any Cellar Door, Trap Door, Hatchway, or Flap Window leading into or giving Light or Air to or placed over any Cellar, Vault, or Office under Ground, within the said District, shall at any Time be left open in the Evening or in the Night, or shall not be effectually and substantially secured so as to prevent Accidents; or if any Grate or other Covering placed over any Opening in the Roadway, Footpath, Flagway, or Pavement, and used for putting Coals or other Articles into any Cellar or other Place under Ground, or for any other Purpose, shall, at any Hour of the Day or Night, be left open, or shall not be well and effectually fastened down and secured, so as to prevent Accidents, then and in every of the said Cases the Occupier of such Cellar, Vault, Office, or other Place under Ground as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Doors and Gates not to open outwards.

LXIII. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said District, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, from Time to Time within Fourteen Days next after their respectively receiving Notice in Writing from the Clerk or other Officer of the said Commissioners, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their respective Occupations (and not being Cellar Doors or Trap Doors), which now do or shall hereafter open outwards, and when open shall project into or over any of the Roads, Streets, Ways, Lanes, or other public Passages or Places within the said District, to be altered so as that the same Doors or Gates shall not thenceforth open outwards into any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by such Notice in any such Door or Gate within the Period specified by such Notice such Occupier making default therein shall forfeit and pay the Sum of Five Shillings a Day for every Day during which any such Door or Gate shall be

be suffered to remain opening outwards after the Expiration of the Time specified in such Notice: Provided nevertheless, that where the Occupier of any such House, Building, Yard, Garden, or Land shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him, if a Tenant at Rack Rent, to deduct and retain out of his Rent the reasonable Charges of altering the same, and the Proprietor or Landlord of such House, Building, Yard, Garden, or Land is in every such Case hereby required to allow the same accordingly: Provided also, that it shall be lawful for such Commissioners to allow to such Occupier or such Proprietor all or any Part of the Expence of making any such Alteration, if such Commissioners shall consider it reasonable so to do.

For Removal of Slaughter-houses, &c.

LXIV. And be it further enacted, That if any Slaughter-house, Swinestye, Necessary House, Dunghill, or Sewer, or any Dung, Carrion, Offal, Blood, Soil, Filth, or Rubbish, or any other noisome Matter whatsoever within the said District, shall be considered by any of the Inhabitants of the same District as a Nuisance or Annoyance, it shall be lawful for the said Commissioners, from Time to Time, upon Complaint thereof being made to them by any such Inhabitant, to inquire into the Matter complained of, and if they shall deem the same to be a Nuisance or Annoyance, then they are hereby empowered and required, by Notice in Writing under the Hand of their Clerk or other Officer, to order such Nuisance or Annoyance to be removed by the Person causing or occasioning the same within such Time as shall be specified in such Notice; and in case the same shall not be removed according to such Notice, the Person who shall be so ordered to remove the same, and shall neglect so to do, shall forfeit and pay the Sum of Ten Shillings a Day for every Day the same shall continue unremoved after the Expiration of the Time specified in such Notice: Provided always, that when any Person thinking himself aggrieved by such Order as aforesaid shall give Notice to such Commissioners or their Clerk of his Intention to appeal against the said Order, and shall enter into a Recognizance within the Time and in the Manner herein-after mentioned and provided for in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person shall not be subject or liable to pay any such Penalty or Forfeiture until the Expiration of Fourteen Days next after the hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Commissioners.

For impounding Cattle suffered to stray.

LXV. And be it further enacted, That if any Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle shall be found straying in any of the Roads, Streets, Ways, Lanes, or other public Passages or Places within the said District, the Owner thereof shall, for every such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Head of Cattle, forfeit and pay any Sum not exceeding Five Shillings; and it shall be lawful for any Officer appointed by the said Commissioners to impound any such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle found straying as aforesaid in any Pound such Commissioners may provide, and which they are hereby authorized and empowered to

provide

provide and maintain within the said District, for common Use by the Inhabitants thereof, or in any other public Pound in the same District, and to detain the same in such Pound until the same Penalty, and the Expence of impounding, feeding, and keeping the same in the Pound, shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Three Days after such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle shall be so impounded, it shall be lawful for any Person who shall be appointed by such Commissioners for that Purpose to sell or cause the same to be sold; and the Costs and Charges of impounding, feeding, and keeping such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle in Pound, and of selling the same, and the said Penalty, shall be defrayed by such Sale; and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner of the said Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle, upon Demand: Provided always, that whether such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle so found straying shall be impounded as aforesaid, or otherwise, the Owner thereof shall nevertheless forfeit and pay for every such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Head of Cattle so found straying as aforesaid, the said Sum of Five Shillings.

Punishing Persons guilty of Pound-breach.

LXVI. And be it further enacted, That in case any Person shall release or attempt to release any Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle, or any other Matter, or Thing, which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded; or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened; or shall rescue or release, or shall attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle, Article, Matter, or Thing so seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law; every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the said County of *Gloucester*, either upon Confession of the Party offending, or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the said County of *Gloucester*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

For punishing Misbehaviour in Drivers of Carriages.

LXVII. And be it further enacted, That if any Driver of any Waggon, Cart, Dray, Sledge, or other Carriage of the like Description (except Carriages on Springs, and driven by some Person holding the Reins thereof), shall ride upon the Shafts or upon any other Part of such Carriage, or any of the Horses, Asses, Mules, or Cattle drawing the

the same, or shall drive the same faster than a Walk, in any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places within the said District; or if the Driver of any Carriage whatsoever shall be at such a Distance from the same during its Passage through any Part of the same District as not to possess the complete Direction over the Horse or Beast drawing the same; or if any Person shall place any Cart or other Carriage athwart or across any such Road, Street, Way, Lane, or other public Passage or Place; or if any Person when driving any Sort of Carriage whatsoever, and meeting any other Carriage, shall not keep his Carriage on the Left or Near Side of the Street, or shall in any Manner wilfully prevent any other Person from passing him, or any Carriage under his Care, within any such Road, Street, Way, Lane, or other public Passage or Place, or by Negligence or Misbehaviour prevent or interrupt the free Passage of any Carriage, or of His Majesty's Subjects, within any such Road, Street, Way, Lane, or other public Passage or Place, or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Person; then and in every such Case every such Driver, Rider, or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Penalties for Obstructions in the Streets.

LXVIII. And be it further enacted, That if, in any Road, Street, Way, Lane, or other public Passage or Place within the said District, any Person shall leave, or suffer to stand or continue, any Waggon, Cart, Dray, or other Carriage of the like Description, either in the Night or in the Day-time, either loaded or unloaded, or with or without Horses, for any longer Time than for the necessary loading or unloading thereof, and except whilst the same shall be loading or unloading, or in case the same shall not during such Time be placed so as to interrupt the public Passage as little as possible, or shall lay, place, or suffer to remain any Timber, Iron, Bricks, Stones, Slates, Tiles, Sand, Lime, Mortar, Hay, Straw, Goods, Wares, Merchandize, Materials, Articles, Matters, or Things whatsoever, longer than shall be necessary for removing and housing the same, then and in every such Case every such Person, and the Owner of every such Carriage, or of any such Goods, Wares, Merchandize, Materials, Articles, Matters, or Things, shall for every Offence in any of the aforesaid Particulars forfeit and pay any Sum not exceeeding Forty Shillings, provided only that One Penalty shall be levied for One and the same Offence.

For Protection of Footways.

LXIX. And be it further enacted, That if any Person shall run, draw, or drive or carry any Truck, Wheel-sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, on any of the Foot Pavements or other Footways in any of the Roads, Streets, Ways, Lanes, or other public Passages or Places within the said District (except only for the Purposes of crossing the same), or shall set or place any Furniture, Goods, Wares, or Merchandize, or erect, set up, or place any Blind, Shade, Covering, or Awning (except such Blind, Shade, Covering, or Awning shall be Nine Feet at

least in Height in every Part thereof from the Surface of the Ground, and shall extend over the whole of such Footway or Causeway), or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any other Way to cause any Obstruction or Impediment on any such Footway or Causeway; or shall wilfully ride, lead, or drive on any such Footway or Causeway any Horse, Mule, Ass, Swine, Sheep, or other Beast or Cattle of any Kind whatsoever, or shall in any other Manner obstruct or incommode, hinder or prevent, the free Passage of any such Footway or Causeway; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

For preventing Nuisances.

LXX. And be it further enacted, That if any Person shall, in any Road, Street, Way, Lane, or other public Passage or Place in the said District, expose for Sale or sell, or fodder, any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, except in such Place or in such Manner as shall be appointed for that Purpose; or exhibit or place for Exhibition any Caravan or other Carriage containing any Animal or other public Show, or in any other Manner exhibit or cause to be exhibited any public Show, except in such Place as shall be appointed for that Purpose; or turn loose or suffer to be at large any Bull Dog, Mastiff, or other ferocious Dog of any other Species, not being muzzled, or permit or suffer any Dog whatsoever to go at large after any public Notice given by the said Commissioners during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness (and which said Dogs so at large such Commissioners are hereby authorized to destroy and direct to be destroyed); or shall, after Nine of the Clock in the Morning, wash or clean, or make or repair, any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose;) or shall mischievously or wantonly let off or fire any Musket, Gun, or Pistol, or other Firearms, or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Firework, in or near any of the said Roads, Streets, Ways, Lanes, and other public Passages and Places; or if any Person shall hew, saw, bore, or cut any Timber or Stone; or shall kill or slaughter, or singe, scald, or dress, or shall cause or procure to be killed or slaughtered, or singed, scalded, or dressed, any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any such Road, Street, Way, Lane, or other public Passage or Place, or in any Shop or other Place adjoining and exposed to the same; or cause or permit any Offal, Blood, Filth, or other offensive Matters to run from any Slaughter-house, Shambles, Butcher's Shop, Swinestye, or Dunghill, into any such Road, Street, Way, Lane, or other public Passage or Place; or kill or slaughter, or dress, within the said District, any unsound Swine, Ox,

Ox, Cow, Calf, Sheep, Lamb, or other Beast or Cattle, and which shall be unwholesome Meat, for the Purpose of Sale; or sell or offer or expose for Sale within the said District any unwholesome Fish or Meat, or use any false or deficient Weights or Measures; or if any Person, being a Licensed Publican or Victualler, or being a Dealer in Beer, Ale, Cider, or other strong Liquors by Retail within the said District, shall not erect or construct, with Flags or other proper Materials, in some convenient and proper Situation, and as little exposed as possible, about such Public House or Victualling House, a Recess or Convenience, with proper Drains from the same, for making Water against, so as effectually to prevent any unnecessary and indecent Exposure of the Person; or if any Person in any of the said Streets shall sift, screen, wet, slack, or mix any Lime; or shall cause or instigate any Dog Battle, or Dogs to fight; or shall indecently expose his Person; or shall write or describe any obscene or indecent Language or Figure on any Wall, Door Post, or public Place within the said District; or post or distribute any indecent or obscene Handbill, Notice, or Placard, or expose to Sale or distribute any indecent or obscene Print, Ballad, or Pamphlet within the same District; or affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material whatsoever; or if any Person shall, within the Distance of Two hundred Yards from any Dwelling House situate in or near any Road, Street, Way, Lane, or other public Passage or Place within the said District, burn any Rags or Bones or other offensive Substance for making Manure, Ivory, or other Black or Ammoniac, or for any other Purpose of Trade, Manufacture, or Commerce, to the Annoyance of any Inhabitant of the said District, or whereby any such Inhabitant shall be annoyed; or place, deposit, or keep any Night Soil, or the Emptyings, Cleansings, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground within the aforesaid Distance from any such Dwelling House as aforesaid, to the Annoyance of any Inhabitant of the said District, or whereby any such Inhabitant shall be annoyed, otherwise than during the Time of the same being removed; each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing aforesaid, as the Case may be (in any of such Cases where the Person actually offending cannot be found or discovered), or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Regulations for emptying Privies.

LXXI. And be it further enacted, That if any Person shall at any Time or Times cause any Privy or Necessary House within the said District to be emptied, except between the Hours of Eleven of the Clock in the Night and Four of the Clock in the Morning; or shall lay

lay or cause to be laid the Soil thereof in any other Place within the said District than shall be appointed for that Purpose by the said Commissioners, or shall wilfully or negligently spill or throw down any such Soil in any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to provide a public Office.

LXXII. And be it further enacted, That it shall be lawful for the said Commissioners to provide and maintain in good Order and Condition a fit and convenient House or Place as and for a public Office within the said District, for holding the Meetings and transacting the Business of the said Commissioners, and for transacting such other public Business relating to the said District as the said Commissioners shall direct or allow to be transacted therein; and also to provide and maintain in good Repair and Condition Lock-up Houses or other Places of Security wherein may be lodged any Night Walkers, Felons, Malefactors, Vagrants, Disturbers of the Peace and Beggars within the same District, until they can be conveniently carried before some Justice of the Peace to be examined and dealt with according to Law; and also to provide Land and Buildings fit and convenient for the Deposit of the Dirt, Ashes, and other Filth to be swept and collected under the Authority of this Act, and for the Accommodation and Deposit of all Horses, Carts, Fire Engines, Tools, Implements, and other Articles, Matters, and Things, to be used and employed by or by the Direction of the said Commissioners; and it shall be lawful for the said Commissioners from Time to Time to make and establish such Rules, Orders, Regulations, and Provisions, for the Use and Management of such public Office, Lock-up Houses or other Places of Security, and for airing, warming, lighting, cleansing, and repairing the same, and for the Use and Management of any such Lands and Buildings, and to make such Allowance to the Keepers or Persons having the Care or Superintendence of the same Offices, Lock-up Houses, Lands, Buildings, and Places, for their necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to the said Commissioners.

Power to purchase Buildings, &c.

LXXIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to contract and agree with any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenant in Fee Simple or for Life or Years, or in Fee Tail, General or Special, or with any Feoffees in Trust for charitable or other Purposes, Husbands, Guardians, Committees for Idiots or Lunatics, Executors or Administrators, or other Trustees whomsoever, not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Idiots, Lunatics, Femes Covert, or other Persons under any Disability of acting for themselves, or with any Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any others the Owners or Pro-

prietors for the Time being of any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments situate within the said District, or of any Part of such aforesaid several Premises, or of any Estate, Right, or Interest therein, for the absolute Purchase of such several Premises or any of them, or any Part thereof, or of any Estate, Right, or Interest therein, which the said Commissioners shall consider proper and necessary to be purchased for all or any of the Purposes of this Act, or as shall be necessary or requisite for the due Execution hereof and the several Powers herein contained, and to take down or alter all or any of such Messuages, Houses, Buildings, Walls, Tenements, and Hereditaments so to be purchased, or any Part of the same respectively, and also to appropriate all or any Part thereof, or of the Land or Ground which shall be cleared by the taking down of any such Messuages, Houses, Buildings, or Walls, for all or any of the Purposes aforesaid, as the said Commissioners shall think fit.

Form of Conveyances to be made to the Commissioners.

LXXIV. And be it further enacted, That all Sales, Conveyances, and Assurances of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, to be made to the said Commissioners, shall be made in the Form or to the Effect following, *mutatis mutandis*; (that is to say,)

'I in consideration of the Sum of
' to me paid by the Commissioners
'appointed under and by virtue of an Act passed in the Second
'Year of the Reign of His Majesty King *William* the Fourth,
'intituled [*here insert the Title of this Act*], do hereby grant and
'convey to the said Commissioners all [*here describe the Premises to be*
'*conveyed*], and all my Estate, Right, Title, Term, and Interest to
'and in the same and every Part thereof; to hold to the said Commis-
'sioners and their Successors from henceforth for ever. In witness
'whereof I have hereunto set my Hand and Seal, this
'Day of in the Year of our Lord .'

And every such Sale, Conveyance, Assignment, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Corporate Bodies, &c. may sell.

LXXV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Fee Simple or for Life or for Years, or in Fee Tail, General or Special, and all Feoffees in Trust for charitable and other Purposes, Husbands, Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and other Trustees and Persons whomsoever, not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for every other Person whomsoever who is or shall be seised or possessed

possessed of, or interested in any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or entitled to any Estate, Right, Title, Lien, Charge, or Interest whatsoever in or to any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments situated within the said District which the said Commissioners shall consider proper and necessary to be purchased for the Purposes of this Act, to contract and agree with the said Commissioners for a Lease or Leases, or for the absolute Sale thereof or of any Part thereof, and of all and every Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, unto the said Commissioners, for the Purposes of this Act, and to demise, convey, and assign the same respectively unto the said Commissioners; and all such Contracts, Leases, Assignments, Bargains, Sales, Conveyances, and other Assurances shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party so conveying, but also to convey all the Estate, Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of his several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be deemed and considered to bar all Dower of the Wife of such Party, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and of the Issue of the same Party claiming under him; any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding.

Power to sell Messuages, &c. not wanted for the Purposes of this Act.

LXXVI. And whereas some Part of the said Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased for the Purposes of this Act may happen to be more than will be necessary for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to sell or dispose of and to convey, or cause to be sold or disposed of and conveyed, such Part of the said Houses, Buildings, Lands, Tenements, or Hereditaments to be vested in them by virtue or in pursuance of this Act, to any Person willing to contract, agree for, or purchase the same; and the Money arising therefrom shall be paid and applied for the Purposes of this Act.

Application of Compensation Money if amounting to 200*l.*

LXXVII. And be it further enacted, That if any Money shall be contracted or agreed to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, to be purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person under any Disability or Incapacity as hereinbefore is mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed

prescribed by an Act passed in the First Year of the Reign of His
1 G. 4. c. 35. late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, or affecting other Houses, Buildings, Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Houses, Buildings, Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until such Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

When less than 200*l.* and exceeding 20*l.*

LXXVIII. And be it further enacted, That if any Money so contracted or agreed to be paid as last before mentioned shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, or of his Guardian or Committee, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, to be signified in Writing under his Hand, be paid into the Bank of *England* in the

Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option, to Two Trustees, to be nominated by the Person making such Option, and approved of by the said Commissioners, (such Nomination and Approbation to be signified in Writing under the Hands or Seals of the nominating and approving Parties,) in order that such Principal Money and the Dividends arising thereon may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application where not more than 20*l.*

LXXIX. And be it further enacted, That when such Money so contracted or agreed to be paid as aforesaid shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments purchased for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then the same shall be paid to his Guardian or Committee, to and for the Use and Benefit of such Person so entitled respectively.

Respecting disputed Titles to Money.

LXXX. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities, to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities the Person who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person, or under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable

LXXXI. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Corporation entitled to any Houses,

Expences of Purchases to be paid by the Commissioners.

Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest therein, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, to be applied in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time, out of the Monies to be raised by virtue of this Act, pay such Sums of Money for such Purposes as the said Court shall direct.

The Commissioners to have the Care of the Poor.

LXXXII. And be it further enacted, That the said Commissioners shall have the Care of and provide for the Maintenance of all the Poor of the said District, of what Age or Kind soever they be, with Power to relieve such poor Persons by giving them Food, Clothes, or Money, or to cause them to be employed in such Way and Manner as the said Commissioners shall think right and proper.

Vesting the Commissioners with Powers of Overseers.

LXXXIII. And be it further enacted, That on the said Sixth *Monday* next after the passing of this Act the said Commissioners shall be and they are hereby declared to be invested with the several Powers and Duties of Overseers of the Poor within the said District, and they shall and are hereby required to exercise all and every the Powers and Authorities with which Churchwardens and Overseers of the Poor, or any of them, by any Laws made or to be made, are or shall be invested, except for ecclesiastical Purposes, and from thenceforth the Churchwardens of the said Parishes of *Saint James* and *Saint Paul* shall be absolutely exonerated and discharged of and from all Duties within the said District, except for ecclesiastical Purposes, and the said Commissioners are hereby authorized and empowered to do and perform every such Act, and in the same Manner, as Churchwardens and Overseers of the Poor or any of them are or may be enabled to do and perform in all or any such Cases; and the said Commissioners shall and may institute or defend any Appeal against any Order of Removal, or any other Order in anywise relating to or affecting the Objects or Purposes of this Act, and issue or receive any Notices respecting the same, in the same Manner as Churchwardens and Overseers of the Poor respectively, by any Law made or to be made, are or shall be empowered or required to do, and shall and may take any Securities or Indemnities, in Trust for the Inhabitants of the said District, which they shall deem necessary or prudent to be taken for the Purposes of this Act in any Case or Cases whatsoever.

Commissioners to ascertain the Sum re-

LXXXIV. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, when and as often as shall be necessary, to set down and ascertain what Sum of Money will

will be requisite to be raised for the Care and Maintenance of the Poor of the said District, and for Salaries of Officers and other Persons in relation to the Poor, and all other Expences attending the Care and Maintenance of the Poor, and Collection of the Poor's Rate; and for the Purpose of raising such Monies the said Commissioners shall have Power and are hereby required to make Rates in the same Manner as Churchwardens and Overseers of the Poor of Parishes are by Law authorized to do for the Relief of the Poor; and such Rates shall when made be certified by the said Commissioners, by some Writing under their Common Seal, to Two Justices of the Peace of the said County of *Gloucester*, and shall be allowed by such Justices, as is required for Poor Rates by Law; and such Rates, when made and certified by the said Commissioners, and allowed by the said Justices, shall be as valid and effectual to all Intents and Purposes as Rates for the Relief of the Poor which are made by Churchwardens and Overseers of the Poor, and allowed by Justices, and published in the Parish Church, in any Parishes or other Places whatsoever; and the said Commissioners, or the Collector to be appointed by them, shall have Power to collect and enforce the Payment of the Sums to be levied by the said Rates, in the same Manner and with the same Remedies as are or shall be by Law given to Overseers of the Poor of Parishes for Recovery of Rates for the Relief of the Poor duly and completely made, and allowed and published: Provided always, that when any such Rate shall be made by the said Commissioners as aforesaid, and before the same shall be certified to the said Justices, the Rate Book, or a Copy thereof, shall be deposited at the House or Place where the Poor of the said District shall be paid, or at some other Place within the said District, open to the Inspection of all Persons concerned; and Notice thereof shall be given by Advertisement to be inserted in some Two or more of the *Bristol* Newspapers, and which Notice shall also state that the said Commissioners will meet at some Time and Place to be specified in such Notice, to hear and determine any Objection to be made by any Tenant or Occupier to his or her Assessment (which Time shall not be less than Eight Days from the Insertion of such Notices), and at such Meeting, and also at any Adjournment or Adjournments thereof, the said Commissioners shall hear and determine on any Objection made by any Tenant or Occupier to his or her Assessment: Provided also, that no such Determination shall interfere with or prevent any Appeal to the Quarter Sessions after the Rate shall have been allowed by the Two Justices of the Peace as before mentioned.

Quired for the Maintenance of the Poor, and Two Justices to approve of the same.

LXXXV. And for raising sufficient Money to defray and pay One Third Part of the Charges and Expences attending or incident to the obtaining and passing of this Act, and to defray and pay the Charges and Expences of carrying the several Powers and Purposes thereof into execution (save and except the Expence of the Care and Maintenance of the Poor and other Expences in relation to the Poor as aforesaid), be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to raise and levy, from Time to Time, when and as often as they

For raising Monies to defray the Expences of carrying the Act into effect.

they shall think necessary, such Sum of Money as they may think requisite, by a Rate or Assessment to be made, assessed, charged, and levied, under the Name and Description of The Repairing, Lighting, and Watching Rate, on the Tenants or Occupiers of all Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, and all Buildings, Erections, Works, Lands, Tenements, and other Hereditaments within the said District, according to the annual Rent or Value of the same respectively, but that such Rate or Assessment shall not exceed One Shilling and Sixpence in the Pound upon such annual Rent or Value in any One Year; and when levied upon Arable Land, Pasture Land, or Woodland, in any Part of the said District, or on any Houses or other Hereditaments situate in such Parts of the said District as at the Time of making any such Rate or Assessment shall not be lighted or watched by virtue of this Act, or which shall not abut upon any Part of the Roads, Streets, Ways, Lanes, or other public Passages or Places which shall be so lighted or watched, such Rate shall not exceed Sixpence in the Pound; and the Monies to be so assessed and raised by virtue of this Act shall be paid by the several Tenants or Occupiers of such respective Premises to the Collector of the Rates to be appointed as herein directed, upon such Days or Times as the said Commissioners shall order and appoint; and the Monies so collected shall be paid over by such Collector into the Hands of the Treasurer at such Times as the said Commissioners shall direct; and if any Tenant or Occupier of any of the Premises aforesaid shall neglect or refuse to pay his Proportion of any of the Rates or Assessments by this Act authorized to be made to the said Collector for the Space of Ten Days after the same shall become due and payable, and Demand made thereof, the same shall be levied and recovered, on and from all and every such Tenant or Occupier so neglecting or refusing, by Distress and Sale of his Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace, such Defaulter having first been duly summoned by such Justice or Justices to appear before him or them at a Time and Place to be mentioned in such Summons, to show Cause for such Neglect or Refusal; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned, on Demand, to the Owner of the Goods and Chattels so distrained and sold, together with what shall remain unsold, after deducting all Costs, Charges, and Expences previous to and attending such Distress and Sale; such Costs, Charges, and Expences to be ascertained and determined by the said Justice or Justices; and in default of such Distress it shall be lawful for any such Justice or Justices to commit such Person to any Common Gaol or House of Correction for the said County of *Gloucester*, there to remain, without Bail or Mainprize, for any Time not exceeding Six Calendar Months, or until Payment of such Sum of Money as shall have been found to be due and in arrear upon any of such Rates or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof; such Costs, Charges, and Expences to be ascertained and determined by the said Justice or Justices.

Persons paying Rates, &c. to be exempt from Highway Rate.

LXXXVI. Provided always, and be it further enacted, That every Person who shall be rated or assessed to the said Rate or Assessment called The Repairing, Lighting, and Watching Rate, for or in respect of any Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, or other Buildings, Erections, Works, Lands, Tenements, or Hereditaments within the said District, shall be, in respect of the same Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, or other Buildings, Lands, Tenements, or Hereditaments, exonerated, released, and discharged from the Payment of all Rates and Assessments whatsoever, and Performance of Statute Duty or Composition for the same, for or towards or in respect of the Repair and Amendment of all or any of the public Highways in the said District, or any Costs, Charges, or Burthens in respect thereof (except any such Arrears of Rates or Compositions as may be due from such Person or Persons respectively); and from thenceforth all the Powers and Authorities to appoint Waywardens or Surveyors of the Highways for the said District shall cease and determine; any thing contained in any Law or Statute to the contrary thereof in anywise notwithstanding.

How the yearly Value of Premises is to be ascertained.

LXXXVII. And be it further enacted, That the annual Value of all such Houses, Warehouses, Shops, Cellars, Vaults, Stables, Counting-houses, Brewhouses, Coach-houses, and all Buildings, Erections, Works, Lands, Tenements, and other Hereditaments so to be respectively rated and assessed to the Repairing, Lighting, and Watching Rate as aforesaid, shall be settled, ascertained, and computed, and from Time to Time corrected, according to the last Assessment made for the Relief of the Poor: Provided always, that the Tenants or Occupiers of Arable Land, Pasture Land, and Woodland in any Part of the said District, or of any Houses or other Hereditaments situated in such Parts of the said District as at the Time of making any such Repairing, Lighting, and Watching Rate or Assessment shall not be lighted or watched by virtue of this Act, or which shall not abut upon any Part of the Roads, Streets, Ways, Lanes, or other public Passages or Places which shall be so lighted or watched, shall be charged towards the said Rate so much in the Pound only as shall be equal to One Third of the Rate charged on other Property or Hereditaments in the said District of the like annual Value: Provided also, that all Persons legally exempted at any Time from Payment of Rates for the Relief of the Poor shall be exempted from Payment of the Rates and Assessments to be made under the Provisions of this Act for the Relief of the Poor, or for any other Purpose.

Power given to Commissioners to correct Rates.

LXXXVIII. And be it further enacted, That if the said Commissioners shall at any Time or Times neglect or omit to rate or assess any Person liable to pay or be charged with any Rate for the Relief of the Poor, and the Purposes connected therewith as aforesaid, to be made by virtue of this Act, or shall in any such Rate over-rate or under-rate any Person liable to pay any such Rate, then and in every such Case it shall be lawful for the said Commissioners to rate and assess in the said Rate such Person so omitted to be rated and assessed;

and to correct and regulate such Rate so as to make the same a fair and just Rate; and it shall be lawful for the said Commissioners and they are hereby empowered to strike out the Name of any Person not liable to the Payment of the Rates hereby directed to be made; and all such Alterations or Amendments in such Rates shall be as valid and effectual as if the same had been Part of the Rates originally made: Provided always, that upon any such Alteration or Correction being made in any such Rate, after it shall have been allowed by the said Justices as aforesaid, such Rate shall again be certified to Two Justices of the Peace of the said County of *Gloucester*, and allowed by them in the same Manner in all respects as upon the original making of such Rate.

For rating Landlords of Houses under 12*l.* Rent.

LXXXIX. And be it further enacted, That where the yearly Rent or Value of any Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, Buildings, Erections, Works, Lands, Tenements, or Hereditaments within the said District shall not amount to Twelve Pounds, and also where any such Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, Buildings, Erections, Works, Lands, Tenements, or Hereditaments, whatever the yearly Rent or Value of the same may be, shall be let to any weekly or monthly Tenants, or in separate Apartments, furnished or unfurnished, the Rents whereof shall become payable or be collected at any shorter Period than quarterly, then and in every such Case it shall be lawful for the Persons making any Rate or Assessment by virtue of this Act, in and by any such Rate or Assessment so to be made as aforesaid, at their Discretion, to rate and assess the Landlord or Owner of all and every or any such Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, Buildings, Erections, Works, Lands, Tenements, or Hereditaments in the said District, for the Payment of such several Rates or Assessments hereby authorized to be made; and in each and every such Case the Landlord or Owner of all and every such Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, Buildings, Erections, Works, Lands, Tenements, and Hereditaments respectively shall from thenceforth, and until the Expiration of the Period for which such Rates or Assessments shall be made, be deemed and taken for the Purposes of this Act to be the Occupier of such Premises, and shall thereupon be rated to and from Time to Time shall pay or cause to be paid such Rates or Assessments charged upon the same respective Premises, according to a fair and equal Assessment to be made upon and in respect of the same; and upon Nonpayment thereof the said Collectors are and each and every of them is hereby authorized to levy the same by Distress and Sale of the Goods and Chattels of such Landlord or Owner, wheresoever the same may be found respectively: Provided always, that in all Cases in which the Landlord or Owner of any House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, Building, Erection, Work, Land, Tenement, or Hereditament under the yearly Rent or Value of Twelve Pounds shall be rated or assessed, instead of his or her Tenant, by virtue of this Act, towards the Rate for repairing, lighting, and watching, such

Landlord or Owner shall be charged so much in the Pound only on the said Rate as shall be equal to One Third of the Rate charged on other Property in the said District, of the like annual Value: Provided also, that where any House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, Building, Erection, Work, Land, Tenement, or Hereditament shall be void and unoccupied during the whole of any Period equal to a Quarter of a Year, or Two or more Quarters of a Year, the said Commissioners and their Collector are hereby authorized and required to allow and forego to the Landlord or Owner aforesaid a Proportion of the said Rates for the Relief of the Poor, and for repairing, lighting, and watching, charged upon him or her instead of his or her Tenant, by virtue of this Act, in respect of the Quarter or Quarters of the Year during which the same Premises shall have been void and unoccupied.

Goods made liable for Rates.

XC. Provided always, and be it further enacted, That the Goods and Chattels of every Person renting or occupying any such House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, Building, Erection, Work, Land, Tenement, or Hereditament, or any Part thereof, the Rate or Assessment whereof the Landlord or Owner is hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of so much of the said Rates or Assessments, and of all Arrears thereof, as became due upon the said Premises during the Time of his Occupancy only; but no such Occupier shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and the Arrears thereof, than the Amount of the Rent actually due by such Occupier to the Landlord or Owner of the Premises so occupied by him: Provided also, that each such Occupier who shall pay any such Rate or Assessment, or any Arrear thereof, or upon whom the same shall be levied, shall and may from Time to Time deduct the Amount of the Sum which shall be so paid or levied from the Rent then due or at any Time thereafter to be due from him to the respective Landlords or Owners of the Premises, and the Receipt for such Payment shall be a good and sufficient Discharge for such Occupier to his Landlord for so much Money as he shall pay in the Manner directed by this Act.

Recovery of Rates from Persons removing.

XCI. And be it further enacted, That in case any Person shall quit or be about to quit his House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, Building, Erection, Work, Land, Tenement, or Hereditament, before he shall have paid such Rates or Assessments, or such Portion thereof as may be then due from him by virtue of this Act, and shall refuse to pay the same when demanded as aforesaid, then and in every such Case it shall be lawful for the said Collector, by Warrant under the Hand and Seal of any One Justice of the Peace for the said County of *Gloucester* (which Warrant he is hereby authorized and required to grant), upon Proof of any such Removal, or that there is Reason to suspect the same, to distrain his Goods and Chattels wherever they may be, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending

tending such Distress and Sale, upon Demand, to the Owner of such Goods and Chattels respectively.

Form of Warrant.

XCII. And be it further enacted, That the Warrant of Distress for the Nonpayment of all or any Rate or Assessment to be made under or by virtue of this Act may include One or more Person or Persons, and be in the Words or to the Effect following, *mutatis mutandis*; that is to say,

'*Gloucestershire*, to wit. } TO the Collector of the Rates made by the Commissioners for executing an Act passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled [*here insert the Title of this Act*], and also to the Constables and other Peace Officers of the said District:

'WHEREAS the undersigned Persons, now or late Inhabitants, Landlords, Tenants, or Occupiers of Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, Buildings Erections, Works, Lands, Tenements, or Hereditaments, or Parts of Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, Buildings, Erections, Works, Lands, Tenements, or Hereditaments within the District of the United Parishes of *Saint James* and *Saint Paul* in the County of *Gloucester* aforesaid have been duly rated and assessed under the Authority of the said Act, and there is now due from them respectively the several Sums of Money at their Names herein-after respectively set down, which they have respectively refused or neglected to pay, as appeareth upon due Proof upon Oath to me, One of His Majesty's Justices of the Peace for the said County of *Gloucester*; and the said several Persons having been summoned to appear before me to answer the Premises, and not having shown any sufficient Cause why such Sums of Money should not be paid; These are therefore in His Majesty's Name to will and require you forthwith to levy the said several Sums herein mentioned by Distress and Sale of the respective Goods and Chattels of the Persons aforesaid, rendering to them respectively the Overplus (if any), the reasonable Charges of such Summons, Warrants, Distresses, Sale, and keeping being first deducted; and if no sufficient Distress can be had or taken, that then you certify the same to me, to the End that such further Proceedings may be had as the Law doth authorize or direct: And I do hereby strictly charge and command all and singular the Constables and other His Majesty's Peace Officers for the said District to be aiding and assisting in all things relating to the Premises. Given under my Hand and Seal, this Day of One thousand

	Sum due for Poor's Rate.	Sum due for Repairing, Lighting, and Watching Rate.	Total.
	—	—	—
A. B. - -			
C. D. - -			

XCIII. And

Rates to be apportioned on Persons removing from or coming into Houses, &c.

XCIII. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, Building, Erection, Work, Land, Tenement, or Hereditament within the said District which shall be rated or assessed by virtue of this Act, such Person shall be liable to pay such Rates or Assessments in proportion to the Time for which he occupied the same in like Manner as if such Person had not removed from or quitted the same; and in all Cases where any Person shall come into or occupy any such House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, Building, Erection, Work, Land, Tenement, or Hereditament as aforesaid, out of or from which any other Person rated as aforesaid shall be removed, or which at the Time of making such Rate or Assessment was or were empty, the same shall, for and in respect of his Occupation thereof, be liable only to such Rate or Assessment in proportion to the Time for which he shall occupy the same, in the same Manner as if he had been originally rated or assessed for such House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, Building, Erection, Work, Land, Tenement, or Hereditament; which said respective Proportions shall, in case of Dispute, be settled and ascertained by the said Commissioners.

Power to mortgage Rates, &c.

XCIV. And for the more speedily enabling the said Commissioners to execute the Purposes of this Act, and the several Powers vested in them, be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered, from Time to Time when and so often as they shall think it expedient, to borrow and take up at Interest any Sum of Money upon the Credit of the Rates or Assessments authorized to be made, levied, and collected by virtue of this Act under the Name or Title of "The Repairing, Lighting, and Watching Rate," and in the Event of the same Sum of Money or any Part thereof being repaid by the said Commissioners, to borrow and take up at Interest in like Manner any other Sum of Money, and so *toties quoties*, but so nevertheless that there shall not be owing upon the Security aforesaid at any One Time more than the aggregate Sum of Five hundred Pounds; and the Charges and Expences of such Security shall be from Time to Time defrayed by the said Commissioners out of the Money advanced upon such Security; and every such Mortgage or Security shall be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

'BY virtue of an Act passed in the Second Year of the Reign of
' His Majesty King *William* the Fourth, intituled [*here set forth*
' *the Title of this Act*], We the Commissioners acting in the Execu-
' tion of the said Act, in consideration of the Sum of
' advanced and lent by upon the Credit and for
' the Purposes of the said Act, and paid by him to the Treasurer to
' the said Commissioners, do hereby grant and assign unto the said
' [*or* to his Trustee *or* Trustees, *as the Case may be*,]
' his Executors, Administrators, and Assigns, such Proportion of the

'Rates or Assessments authorized to be raised, levied, and collected by virtue of the said Act under the Name or Title of "The Repairing, Lighting, and Watching Rate" as the said Sum of Pounds doth or shall bear to the whole Sum to be borrowed, and which shall from Time to Time be owing upon the Credit of the said Rates or Assessments; to be had and holden from the Day of the Date of these Presents until the said Sum of Pounds, with Interest for the same after the Rate of *per Centum per Annum*, to be paid half-yearly, shall be fully paid and satisfied. In Witness whereof we have set our Common Seal, the Day of in the Year of our Lord .'

And every such Mortgage or Security shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever.

Power to transfer Securities.

XCV. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed as aforesaid, and their respective Executors, Administrators, and Assigns, at any Time or Times, by Writing under their respective Hands and Seals, to transfer the same respectively to any Person whomsoever, in the Form or to the Effect following; (that is to say,)

Form of Transfer of Securities.

'I *A. B.* of [*or* I *C. D.* of Executor or Administrator of *A. B.* late of *or otherwise, as the Case may happen to be,*] in consideration of the Sum of to me paid by *E. F.* of do hereby assign and transfer unto the said *E. F.*, his Executors, Administrators, and Assigns, a certain Security bearing Date the Day of in the Year of our Lord under the Common Seal of the Commissioners for putting into execution an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], and the Principal Sum of thereby secured, and all Interest now due and hereafter to grow due thereon, with all my Right, Title, and Interest in and to the same. Dated this Day of in the Year of our Lord .'

No Preference in Payment of Mortgages.

XCVI. And be it further enacted, That the several Persons to whom any such Mortgages shall have been made shall be severally entitled to their respective Quota of the said Rates and Assessments respectively in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, without any Preference by reason of the Priority in Date of such Mortgage, or on any other Account whatsoever.

Register Book to be kept.

XCVII. And be it further enacted, That a Book shall be provided by the said Commissioners, and kept by their Clerk, in which Book shall be entered and registered Copies of all Mortgages and other Securities made in pursuance of this Act, and of every Transfer thereof, which Book shall be open to the Inspection of the several Holders of Mortgages and Securities made by virtue of this Act, and their

their respective Executors, Administrators, and Assigns, at all reasonable Times, without Fee or Reward; and every such Mortgage Security or Transfer, after such Entry as aforesaid, but not before, shall entitle the Person to whom the same shall be made, and his Executors, Administrators, and Assigns, to the Benefit of the Security thereby made or transferred; and the Person to whom such Mortgage Security or Transfer shall or may be made, his Executors, Administrators, or Assigns, may from Time to Time transfer such Security to any other Person whomsoever, in a similar Way.

Application of Money raised.

XCVIII. And be it further enacted, That the Money to be raised or to be received by virtue of this Act under or by virtue of the Repairing, Lighting, and Watching Rate herein-before mentioned, and the Money to be raised on the Credit thereof, and also any other Money to be raised or received under or by virtue of this Act, (save and except the Money to be raised for the Care and Maintenance of the Poor of the said District, and other Purposes connected therewith,) shall, in the first place, be applied in paying and defraying One Third Part of the Costs, Charges, and Expences of applying for and incident to the obtaining and passing of this Act, and of Interest for any Money advanced for that Purpose, in preference to all other Payments whatsoever; then in paying the Interest of the several Sums of Money borrowed on the Credit of the said Repairing, Lighting, and Watching Rate hereby granted; then in executing the several Works and Purposes hereby directed to be done, performed, and executed (save and except the Care and Maintenance of the Poor of the said District, or any other Purpose connected therewith); and then in reducing, paying off, and discharging the several Principal Sums of Money that may be from Time to Time borrowed on the Credit of such Repairing, Lighting, and Watching Rate; and the Money to be raised or to be received by virtue of the said Rate for the Relief of the Poor shall, in the first place, be applied in paying and defraying the other Two Third Parts of the Costs, Charges, and Expences of applying for and incident to the obtaining and passing of this Act, and of Interest for any Money advanced for that Purpose, in preference to all other Payments whatsoever, then in the Care and Maintenance of the Poor of the said District, and the Purposes connected therewith.

Compensation for Damages, &c. to be levied by Distress of the Goods vested in Commissioners or their Treasurer.

XCIX. And be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice of the Peace to be paid, in pursuance of this Act, by the said Commissioners, to any Person, as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by such Commissioners, or any Person acting by or under their Authority, or for any Costs and Expences relating thereto, not herein-before otherwise provided for or directed, and such Sum of Money shall not be paid by the said Commissioners to the Party entitled to receive the same within Ten Days after Demand in Writing shall have been made for that Purpose, then and in every such Case the Amount of such Compensation or Satisfaction, Costs or Expences, shall and may be levied and recovered by Distress and Sale of any Goods and Chattels vested in such Commissioners by virtue of this

Act,

Act, or of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Gloucester* (which Warrant such Justice is hereby authorized and required to grant under his Hand and Seal), on Application made to him for that Purpose by the Party entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury as aforesaid, or for any Costs or Expences as aforesaid; and in case any Overplus shall remain after Payment of such Sum of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case, the Overplus shall be returned, on Demand, to the said Commissioners or their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he may have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any Warrant as aforesaid.

Penalty for obstructing the Execution of this Act.

C. And be it further enacted, That if any Person shall obstruct, assault, hinder, or molest any of the said Commissioners, or any Treasurer, Clerk, or Surveyor, Workman or Agent, or any Watchman, Constable, or Assistant Constable, Patrol, Beadle, or other Officer or Person whomsoever, who is or shall be appointed or employed by virtue of this Act, in the Execution or Performance of his Duty, or in the Execution of any of the Works, Matters, or Things to be done by virtue or under the Authority of the same respectively, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Commissioners may direct Prosecutions.

CI. And be it further enacted, That the said Commissioners may and they are hereby empowered to order and direct any Prosecution against any Person for any public Nuisance whatsoever which shall be committed or suffered within the said District, or for any Resistance to the Execution of this Act, or to any Person acting under the same, or for any Offence committed against this Act, or for any Encroachment or Obstruction laid, placed, erected, or made in or upon the said Roads, Streets, Ways, Lanes, or other public Passages or Places, or upon the Footpaths within the said District, or any Part thereof; and all the Damages, Costs, Charges, and Expences of and attending all such Prosecutions shall be paid out of the respective Funds or Monies to be raised under and by virtue of this Act in manner as is herein directed.

Damages and Charges, in Cases of Dispute, to be settled by Justices.

CII. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty for any Offence in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by

Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

CIII. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture hereby imposed is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against, and any Witness the said Justice may think proper, before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, whether he be present or absent, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Recovery and Application of Penalties.

CIV. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is hereinbefore made, shall and may in every Case be heard, adjudged, and determined by or before any Justice of the Peace for the said County of *Gloucester*, in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not (and which shall in every Case be made within Three Calendar Months at farthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice shall summon the Party accused, and such Witness as may by such Justice be thought proper or necessary, and examine into the Matter thereof; and if upon the Confession of the Party accused, or on the Oath of any credible Witness, (whether the Party accused be present or absent,) the Party accused shall be convicted of having committed such Offence, then and in every such Case the Penalty, Fine, or Forfeiture hereby made payable in respect of such Offence, together with the Costs of Conviction, to be ascertained by such Justice, shall be forthwith paid by the Party so convicted as aforesaid; and in case such Party so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided by this Act) the same shall and may, by Warrant under the Hand and Seal of any such Justice (which he is hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice, by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus of the Money arising by such Sale (if any), upon Demand, to the Party whose Goods and Chattels shall be distrained; one Moiety of which Penalty, not herein directed to be otherwise applied, shall be paid to the Informer, and the other Moiety shall be paid to and for the Use of such public Charity as the said Justice shall determine and direct; and it shall be lawful for the said Justice to order the Offender so convicted to be detained in safe Custody until

until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security, to the Satisfaction of such Justice, for his Appearance before the said Justice on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Eight Days from the taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty, Fine, or Forfeiture, and such Costs as aforesaid, and the same shall not be forthwith paid; or in case it shall appear to such Justice, either upon the Confession of the Offender or otherwise, that the Offender hath not sufficient Goods or Chattels whereon such Penalty, Fine, or Forfeiture, and such Costs as aforesaid, can be levied were such Distress or Warrant issued, such Justice shall not be required to issue the same, and thereupon it shall be lawful for the said Justice, and he is hereby required and empowered, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction for the County, Division, or Place wherein the Offence shall be committed, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Offender shall have sooner fully paid such Penalty, Fine, or Forfeiture, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice, or shall otherwise be discharged by due Course of Law.

For securing transient Offenders.

CV. And be it further enacted, That it shall be lawful for any of the said Commissioners, or for any of their Surveyors, Collectors, or other Officers, and such Person as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person (being unknown to such Commissioners, Surveyors, Collectors, or Officers,) who shall commit any Offence against this Act, and to deliver him into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice of the Peace for the said County of *Gloucester;* and such Justice is hereby required to proceed and act with respect to such Offender according to the Provisions of this Act.

Form of Conviction.

CVI. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good; (that is to say,)

'County of Gloucester.' BE it remembered, That on the Day of in the Year of our Lord is convicted before me, One of His Majesty's Justices of the Peace for the County of *Gloucester*, of having [*here state the Offence, and the Time and Place when and where the same was committed*], contrary to the Statute passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*], for which Offence I do adjudge the said to have forfeited the Sum of . Given under my Hand and Seal, the Day and Year first above written.'

CVII. And

Penalty on Persons not appearing or refusing to be examined as Witnesses.

CVII. And be it further enacted, That if any Person shall be summoned by any Justice of the Peace for the said County of *Gloucester* as a Witness to give Evidence before him or any other Justice of the Peace for the said County touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecution or on behalf of the Person accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his Costs and Expences, without a satisfactory Excuse being given for such Nonappearance, or appearing shall refuse or decline to be examined upon Oath or Affirmation, or to give Evidence touching the Matter in question before such Justice, then and in every such Case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, to be recovered as other Fines and Penalties are by this Act to be recovered.

Persons giving false Evidence to be punished.

CVIII. And be it further enacted, That if any Witness who shall be examined by or before any Justice of the Peace or otherwise under this Act, upon Oath, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he shall be subject to the same Punishment as Persons convicted of Perjury are by Law subject and liable to.

Persons paying Rates may be Witnesses.

CIX. And be it further enacted, That no Person shall be disqualified from being a competent Witness, or from being admitted to give Evidence, in any Action, Information, Prosecution, Appeal, Cause, or Proceeding whatsoever authorized by or relating to the Execution of this Act, by reason of paying or being charged with or liable to pay any of the Rates or Assessments hereby authorized to be charged, levied, made, or assessed, or any other Rate or Assessment within the said District, or being one of the Commissioners for putting this Act into execution, or holding any Office or Employment under the said Commissioners.

What shall be deemed good Service upon the Commissioners.

CX. And be it further enacted, That in all Cases wherein it may be necessary for any Person or Party to serve any Summons or any Notice, or any Writ, or other Proceeding at Law or in Equity, upon the said Commissioners, Service thereof respectively upon any Two of such Commissioners, or delivered to some Inmate at their last or usual Places of Abode, or upon the Clerk or Treasurer of such Commissioners, or left at the Office of such Clerk or Treasurer, or delivered to some Inmate at his last or usual Place of Abode, or at the Office of such Commissioners, or in case the same respectively shall not be found or known, then Service upon any other Agent or Officer employed by such Commissioners, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Distress not unlawful for Want of Form.

CXI. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party making the same be deemed a Trespasser, on account of any Defect

or

or Want of Form in such Distress, or in any Proceeding relating thereto, nor a Trespasser *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person aggrieved by such Irregularity may recover Satisfaction for the special Damage in an Action on the Case.

Proceedings not to be quashed for Want of Form, or removed by Certiorari.

CXII. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding touching or concerning any Offence against this Act shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari or any other Writ or Proceeding whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

Plaintiffs not to recover without Notice, or after Tender of Amends.

CXIII. And be it further enacted, That no Plaintiff shall recover in any Action to be commenced against any Person for any thing done in pursuance of this Act unless Notice in Writing shall have been given to the Defendant Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover in any such Action if Tender of Amends shall have been made to him or his Attorney, by or on the behalf of the Defendant, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

CXIV. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person for any thing done in pursuance or under the Authority of this Act after the Expiration of Three Calendar Months next after the Fact committed, or the Cause of Action has ceased and determined (except as may be herein otherwise directed); and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done, or if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as herein-before authorized, then and in every of the said Cases the Jury shall find a Verdict for the Defendant.

Appeal to the General or Quarter Sessions.

CXV. Provided always, and be it further enacted, That if any Person shall think himself aggrieved by any Rate or Assessment made and passed under or by virtue of this Act, or by any Determination or Judgment made or given by any Justice of the Peace in pursuance of this Act, or by any other Matter or Thing made or done in pursuance of this Act, he may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace for the County or Place where the Cause of Appeal shall have arisen, at their General or Quarter Sessions of the Peace, or at some Adjournment thereof, such Appellant having given at least Ten clear Days Notice in Writing of his Intention of making such Appeal, and the Time and Place thereof, and of the Matter and Cause thereof, to the Party against whom such Appeal shall be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any other Matter or Thing made or done by the said Commissioners, or by any Justice of the Peace, in which Case such Notice shall be given to the said Commissioners, and within Three Days next after such Notice, causing Recognizances to be entered into before some Justice of the Peace for the said County or Place, by himself and Two sufficient Sureties, in the Sum of Twenty Pounds each, conditioned for the Party Appellant to try such Appeal, and abide the Order and Award of the Justices of such Sessions therein, and to pay such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such Sessions, upon due Proof upon Oath of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party appealing or prosecuting such Appeal, or such Costs to the Respondent or Party defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever, and shall not be removable by Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

On Appeal from Rate, the Quarter Sessions may amend it without quashing it, or, if necessary to grant Relief, may quash the Rate.

CXVI. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act the Court of General or Quarter Sessions of the Peace shall and such Court is hereby authorized and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name of any Person, or by altering the Sum therein charged on any Person, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of opinion that it is necessary, for the Purpose of giving Relief to the Person appealing, that the Rate or Assessment should be wholly quashed, then the said Court may quash the same, and order a new one to be made.

Construction of certain Words.

CXVII. And be it further enacted, That in this Act the Word "Commissioners" shall be deemed and understood to mean the Commissioners for executing this Act; the Word "District," the District of the United Parishes of *Saint James* and *Saint Paul* in the County of *Gloucester*; the Word "Person," shall extend to a Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Public Act.

CXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1832.