



ANNO NONO

GEORGII IV. REGIS.

Cap. liv.

An Act for better paving, lighting, watching, cleansing, and otherwise improving the Town of *Birmingham* in the County of *Warwick*, and for regulating the Police and Markets of the said Town. [23d *May* 1828.]

WHEREAS an Act was passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better paving, lighting, watching, cleansing, and otherwise improving the Town of Birmingham in the County of Warwick, and for regulating the Police and Markets of the said Town*: And whereas considerable Progress has been made in the Execution of the said Act, but the Powers thereby given are found insufficient in several Particulars for answering the Purposes for which they were intended, and it is necessary that the same should be altered and amended; and further and other Provisions and Regulations, Powers, and Authorities, are necessary for the better governing and improving of the Town and Parish of *Birmingham*, and it would facilitate the Execution of those Purposes if the said Act were repealed, and further and other Powers and Provisions granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,
[*Local.*] 13 M and

52G.3.c.113.
Recited Act repealed.

and by the Authority of the same, That from and after the passing of this Act, the said recited Act, and all and every the Powers, Authorities, Matters, and Things whatsoever therein contained, shall be and the same is and are hereby repealed.

All Conveyances executed and Annuities granted under the said Act confirmed and secured.

II. Provided always, and be it further enacted, That all Assignments, Leases, Grants, and other Conveyances made or granted, to or by any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, or any other Persons whomsoever, acting by virtue of or under the Authority of the said Act, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, as if the said Act had not been repealed; and all Bonds, Mortgages, Notes, Assignments, and Annuities, given or granted as a Security for any Monies lent or advanced on the Credit and in pursuance of the Directions of the said Act, shall be charged, and they are hereby respectively charged upon the Rates or Assessments herein directed to be made for the Purpose of lighting, cleansing, watching, and otherwise improving the said Town; and the Person or Persons from Time to Time entitled to the same respectively shall have, receive, and enjoy all Interest due and to grow due on such Mortgages, Bonds, Securities, and Assignments respectively (until the same shall be paid off and discharged as herein-after provided), and the said respective Annuities out of the Rates and Assessments herein directed to be made for the Purposes aforesaid, during the Term of the natural Lives of the Persons for whose Lives such Annuities respectively were granted.

Arrears of former Rates may be collected; Debts and Penalties recovered; and Contracts enforced.

III. And be it further enacted, That each and every Rate and Assessment made and assessed, and now due and payable, or to become due and payable, or ordered to be collected and levied under and by virtue of the said recited Act, shall continue to be due and payable, and shall and may be collected and levied by such Ways and Means and under such Restrictions and Regulations as any Rates or Assessments directed to be made in pursuance of this Act are directed in and by this Act to be collected and levied, and shall be received and applied by the Commissioners to be appointed by this Act, to and for the Purposes of this Act; and also all Debts and Penalties incurred and due under and by virtue of the said Act, from any Person or Persons whomsoever, shall and may be demanded and recovered from such Person or Persons, and applied by the Commissioners, under the Powers and Authorities of this Act, for the Purposes of this Act; and all Contracts or Agreements heretofore entered into with any Person or Persons whomsoever, under the Authority and in execution of the said Act, shall continue and be valid and effectual, and shall and may be enforced by the Commissioners to be appointed by virtue of this Act, as if entered into by and with them the said Commissioners to be appointed by virtue of this Act.

Appointment of Commissioners.

IV. And be it further enacted, That all His Majesty's Justices of the Peace for the County of *Warwick* residing within Seven Miles of the Town of *Birmingham*, together with *Isaac Ainsworth, Thomas Atkins, Roger Auster, Edward Bach, James Baker, Samuel Barns, Benjamin*

Benjamin Barns, William Beale, James Beale, James Belcher, William Bingley, George Ryder Bird, Thomas Blood, John Culthorpe Bond, Thomas Bower, Richard Brinton, James Busby, Richard Tapper Cadbury, Thomas Clarke, William Chance, John Cope of Summer Hill, John Cope of High Street, John W. Crompton, William Dadley, Matthew Dixon, Henry Dunbar, Edward Eagle, John Earl, Humphry Evett, Charles Fiddian, William Fiddian, Samuel Tertius Galton, Benjamin Guest, John Greensall, Samuel Haines, Richard Harborne, Isaac Hill, Edward Hobson, John Holt, John Homer, Samuel Horton, Samuel Hutton, Paul Moon James, Thomas Knott, John Towers Lawrence, John Lawrence, Daniel Ledsam, John Linwood, George Braithwate Lloyd, Oliver Mason, George Nicholls, William Henry Osborn, Thomas Osler, John Ottley, Richard Peyton, James Pearson, Thomas Pemberton, William Phipson, Joseph Phipson, Humphrey Pountney, Joseph Richards, Westley Richards, John Ryland of High Street, John Ryland of Temple Street, Thomas Ryland, Joshua Schofield, Charles Shaw, John Slater, John Smallwood, Timothy Smith, Henry Smith, Robert Smith, Samuel Smith, Thomas Small, Homer Silvester, William Henry Stewart, Joseph Sturge, James Taylor, John Turner, Richard Tutin, John Vale, Joseph Walker, Thomas Waterhouse, Thomas Welch, William Weston, Robert Wheeler, William Whitfield, Edward Villers Wilkes, and their Successors, to be appointed as herein-after mentioned, shall be and they are hereby appointed Commissioners for putting this Act in execution.

V. And be it further enacted, That when any of the Commissioners herein named, or at any Time to be elected in pursuance of this Act, (except the Lord of the Manor, and Magistrates acting for the County of *Warwick* as aforesaid,) shall die, or refuse to act, or be rendered incapable of being a Commissioner, or acting as such, in manner herein-after mentioned, it shall and may be lawful for the remaining Commissioners at any Meeting in pursuance of this Act, at which Meeting not less than Thirty-five Commissioners shall be present, to elect one other Person, being an Inhabitant within the said Town, and qualified as herein-after is mentioned, to supply the Place of each Commissioner so dying, or refusing to act, or being rendered incapable of acting, as herein-after is mentioned, Notice in Writing, signed by the Clerk for the Time being of the said Commissioners, of such Meeting, and of the Purpose and Intent thereof, being previously given to or left at the House or last Place of Abode within the said Town of each of the said remaining Commissioners, Five Days at least, exclusive of the Day of delivering the same and of the Day of Meeting; and every Person so elected is hereby invested with the same Powers for putting this Act in execution, and shall and may and is hereby authorized and empowered to act, to all Intents and Purposes, in as full, large, and ample a Manner as the Person in whose Stead he shall be so elected was and would or might have acted: Provided always, that in case any Commissioner or Commissioners (except the Lord or Lords of the Manor, and Magistrates as aforesaid,) shall not attend at least Twice in every Year, to be computed from the Twenty-fourth Day of *June* in every Year, at some of the Meetings to be held for putting this Act in execution, then and in every such Case every such Person shall cease

For electing
Commis-
sioners on
Vacancies.

to

to be, and shall and is hereby declared to be disqualified from acting as a Commissioner as aforesaid, and another Person shall and may be appointed in his Room, unless such Commissioner shall have been prevented from attending as aforesaid by Absence from Home, Illness, or other sufficient Cause of Excuse, to be approved of by the said Commissioners: Provided also, that such Person so becoming disqualified to act as a Commissioner shall not thereby become incapable of being again appointed a Commissioner.

For appoint-
ing additional
Commission-
ers.

VI. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and required, at a Special Meeting to be holden within Three Calendar Months after the passing of this Act, to elect and appoint Twelve Persons, being duly qualified according to the Provisions of this Act, in addition to the Number of Commissioners herein named and appointed, to be Commissioners for the Purposes of this Act, and such Persons so elected and appointed shall be Commissioners for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Qualification
of Commis-
sioners.

VII. 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 an Inhabitant, and shall be rated in the Poor's Books at not less than Fifteen Pounds *per Annum* for the House, Warehouse, or Shop, or Houses, Warehouses or Shops, or other Buildings or Hereditaments which shall be by him occupied within the said Town of *Birmingham*, and shall really and *bond fide* be possessed, either in Real or Personal Estates, to the Amount or Value of One thousand Pounds above Reprizes, (other than and except the Lord or Lords of the Manor, and Magistrates acting for the County of *Warwick* as aforesaid); and no Person whosoever, during the Time he shall hold any Place of Profit under the said Commissioners, shall be capable of acting as a Commissioner in the Execution of any of the Powers of this Act, or being under any Contract, or having any Share or Interest in any Contract entered into under the Powers of this Act, shall be capable of acting in any Matter or Thing relating to such Contract; and the said Commissioners at all their Meetings shall defray their own Expences.

No Person to
be capable of
acting as a
Commis-
sioner until
he has taken
an Oath.

VIII. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, until he shall have taken and subscribed, before any Two or more of the said Commissioners, who are hereby authorized and empowered to administer the same, an Oath, or being a Quaker, an Affirmation, in the Words or to the Effect following; (that is to say,)

Oath of
Qualification.

‘ I do swear [*or being one of the People called Quakers, do solemnly affirm*], That I am an Inhabitant, and am rated in the Poor's Books at not less than Fifteen Pounds *per Annum* for the House, Warehouse, or Shop, [*or Houses, Warehouses, or Shops, or other Buildings or Hereditaments, as the Case may be*], by me occupied within the Town of *Birmingham*; and that I am really

‘ really and *bond fide* possessed, either in Real or Personal Estates, to
 ‘ the Amount or Value of One thousand Pounds over and above what
 ‘ will satisfy all my Debts; and that I will faithfully and impartially,
 ‘ according to the best of my Skill and Judgment, execute and per-
 ‘ form all and every the Powers and Authorities reposed in me as a
 ‘ Commissioner by virtue of an Act passed in the Ninth Year of the
 ‘ Reign of King *George* the Fourth, intituled [*here set forth the Title*
 ‘ *of this Act.*] So help me GOD.’

[*Or, being one of the People called Quakers, omit the Words ‘ So help me God.’*]

And no Person by this Act appointed a Commissioner by virtue of his Office shall be capable of acting as such in the Execution of this Act, unless he shall have taken and subscribed an Oath, or being one of the People called Quakers, an Affirmation, in the Words or to the Effect following; (that is to say,)

Commissioners Oath.

‘ I do swear, [*or, being one of the People called Quakers, do solemnly declare and affirm*], 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 reposed in me as a Commissioner by virtue of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act.*] So help me GOD.’
 [*Or, being one of the People called Quakers, omit the Words ‘ So help me God.’*]

IX. Provided always, and be it further enacted, That if any Person shall act as a Commissioner in the Execution of this Act, without being duly qualified as aforesaid, or being disqualified for any of the Reasons aforesaid, or not having taken and subscribed the Oath, or being a Quaker the Affirmation herein-before mentioned, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered, together with full Costs of Suit, in any of His Majesty’s Courts at *Westminster*, by any Person or Persons who shall sue for the same, 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; and every Person so prosecuted or sued shall prove that he is qualified as aforesaid, or shall pay the said Penalty, upon Proof being given of his having acted as a Commissioner in the Execution of this Act.

Penalty on Commissioners acting not being qualified.

X. And be it further enacted, That the said Commissioners shall meet and assemble together at the Public Office in *Moor Street* in *Birmingham* aforesaid, on the last *Monday* in the next or succeeding Month after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, in order to put this Act in execution, and shall and may from Time to Time, by Adjournment, meet and assemble together at the same Place, or any other convenient Place within the said Town, as they shall appoint; and all Orders and Proceedings of the said Commissioners in the Execution of this Act shall be at public Meetings held in pursuance of this Act, and not otherwise (except as herein-after excepted); and if it shall happen

First Meeting of Commissioners.

[*Local.*]

13 N

that

that there shall not appear at any Meeting which shall be appointed to be held a sufficient Number of Commissioners to act, and to adjourn to another Day, or if they shall omit or neglect to adjourn, or if there shall be any special Occasion for any Meeting between the Time of any Adjournment, or at any other Time, then and in every such Case their Clerk, or any Seven or more of the said Commissioners, shall and may call a Meeting at such Time and Place as they shall think proper.

Notice to
be given of
Meetings.

XI. Provided always, and be it enacted, That previous to any Meeting of the said Commissioners in pursuance of this Act, subsequent to such first Meeting as aforesaid, there shall from Time to Time be delivered, or sent to each of the said Commissioners, or left at each of their Houses or last Place of Abode within the said Town, a Notice in Writing, signed by their Clerk, or by Seven or more Commissioners, of the Time and Place of every such intended Meeting, which Notice shall be so delivered, sent, or left Three Days at least before every such Meeting.

Chairman to
be appointed.

XII. And be it further enacted, That at every Meeting of the said Commissioners one of the Commissioners present shall be appointed Chairman, and in case of Equality of Voices or Votes of the Commissioners so assembled (including his own), such Chairman shall upon all Occasions have a casting and decisive Voice or Vote; and no Act, Order, or Determination, to be done or made at any of the said Meetings, shall be good or valid unless the Majority of the Commissioners then present shall concur therein; and all Acts, Orders, and Proceedings relating to this Act, which are directed to be had, made, done, or exercised by or before the said Commissioners, and all the Powers and Authorities vested in them generally, shall and may be had, made, done, and exercised by the major Part of the Commissioners who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number present not being less than Seven, except in such Cases where any other Number is by this Act named for any particular or special Purpose.

Proceedings
to be entered
in a Book.

XIII. And be it further enacted, That regular Entries shall be made in a proper Book or Books to be provided for that Purpose, of the Names of the Commissioners who shall attend their respective Meetings, and of all their Acts, Orders, and Proceedings, and the Chairman of every such Meeting shall subscribe his Name at the End of the Proceedings of every such Meeting; and all such Entries, being so signed, shall be allowed to be read in Evidence in all Causes, Suits, and Actions relating to any thing done in pursuance of this Act; and every such Book shall at all seasonable Times be open to the Inspection of every Person to be rated or assessed for the Purposes of this Act; and if the Clerk or Person having the Custody thereof shall refuse to permit or shall not permit any Person or Persons to peruse and inspect such Book or Books, such Clerk or Person shall for every such Offence forfeit and pay the Sum of Five Pounds.

Officers to be
appointed.

XIV. And be it further enacted, That the said Commissioners shall and may from Time to Time whenever they think necessary, by Writing under their Hands, appoint and employ a Treasurer or Treasurers,

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

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk 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 any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any 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 such Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every such 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, Wager of Law, nor more than One Imparlance, shall be allowed.

Clerk and Treasurer not to be the same Person.

XVI. And be it further enacted, That every such Treasurer, Clerk, Collector, and other Officer appointed by virtue of this Act, shall, under his respective Hand, and at such Time or Times, and in such Manner as the said Commissioners direct, deliver to the said Commissioners, or such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Monies which shall have been by such Officer received by virtue or for the Purposes of this Act, and of how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and also a List of the Names of all such Persons as shall have neglected or refused to pay their respective Rates, and of the

Treasurer and other Officers to account.

the Monies due from them respectively ; and every such Officer shall pay all such Monies as shall remain due from him to the Treasurer for the Time being, or to such Person or Persons as the said Commissioners shall appoint to receive the same ; and if any such Treasurer, Clerk, or Collector, Officer, or other Person, shall refuse or neglect to make and render such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, within Three Days after being thereunto required by the said Commissioners, by Notice in Writing under the Hands of any Three or more of the said Commissioners, given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Commissioners, or such other Person or Persons as aforesaid, respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or by such Person or Persons as they the said Commissioners shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons under his Hand and Seal, for the Officer so refusing or neglecting to appear before such Justice ; and upon the said Officer appearing, or having been so summoned and not appearing, without some sufficient or reasonable Excuse, or not being found, it shall be lawful for the said Justice to hear and determine the Matter in a summary Way ; and if upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any Monies remain due from such Officer, 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 ; and if sufficient Goods and Chattels of such Officer shall not be found to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer had refused or wilfully neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Officer, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice shall and he is hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or 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 deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Commissioners, or to such other Person or Persons as aforesaid ;

aforesaid; but no such Offender shall be kept or detained in such Common Gaol or House of Correction for Want of sufficient Distress, by virtue of this Act, for any longer Space of Time than Six Calendar Months.

XVII. And be it further enacted, That no Prosecution or Commitment, under the Provisions of this Act, of any Treasurer, Clerk, Collector, or other Officer or Person to be appointed under the Powers of this Act, shall acquit or discharge any Surety or Security that shall or may have been taken by or given to the said Commissioners for the due and faithful Execution of his or their Office, or the Payment of the Monies received or to be received by him or them respectively.

Commitment
of Offender
not to dis-
charge his
Sureties.

XVIII. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk or Clerks for the Time being, or in the Name of any one of the Commissioners; and all Actions or Suits that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name or Names of their Clerk or Clerks, or in the Name of any one of the said Commissioners; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk or Clerks, or by the Death of such Commissioner, or by any Act or Default of such Clerk or Clerks done or suffered without the Consent and Direction of the said Commissioners, but the Clerk or Clerks to the said Commissioners for the Time being, or such Commissioners, shall be deemed Plaintiff or Plaintiffs, Defendant or Defendants, in any such Action or Suit, (as the Case may be,) except such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk or Clerks for the Time being: Provided also, that in all Cases in which the Clerk or Clerks for the Time being, or any one such Commissioner as aforesaid, shall in pursuance of this Act be the Plaintiff or Plaintiffs, Defendant or Defendants on the Record in any Action or Actions, Suit or Suits, in which in effect the said Commissioners shall be suing or sued in the Name of such Clerk or Clerks, or of such one Commissioner as aforesaid, (although appearing as the Plaintiff or Plaintiffs, Defendant or Defendants on the Record,) may and shall nevertheless (if not otherwise interested or objectionable) be a good, examinable, and competent Witness in every Action or Suit, either for or against the said Commissioners; and all Affidavits of Debt or Service which may be necessary or expedient to be made preparatory to or in the Prosecution or Defence of any and every such Action, Suit, or Proceeding, shall and may be lawfully made by such Clerk or Clerks, or such one Commissioner, (as the Case may be,) notwithstanding he or they shall be nominal Plaintiff or Plaintiffs, Defendant or Defendants on the Record as aforesaid: Provided also, that every or any such Clerk or Clerks, or Commissioner, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Damages, Costs, Charges,

Commission-
ers may sue
and be sued
in the Name
of their Clerk.

Clerk to be
a competent
Witness.

Clerk to be
indemnified.

and Expences as he or they shall be put to or become chargeable with by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants therein, and shall not be personally answerable or liable for the Payment of the same, or any Part of them, unless such Action or Suit shall arise in consequence of his or their own wilful Neglect or Default; or have been brought or commenced, or be defended, without the Order or Direction of the said Commissioners.

Property of Lamps, &c. vested in the Commissioners.

XIX. And be it further enacted, That the Property of and in all the Lamps, Lamp Irons, Lamp Posts, Watch-houses, Watchboxes, Pumps, Wells, Posts, Chains, Pales, and Rails, in, about, or belonging to the said Streets, Lanes, and Places within the Limits of this Act, or any of them; and of and in all the Iron, Timber, Stone, Bricks, and other Materials and Furniture and Things of, in, and belonging thereto, (except when the same shall be otherwise regulated by Contracts with the said Commissioners,) shall be and the same are hereby vested in the said Commissioners, and may be sold and disposed of from Time to Time as they shall think proper, and the Money arising by such Sale or Sales shall be applied towards the Purposes of this Act; and the said Commissioners are hereby authorized and empowered to bring or cause to be brought any Action or Actions, in such Name or Names, or Manner, as herein-before is provided, or to prefer, or order and direct the preferring of any Bill or Bills of Indictment against any Person or Persons who shall steal, take, or carry away (as the Case may be) all or any Part of such Lamp Irons, Lamps, Lamp Posts, Watch-houses, Watchboxes, Iron, Timber, Stone, Bricks, Furniture, Pumps, Posts, Chains, Pales, Rails, or other Materials and Things as aforesaid; and in all such Actions or Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or such Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners of the *Birmingham* Street Act," without particularly stating or specifying the Name or Names of all or any of the said Commissioners.

Commissioners may cause Lamp Irons to be put up, Streets named, and Houses numbered.

XX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time, to cause such Lamp Irons or Lamp Posts, or other Posts, Chains, or Rails, to be put or fixed upon or against the Walls or Palisadoes of any Houses, Tenements, Buildings, or Inclosures, (doing no Damage or Injury thereto,) or to be put up and erected in such other Manner within all or any of the said Streets, Lanes, and Places within the Limits of this Act, as they shall think proper; and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided and affixed and put upon such Lamp Irons and Lamp Posts as they shall think necessary for lighting all or any of such Streets, Lanes, and Places, and cause the same to be lighted with Gas or Oil or otherwise, for such Number of Hours in every Twenty-four Hours as they shall think necessary; and also to cause such a Number of Watch-houses or Watchboxes to be provided, erected, or affixed, as they shall think necessary, in all or any of the Streets, Lanes, and Places within the Limits

Limits of this Act; and also to cause the said Lamp Irons, Lamp Posts, and Watchboxes, and also the several Houses and other Buildings within the several Streets, Lanes, and Places, to be numbered; and also to cause to be affixed on a conspicuous Part of one or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of such Streets, Lanes, and Places respectively, the Names by which the same respectively are to be called or known, in such Manner as they shall judge most proper for distinguishing the same.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners to erect any Gasometer or other Works for making, furnishing, or supplying Gas, or to authorize or empower the said Commissioners, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting such Streets, Lanes, public Passages and Places, to carry or lay any Pipe or Pipes, Cocks, or Branches, from any Mains or Pipes, against, into, or through any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, or to continue the same, without the Consent in Writing of the Owner and Owners, Occupier and Occupiers for the Time being of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings respectively; nor to enable the said Commissioners, or other Person or Persons making, furnishing, or supplying any Gas used or burnt for lighting such Streets, Lanes, public Passages and Places, to enter into or upon any private Lands or Grounds without the Consent in Writing of the Owners and Occupiers of such Lands or Grounds for that Purpose had and obtained.

Gas Pipes not to be laid on private Premises without Consent.

XXII. And be it further enacted, That if any Person shall wilfully break, throw down, spoil, or damage any Watch-house or Watchbox, or Lamp, Lamp Iron, Lamp Post, Pump, Pale, Rail, Chain, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, or deface or obliterate any such Name or Number as aforesaid, it shall be lawful for any Person or Persons who shall see the Offence committed to apprehend, and also for any other Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to keep him, her, or them in safe Custody, and with all reasonable Dispatch to convey him, her, or them before any Justice of the Peace for the County of *Warwick*, and such Justice shall examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party accused shall be convicted of any such Offence, either by his, her, or their Confession, or upon such Evidence as aforesaid, he, she, or they shall forfeit and pay any Sum not exceeding Five Pounds, and shall also make full Satisfaction for the Damage which shall have been done thereby; and one Moiety of such Forfeiture shall be paid to the Person or Persons apprehending such Offender, and the other Moiety shall be applied for the Purposes of this Act; and in case any such Offender or Offenders shall not on Conviction pay the said Forfeiture and Satisfaction, such Justice is hereby required to commit him, her, or them

Penalty for wilfully destroying or injuring Lamps, or defacing Numbers.

them to the House of Correction, there to be kept to hard Labour, if such Justice shall so order, for any Time not exceeding Three Calendar Months, unless such Forfeiture and Satisfaction shall be sooner paid.

Persons
accidentally
breaking
Lamps, &c.
to make
Satisfaction.

XXIII. And be it further enacted, That if any Person shall carelessly or accidentally break any of the said Lamps, Lamp Posts; or Lamp Irons, or do any other such Damage or Injury as herein-before is mentioned, and shall not upon Demand make Satisfaction to the said Commissioners for the Damage or Injury so done, it shall and may be lawful for any Justice of the Peace for the said County of *Warwick*, upon any Complaint thereof made to him on Oath, to summon the Party complained of, and upon hearing the Parties upon both Sides, or on the Nonappearance of the Party complained of, to examine the Matter of Complaint, and award such Sum of Money, by way of Satisfaction to the said Commissioners for such Damage, as such Justice shall think reasonable; and in case of Neglect or Refusal forthwith to pay such Money, then the same, and all Expences attending the Recovery thereof, may be levied and recovered as any Penalty or Forfeiture is by this Act directed to be levied and recovered in other Cases.

Commis-
sioners may
contract for
the Works
directed to
be done by
this Act.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to enter into any Contract or Contracts with any Person or Persons, Company or Companies whatsoever, for paving, making, or repairing the Footways or Carriageways within the Limits of this Act, or any of them, with Stone, Gravel, or other Materials, or for cleansing or for watering the said Streets, Lanes, and Places, or any of them, or for taking away, collecting, and retaining the Dirt, Dust, Cinders, and Ashes within the Limits of this Act, or for lighting the same Streets, Lanes, and Places, or any of them, or any Part thereof, either with Oil or with Gas, or with any other Material, or in any other Manner whatsoever, or for furnishing Lamps, Lamp Irons, Lamp Posts, Watchboxes, Posts, Chains, Pales, Rails, and other Things necessary for the Purposes aforesaid, or any Materials for the same, or for doing and performing all or any of the Works by this Act authorized or directed to be done and performed by them, or for supplying any of the Materials for the same.

Projections
to be re-
moved.

XXV. And be it further enacted, That all Signs or other Emblems used to denote the Trade, Occupation, or Calling of any Person or Persons, Sign Posts and Sign Irons, Penthouses, Shew Boards, Stalls, Window Shutters and Flaps, Porches, Sheds, Butchers Stalls, Bulks, and Gallowses, Shambles, Blocks or Pieces of Timber, Chopping Blocks, Watering Tubs or Troughs, Posts, Rails, and Stumps, projecting into or standing or being in the said Streets, Lanes, or Passages, which shall be by the said Commissioners deemed Nuisances and Obstructions or Annoyances, shall be taken down and removed; and all Signs, or other Emblems as aforesaid, shall be affixed and placed on the Fronts of the Houses, Shops, Warehouses, or Buildings whereunto the same respectively belong, or were before affixed, and not otherwise; and in case the Owners or Occupiers shall

shall neglect so to do before the Expiration of Three Calendar Months after Notice given in Writing, it shall be lawful for the said Commissioners to cause such Signs, Emblems, Sign Posts, Sign Irons, Penthouses, Shew Boards, Stalls, Window Shutters and Flaps, Porches, Sheds, Butchers Stalls, Bulks, and Gallowses, Shambles, Blocks or Pieces of Timber, Chopping Blocks, Watering Tubs or Troughs, Posts, Rails, and Stumps, and all other Encroachments, Nuisances, or Annoyances whatsoever, to be taken down and removed; and shall cause all such Signs, or other Emblems as aforesaid, to be affixed or placed on the Fronts of the Houses, Shops, Warehouses, or Buildings whereunto they respectively belong, or were before affixed, and not otherwise; and the Charges and Expences attending the same shall and may be recovered of the Owners or Occupiers thereof respectively, in the same Manner as the Charges and Expences of cleansing and lighting the said Streets are directed to be recovered; and if any Person or Persons shall at any Time or Times hereafter, without the Consent of the Commissioners first had and obtained in Writing, hang, place, or erect any Sign or Sign Post, or other Post, Sign Iron, Penthouse, Shew Board, Stall, Window Shutter or Flap, Porch, Shed, Butcher's Stall, Bulk, or Gallows, Shamble, Block or Piece of Timber, Chopping Block, Watering Tub or Trough, Post, Rail, or Stump, or shall continue or place any Step leading into any Cellar or Vault, or other Encroachment, Nuisance, or Annoyance whatsoever, or cause the same to be done, contrary to the Directions aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, and the further Sum of Five Shillings for every Day such Offence shall continue; and it shall be lawful for the said Commissioners, at the Costs and Charges of the Owner or Owners thereof, to be recovered as aforesaid, to cause the same to be taken down and removed, without any Notice to be given to the Owner or Owners, Tenants or Occupiers, to take down and remove the same.

XXVI. And be it further enacted, That all Spouts and Gutters belonging to, and which convey Water from the Tops of the Houses, Warehouses, Shops, or other Buildings, directly into any of the Streets, Lanes, Ways, or public Places within the said Town, and all Sewers, Gutters, Drains, or Sinks conveying any Water, Sock, Filth, or other Material or Thing from any Houses, Buildings, Yards, or Premises within the said Town, shall, within Three Calendar Months after the passing of this Act, be removed or covered, and the Water or other Material or Thing shall be conveyed by Pipes into some underground Sewer, or into some Cistern, Reservoir, or Kennel, at the Costs and Charges of the respective Owners or Proprietors thereof; and in case the same shall not be done within the Time aforesaid, or within the Space of Fourteen Days next after Notice to be given by the said Commissioners, or their Clerk or Clerks for the Time being, the Occupier of every such House, Warehouse, Shop, or other Building shall forfeit and pay the Sum of Five Shillings for each and every Day any such Spout or Gutter, Sewer or Drain, shall remain, and the Water or other Material or Thing not conveyed as aforesaid, after the Time herein-before limited; and it shall and may be lawful to and for any Tenant or Tenants of any such Houses, Warehouses, Shops, or other

Spouts and Gutters conveying Water, &c. to be removed, and Pipes to be placed for conducting the same into the Sewers.

Buildings aforesaid, and they are hereby required (in case of Neglect or Refusal by the respective Owners or Proprietors thereof) to alter such Spouts and Gutters in manner herein before directed; and such Tenant or Tenants so altering such Spouts and Gutters, Sewer or Drain, shall and may retain and deduct the Expence out of his, her, or their next Rent or Rents, and their respective Landlords are hereby required to allow the same; and if any Person or Persons shall hereafter erect or make, or cause to be erected or made, any Spout or Gutter, Drain or Sewer, for conveying Water or other Material or Thing from any old or new House, Warehouse, Shop, or other Building and Premises, in any Manner contrary to the Directions and true Meaning of this Act, as aforesaid, every such Person shall forfeit and pay any Sum not exceeding Five Pounds, and also the further Sum of Ten Shillings for every Week such Spout or Gutter shall remain.

How Bulk
Sashes shall
be regulated.

XXVII. And be it further enacted, That if any Person or Persons shall at any Time after the passing of this Act erect, build, or make, or permit or suffer to be erected, built, or made, to any House, Workshop, or other Building in any Street, Lane, Way, or Passage which now is or hereafter shall be upwards of Ten Yards in Breadth, any Bulk or Bulk Sash to project into such Street, Lane, Way, or Passage more than Twelve Inches from the perpendicular Wall of the House, Workshop, or other Building in or from which the same shall be made, or shall erect, build, or make, or permit or suffer to be erected, built, or made, to any House, Workshop, or other Building, in any Street, Lane, Way, or Passage in the said Town which is or shall not be more than Ten Yards in Breadth, any Bulk or Bulk Sash whatever, every Person so offending shall forfeit and pay for each respective Offence any Sum not exceeding Twenty Shillings, and the further Sum of One Shilling for every Day he shall permit or suffer such Bulk Sash to continue; and the Master Workman employed to erect, build, or make the same shall forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for the said Commissioners to cause the same to be taken down, removed, and carried away, without Notice to be given to the Owner or Owners, Tenant or Occupier, to take down, remove, or carry away the same.

Footways,
&c. to be
swept.

XXVIII. And be it further enacted, That the Oocupier of every House, Tenement, Warehouse, Shop, Shed, Coach House, Stable, Chapel, Meeting House, Wall, or other public or private Building within the said Town, shall, when required by the said Commissioners, sweep and cleanse the Footways all along the Fronts of their respective Houses, Tenements, Warehouses, Shops, Sheds, Coach Houses, Stables, Chapels, Meeting Houses, Wall, or other public or private Building, or cause the same to be scraped, swept, and cleansed, and in default thereof, for every such Offence, shall forfeit and pay any Sum not exceeding Five Shillings.

Power to
compound
with Inhabit-
ants for
cleansing
Streets, &c.

XXIX. Provided also, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, as they shall think proper, to compound with any of the Inhabitants of any Street, Lane, Way, or Passage within the said Town, by the Year, for such Sum or Sums of Money as such Commissioners shall think proper, for
the

the sweeping and cleansing to be done by such Inhabitants respectively by virtue of this Act, provided such Composition Money be always paid in advance.

XXX. And be it further enacted, That it shall not be lawful, from and after the passing of this Act, for any Person or Persons to cover or cause to be covered any House or other Building within any Part of the said Town, in the whole or in part with Thatch or Straw; and all and every Persons and Person offending in such respect shall forfeit and pay the Sum of Twenty Shillings for every Week such House or other Building shall continue with such Covering of Thatch or Straw as aforesaid.

Buildings not to be covered with Thatch.

XXXI. And be it further enacted, That the said Commissioners shall and are hereby vested with full Power to fix and ascertain the Rates and Prices of Cartage which shall from Time to Time be paid and payable to Carters and Carmen plying and being within the said Town, for the carrying and conveying of any Coals, Iron, Ironstone, Goods, Wares, and other Merchandize, from the several Wharfs of the Navigations now made or hereafter to be made, and lying or being near or adjoining to the said Town, to any Part or Parts of the said Town, and from any Parts of the said Town to any other Parts thereof, in or upon any Cart, Sledge, Dray, or other Carriage, according to the Distances which the same shall be carried, as they the said Commissioners shall think proper, which said Rates and Prices of Cartage, and none other, shall from Time to Time be paid or payable to any of such Carters or Carmen; and also the said Commissioners shall and may have, and they are hereby invested with full Power to make and ordain such Orders, Rules, and Bye Laws, for the better governing and regulating of all such Carters and Carmen within the said Town, and the Manner of loading and unloading of all Carts, Waggons, Coaches, Chaises, and other Carriages used, and the Driver and Drivers thereof respectively, in all respects whatsoever, as shall appear fit and proper in the Judgment of such Commissioners, and to fix and appoint such Penalties for the Nonperformance or other Breach of all or any of such Rules, Orders, or Bye Laws, or any Part thereof, as they shall think proper, such Penalties to be levied and recovered by such Ways and Means as are herein-after mentioned, and all which Orders, Rules, and Bye Laws, when reduced into Writing, and signed by the said Commissioners, shall from Time to Time be final and binding to all Intents and Purposes whatsoever.

Commissioners to ascertain the Rate of Cartage, and make Bye Laws for regulating the Carmen.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners to constitute, ordain, and provide from Time to Time such Bye Laws, Rules, and Orders as they shall think fit, for licensing and authorizing a sufficient Number of Hackney Coaches, Chariots, Cabriolets, Cars, or other public Carriages, and Sedan Chairs, to ply for Hire within and for Four Miles round the said Town of *Birmingham*, and for regulating and ordering such Hackney Coaches, Chariots, Cabriolets, and other public Carriages and Sedan Chairs, and the Owners, Drivers, and Carriers thereof respectively, and also in what Manner such Hackney Coaches, Chariots, Cabriolets, Cars, Carriages, and Sedan Chairs shall be furnished

Commissioners may make Bye Laws for licensing Hackney Coachmen, &c.

furnished and provided, and for ascertaining and fixing, altering, and removing the Stands from Time to Time, and for punishing the Misconduct and Misbehaviour of the Drivers of such public Carriages and Chairmen within the said Town and Limits as aforesaid, and for ascertaining what Fares and Prices, as well for Time as Distance, shall be allowed and taken by such Drivers and Chairmen within the said Town and Limits as aforesaid, and the Rates and Fares to be taken for the same; and the said Commissioners may from Time to Time, as they shall think fit, repeal, alter, and amend such Bye Laws, Rules, and Orders, or any of them, and shall ascertain and set down what pecuniary Penalties or Forfeitures shall be incurred by Persons breaking or evading the same or any of them, provided that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for any One Offence: Provided also, that all such Bye Laws, Rules, Orders, and Regulations to be made by virtue of this Act be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to any of the Provisions and Directions in this Act contained, or any of them, and subject to Appeal as herein-after is mentioned.

Penalty on the Driver of any Coach, &c. offending.

XXXIII. And be it further enacted, That if the Driver of any such Carriage as aforesaid, or the Carrier or Carriers of any Sedan Chair, shall be found standing or plying for Hire, or using such Coach or other Carriage, or Sedan Chair, in the said Town and Limits as aforesaid, without such Licence as aforesaid, or having such Licence, shall be found plying or standing for Hire at a different Place or Standing than the Place or Standing for which such Licence shall be granted, the Owner or Owners, or Driver or Drivers of, or the Person or Persons driving or offering to drive such Coach or other Carriage, and the Owner or Owners, Carrier or Carriers of such Sedan Chair, without or contrary to such Licence as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty on Owners or Drivers of Waggons, &c. misbehaving.

XXXIV. And be it further enacted, That if the Owner or Owners, Driver or Drivers, or other Person having the Care of any Waggon, Cart, Sledge, Dray, or other Carriage used for carrying Coals, Water, Goods, or Merchandize, shall ride in or on any Part of such Carriage, or the Shafts thereof, or on any of the Horses or Cattle drawing the same, in any of the Streets, Lanes, or Passages of the said Town, or if any Person having the Care of such Waggons, Carts, Sledges, Drays, or other Carriages, shall suffer any Horse or Cattle drawing the same to go faster than a Walk, or if any Person shall drive any Cattle, or ride or drive any Horse, Mule, or Ass, Coach, Chaise, Cart, Waggon, or other Carriage along any such Street, Lane, public Passage or Place, so fast or furiously as thereby to cause personal Danger, every Person so offending shall forfeit and pay for each Offence any Sum not exceeding Five Pounds.

Carts with Two Wheels not to carry more than Two Tons Two Hundred Weight.

XXXV. And be it further enacted, That if any Cart or other Carriage with not more than Two Wheels, used for the carrying of Coals, Goods, or other Things in the said Town, shall carry more at any One Time than Two Tons Two Hundred Weight, the Owner or Owners, Driver or Drivers, or other Person or Persons having the

the Care of every such Cart or other Carriage, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XXXVI. And be it further enacted, That in case the Driver or Drivers of any such Coach, Chaise, Cart, Waggon, or other Carriage, or the Person or Persons having the Care of such Waggon, Cart, Dray, or other Carriage, shall not be known, or being known cannot be found, then and in every such Case the Owner or Owners of any such Coach, Chaise, Cart, Waggon, Dray, or other Carriage, or either of them, shall be liable to the Fines or Penalties hereby imposed, as if such Owner or Owners had been the Driver only, or the Person or Persons having the Care of such Coach, Chaise, Cart, Waggon, Dray, or other Carriage, at the Time such Offence was committed: Provided always, that in all such Cases such Owner or Owners may, and he and they is and are hereby authorized to charge such Driver or Drivers, or other Person or Persons having the Care of such Waggon, Cart, or other Carriage, with the Amount of such Fines and Penalties, and the Expences attending the same, when paid, and to deduct the same from any Monies due or to become due from such Owner or Owners to such Driver or Drivers or other Person or Persons, or to recover the same as any Penalty is by this Act directed to be recovered.

If the Driver of any Cart, &c. cannot be found, Owner to be liable.

XXXVII. And be it further enacted, That the Wheels of every Cart kept or used by any Person residing within the Limits of this Act, for carrying Coals, Goods, or other Things within the said Town, shall be made with Fellies Six Inches broad at the least, and of a flat even Surface in every Part of such Fellies, on pain that the Owner or Driver of every Cart used as aforesaid, not having such Fellies, shall, for every Day on which the same shall be used in the said Town, forfeit and pay any Sum not exceeding Ten Shillings.

Carts used in the Town to have Six Inch Wheels.

XXXVIII. And be it further enacted, That in all Cases where any Waggon, Cart, Coach, or other Carriage shall descend any Hill or Hills within the said Town with either of the Wheels locked, a Skid Pan or Slipper shall be used or placed at the Bottom of such Wheel, during the whole Time of its being so locked, in such Manner as to prevent the Street or Road from being destroyed or injured by the locking of such Wheel; and all and every Persons and Person who shall drive or act as the Driver of any Waggon or Cart down any Hill or Hills within the Limits of this Act, with either of the Wheels locked, and without using or having such Skid Pan or Slipper at the Bottom of such Wheel, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

For using Skid Pans or Slippers.

XXXIX. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay, on Demand, any licensed Driver or Chairman, the Money justly due to him for the Fare under or in pursuance of any Bye Law or Licence made in pursuance of this Act, or shall wilfully cut, deface, break, or injure any such licensed Carriage, or the Harness of the same, or any licensed Chair within any Part of the Limits which such Carriage or Chair is or shall be licensed and compelled to go, drive, or carry, it shall be

Inflicting a Penalty on Persons not paying Hackney Coachmen, &c. or injuring any Coach or Chair.

[*Local.*]

13 Q

lawful

lawful for any One or more Justice or Justices of the Peace for the County of *Warwick*, upon any Complaint thereof made to him or them, to grant his or their Summons against the Person or Persons complained of, to appear before him or them at some Time and Place to be mentioned in such Summons, to answer the Matter of the said Complaint, and on Proof on Oath or Affirmation of the Service thereof, to proceed in and to hear the Matter of the said Complaint on Oath or Affirmation, whether the Person summoned appears or not, (except some reasonable Cause shall be offered for his, her, or their not so appearing,) and to make such Order therein as to such Justice or Justices shall appear to be just; and if the Person or Persons against whom such Order shall be made do not immediately pay or cause to be paid the Money (if any) that shall be ordered as a Satisfaction to the Person or Persons for the Service or Injury done, it shall be lawful for such Justice or Justices, and he and they is and are hereby required and directed to grant his or their Warrant of Distress against the Goods and Chattels of the Person or Persons so refusing or declining to pay, to be taken in any Place wherever found, and the same to sell and dispose of, and out of the Monies arising by or from such Sale to pay the Money or Monies so awarded to the Person or Persons to whom awarded, together with such Costs as such Justice or Justices shall think reasonable, returning the Overplus (if any) to the Owner of the Goods and Chattels so distrained; and if no Distress can be found, then to commit the Person or Persons against whom such Order shall be made to the Common Gaol of the said Town for any Time not exceeding One Calendar Month, there to remain without Bail or Mainprize, unless the Money is sooner paid.

Bye Laws to be published in the Newspapers.

XI. And be it further enacted, That a Copy of the several Rules, Orders, and Bye Laws, Rates and Fares, by this Act authorized to be made, shall be printed and signed by the Clerk to the said Commissioners; and public Notice when they are to take place shall be given by Advertisement in all the Newspapers then published in the Town of *Birmingham*, Fourteen Days at least before any such Rule, Order, or Bye Law shall be executed or take Effect; and a Copy of such Rates and Fares, painted in legible Characters on Boards, shall also be affixed and continued on some conspicuous Place or Places in the said Town, and shall be renewed as often as any of them shall be altered, or as the Board shall be obliterated or destroyed; and if any Person or Persons shall wilfully or maliciously pull down, destroy, obliterate, or deface, or without the Consent of the said Commissioners remove or alter any such Board so painted as aforesaid, or any Part thereof, or any Word, Mark, or Figure thereon, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Commissioners may direct the Streets to be cleansed.

XII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required to nominate and appoint any Person or Persons, and to purchase or hire any Cart or Carts, or other Carriage or Carriages, and also any Horse or Horses, for the Purpose of cleansing the several Streets, Lanes, public Passages and Places within the said Town, and of carrying away the
Dust,

Dust, Dirt, and Soil thereof, to any Place or Places to be purchased or hired by the said Commissioners.

XLII. And be it further enacted, That if any Person or Persons whosoever, other than the Person or Persons employed by or contracting with the said Commissioners for cleansing the several Streets, Lanes, public Passages or Places within the said Town, shall take or carry away, or cause to be taken or carried away, any Dung, Soil, or other Filth arising out of such Streets, Lanes, or other public Passages or Places as aforesaid, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

No Person to take away Dirt, &c. but Contractors.

XLIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to take down and remove any Pump or Pumps standing in or having Communication with any of the Streets, Lanes, Passages, or Places in the said Town, and the Spouts, Troughs, or other Communications belonging to such Pump or Pumps, and projecting into, or being in, over, or under any or either of such Streets, Lanes, public Passages or Places, making reasonable Compensation to the Owner or Owners of such Pumps as have been heretofore erected and used, for the Damage or Injury to be by him, her, or them sustained in consequence of such taking down or Removal, such Compensation to be agreed upon by the said Commissioners and such Owner or Owners, or in case they cannot agree, to be settled and determined by a Jury in the Manner herein directed; and from and after the passing of this Act no Person or Persons shall erect or set up any Spout or Spouts, Trough or Troughs, or other Thing, for conveying Water from such Pump or Pumps through or over the Footways or Carriageways of any such Streets, Lanes, public Passages or Places.

Pumps in or adjoining to the Streets may be removed.

XLIV. And be it further enacted, That no Door, Gate, or Shutter of any Building, Yard, Area, or Inclosure within the Limits of this Act, shall open into or towards any Street, Lane, Footpath, or Way, or be suffered to continue so to open, unless the Hanging Post thereof shall be fixed or placed so far from the Centre of any Part of such Street, Lane, Footpath, or Way, as that no Part of such Door, Gate, or Shutter shall in opening, or when open, project over any Part of such Street, Lane, Footpath, or Way; and the Occupier or Occupiers of any Building, Yard, or Inclosure, having any Door, Gate, or Shutter opening outwards, contrary to the Meaning of this Act, shall within Fourteen Days after Notice to him, her, or them given, either personally or in Writing, from the Surveyor of the said Commissioners for the Time being, cause such Door, Gate, or Shutter to be hung so that no Part of the same in opening, or when open, shall project over any Part of such Street, Lane, Footpath, or Way, and in default thereof the said Surveyor is hereby authorized to cause the Door, Gate, or Shutter to be hung according to the Intent of this Act; and the Person guilty of such Neglect or Default shall, upon Complaint made to any Justice or Justices of the Peace acting for the said County of *Warwick*, and upon Conviction upon the Oath of one credible Witness, pay to such Surveyor such Sum as the

Gates opening outwards to be altered.

said

said Justice or Justices shall direct, to defray the Expences of making the Alteration and hanging of such Door, Gate, or Shutter, and shall also forfeit and pay a further Sum, not exceeding Forty Shillings, for his, her, or their Neglect therein, to be fixed by and at the Discretion of the Justice or Justices before whom such Conviction shall be made; and which said Expences shall and may be recovered from the Person or Persons liable to pay the same, in like Manner as any Penalty may be recovered by virtue of this Act.

Footways to
be swept
daily during
Frost and
Snow.

XLV. And be it further enacted, That every Owner or Occupier of any House, Tenement, Warehouse, Shop, Shed, Coach House, Stable, Chapel, Meeting House, or other public or private Building in any of the Streets, Lanes, and Places within the Limits of this Act, during the Continuance of Frost, or after or during the Fall of Snow, from Time to Time and at all Times hereafter, shall Once in every Day, before the Hour of Ten of the Clock in the Forenoon of each Day, except *Sunday*, sweep and cleanse, or cause to be swept and cleansed, the Footway all along the Front, Side, and Back Walls of their respective Houses, Tenements, Warehouses, Shops, Sheds, Coach Houses, Stables, Chapels, Meeting Houses, or other public or private Buildings; and every Owner or Occupier who shall neglect so to do, shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings, to be levied, recovered, and applied in such and the same Manner in which other Penalties are by this Act herein-after directed to be recovered and applied; and also that the Owner or Owners of any House or other Tenement within the Limits of this Act, which may be let furnished, or in divided Apartments, shall be deemed and taken, for the Purpose of this Provision, to be the Occupier or Occupiers of every such House or other Tenement respectively.

Time for
emptying
Necessaries,
&c.

XLVI. And be it further enacted, That if any Person or Persons shall at any Time hereafter empty or begin to empty, or cause, permit, or suffer to be emptied, any Boghouse or Privy belonging to any House or Houses, Warehouses, Stables, or other Buildings, Yards, and Premises, within any of the Streets, Lanes, Ways, and public Passages and Places within the Limits of this Act, or shall come with or bring any Waggon, Cart, or other Carriage, for the Purpose of carrying away the Contents of any such Boghouse or Privy, or shall leave any Dung, Soil, Manure, or Compost in any Street, Lane, Way, or Passage within the Limits of this Act, before the Hour of Twelve of the Clock at Night, or after the Hour of Six of the Clock in the Morning between the First Day of *April* and the First Day of *October* in each and every Year, and before the Hour of Twelve of the Clock at Night, or after the Hour of Eight of the Clock in the Morning, between the First Day of *October* and the First Day of *April* in each and every Year, every Person or Persons so offending, and the Employer of such Person or Persons, shall forfeit and pay the Sum of Five Pounds for every such Offence.

For prevent-
ing various
Obstructions
and Nui-

XLVII. And be it further enacted, That if any Person or Persons shall, from and after the passing of this Act, use any Waggon, Cart, Sledge, Dray, Wheelbarrow, or Hand-cart within the Limits of this Act,

Act, without the Name and Place of Abode of the Owner thereof printed or painted in large White Capital Letters on a Black Ground in the Front or on the Off-side of such Waggon, Cart, Sledge, Dray, Wheelbarrow, or Hand-cart; or if any Waggon, Cart, Sledge, Dray, or other Carriage shall be left or remain in any of the said Streets, Lanes, or other public Passages or Places, with or without Horses or other Cattle, for any Time longer than shall be necessary for the loading or unloading thereof; or if any Stage Coach, Diligence, Post Chaise, or other Carriage let to Hire, except such Coach, Chariot, Car, Sedan, or other Carriage used in the said Town as a Hackney or public Carriage, and licensed by the said Commissioners as herein mentioned, shall be left or remain in any of the Streets, Lanes, public Passages or Places, for any longer Time than shall be reasonable and necessary for the taking up or setting down the Passengers, or of loading or unloading the Baggage; or if any Person or Persons shall, upon any of the Footways or Foot Pavements within the Limits of this Act, run, draw, drive, carry, or place any Coach, Waggon, Dray, Cart, Truck, Wheel Sledge, Wheelbarrow, Handbarrow, or any other Carriage or other Vehicle whatsoever, or roll any Wheel, Cask, or Tub; or shall wilfully ride, lead, or drive any Horse or other Beast or Cattle whatsoever on any of the said Footways or Foot Pavements; or shall tie or fasten any Horse or other Cattle to any House, Wall, Railing, or Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements; or hang up, place, or expose to Sale any Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Offal, or other Matter or Thing in or upon, or so as to project over or upon the Footway or Carriageway of any Street, Lane, or public Place within the Limits of this Act, or beyond the Line or on the Outside of the Window or Windows or Shutters of any House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to Sale; or set any Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Basket, or Stall, on or in any of the Footways or Foot Pavements or Carriageways; or erect, set up, put, or place, and continue after Notice duly given to remove the same, any Blind, Shade, Coverlid, Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or at any Time leave open, or make and continue, after such Notice as aforesaid, any Cellar Door or Grate in any Street, Lane, or public Place within the Limits of this Act; or hang out or cause to be hung out any Linen or Clothes; or shall hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair, or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall sift, screen, wet, slack, or mix any Lime, or wet, mix, or make any Mortar, (except within a Hoard to be erected according to the Regulations herein contained in that Behalf); or shoe, bleed, or farry any Horse or other Beast, (unless in case of any sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle; or shall show or expose any Stal-

sances on
the Pave-
ments.

lion or Stone Horse ; or kill, slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part ; or beat or dust any Carpet ; or if any Person shall permit his or her Dog to go at large after public Notice given by any Beadle or Crier within the Limits of this Act ; during such Time as such Notice shall direct Dogs to be confined on Suspicion of the Existence of Canine Madness within or near the Limits of this Act ; or shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, or Vegetables, or any other Offal, Dung, Soil, Blood, or other Filth or Annoyance, or any other Matter or Thing, in or upon the Carriageway, Footway, or Pavement of any such Street, Lane, or other public Place within the Limits of this Act, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers ; or if any Person or Persons shall throw out or pour down upon any of the said Footways or Pavements or Carriageways, any foul Water in which Brass Ashes or any kind of Metals shall have been washed, or permit the same to run into the said Streets, Lanes, public Passages or Places, otherwise than by such Drains as shall be made under or through the said Pavements by the Order and Direction of the said Commissioners ; or shall wilfully break, or aid, abet, or assist in wilfully breaking, any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building ; or shall make or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss, or other Fire Arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework ; or shall fly any Kite, drive any Hoop, or play at Football, or any other Game or Games, to the Annoyance of any Passenger or Traveller ; or shall make or cause any unnecessary Stoppage of any Coach, Cart, Waggon, or Carriage, or otherwise occasion any kind of Obstruction or Annoyance in or upon any such Street, Lane, or public Place, or shall obstruct or incommode, hinder or prevent the free Passage of any Carriageway, Footway, or Causeway, or prejudice or annoy, in any Manner whatsoever any Person or Persons travelling, passing, or going thereon ; or if the Driver of any sort of Carriage whatsoever, meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side of the Road, or shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, within such Street, Lane, or public Place, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage, or of His Majesty's Subjects, within any such Street, Lane, or Place ; or if any Person shall 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 bait or cause to be baited any Bull in the Manner called Bull-baiting, in any private Court or Yard, or in any other Place within the Limits of this Act ; then and in every such Case the Owner or Owners, or Driver or Drivers of such Carriage or Carriages so suffered or left to remain as aforesaid, and every other Person or Persons offending as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds ; and it shall be lawful for any Constable or other Peace Officer, or any one of the said Commissioners, or

any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before such Justice or Justices of the Peace for the said County of *Warwick*, in order to his, her, or their Conviction of such Offence.

XLVIII. And be it further enacted, That if any Swine, Sheep, Goat, Horse, Bull, Cow, or other Beast shall at any Time be found wandering about any of the Streets, Lanes, or public Places within the Limits of this Act, it shall be lawful for any Person or Persons appointed by the said Commissioners to seize and impound such Swine, Sheep, Goat, Horse, Bull, Cow, or other Beast in such Place as the said Commissioners shall appoint, and the same there to detain until the Owner or Owners thereof shall for every such Swine, Sheep, Goat, Horse, Bull, Cow, or other Beast so impounded, pay a Sum of Five Shillings to the Person impounding the same, together with the Fees and the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum, Charges, and Expences shall not be so paid within Five Days after such impounding, it shall be lawful for the said Commissioners to sell or cause to be sold the same; and the Money arising from such Sale, after deducting the said Sum and Sums of Money, and the Charges and Expences of impounding, keeping, and selling such Swine, Sheep, Goat, Horse, Bull, Cow, or other Beast, shall be paid, on Demand, to the Owner or Owners of the said Swine, Sheep, Goat, Horse, Bull, Cow, or other Beast.

Cattle wandering to be seized.

XLIX. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Swine, Sheep, Goat, Horse, Bull, Cow, or other Beast, 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 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 attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Swine, Sheep, Goat, Horse, Bull, Cow, or other Beast seized or so 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 *Warwick*, either upon the Confession of the Party or Parties 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 for the said County of *Warwick*, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months.

Punishment of Persons guilty of Pound Breach.

L. And be it further enacted, That if the Chimney of any House, Workshop, Outhouse, or other Building in the said Town, shall be on fire, the Occupier of every such House, Workshop, Outhouse,

Penalty on Persons whose Chimneys are on fire.

house, or other Building shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Ten Shillings: Provided always, that in case such Occupier shall make it appear to the Justice or Justices before whom the Complaint shall be heard, to the Satisfaction of such Justice or Justices, that such Fire shall have been caused by Lightning or Tempest, then every such Occupier shall be released from the said Penalty.

Compensation to be made to Conductors of Fire Engines for Attendance.

LI. And be it further enacted, That in case any Fire Engine or Fire Engines, or the Conductors thereof, shall be called upon or required to attend, or be brought to any Premises in the said Town, in consequence of any Chimney being on fire, then and in every such Case the Occupier or Occupiers of the Premises to which such Chimney shall belong shall pay to the Conductors of such Engine or Engines a just and reasonable Compensation for such Attendance; and the Amount of such Compensation, in case the Parties differ about the same, shall be settled and determined by any one or more of His Majesty's Justices of the Peace for the County of *Warwick*, and shall be recovered by the same Ways and Means as any Penalty imposed by this Act can or may be recovered.

Hoards to be erected when Houses are taken down or altered.

LII. And be it further enacted, That all Persons whosoever who have already caused to be taken down or partly taken down, or who at any Time or Times hereafter shall take down, or begin to take down, any House or other Building whatsoever within the said Town, or cause the same to be so done, or who shall alter or repair, or begin to alter or repair the outward or external Part or Parts of any such House or other Building, or cause the same to be so done, or shall deposit, or sift, screen, or slack, any Bricks, Stone, Lime, Sand, or other Materials for erecting or repairing any House or Building, or for any other Purpose, or make or mix any Mortar, in any Street, Lane, or public Place within the Limits of this Act, shall and they are hereby respectively required to cause one or more proper and sufficient Hoard or Fence, or Hoards or Fences, to be erected and set up, to guard all such Houses and other Buildings and Premises from the Street, Lane, Passage, or public Place in which the same may be situate, or to inclose such Bricks or other Materials so deposited as aforesaid, and shall erect such Hoard or Fence, or Hoards or Fences, in such Way or Manner as shall be required or directed by the said Commissioners or their Surveyor, so as to create as little Obstruction as possible in the Street or Place in which the same shall be erected, and shall continue such Hoard or Fence, or Hoards or Fences, standing and in good Condition during such Time as may be necessary for the Public Safety, and shall light, or cause the same to be well and sufficiently lighted during the Night, so as to prevent Accidents, and shall remove such Hoard or Fence, or Hoards and Fences, when thereto required by the said Commissioners or their Surveyor; and if any such Person or Persons shall refuse or neglect to erect and set up any such Hoard or Fence, or Hoards or Fences as aforesaid, or shall erect the same in any other Manner than herein-before directed, or shall not continue the same standing and in good Condition during the Time aforesaid, or shall not, whilst the said Fences or Hoards are standing, keep the same sufficiently lighted in the Night, or shall
continue

continue the same standing after Notice to the contrary given by the said Commissioners or their Surveyor, then and in any of the said Cases every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in case of a Refusal or Neglect on the Part of such Person or Persons to fence, guard, and light such Houses, Buildings, and Premises as aforesaid, it shall and may be lawful to and for the said Commissioners to cause any such Houses, Buildings, and Premises to be well and sufficiently fenced in, or the Fence or Hoard already erected and set up to be well and sufficiently repaired, as the Case shall require, and such Fence or Hoard to be continued, and during its Continuance to be lighted as aforesaid; and the Person or Persons so refusing or neglecting shall, on Demand, pay all the Charges and Expences of such fencing, repairing, and lighting, and in case of Nonpayment the same shall and may be recovered in like Manner as Penalties are recoverable by this Act.

LIII. And be it further enacted, That in case, from unavoidable Necessity, which may sometimes occur, any Bricks, Stones, Timber, Mortar, Rubbish, Materials, or other Things shall be laid or placed, or any Hole, Opening, or Excavation of any Nature or Kind soever shall be made, in or adjoining to any of the Streets, Lanes, Passages, or public Places within the said Town, the Person or Persons causing the said Articles or Materials to be so laid or placed, or the said Hole or Opening or Excavation as aforesaid to be made, shall, at his or their own Expence, cause a Light to be fixed in or near the same, for securing Passengers from Accidents, and continue such Light every Night, from Sun-setting to Sun-rising, during the Time such Materials, Hole, Opening, or Excavation shall remain; and such Person or Persons shall, at his, her, or their own Expence, cause such Materials or other Things, and such Hole, Opening, or Excavation, to be well and sufficiently fenced and inclosed until the Materials or other Things shall be removed, or the Hole, Opening, or Excavation filled up; and in case such Person or Persons shall neglect or refuse to light, fence, and inclose such Articles, Materials, Hole, Opening, or Excavation as aforesaid, or shall not remove or fill up the same as soon as possible, he, she, or they shall for each Offence forfeit and pay any Sum not exceeding Five Pounds for each and every Day or Night such Nuisance shall be continued.

Lights to be placed against Heaps of Rubbish, &c.

LIV. And whereas it frequently happens that Houses and Buildings within the said Town are, either from litigated Titles thereto, or the Obstinacy, Neglect, or Poverty of the Owners thereof, or of the Parties interested therein, in so ruinous a Condition that Passengers are in Danger of their Lives or of some Injury from the falling thereof, or of the Bricks or Timber or other Materials or Rubbish therefrom, and it also frequently happens that Houses and Buildings erecting or repairing within the said Town, or the Foundations of the same, are not sufficiently fenced or guarded from the Street to insure Safety to the Passengers; be it therefore enacted, That it shall be lawful for the said Commissioners, or their Clerk or Surveyor, to order and direct any House or Building therein, which upon View of the same by the said Commissioners or their Surveyor may appear to be in a

Houses in a ruinous State to be properly fenced.

ruinous or dangerous State, to be properly fenced and guarded from the Street, by a proper and sufficient Hoard or Fence, until the same Premises are taken down and rebuilt, or until the said Danger shall be removed; the Owner or Owners of such Premises shall reimburse and pay the Expences incurred by the said Commissioners in fixing or putting up every such Hoard or Fence which shall be so ordered and directed by the said Commissioners; and the Amount of the said Expences shall and may be recovered in like Manner as Penalties are recoverable by this Act.

Commis-
sioners em-
powered to
purchase and
remove the
Weighing
Machine on
Snow Hill.

LV. And whereas in one of the principal Streets or Thoroughfares of the said Town leading from *Birmingham* to *Holyhead* called *Snow Hill* there is a public Weighing Machine belonging to the Guardians and Overseers of the Poor of the Parish of *Birmingham*, which occasions great Interruption and Danger to the Mail and other Coaches, and also to Persons travelling on the said Road, and Carts and Waggons that continually are standing there, and obstructing the free and safe Passage along the said Road; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to take up and remove the said Machine and the Machine House belonging thereto, and to agree with the said Guardians and Overseers for the Removal of the said Machine and the Machine House belonging thereto, and for the Erection thereof, or of another Machine and Machine House, in some other Place within the Limits of this Act, to be settled and agreed upon between the said Commissioners and the said Guardians and Overseers respectively.

Steam En-
gines to con-
sume their
own Smoke.

LVI. And be it further enacted, That the Owners or Occupiers of all Engines commonly called Steam Engines, which have been erected since the passing of the said recited Act, or which shall at any Time hereafter be erected, set up, or used in the said Parish of *Birmingham*, shall use the Mode or Method now adopted, or other equally efficacious, to consume and burn the Smoke arising therefrom, so as to prevent the same occasioning any Nuisance whatsoever; and if any Person or Persons shall use any such Steam Engine without burning or consuming the Smoke upon the Principle aforesaid, they shall forfeit and pay for every such Neglect or Default Fifty Pounds, to be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Watchmen to
be appointed.

LVII. And be it further enacted, That the said Commissioners shall from Time to Time appoint and employ such Number of able-bodied Watch-house Keepers, Night Constables, Watchmen, Patroles, Street Keepers, and other Persons as they shall think sufficient for the proper Protection of the Inhabitants, Houses, and Property, Streets, and other Places within the Limits of this Act, by Day and by Night, and provide all such Watch-house Keepers, Night Constables, Watchmen, Patroles, and Persons as aforesaid with such Clothing, Arms, Ammunition, and Weapons, and shall assign to them such Beats or Rounds and Duties, and appoint such Hours for them to be on Duty, and also such Wages, Rewards, and Gratuities or Remunerations for their Services, and also make such Rules, Orders, and

Regulations relative to such Watch-house Keepers, Night Constables, Watchmen, Patroles, Street Keepers, and other Persons, and their Duties, as to the said Commissioners shall seem meet, and also shall and may offer and give, as well to the said Persons as to any others not specially employed by them, such Gratuities and Rewards for apprehending Felons and other Offenders within the Limits of this Act, as to them shall seem proper, and shall and may defray the Expences of prosecuting any such Felons and Offenders, for the Protection of the Inhabitants within the Limits of this Act, or in defending any of the said Persons or other Officers of the said Commissioners in the Execution of their Duty, as they shall think proper; and the said Wages, Rewards, Gratuities, and the Costs of such Prosecutions or Defences, and all other Expences that may be incurred by the said Commissioners for the Protection and Guard of the Inhabitants, shall and may be paid by the said Commissioners or their Treasurer out of the Monies arising from the Rates directed to be raised by this Act.

LVIII. And be it further enacted, That all Watchmen and Patroles^s to be appointed under this Act shall be sworn in as Constables before any Justice or Justices of the Peace for the County of *Warwick*, and shall act as such while in execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, and shall be subject and liable to such and the like Penalties and Forfeitures as any Constable or Constables is or are invested with, or shall or may have and enjoy, or is or are or shall be subject or liable to by Law.

Watchmen
to have the
Power of
Constables.

LIX. And be it further enacted, That a true Copy or Transcript of all Nominations, Appointments, Acts, Rules, Orders, and Regulations respecting or relating to the Watchmen or Constables, which shall from Time to Time be made by the said Commissioners in pursuance of this Act, shall be affixed in some conspicuous Part of the Watch-house of the said Commissioners, and as soon as conveniently may be after the passing of this Act, One or more of the said Constables for the Time being shall attend every Night by Turns, and shall keep Watch and Ward at the Watch-house of the said Commissioners within the Limits of this Act.

Regulations
as to Watch-
men, &c. to
be hung up
in Watch-
house.

LX. And be it further enacted, That the Watchmen, Night Constables, Patroles, and other Persons to be appointed by virtue of this Act, shall during the Time of their being on Duty use their utmost Endeavours to prevent any Mischief by Fire, and also all Robberies, Burglaries, and other Felonies and Misdemeanors, Affrays, and other Outrages, Disorders, and Breaches of the Peace within the Limits of this Act; and it shall be lawful for the said Watchmen, Night Constables, Patroles, or other Persons, while on Duty, to apprehend and secure all Felons, Rogues, Vagabonds, Nightwalkers, and disorderly Persons who shall disturb the Public Peace, or any Person or Persons wandering, secreting, or misbehaving himself or themselves, or whom they shall have reasonable Cause to suspect of any evil Design, and to secure and keep in safe Custody every such Person, in order that he or she may be conveyed, as soon as conveniently may be, before One of His Majesty's Justices of the Peace for the said County of *Warwick*,

Watchmen,
&c. to prevent
Disturbances.

to

to be examined and dealt with according to Law; and it shall and may be lawful to and for the said Watchmen, Night Constables, Patroles, and other Persons so appointed as aforesaid, to call and require any Person or Persons to aid and assist them in taking such Felons, Rogues, Vagabonds, and all such disorderly or suspected Persons as aforesaid.

Penalty on Victuallers, &c. harbouring Watchmen, &c.

LXI. And be it further enacted, That if any Victualler or Keeper of any Public House, Wine Vaults, or Liquor Shop, shall knowingly harbour or entertain, or suffer to remain in his or her Public House or Premises thereto belonging, any such Night Constable or Watchman so to be appointed as aforesaid, during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper shall, on Conviction, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Commissioners empowered to reward disabled Watchmen, &c.

LXII. And be it further enacted, That it shall be lawful for the said Commissioners to give such Rewards in Money, or otherwise, to the Constables, Watchmen, and other their Servants to be appointed for any of the Purposes of this Act, who may be disabled or wounded in the Execution of their Offices, as also for their Loss of Time in attending upon the Hearing or Conviction of any Offences to be committed against the Provisions of this Act, as they the said Commissioners shall think reasonable, such Money to be paid out of the Rates and Assessments by this Act authorized to be levied and raised.

Regulations as to new Streets.

LXIII. And be it further enacted, That whenever any Person or Persons shall intend to make or lay out any new public Street within the said Town, or to extend any old Street, he or they shall give Notice thereof to the said Commissioners by Writing, delivered to their Clerk or Clerks, or left at his or their Office or Place of Abode, and thereupon it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, if they shall think proper, to appoint a Surveyor or Surveyors, or other Person or Persons, to adjust, settle, and fix the Level of such Street, and the same shall for ever thereafter be conformed to by all the Persons erecting any House or other Building within the Limits of such Street; and it shall and may be lawful for the said Commissioners to pave the Gutters on each Side of the said Streets so to be laid out as aforesaid, and to charge the Expence thereof to each separate Ground Tenant or Owner who shall build therein, in proportion to the Breadth of their respective Premises, which said Gutters shall be kept open and in repair at the Expence of such respective Tenant or Owner; and all Streets hereafter to be made or laid out within the said Town shall not be laid out less than Fourteen Yards wide at the least, without the Consent of the Commissioners first had and obtained; and if any Person shall not conform thereto, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds: Provided nevertheless, that in case the said Commissioners shall not cause such Level to be fixed as aforesaid within the Space of One Calendar Month from the Time of the Delivery of such Notice as aforesaid, it shall not be lawful for them to cause the same to be afterwards done.

LXIV. And

LXIV. And be it further enacted, That whenever any new Street within the said Town shall be laid out and formed, or any Street shall be at any Time extended, the Owners and Proprietors of the Houses, Buildings, and Premises adjoining to such Street or Extension of Street, when and so soon as Three Fourth Parts thereof shall be built, shall and they are hereby required to cause the Square of their Houses, Buildings, or Premises into the Middle of such new Street, both in the Carriage and Footway, to be paved in such Manner as the said Commissioners shall direct; and all such Houses, Buildings, or Premises, and the Owners and Occupiers thereof respectively, shall for the Space of Ten Years from the Time such Pavement shall be completed be exempted from being charged or assessed to or paying any of the Rates or Assessments commonly called The Highway Levies within the said Town or Parish of *Birmingham*.

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

LXV. And be it further enacted, That all and every Persons and Person who shall hereafter build in or fronting to any Street hereafter to be laid out, or any Extension of a Street hereafter to be made, or any Road or Way already laid out or used, and not yet built up or formed, shall erect and set back the Building to be so erected to the Distance of Seven Yards at least from the Centre of such Street or Road, and shall give up and abandon for the said Street or Road the said Space or Distance of Seven Yards, unless the Consent of the said Commissioners, to be signified in Writing, shall be previously obtained to the contrary; and in case any such Person or Persons shall hereafter erect or set up any Building in any such Street or Road at a less Distance than Seven Yards from the Centre of such Street or Road, it shall be lawful for the said Commissioners or their Surveyor or other Servant by their Direction, within Three Calendar Months after the Erection thereof, to pull down, take away, and remove such Building, or so much thereof as shall be erected within the said Distance; and in such Case the Person or Persons so offending shall forfeit and pay the Sum of Fifty Pounds, to be recovered by the Clerk or Clerks of the said Commissioners by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Buildings to be set Seven Yards from the Centre of the Street.

LXVI. And whereas Doubts may arise respecting the Boundaries or Limits of the said Town; be it therefore enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered from Time to Time to ascertain and fix the Limits or Boundaries of the said Town of *Birmingham* within the Parish of *Birmingham*, and Notice of the Day, Hour, and Place of Meeting of the said Commissioners to ascertain and fix the same shall be given in some Newspaper published or circulated in the said Town of *Birmingham*, and also a like Notice shall be fixed on the principal outer Door of the Parish Church of *Saint Martin* in *Birmingham* aforesaid, and of every Church within the several Parishes and Places whose Boundaries adjoin to the said Parish of *Birmingham*, for Two Sundays before such Day or Days of Meeting, and the Limits or Boundaries so fixed from Time to Time shall be deemed and taken to be, to all Intents and Purposes, the Limits or Boundaries of the said Town for the Purposes of this Act; and all the Powers, Provisions, and Authorities

Boundaries of the Town to be ascertained.

rities herein contained shall extend to and be executed and put in force within such Limits or Boundaries.

Commis-
sioners may
widenStreets.

LXVII. And be it further enacted, That for the Improvement of the said Town, and for Public Advantage, it shall and may be lawful to and for the Commissioners appointed by virtue of this Act, or of Two Thirds of them, present at a General Meeting to be specially summoned for that Purpose, (such Two Thirds not to consist of less than Twenty-four Commissioners,) to alter, widen, turn, and extend any of the Streets, Lanes, Ways, Passages, or Places, and to lengthen, continue, and open the same from the Sides or Ends of any Streets, Lanes, Ways, Passages, Roads, or Places within the said Town; and in case any Houses, Walls, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, shall in the Opinion of the said Commissioners project into, obstruct, or prevent them from so doing, and the Possession or Occupation and Purchase of such Houses, Walls, Buildings, Lands, Tenements, or Hereditaments shall be or will be found necessary for any of the Purposes aforesaid, it shall and may be lawful to and for the said Commissioners, or Two Thirds of them, present at a Meeting to be specially summoned as aforesaid, (such Two Thirds not to consist of less than Twenty-four Commissioners,) to treat, contract, and agree, or to employ any Person or Persons to treat, contract, and agree with the Owner and Owners of any such Houses, Walls, Buildings, Lands, and Hereditaments, of what Nature, Kind, Tenure, or Quality soever, for the Purposes aforesaid, or any of them, and to pay for the same such Sum or Sums of Money as shall be agreed upon by the said Commissioners as aforesaid, out of the Money to be raised, arise, or acerue by virtue of this Act, and to pull down, use, sell, or dispose of the same, or the Materials thereof, in such Way, Manner, and Form as they shall think most expedient, and the Sites thereof, or such Parts thereof as the said Commissioners shall think necessary to lay into the said Streets, Lanes, Ways, Passages, Roads, or Places.

Houses, &c.
not to be
taken, unless
specified in
the Schedule.

LXVIII. Provided always, and be it further enacted, That the Powers and Authorities given by this Act shall not extend or be construed to extend to authorize the said Commissioners to take down any Dwelling House or other Building, or to make use of any Ground, Hereditaments, or Premises, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first obtained, except such as are mentioned in the said Schedules.

Commis-
sioners em-
powered to
purchase the
Premises
comprised
in the First
Schedule.

LXIX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to treat, contract, and agree, or to employ any Person or Persons to treat, contract, and agree with the Owner or Owners, Occupier or Occupiers of, and all other Persons interested in the Houses, Buildings, Lands, Hereditaments, and Premises mentioned and described in the First Schedule hereunto annexed, or any of them, or any Part thereof, and to purchase and become seised of the same for the Purposes of this Act; and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchases, or adjudged or determined in

manner prescribed by this Act, to cause such Houses and Buildings, or so much thereof as the said Commissioners shall think necessary, to be pulled down, and such Grounds, and the Ground whereon such Buildings now stand, or so much as shall by the said Commissioners be deemed necessary to be laid open, to widen and enlarge the Market Places, and also the several Streets and Places described in the said First Schedule hereunto annexed.

LXX. And be it further enacted, That when and so soon as a sufficient Part of the said Buildings shall be taken down for the Purpose of enlarging the said Markets, and the Site thereof, or of such Part thereof as they the said Commissioners shall think necessary for that Purpose, shall be cleared and made good, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to erect and build one or more Market House or Market Houses, or to erect, set up, and use such Sheds, Stalls, Standings, Shambles, or other Buildings, and to make such convenient Approaches and Avenues thereto, as they shall think proper and expedient for the Accommodation and Convenience of such Markets, and of all Persons resorting thereto.

Market Houses to be erected.

LXXI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, when and so soon as they shall see fit, to erect and build, on any Land or Premises to be purchased or held by them in pursuance of this Act, a Corn Exchange for the holding therein of the Markets for Corn and Grain in the said Town, and to furnish and fit up the same with suitable Stands and other Conveniences, and to repair and reinstate, or alter and amend the same from Time to Time, as to them shall appear necessary or expedient; and when and so soon as the said Corn Exchange shall be completed, public Notice thereof shall be given by the Clerk or Clerks of the said Commissioners, in the several Newspapers published in the said Town of *Birmingham*, and thenceforth the Market for the Sale of Corn and Grain shall be held therein, and not in any other Place or Places whatsoever; and from Time to Time to let all or any of such Stands and other Conveniences to any Person or Persons who may be willing or desirous to take the same, for any Term of Years not exceeding Seven Years, or by the Year, or for any shorter Period, and upon such Terms, and for such Rents, Payments, or Sums of Money as they may think proper, and the Monies arising therefrom shall be applied for the Purposes of this Act.

A Corn Exchange to be built.

LXXII. And whereas the Buildings and Premises called "The Public Office" are now too small and incommodious for the Purposes for which they were intended, and for the Transaction of public Business therein, and it is expedient to enlarge and render the same more commodious; be it therefore enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to treat, contract, and agree, or to employ any Person or Persons to treat, contract, and agree with the Owner or Owners, Occupier or Occupiers of, and all other Persons interested in the Houses, Buildings, Lands, Hereditaments, and Premises mentioned and described

Power to enlarge the Public Office.

described in the Second Schedule hereunto annexed, or any of them, or any Part thereof, and to purchase and become seised of the same for the Purposes of this Act; and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchases, or adjudged or determined in the Manner prescribed by this Act, to cause such Houses and Buildings, or so much or such Part thereof as the Commissioners shall think necessary, to be pulled down, and to alter, enlarge, and improve the said Buildings, as to them the said Commissioners shall appear expedient.

Inaccuracy of Schedules not to retard the Execution of the Act.

LXXIII. Provided always, and be it further enacted, That if any of the Messuages, Buildings, Grounds, Hereditaments, and Premises mentioned and described in the First and Second Schedules hereunto annexed, or any of the Persons in whose Possession or Occupation the same, or any Part thereof, are or is stated or described to be, shall happen to be misnamed, or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased and sold, or assessed and valued by a Jury, and conveyed, disposed of, and applied for the Purposes of this Act, as fully and effectually as if the same were more properly named or described in the said Schedules; in case it shall appear to Two or more Justices of the Peace for the said County of *Warwick*, and be certified by Writing under their Hands, that in their Judgment such Misnomer or inaccurate Description proceeded from Mistake.

Power of purchasing limited to Five Years.

LXXIV. Provided also, and be it further enacted, That if the said Commissioners shall not purchase the Messuages, Buildings, Grounds, Hereditaments, and Premises mentioned in the said Schedules, within Five Years from the passing of this Act, all the Powers granted by this Act for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Bodies Politic, &c. empowered to sell and convey Lands.

LXXV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, (if incapacitated,) for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person and Persons, and to and for all Femmes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Persons and Person whomsoever who are or is or shall be seised, possessed of, or interested in any Lands or Hereditaments which the said Commissioners are by this Act empowered to purchase, to contract for and
agree

agree to sell and convey, and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey the same and every Part thereof unto the said Commissioners acting in the Execution of this Act for the Time being, and their Successors; and all such Contracts, Agreements, Sales, Conveyances, or Assurances shall be made at the Expence of the said Commissioners, and shall be good, valid, and effectual in the Law to all Intents and Purposes, and shall operate and be as a Merger of all outstanding Terms of Years, and be a complete and effectual Bar of all Estates Tail and other Estates, Rights, Titles, Remainders, Reversions, Trusts, and Interests whatsoever; and from and immediately after the making and executing any and every such Contract or Contracts, Sales, or Conveyances, the said Commissioners and their Successors shall from thenceforth for ever hold, have, and enjoy the said Lands, Tenements, and Hereditaments, for the Purposes of this Act.

LXXVI. And be it further enacted, That all and every Owner, Lessee for Years, and also any Tenant or Tenants for a Year or at Will, or other Occupier of any Houses, Buildings, Lands, Tenements, Hereditaments, and Premises that may be wanted for the Purposes of this Act, may accept and receive, and shall be entitled to have and receive, such Compensation for such Goodwill as shall be lost, and also for Tenants' Fixtures and Improvements, and for such Injury or Damage as shall be sustained on account of the Execution of this Act, or in anywise relating thereto, as shall be agreed upon between them and the said Commissioners; and in case the said Commissioners and Parties interested in such Houses, Buildings, Lands, Tenements, Hereditaments, and Premises, or Goodwill, Tenants' Fixtures and Improvements, or sustaining any such Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same shall respectively be ascertained by a Jury in manner herein directed: Provided always, that nothing in this Act contained shall authorize or entitle any Person or Persons to have or receive any Compensation whatever for any Loss, Damage, or Injury that may be sustained by any such Person or Persons on account of the Execution of this Act, for or in respect of any Interest not being a legal or equitable Interest in any Houses, Buildings, Lands, Tenements, Hereditaments, or Premises, Goodwill, Tenants' Fixtures, or Improvements, taken or to be taken for the Purposes of this Act.

Persons to receive Compensation for Goodwill, &c.

LXXVII. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Tenant for Life or in Fee Tail, General or Special, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, or any other Person or Persons interested in any such Houses, Buildings, Lands, Tenements, or Hereditaments, as the said Commissioners are enabled to purchase and make use of for the Purposes of this Act, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Dwelling Houses, Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, or at the House of the Tenant in Possession of the same

Damages and Recompence to be settled by a Jury.

Verdict of
Jury to be
final.

Lands and Hereditaments, shall, for the Space of Two Calendar Months next after such Notice shall have been given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Commissioners shall cause such Damage, Value, or Recompence to be inquired into and ascertained by a Jury of Twelve indifferent Men of the County of *Warwick*; and in order thereto the said Commissioners are hereby empowered and required from Time to Time, as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every Persons and Person whom they shall think necessary and proper to be examined concerning the Premises, (which Oath any one or more of the said Commissioners is and are hereby empowered to administer,) and such Commissioners shall, by ordering a View or otherwise, use all lawful Ways and Means as well for their own as for the said Jury's Information in the Premises; and after the said Jury shall have inquired of and assessed such Damage and Recompence, they the said Commissioners shall order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners or other proper Person or Persons interested in the said Houses, Buildings, Lands, Tenements, and Hereditaments, according to the Verdict or Inquisition of such Jury; which said Verdict or Inquisition, and the Judgment, Order, and Determination thereon, shall be final, binding, and conclusive to all Intents and Purposes upon all Persons and Parties whomsoever, claiming or to claim any Estate in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Lunatics, Idiots, and Persons under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all and every Persons and Person whomsoever; and for summoning and returning such Juries the said Commissioners are hereby empowered to issue their Warrant or Warrants to the said Sheriff, commanding him to impanel, summon, and return an indifferent Jury of Twenty-four Persons, qualified to serve upon Juries, to appear before such Commissioners at such Time and Place as in such Warrant or Warrants shall be appointed, and such Sheriff or his Deputy or Deputies is and are hereby required to impanel, summon, and return such Number of Persons accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Commissioners shall and they are hereby empowered and required to swear or cause to be sworn Twelve Men, who shall be a Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff or his Deputy or Deputies shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Commissioners acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiff or Bailiffs, Agent or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who shall not appear, without sufficient Excuse for not appearing,

appearing, or appearing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give or shall not give their Verdict, or in any other Manner wilfully neglect to do their Duty therein contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury shall refuse or neglect to appear, without sufficient Excuse for not appearing, or appearing shall refuse to be sworn and examined or to give Evidence, so that no one Fine be more than Twenty Pounds on any one Person for one Offence.

LXXVIII. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for a greater Sum than shall have been previously offered or tendered by the said Commissioners for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be used or taken by them for the Purposes of this Act, or as a Compensation or Recompence for any Damages, Loss, or Injury which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs of summoning such Jury, and the Expence of Witnesses, shall be defrayed by the said Commissioners; and such Costs and Expences shall be settled and determined by some Justice of the Peace for the said County not interested in the Matter in question (who is hereby authorized and required to settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose); and in case such Costs and Expences shall not be paid to the Party entitled to receive the same, within Seven Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels vested in the said Commissioners or their Treasurer (unless such Treasurer shall pay such Costs and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; but if the Verdict of the Jury shall not be given for a greater Sum than shall have been previously offered or tendered by or on behalf of the said Commissioners, then and in every such Case one Moiety of the Costs and Expences shall be defrayed by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute, and the other Moiety thereof shall be defrayed by the said Commissioners; and the Moiety of such Costs and Expences, having been ascertained and settled by some Justice of the Peace for such County in manner herein-before described, shall and may be deducted out of the Money adjudged to be paid to such Person or Persons as aforesaid, as so much Money advanced to and for his, her, or their Use; and the Payment or Tender of the Remainder of the Money so adjudged shall be deemed and taken, to all Intents and Purposes whatsoever, to be a good Payment or Tender in Satisfaction of the whole thereof: Provided always, that in all Cases where, by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, the whole of such

Expences of
Jury how to
be paid.

such Charges and Expences shall be borne and paid by the said Commissioners.

Upon Payment of Purchase Money, Property to vest in Trustees.

LXXIX. And be it further enacted, That every Sum of Money to be agreed for, awarded, or assessed as aforesaid, shall, within the Space of One Calendar Month after the same shall have been so agreed for, awarded, or assessed, be paid, out of the Monies to be received by virtue of this Act, to the Party or Parties respectively entitled to such Monies, or to their Agents; and upon Payment thereof, or in case of Refusal to accept the same, on placing the same in the Bank of *England* in manner by this Act directed (whether such Conveyance as aforesaid shall or shall not be made), all the Estate, Right, Title, Interest, Property, Claim, and Demand, at Law and in Equity, of the Person or Persons claiming respectively, unto whom, or to whose Credit or for whose Use the same shall have been paid, in, to, and out of such Lands, Tenements, or other Hereditaments, shall vest in the said Commissioners and their Successors in Trust for effecting the Purposes of this Act, and they shall be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, Surrender, or any other Conveyance or Assurance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whom, or for whose Use or to whose Credit such Payments shall have been made as aforesaid, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person and Persons, and Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue or Issues of such Person and Persons, and every Person claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Ground not wanted for the Purposes of the Act may be sold.

LXXX. And whereas, by reason of the Purchases which the said Commissioners are hereby empowered to make, they may happen to be possessed of some Building or Buildings, Piece or Pieces of Ground, over and above what may be necessary for effecting the Improvements hereby authorized to be made, or for other the Purposes of this Act; be it further enacted, That it shall be lawful for the said Commissioners to sell and dispose of such Building or Buildings, Piece or Pieces of Ground, either together or in Parcels, as they shall find most advantageous and convenient, to such Person or Persons as shall be willing to contract for and purchase the same; and the Money to arise by Sale of such Building or Buildings, Piece or Pieces of Ground, shall be applied to the respective Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for the Misapplication or Nonapplication thereof.

First Offer to whom to be made.

LXXXI. Provided always, and be it further enacted, That the said Commissioners, before they shall sell and dispose of any such Buildings or Grounds, shall first offer the same for Sale to the Person or Persons respectively from whom they shall have purchased such Buildings or Grounds;

Grounds ; and in case such Person or Persons shall not then and thereupon agree, or shall refuse to repurchase the same, then and in every such Case an Affidavit, to be made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before one of His Majesty's Justices of the Peace, by some Person or Persons no way interested in the said Buildings or Grounds, stating that such Offer was made by or on behalf of the said Commissioners, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was not agreed to or was refused by the Person or Persons to whom it was made (as the Case may be) ; but in case such former Owner or Owners shall be desirous of repurchasing the same, and cannot agree with the said Commissioners in regard to the Price to be paid for the Purchase thereof, then and in such Case the Price or Value thereof shall be settled and ascertained by a Jury, in like Manner as the Price or Value of any Hereditaments to be purchased or taken by the said Commissioners for the Purposes of this Act is herein-before directed to be settled and ascertained, and the Costs and Charges of ascertaining and determining the same shall be borne and paid in like Manner as herein-before directed with respect to Purchases made by the said Commissioners *mutatis mutandis* ; and all Monies to arise by any Sales which may be made by the said Commissioners of the said Premises, or any Part or Parts thereof, shall be applied to the Purposes of this Act, but the Purchasers thereof, having paid his, her, or their Purchase Monies to the Treasurer or Treasurers of the said Commissioners, and obtained his or their Receipt or Receipts for the same, shall not be liable to see to the Application of the said Monies, or answerable or accountable for the Misapplication or Nonapplication of the same.

LXXXII. And be it further enacted, That in all Conveyances to be made by the said Commissioners under and by virtue or in pursuance of the several Powers and Authorities to them hereby given, the Word " Grant " shall amount to and be construed and adjudged, in all Courts of Judicature, to be express Covenants to the Grantees or other Purchasers, his, her, and their Heirs, Executors, Administrators, or Assigns, from the said Commissioners, for themselves and their Successors, that they the said Commissioners, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof against the said Commissioners, their Successors and Assigns, and all claiming under them, indemnified and saved harmless by the said Commissioners and their Successors from all Incumbrances committed by the said Commissioners, and also for further Assurance of such Hereditaments and Premises thereby granted, to be made by the said Commissioners, their Successors and Assigns, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances, or any of them ; and such Purchasers or Grantees, and his, her, and their several Heirs, Executors, Administrators, and Assigns respectively, shall or may, in any Action or

The Word " Grant " in Conveyances from the Commissioners to amount to certain Covenants.

Actions to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances.

Tenants at Will, &c. to quit Premises upon Six Months Notice.

LXXXIII. And be it further enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in Possession of any Houses, Buildings, Lands, Tenements, and Hereditaments, or any Part thereof, which shall be purchased by virtue of and for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenant at Will or as Lessee for a Year, or from Year to Year, in case the said Commissioners, or such Person or Persons authorized by them, shall give Six Calendar Months Notice to quit such Possession, then such Tenant or Tenants shall at the End of the said Six Calendar Months, or so soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to the Person or Persons authorized by them to take Possession thereof; and in case any such Tenant or Tenants, or Person or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid, then it shall be lawful for the said Commissioners to issue their Precept or Precepts to the Sheriff of the said County, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts, to the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods and Chattels: Provided always, that when any Tenant at Will shall by virtue of this Act be required to quit any Houses, Buildings, Lands, Tenements, or Hereditaments before the Expiration of the current Year of such Tenancy, the said Commissioners shall make such Recompence to every such Tenant for so quitting as shall be agreed upon between the said Commissioners and such Tenant; and in case they cannot agree, then such Recompence shall be assessed by a Jury in such and the same Manner as is hereinbefore directed and appointed in Cases of Purchase of Land by the said Commissioners.

Application of Purchase Money when amounting to 200l.

LXXXIV. And be it further enacted, That if any Money shall be contracted or agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments, or for any Estate, Right, or Interest therein, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Tenant in Tail or for Life or for Years, Feme Covert, Infant, Guardian, Trustee, Cestuique Trust, Committee, Lunatic, Idiot, or to any Person or Persons whose Lands and Hereditaments are limited in strict or other Settlement, or to any Person or Persons under any Disability or Incapacity whatsoever, 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 the Court of Exchequer at Westminster, to be placed to his Account there

there *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, 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 shall 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 or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments; in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, 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 and being 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 may 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, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Houses, Buildings, Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such 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, upon Application made 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; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

LXXXV. Provided always, and be it further enacted, That if any Money contracted and agreed or awarded to be paid as aforesaid, for any Houses, Buildings, Lands, Tenements, or Hereditaments, or for any Estate, Right, or Interest therein, purchased, taken, or used for the Purposes of this Act, which shall belong to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, 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 or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings,
Lands,

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

Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Trustee or Trustees, Committee or Committees, in Case of Infancy, Lunacy, or Idiocy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said 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 shall be paid at the like Option to Two Trustees, to be named by the Party or Parties making such Option, and approved by the Commissioners for executing this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends and Interest arising thereon, may be applied in manner herein 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.

When not exceeding 20*l.*

LXXXVI. Provided also, and be it further enacted, That where such Money, so contracted or agreed or awarded to be paid as aforesaid, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the same Hereditaments and Premises, in such Manner as the said Commissioners shall think fit; or in Cases of Infancy, Idiocy, or other Incapacity, then such Monies shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

Compensation Money to be paid into the Bank in certain Cases.

LXXXVII. And be it further enacted, That in case any Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, to be purchased, taken, or used by virtue of this Act, or of any Estate, Right, or Interest therein, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to any such Premises shall not be known or discovered, then and in every such Case it shall and may be lawful for the said Commissioners to order the said Sum or Sums of Money so awarded as aforesaid 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, to be placed to his Account to the Credit of the Parties interested (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer, which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or

or Estates, Title, or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money so paid into the Bank of *England* as aforesaid.

LXXXVIII. Provided always, 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 Court of Exchequer, in pursuance of this Act, for or in respect 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, taken, or used under the Powers of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments at the Time of such purchase or taking or using thereof, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, 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 Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, 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 or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Persons in Possession presumptively entitled.

LXXXIX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, Body or Bodies, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands 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 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 pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

XC. And in order to raise Money for carrying the several Purposes herein-before mentioned into Execution, be it further enacted, That One or more Rate or Rates for the Purpose of lighting, cleansing, watching, and otherwise improving the several Streets, Lanes, public

Rates to be made for lighting and improving the Town.

[*Local.*]

13 Y

Passages

Passages and Places within the Limits of this Act, and also for securing, raising, and paying any Monies which already have been or which shall or may be borrowed, and any Annuity or Annuities which already have been or which shall or may be granted under the Authority of the said recited Act or of this Act, and the Interest of such Monies, and also for answering and satisfying the other Purposes of this Act herein-before mentioned, shall be made, levied, and assessed by the said Commissioners once or oftener in every Year, in the Proportions following; (that is to say), upon all and every Persons or Person who shall rent or occupy within the said Town of *Birmingham* any Houses, Tenements, Buildings, or other Hereditaments, under the yearly Rent or Value of Ten Pounds, any Sum not exceeding Nine-pence in the Pound in any One Year; and upon all and every Persons or Person who shall as aforesaid rent or occupy within the said Town any Houses, Tenements, Buildings, or other Hereditaments, of the yearly Rent or Value of Ten Pounds, and under Fifteen Pounds, any Sum not exceeding One Shilling in the Pound in any One Year; and upon all and every Persons or Person who shall as aforesaid rent or occupy within the said Town any Houses, Tenements, Buildings, or other Hereditaments of the yearly Rent or Value of Fifteen Pounds or upwards, any Sum not exceeding One Shilling and Sixpence in the Pound in any One Year; which said Tenants and Occupiers shall pay and are hereby made liable to pay the whole of every such Rate according to the true annual Value or Rent of all such Houses, Tenements, Buildings, or other Hereditaments and Premises whatsoever, to be occupied by him, her, or them respectively.

Exceptions to Rates

XCI. Provided always, and be it enacted, That no Person shall be rated or pay to the Rates or Assessments which shall be made by virtue of or in pursuance of this Act, for lighting, cleansing, or watching the said Town, for or upon account of any Gardens, Garden Grounds, or Orchards, within the said Town, during the Time they shall or may be occupied for the Purpose only of selling the Fruit and Produce thereof, or of any Arable, Meadow, or Pasture Ground held or occupied as such in the said Parish of *Birmingham*; nor shall any Person be rateable by virtue of this Act for or in respect of any Profits arising from Tolls, Stallage, Pennage, Picage Duties or Emoluments due and payable to the Lord or Lords, Lady or Ladies of the Manor of *Birmingham*, or the Owner or Owners of the Fairs or Markets there, nor for any Tithes, Stock in Trade, Money, or Personal Estate; any thing herein contained to the contrary notwithstanding.

Tolls of Navigation not to be assessed to any Rates under this Act.

XCH. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize a Rate or Assessment upon the Tolls or Tonnage arising or becoming due upon or in respect of any navigable Canal made in the said Parish of *Birmingham*, nor upon any Payment arising from the weighing of any Coals or other Things upon any Machine now erected belonging to any navigable Canal.

Power to erect a Town Hall,

XCHII. And whereas, by reason of the Increase in Magnitude of the said Town of *Birmingham*, and the Number of Inhabitants thereof, the

the public Buildings in the said Town are too small and incommodious for the holding of Meetings of the Rate Payers, and other public Meetings, and it is desirable to erect a suitable Town Hall for the said Purposes, and to provide a separate Fund for the Erection and Maintenance thereof; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, when they shall think proper or necessary, to treat, contract, and agree with any Person or Persons, for the absolute Purchase of any Piece or Parcel of Land, which in the Judgment of the said Commissioners shall be suitable for the Erection thereon of a Town Hall with its Appurtenances, and for the Purchase of any Messuages or other Buildings which may stand thereon, and to take down and remove such Buildings, and to erect on the said Piece or Parcel of Land a Town Hall capable of containing at least Three thousand Persons, of such Form and Dimensions, and with such Offices, Buildings, Approaches, and Conveniences thereto, as they the said Commissioners shall deem expedient, and to furnish and fit up the said Buildings with all necessary Furniture, and to repair and reinstate the same from Time to Time as they shall see fit, and to appoint such Person or Persons as they may think proper for the Care, Custody, and Conservation thereof.

XCIV. And be it further enacted, That when and so soon as the said Town Hall, with its Appurtenances, shall be erected, the same shall or may thenceforth be used for all Public Meetings called by or under the Direction of the High Bailiff for the Time being of the said Town of *Birmingham*, or by or under the Direction of Two or more of His Majesty's Justices of the Peace acting for the County of *Warwick*, or by or under the Direction of any Ten or more of the said Commissioners appointed by this Act, and for all such other Purposes as the said High Bailiff, Justices, or Commissioners shall from Time to Time order and direct: Provided nevertheless, that the said Town Hall and its Appurtenances shall also, for the Space of Six Weeks before the Day appointed for any Musical Festival to be from Time to Time held in the said Town for the Benefit of the *Birmingham* General Hospital, and during the Continuance of the said Festival, and for Seven Days afterwards, be under the Controul and Direction of the Committee of Governors of the General Hospital appointed to superintend the Arrangement of each Musical Festival; and the said Governors, or such Board or Committee thereof, shall have Power to put up an Organ in the said Town Hall, the Property of which Organ shall be vested solely in them, and they shall have free Access thereto at all suitable Times, for Practice and Rehearsals, and other necessary Purposes connected with or preparatory to the said Musical Festival; and also to erect therein, at the Period of the said Musical Festival, such temporary Seats, Galleries, Scaffoldings, and other Conveniences as they shall deem requisite, and afterwards to remove the same, and deposit the Materials in some convenient Part of the said Town Hall to be provided for that Purpose, they the said Governors or Committee repairing and reinstating the said Town Hall in such Parts thereof as shall be injured in consequence of such Use or Occupation thereof by them, or any other Person under their Authority.

Purposes for which the Town Hall is to be used.

XCV. And

Power to
make a Town
Hall Rate.

XCV. And in order to raise Money for purchasing a Site for the said Town Hall and its Appurtenances, and erecting the same and keeping the same in repair, and for carrying the several Purposes of this Act with relation thereto into Execution, be it further enacted, That One or more Rate or Rates for the Purposes last aforesaid, and also for securing, raising, and paying any Monies which shall or may be borrowed under the Authority of this Act, for the Purposes of such Purchase and Erection, and the Interest of such Monies, and also for answering and satisfying the other Purposes of this Act in relation to the said Town Hall, shall be made, levied, or assessed by the said Commissioners upon all and every Persons or Person who shall inhabit, hold, use, occupy, possess, enjoy, or be entitled to any House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Workshop, Manufactory, Land, Tenement, or Hereditament whatsoever, or any Part or Portion of any House, Building, Land, Tenement, or Hereditament, being a separate Tenement, situate, lying, and being in the said Town of *Birmingham*, according to the yearly Value thereof respectively; to be ascertained in manner herein-after mentioned; and the said Rate or Rates shall from Time to Time be collected and paid yearly, half-yearly, or quarterly, or oftener, if the said Commissioners shall think proper, in every Year, and shall commence from such Time after the passing of this Act as the said Commissioners shall think proper; and every future Rate shall commence from the Time the last Rate ended, and not otherwise; and such Rate or Rates, Assessment or Assessments, shall be called and distinguished by the Name of "The Town Hall Rates," which shall be a sufficient Description of the same for all Purposes whatsoever.

Rate not to
exceed 6d. in
the Pound,
nor to be
assessed on
Premises
under the
annual Value
of 15l.

XCVI. Provided always nevertheless, and be it further enacted, That no Town Hall Rate or Rates, to be levied or assessed as aforesaid, shall exceed in any One Year the Sum of Sixpence in the Pound upon the Amount of the Rent or Value of the Property rated or assessed: Provided also, that no Person shall be rated or assessed to the said Rates to be called "The Town Hall Rates," who shall not inhabit, hold, use, occupy, possess, or enjoy some House, Warehouse, Shop, or other Tenements, Hereditaments, or Premises within the said Town of *Birmingham*, of the yearly Value of Fifteen Pounds at least.

How annual
Value to be
ascertained.

XCVII. And be it further enacted, That the annual Value of all such Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Workshops, Manufactories, Lands, Tenements, or Hereditaments, or Part or Parcel thereof so to be respectively rated and assessed for any of the Purposes of this Act, shall be settled and ascertained by the said Commissioners according to the real Rent or yearly Value thereof; and the Money so rated and assessed under or in pursuance of this Act shall from Time to Time be paid to the Collectors to be appointed by the said Commissioners, at such Time and Times in every Year, and in such Manner as the said Commissioners shall order and direct, and shall be paid over by such Collectors into the Hands of the Treasurer to the said Commissioners, or such Banker or other Person or Persons as they shall order or direct for that Purpose.

XCVIII. And

XCVIII. And be it further enacted, That in case any Person or Persons charged with any Rate or Rates by virtue or in pursuance of this Act, shall refuse or neglect, after Demand made by the Collector or Collectors for the Time being, to pay the Money rated or assessed upon him, her, or them respectively, and all Arrears thereof, it shall be lawful for any One of His Majesty's Justices of the Peace for the said County of *Warwick*, and he is hereby authorized and required to summon, by Writing under his Hand, each and every Person so charged, and who shall have so refused or neglected as aforesaid, (on Oath being made before such Justice by the Collector for the Time being of his having attended at the Place of Abode of each and every such Person to be summoned,) to appear at a Time and Place to be mentioned in such Summons, before such Justice, or before any Justice or Justices of the Peace for the said County of *Warwick* who shall be then and there present; and it shall be lawful for any Person appointed to collect and receive such Rates, or for any other Person, to serve every such Summons upon all and every Persons and Person so refusing or neglecting to pay as aforesaid, either by delivering the same to the Persons or Person thereby intended to be summoned, or by leaving the same at their or his last or usual Places or Place of Abode, or at or on the Premises for or in respect whereof the Rate or Rates mentioned in such Summons shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he, she, or they do or shall attend, and shall not make it appear to such Justice that he, she, or they is or are not chargeable with such Rate or Rates under this Act, then all and every the Persons and Person who shall have been so summoned shall pay as well such Rate as the reasonable Costs and Charges of such Summons; and in all Cases where the said Rate, Costs, and Charges shall not be paid upon the Return of such Summons, it shall be lawful for such Justice who shall have issued the same, or any other Justice of the said County of *Warwick*, and he is hereby authorized and required (on Oath being made before him of the due Service of such Summons as aforesaid), or in case such Person or Persons so refusing to pay as aforesaid shall have removed out of the said District, then on Proof of such Summons having been duly issued as aforesaid, to grant a Warrant or Warrants under his Hand and Seal, authorizing and directing such Collector, or any Constable or Constables, Headborough or Headboroughs, Beadle or Beadles, to levy such Rate or Rates respectively, and all Arrears thereof, and the Expences of the Summons and of the Warrant, by Distress of the Goods and Chattels of the Party so neglecting or refusing; and if within Five Days after such Distress or Distresses shall be made the said respective Rates and all Arrears thereof shall not be paid, together with the Costs and Charges of taking and keeping the same, it shall be lawful for such Collector, Constable or Constables, Headborough or Headboroughs, Beadle or Beadles, to cause the said Goods and Chattels, or a sufficient Part thereof, to be appraised and sold, rendering to the said Person or Persons the Overplus (if any), after deducting the said Rates or Assessments, and all Arrears thereof, and the reasonable Costs and Charges attending such Distress and Sale; which Costs and Charges, in case of Dispute, shall be settled and ascertained by One

[Local.]

13 Z

of

of His Majesty's Justices of the Peace for the said County of *Warwick*; and in default of such Distress it shall be lawful for any Justice or Justices to commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless Payment shall be sooner made of such Sum or Sums of Money as shall have been found to be due and in arrear upon all or any such Assessment 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 respectively.

Omissions or Errors in Rates may be rectified.

XCIX. And be it further enacted, That whenever it shall appear to the said Commissioners that there shall be any Omission or Error in any Rate or Assessment, of or in the Name of any Person or Persons, or of any House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement, or Hereditament liable to be rated for the Purposes of this Act, it shall be lawful for the said Commissioners to cause to be added or corrected in the said Rate or Assessment the Name or Names of the Person or Persons omitted or erroneously rated, and a Description of the Property in respect of which he, she, or they ought to be rated; and every such Addition or Correction made in any of the said Rates shall be as valid and effectual as if the same had been Part of the original Rate at the Time when it was first made.

Persons removing from Premises and others coming in, to pay Rates in proportion.

C. And be it further enacted, That in case any Person or Persons shall remove out of or from or quit the Possession of any House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, before any Rate or Rates to be charged thereon by virtue of this Act shall be paid and discharged, and if any Person or Persons shall enter into the Occupation of any House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, out of or from which any Person or Persons shall have removed before such Rate or Rates shall have been paid and discharged, then and in every such Case the Person or Persons so removing out of or from or quitting Possession of, and the Person or Persons entering into the Occupation of any such House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, shall be respectively subject and liable to the Payment of all such Rates, in proportion to the Time that such Person or Persons respectively shall have possessed or occupied the same respectively, in the same Manner as if the Person or Persons so removing or quitting as aforesaid had remained in the Possession and Occupation of such House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, or the Person or Persons so entering into the Occupation thereof had been originally rated and assessed in such Rates; which Proportion shall, in case of Dispute, be settled by any Justice of the Peace for the said County of *Warwick*, whose Determination shall be final.

As to Persons occupying different Houses.

CI. And be it further enacted, That where any Person or Persons shall from Time to Time hold or occupy any different Houses, Buildings, or other Hereditaments, either adjoining together, or situated

situated dispersedly in various Parts of the said Town, at different yearly Rents, or shall hold or occupy any distinct Parts or Shares of the same House or Houses, Building or Buildings, or other Hereditaments, of different Persons, and no one of such Rents, or no one of them which shall be paid to the same Person, shall amount unto Ten Pounds, but the yearly Rent thereof payable to different Persons, or the Rents so payable in the whole for the Premises so distinctly held or occupied, shall amount to Ten Pounds, and where any Person or Persons shall hold or occupy any different Houses, Buildings, or other Hereditaments, or any Parts or Shares thereof as aforesaid, and no one of such Rents, or no one of them which shall be paid to the same Person, shall amount to Fifteen Pounds, but the yearly Rent thereof payable to different Persons, or the Rent so payable in the whole for the Premises so distinctly held or occupied, shall amount to Fifteen Pounds or upwards, in all and every such Cases such Inhabitant or Occupier shall be considered, for all the Purposes of this Act, as being an Inhabitant or Occupier of a House or Houses, Building or Buildings, or other Hereditaments, at the yearly Rent of Ten Pounds or Fifteen Pounds, or upwards, (as the Case shall be,) and shall be assessed accordingly for the Tax to be raised and levied for the Purposes of this Act, any thing herein contained to the contrary notwithstanding.

CII. And in order to enable the said Commissioners to form a proper Judgment of any Rate or Rates to be made in pursuance of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, at all reasonable Times, to inspect, or by Writing signed by them or any Three of them to grant Authority to their Clerk or Collector for the Time being to inspect, any of the Rates made towards the Relief of the Poor within the Parish of *Birmingham* aforesaid, and to be raised or collected within the Jurisdiction of this Act, or the Books wherein the Assessment thereto shall be entered, they the said Commissioners paying to the Vestry Clerk or other Officer having the Custody of such Rates or Books for the Time being the Sum of One Shilling for every such Inspection of the same; and also, by Writing signed as aforesaid, to require a Copy of such Rate or Books, or any Extracts therefrom, paying for such Copies or Extracts at and after the Rate of Sixpence for every One hundred Words, and so in proportion for any greater or less Number; and if any Person or Persons in whose Custody or Power any of the said Rates or Books shall be, shall, when thereunto required in manner aforesaid, refuse or neglect to produce the same to the said Commissioners, or their Clerk or Collector for the Time being, (as the Case may be,) or to make and deliver, or cause to be made and delivered, such Copies or Extracts, on being paid for the same at and after the Rate aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Commissioners may inspect Rate Books, and obtain Copies or Extracts.

CIII. And be it further enacted, That where any House, Building, or Tenement, in respect whereof any Rate shall be made, shall be let out in Apartments by the Lessee, Tenant, or Landlord, any one or more of such Lodgers may be deemed the Occupier or Occupiers thereof for the Purposes of this Act; and every such Lodger who shall

Lodgers of Houses let out in Apartments to be deemed the Occupiers.

shall pay any such Rate, or any Part thereof, or from whom the same or any Part thereof shall be recovered, in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable from him, her, or them to such respective Lessee, Tenant, or Landlord, and the Receipt for such Payment shall be a sufficient Discharge for such Lodger or Lodgers, to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or shall be levied on him, her, or them by virtue of this Act: Provided always, that no such Lodger or Lodgers 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 any of them, or the Arrears thereof, than the Amount of the Rent actually due and payable by such Lodger or Lodgers to the Lessee, Tenant, or Landlord of the Premises occupied by him, her, or them.

Recovery of Rates from Persons removing.

CIV. And whereas it may happen that many Persons liable to and who may be rated and assessed for the Purposes of this Act may, before the Payment of the Sums which may be rated to them respectively, quit and leave their Dwelling Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Lands, Grounds, Tenements, or Hereditaments, and remove to any Place beyond the Limits of this Act; be it therefore enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit, or shall be about to quit, his, her, or their Lands, Grounds, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he, she, or they shall have paid such Rate or Rates, and shall afterwards refuse or neglect to pay the same when due, and demanded by the Collector or Collectors authorized to receive the same, then and in every such Case it shall be lawful for the said Collector or Collectors, or any of them, (Oath being made by him or them that he or they hath or have Cause to suspect that such Person or Persons is or are removing, or hath or have removed his, her, or their Goods and Chattels,) by Warrant under the Hand and Seal or Hands and Seals of any one or more of His Majesty's Justices of the Peace for the said County of *Warwick*, to collect and levy such Rates, and all Arrears due thereon, for the Quarter of a Year, Half Year, or other Period for which a Rate shall be assessed, wherein such Removal or Sale shall begin to be made as aforesaid, to be considered as due although previously to the Time for Payment of the Rate for such Period, by Distress and Sale of the Goods and Chattels of the Party so beginning to quit, remove, or take away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made, the said Rates, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector or Collectors shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

Actions may be brought for Rates.

CV. Provided always, and be it further enacted, That when a sufficient Distress cannot be found, it shall be lawful for the said Commissioners

Commissioners to bring or cause to be brought, in the Name of their Treasurer or Clerk, or of any one or more of them the said Commissioners, any Action or Actions of Debt, or any special Action on the Case, in any of His Majesty's Courts of Record at *Westminster* for the Recovery of Debts above Twenty-five Pounds, within the Jurisdiction of which the Person or Persons, or any of them, against whom any such Action or Actions or other Proceedings may be brought, shall reside, for all or any of the Rates to be made, or Composition to be paid, by virtue of this Act, in which Action or Actions it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to the Plaintiff in such Sum of Money as the Plaintiff shall suppose to be due; and if the Plaintiff shall recover such Sum so declared for, or any Part thereof, he or they shall have full Costs, to be levied and recovered as other Monies upon Judgments are by Law levied and recovered; in which Action or Actions no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

CVI. And be it further enacted, That the Books of Rates to be delivered by the Collector or Collectors or other Officers to the said Commissioners, and all Entries afterwards made therein in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Rate Books
to be re-
ceived as
Evidence.

CVII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time or at any Time or Times, to exonerate and release any poor Householder or Householders, or Occupier or Occupiers of any Land, Tenement, Building, or Apartment, from the Payment of all or any Part of the Rate or Rates to be assessed or imposed by virtue of this Act, for and during such Time or Times, and in such Proportion or Proportions as the said Commissioners shall think him, her, or them incapable of paying.

Commission-
ers may re-
lease poor
Persons from
Rates.

CVIII. And be it further enacted, That when and so soon as the said Rate or Rates, Assessment or Assessments, shall have been rated and assessed, and signed and allowed by the said Commissioners, the Collector or Collectors appointed by the said Commissioners shall, and he and they is and are hereby required to collect the same accordingly; and in case any Person or Persons who shall be rated or assessed, or subject or liable to the Payment of any Rate or Assessment to be made or laid or made payable by virtue of this Act, shall refuse or neglect to pay such Rate or Assessment to any Collector to be appointed as aforesaid, for the Space of Ten Days next after personal Demand made by the Collector or Collectors thereof, or Demand in Writing under the Hand of such Collector, and left at the last or usual Place of Abode of the Person or Persons so refusing or neglecting to pay as aforesaid, or on the Premises so charged with such Rate or Assessment, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the said County of *Warwick*, by Warrant under his Hand and Seal, to authorize and direct the said Collector or any other Person to levy such Rate or Assessment, and all Arrears thereof, by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting

Collector to
be appointed.

to pay as aforesaid, or on the Goods and Chattels so found on such Premises, rendering the Overplus (if any) to the Owner or Owners of the Goods or Chattels, to be so distrained, on Demand, after deducting the Costs and Charges of recovering the same, and of such Distress and Sale; or it shall and may be lawful to and for the said Commissioners to recover any such Rate or Rates, Assessment or Assessments, due and payable by virtue of this Act, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, or in any Court of Request, wherein no Essoign, Protection, Wager of Law, or more than one Imparance, shall be allowed.

Commissioners empowered to reduce Rates, &c.

CIX. Provided always, and be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, to be made in pursuance of this Act, such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, may, by himself, herself, or themselves, or by his, her, or their Agent, or Agents, apply to the said Commissioners at any of their said Meetings; and it shall and may be lawful to and for the said Commissioners, on such Application, to mitigate or reduce such Rate or Rates, Assessment or Assessments, and to give such Relief in the Premises as to them the said Commissioners shall seem just and reasonable; and it shall and may be lawful to and for the said Commissioners, upon the Appeal or Complaint of any Person or Persons subject and liable to the Payment of any Rate or Rates, Assessment or Assessments, by virtue of this Act, to mitigate, reduce, or lessen such Rate, or Assessment or Assessments, and also to excuse or remit the Payment thereof, by reason of the Inability of such Person or Persons to pay the same.

Parishes of Saint Martin and Philip considered as One Parish for the Purposes of this Act.

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

Power to raise Money at Interest.

CXI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to borrow and take up at Interest any Sum or Sums of Money for the Purposes of this Act, upon the Credit of the Rates or Assessments to be laid and collected by virtue of this Act, for lighting, cleansing, or watching the said Town, not exceeding, together with the Monies now due and owing by virtue of the said Act hereby repealed, the Sum of One hundred thousand Pounds, exclusive of the Monies hereby authorized to be borrowed on the Credit of the Rates hereby authorized to be made for the Erection and Maintenance of the said Town Hall, and to be called "The Town Hall Rates," and by Writing under their Hands and Seals to assign all or any Part of the said Rates or Assessments to such Person or Persons as shall lend or advance any Money thereon,

or to his or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with any legal Interest for the same; and the Costs and Expences of such Assignment thereof, to be made as hereafter mentioned, shall be from Time to Time defrayed by the said Commissioners, out of the Monies to be so borrowed; and every such Assignment shall be in the Words or to the Effect following:

‘ **WE** of the Commissioners appointed by or in pursuance
 ‘ of an Act passed in the Ninth Year of the Reign of King Form of Security.
 ‘ *George the Fourth, intituled [here set forth the Title of this Act],*
 ‘ in consideration of the Sum of advanced and
 ‘ lent by *A. B.* upon the Credit and for the Purposes of the said Act,
 ‘ do hereby grant and assign unto the said *A. B.* [*or to his Trustee*
 ‘ *or Trustees, as the Case may require*], his Executors, Administrators,
 ‘ and Assigns, such Proportion of the Rates or Assessments arising
 ‘ by virtue of the said Act, for lighting, cleansing, and improving
 ‘ the said Town, as the said Sum of doth or
 ‘ shall bear to the whole Sum which may at any Time be borrowed
 ‘ or become due and owing, or be charged upon the Credit of the
 ‘ said Act, for those Purposes; to be holden from this
 ‘ Day of until the said Sum of with
 ‘ Interest at *per Centum per Annum* for the
 ‘ same, shall be repaid and satisfied. In witness whereof we the
 ‘ said Commissioners have hereunto set our Hands and Seals, the
 ‘ Day of in the Year .’

And every such Security shall be good, valid, and effectual, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereon, according to the true Intent and Meaning of this Act.

CXII. And be it further enacted, That in case the said Commis- Power to raise Money on Annuities.
 sioners shall think it advisable or more advantageous to raise all or any Part of the Money to be borrowed under this Act for the Purposes aforesaid, by granting Annuities for Lives, instead of Assignments as aforesaid, it shall be lawful for any Seven or more of the said Commissioners, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money which to the said Commissioners shall seem right and proper, for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor at the Time of Payment of his or her Contribution or Purchase Money; and the Expence of every such Grant shall be defrayed by the said Commissioners; and the Grant of every such Annuity shall be in the Words or to the Effect following:

‘ **WE** of the Commissioners appointed by or in pursuance Form of Security for Grant of Annuity.
 ‘ of an Act passed in the Ninth Year of the Reign of King
 ‘ *George the Fourth, intituled [here set forth the Title of this Act],*
 ‘ in

' in consideration of the Sum of _____ paid by
 ' *A. B.* to *C. D.*, the Treasurer appointed in pursuance of the said
 ' Act, do hereby grant unto the said *A. B.* an Annuity or yearly Sum
 ' of _____ out of the Rates or Assess-
 ' ments granted or arising by virtue of the said Act, for lighting,
 ' cleansing, and improving the said Town, which Annuity or yearly
 ' Sum of _____ shall be paid to the said
 ' *A. B.* or his Assigns during the Term of his natural Life [or to
 ' the said *A. B.*, his Executors, Administrators, or Assigns, during
 ' the natural Life of *C. D.*, as the Case may be], upon the
 ' Day of _____ in every Year during the natural Life of him
 ' the said _____ at the
 ' the first Payment thereof to be made on the _____ Day of
 ' _____ next ensuing the Date hereof. In witness whereof
 ' we the said Commissioners have hereunto set our Hands and Seals,
 ' the _____ Day of _____ in the Year _____

And every such Grant shall be good, valid, and effectual in the Law
 to all Intents and Purposes, without any Inrolment or Registry of
 the Memorial thereof; and every Annuity so granted as aforesaid
 shall be and is hereby charged upon, and shall be payable and paid by
 the Treasurer to the said Commissioners, out of the said Rates or
 Assessments and other Money to be received by virtue of this Act,
 according to the Grant of such Annuity.

Power to
transfer
Securities.

CXIII. And be it further enacted, That it shall and may be
 lawful to and for the Person or Persons entitled to any of the Secu-
 rities for the Money to be borrowed at such legal Interest as aforesaid,
 or to be raised by the granting of Annuities as aforesaid, and their
 respective Executors, Administrators, and Assigns, (as the Case may
 be,) at any Time, by Writing under their Hands and Seals, to transfer
 such Securities to any Person or Persons whatsoever; which Transfer
 may be in the Words or to the Effect following:

Form of
Transfer.

' *I A. B.* being entitled to the Sum of _____ or
 ' an Annuity of _____ secured to *C. D.* and
 ' his Assigns [or his Executors, Administrators, or Assigns, as the
 ' Case may be], by virtue of an Assignment or Grant of Annuity
 ' bearing Date the _____ Day of _____ under the
 ' Hands and Seals of _____ of the Commissioners acting in the
 ' Execution of an Act passed in the Ninth Year of the Reign of
 ' King George the Fourth, intituled [here set forth the Title of this
 ' Act] upon the Credit of the Rates or Assessments granted or
 ' payable by the said Act, for lighting, cleansing, and improving the
 ' said Town, do hereby transfer all my Right and Title in and to the
 ' same Sum [or Annuity], and all Interest and other Money now due
 ' and owing thereon, unto *E. F.*, his Executors, Administrators, and
 ' Assigns. Dated this _____ Day of _____

And a Copy of every Security or Assignment, and of every Grant or
 Annuity, which shall have been made in pursuance of this Act, and
 an Extract or Memorial of every Transfer thereof respectively, shall
 be entered in a Book to be kept for that Purpose by the Clerk to
 the said Commissioners, which Extract or Memorial shall specify and
 contain

contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and have free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid, by the Person to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Inrolment whatsoever.

CXIV. And be it further enacted, That it shall be lawful for any Person or Persons who shall advance or lend any Money upon the Credit of the said Rates or Assessments, in default of Payment of the Principal Money they shall so lend, or the Interest thereof, or in default of due Payment of any Annuities that shall be secured to them thereupon, (after Demand made at any Meeting of the said Commissioners,) to collect, gather, and receive such Proportion of the said yearly Rates or Assessments by this Act granted as the Sum by them lent or advanced doth or shall bear to the whole Money to be borrowed on the Credit of this Act, for lighting, cleansing, and improving the said Town, and shall continue to receive the same until all Principal Money and Interest, as also all such Sum or Sums of Money as shall be due by way of Annuity, (as the Case may be,) shall be fully paid, as also the Costs and Charges attending such Collection; and such Person or Persons is and are hereby vested with the same Power for recovering and receiving the same as is hereby given to the said Commissioners, or any Seven or more of them.

Manner of Proceeding for Recovery of Interest or Annuity.

CXV. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, and at a Rate not exceeding by more than One Fifth the Rate prescribed by Two several Acts, one passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*, and the other passed in the Fifty-second Year of His said Majesty, intituled *An Act for amending Two Acts passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

For preventing improvident Grants of Annuities.

48 G.3.c.142.

52 G.3.c.129.

CXVI. And for the more speedily raising of Money for erecting and maintaining the said Town Hall, and carrying the Purposes of this Act in respect thereof into Execution, be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow and take up at Interest such Sum or Sums of Money as they shall judge necessary, upon the Credit of the Rates, to be made, levied, and collected by virtue of this Act, called "The Town Hall Rates," and by Writing under their Hands and Seals to assign all or any Part of the said Rates or Assessments to such Person or Persons

Commissioners may borrow Money for erecting the Town Hall.

[Local.]

14 B

as

as shall lend or advance Money thereon; or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences of such Assignment, to be made as herein-after mentioned, shall be from Time to Time defrayed by the said Commissioners out of the Money hereby authorized to be raised: Provided nevertheless, that the said Rates and Assessments to be called the Town Hall Rates shall not at any one Time be charged with a greater Sum than Twenty-five thousand Pounds.

Form of
Security.

CXVII. And be it further enacted, That every such Security shall be in the Words or to the Effect following; (that is to say,)

‘ WE of the Commissioners acting in pursuance of an Act
 ‘ passed in the Ninth Year of the Reign of King George the
 ‘ Fourth, intituled [*here set forth the Title of this Act*], in consideration
 ‘ of the Sum of . . . advanced and lent
 ‘ by . . . of . . . in the County of . . .
 ‘ upon the Credit and for the Purposes of the said Act, do hereby
 ‘ grant and assign unto the said . . . his or her
 ‘ Executors, Administrators, and Assigns, such Proportion of the
 ‘ Town Hall Rates, to be raised, levied, and collected by virtue
 ‘ of the said Act, as the said Sum of . . .
 ‘ Pounds doth or shall bear to the whole Sum which may at any
 ‘ Time be borrowed or become due and owing, or be charged upon
 ‘ the Credit of the same Rates; to be had and holden from this
 ‘ . . . Day of . . . , until the said Sum
 ‘ of . . . with Interest after the Rate of . . . *per*
 ‘ *Centum per Annum* for the same, shall be fully paid and satisfied.
 ‘ In witness whereof we the said Commissioners have hereunto set
 ‘ our Hands and Seals, the . . . Day of . . .
 ‘ in the Year of Lord . . .

Securities
may be
transferred.

CXVIII. And be it further enacted, That it shall be lawful for the several Persons entitled to any of the Securities for the Money to be borrowed at legal Interest as aforesaid, and their respective Executors, Administrators, or Assigns, (as the Case may be,) at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following; (that is to say,)

Form of
Transfer.

‘ I *A. B.* being entitled to the Sum of . . . secured
 ‘ to . . . and his or her Assigns, [*or his or her*
 ‘ Executors, Administrators, and Assigns, *as the Case may be,*] by
 ‘ virtue of an Assignment bearing Date the
 ‘ Day of . . . under the Hands and Seals of . . . of
 ‘ the Commissioners acting in the Execution of an Act passed in the
 ‘ Ninth Year of the Reign of King George the Fourth, intituled
 ‘ [*here set forth the Title of this Act*], upon the Credit of the Rates
 ‘ or Assessments granted or payable by the said Act, called “The
 ‘ Town Hall Rates,” do hereby transfer all my Right and Interest
 ‘ in and to the same Sum, and all Interest Money now due and
 ‘ . . . arising

‘ arising thereon, unto his or her Executors,
 ‘ Administrators, or Assigns. Dated the
 ‘ Day of

And a Copy or an Extract of every such Security as aforesaid, and of every such Transfer as aforesaid, together with the Number or Numbers thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; which Extract shall specify and contain the Dates, the Names of the Parties, and Sums of Money thereby secured or transferred, to which Books any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Security or Transfer the said Clerk shall be paid, by the Person or Persons to whom such Security or Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

CXIX. Provided always, and be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Sum or Sums of Money for any of the Purposes of this Act, at a lower Rate of Interest than any Security or Securities which shall then be in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said respective Rates or other Funds or Property, or any Part thereof, in such Manner and with such Restrictions as herein mentioned, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, to pay off and discharge any Security or Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Securities.

Commissioners may borrow Money at a lower Rate, to pay off Securities at a higher Rate of Interest.

CXX. And be it further enacted, That the Monies to be produced from the said Rates to be called “The Town Hall Rates,” and to be borrowed or advanced upon Mortgage, or at Interest, upon the Credit or Securities of the said Rates, and all other Monies relating to the said Town Hall, to be received by the said Commissioners by virtue of this Act, shall be applied, in the first place, in paying and discharging One Fourth Part of the Expences attending the obtaining and passing of this Act; and in the next place in paying from Time to Time the Interest of the Principal Money to be borrowed as aforesaid, and in carrying into Execution the several Purposes of this Act, in relation to the said Town Hall; and the Residue thereof shall from Time to Time be applied in paying off the Principal Monies to be borrowed in manner aforesaid.

Application of the Town Hall Rates and Monies borrowed on the Credit thereof.

CXXI. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept by some one of their Officers for the Time being, in which Book or Books such Officer shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things

Accounts to be kept.

Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners and every Creditor on the Rates hereby authorized to be made, and of every Person paying any Rate or Assessment hereby authorized to be made, or otherwise affected thereby, without Fee or Reward; and the said Commissioners, Creditors, and other Persons aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part thereof, without paying any thing for the same; and in case the said Officer shall refuse to permit, or shall not permit the said Commissioners, Creditors, or Persons aforesaid, to inspect the same, or to take Copies or Extracts as aforesaid, such Officer shall forfeit and pay any Sum of Money not exceeding Five Pounds for each Default, to be levied, recovered, and applied in manner herein-after directed: Provided always, that the Account of the Monies received, disbursed, and paid on account of the said Town Hall shall be kept separate and distinct from the other Accounts of the said Commissioners.

Accounts to be made out annually.

CXXII. And be it further enacted, That in the Month of *September* in every Year a full Abstract shall be made in Writing of such Accounts for the preceding Year, ending upon the Twenty-fourth Day of *June*, and a Copy thereof shall be deposited with the Clerk to the said Commissioners, and shall be open to the Inspection of all Persons interested, and shall, within Twenty-one Days next after the same shall have been examined and settled, be from Time to Time published in some one or more Newspaper or Newspapers circulated in the Town of *Birmingham*.

For regulating the Markets.

CXXIII. And for the better Regulation of the Fairs and Markets now held or hereafter to be holden in the said Manor, Parish, and Town of *Birmingham*, be it further enacted, That it shall and may be lawful to and for the said Commissioners; and they are hereby authorized and empowered, from Time to Time, to make, constitute, provide, and ordain such Rules, Orders, and Bye Laws as they shall think fit, for the better regulating, ordering, and governing of the said Fairs and Markets, and of all Persons coming and resorting thereto, in all Matters relating to the said Fairs and Markets, and to ascertain and fix the Standing of all Persons resorting to the said Markets, and the Places where any particular Sort and Species of Goods, Provisions, and other Things shall be exposed and offered to Sale, and to appoint proper Persons to attend the said Fairs and Markets, for the better regulating, ordering, and governing of the same, and for putting such Rules, Orders, and Bye Laws in due Execution; and it shall and may be lawful to and for the said Commissioners from Time to Time, as they shall think fit, to repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or any of them, and to ascertain and fix what pecuniary and other Penalties and Forfeitures shall be incurred and paid by any Person or Persons breaking, evading, or not conforming to such Rules, Orders, and Bye Laws, or any of them; provided that no Penalty shall exceed the Sum of Five Pounds for any one Offence, and that such Rules, Orders, and Bye Laws, so authorized to be made as aforesaid, be not repugnant to any of the Laws of that Part of the United Kingdom called

called *England*; and all Persons coming and resorting to the said Fairs and Markets, or any of them, are hereby required to observe, perform, and keep the same, under such Penalties and Forfeitures respectively as shall be ascertained and set down as aforesaid, which Penalties and Forfeitures shall and may be received, applied, and disposed of by the said Commissioners for the Purposes of this Act, and in case of Neglect or Refusal to pay the same, shall and may be recovered, applied, and disposed of in the same Manner as the several Penalties imposed by this Act are herein directed to be recovered, applied, and disposed of.

CXXIV. And be it further enacted, That the said Commissioners shall cause to be painted on Boards, and affixed and stuck up and continued upon conspicuous Places within the said Market, in large and legible Characters, a Copy of such Rules, Orders, and Bye Laws, and shall from Time to Time cause the same to be renewed when and so often as they shall be obliterated, defaced, or rendered illegible.

Bye Laws to be affixed in the Market Place.

CXXV. And be it further enacted, That there shall be paid to the said Commissioners, or to the Person or Persons to be by them appointed to receive the same, by all and every Persons and Person holding, using, or occupying any Building, Shed, Stall, Standing, Bulk, Tressel, Block, or other Convenience, Standing Place, or Station, or selling, offering, or exposing to Sale any Cattle, Horses, Sheep, or Pigs, Hay, Straw, or Fodder, or any Corn or Grain, or any Articles, Commodities, or Things, in the said Market Place or Market Places, the several Tolls, Duties, Rents, and Stallage mentioned, expressed, or contained in the Third Schedule to this Act annexed.

Commissioners empowered to take Tolls for Stalls in the Market.

CXXVI. Provided always, 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, if they shall see Occasion or think fit, to reduce, lower, and abate the said Tolls, or any of them, by this Act made payable, in such Proportions and Manner as to the said Commissioners shall seem expedient; and after the said Tolls shall have been so reduced and abated, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time, to augment and raise the said Tolls so reduced and abated, to any Sums not exceeding the Amount of the Tolls fixed and made payable in and by this Act; and the said Commissioners shall immediately, upon every such Reduction or Augmentation of the said Tolls, cause Notice thereof, painted on a Board, to be set up and fixed in some public Part within the Limits of the said Market Places, with a Table of the Tolls so reduced or augmented and raised.

Power to reduce Tolls, and to raise them again.

CXXVII. And be it further enacted, That the several Tolls, Duties, Rents, and Stallage by this Act made payable, shall be paid in respect of each and every Day in the Week on which any Building, Stall, or other Convenience, Standing Place, or Station,

Tolls to be payable on every Day of the Week.

[*Local.*]

14 C

shall

shall be held or occupied, or any Article, Matter, or Thing shall be exposed to Sale.

When the Tolls are to be paid.

CXXVIII. And be it further enacted, That all the said Tolls and Stallage Dues to be paid by the Sellers shall become due when and so soon as the several Cattle, Beasts, Articles, Matters or other Things in respect whereof the same are by this Act respectively made payable, shall be brought into the said Market Place or Market Places, and before the same shall be driven or taken or permitted to go into any Pen or Pens, Place or Places therein, or be placed on any Stall, Tressel, Block, Bench, or other Convenience; and in case of any Sale thereof in the said Market or Markets, then also the Tolls shall again be payable immediately after the Expiration of the Time allowed for the Removal of such Cattle, Beasts, or other Things, after the Sale thereof; and the said Tolls to be paid by the Buyers shall become due and payable immediately after the Sale thereof; and the said several Tolls and Stallage Dues shall be forthwith paid to the said Commissioners, or their Successors, or to their Collectors, Officers, or Servants authorized to receive the same, by the Owner or Owners of the several Cattle, Beasts, Articles, Matters or other Things in respect whereof the same shall be respectively payable, or by the Person or Persons accompanying such Cattle, Beasts, Articles, Matters or Things, and by the Purchaser or Purchasers thereof; and if such Owner or Owners, Purchaser or Purchasers, or other Person or Persons, shall, upon Demand thereof made by the Collector or other Person authorized to receive the same, either immediately or at any Time afterwards, neglect or refuse to make Payment of the said Tolls, or of any Part or Parts thereof, it shall be lawful for the said Collector or other Person so authorized to receive the same, either by himself or with his Assistants, to detain, seize, and distrain the Cattle, Beasts, or other Things in respect whereof such Tolls or Stallage Dues shall become payable, or any of them, or any of the Goods or Chattels of the Person or Persons so neglecting or refusing to pay the same as aforesaid; and if such Tolls, and the reasonable Charges of such Detention and Distress, and of keeping and maintaining the Things distrained, shall not be paid, such Collector or other Person authorized as aforesaid shall and may, at the Expiration of Five Days thereafter, sell and dispose of the Things distrained, or any Part thereof, and out of the Monies which shall arise by such Sale shall and may pay or retain such Tolls, and all reasonable Charges incurred by such Detention, Distress, and Sale, returning the Overplus (if any) of the said Monies, and such of the said Things distrained as shall remain unsold, if any there shall be, upon Demand, to the Owner or Owners thereof, or the Person or Persons in whose Possession the same shall have been when so detained and distrained as aforesaid, or as he, she, or they shall direct.

Vesting in the Commissioners the Power of Surveyors of the Highways.

CXXIX. And be it further enacted, That from and after the passing of this Act the said Commissioners and their Successors shall be and they are hereby declared to be Surveyors of the Highways within the said Parish of *Birmingham*, and shall have and they are hereby invested with all such Powers and Authorities as any Surveyors

of Highways in that Part of the United Kingdom called *England* are or shall be invested with by virtue of the Laws now or hereafter to be in force, and all and every the Powers and Authorities vested in the said Commissioners, for paving, repairing, and amending the Highways of the said Town, shall extend to the whole of the said Parish.

CXXX. And be it further enacted, That the Property of and in the Pavements of the Carriage and Footways, and the Stones, Gravel, and Materials therein, shall be and the same are hereby vested in the said Commissioners; and it shall be lawful for the said Commissioners from Time to Time to cause the several Streets, Lanes, and other public Passages and Places within the Town and Parish of *Birmingham*, both in the Carriageways and Footways, to be paved, pitched, flagged, repaired, relaid, amended, and altered, and Gutters, Sinks, Drains, Sewers, and Watercourses to be cut or made in, through, or under any of the said Streets, Lanes, public Passages and Places, and any of the Gutters, Sinks, Drains, Sewers, and Watercourses already made therein to be opened or widened, and the Form or Course thereof altered, and the Ground of any of the said Streets, Lanes, and other public Passages and Places to be raised, lowered, or altered, in such Manner as the said Commissioners shall think expedient, necessary, or proper, according to the true Intent and Meaning of this Act, the said Commissioners making reasonable Compensation to the Proprietors of any of the adjoining Houses and Buildings, for any Damage that may be done thereto by such raising, lowering, or altering as aforesaid; and if any Person or Persons shall take up or cause to be taken up, or make or cause to be made, any Alteration in the Form of the Pavement or Flagging, or of any Part thereof, within any of the said Streets, Lanes, public Passages or Places, without the Consent of the said Commissioners, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in case the Person or Persons so taking up or altering any such Pavement or Flagging, or any Part of the same respectively, shall not within Seven Days after Notice in Writing by the Surveyor to the said Commissioners, or by some other Person or Persons acting under their Direction, given to or left at the last or usual Place or Places of Abode of such Person or Persons, cause the same Pavement or Flagging respectively, which shall have been so altered or taken up, to be reinstated and put into its former State, then and in every such Case the Surveyor to the said Commissioners shall cause the same to be so done, and the Costs and Charges thereof shall be borne and paid by the Person or Persons who shall have taken up or altered such Pavement or Flagging, or any Part thereof respectively; and in case of Nonpayment thereof, on Demand, to the said Surveyor or other Person, by or under the Authority of the said Commissioners, such Costs and Charges 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.

Commissioners empowered to pave the Streets, &c.

Pavements not to be altered without Leave.

CXXXI. And be it further enacted, That for the Purposes aforesaid it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, from Time to Time,

Commissioners to make Paving Rates.

Time, to make, or to authorize, order, and direct to be made, an equal Rate or Assessment upon all and every the Occupiers of Lands, Tenements, Woods, Tithes, and Hereditaments within the said Town and Parish of *Birmingham*, as they the said Commissioners shall think necessary, for the paving, pitching, repairing, and amending the Highways, Streets, and Pavements within the said Town and Parish; which said Rates or Assessments shall be collected and received by the said Commissioners, or by such Person or Persons as they shall appoint to collect the same, and shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons assessed and made liable to the Payment thereof, or otherwise, in the same Manner as any Rate or Assessment is by this Act authorized and directed to be recovered and enforced; and the Monies to arise from Time to Time from the said Rates or Assessments shall be applied and expended for the several Purposes prescribed by this Act: Provided always, that no such Assessments to be so made or assessed shall exceed in any One Year the Amount or Rate to which the Occupiers of Lands, Tenements, Woods, Tithes, or Hereditaments in that Part of *Great Britain* called *England* are now or shall from Time to Time be liable by Law to be assessed towards the Repair of the Highways.

Commissioners empowered to pave the Footpaths.

CXXXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from Time to Time, as they shall think fit, to pitch or flag the Footpaths or Footways of the Streets, Lanes, public Passages and Places of the said Town, or any of them, or any Part thereof, and from Time to Time to repair and amend the same, and to charge One Half of the Expences of such Pitching, Flagging, and Repairs respectively, to the Occupiers for the Time being of the Houses, Warehouses, Shops, and other Buildings adjoining the Streets, Lanes, Ways, public Passages and Places opposite to which such Pitching, Flagging, and Repairs shall be done, which said Occupiers are hereby charged with and made liable to the said Proportion, and directed to pay the same to the said Commissioners or their Clerk or Surveyor, on Demand; and in case the same shall not be paid within Seven Days after such Demand in Writing, the same shall and may be recovered by the said Commissioners, by Distress and Sale of the Goods and Chattels in and upon the said Houses, Warehouses, Shops, and other Buildings, or otherwise, as and in the same Manner as any Fine, Forfeiture, or Penalty hereby imposed can or may be recovered; and in case the Occupier or Occupiers of the said Houses, Warehouses, Shops, or other Buildings shall be Tenants thereof at Will, or from Year to Year, or have any Term or Interest therein of which less than Twenty-one Years shall be unexpired at the Time such Pitching, Flagging, and Repairs respectively shall be done, then and in such Case the said Occupier or Occupiers shall and may retain and deduct such Expences out of his, her, or their next Rent or Rents, and their respective Landlords are hereby required to allow the same.

Trustees of Turnpike Roads not to repair any

CXXXIII. And be it further enacted, That it shall not be lawful for the Trustees of any Turnpike Road to repair any Part of such Road which shall lie or be situate within the said Town of *Birmingham*, but

but so much and such Part of every Turnpike Road as shall be situate within the said Town shall be from henceforth made and maintained by the said Commissioners.

Part of such Roads within the Town.

CXXXIV. And be it further enacted, That if it shall appear expedient to the said Commissioners to relinquish and abandon the Performance of Statute Duty, or the Payment of Composition in lieu thereof, in the said Parish of *Birmingham*, it shall be lawful for them to relinquish and abandon the same for any One Year or from Year to Year, such Relinquishment or Abandonment to be signified by some Resolution or Order of the said Commissioners to be made at some Meeting to be held in pursuance of this Act; and from and after the passing of such Resolution or Order all and every Persons and Person shall be and they are hereby declared to be exonerated and discharged from the Performance of Statute Duty, and Payment of Composition in lieu thereof, within the said Town and Parish of *Birmingham*, for such Time and in such Manner as shall be expressed in the said Resolution or Order, any Law or Statute to the contrary notwithstanding.

Commissioners may relinquish the Performance of Statute Duty.

CXXXV. And be it further enacted, That all Money which shall be borrowed, and all Monies to be raised by the Rates or Assessments made, and all other Monies to be received by the said Commissioners in pursuance of this Act, except the Monies to arise from the said Town Hall Rates, and to be borrowed on the Credit thereof, shall, as the same shall come in and be received, be issued and applied from Time to Time, first for defraying Three Fourth Parts of the Expences of obtaining this Act, and afterwards for defraying the Expences of carrying all the Purposes of this Act into Execution, and also for keeping in repair and maintaining the said Town Hall from Time to Time, after the Rate hereby authorized to be made and collected for the Purposes of the said Town Hall shall have ceased and determined.

Application of Rates and other Monies, excepting Town Hall Rates.

CXXXVI. 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 or Penalties for any Offence or Offences in this Act mentioned, and the Amount thereof respectively is not otherwise by this Act directed to be settled, ascertained, or determined, the Amount thereof, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized, on Non-payment thereof, to levy such Damages and 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.

Damages in case of Dispute to be settled by Justices.

CXXXVII. Provided always, and be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Powers or Authorities in or by this Act given to such Justice or Justices, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury, of any

Remedy in case of Nonpayment of Compensation for Damage done by the Commissioners.

[*Local.*]

14 D

Nature

Nature or Kind soever, done or committed by the said Commissioners, or any Person or Persons acting by or under their Authority, or under the Authority of this Act, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice and Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction of or for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, upon Demand, to the said Commissioners, or to their Treasurer for the Time being, as the Case may be.

Treasurer
to be reim-
bursed.

CXXXVIII. Provided also, and be it further enacted, That the said Treasurer shall and may, by and out of any Monies which shall come into his Hands by virtue of this Act, retain to and reimburse himself all such Costs, Charges, and Expences as he may personally be put to by Distress and Sale of the Goods and Chattels of such Treasurer, or otherwise, under any Warrant or Warrants to be issued by any such Justice or Justices as aforesaid.

Recovery and
Application
of Penalties.

CXXXIX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by virtue of any Rule or Order made in pursuance hereof, (the Manner of levying and recovering whereof is not herein-before particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice or Justices of the Peace for the said County of *Warwick*, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs (if any) of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witnesses upon Oath or Affirmation of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, (if any such there be,) shall be rendered to the Owner or Owners of the Goods and Chattels so seized and dis-
trained;

trained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the said Commissioners or their Treasurer or Clerk, to be applied for the Purposes of this Act, as the said Commissioners shall order and direct, except in all such Cases where the Penalty or Forfeiture shall be incurred by the said Commissioners, and then the same shall be paid to the Informer; and it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice and Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they have or hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Twelve Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law: Provided always, that in all Cases when the Penalty imposed by this Act shall exceed the Sum of Five Pounds, no Proceeding before Justices shall be had and taken for the Recovery thereof before a less Number than Two Justices.

CXL. And for the more easy Prosecution and Conviction of Offenders against this Act, be it further enacted, That all and every Justices and Justice of the Peace before whom any Person or Persons shall be convicted or prosecuted of or for any Offence against this Act shall and may cause the Information and Conviction respectively to be drawn in the Forms following, or in other Words to the same Effect; (that is to say,)

Forms of Information and Conviction.

‘ County of Warwick, } BE it remembered, That on the
 ‘ (to wit.) } Day of A. B. of
 ‘ informeth me [or us] of His Majesty’s Justices of the
 ‘ Peace for the said County of *Warwick*, that of
 ‘ in the County of [here describe
 ‘ the Offence, with the Time and Place, and follow the Act as near as
 ‘ may

' *may be*], contrary to the Provisions of an Act made in the
 ' Ninth Year of the Reign of King George the Fourth, intituled
 ' [*insert the Title of this Act*], which hath imposed a Forfeiture of
 ' for the said Offence. Taken the
 ' Day of before me
 ' County of Warwick, } **BE** it remembered, That on the
 ' (to wit.) } Day of in the
 ' Year of the Reign of and in the Year of our
 ' Lord *A. B.* is convicted before me, One of
 ' His Majesty's Justices of the Peace for the said County of *Warwick*,
 ' for [*here specify the Offence, and when and where committed*], contrary
 ' to the Form of the Statute made in the Ninth Year of the Reign
 ' of King George the Fourth, intituled [*here set forth the Title of*
 ' *this Act*]; and I do hereby declare and adjudge that the said
 ' hath forfeited for the said Offence the Sum of
 ' [*or shall be committed to*
 ' for the Space of *as the Case may be*]. Given under
 ' my Hand and Seal, the Day and Year first above written.'

Justices may proceed by Summons in the Recovery of Penalties.

CXLI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and 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 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, 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 or had been exhibited.

Distress not to be unlawful for Want of Form.

CXLII. And be it further enacted, That where any Distress shall be made for any Money to be raised by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage by an Action on the Case.

Commissioners being Justices may act.

CXLIII. And be it further enacted, That all such Commissioners as are or shall be Justices of the Peace may act as Justices in all Matters under the Authority of this Act, notwithstanding their being Commissioners; and in all Cases where any Justice or Justices of the Peace is or are authorized by this Act to examine any Person or Persons on Oath or Affirmation, it shall be lawful for such Justice and Justices, and he and they is and are hereby required, to administer such Oath or to take such Affirmation; and in all Cases where any Parties, Witnesses, Officers, or Commissioners, or other Persons, are to

to be heard or examined by, before, or in the Presence of the said Commissioners, in any Case, Matter, or Thing relating to this Act, it shall be lawful for such Commissioners to administer an Oath, or to take the Affirmation of such Parties, Witnesses, or Persons.

CXLIV. And be it further enacted, That no Inhabitant of any Place within the Limits of this Act shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceeding, to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being rated or liable to be rated by virtue of this Act.

Inhabitants
may be Wit-
nesses.

CXLV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved or over-rated by any Rate or Assessment, or any other Matter or Thing to be made or done under or in pursuance of this Act, he, she, or they may appeal and complain thereof to the said Commissioners at One of their Meetings, provided that such Appeal be made within Four Calendar Months next after such Rate or other Cause of Complaint shall have been made or shall have arisen; and the said Commissioners may examine the Appellant or Appellants, or any Witnesses, upon Oath, touching or concerning the Matter of such Appeal, and grant or refuse Relief to the Person or Persons appealing, or not, and to make such Order therein as to them shall seem meet.

Appeal to
the Commis-
sioners.

CXLVI. Provided also, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order, Direction, or Appointment of the said Commissioners, or by means of any Rate, Rule, Order, or Bye Law to be made under or in pursuance of this Act, or any Order or Conviction of One or more Justice or Justices of the Peace, it shall be lawful for such Person or Persons to appeal to any General or Quarter Sessions of the Peace to be held in and for the said County of *Warwick*, within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month then next, then such Appeal shall be made to the secondly-succeeding Sessions, either of which Courts of Sessions is hereby empowered to hear and finally determine the Matter of the said Appeal, and to make such Order therein as to them shall seem meet, which Order shall be final and conclusive to and upon all Parties; provided that the Person or Persons so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the Clerk for the Time being to the said Commissioners, or other the Respondent or Respondents, and within Five Days after such Notice shall enter into a Recognizance before some Justice of the Peace for the said County of *Warwick*, with sufficient Securities, conditioned to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and such Justices, upon hearing and finally determining the Matter of such Appeal, shall and may, according to their Discretion, award

Appeal to
the Quarter
Sessions.

[*Local.*]

14 *E*

such

such Costs to the Party appealing or appealed against, as they shall think proper; and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

Rates may be amended without quashing.

CXLVII. Provided always, and be it further enacted, That on Appeal from the said Rates or Assessments, or any of them, for the Purposes of this Act, the Justices at such General or Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same; but if upon Appeal from the whole of any Rate it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made in the Manner herein directed.

Rates and Proceedings not to be quashed for Want of Form.

CXLVIII. Provided always, and be it further enacted, That no Rate, nor any Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing done or transacted in or relative to the Execution of this Act, shall be vacated, or quashed for Want of Form, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster.

Plaintiff not to recover in any Action after Tender of sufficient Amends.

CXLIX. Provided also, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action or Actions for any Irregularity, Trespass, or other Proceeding made or committed in execution of this Act, if Tender of sufficient Amends shall be made by or on behalf of the Party or Parties who shall have committed any such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and Adjudication shall be made, had, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

CL. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of or under the Authority or Colour of this Act, until Twenty-one Days Notice has been given thereof in Writing to the Clerk to the said Commissioners, nor after sufficient Satisfaction or Tender thereof has been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in such Actions or Suits may plead the General Issue, or give this Act and every special Matter in Evidence, at any Trial or Trials which shall be had thereupon; and if the

Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find a Verdict or Verdicts for the Defendant or Defendants.

CLI. And be it further enacted, That in all Cases where it may be necessary or requisite for any Person or Persons or Party or Parties to serve any Notice or Notices, or any Writ or Writs, or other legal Proceedings, or Proceedings in Equity, upon the said Commissioners, Service thereof respectively upon the Clerk of the said Commissioners, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Commissioners, or upon any One of the said Commissioners acting under this Act, or left at his respective last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners; and in all Cases when it may be necessary or requisite for the said Commissioners to give any Notice to any Body Politic, Corporate, or Collegiate, or to any Person or Persons whomsoever, under the Provisions or Directions contained in this Act, such last-mentioned Notice shall be in Writing signed by any Three or more of the said Commissioners.

Declaring
what shall be
good Service
of Notices.

CLII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to treat, contract, and agree with the Lord of the Manor of *Birmingham* for the absolute Purchase of all his Right, Estate, and Interest of, in, or any ways belonging to the Court of Requests holden in the said Manor of *Birmingham*, and of all Appointments, Fees, Perquisites, Emoluments, and Advantages whatsoever to the said Court of Requests belonging, attached, or in any way appertaining, and now vested in and belonging to the said Lord of the Manor of *Birmingham*, and to become seised and possessed thereof for the Purposes of this Act; and the Amount of such Purchase Money, and all Costs, Charges, and Expences attending the same, shall be defrayed out of the Monies by this Act authorized to be raised and borrowed, or out of the Rates or Assessments to be raised and collected by virtue of this Act.

For pur-
chasing the
Court of
Requests.

CLIII. 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, without the same being specially pleaded.

Public Act.

The First SCHEDULE referred to by this Act.

Thomas Street.

OWNERS.	OCCUPIERS.	DESCRIPTION.
John Scholefield - -	John Scholefield junior - -	House and Outbuildings.
Ditto - - -	John Yeomans - -	Ditto.
<i>Coleshill Street.</i>		
Henry Wade - -	{ Joseph Greatorox and } Widow Glover }	Ditto.
Ditto - - -	Thomas Fox - - -	Ditto.
Ditto - - -	John Burt - - -	Ditto.
Ditto - - -	Henry Wade - - -	Ditto.
<i>Stafford Street.</i>		
William Congreve Rus- } sell, Esq. - - -	Henry Podmore - - -	House and Outbuildings.
Ditto - - -	Joseph Woodward - - -	House, Shops, and Outbuildings.
Ditto - - -	Joseph Woodward - - -	House and Outbuildings.
Ditto - - -	Susan Barton - - -	Ditto.
James Walmsley - -	Samuel Stanley - - -	Ditto.
Ditto - - -	Richard Gough - - -	Ditto.
Ditto - - -	William Priddy - - -	Ditto.
Ditto - - -	William Slynn - - -	Ditto.
Ditto - - -	James Jones - - -	Ditto.
Ditto - - -	Benjamin Mason - - -	Ditto.
John Scholefield - -	John Scholefield junior } - - -	Slaughterhouse, Stable, and Yard.
Thomas Blood - - -	Sarah Bilson - - -	House and Outbuildings.
Ditto - - -	William Franklin - - -	Ditto.
Ditto - - -	William Hill - - -	Ditto.
Ditto - - -	William Morriss - - -	House, Shop, and Outbuildings.
Ditto - - -	John Simpson - - -	House and Outbuildings.
Ditto - - -	Thomas Morris - - -	House, Outbuildings, Butcher's Shop, &c.
Edward Hawkesford - -	Henry Crockett - - -	House and Outbuildings.
George Styles - - -	George Styles - - -	Ditto.
Ditto - - -	William Morriss - - -	Shop and Room over.
John Scholefield - -	George Styles - - -	Two Houses and Outbuildings.
Trustees and Executors } of the late Edward } Millward - - -	Edward Preston - - -	House and Outbuildings.
Ditto - - -	John Thomas - - -	Ditto.
Ditto - - -	James Easthope - - -	Ditto.
Ditto - - -	John Walters - - -	Back House.
Ditto - - -	John Clarke - - -	Ditto.
Ditto - - -	Richard Gibson - - -	Malthouse and Land in Front.

OWNERS.	OCCUPIERS.	DESCRIPTION.
James Walmsley - -	Richard Bromwich - -	House and Appurtenances.
Ditto - - -	Ann Mills - - -	Ditto.
Ditto - - -	Joseph Smith - - -	Ditto.
Ditto - - -	Thomas Kesterton - - -	Ditto.
Ditto - - -	John Massingham - - -	Ditto.
Ditto - - -	Margaret Greenhill - - -	Ditto.
Ditto - - -	Samuel Hall - - -	Two Houses, Shops, and Appurtenances.
George Birch - - -	Charles Dicken - - -	Malthouse and Appurtenances.
Ditto - - -	John Warner - - -	House and Appurtenances.
Ditto - - -	Elizabeth Turner - - -	Ditto.
Ditto - - -	William Wheal - - -	Ditto.
Ditto - - -	Mary Ingram - - -	Ditto.
<i>Nelson Square.</i>		
Matthew Mills - - -	Mary Hemming - - -	House.
Ditto - - -	Hannah Horton - - -	Ditto.
Ditto - - -	John Maddox - - -	Ditto.
<i>Gullett.</i>		
Trustees and Executors } of the late Edward } Millward - - -	Mary Fletcher - - - Mary King - - -	House and Appurtenances. Ditto.
<i>New Street.</i>		
John Hart, Lessee of } W. P. Inge, Esquire } William Ashburner, as } Lessee to W. P. Inge, } Esq. - - -	Elizabeth George - - - Richard Harvey - - -	House, Stable, Brewhouse, and Outbuildings. House and Appurtenances.
William Jones, Lessee } to Governors of Free } School - - -	William Jones and others - John Benjamin - - -	Rooms and Shops, or House and Appurtenances. House and Appurtenances.
<i>Worcester Street.</i>		
James Onions, as Lessee } to Free School - - -	James Onions - - - Thomas Deakin - - -	House. Ditto.
<i>Edgbaston Street.</i>		
James Onions, as Lessee } to Free School - - -	Joseph Deakin - - -	Ditto.
<i>Worcester Street.</i>		
Elizabeth Vowles, Lessee } to W. P. Inge, Esquire } Ditto - - - Ditto - - - Ditto - - - Ditto - - -	Elizabeth Vowles - - - William Tanner - - - John Bagnall - - - Hannah Smith - - - William Johnson - - -	House and Outbuildings. Ditto. Ditto. Shops. Ditto.

OWNERS.	OCCUPIERS.	DESCRIPTION.
Mary and Ann Gough, Lessee to W. P. Inge, Esquire	William Kite	House and Outbuildings.
John Arnold, as Lessee to W.P.Inge, Esquire	William Dunkley	House and Outbuildings and Shops.
Richard Evans, as Lessee to W.P.Inge, Esquire	Edward Sills	House and Outbuildings.
John Alebon, as Lessee to W.P.Inge, Esquire	Mary Lyons	House and Outbuildings.
Mary Millward, Lessee to W.P.Inge, Esquire	William Martin	House and Outbuildings.
	William Adderley	Shop.
	Harriet Ratcliffe	House and Outbuildings.
	John Alebon	House and Outbuildings.
	Robert Mayou	House, Outbuildings, &c.
<i>Philip Street.</i>		
Mary Millward, as Lessee to W. P. Inge, Esquire	Sarah Vaughan	House and Outbuildings.
Ditto	Ambrose Davis	Ditto.
Timothy Smith and Co.	Hugh Pickering	House, Stables, and Outbuildings.
Ditto	John Bragg	Back House.
Ditto	Matthew Keen	House and Appurtenances.
Ditto	Joseph Peplou	Ditto.
Ditto	Richard Bickley	Ditto.
Ditto	Thomas Doleman	Back House and Appurtenances.
Ditto	Fanny Jones	House and Appurtenances.
Ditto	Samuel Davis	Ditto.
Ditto	James Pond	Ditto.
Ditto	Void	Ditto.
Ditto	Thomas Lane	Ditto.
Ditto	Void	Back House and ditto.
Ditto	Edward Unett	House and Appurtenances.
Ditto	James Partridge	Ditto.
Ditto	Joseph Read	Ditto.
Ditto	William Furniss	Ditto.
Ditto	Samuel Tilt	Ditto.
Ditto	Edward Davis	Ditto
<i>High Street.</i>		
Timothy Smith and Co.	Thomas Marshall	House, Stable, Warehouse, and Appurtenances.
Ditto	Daniel Daniels	House and Appurtenances.
John Arnold	James Fortescue	House, Brewhouse, and Outbuildings.
Susannah Phillips	Susannah Phillips	House, Outbuildings, and Appurtenances.
Charles Phillips	Richard Hodgkins	Ditto.
Sarah Hewitt	Sarah Hewitt	Ditto.
<i>Rann's Yard.</i>		
Fanny Bolt	Charles Allcock	Slaughterhouse.
Charles Allcock	Commissioners	Stall Room.
John Arnold	John Cantrill	Stable.
Susannah Phillips	James Chattaway	Stable and Piggery.
Freeman	Ditto	Slaughterhouse and Yard.

16

17

18

19

[1800]

OWNERS.	OCCUPIERS.	DESCRIPTION.
The Trustees of the late } William Lane - - }	Thomas Hunt - - - }	Slaughterhouse and Appurtenances.
Ditto - - - }	Joseph Roberts and John } Cooper - - - }	Slaughterhouse, Piggery, and Appurtenances.
Henry Wyatt - - -	William Brittain - - -	Slaughterhouse, Piggery, &c.
Ditto - - -	James Cox - - -	Ditto.
Ditto - - -	Daniel Walton - - -	Ditto.
James Fortescue, as } Lessee to John Arnold }	James Stone - - - }	Slaughterhouse, Pigstye, Fast- ing Pen, and Dunghole.
Ditto - - -	Thomas Hicks - - -	Ditto.
Ditto - - -	James Denton - - -	Slaughterhouse, &c.
Ditto - - -	John Cantrill - - -	Slaughterhouse and Dunghole.
Ditto - - -	Henry Allcock - - -	Slaughterhouse and Fasting Pen.
Ditto - - -	John Williams - - -	Ditto.
Ditto - - -	James Spilsbury - - -	Slaughterhouse, Piggery, &c.
James Chattaway -	James Chattaway - - -	Slaughterhouse.
Timothy Smith and Co.	Ditto - - - }	Fasting Pen, formerly a Back House to Philip Street.
Trustees of the late } William Lane - - }	Ann Emery - - -	Shop and Rooms.
John Arnold - - -	Ditto - - -	House, &c.
Ditto - - -	Joseph Houghton - - -	Ditto.
Ditto - - -	Void - - -	Ditto.

Bell Street.

Catherine Phillips -	James and William Kerkoff -	House and Appurtenances.
Trustees of the late } William Phillips - }	Ditto - - -	Ditto.
Joseph Phillips - -	Joseph Vale - - -	Ditto.
Fanny Bolt - - -	William Field - - -	Shop and Appurtenances.
Ditto - - -	Thomas Twamley - - -	Corn Return Office.
Joseph Deakin - - -	Void - - -	House and Appurtenances.
Ditto - - -	Michael Sloane - - -	Ditto.
Joseph Phillips - - }	John Bird and Partridge } Kennedy - - - }	Ditto.
James Busby - - -	William Bradley - - - }	House, Bakehouse, and Appur- tenances.
John Whorrall - - -	Kard Poyner - - -	House and Appurtenances.
Ditto - - -	William Moon - - -	Ditto.
William Harley - - -	Moses Hyams - - -	Ditto.
Mary Millward - - -	Isaiah Phillips - - -	Ditto.
John Tompson - - -	Thomas Burbidge - - -	House, Shop, and Appurtenances.
The Trustees of the late } William Lane, as } Lessees of Theophila } Stringer and William } Harley - - - }	Thomas Ford - - -	House and Appurtenances.
Ditto - - -	Joyce Lane - - -	House, Shop, and Appurtenances.
Ditto - - -	Joseph Jenks - - -	House and Appurtenances.
The Trustees of the late } William Lane, Lessees } of W. P. Inge, Esquire }	Thomas Lucas and Isaac Smith	Ditto.
Richard Evans, Lessee of } W. P. Inge, Esquire }	Mary Dee - - -	Ditto.
William Harley - - -	William Woods - - - }	House, Butcher's Shop, Coal Yard, Stable, and Sheds.

OWNERS.	OCCUPIERS.	DESCRIPTION.
William Harley - - -	William Vernon - - -	House and Appurtenances.
Ditto - - -	Void - - -	Shops and Appurtenances.
John Whorrall - - -	Thomas Curnin - - -	House, Stable, and Appurtenances.
Ditto - - -	Void - - -	Ditto.
Sarah Phillips - - -	Elizabeth Freeth - - -	House, Brewhouse, and Appurtenances.
Ditto - - -	Joseph Ordege - - -	House and Appurtenances.
John Lilley - - -	George Webb - - -	Ditto.
Ditto - - -	John Mellor - - -	Ditto.
Ditto - - -	Elizabeth Vernon - - -	Ditto.
Fanny Bolt - - -	James Harley - - -	Ditto.
Thomas Lloyd - - -	Thomas Lloyd - - -	Ditto.
The Trustees of the late } William Phillips - - -	J. and W. Kerkoff - - -	Ditto.
Susannah Phillips - - -	Ditto - - -	Warehouse and Appurtenances.
<i>Saint Martin's Lane.</i>		
The Trustees and Executors of the late } Thomas Brookes, as } Lessee of W. P. Inge }	Sarah Brookes - - -	House, Brewhouse, Stables, Gig House, Granary, and Appurtenances.
George Holmes - - -	Thomas Tullett - - -	House and Appurtenances.
Ditto - - -	George Holmes - - -	House, Warehouse, Shops, Workman's House, Land, Pumps, and Appurtenances.
Ditto - - -	John Perry - - -	House and Appurtenances.
Thomas Bower - - -	Thomas Bower - - -	Warehouse, Shops, Dye Houses, Stables, Sheds, Drying Yard, and Pumps.
Ditto - - -	George Bearsley - - -	House, Stables, Lofts, Hay Room, Warehouse, Dung-hole, Yard, and Appurtenances.
Ditto - - -	Thomas Parsons - - -	House and Appurtenances.
Ditto - - -	James Tranter - - -	Ditto.
Isaac Ainsworth - - -	Thomas Smallwood - - -	Ditto.
Ditto - - -	Thomas Hyde - - -	House, Shop, and Appurtenances.
Ditto - - -	Isabella Jones - - -	Back House and Appurtenances.
Ditto - - -	William Yates - - -	Ditto.
Ditto - - -	George Cotterell - - -	Ditto.
Ditto - - -	Elizabeth Tomkins - - -	Ditto.
Ditto - - -	George Peach - - -	Ditto.
Ditto - - -	Susannah Hill - - -	Ditto.
Ditto - - -	William Pugh - - -	Ditto.
Ditto - - -	Hannah Woodman - - -	Ditto.
Ditto - - -	Thomas Hollick junior - - -	Ditto.
Ditto - - -	Sarah Foster - - -	Ditto.
Ditto - - -	Richard Edwards - - -	Ditto.
Ditto - - -	John Hollick - - -	Ditto.
Ditto - - -	William Eddoes - - -	Ditto.
Ditto - - -	Joseph Clarke - - -	Ditto.
Ditto - - -	William Bamford - - -	Ditto.
Ditto - - -	James Ingraham - - -	Ditto.
Ditto - - -	Thomas Lunn - - -	Ditto.
Ditto - - -	Henry Chelmsworth - - -	Ditto.

26

24

OWNERS.	OCCUPIERS.	DESCRIPTION.
Isaac Ainsworth - -	Alice Allaby - - -	Back House and Appurtenances.
Ditto - - -	Thomas Hallick - - -	Ditto.
Ditto - - -	John Lee - - -	Ditto.
Ditto - - -	Edward Caddick - - -	Ditto.
Ditto - - -	Isaac Ainsworth - - -	House, Warehouses, Stables, Shops, Garden, and Appurtenances.
Ditto - - -	Alexander Longmore - - -	House and Appurtenances.
Ditto - - -	William Leonard - - -	Ditto.
Ditto - - -	Stephen Brown - - -	Ditto.
Ditto - - -	Thomas Margetts - - -	Ditto.
Ditto - - -	William Hassall - - -	Ditto.
Ditto - - -	Charles Farr - - -	House, Brewhouse, and Appurtenances.
Thomas Mole - - -	John Hartley - - -	House and Appurtenances.
Ditto - - -	John Freeman - - -	Ditto.
Ditto - - -	Sarah Price - - -	Ditto.
Ditto - - -	John Dodson - - -	Ditto.
<i>Digbeth.</i>		
Thomas Mole - - -	{ Samuel Fox and Peter Abraham - - - }	Ditto.
<i>Moat Lane.</i>		
Zachariah Parkes - -	Zachariah Parkes - - -	Workshops and Rooms over.
Ditto - - -	Joseph Twigg - - -	Liquor Shop, Stable, and Rooms over.
Isaac Ainsworth - - -	Mary Labond - - -	House and Appurtenances.
Samuel Harrison - - -	Samuel Keyte - - -	Shops and Appurtenances.
Ditto - - -	John Duffell - - -	House and Appurtenances.
William Avery - - -	William Avery - - -	Part of Warehouse, Shops, and Appurtenances.
Charles Bradley - - -	John Agard - - -	House and Appurtenances.
Ditto - - -	Charles Bradley - - -	Part of Tobacco Warehouse.
Ditto - - -	Elizabeth Tibbets - - -	House and Appurtenances.
Mark Mogridge - - -	Joseph Smith - - -	Ditto.
Ditto - - -	John Richardson - - -	Part of Workshops.
Samuel Bentley - - -	John Dodson - - -	Pump Rooms and Appurtenances.
Samuel Wheeley - - -	Void - - -	House and Appurtenances.
Ditto - - -	William Tunstall - - -	Workshops and Part of Yard.
Ditto - - -	John Jackson - - -	House and Appurtenances.
Ditto - - -	Samuel Walker - - -	Ditto.
Ditto - - -	James Pallett - - -	Stable and Loft.
Ditto - - -	William Chapman - - -	House and Appurtenances.
Isaac Ainsworth - - -	Thomas Jackson - - -	House, Stable, and Appurtenances.
Ditto - - -	{ William Adcock and Thomas Millard - - - }	House and Appurtenances.
William Avery - - -	William Avery - - -	Stable, Shops, and Two Yards.
Isaac Ainsworth - - -	Elizabeth Steward - - -	House and Appurtenances.
Ditto - - -	Joseph Twigg - - -	Stables and Yard.

OWNERS.	OCCUPIERS.	DESCRIPTION.
<i>Jamaica Row.</i>		
The Trustees and Executors of the late Thomas Brookes, as Lessee to W. P. Inge, Esquire }	Robert Spencer - - -	House, Smith's Shop, &c.
<i>Digbeth.</i>		
Edward Jerome - - -	Arthur Matthison - - -	House, Brewhouse, and Appurtenances.
Ditto - - -	John Taylor - - -	House, Shops, and Appurtenances.
Richard Pettifer - - -	Joseph Gedney - - -	House and Appurtenances.
— Neachell - - -	William Jackson - - -	Back House and Appurtenances.
Ditto - - -	James Mousley - - -	Ditto.
Ditto - - -	Daniel West - - -	Ditto.
Ditto - - -	Arthur Matthison - - -	Ditto.
Ditto - - -	Edward Parkinson - - -	Front House and Appurtenances.
Ditto - - -	Edward Sutton - - -	Ditto.
Ditto - - -	Simon Samuel - - -	Ditto.
The Trustees of Lench's Charity - - -	John Sanders - - -	Two Houses, Warehouses, and Appurtenances.
Ditto - - -	William Tranter's Executors	Part of House, &c.
<i>Allison Street.</i>		
The Trustees of the late David Owen - }	Mary Baker - - -	House and Appurtenances.
Ditto - - -	Joseph Warton - - -	Ditto.
Ditto - - -	Mary Grew - - -	Ditto.
Hannah Brown - - -	Robert Cooke - - -	Ditto.
James Fincher - - -	John Sumner - - -	Ditto.
Joshua Peckup - - -	John Lancaster - - -	Ditto.
Ditto - - -	William Lord - - -	Ditto.
Ditto - - -	Joseph Fisher - - -	Ditto.
Richard Davis - - -	Richard Davis and William Morgan - - -	House, Land, and Appurtenances.
<i>Bull Ring.</i>		
Sarah Ann Ironmonger }	Joseph Adams and William Brazenor - - -	Part of Stables, Outbuildings, and Yard.
Ditto - - -	Philip Harris - - -	House and Outbuildings.
<i>Park Street.</i>		
Ditto - - -	Deacon, Harrison, and Co. - - -	Warehouse.
Ditto - - -	Stone Hewer Goosetry - - -	Shop, &c.
— Masterman - - -	Henry Rudge - - -	House and Appurtenances.
Ditto - - -	Thomas Griffiths - - -	Ditto.
Ditto - - -	Void - - -	Ditto.
Ditto - - -	James Grove - - -	Malthouse and Appurtenances.
John Shaw - - -	Richard Beasley - - -	Ditto.
Ann Dunn and William Waddell - - -	John Hart - - -	Part of Stables and Yard.

82

33

CA

OWNERS.	OCCUPIERS.	DESCRIPTION.
W. P. Inge, Esq. - - -	Henry Rudge - - -	House and Appurtenances.
Ditto - - -	Void - - -	Ditto.
Ditto - - -	Samuel Pratt - - -	Ditto.
Ditto - - -	John Tugby - - -	Ditto and Warehouse.
Deborah Bailey, Lessee } of W. P. Inge, Esquire }	Deborah Bailey - - -	House, Stable, Buildings, and Appurtenances.
Ditto - - -	Elizabeth Whittaker - - -	House and Appurtenances.
Ditto - - -	Henry Howe - - -	Ditto.
<i>Masshouse Lane.</i>		
Mary Cullet - - -	James Martin - - -	House, Stable, Shed, &c.
Ditto - - -	Thomas Blackburn - - -	Smith's Shop, Stable and Room over.
Ditto - - -	Joseph Pym - - -	House, Sheds, &c.
Ditto - - -	Edward Bate - - -	House, Shed, Stable, &c.
<i>Smallbrook Street.</i>		
Richard William Ho- } ward Vyse - - -	Moses Solomon - - -	House and Appurtenances.
Ditto - - -	Richard Humpage - - -	Ditto.
Ditto - - -	Void - - -	Ditto.
<i>Navigation Street.</i>		
Richard Plant - - -	Esther Moreton - - -	Ditto.
<i>Pinfold Street.</i>		
Richard Plant - - -	John Rolfe - - -	Ditto.
John Harris - - -	William Buck - - -	Ditto.
Ditto - - -	Obedience Cornwall - - -	Ditto.
Ditto - - -	Void - - -	Ditto.
Ditto - - -	Void - - -	Ditto.
Samuel Barnes - - -	John Morris - - -	Ditto.
Ditto - - -	Void - - -	Shops.
Ditto - - -	Robert Nichols, William Gut- } teridge, and Jane Ashford }	Rooms or House, &c.
Ditto - - -	Michael Copestick - - -	House and Appurtenances.
Ditto - - -	Joseph Meryady - - -	Ditto.
Ditto - - -	Thomas Westwood - - -	Ditto.
Ditto - - -	Mary Nichols - - -	Ditto.
Samuel Barnes - - -	Twells and Podmore - - -	Casting Shop and Yard.
<i>Edgbaston Street.</i>		
Ann Gough - - -	William Henry Pountney - - -	House and Appurtenances.
Ditto - - -	John Rodway jun. - - -	Ditto.
Elizabeth Allcock - - -	William Jones - - -	Ditto.
Ditto - - -	Arthur Hughes - - -	Ditto.
Ditto - - -	William Harrison - - -	Back House, Two Cowhouses, Yard, and Appurtenances.

OWNERS.	OCCUPIERS.	DESCRIPTION.
James Evans, Lessee of the Governors of the Free School - - }	Edward Williams - - }	House, Shops, and Appurtenances.
John Rodway - - - }	John Patrick - - - }	House, Slaughterhouse or Stable, and Appurtenances.
Edward Harper, Lessee to Free School - - }	Edward Harper - - - }	Two Stables, Two Sheds, Pigstye and Yard.
Ditto - - - - - }	Ann Jackson - - - - - }	Back House and Appurtenances.
Ditto - - - - - }	Peter Lowe - - - - - }	Ditto.
<i>Cherry Street.</i>		
Mary Handy Bell - - - }	Robert Smith - - - }	House, Shop, Yard, and Appurtenances.
The Trustees of the late David Owen - - - }	Thomas Allday - - - }	Stable.
Ditto - - - - - }	Joseph Edwards - - - - - }	House and Appurtenances.
Timothy Smith - - - - - }	Sarah Green - - - - - }	Ditto.
William Jones - - - - - }	Thomas Brotherton - - - - - }	Ditto.
Ditto - - - - - }	William Taylor - - - - - }	Ditto.
Ditto - - - - - }	Sarah Currier - - - - - }	Ditto.
Ditto - - - - - }	Lydia Davis - - - - - }	Ditto.
<i>Bear Yard.</i>		
Ditto - - - - - }	Daniel Bailey - - - - - }	Back House and Appurtenances.
Ditto - - - - - }	Thomas Clews - - - - - }	Ditto.
Ditto - - - - - }	Richard Thompson - - - - - }	Ditto.
Ditto - - - - - }	Ann Whittingham - - - - - }	Ditto.
Ditto - - - - - }	Ann Smith - - - - - }	Ditto.
The Trustees of the late Stephen Hill - - - }	Joseph Trueman - - - }	Ditto.
Ditto - - - - - }	William Brown - - - - - }	Ditto.
The Executors of the late Stephen Hill, as Lessee to George Brown - - }	Thomas Allday - - - }	Slaughterhouse, Stable, Pigery, &c.
Ditto - - - - - }	Robert Hassall - - - - - }	House, Smith's Shop, Yard, &c.
Ditto - - - - - }	John Ford - - - - - }	House and Appurtenances.
Executors of James Pout - - - }	Elizabeth Baldwin - - - }	Ditto.
Ditto - - - - - }	Sarah Tombs, or William Hawkes - - - - - }	Ditto.
Ditto - - - - - }	Sarah Tombs - - - - - }	Warehouse, Stable, &c.
Ditto - - - - - }	Robert Hassall - - - - - }	Stables, &c. &c.
<i>Chain Court, Bull Street.</i>		
Mary Handy Bell - - - }	John Weston - - - }	Stable and Dunghole.
Ditto - - - - - }	Stephen Hill - - - }	Stable, Dunghole, and Shop.
Ditto - - - - - }	James Gardner - - - }	House and Appurtenances.
<i>Colmore Street.</i>		
W. P. Inge, Esquire, under Lease to the Executors of the late Llewellyn - - - }	Sarah Loughton - - - }	House and Appurtenances.

32

30

70

OWNERS.	OCCUPIERS.	DESCRIPTION.
W. P. Inge, Esquire, under Lease to the Executors of the late Llewellyn -	John Haden - - -	House and Appurtenances.
Ditto - - -	Ellison Poole - - -	Ditto.
Ditto - - -	Thomas Jones - - -	Ditto.
Richard Pountney -	Richard Pountney - -	Warehouse, Shops, and Stable.
John Webb, as Lessee of Samuel Careless and Sayer -	John Webb - - -	Malthouse.
Samuel Careless and Sayer - - -	Richard Blakeman - -	House and Appurtenances.
Ditto - - -	William Henry Pountney -	Ditto.
<i>Worcester Street.</i>		
W. P. Inge, Esquire, under Lease to the Executors of Llewellyn - -	John Poncia - - -	House and Appurtenances.
Ditto Ditto -	William Rockett Poole -	Ditto.
Ditto, under Lease to Richard Pountney -	Joseph Cox - - -	Ditto.
<i>Snow Hill.</i>		
W. P. Inge, Esquire, under Lease to Clarke - - -	James Hayes - - -	House and Appurtenances.
Ditto Ditto -	Thomas Green - - -	Ditto.
Guardians and Over- seers of the Poor -	In hand - - -	Machine House and Machine.
<i>Great Charles Street.</i>		
Francis Statham -	John Wright - - -	House, Shop, and Appurtenances.
Ditto - - -	Charles Cooke - - -	House and Appurtenances.
Ditto - - -	William Hanson - - -	House, Malthouse, Stable, and Yard.
<i>The Old Square.</i>		
John Phillips, Edward Cope, Edward Vil- lers Wilkes, Joshua Schofield, Martha Bingham, Bowyer Vaux, William All- day and Co. - - -	Joshua Schofield, Thomas Freer, Martha Bingham, Edward Bristow, John Wilkes Unett, Edward Cope, John Phillips, the Administratrix of William Wallis, John Meredith, Thomas Cresshall, William Robertson, Bowyer Vaux, William Sabin, Sarah Smith, James Coleman, and the Birmingham and Staffordshire Gas Company	A Piece of Land and Appurte- nances.

The Second SCHEDULE referred to by this Act, shewing the Premises to be taken to enlarge and improve the Public Office in Moor Street.

OWNERS.	OCCUPIERS.	DESCRIPTION.
Joseph Allen, Committee of Sarah Hunt	Sarah Payn	House and Appurtenances.
Ditto	William Payn	Malthouse and Appurtenances.
Ditto	George Redfern	Stables.
Ditto	Thomas Beale	House, Warehouse, Stables, Shops, Sheds, and Appurtenances.
Ditto	John David Bruce	House and Appurtenances.
Joseph Allen	Void	House, Warehouse, Stable, Slaughterhouse, Blacksmith's Shop, and Appurtenances.
The Trustees of Lench's Charity	John Palmer	House and Appurtenances.
Ditto	Ann Day	Ditto.
Ditto	Christopher Dunn	House, Stable, and Appurtenances.
Ditto	Ann Walters	House and Appurtenances.
Ditto	John Brown	Ditto.
Ditto	Thomas Wilmett	Ditto.
Ditto	Thomas Perkins	Stable.
Ditto	John Phillips	Shops and Yard.
Governors of the Free School	Mrs. Dester George Redfern	Two Houses, with Public Office, Prison, and Appurtenances.

45

The Third SCHEDULE referred to by this Act, shewing the several Tolls, Duties, Rents, and Stallage payable in the Markets.

In the Beast Market:		s.	d.
For every Horse, Mare, or Gelding brought or exposed to Sale	- - -	0	4
For every Colt, Filley, or Foal	- - -	0	2
For every Bull, Steer, Cow, or Heifer	- - -	0	3
For every Calf	- - -	0	1
For every Mule or Ass	- - -	0	1
For every Sheep or Lamb	- - -	0	1
For every Swine or Hog	- - -	0	1
For every Sucking Pig	- - -	0	0½
And the following additional Tolls to be paid by the Buyers:			
For every Horse, Mare, or Gelding sold and entered in the Toll Book, an additional Toll on such Entry to be paid by the Buyer of	- - -	0	4
For every Horse, Mare, or Gelding sold and not entered in the Toll Book	- - -	0	2
For every Colt, Filley, or Foal	- - -	0	1
For every Bull, Steer, Cow, Heifer, or other such Cattle	- - -	0	2
For every Sheep or Lamb	- - -	0	0½
For every Swine or Hog, except Sucking Pigs	- - -	0	0½

47

48

		s.	d.
<i>In the Hay Market :</i>			
For every Waggon Load of Hay, Straw, or Fodder brought or exposed to Sale	- - - - -	0	8
For every Cart Load of Hay, Straw, or Fodder	- - - - -	0	4
<i>In the other Markets :</i>			
From the Occupier of each Butcher's Stall, according to the Size and Dimensions of the same; videlicet, for each superficial square Foot thereof,			
If the Stall and Passage in front thereof be covered over from the Weather,			
If taken by the Year, not exceeding the Sum of	- - - - -	6	8
By the Half Year, not exceeding the Sum of	- - - - -	3	4
By the Quarter, not exceeding the Sum of	- - - - -	1	8
If otherwise taken or occupied, for each Market Day or other Day in the Week	- - - - -	0	1½
If the Stall and Passage in front thereof be not covered over as above,			
If taken by the Year, not exceeding the Sum of	- - - - -	6	0
By the Half Year, not exceeding	- - - - -	3	0
By the Quarter, not exceeding	- - - - -	1	6
If otherwise taken or occupied, for each Market Day, or other Day in the Week	- - - - -	0	1½
From the Occupier of each Stand for Vegetables, raised above the Ground with progressive Steps or Benches, according to the Size and Dimensions of the same; videlicet, for each superficial square Foot thereof,			
If the Stand and Passage in front be covered over from the Weather,			
If taken by the Year, not exceeding	- - - - -	5	0
By the Half Year, not exceeding	- - - - -	2	6
By the Quarter, not exceeding	- - - - -	1	3
If otherwise taken, for every Market Day or other Day in the Week, not exceeding	- - - - -	0	1½
If the Stand and Passage in front be not covered over as above,			
If taken by the Year, not exceeding	- - - - -	4	0
By the Half Year, not exceeding	- - - - -	2	0
By the Quarter, not exceeding	- - - - -	1	0
If otherwise taken or occupied, for each Market Day or other Day in the Week, not exceeding	- - - - -	0	1
From the Occupier of each other Stand or Bench, according to the Size and Dimensions of the same; videlicet, for each superficial square Foot thereof,			
If the Stand or Bench, and the Passage in front thereof, be covered over from the Weather,			
If taken by the Year, not exceeding	- - - - -	5	0
By the Half Year, not exceeding	- - - - -	2	6
By the Quarter, not exceeding	- - - - -	1	3
If otherwise taken, for each Market Day or other Day in the Week, not exceeding	- - - - -	0	1½
If the Stand or Bench, and the Passage in front thereof, be not covered over as above,			
If taken by the Year, not exceeding	- - - - -	4	0
By the Half Year, not exceeding	- - - - -	2	0
By the Quarter, not exceeding	- - - - -	1	0
If otherwise taken, for each Market Day or other Day in the Week, not exceeding	- - - - -	0	1

From the Occupier of each Compartment or Space on the Surface of the Ground, according to the Size and Dimensions of the same, videlicet, for each superficial square Foot thereof

		s.	d.
	If the Compartment or Space, and the Passage adjoining the same, be covered over from the Weather,		
	If taken by the Year, not exceeding	3	10
	By the Half Year, not exceeding	1	11
	By the Quarter, not exceeding	0	11½
	If otherwise taken, for each Market Day or other Day in the Week, not exceeding	0	1
	If the Compartment or Space, and the Passage adjoining the same, be not covered over as above,		
	If taken by the Year, not exceeding	3	0
	By the Half Year, not exceeding	1	6
	By the Quarter, not exceeding	0	9
	If otherwise taken, for each Market Day or other Day in the Week, not exceeding	0	0½
	From every other Person exposing any Article, Matter, or Thing for Sale, in the said Markets, and not occupying any Stall, Stand, or Bench, nor any defined Compartment or Space on the Surface of the Ground,		
	If the Spot on which such Person shall stand, be covered over from the Weather,		
	For every Basket, Hamper, Parcel, or Quantity of such Article, Matter, or Thing not containing more than One Bushel, not exceeding	0	1½
	For every additional Half Bushel	0	0½
	If the Spot be not covered over as above,		
	For every Basket, Hamper, Parcel, or Quantity of such Article, Matter, or Thing not containing more than One Bushel, not exceeding	0	1
	For every additional Bushel	0	0½

The above-mentioned Tolls and Stallage in the said Markets and Fairs to be paid and payable in respect of the Occupation of any Stall, Bench, Compartment, or Space of Ground, as well by the original Taker or Occupier thereof for a Part or Portion of the Day or Space of Time, as by any subsequent Taker or Occupier of the same for any other Part or Portion of the Day or Space of Time.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1828.

32
78