



ANNO QUINTO & SEXTO

# GULIELMI IV. REGIS.

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## *Cap. c.*

An Act for the better paving, lighting, watching, cleansing, and otherwise improving the Borough of *Truro* in the County of *Cornwall*, and for forming a new Street within the same Borough.

[21st August 1835.]

**W**HEREAS an Act was passed in the Thirtieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for paving, cleansing, lighting, and widening the Streets, Lanes, and Passages, for removing and preventing Encroachments, Nuisances, and Annoyances, and for regulating the Porters and Drivers of Carts, within the Borough of Truro and Part of the adjoining Parishes in the County of Cornwall*: And whereas since the passing of the said recited Act the Population of the Parishes adjoining the said Borough of *Truro* has greatly increased and is still increasing, and many new Houses and other Buildings have been erected and continue to be erected in such adjoining Parishes, and the Owners or Occupiers of certain of such new Houses and other Buildings claim to be exempt, in respect of such new Houses and Buildings, from the Provisions of the said recited Act: And whereas, in pursuance of the Powers contained in the said recited Act, considerable Improvements have been made in the said Borough of *Truro* and in the Streets in the said adjoining Parishes, to the great Advantage of the Inhabitants and to the Convenience of the Public; but the Powers and Provisions of the said Act have been found in many respects defective and insufficient for the Purposes thereby intended, and it is fitting that

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[*Local.*]

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the

2 & 3 W. 4.  
c. 64.

Recited Act  
repealed.

Arrears of  
Rate under  
former Act  
to be reco-  
vered un-  
der this Act.

the same should be altered, amended, and enlarged, and additional Powers granted: And whereas it would be of great Advantage and Convenience to the Inhabitants and to the Public if the District comprised in the said Act were extended to and made co-extensive with the District comprised within the Limits of the Borough of *Truro* as such Limits are settled and described by and for the Purposes of an Act of Parliament passed in the Second and Third Years of the Reign of His present Majesty King *William* the Fourth, intituled *An Act to settle and describe the Divisions of Counties and the Limits of Cities and Boroughs in England and Wales, in so far as respects the Election of Members to serve in Parliament*, and if proper Regulations were made and established for Protection against Fire, and for the Police and Nightly Watch, and for removing and preventing Nuisances, Obstructions, Encroachments, and Annoyances, within the said Borough, and for regulating the Drivers of Carriages and Porters within the same; and it would facilitate the Execution of the Purposes aforesaid if the said recited Act of the Thirtieth Year of the Reign of His said Majesty King *George* the Third were repealed, and further, better, and more effectual Powers granted for carrying into execution the Purposes by the said Act and hereby intended: And whereas the opening, forming, and making a new Street or Road, commencing at or near a certain Bridge called the *West Bridge*, in the said Borough, and terminating at or near a certain Street called *Castle Street*, also in the said Borough, will be of great Advantage and Convenience to the Inhabitants of the said Borough and to the Public in general; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Third *Monday* next after the passing of this Act the said recited Act of the Thirtieth Year of the Reign of His Majesty King *George* the Third shall be and the same is hereby declared to be repealed, and from thenceforth this Act shall commence and be put into execution in the Manner herein-after mentioned.

II. And be it enacted, That if any Rates or Assessments, or any Arrears of Rates or Assessments, laid or assessed, or any Sums of Money whatsoever payable, by virtue of the said recited Act of the Thirtieth Year of the Reign of His said Majesty King *George* the Third, shall at the Time of the commencing of this Act remain due from or unpaid by any Tenant or Occupier or other Person whomsoever, such Tenant or Occupier or other Person as aforesaid shall remain and be liable to the Payment thereof notwithstanding the Repeal of the said recited Act; and all such Rates and Assessments, and Arrears of Rates and Assessments, or Sums of Money, shall be paid to and received by the Commissioners for executing this Act, or their Treasurer, Clerk, or Collector, and shall and may be recoverable and be recovered in the same Manner and by the same Ways and Means, as if such Rates or Assessments, Arrears of Rates or Assessments, or Sums of Money, had been laid or assessed or become due, under or by virtue of this Act.

III. And

III. And be it enacted, That each and every Treasurer, Clerk, Collector, Surety, or other Person in whose Hands, Custody, or Control any Money received or collected under or by virtue of the said first herein-before recited Act shall be at the Time of the passing of this Act, shall be and remain liable to pay, deliver up, and account for the same to the Commissioners for executing this Act, as if such Money had come to the Hands, Custody, or Control of any or every such Treasurer, Clerk, Collector, Surety, or other Person by virtue of this Act; and that all Contracts, Bonds, and Agreements entered into by the Commissioners acting by or under the first herein-before recited Act with any Person whomsoever, and all Contracts, Bonds, and Agreements entered into by any Person with the same Commissioners or any of them, shall, notwithstanding the Repeal of the said Act, subsist and continue in force in such Manner as, according to the Tenor thereof respectively, the same would have subsisted and continued in case the said recited Act had not been repealed; and it shall be lawful for the Commissioners under this Act to sue and be sued upon the same respectively, in such Manner and under the same Regulations as the same Commissioners are herein-after authorized to sue and be sued; and this Act, and also the Rates or Assessments hereby respectively granted or authorized to be raised and received, shall be and are hereby respectively made subject and liable to the Payment, as well of all Monies which have been borrowed and are now due and owing on the Credit or on account of the respective Rates granted or authorized to be received by or by virtue of the said first-recited Act, together with all Interest due and to grow due thereon respectively, as also of all Monies which may be borrowed on the Credit or on the Account of the respective Rates or Assessments hereby granted or authorized to be secured or received, together with all Interest to become due in respect thereof, as fully and effectually, to all Intents and Purposes whatsoever, as if such Monies respectively had been wholly borrowed and become due and owing on the Credit or on account of the Rates or Assessments hereby granted or authorized to be received.

Officers under former Act to account to Commissioners for this Act.

Contracts, Bonds, &c. made under recited Act to remain in force.

IV. And be it enacted, That the District mentioned and described in and by the said Act passed in the Second and Third Years of the Reign of His present Majesty as being the Boundary of the Borough of *Truro* for the Purposes of that Act, so far as respects the Election of Members to serve in Parliament, shall be deemed and taken to be and to constitute for all the Purposes of this Act the Borough of *Truro*, and all the Powers and Authorities given by this Act shall be construed to extend to and include all Persons and Properties within the said District; and wherever hereafter in this Act "the Borough of *Truro*" or "the said Borough" shall be mentioned or referred to, the same shall be understood and taken to include the entire District within the aforesaid Boundary.

District of the Borough, described.

V. And be it enacted, That the Mayor, Recorder, Aldermen, Capital Burgesses, and Town Clerk of the Borough of *Truro* for the Time being, together with *Richard Andrews, Thomas Barlow, Joseph Barrett, William Barrett, James Barrett, Richard Barrett, John Baynard, William Baynard, Robert Blee, John Blee, James Jacob Borlase,*

Commissioners appointed.

*Borlase, Charles Borlase, Henry Borrow, Charles Bottrall, John Brokenshir, Edward Budd, William Henry Bullmore, Henry Caddy, Joseph Carne, John Carpenter, John Carthew, William Traer Chappel, William Christoe, George Clyma, William Clyma, John Cock, Abraham Cock, Jeremiah Collins Clerk, Thomas Colliwer, Henry Conn, John Cuming, Elijah Davey, Richard Devonshire, Richard Doble, Edward Downe, Jacob Corin Edwards, John Ferris, Josephus Ferris, James Gatley, Henry Harris, Charles Hawke, Richard Hawken, Francis Hingston, Joseph Hodge, William Hodge, Thomas Ferris Hornblower, Joseph Seccombe Huddy, Samuel Hugo, John James, Silvanus James, John Jennings, James Job, Nicholas Johns, William Floyd Karkeek, William Peter Kempe, George Abraham Knight, Henry Lambè, Henry Lanyon, James Lowry, William Lidgey, Patrick Mackennal, Martin Magor, Thomas Mann, Robert Michell, William Michell, James Michell, Edward Michell, Samuel Milford, Henry Milford, Thomas Nicholas, John Paddon, John Pengelly Parkin, Robert Parkyn, Charles Pengelly, Anthony Plummer, Richard Poat, William Polyblank, Richard Polwehele Clerk, Paul Quick, George Read, Jeremiah Reynolds, William Rowe, John Rowe, William Rowe, James Robarts Rouse, Edward Sharpe, Charles Sholl, John Sim, George Simmons the younger, Nathaniel Spry Sleeman, Sir Samuel Thomas Spry, Edward John Spry, John Scalpen Stansmore, Nathaniel Cooper Stephens, Henry Sewell Stokes, Richard Taunton, William Henry Tealor, John Tippet, Richard Thomas, Thomas Smith Tregelles, Thomas Treloar, William Snowden Treleaven, Henry Trewolla the younger, William Trewolla, Lewis Truscott, Edmund Turner, William Tweedy, William Mansel Tweedy, James Uren, John Ennis Vivian, Thomas Whitford, George Wightman, John Williams, Octavius Williams, Stephen Tamblyn Williams, Humphry Willyams, James Wilson, George Woolley, and their Successors respectively to be elected in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for carrying this Act into execution, and such Commissioners shall be called and known by the Name of "The Commissioners for the Improvement of the Borough of Truro in the County of Cornwall."*

Qualification  
of Commis-  
sioners.

VI. And be it enacted; That no Person, whether he shall be a Commissioner by virtue of his Office of Mayor, Recorder, Alderman, Capital Burgess, or Town Clerk as aforesaid, or by being named in this Act, or by Election in manner herein-after described, shall be capable of acting as a Commissioner in any Case in the Execution of this Act during the Time he shall hold or enjoy any Office or Place of Profit under this Act, nor in any Case wherein he shall be in any-wise, personally or beneficially interested in the Matter in question either touching any Contract relating to the Execution of any of the Powers of this Act, or otherwise (except as a Creditor on the Rates or Assessments), nor unless he shall be an Inhabitant of the said Borough of *Truro*, or shall reside within the Distance of Seven Miles from the Town Hall thereof, nor unless he shall be in his own Right, or in right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments situate within the said Borough of the clear yearly Value of Twenty Pounds, held for an Estate of Inheritance, or for a Life or Lives, or for any Term of Ninety-nine Years

Years or upwards, either absolute or determinable on any Life or Lives, or shall be the Owner of Messuages, Lands, Tenements, or Hereditaments, situate within the said Borough, held for any such Estate or Interest as last mentioned, and of a Personal Estate jointly therewith, or of a Personal Estate alone, to the Amount or Value of Five hundred Pounds above all Debts or Demands, or shall be Tenant or Occupier of Houses, Shops, or other Buildings situate within the said Borough, being either alone, or with any Gardens, Curtilages, and Appurtenances attached thereto and occupied therewith, of the clear yearly Value of Twenty-five Pounds, nor until he shall have made and subscribed a Declaration in the Form of Words following (and an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the making and subscribing of such Declaration, and of the Date of making the same):

‘ I [A. B.] do solemnly and sincerely declare, That I will truly and impartially, according to the best of my Skill and Judgment, execute and perform the Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled [here insert the Title of this Act], and that I am duly qualified as a Commissioner under the said Act.’

Declaration  
of Commis-  
sioner.

VII. And be it enacted, That the Commissioners (save and except the Mayor, Recorder, Aldermen, Capital Burgesses, and Town Clerk for the Time being,) hereby appointed, or the Survivors of them, and who shall continue to be qualified to act as Commissioners in manner herein mentioned, shall be and remain Commissioners for executing this Act until the Second *Monday* in the Month of *September* next after the passing of this Act, and from thence for the Period of Seven Years; and on the Expiration of the said Seven Years, and also at the like Expiration of every succeeding Seven Years, from such Second *Monday* in the said Month of *September*, the Commissioners hereby appointed and hereafter to be appointed in manner herein-after mentioned shall cease to be Commissioners, and their Places shall be supplied in manner following; (that is to say,) on the said Second *Monday* in the said Month of *September* which will be in the Year of our Lord One thousand eight hundred and forty-two, and on the Second *Monday* in the Month of *September* in every succeeding Seventh Year, a Meeting of the Inhabitant Rate-payers within the said Borough who shall be duly qualified to vote for Members of Parliament for the said Borough, or who now are or who may at any Time hereafter be qualified to vote for Members of any Municipal Corporation of the said Borough, shall be held in the Town Hall, or some other convenient Place within the said Borough, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of the same Day, for the Election of Commissioners to fill up the Vacancies which shall have occurred in the List of Commissioners, so as to keep up the same Number of Commissioners as are hereby appointed; and at such Election the Mayor of the said Borough, or his Deputy, to be appointed by the said Mayor, and who shall be one of the said Commissioners, shall preside; and such Mayor or his Deputy shall, in the first place, cause the said Inhabitant

Mode of  
electing Com-  
missioners.

[Local.]

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Rate-payers to nominate by Show of Hands Eight of the Persons then present to be Assistants to the said Mayor or his Deputy in counting the Votes of the said Inhabitant Rate-payers, and afterwards a Show of Hands shall be taken of such Inhabitant Rate-payers for and against each Person who shall be proposed as a Commissioner, or a Division of such Rate-payers who shall vote for and against the Person proposed, for the Convenience of ascertaining the Majority, shall take place in such Manner and under such Regulations as the Mayor of the said Borough for the Time being, or his Deputy, shall direct, or by both the Ways and Means aforesaid if the said Mayor for the Time being or his Deputy shall so direct before the Adjudication of the said Assistants shall have been delivered as after mentioned; and in case a Majority of the Assistants to the said Mayor or his Deputy shall by Writing under their Hands judge the Show of Hands or the Majority of Votes, to be ascertained as aforesaid, to be in favour of the Person proposed, he shall be declared to be duly elected a Commissioner; and in case a Majority of such Assistants shall by Writing under their Hands judge the Show of Hands or the Majority of Votes, to be ascertained as aforesaid, to be against him, he shall be taken to be rejected; and in case on any such Occasion the said Eight Assistants shall be equally divided in Opinion on any Show of Hands or counting of Votes, to be ascertained as aforesaid, the said Mayor or his Deputy shall decide the Question: Provided always, that if before the Expiration of the said Seven Years from the said Second *Monday* in the said Month of *September* next, or if before the Expiration of any succeeding Seven Years as aforesaid, the Number of Commissioners, exclusive of the said Mayor, Recorder, Aldermen, Capital Burgesses, and Town Clerk for the Time being, shall be reduced to Eighty, the said Commissioners shall, at their next or second Meeting after such Event shall happen, give Notice of a Meeting of the said Inhabitant Rate-payers who shall be duly qualified as aforesaid to be held as aforesaid within the Period of Fourteen Days after the Meeting at which such Notice shall be given; and at such Meeting of such Inhabitant Rate-payers all Vacancies which shall have occurred in the List of the said Commissioners shall be filled up in like Manner as is herein-before directed, but the Persons who shall be elected Commissioners at such last-mentioned Meetings as aforesaid shall be and remain Commissioners only for such Period as the Commissioners in whose Place they were elected would have remained Commissioners under the Provisions of this Act: Provided always, that if at any Meeting to be held as aforesaid the Number of Commissioners required shall not have been duly elected on any One Day, it shall be lawful for the Mayor of the said Borough for the Time being, or his Deputy, to adjourn the said Meeting from Day to Day until the Number of Commissioners required shall, within the Hours aforesaid, on such further or other Day or Days of Meeting, have been elected; and if from any Cause any such Election shall be declared to be or become void, another Meeting shall be called as last aforesaid so soon as conveniently may be after such Election shall be declared to be or shall become void as aforesaid, to complete the requisite Number of Commissioners; and if on any Occasion it shall happen, before the Election of Commissioners as aforesaid shall have been completed, that any One or more

of

of the Eight Persons to be nominated as aforesaid shall refuse or become or be incapable to act, it shall be lawful for the said Inhabitant Rate-payers as aforesaid, and they are hereby required, at the Request of the said Mayor or his Deputy, to nominate as aforesaid another or other Person or Persons to act in the Stead or Place of such One or more of the said Eight Persons who may refuse, become or be incapable to act as aforesaid; and in default of or of the Refusal of the said Inhabitants as aforesaid to nominate such other Person or Persons, as aforesaid it shall be lawful for the said Mayor or his Deputy for the Time being to name such other Person or Persons as aforesaid.

VIII. And be it enacted, That it shall be lawful for any Commissioner who shall be in the Commission of the Peace to act as Justice of the Peace in the Execution of this Act notwithstanding his being a Commissioner.

Commissioner, being a Justice, may act.

IX. And be it enacted, That if any Commissioner appointed or to be appointed, or if any Person who shall be nominated for Election as a Commissioner, by virtue of this Act, shall be or become bankrupt, or shall petition for his Discharge under any Act for the Relief of Insolvent Debtors, or shall compound by Deed in Writing with his Creditors for Discharge from admitted Debts by Payment of less than their whole Demands, such Commissioner or Person as aforesaid shall be or shall thereupon become and be disqualified to be elected or to act as a Commissioner under this Act until he shall have paid to each and every Creditor the whole Amount of the Debts due from him, and obtained a Release from every such Creditor for the same.

Disqualification of Commissioners.

X. And be it enacted, That if any Person not being qualified as aforesaid, or not having made and subscribed such Declaration as aforesaid, or being or becoming in any Manner disqualified as aforesaid, shall act as a Commissioner in the Execution of this Act, every such Person shall for every Occasion on which he shall so act forfeit and pay the Sum of Ten Pounds: Provided always, that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, though not duly qualified, done previous to his being convicted, shall be as valid and effectual as if such Person had been duly qualified as aforesaid; and in case such Commissioner shall establish his Qualification on any such Occasion as aforesaid, and shall not recover his Costs to which he may be subjected thereby, he shall be entitled to receive the same, by the Order of the said Commissioners, from the Treasurer, out of the Rates to be levied under the Authority of this Act.

Penalty on disqualified Persons acting as Commissioners.

XI. And be it enacted, That the Commissioners shall hold their First Meeting for the Execution of this Act at the Town Hall or Council Hall of and within the Borough of *Truro* aforesaid, within One Calendar Month next after the passing of this Act, between the Hours of Eleven in the Forenoon and One in the Afternoon, or on such other Day and Time as the Commissioners, or any Three or more of them, although not assembled at a Meeting, shall think fit to appoint by Notice in Writing to be affixed on the Belfry Door of the Church

First and other Meetings.

Church of *Saint Mary*, and at the front Entrance to the Market Place within the said Borough respectively, or in some other conspicuous Places within the said Borough, at least Seven Days before the Day of meeting, and after such First Meeting the Commissioners shall and they are hereby required to meet on the First and Third *Tuesdays* in every successive Calendar Month throughout the same and every succeeding Year.

For calling  
Special  
Meetings.

XII. And be it enacted, That if it shall at any Time be thought necessary to hold a Meeting in the Interval between the Days hereinbefore appointed for holding Meetings, then and in every such Case it shall be lawful for the Commissioners, or any Three or more of them, or for their Clerk at the Request in Writing of any Three or more of the Commissioners, and they or he are and is hereby required to call a Special Meeting, of which Two Days previous Notice at the least shall be given by the Clerk, stating the Business proposed or intended to be done at such Special Meeting: Provided always, that no other Business shall be transacted at any such Special Meeting as aforesaid than what shall have been specified in such Notices as being the Purport for which such Meeting shall be called.

Proceeding  
by Seven or  
more Com-  
missioners to  
be as valid  
as if all the  
Commis-  
sioners had  
acted, except  
where direct-  
ed to be done  
by any other  
Number.

XIII. And be it enacted, That the Powers and Authorities by this Act given to, and all the Provisions, Matters, or Things by this Act directed and authorized to be done, performed, or executed by, or with relation to, or before the Commissioners for executing the same, shall and may be done, performed, and executed by, with relation to, or before any Seven or more of the Commissioners assembled at any Meeting to be held in pursuance of this Act, and the same shall be of as full Force and Effect as if performed, executed, or done by, with relation to, or before all the Commissioners (except only in such Cases in which any such Power, Authority, Provision, Matter, or Thing is by this Act particularly directed or authorized to be done, performed, or executed by, or with relation to, or before any other Number of Commissioners, or in any other Manner); and all Acts, Orders, Proceedings, and Determinations of the Commissioners acting in the Execution of this Act, made or done at any such Meeting consisting of Seven or more Commissioners, wherein the major Part of the Commissioners present at such Meeting shall concur, shall be as valid and effectual as if all the Commissioners present at such Meeting had concurred therein; and at all such Meetings One of the Commissioners then present shall be appointed Chairman by the Majority of the Commissioners then present; and in all Cases where there shall be upon any Question an Equality of Votes (excluding the Vote of the Chairman) such Chairman shall have the decisive or casting Vote; and at all such Meetings the Commissioners present shall pay and defray their own Expences.

No Order to  
be revoked  
or altered  
except after  
special No-  
tice and by a  
greater

XIV. And be it enacted, That no Order, Appointment, or Proceeding whatever made at any Meeting of the Commissioners holden in pursuance of this Act shall be revoked or altered at any subsequent Meeting, unless at a Meeting holden for that express Purpose, nor unless Notice specifying the Revocation or Alteration proposed or intended to be made, signed by One or more of the Commissioners:

or



or by the Clerk to the Commissioners, shall be given, as herein-after next mentioned, at least Seven Days before such subsequent Meeting, nor unless a Majority of the Commissioners present at such subsequent Meeting shall decide in favour of such Revocation or Alteration, nor unless Seven or more Commissioners shall be present at such subsequent Meeting than were present at the Meeting when such Order, Appointment, or Proceeding was had or made.

Number of Commissioners present.

XV. And be it enacted, That all Notices by this Act directed to be given to the Commissioners or to any other Person (and which are not by this Act otherwise directed or provided for) shall be given to the several Commissioners and other Person in the Name of the Clerk to the Commissioners by sending such Notices by Post, or by the Delivery thereof to such respective Commissioners or other Person in Person, or by leaving the same at the last known or usual Place of Abode of the Commissioners or other Person respectively; and that Notices so left shall be deemed and considered the same as personal Notices; and that all other Notices authorized or directed by this Act to be given by any Person to the Commissioners shall and may be delivered to their Clerk personally, or be left at his Office or other Place of Business.

Notice of Meetings, &c. to be given by the Clerk.

XVI. And be it enacted, That it shall be lawful for the Commissioners, or any Thirteen or more of them, at a Special Meeting to be convened for that Purpose, and they are hereby authorized and required, from Time to Time to nominate and appoint some Person to be Treasurer, Two Persons to be Assessors, another Person to be Clerk and Collector of the Rates herein-after mentioned, and also to nominate and appoint a Surveyor and such other Officers as the Commissioners shall think necessary and proper for the due Execution of this Act; and the Commissioners are hereby required to take Security from their Treasurer, Collector, or such of the said Officers as shall be intrusted with the Collection or the Receipt and Disbursement of Money, for the due Execution of his Office; and it shall be lawful for the Commissioners from Time to Time to remove and displace any of such Officers, and to nominate and appoint another or others in the Room or Place of any of them who shall be so removed or displaced, or who shall die, or resign such Office, or become incapable of acting therein, public Notice of the Time and Place of meeting for the Purpose of filling up every such Vacancy thereby occasioned being first given by affixing a Notice in Writing thereof to the Belfry Door of the Church of *Saint Mary*, and at the front Entrance to the Market Place within the said Borough respectively, or in some other conspicuous Places within the said Borough, at least Ten Days before the Day appointed for holding the Meeting for such Election, and out of the Monies to be raised as herein-after mentioned to make and pay such Salaries or other Allowances to such Officers respectively, and also to such other Persons as shall be aiding and assisting the Commissioners in the Execution of this Act, as to the Commissioners shall from Time to Time seem reasonable.

Appointment of Clerk and other Officers.

Commissioners required to take Security from Treasurer and other Officers.

XVII. Provided always, and be it enacted, That it shall not be lawful for the Commissioners to continue or appoint any Person who

Clerk not to be Treasurer, and vice versa.

[Local.]

maybe appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to continue or appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the Commissioners for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Suit, or Information,

Penalty on  
Officers  
taking any  
Fee or Re-  
ward.

XVIII. And be it enacted, That if any Treasurer, Clerk, or other Officer employed by the Commissioners for the Purposes of this Act shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever (other than such Salary or Allowance as shall be appointed and allowed by the Commissioners, or as is specified and allowed in and by this Act,) for or on account of any thing done by virtue of this Act, or for forbearing to do any thing ordered or directed by the Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the Commissioners for the Purposes of this Act, every such Person so offending shall, if the said Commissioners or any Thirteen or more of them shall so order, be incapable afterwards of serving or being employed under the Commissioners, and shall forfeit and pay the Sum of Twenty Pounds for every such Offence.

Officers  
account.

XIX. And be it enacted, That all such Officers as shall be so appointed to any of the Offices aforesaid shall, at such Time and Times and in such Manner as the Commissioners shall direct, deliver to the Commissioners or to such Person as they shall appoint true and perfect Accounts in Writing of all Matters and Things committed to the Charge of such Officers respectively, and all Monies which shall have been received by such Officers and Persons respectively, by virtue or for the Purposes of this Act, how much thereof hath been paid and disbursed, and to whom and for what Purposes, together with Vouchers and Receipts for such Payments, and shall pay all such Money as shall remain due from them respectively to the Commissioners or such Person as they shall appoint; and if any such Officer or Person shall refuse or neglect to make and render any such Ac-

counts, or to produce and deliver up such Vouchers and Receipts relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the Commissioners or to such Person as they shall appoint, within Twenty-one Days after being thereunto required by the Commissioners by Notice in Writing to be given to or left at the last known or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Information and Satisfaction to the Commissioners respecting the same, then and in every such Case, upon Complaint made by the Commissioners, or any One or more of them, or their Clerk, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place wherein such Officer or Person so neglecting or refusing shall reside or be, such Justice may and he is hereby authorized and required by Warrant under his Hand and Seal to cause the Officer or Person so refusing or neglecting to be brought before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath (which Oath such Justice is hereby authorized to administer), it shall appear to such Justice that any of the Money which shall have been collected or raised by virtue of this Act shall be in the Hands of such last-mentioned Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods and Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges for distraining and selling the same, or if it shall appear to such Justice that such Officer or Person has refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, Town Corporate, or Place where such Offender shall be and reside, there to remain without Bail or Mainprize until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the Commissioners are hereby empowered to make and receive); and until he shall have given up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the Commissioners or to such Justice: Provided always, that no Person who shall be committed by virtue of this Act on account of not having sufficient Goods and Chattels shall be detained in Prison for any longer Time than Three Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, the Commitment of him to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety, but such Officer or Person and his Surety shall

shall remain liable for the Payment thereof in the same Manner as if such Officer had not been committed to Prison.

In case Officer dies, his Executors to account.

XX. And be it enacted, That in case of the Death or Insolvency of any Officer or other Person before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of this Act, or made such Composition for the same as aforesaid, then and in every such Case the Executors or Administrators of such Officer or other Person so dying shall, in case of Death, in a due Course of Administration, or the Trustee or Assignee of such Officer or other Person who shall become insolvent, shall pay and satisfy the same out of the Estate and Effects of such Officer or other Person to the Commissioners or any Person appointed by them in that Behalf, in like Manner as other Debts are directed by Law to be discharged by such Executors or Administrators, and shall also deliver up all Books, Papers, Writings, and other Things concerning his Office or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators, Trustee or Assignee as aforesaid; and in case of the Non-delivery of such Books, Papers, Writings, and Things for the Space of Twenty-one Days after Demand made thereof in Writing by or on the Behalf of the Commissioners, it shall be lawful for the Commissioners to commence and prosecute an Action in any of His Majesty's Courts of Record at *Westminster* against such Executors, Administrators, Trustee, or Assignee, for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action full Costs of Suit shall be recoverable by the Commissioners: Provided also, that nothing herein contained shall be construed to exonerate any Surety of any such Officer or other Person from the Liability to pay or make good the Balance of any Monies remaining due from such Officer or other Person, but such Surety shall remain liable to the Payment thereof in the same Manner as if such Officer or other Person were still alive and solvent.

Proceedings to be entered in a Book, and signed by Chairman and Majority of the Commissioners present at each Meeting.

XXI. And be it enacted, That the Commissioners shall cause proper Books to be provided and kept, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all such Commissioners as shall be present at their several Meetings; and all Entries in such Books shall be signed by the Chairman and by a Majority of the Commissioners present at each Meeting; and all Entries so signed shall be deemed Originals, and the said Books shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and such Books shall be kept by the Clerk to the Commissioners, and shall at all seasonable Times be open to the Inspection of the Commissioners and of any other Person charged to the Rates herein-after granted and made payable, or any Creditor of the said Rates, without Fee or Reward.

Books of Account to be kept by the Clerk.

XXII. And be it enacted, That the Commissioners shall and they are hereby required from Time to Time and at all Times hereafter to order and direct a Book to be provided and kept by their Clerk for the Time being, in which Book such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money which shall be

be received, paid, laid out, and expended, in pursuance of the Powers and Provisions of this Act, by or for or on account of the Commissioners, and of the several Articles, Matters, and Things for which such Sums of Money shall have been paid, laid out, and expended; which Book shall at all seasonable Times be open to the Inspection of the Commissioners, and any Creditor of the Rates hereby granted, and any Person who shall be rated to the same, without Fee or Reward; and the Commissioners and Creditors and such Persons rated as aforesaid, or any of them, shall and may take Copies of or Extracts from the said last-mentioned Book or any Part thereof without paying any thing for the same; and in case the Clerk shall refuse to permit or shall not permit the Commissioners, or such Creditors, or such Persons so rated as aforesaid, or any of them, to inspect the same Book, or to take such Copies or Extracts as aforesaid, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XXIII. And be it enacted, That an Annual Meeting of the Commissioners shall be held on the last *Tuesday* in the Month of *October* in the Year One thousand eight hundred and thirty-five, and on the last *Tuesday* in the Month of *October* in every succeeding Year, which Meeting shall be called the Annual General Meeting of the Commissioners; and at such Annual General Meeting or some Adjournment thereof the Accounts of all Monies received and paid, in pursuance of the Powers and Provisions of this Act, by or for or on account of the Commissioners, shall be produced, stated, examined, audited, and settled.

Accounts to be audited at the Annual Meeting.

XXIV. And be it enacted, That the Commissioners may sue and be sued in the Name of any One of the Commissioners as such Commissioner, or in the Name of their Treasurer or Clerk for the Time being; and no Action or Suit so to be brought or commenced by or against any such Commissioner, Treasurer, or Clerk shall abate or discontinue by reason of the Death of such Commissioner, or by reason of such Individual ceasing to be a Commissioner, or by the Death, Removal, or Default of any such Commissioner, Treasurer, or Clerk, but shall be continued and carried on in the Name of the Commissioner, Treasurer, or Clerk (as the Case may be) in whose Name the same shall have been brought, and the Commissioner, Treasurer, or Clerk shall always be Plaintiff or Defendant in such Action or Suit, as the Case may be: Provided always, that all Costs, Charges, Damages, and Expences to be incurred by the said Commissioner, Treasurer, or Clerk for the Time being in prosecuting or defending any Action or Suit touching the Execution of this Act shall be defrayed out of the Money to be collected and raised under the Provisions of this Act: Provided also, that such Commissioner, Treasurer, or Clerk shall not on that Account be deemed an inadmissible Witness in any such Action or Suit, except only in such Action or Suit as shall be on his own personal Account.

Commissioners may sue and be sued.

XXV. And be it enacted, That all the present and future Pavements, Flagstones, Curbstones, Stone, Gravel, and all other Materials of and in the several present and future public Streets, Lanes, Roads,

Pavements vested in Commissioners.

Roads, Passages, and other Places, as well Carriage as Foot Ways, in the said Borough, which now are or hereafter may be placed under the Direction and Management of the Commissioners, and which they now are or hereafter may be liable to pave and repair, and all Materials, and other Articles, Matters, and Things, purchased or provided for the Purposes of this Act, shall belong to and be the Property of and the same are hereby vested in the Commissioners; and the Commissioners shall and may cause to be brought any Action, or direct the preferring of any Bill of Indictment (as the Case may require), against any Person who may steal, take, or carry away, or detain, spoil, injure, damage, or destroy, the several Articles, Matters, and Things hereby vested in them the Commissioners as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Thing for or on account of which such Action shall be brought, or Bill of Indictment preferred, is the Property of "The Commissioners for the Improvement of the Borough of *Truro* in the County of *Cornwall*," without particularly mentioning or specifying the Names of all or any of such Commissioners; and the Commissioners shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part of the same respectively, for the Purposes of this Act, to such Person, at such Time, and in such Manner as the Commissioners shall think proper; and if any Person shall wilfully or maliciously break, injure, damage, or destroy any of the Articles, Matters, or Things hereby vested in the Commissioners or any of them, or any Part thereof, or any of the Works done or to be done in pursuance of this Act, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Power to  
Commissioners to pave  
the Streets.

XXVI. And be it enacted, That it shall be lawful for the Commissioners, and they are hereby authorized and empowered, from Time to Time, when and so often and in such Manner as they shall think proper and necessary, to cause the present and the future public Streets, Lanes, Roads, Passages, and all other Places, as well Carriage as Foot Ways, within the Borough of *Truro*, and each and every of them, and each and every or any Part thereof respectively, to be paved, and stoned with small Stones after the Manner of Turnpike Roads, flagged, or otherwise repaired and amended, and widened and improved, and the same, and the Pavements, Stones, Flagging, and other Materials thereof, to be taken up and relaid, and the Ground or Soil thereof to be raised, lowered, or altered from Time to Time, and in such Manner and with such Materials as the Commissioners shall think fit, and to erect or set up, or cause to be erected or set up, any Posts, Rails, Pales, or Fences in or near any Place where the Commissioners shall think proper for the better Security of Passengers, Cattle, or Carriages, or of the said Pavements or Curbstones or Flagging, from Damage by Waggon, Carts, or other Carriages, and to remove the same at their Discretion.

New Streets,  
when laid  
out and

XXVII. And be it enacted, That whenever any new Street, Lane, Road, Passage, or Place within the said Borough shall be laid out

out and formed, then, on Application of the Owners of the Soil or a Majority of them in Value, it shall be lawful for the Commissioners and they are hereby required from Time to Time by any Writing under their Hands to declare the same to be a public Street, Lane, Road, Passage, or Place, and from and after such Declaration made such Street, Lane, Road, Passage, or Place shall be deemed and taken to be a public Highway to all Intents and Purposes, and shall be from thenceforth paved, repaired, and kept in repair by the Commissioners in the same Way and Manner as the other Parts of the Streets, Lanes, Roads, Passages, and Places within the said Borough are by this Act directed to be repaired and kept in repair.

formed, may be declared public, and paved by the Commissioners.

XXVIII. And be it enacted, That the Trustees of so much and such Parts of the several Turnpike Roads which pass within the said Borough, having Houses built on each Side thereof for the Space of One hundred Yards together, shall be exonerated and discharged from the Repairs of such Parts of the said Roads respectively as lie within the said Borough, and the same shall thenceforth cease to belong to the said Turnpike Roads, or to be under the Control or Management of the Trustees thereof, but the same shall from Time to Time thereafter be repaired, maintained, supported, and kept in repair by the said Commissioners: Provided always, and it is hereby declared, that nothing in this Act contained shall authorize or empower the said Commissioners to take away, remove, or interfere with any of the Toll Houses, Toll Gates, Bars, or Chains erected and now standing and being upon, across, or by the Side of the Streets or Roads within the said Borough or elsewhere, and which have been so erected under or by virtue of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making, repairing, and improving certain Roads leading to and from Truro in the County of Cornwall*, nor with the Receipt of the Tolls or Monies at the said Gates, Bars, or Chains, or any of them, but that the net Proceeds to be collected or received or which shall become payable at the said Gates, Bars, or Chains, or any of them, shall be applied by the Trustees for the Time being acting under the Authority of the said Act in the Discharge of the Debts or Sums of Money now due and owing by the said Trustees under the said Act, and the Interest due and to become due in respect thereof, and of all other Charges relative to the said Trust, except the Repairs of the Roads; and from and after the full Payment and Discharge of such Principal Money and Interest the said Toll Gates, Bars, and Chains shall be removed by the said Commissioners.

Turnpike Roads within the Borough having Houses built, &c. to be under Control of Commissioners.

Commissioners not to take away Toll Bars now erected.

9 G. 4. c. 3.

XXIX. And be it enacted, That it shall be lawful for the Commissioners, and they are hereby authorized and empowered, from Time to Time to cause to be cut or made in, through, over, or under any of the said Streets, Lanes, Roads, Passages, and other Places within the said Borough, any new Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses, and also from Time to Time to cause any of the present or any future Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses, or any Part thereof respectively, to be stopped up, opened, scoured, cleansed, widened, straightened, or deepened.

Commissioners may make public Drains.

deepened, or the Form or Line thereof to be turned, altered, varied, or changed, in such a Manner as the Commissioners shall think fit.

Private  
Drains to be  
repaired, &c.  
at Expence  
of Owners.

XXX. And be it enacted, That all private Drains which now are or by Permission of the Commissioners shall hereafter be made within any of the said Streets, Lanes, Roads, Passages, and other Places within the said Borough, and which do or shall issue into or communicate with any of the public Sewers or Drains, shall be repaired and cleansed, under the Inspection and Direction of the Surveyor or other proper Officer of the Commissioners, at the Costs and Charges of the Owner or Occupier of the Messuages, Buildings, Lands, or Tenements to which the said private Drains do or shall respectively belong.

Not to com-  
municate  
with public  
Drains with-  
out Consent  
of Commis-  
sioners.

XXXI. And be it enacted, That if any Person shall at any Time hereafter make any private Drain, so as to issue into or communicate with any public Drain in any of the said Streets, Lanes, Roads, Passages, and other Places, without the previous Consent or Authority of the Commissioners in Writing signed by the Clerk of the Commissioners, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds and not less than Twenty Shillings.

After Notice,  
Surveyors to  
cleanse and  
make private  
Drains, &c.

XXXII. And be it enacted, That it shall be lawful for the Commissioners to order their Surveyor for the Time being, or any other Person employed by the Commissioners, and such Surveyor or other Person is hereby respectively authorized and empowered, from Time to Time to open, scour, cleanse, widen, straighten, make deeper, turn, alter, vary, or stop any of the present or future private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses running into, over, under, through, adjoining, or upon any of the Streets, Lanes, Roads, Passages, or other Places within the said Borough, or to make or cause to be made any new private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses in, through, under, over, or adjoining to any such Streets, Lanes, Roads, Passages, or other Places within the said Borough, for the Purpose of conveying, draining, and taking away any Sinkfloat or other refuse Water, and preventing the same from running over the Surface of the Streets, Lanes, Roads, Passages, and other Places, in case the Owner or Occupier of the Messuages, Buildings, Lands, or Tenements adjoining the same shall neglect or refuse so to do for Ten Days next after Notice in Writing signed by the Commissioners, and delivered to, or left at the last known or usual Place of Abode of such Owner or Occupier, requiring him so to do: Provided always, that the Costs, Charges, and Expences of the Works so to be done or made by Order of the Commissioners in manner aforesaid (such Costs, Charges, and Expences being first settled and ascertained by the Commissioners,) shall be reimbursed to their Surveyor or other Person by such Owner or Occupier on Demand, or within Seven Days next afterwards; and in case of Nonpayment of such Costs, Charges, and Expences the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier, by Warrant under the Hand and Seal of

The Costs  
and Charges  
to be paid  
by Owners.



any Justice of the Peace for the said Borough or for the County of *Cornwall*, together with the Expences of such Distress and Sale, returning the Overplus (if any) to such Owner or Occupier; or it shall be lawful for the Commissioners to order any such private Tunnel, Gutter, Sink, Drain, Ditch, Sewer, or Watercourse which shall not be opened, scoured, cleansed, widened, straightened, made deeper, turned, altered, or varied as aforesaid, to be cut off, as to the Commissioners shall seem proper.

XXXIII. And be it enacted, That if any Person shall at any Time hereafter take up, remove, or alter, or cause to be taken up, removed, or altered, any Part of the Pavements, Stones, Curbstones, Flags, or other Materials of the Carriageways or Footways in the said Streets, Lanes, Roads, Passages, or other Places, or any of them, or shall make or cause to be made any Alteration in any of the Tunnels, Gutters, Sinks, Drains, or Watercourses therein, without the previous Consent or Authority of the Commissioners in Writing, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Ten Shillings, unless in case of Fire or other Necessity, to be judged of by the Justice before whom the Matter shall be heard.

Not to take up Pavement or alter Drains without Consent of Commissioners.

XXXIV. And be it enacted, That it shall be lawful for the Commissioners, and they are hereby authorized and empowered, from Time to Time, when and so often and in such Manner as they shall think proper and necessary, and for such Persons as the Commissioners shall employ and appoint, having an Order in Writing under the Hands of the Commissioners for that Purpose, to search and dig for, cut, gather, take, and carry away, any Stone, Gravel, Sand, or other Materials fit and proper for the raising, repairing, paving, covering the Pavement, and pitching of the said Streets, Lanes, Roads, Passages, and other Places, or which they shall adjudge otherwise necessary and proper to be used in or about the Streets, Lanes, Roads, Passages, and other Places, out of or from any Waste or Common within the said Borough, or within any adjoining Parish, or out of or from and over the Land or Ground of any Person, not being Ground built on, or a Yard, Garden, Orchard, or Nursery for Trees, or Land improved as Pleasure Ground, previously to the giving of Notice as herein-after mentioned, where the same may or are likely to be found, such Commissioners or other Persons filling up or railing or fencing off the Pits, levelling the Grounds, and sloping down the Banks where such Materials shall be taken, so that the same may not remain in a dangerous State, and paying or tendering to the Owners and Occupiers of such Waste or Common and Land, for the Materials and for the Damage which shall be done to such Waste or Common and Land thereby, such Equivalent in Money as shall be agreed upon between the Commissioners and such Owners and Occupiers, or, in case of any Difference between them, by any Two Justices of the Peace for the said County of *Cornwall*, who shall, on the Application of the said Parties or either of them, and who are hereby authorized in a summary Way to ascertain and determine the Amount to be paid for such Materials and Damages, having due Regard to the compulsory Nature of the Power hereby given in their Valuation of the Property

Power to get Materials.

of the said Owners and Occupiers, and the Judgment or Order of the said Justices therein shall be final and conclusive to all Parties.

Notice to be given before Materials are taken, and Justices to decide therein.

XXXV. Provided always, and be it enacted, That it shall not be lawful for the Commissioners or for any Person acting under their Authority to search for, dig, cut, gather, take, or carry away any Stone or other Materials as aforesaid until Seven Days previous Notice in Writing under the Hands of Three of the Commissioners, or under the Hand of such Person as they shall appoint for that Purpose, shall have been given to the Owner of the Premises from which such Materials are intended to be taken, or his known Agent, or to the Occupier of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner or Occupier, to appear before any Two Justices of the Peace acting for the County or Place wherein the Lands from whence such Materials are intended to be taken shall lie, to show Cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, such Justices shall, if they think proper, authorize the Commissioners or such Persons as they may appoint to search for, dig, cut, gather, take, and carry away such Materials at such Time or Times as to such Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or his Agent the said Justices shall and may (upon Proof on Oath of the Service of such Notice, and which Oath they are hereby empowered to administer,) make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier or his Agent had attended.

Penalty on taking away Materials laid upon or near to Roads.

XXXVI. And be it enacted, That if any Person shall remove or take away any Stones, Gravel, or other Materials laid upon or near such Streets, Lanes, Roads, Passages, or other Places, or any Part thereof, without the Order of the Commissioners for that Purpose, or if any Person shall take away any Stones, Gravel, or other Materials which have been dug, got, or gathered, by or by Order of the Commissioners, in any Stone Quarry or other Quarry, for the Purpose of amending or repairing such Streets, Lanes, Roads, Passages, or other Places, or any Part thereof, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Ten Shillings.

Streets may be watered.

XXXVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause all or any of the Streets, Lanes, Roads, Passages, and other public Places within the said Borough to be watered at such Seasons and Times as the Commissioners shall direct, and for such Purpose to contract and agree with the Owner of any Stream or Spring of Water for turning or diverting the same into, through, or over the said Streets, Lanes, Roads, Passages, and other public Places within the said Borough, as to the Commissioners shall seem meet and proper.

Provision for lighting the Streets.

XXXVIII. And be it enacted, That it shall be lawful for the Commissioners, and they are hereby authorized and empowered to

cause the Streets, Lanes, Roads, Passages, and other Places in the said Borough, although the same or any of them shall not be public Highways, to be well and sufficiently lighted with Gas or with Oil, or in some other Manner, and from Time to Time hereafter to purchase and provide such and so many Glass Lamps or other Lamps of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts, as they shall judge necessary, and to direct the same respectively to be or remain affixed or set up upon or against the Walls, Posts, or Palisades of all or any of the several Houses or Buildings, or upon or against any other Walls, or in or upon such other Places within the said Borough, and to be altered, taken down, or renewed in such Manner as they shall think fit, and to cause such Lamps or any of them to be lighted either with Gas or with Oil, or otherwise, at such Times and Seasons of the Year, and on such Evenings, and on such Hours of the Evening, and to be kept burning for so many Hours, as to them shall seem necessary or proper for the well and sufficiently lighting of all or any of the said Streets, Lanes, Roads, Passages, and other Places within the said Borough.

XXXIX. Provided always, and be it enacted, That if the Commissioners, or any Body Politic or Corporate, or Person whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Borough, shall at any Time empty, drain, conduct, or convey, or cause or suffer to be emptied, drained, conducted, or conveyed, or to run or flow, any Washings or other Waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the Commissioners, or Body Politic or Corporate, or Person so offending shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Complaint, Suit, or Information, and the whole thereof shall be paid to the Person who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same shall be sued for within Six Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been sued for or recovered or not), in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct,

Penalty on Washings draining into Rivers, Wells, &c.

not to be  
sued for

duct,

duct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person to whom the same shall belong, or by any other Person whomsoever, to the Commissioners, or Body Politic or Corporate, or Person as aforesaid, and the Commissioners, or Body Politic or Corporate, or Person shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the Commissioners, or Body Politic or Corporate, or Person shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and the Amount of such last-mentioned Penalty shall and may be adjudged, recovered, and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person who, in the Judgment of the Justice before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

For stopping  
the Escape of  
Gas.

XL. And be it enacted, That whenever any Gas shall be found to escape from any of the Pipes which now are or which shall hereafter be laid down or set up within the said Borough by the Commissioners, or by any Body Politic, Corporate, or Person who shall make, furnish, or supply any Gas as aforesaid, such Commissioners, Body Politic, Corporate, or Person shall, at their or his own Expence, immediately after receiving Notice by Parol or in Writing of any such Escape of Gas from any Person whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the Commissioners, Body Politic, Corporate, or Person as aforesaid shall not, within Twenty-four Hours next after such Notice as aforesaid being given, effectually stop and prevent the Gas from further escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case they or he shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way on the Oath of any credible Witness before any Justice of the Peace for the said Borough or County, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Party offending, by the Warrant of any such Justice of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered by this Act.

XLI. And

XLI. And be it enacted, That when and so often as the Commissioners, their Servants, Agents, or Workmen, shall dig or sink any Trench for laying any Main or Main Pipe or other Apparatus, or shall open any Ground, for the Purposes of this Act or any of them, in, upon, or near to which any Water Pipe shall have been laid or placed for the Purpose of conveying Water into or about the said Borough, or any Branch of any such Water Pipe for the Service or Supply of any Dwelling House, Manufactory, public or private Building, within the said Borough, the Commissioners, their Servants, Agents, or Workmen, shall and they are hereby required to give previous Notice thereof to the Proprietor or Person having the Control of such Water Pipe for the Time being, or to the Occupier of such Dwelling House, Manufactory, public or private Building, supplied by such Branch or Service Pipe, as the Case may be; and on every such Occasion the Commissioners, their Servants, Agents, and Workmen, shall, under the Direction and Inspection of such Proprietors or Persons or Occupiers, or their Surveyor or Agent, as the Case may be, protect and secure such Pipe from any Injury or Damage, and shall also repair and make good any Damage that shall and may be done to any such Water Pipe or Pipes on any such Occasion; and on Default being made in any of the Matters aforesaid the Commissioners shall forfeit and pay to such Proprietors or Persons or Occupiers, as the Case may be, any Sum not exceeding Five Pounds, and shall also pay to such Proprietors or Persons or Occupiers, as the Case may be, the Costs and Expences which shall have been incurred by them or him in the securing and protecting, or in repairing and making good any Injury or Damage that may be done to such Pipe by the Means aforesaid; such Costs and Expences, and also the Amount of such Penalty as aforesaid, to be ascertained and fixed by any Justice of the Peace for the said Borough or County, and to be levied and recovered by Distress and Sale of the Goods and Chattels of the Commissioners, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of any Justice of the Peace for the said Borough or County, and which Warrant such Justice is hereby empowered to grant.

For the Protection of Water Pipes.

XLII. And be it enacted, That all and every the Pipes and other Conduits to be laid or used for the Conveyance of Gas in, under, through along, across, or round any Street, Lane, Road, Passage, or other Place within the said Borough shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by or by the Order of any Company of Proprietors for the Time being, or other Owner or Proprietor of any Waterworks hereafter to be established for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, Roads, Passages, and other Places, unless in Cases where it shall be unavoidably necessary to lay the said Gas Pipes across any Water Pipes, in which Cases the said Gas Pipes or other Conduits shall be laid over or under such Water Pipes, as the Case may require, at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, or as nearly such as may be practicable; and in

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

[*Local.*]

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such

such Case the said Gas Pipes or other Conduits so crossing the said Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Three Feet at least, where practicable, but if the same shall unavoidably be impracticable, then as near thereto as may be; and in laying down the said Gas Pipes or Conduits the Person to whom the same shall belong shall in no Case join Two or more Gas Pipes or Conduits together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes or Conduits, and all Pipes connected and communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein, respectively Air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from every Part thereof, upon pain of forfeiting for every such Offence the Sum of Five Pounds.

Commiss-  
sioners, &c.  
liable for and  
to prevent  
Contamina-  
tion of Water.

XLIII. And be it enacted, That whenever the Water of any Company of Proprietors, or other Owners or Proprietors of Waterworks within the said Borough, or any Water in any Well or Pond belonging to or used by any Party or Person whomsoever, shall be contaminated or affected by the Gas of the Commissioners, or of any Body Politic or Corporate, or any Person whomsoever, the Commissioners, or Body Politic or Corporate, or other Person as aforesaid shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the said Company of Proprietors, or other Owners or Proprietors of any Waterworks, Well, or Pond affected thereby, or the Party or Person using any such Water and suing for such Penalty; and in case any such Water shall be contaminated or affected by the said Gas in any way whatsoever, then and in every such Case the Commissioners, or Body Politic or Corporate, or Person as aforesaid shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Clerk or other Officer of the said Company of Proprietors of Waterworks, or by other the Owners or Proprietors of any Waterworks, Well, or Pond so contaminated or affected, or by any Person consuming such Water, to be left at the usual Office or Place of transacting Business of the Commissioners, or Body Politic or Corporate, or Person aforesaid, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the Commissioners, or Body Politic or Corporate, or Person as aforesaid shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid; then and in every such Case the Commissioners, or Body Politic or Corporate, or Person as aforesaid shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Committee for the Time being

being of the said Company of Proprietors of Waterworks, or to other the Owners or Proprietors of any Waterworks, Well, or Pond, or to the Person consuming such Water and making such Complaint as aforesaid, for the Use and Benefit of the same Proprietors or Owners or Person, over and above the before-mentioned Penalty of Twenty Pounds, any Sum not exceeding Ten Pounds for each and every Day during which the said Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and in default of Payment thereof as aforesaid such Penalty shall and may be recovered by Information to be exhibited on the Oath of One credible Witness by and in the Name of any One or more of the Committee of any such Water Company, or other the Owners or Proprietors of any Waterworks, Well, or Pond, or in the Name of the Person consuming any such Water, and making such Complaint as aforesaid against the Commissioners, or Body Politic or Corporate, or Person as aforesaid, before any Justice of the Peace, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the Commissioners, or Body Politic or Corporate, or Person as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty and Costs, when so levied, shall be paid to the Treasurer, or to One of the Committee for the Time being of the Proprietors of Waterworks, or to other the Owners or Proprietors of any Waterworks, Well, or Pond, for the Use of the same Owners and Proprietors, or to the Person consuming any such Water, and making such Complaint as aforesaid.

XLIV. And whereas it may be or become a Question, upon such Complaint as aforesaid, whether the same Water be contaminated or affected by the Gas of the Commissioners, or of the said Body Politic or Corporate or Person as aforesaid; be it therefore enacted, That in every such Case it shall be lawful for the said Company of Proprietors, or other the Owners or Proprietors of the Waterworks, Well, or Pond, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the Commissioners, or of the said Body Politic or Corporate or Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or that the said Water has been contaminated by any Escape of Gas of the Commissioners, or of the said Body Politic or Corporate or Person as aforesaid; and if it shall appear that such Water has been contaminated by any Escape of Gas of the Commissioners, or of the said Body Politic or Corporate or Person as aforesaid, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street, Lane, Road, Passage, or other Place which shall be taken up or disturbed, shall be borne and paid by the Commissioners, or by the said Body Politic or Corporate or Person as aforesaid; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the Commissioners, or of the said

For ascertaining if the Water be contaminated.

said Body Politic or Corporate or Person as aforesaid, then and in such Case the said Company of Proprietors of Waterworks, or other the Owners or Proprietors of any Waterworks, Well, or Pond, shall bear and pay all the Expences of such Examination, Repair, and Search, and also shall make good to the Commissioners, or to the said Body Politic or Corporate or Person as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the Commissioners, or of the said Body Politic or Corporate or Person as aforesaid, in and by such Search and Examination, and also to the Pavement or Ground of the said Street, Lane, Road, Passage, or Place so broken up or disturbed in such Search and Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice of the Peace as aforesaid, and recoverable in like Manner as any Penalty may be recovered by virtue of this Act.

Penalty for  
wilfully  
breaking  
Lamps, &c.

XLV. And be it enacted, That if any Person shall wilfully, wantonly, or maliciously remove, take away, break, throw down, destroy, or otherwise deface, damage, or injure any Lamp, Pipe, Post, Pillar, Pilaster, Lamp Iron, Lamp Cover, or Furniture thereof, Watch-house or Watchbox, Engine or Cart, or other Article, Matter, or Thing, by this Act vested in the Commissioners, or that shall be set up by their Order or in pursuance of any Contract made by such Commissioners, or that may be otherwise procured by them, or by any Person at his own Expence, under the Authority of this Act, or shall wilfully, wantonly, or maliciously extinguish the Light of any such Lamp, it shall be lawful for any Justice of the Peace for the said Borough of *Truro* or for the said County of *Cornwall*, and he is hereby required, upon Oath of the Commission of any such Offence, to issue a Warrant for apprehending the Party accused; or it shall be lawful for any Person who shall see any such Offence committed to apprehend, and for any other Person to assist in apprehending the Offender, and by the Authority of this Act, and without any other Warrant, to deliver him into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said Borough or County respectively; and upon the Party accused being brought before such Justice such Justice shall proceed to examine upon Oath any Witness who shall appear to give Evidence touching such Offence; and if the Party so accused shall be convicted of any such Offence, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Ten Shillings, together with the Costs of Conviction, and the Offender shall also make Satisfaction for the Damages so done.

Damages to  
be paid for  
Lamps, &c.  
broken acci-  
dentally.

XLVI. And be it enacted, That if any Person shall carelessly or accidentally break, throw down, or damage any of the said Lamps already hung or set up, or to be hereafter hung or set up as aforesaid, or the Irons or other Furniture thereof, or any Pipe, Post, Pillar, Pilaster, Cover, or other Furniture thereof, Watch-house or Watchbox, Engine or Cart, or any Plug, or other Apparatus, Matter, or Thing belonging to the same, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such



such Case it shall be lawful for any Justice of the Peace for the said Borough or County, upon Complaint thereof to him made by any credible Person, to summon before such Justice the Party who shall be complained of for doing such Damage as aforesaid, and upon hearing the Allegations and Proofs on both Sides, or Nonappearance of the Party so complained of, to award such Sum of Money as the Damage to be proved shall amount unto, together with the Costs of such Summons and the Conviction thereof; and in case of Refusal or Neglect to pay any of the Sums so awarded and the said Costs within Five Days after Demand, to cause the same to be recovered in such Manner as Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

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

Power to  
Commission-  
ers to employ  
Watchmen.

XLVIII. And be it enacted, That the said Watchmen, Patroles, Superintendents, and Beadles shall and they are hereby required, during the Time they shall respectively be on Duty, to apprehend all

Duties of  
Watchmen.

[Local.]

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loose,

loose, idle, and disorderly Persons whom they shall find disturbing the Public Peace, or whom they shall have just Cause to suspect of any evil Design, and all Persons whom they shall find between Sunset and the Hour of Six of the Clock in the Morning lying in any Street, or other public open and exposed Passage or Place in the said Borough, or loitering therein, and not giving a satisfactory Account of themselves, and to detain and lodge them in any Watch-house or other Place of Security within the said Borough which shall be provided or appointed for that Purpose by the Commissioners, to be there safely kept and detained until they can conveniently be carried before some Justice of the Peace to be examined and dealt with according to Law, or until they shall give Bail for their Appearance before a Justice of the Peace in the Manner herein-after mentioned:

Penalty on  
Victuallers  
harbouring  
Watchmen.

XLIX. And be it enacted, That if any Victualler, or any Keeper of any House, Shop, Room, or other Place for the Sale of any Liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any such Watchman, Patrole, Superintendent, or Beadle as aforesaid, or permit any such Watchman, Patrole, Superintendent, or Beadle to remain in his House, Shop, Room, or other Place during any Part of the Time appointed for his being on Duty, except in Discharge thereof, every such Victualler or Keeper as aforesaid shall, on Conviction before any Justice of the Peace for the said Borough or County, forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Constables  
attending at  
Watch-  
houses in the  
Night may  
take Bail by  
Recogni-  
zances for  
Appearance  
of Parties  
before a  
Justice.

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

In default of  
Appearance  
Recogni-  
zances to be  
forfeited.

*Cornwall*, with a Certificate at the Back thereof, signed by such Justice, that the Party has not complied with the Obligation therein contained, and the Clerk of the Peace shall make the like Estreats and Schedules of every such Recognizance as of Recognizances forfeited in the Sessions of the Peace; and if the Party not appearing shall apply by any Person on his Behalf to postpone the Hearing of the Charge against him, and the Justice shall think fit to consent thereto, the Justice shall be at liberty to enlarge the Recognizance to such further Time as he shall appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint, or by binding the Party over to answer the Matter thereof at the Sessions, or otherwise, the Recognizance for the Appearance of the Party before a Justice shall be discharged without Fee or Reward.

Time of  
Hearing may  
be post-  
poned.

LI. And be it enacted, That it shall be lawful for the Commissioners (after an Order shall be made by them, and such Order signed by Two Thirds of the Commissioners for the Time being acting in the Execution of this Act,) to appoint, employ, and organize a sufficient Number of able-bodied Men to constitute an efficient Body of Fire Police within the said Borough, as the Commissioners shall think fit; and the Commissioners shall from Time to Time fix the Wages, Salaries, and other Allowances to be paid or given to the several Persons to be so appointed to the Body of Fire Police; and the Commissioners shall and they are hereby authorized from Time to Time to frame such Orders, Rules, and Regulations as they shall deem expedient for the Organization, Government, Discipline, Duties, Functions, and Residences of such Fire Police, and the Persons appointed thereto; and the Commissioners may at any Time suspend or dismiss from his Office or Employment any Person so appointed to the said Fire Police whom they shall think remiss or negligent in the Discharge of his Duty, or otherwise unfit for the same; and it shall be lawful for the Commissioners from Time to Time to provide such Coats, Caps, Badges, and other Accoutrements for the Persons forming such Fire Police as the Commissioners shall think fit, and to make such Orders and Regulations for wearing the same, and for delivering them up by any Person appointed to the said Fire Police on his Discharge or Suspension therefrom, Death, or ceasing to belong thereto, as the Commissioners shall judge expedient; and the Expences attending the establishing and maintaining such Fire Police shall be paid out of the Monies to be raised by virtue of this Act.

Fire Police  
to be ap-  
pointed.

LII. And be it enacted, That if any Watchman, Superintendent, Patrole, Beadle, or Fireman so to be appointed and employed as aforesaid shall not observe and perform all the Orders and Regulations made by the Commissioners for his Conduct and Government in his said Employment, or shall in any other Manner neglect his Duty or misbehave, every Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; or it shall be lawful for any Justice of the Peace of the said Borough or County, upon Complaint against any such Watchman, Patrole, Superintendent, Beadle, or Fireman of any such Neglect or Misconduct, in lieu of such Fine to commit any such Watchman, Patrole, Superintendent, Beadle,

Penalty on  
Watchmen  
and others  
for Neglect  
of Duty.

Beadle, or Fireman, to the Common Gaol or House of Correction for the said Borough or County, there to remain for any Time not exceeding Three Calendar Months.

Power to reward disabled Watchmen and others.

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

Engines to be provided, &c.

LIV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to provide and maintain in good Repair any Fire Engines and Houses within the said Borough, together with all Hose, Pipes, Buckets, and such other Articles and Things as may be necessary for working and using the same Engines for the Use of the Inhabitants of the said Borough, and to pay and defray all Costs and Expences attending the same out of the Monies to be raised by virtue of this Act.

Fire-plugs to be placed in the Streets.

LV. And be it enacted, That the Commissioners shall and may from Time to Time order and appoint such and so many Fire-plugs to be placed into any Main or other Pipes laid or to be laid along any Part of the Streets, Lanes, Roads, Passages, or Places of the said Borough, and belonging to any Person Proprietor thereof, for the better obtaining Water for the working of the Fire Engines, or otherwise extinguishing of Fire, the Commissioners doing as little Damage as may be to such Main and other Pipes; and all Pavements which may be taken up, and Mains and Pipes which may be broken into, under the Authority of this Act, shall be repaired and made good by the Commissioners out of the Money to be raised by virtue of this Act.

Commissioners to appoint or contract with Scavengers.

LVI. And be it enacted, That it shall be lawful for the Commissioners and they are hereby required from Time to Time to appoint and employ or to contract with any proper Person to be and act as a Scavenger for sweeping and cleansing the Streets, Lanes, Roads, Passages, and other public Places, as well Footways as Carriageways, within the said Borough, and for carrying away all Dirt, Dust, Dung, Filth, and Soil, Snow and Ice, from the same, and from Time to Time to order and direct on what Days in every Week and at what Time the particular Streets, Lanes, Roads, Passages, and other Places within the said Borough shall be swept and cleansed, and the Dirt, Dust, Dung, Filth, Soil, Snow, and Ice carried away therefrom, and how and in what Manner the same shall be carried away, and where the same shall be deposited, and to give such Orders and Directions to any such Scavenger as shall appear necessary for those Purposes: Provided always, that the Person so to be employed by or contracting with the Commissioners as last aforesaid, or the Person employed by or acting under him respectively, shall, besides sweeping and cleansing the said Streets, Lanes, Roads, Passages, and other Places, as well Footways as Carriageways, and collecting together therein and removing

removing therefrom all such Dirt, Dust, Dung, Filth, Soil, Snow, and Ice as aforesaid, Three Times in every Week at the least bring or cause to be brought some proper and convenient Cart or other Carriage into and through the said Streets, Lanes, Roads, Passages, and other Places where such Carts or Carriages can pass, and shall at his Approach, by Sound of Bell, loud Voice, or otherwise, give Notice to the Inhabitants of his coming, and give the like Notice in every Court, Passage, or Place into which such Cart or Carriage cannot pass, and shall abide and stay a reasonable Time in or near the said Places respectively, to the Intent that all Persons concerned may bring forth their Dirt, Dust, Ashes, and Filth (except Filth from any Privy or Necessary House) to the Doors of their respective Houses and Premises, from whence the said Scavenger or other Person aforesaid shall forthwith take and put the same into such Cart or Carriage, and shall also sweep, cleanse, and carry away the Dirt and Soil arising in the said Streets, Lanes, Roads, Passages, and Places, upon pain of forfeiting Ten Shillings for every such Offence or Neglect therein; and every Person acting as Scavenger for the Time being shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters on the Front or other conspicuous Part of every such Cart or Carriage.

LVII. And be it enacted, That when and so often as any Dirt, Dust, Dung, Filth, or Soil, Snow or Ice, shall be swept up and collected together, or otherwise deposited in any of the said Streets, Lanes, Roads, Passages, or other Places, by the Person so to be employed as aforesaid, the same shall forthwith or within One Hour be removed and carried away in such Carts or other Carriages as aforesaid; and in default thereof the Person whose Duty it may be to remove and carry away the same shall forfeit and pay any Sum not exceeding Five Shillings for every Hour the said Dirt, Dust, Dung, Filth, or Soil, Snow or Ice, shall be suffered to remain in such Street, Lane, Road, Passage, or other Place after the same ought to be so removed as aforesaid.

Penalty on Scavengers allowing Dirt, &c. to remain in the Streets.

LVIII. And be it enacted, That no Person shall take or carry away any Dirt, Dust, Ashes, Rubbish, Dung, or Filth (except Rubbish or Dust occasioned by building) out of or from any of the said Streets, Lanes, Roads, Passages, or other Places, other than the Person so to be employed by or contracting with the Commissioners, or the Person employed by or acting under him as aforesaid, upon pain of forfeiting and paying any Sum not exceeding Forty Shillings for every such Offence: Provided always, that nothing herein contained shall extend to prevent any Inhabitant of the said Borough from preserving and keeping any Dirt, Dust, Ashes, Rubbish, Dung, or Filth within his Yard or Garden, or otherwise disposing of the same for his own Use and Benefit, so as such Dirt, Dust, Ashes, Rubbish, Dung, or Filth be not laid down or placed in any of the said Streets, Lanes, Roads, Passages, or other Places for any longer Time than shall be necessary for the loading or carrying away the same, or suffered to annoy any of the Inhabitants of the said Borough; but in case any Person so using such Dirt, Dust, Ashes, Rubbish, Dung, or Filth shall thereby annoy any of the Inhabitants, and shall not remove the

No Person to carry Dirt; &c. away, except Scavengers.

Not to prevent Persons keeping Dirt, &c. in their Yards.

same within the Space of Four Hours after Notice in Writing shall have been given to him, signed by the Surveyor or Clerk of the Commissioners, or left at his Dwelling House, requiring such Person to remove the same, such Person shall for every such Offence forfeit and pay the Sum of Five Shillings for every Hour that such Nuisance or Annoyance shall remain after such Notice given as aforesaid; and it shall be lawful for the Surveyor or any Workman or other Person employed by the Commissioners, at any Time after the Expiration of the said Four Hours, to remove the Matter or Filth occasioning such Nuisance or Annoyance, and to sell or dispose of the same, rendering to the Owner the Overplus (if any) after deducting the Expences of such Removal and Sale.

Penalty not to extend to Rubbish occasioned by building.

LIX. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to subject any Person whomsoever to any Penalty by this Act inflicted for or on account of any Building Materials, Dirt, or Rubbish being laid or placed in any such Street, Lane, Road, Passage, or other Place as aforesaid, in the ordinary Course of erecting, pulling down, altering, or repairing any Building, so as there be full and sufficient Space, in the Opinion of the Commissioners, left on or at the Side of the Street, Lane, Road, Passage, or other Place where such Building Materials, Dirt, or Rubbish shall lie or be placed, for Carriages to pass and repass, and a sufficient Way be kept clear for Foot Passengers, by the Person laying or causing such Dirt or Rubbish to be laid or placed as aforesaid, and so as a sufficient Light be at his own Expence set and maintained at the Place where such Building Materials, Dirt, or Rubbish shall be laid or placed, from Sunset to Sunrise, to prevent any Accident to Passengers, Cattle, or Carriages, and so as such Building Materials, Dirt, or Rubbish be inclosed or fenced about in such Manner and within such Time as such Commissioners, or any Officer or other Person appointed by them in that Behalf, shall by any Notice to be by them or him given to such Person direct and appoint, and so as such Building Materials, Dirt, or Rubbish be removed at the Expence of the Person so laying or causing the same to be laid within such Time as shall be expressed in any Notice to be in like Manner given by the Commissioners, or any such Officer or other Person appointed by them in that Behalf; and in case the same shall not be removed according to such Notice the Person so making default shall, in addition to any Penalty herein in that Behalf imposed, forfeit and pay any Sum not exceeding Twenty Shillings nor less then Ten Shillings a Day for every Day such Building Materials, Dirt, or Rubbish shall be unfenced or shall continue unremoved after the Expiration of the Time specified in such Notice, and any Sum not exceeding Twenty Shillings nor less than Ten Shillings for every Night such Light shall not be set and maintained as aforesaid.

Scavenger may lodge Dirt, &c. in vacant Places.

LX. And be it enacted, That the Scavenger, or the Person contracting to cleanse the said Streets, Lanes, Roads, Passages, and Places, or any Part thereof as aforesaid, shall have Liberty, with the Approbation and by the Order of the Commissioners, to lodge any Dirt, Dust, Ashes, Rubbish, Dung, or other Filth in such uninclosed vacant Places for the Time being in the said Borough as shall be thought

proper and convenient by the Commissioners, giving Seven Days Notice to the Owner or Occupier of such vacant Places (for the Time being) of his Intention to use the same for that Purpose, and the Person so using the same making such Satisfaction to the Owners and Occupiers thereof as the Commissioners shall direct, so that nevertheless such Owner or Occupier shall not be hindered or prevented from building on or inclosing such vacant Place at his or their Will and Pleasure, on giving Fourteen Days previous Notice in Writing of such Intention to the Clerk of the said Commissioners, and to the Scavenger or Person contracting as aforesaid.

LXI. And be it enacted; That it shall be lawful for the Commissioners as often as they shall see Occasion to order, direct, regulate, settle, and ascertain the Rates and Wages of Porters, Carters, and Draymen employed in carrying any Kind of Goods for Hire from the Quays to any Part of the said Borough, and also from one Part of the said Borough to any other Part thereof, and to cause a List or Schedule of the Rates and Prices so settled to be hung up in some public Place within the said Borough; and no Porter, Carman, or Drayman shall take for the Carriage of any Goods or other Things more than the Rates or Prices so settled, upon pain of forfeiting for every such Offence the Sum of Two Shillings and Sixpence, to be levied by Distress and Sale of the Goods and Chattels of such Offender, by Warrant of any One or more of the Justices of the Peace for the said Borough or County; and it shall be lawful for the Commissioners to order and direct what Kind of Carriages or Drays the said Porters, Carmen, or Draymen shall make use of; and no Person shall act as a Porter, Carman, or Drayman within the said Borough, unless he shall have been previously licensed by the Commissioners, and shall have and wear a proper Ticket or Badge to distinguish and show that he is so licensed, and which Licences, Tickets, and Badges the Commissioners are hereby empowered to grant; and upon the Misbehaviour of any such Porter, Carman, or Drayman the Commissioners are hereby required and empowered to revoke such Licence; and in case any Porter, Carman, or Drayman shall carry for Hire any Goods through any of the Streets, Lanes, Roads, Passages, or Places of the said Borough without having first obtained such Licence, or after his Licence shall have been so revoked, every such Porter, Carman, or Drayman shall forfeit for every such Offence the Sum of Five Shillings; or if any Porter, Carman, or Drayman shall use for Hire any Carriage or Dray other than what shall be approved of by the Commissioners, every such Porter, Carman, or Drayman shall for every such Offence forfeit the Sum of Five Shillings; which said last-mentioned Penalties may be levied by Distress and Sale of the Goods and Chattels of the Offender by Warrant of any One or more of the Justices of the said Borough or County: Provided always, that nothing herein contained shall prevent any Person, either by himself, or by any Person being his known or ordinary Servant, from carrying or conveying any Goods, Wares, or Merchandizes, or other Things whatsoever, belonging to such Person.

For regulating the Porters.

Carriages to be used by Porters.

Exemptions.

LXII. And be it enacted, That it shall be lawful for the Commissioners, and they are hereby empowered and required from Time to Time, as often as they shall see Occasion, to license all such Hackney Coaches,

Hackney Coaches, Flies, and Sedan Chair-

Coaches,

men to be regulated.

Coaches, Flies, and Sedan Chairs as shall be kept and used for Hire within the said Borough, and to fix and ascertain such Rates and Prices for the Hire of the same, as to the Commissioners shall seem proper; and if any Hackney Coachman, Flyman, or Sedan Chairman within the said Borough shall refuse to go or travel at any seasonable Time, or shall exact more for his Hire than the Rate or Price fixed by the Commissioners, or shall keep or use for Hire any Hackney Coach, Fly, or Chair within the said Borough unless licensed as aforesaid, he shall forfeit for every such Offence a Sum not exceeding Ten Shillings.

Penalty on Persons refusing to pay Porters and others.

LXIII. And be it enacted, That if any Person shall hire any Porter, Carman, Drayman, or other Person licensed as aforesaid to carry any Goods, Wares, Merchandizes, or any other Matters or Things within the said Borough, or shall hire any Hackney Coachman, Flyman, or Sedan Chairman within the said Borough, and after such Porter, Carman, Drayman, Hackney Coachman, Flyman, Sedan Chairman, or other Person respectively shall have performed the Service for which he was respectively hired, shall refuse to pay or shall not pay such Porter, Carter, Drayman, Hackney Coachman, Flyman, or Sedan Chairman, or other Person, the Rate or Price, Fare or Hire, to which such Person shall be respectively entitled, the same having been ascertained, directed, and fixed by the Commissioners in manner aforesaid, every Person so offending shall for every such Refusal and Nonpayment, over and above the Sum which shall be adjudged to be due and owing from such Offender to the Party complaining, forfeit and pay, if the Justice before whom such Complaint shall be heard and determined shall think it reasonable and just, any Sum not exceeding Twenty Shillings by way of Penalty, to be levied and recovered as other Fines and Penalties are by this Act recoverable.

For punishing Misbehaviour in Drivers of Carriages.

LXIV. And be it enacted, That if any Driver of any Waggon, Cart, Dray, Sledge, or other Carriage of the like Description (except Carriages on Springs, and driven by some Person holding the Reins thereof,) shall ride upon the Shafts or upon any other Part of such Carriage, or any of the Horses, Asses, Mules, or Cattle drawing the same, or shall drive the same faster than a Walk, in any of the said Streets, Lanes, Roads, Passages, or other Places within the said Borough; or if the Driver of any Carriage whatsoever shall be at such a Distance from the same during its Passage through any Part of the same Borough as not to possess complete Control over the Horse or Beast drawing the same; or if any Person shall place any Cart or other Carriage athwart or across any such Street, Lane, Road, Passage, or other Place; or if any Person, when driving any Sort of Carriage whatsoever, shall not keep his Carriage on the Left or Near Side of the Street, Lane, Road, Passage, or Place, except when passing another Carriage, or shall in any Manner wilfully prevent any other Person from passing him, or any Carriage under his Care, within any such Street, Lane, Road, Passage, or other Place, or by Negligence or Misbehaviour prevent or interrupt the free Passage of any Carriage or any Person within any such Street, Lane, Road, Passage, or other Place; or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, so as to endanger



endanger the Life or Limb of any Person; then and in every such Case every such Driver, Rider, or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Five Shillings.

LXV. And be it enacted, That if in any Street, Lane, Road, Passage, or other Place within the said Borough any Person shall leave or suffer to stand or continue any Waggon, Cart, Dray, or other Carriage of the like Description, either in the Night or in the Daytime, either loaded or unloaded, or with or without Horses, for any longer Time than for the necessary loading or unloading thereof, or in case the same shall not during such loading or unloading be placed so as to interrupt the public Passage as little as possible, or shall lay, place, or suffer to remain any Timber, Iron, Bricks, Stones, Slate, Tiles, Sand, Lime, Mortar, Hay, Straw, Goods, Matters, or Things whatsoever longer than shall be necessary for removing and housing the same, then and in every such Case every such Person and the Owner of every such Carriage, or of any such Goods, Matters, or Things, shall for every Offence in any of the aforesaid Cases forfeit and pay any Sum not exceeding Forty Shillings and not less than Ten Shillings; provided only that One Penalty shall be levied for one and the same Offence.

Penalties for  
Obstructions  
in the Streets.

LXVI. And be it enacted, That if any Person shall run, draw, drive, or carry any Truck, Wheel Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, except Sedan Chairs, on any of the Foot Pavements or other Footways in any of the Streets, Lanes, Roads, Passages, or other Places within the said Borough, except only for the Purpose of crossing the same; or shall set or place any Furniture, Goods, Wares, or Merchandize, or erect, set up, or place any Blind, Shade, Covering, or Awning, which shall not be Seven Feet at least in Height in every Part thereof from the Surface of the Ground, or any other Matter or Thing in the Front of or before any House, Shop, or other Building, so as to cause any Obstruction or Impediment on any such Footway or Causeway; or shall wilfully ride, lead, or drive on any such Footway or Causeway any Horse, Mule, Ass, Swine, Sheep, or other Beast or Cattle of any Kind whatsoever; or shall in any Manner obstruct or incommode, hinder or prevent, the free Passage of any such Footway or Causeway; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Two Shillings and Sixpence.

For Protec-  
tion of Foot-  
paths.

LXVII. And be it enacted, That if any Person shall, in any Street, Lane, Road, Passage, or other Place in the said Borough, expose for Sale or sell or fodder any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, except in such Place or in such Manner as shall be appointed for that Purpose; or shall lead any Stallion or entire Horse through any of the public Streets for Show, or exhibit or place for Exhibition any Caravan or other Carriage containing any Animal or other public Show, or in any other Manner exhibit or cause to be exhibited any public Show, except in such Place as shall be appointed by the Mayor or other Justice for the said Borough, and who shall

For pre-  
venting  
Nuisances.

[Local.]

33 S

appoint

appoint a Place for that Purpose accordingly on Application; or turn loose, or suffer to stray, or be at large in any of the Streets, Lanes, Roads, Passages, or other Places within the said Borough, any Horse, Cattle, Swine, Bull, or other Beast, Bull-dog, Mastiff, or other ferocious Dog, not being muzzled, or permit or suffer any Dog whatsoever to go at large after any public Notice given by Two Justices of the Peace, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness (and which said Dogs so at large such Justices are hereby authorized to destroy or direct to be destroyed); or shall after Ten of the Clock in the Morning wash or clean, or make or repair, any Coach, Chaise, Waggon, Cart, Dray, Sledge, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, or other Carriage (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall mischievously or wantonly let off or fire any Musket, Gun, or Pistol, or other Fire-arms, or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Fire-work, in or near any of the said Streets, Lanes, Roads, Passages, or other Places; or play at any Game to the Annoyance of any Inhabitant or Passenger; or shall bathe in any open or exposed Situation within the said Borough; or if any Person shall hew, saw, bore, or cut any Timber or Stone after Notice to desist from hewing, sawing, boring, or cutting such Timber or Stone; or shall kill or slaughter, or singe, scald, or dress, or shall cause or procure to be killed or slaughtered, or singed, scalded, or dressed, any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any such Street, Lane, Road, Passage, or other Place, or in any Shop or other Place adjoining and exposed to the same; or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter-house, Shambles, Butcher's Shop, Swinestye, or Dunghill into any such Street, Lane, Road, Passage, or other Place; or kill or slaughter or dress within the said Borough any unsound Swine, Ox, Cow, Calf, Sheep, Lamb, or other Beast or Cattle, and which shall be unwholesome Meat, for the Purposes of Sale, or sell or offer or expose for Sale within the said Borough any unwholesome Fish or Meat, or use any false or deficient Weights or Measures; or if any Person in any of the said Streets, Lanes, Roads, Passages, or other Places shall sift, screen, wet, slack, or mix any Lime, or shall cause or instigate any Dog or Dogs to fight, or shall indecently expose his Person, or shall write or describe any obscene or indecent Language or Figure on any Wall, Door, Post, or public Place within the said Borough, or distribute or post any indecent or obscene Handbill, Notice, or Placard, or expose to Sale or distribute any indecent or obscene Print, Ballad, Book, or Pamphlet within the said Borough, or affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building, against the Will of the Owner or Occupier thereof, or shall write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material whatsoever; or if any Person shall, within the Distance of Two hundred Yards from any Dwelling House situate in or near any Street, Lane, Road, Passage, or other Place within the said Borough, place, deposit, or keep any

Nightsoil, or the Emptyings, Cleansings, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any other noisome or offensive Matter, whatsoever in or upon any open or inclosed Ground within the aforesaid Distance from any such Dwelling House as aforesaid, to the Annoyance of any Inhabitant of the said Borough, or whereby any such Inhabitant shall be annoyed, otherwise than during a reasonable Time for the Removal thereof, every Person so offending in any or either of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing as aforesaid, as the Case may be, and in any such Cases where the Person actually offending cannot be discovered or found, the Person causing any or either of such Offences, Matters, or Things to be done or committed, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

LXVIII. And be it enacted, That if any Horse, Cattle, Swine, Bull, or other Beast shall be found straying or at large in any of the Streets, Lanes, Roads, Passages, or other Places within the said Borough, the Owner thereof shall for every such Horse, Cattle, Swine, Bull, or other Beast forfeit and pay any Sum not exceeding Five Shillings; and it shall be lawful for any Officer appointed by the Commissioners or any other Person whomsoever to impound any such Horse, Cattle, Swine, Bull, or other Beast in any Common Pound used by the Inhabitants of the said Borough, and to detain the same in such Pound until the Penalty hereby imposed, and the Expences of impounding and keeping such Cattle or Beast, shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Five Days after such Horse, Cattle, Swine, Bull, or other Beast shall be so impounded, it shall be lawful for any One or more of the Justices of the Peace for the said Borough or County to order every such Cattle or Beast to be sold; and the Costs and Charges of impounding and keeping such Horse, Cattle, Swine, Bull, or other Beast, and of selling the same, and the said Penalty, shall be defrayed by the Money arising from such Sale; and the Overplus (if any) of the said Money shall be paid to the Owner of the said Horse, Cattle, Swine, Bull, or other Beast, upon Demand: Provided always, that whether such Horse, Cattle, Swine, Bull, or other Beast so found straying or at large shall be impounded as aforesaid, or otherwise, the Owner thereof shall nevertheless forfeit and pay for such Horse, Cattle, Swine, Bull, or other Beast the Penalty in that respect imposed by this Act.

For preventing Cattle, Swine, &c. from being suffered to stray in the Streets.

LXIX. And be it enacted, That in case any Person shall release or attempt to release any Horse, Cattle, Swine, Bull, or other Beast, or any Article, Matter, or Thing, which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto or with which the same shall be fastened, or shall rescue or release, or shall attempt to rescue or release, any Distress or Levy which shall be made under the Authority

Punishing Persons guilty of Pound Breach.

Authority of this Act, until or before such Horse, Cattle, Swine, Bull, or other Beast, Article, Matter, or Thing so seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace, either upon Confession of the Party offending or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice by Warrant under his Hand and Seal to the Common Gaol or House of Correction of the said Borough or County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Regulations  
for emptying  
Privies and  
Slaughter-  
houses.

LXX. And be it enacted, That if any Person shall at any Time cause any Privy or Necessary House or Slaughter-house within the said Borough to be emptied, except between the Hours of Eleven of the Clock in the Night and Four of the Clock in the Morning, or shall wilfully or negligently spill or throw down any Soil on any such Occasion in or upon any of the said Streets, Lanes, Roads, Passages, or other Places, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings.

Slaughter-  
houses, Hog-  
styes, and  
other Erec-  
tions to be  
removed if  
deemed a  
Nuisance.

LXXI. And be it enacted, That in case any Privy or Necessary House, Slaughter-house, Hogstye, Manure Heap, or other Nuisance, or offensive Building, Place, or Matter whatsoever, in or near any of the said Streets, Lanes, Roads, Passages, or other Places within the said Borough, shall in the Judgment of the Commissioners be a Nuisance to any of the Inhabitants thereof, it shall be lawful for the Commissioners, upon Complaint thereof to them made by any such Inhabitant, and after due Investigation of such Complaint, by Notice in Writing under the Hands of any Seven of the Commissioners to order that every or any such Privy or Necessary House, Slaughter-house, Hogstye, or other Nuisance or Offence, be remedied or removed; and in case the same shall not be remedied or removed within Three Days after such Notice given to the Owner or Occupier of the Premises wherein such Nuisance or Annoyance shall be situate or arise, or to the Person on whose Behalf the same is carried on, kept, or made, or left at his last known or usual Place of Abode, or on the said Premises, then every such Owner or Occupier or other Person so neglecting to remedy or remove such Nuisance or Annoyance, pursuant to such Notice and to the Satisfaction of the Commissioners, shall forfeit and pay any Sum not exceeding Twenty Shillings nor less than Five Shillings for every Day the same shall continue unremedied or unremoved after the Expiration of the Time mentioned in such Notice.

Penalty on  
firing Chim-  
neys.

LXXII. And be it enacted, That if any Person shall wilfully, negligently, or carelessly set fire to, or cause the Chimney of any House, Workshop, Outhouse, or other Building in the said Borough to be on fire, the Person setting fire to the same or causing the same to be set on fire shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Ten Shillings.

LXXIII. And

LXXIII. And be it enacted, That all Houses and Buildings in or adjoining to any of the present or future Streets, Lanes, Roads, Passages, or other public Places within the said Borough which hereafter shall be erected or built, or new-fronted or rebuilt, shall be made to rise perpendicularly from the Foundation thereof; and no Part of the Front of any House or Building within or adjoining to any of the said Streets, Lanes, Roads, Passages, or other Places which shall hereafter be new-fronted, nor any Part of the Front of any new House or Building which shall hereafter be rebuilt upon the Site of any House or Building in or adjoining to any of the said present or future Streets, Lanes, Roads, Passages, or other Places, shall on any Pretence whatsoever be brought forward beyond the old Foundation without Six Days previous Notice in Writing to be given to the Clerk of the Commissioners for the Time being; and if any Person shall at any Time hereafter erect or build, or new-front or rebuild, or cause to be erected or built, or new-fronted or rebuilt, wholly or in part, any House or other Building in or adjoining to the said present or future Streets, Lanes, Roads, Passages, or other Places, or any of them, in any Manner other than in a straight Line, and without any Projection into the Street, Lane, Road, Passage, or other Place, of any Sort or Kind whatsoever, or so as to rise in any other Manner than perpendicularly from the Foundation thereof, or so as any Part of the Front thereof shall be brought forward beyond the old Foundation of any such House or Building as aforesaid, with or without previous Notice to be given as aforesaid, then and in any such Case such House or Building shall be deemed an Encroachment, Nuisance, and Annoyance within the Intent and Meaning of this Act, and it shall be lawful for the Commissioners to cause the same House or Building so erected, new-fronted, or rebuilt, or so much of the Front thereof as shall have been so erected, new-fronted, or rebuilt, contrary to the Directions of this Act, to be pulled down and removed by any Person who shall be directed so to do by an Order in Writing signed by Thirteen or more of the Commissioners; and the Costs and Charges of pulling down and removing the same shall be paid and reimbursed to the said Commissioners by the Owner of such House or Building; and in default of Payment thereof within Fourteen Days next after Demand in Writing made in that Behalf by the Clerk to the Commissioners, the same, having been ascertained by some Justice of the Peace for the said Borough of *Truro* or County of *Cornwall*, shall and may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; and when received the same shall be paid to the Treasurer to the Commissioners, to be applied to the Purposes of this Act: Provided nevertheless, that such Notice shall not authorize or empower any Person whomsoever to build in any other than in a straight Line, or with any Projection into the Street, Lane, Road, Passage, or other Place, or beyond the Foundation of any House or other Building previously erected thereon, unless the Owner or Occupier shall have possessed or been entitled to the sole Possession of an Area or other Inclosure in front of the former Foundation which shall be proposed to be built upon before the same was removed for the Purpose of building or rebuilding thereon; but nothing in this Act contained shall hinder or prevent any Person from building or altering in such Manner as he may think proper after such Notice

Regulations  
as to Fronts  
of Houses.

shall have been given as aforesaid, so that such Building, Alteration, or Projection shall not extend in, over, or upon any such Street, Lane, Road, Passage, or other public Place, or over any Footpath adjoining the same.

Compensation may be made to the Owners of Buildings pulled down or burnt down, on their being rebuilt in such Manner as shall be an Improvement to the Town.

LXXIV. And be it enacted, That for the Purpose of improving the said Borough, and widening the said Streets, Lanes, Roads, Passages, and other Places, it shall be lawful for the Commissioners, in pursuance of an Order at any Meeting of the Commissioners consisting of not less than Thirteen, and they are hereby authorized and empowered, in all Cases where any Houses or Buildings fronting or adjoining or near any of the present or future Streets, Lanes, Roads, Passages, and other Places in the said Borough shall be pulled down wholly or in part for the Purpose of rebuilding or new-fronting the same, or shall be burnt down, or shall fall from Decay, to enter into any Agreement with the Owners or the Proprietors thereof relative to the Line or Direction, or Mode of erecting, altering, or new-building any such Houses or Buildings, or to any Alterations or Change of the Line or Direction in which any such Houses or Buildings stand, or relative to the Removal of any Angles or Projections, or to any other Changes thereof, whereby such Owners or Proprietors would be required to give up some Portion of Land or Ground belonging to them for the Purpose of such Improvements, and to make or give such Sums of Money by way of Compensation or Satisfaction for any Injury, Loss, or Damage which any such Owners or Proprietors may sustain by acceding to any such Plan of Improvement, occasioned by the Loss of such Land or Ground or otherwise, as any Thirteen or more of the Commissioners shall think reasonable, for the Object or Purpose of Improvement to be thereby obtained, and to pay such Compensation or Satisfaction out of any Monies to be raised by virtue of this Act; and if such Owners or Proprietors shall refuse to enter into such Agreement, or shall refuse to accept such Compensation or Satisfaction on Tender thereof, the same shall be settled, ascertained, and awarded by any Two Justices of the Peace for the said Borough or County.

Commissioners may remove Projections, Nuisances, and Annoyances.

LXXV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to pull down and remove, or cause to be pulled down and removed, all or any Posts, Rails, Pales, Trees, or Fences in or near the Streets, Lanes, Roads, Passages, or other Places, or any of them, within the said Borough, as the Commissioners shall judge to be a Nuisance or Obstruction to Passengers, Horses, or Carriages, and also from Time to Time to cause all and every or any of the Penthouses, Porches, Sheds, dripping Eaves, projecting Windows, Palisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Gratings, Frontsteads, Courtyards, and other Obstructions and Projections whatsoever, and of what Nature or Kind soever, which are already erected, affixed, set up, laid down, or being against or in front of or belonging to any Houses or other Buildings whatsoever in any of the Streets, Lanes, Roads, Passages, or other Places within the said Borough, and which in the Judgment of the Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon, or otherwise obstructing,

obstructing, annoying, or endangering the public Passage along any of the aforesaid Streets, Lanes, Roads, Passages, or other Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed by the Commissioners, or any other Person acting under their Authority, in such Manner as shall be thought most proper and expedient by the Commissioners, the Commissioners nevertheless first causing Fourteen Days Notice in Writing under the Hands of Thirteen or more of the Commissioners to be given to the respective Owners or Occupiers of such Houses or other Buildings of their Intention to take down, fill up, remove, alter, or reform such Obstructions or Projections respectively, and causing as little Damage to be done in effecting every such Removal or Alteration as the Nature of the Case will allow, and also defraying the whole Costs and Charges of executing the same.

LXXVI. And be it enacted, That the several Occupiers of Houses and other Buildings situate in the several Streets, Lanes, Roads, Passages, or other Places within the said Borough, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the Commissioners in that Behalf, signed by any Thirteen or more of the Commissioners, to cause all and every the Penthouses, Porches, Sheds, dripping Eaves, projecting Windows, Palisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Gratings, and other Obstructions and Projections, whatsoever within the said Borough which shall in future be erected, set up, affixed, laid down, or be against or in front of or belonging to their respective Houses and other Buildings, and which in the Judgment of the Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon, or otherwise obstructing, annoying, or endangering the public Passage along any of the Streets, Lanes, Roads, Passages, or other Places within the said Borough, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as shall be directed by the Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Penthouse, Porch, Shed, dripping Eave, projecting Window, Palisade, Rail, Post, Fence, Step, Cellar Door, Cellar Window, Hatchway, Grating, or other Projection or Obstruction whatsoever which shall in future be so erected, set up, affixed, laid down, or lie against or in front of or belonging to his House or other Building, and which shall be considered an Annoyance or Nuisance as aforesaid, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the Commissioners to cause the same to be forthwith done by some Person acting under their Authority; and the Costs and Charges attending the same, having been ascertained by Two or more Justices of the Peace for the said Borough or County, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and, when received, the same shall be paid to the Treasurer of the Commissioners, to be applied to the Pur-

Occupiers to  
remove future  
Projections.

poses

poses of this Act; and it shall be lawful for the Occupier of any House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first instance, or having represented the same to the Commissioners, to deduct and retain the Amount thereof out of his Rent, and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he shall bear the Expences of altering or removing the same.

Doors and  
Gates to open  
inwards.

LXXVII. And be it enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Borough; and every of them, are hereby respectively required, at their own Costs and Charges, from Time to Time, within Seven Days next after their respectively receiving Notice in Writing from the Commissioners in that Behalf, to cause all the Doors and Gates leading into the several Houses, Buildings, Coach-houses, Yards, Gardens, and Lands in their respective Occupations (except horizontal or Trap Doors) which now do or shall hereafter open outwards, and when opened project over any of the Streets, Lanes, Roads, Passages, and other Places within the said Borough, to be altered so that the same Doors and Gates shall thenceforth open inwards and into their respective Premises; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by the Commissioners in or respecting any such Door or Gate within the Period specified in such Notice, such Occupier making default therein shall forfeit and pay the Sum of One Shilling for every Day during which any such Gate or Door shall be suffered to remain opening outwards after the Expiration of the Time specified in such Notice.

Water from  
Roofs of  
Buildings to  
be carried off  
by Trunks or  
Pipes.

LXXVIII. And be it enacted, That the Owner or Occupier for the Time being of each House or Building fronting or next adjoining any Street, Lane, Road, Passage, or other Place in the said Borough which has not already a Pipe or Trunk of the Description herein-after mentioned, shall, within Six Calendar Months after the passing of this Act, put up and place, and for ever afterwards keep in repair and good Condition, a Gutter or Water Shoot of the whole Length of such Front or next adjoining Part, with a Pipe or Trunk to be fixed to the Front or Side of such House or Building from the Roof down to the Ground, to carry off or conduct all the Water from the Roof of such House or Building in such Manner that such Water shall pass into the Common Channel, and so as not to drip from the Eaves of such House or Building upon or to incommode the Persons passing such House or Building; and every Tenant or Occupier of any such House or Building who shall put up or place any such Gutter, Water Shoot, Pipe, or Trunk, or keep the same in repair, in default of the same being done by his Landlord, shall be entitled to deduct and retain out of the Rent payable to the Owner of such House or Building so much Money as such Tenant or Occupier shall have expended in putting up or placing or in keeping in repair any such Gutter, Water Shoot, Pipe, or Trunk, and the Payment of such Expences by any such  
Tenant



Tenant or Occupier shall be a sufficient Discharge to him for so much of his Rent as the Amount of such Expences shall be equal to, and shall be abated and allowed to him by the Owner of such House or Building out of such Rent; and if any such Owner or Occupier shall, at the Expiration of the said Six Calendar Months before mentioned, neglect to put up or place or neglect to repair any Gutter, Water Shoot, Pipe, or Trunk, or shall neglect to prevent the Water from dripping from the Eaves of such House or Building as aforesaid, then and in any and every such Case such Owner or Occupier so neglecting shall forfeit and pay the Sum of Five Shillings for each and every Week during the Continuance of such Neglect, to be recovered in like Manner as other Penalties or Forfeitures are by this Act authorized to be recovered; and when received the same shall be paid to the Treasurer of the Commissioners, to be applied to the Purposes of this Act.

LXXIX. And be it enacted, That the Commissioners shall or may from Time to Time, when and as often as they shall think proper, cause to be painted, engraved, or otherwise described and placed on a conspicuous Part of any One or more of the Houses or Buildings at or near each End, Corner, or Entrance of any Street, Lane, Road, Passage, or other Place within the said Borough, the Name by which such Street, Lane, Road, Passage, or other Place now is or shall be called or known, and shall and may also cause every House, Shop, and Building in the several Streets, Lanes, Roads, Passages, and other public Places in the said Borough to be marked and numbered with Figures of not less than Two Inches in Length, either on the Door thereof or otherwise, and in such Manner as they shall think most proper for distinguishing the same; and if any Person shall wilfully destroy, obliterate, deface, remove, or, without the Consent of the Commissioners first obtained, alter any such Name, Number, or Figure, or any Part thereof, or cause or procure the same to be so done, every Person so offending shall for every such Offence forfeit and pay the Sum of Ten Shillings.

Names of Streets and Numbers of Houses to be put up.

LXXX. And be it enacted, That when any such Numbers or Figures, painted, engraved, or otherwise described, and placed on any House or other Building within the said Borough, or on the Door thereof, shall by Accident, Decay, or otherwise be defaced or rubbed out, the Occupier of such House or Building shall, upon Notice in Writing being given in that Behalf by the Commissioners or their Clerk, cause the same Numbers or Figures, and of the like Dimensions, to be painted, engraved, or otherwise described and placed on such House or other Building, or on the Door thereof, within Ten Days after such Notice; and in case of Neglect or Refusal to comply with such Order every such Occupier shall forfeit and pay for every such Offence the Sum of Ten Shillings.

Numbers to be renewed.

LXXXI. And for raising Money for answering and defraying the Expences attending the obtaining of this Act, and for carrying into execution the several Purposes thereof, be it enacted, That it shall be lawful for the Commissioners, and they are hereby authorized and empowered, to raise and levy from Time to Time, when and so often

Raising Monies.

as they may think necessary, such Sum of Money as they may think requisite, by a Rate or Assessment to be made, assessed, charged, and levied on the Tenants or Occupiers of all Wharfs, Houses, Warehouses, Shops, Manufactories, Foundries, Mills, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, and all other Buildings and Erections, with the Curtilages and Gardens, if any; thereto respectively belonging or appertaining or occupied therewith, within the said Borough (except Churches and Chapels and Places devoted to Divine Worship), according to the annual Rent or Value of the same respectively, but that such Rate or Assessment shall not exceed One Shilling and Sixpence in the Pound upon such annual Rent or Value in any One Year; and where the same shall be assessed, charged, and levied on the Tenant or Occupier of any Dwelling House not exceeding the annual Rent or Value of Five Pounds in respect of such Dwelling House, such Rate or Assessment shall not exceed One Shilling in the Pound upon such annual Rent or Value in any One Year; and the Monies to be so assessed and raised by virtue of this Act shall be paid by the several Tenants or Occupiers of such respective Premises to the Collector of the Rates, to be appointed as herein directed, upon such Days or Times as the Commissioners shall order or appoint, and the Monies so collected shall be paid over by such Collector into the Hands of the Treasurer at such Times as the Commissioners shall direct; and if any Tenant or Occupier of any of the Premises rateable under this Act shall neglect or refuse to pay his Proportion of any of the Rates or Assessments by this Act authorized to be made to the Collector for the Space of Fourteen Days after the same shall become due and payable, and Demand made thereof by leaving a Note or Particular in Writing of the Rates demanded with the Person liable to pay the same, or at the Place in respect of which the Rate shall be payable, the same shall be levied and recovered on and from every such Tenant or Occupier so neglecting or refusing by Distress and Sale of his Goods and Chattels, by Warrant under the Hands and Seals of any Two or more Justices of the Peace for the said Borough or County, such Defaulter having been first duly summoned by any Justice to appear before him and any other Justice at a Time and Place to be mentioned in such Summons to show Cause for such Neglect or Refusal; and the Overplus, if any, of the Monies to be raised by such Distress and Sale, shall be returned, on Demand, to the Owner of the Goods and Chattels so distrained and sold, together with what shall remain unsold, after deducting all Costs, Charges, and Expences previous to and attending such Distress and Sale, such Costs, Charges, and Expences to be ascertained and determined by the said Justices; and in default of such Distress it shall be lawful for any such Justices to commit such Person to any Gaol, Bridewell, or House of Correction for the said Borough of *Truro* or County of *Cornwall*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until Payment of such Sum of Money as shall have been found to be due and in arrear upon any of such Rates or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and determined by the said Justices: Provided always, that no Wharf, House, Warehouse,

Shop, Manufactory, Foundry, Mill, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, or other Building or Erection within the said Borough shall be charged or chargeable with any such Rate or Assessment as aforesaid during the Time the same shall be empty or unoccupied: Provided nevertheless, that no Wharf, or any House, Erection, or Building whatsoever, shall be deemed or considered to be empty or unoccupied within the Meaning of this Act during such Time as any Tenant thereof, though not actually occupying or inhabiting the same, shall be liable to pay any Rent for the same, or during such Time as any Furniture, Goods, Chattels, Wares, Merchandize, or Effects belonging to any Tenant or Owner thereof shall be in or upon any such Wharf, Erection, House, or Building, or during such Time as any Furniture, Goods, Wares, Merchandize, or Effects belonging to any Person other than the Tenant or Owner of such Wharf, House, Erection, or Building, shall (with the Knowledge and Consent of the Tenant or Owner of such Wharf, House, Erection, or Building,) be in the same.

LXXXII. Provided always, and be it enacted, That it shall be lawful for the Commissioners and they are hereby empowered, upon the Application of any Owner or Occupier of a Dwelling House or other Hereditament subject to the Payment of the said Rates or Assessments in respect of any Dwelling House or other Hereditament, not exceeding the annual Rent or Value of Five Pounds, to enter into any Contract or Composition with any such Owner or Occupier, or to mitigate, reduce, lessen, or wholly remit or excuse, for or on account of Poverty or Inability, or any other good and sufficient Cause, Payment of the said Rates or Assessments, or any Part thereof, in such Manner as the Commissioners shall in their Discretion think just and reasonable.

Commissioners may lessen or excuse certain Rates on account of Poverty.

LXXXIII. And be it enacted, That every Person who shall be rated or assessed to the said Rate or Assessment for or in respect of any Wharfs, Houses, Warehouses, Shops, Manufactories, Foundries, Mills, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brew-houses, or other Buildings and Erections within the said Borough, with the Appurtenances and the Curtilages and Gardens (if any) thereto appertaining, shall be, in respect of the same Wharfs, Houses, Warehouses, Shops, Manufactories, Foundries, Mills, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brew-houses, or other Buildings, Curtilages, Gardens, and Appurtenances, exonerated, released, and discharged from the Payment and Performance of Statute Duty or Composition for the same, and of all Rates and Assessments whatsoever for or towards or in respect of the Repair and Amendment of all or any of the public Highways in the said Borough, or any Costs, Charges, or Burthens in respect thereof (except any such Arrears of Rates or Compositions as at the Time of the passing of this Act may be due from such Persons respectively); and when and so soon as any new Street, Lane, Road, or Passage within the said Borough shall, under the Provision in that Behalf herein-before contained, have been declared by the Commissioners to be a public Street, Lane, Road, or Passage, then and from thenceforth all the Powers and Authorities to appoint Waywardens or Surveyors of the Highways shall, as to every

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

every such new Street, Lane, Road, or Passage, cease and determine, any thing contained in any Law or Statute to the contrary thereof in anywise notwithstanding.

For better  
Recovery of  
Rates on  
Houses let  
to monthly  
or weekly  
Tenants.

LXXXIV. And be it enacted, That when any Wharfs, Houses, Warehouses, Shops, Manufactories, Foundries, Mills, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, or other Buildings or Erections within the said Borough, shall be let to any weekly or monthly Tenants, the Rent whereof shall become payable at any shorter Period than quarterly, or shall be let out, either in the whole or in part, in Lodgings or in separate Apartments, then and in every such Case it shall be lawful for the Commissioners, in and by any such Rate or Assessment so to be made as aforesaid, to rate and assess the Landlord or Owner of any such Wharfs, Houses, Warehouses, Shops, Manufactories, Foundries, Mills, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, or other Buildings or Erections, for the Payment of the Rate or Assessment for the Purposes of this Act; and in every such Case the Landlord or Owner of such last-mentioned Wharfs, Houses, Warehouses, Shops, Manufactories, Foundries, Mills, Cellars, Vaults, Stables, Coach-houses, Counting-houses, Brewhouses, or other Buildings or Erections, shall thenceforth, and until the Expiration of the current Year for which such Rates or Assessments shall be made, be deemed and taken to be, for the Purposes of this Act only, the Occupier of such Premises, and shall thereupon be rated to, and from Time to Time shall pay or cause to be paid the Rates or Assessments charged upon the same respective Premises for the Purposes of this Act; and upon Nonpayment thereof the Collector authorized and appointed by virtue of this Act to receive the same is hereby authorized to levy the same by Distress and Sale of the Goods and Chattels of such Landlord or Owner, wheresoever the same may be found respectively: Provided always, that the Goods and Chattels of every Person renting or occupying any such Wharf, House, Warehouse, Shop, Manufactory, Foundry, Mill, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, or other Building or Erection, or any Part thereof, the Rate or Assessment whereof the Landlord or Owner is hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of so much of the said Rates or Assessments, and of all Arrears thereof, as became due upon the same Premises during the Time of his Occupancy only; but no such Occupier shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due by such Occupier to the Landlord or Owner of the Premises so occupied by him: Provided also, that it shall be lawful for every such Occupier who shall pay any such Rate or Assessment, or any Arrear thereof, or upon whom the same shall be levied, from Time to Time to deduct the same from the Rent then or at any Time thereafter due from him to the respective Landlords or Owners of the Premises, and the Receipt for such Payment shall be a good and sufficient Discharge to every such Occupier to his Landlord for so much Money as such Occupier shall pay in the Manner directed by this Act.

Occupier's  
Goods liable  
to be dis-  
trained for  
Payment of  
Rates.

LXXXV. And

LXXXV. And to prevent Disputes touching the Designation of the Landlord, Owner, or Lessee intended to be made liable by this Act, be it enacted, That the Person receiving or claiming to be entitled to the Rents of every such Wharf, House, Warehouse, Shop, Manufactory, Foundry, Mill, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, Building, or Erection, payable by the Tenants or Occupiers in the actual Possession thereof respectively, shall be deemed and taken to be the Landlord, Owner, or Lessee of the same for the Purposes of this Act, and shall continue to be rated to and liable to the Payment of all and every such Rates as aforesaid until some other Person shall be rated to or pay the same.

Persons receiving Rents to be deemed Owners.

LXXXVI. And be it enacted, That in all Cases where any Person shall remove from or quit any Wharf, House, Erection, or Building whatsoever which shall be rated or assessed by virtue of this Act, such Person shall be liable to pay the Rates or Assessments so rated or assessed in proportion to the Time that he occupied the same, in like Manner as if such Person had not removed from or quitted the same; and in all Cases where any Person shall come into or occupy any such Wharf, House, Erection, or Building as aforesaid, out of or from which any other Person who shall have been rated and assessed for the same shall be removed, or which at the Time of making any such Rate or Assessment was empty or unoccupied, the Person so coming into or occupying the same shall, for or in respect of his Occupation thereof, be liable to pay such Rate or Assessment in proportion to the Time that he shall occupy the same, in the same Manner as if he had been originally rated or assessed for such Wharf, House, Erection, or Building; which said respective Proportions, in case of Dispute, shall be settled and ascertained by the Commissioners as they shall judge reasonable.

How Rates, &c. to be paid by Tenants quitting or entering.

LXXXVII. And be it enacted, That when any Person who hath been so rated and assessed shall quit or be about to quit his Wharf, House, Shop, Warehouse, Manufactory, Foundry, Mill, Cellar, Vault, Stable, Coach-house, Counting-house, Brewhouse, or other Building or Erection, before he shall have paid such Rate or Assessment, or such Portion thereof as may be then due or payable or recoverable by virtue of this Act, and shall refuse to pay the same when demanded by the Collector authorized and appointed by virtue of this Act to receive the same, then and in every such Case it shall be lawful for the said Collector, on Oath or Affirmation having been made by him before some Justice of the Peace for the said Borough or County that he hath Cause to suspect that such Person is removing or hath removed his Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace for the said Borough or County (which Warrant such Justice is hereby authorized and required to grant immediately), and in case such Person shall have removed, such Warrant being backed or countersigned by some Magistrate of the County, Borough, City, or Liberty to which such Person shall have removed, to distrain the Goods and Chattels of such Person so refusing or neglecting to pay the said Rates or Assessments, or Portion thereof, or any Arrears thereof, or any of them, wherever such Goods or Chattels may be, and to sell such Goods and

Recovery of Rates from Persons removing.

Chattels, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, upon Demand, to the Owner of such Goods and Chattels respectively.

Commis-  
sioners may  
inspect Poor  
Rates.

LXXXVIII. And be it enacted, That it shall be lawful for the Commissioners or any Person by them authorized from Time to Time to inspect the Poor Rates of the Parishes of *Saint Mary Kenwyn* and *Saint Clement* respectively, and to take Copies or Extracts therefrom, which the Overseers or other Person having the Custody thereof respectively are hereby required, on producing such Authority as aforesaid, to permit and suffer to be made and taken without Fee or Reward; and on Refusal thereof by the Overseers or other Person as aforesaid, he or they so refusing shall forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings for each such Offence, to be recovered by the Commissioners as other Penalties are directed by this Act to be recovered.

Duty of  
Assessors.

LXXXIX. And be it enacted, That the Assessors to be appointed as aforesaid are hereby empowered and required to make and assess all such Rates and Assessments as shall be ordered and directed by the Commissioners upon all Tenants or Occupiers of Wharfs, Houses, Warehouses, Shops, Manufactories, Foundries, Mills, Cellars, Vaults, Stables, Coach-houses, Brewhouses, or other Buildings or Erections, with the Appurtenances, and the Curtilages and Gardens, if any, appertaining thereto or occupied therewith, within the said Borough, which shall be liable to be rated under the Directions of this Act: Provided always, that when and so often as any Rates or Assessments shall be made by virtue of this Act the same shall be allowed and signed by the Commissioners, and public Notice shall be given thereof in the Parish Church of *Saint Mary* within the said Borough on the next or some following *Sunday* within One Calendar Month after the same shall be so allowed and signed; and after the said Rates or Assessments shall have been so made, allowed, signed, and published as aforesaid, the same shall and may respectively be demanded, collected, levied, raised, recovered, and received, by quarterly, half-yearly, or other Payments, by such Collectors as the Commissioners shall from Time to Time appoint for that Purpose, and who are hereby respectively invested with full Power and Authority to demand, collect, levy, raise, recover, and receive the same.

Commis-  
sioners may  
amend Rates.

XC. And be it enacted, That if it shall appear to the Commissioners, at any Time after any such Rate or Assessment shall have been made by virtue of this Act, that the Name of any Person who ought to be included therein hath been omitted, or hath been inserted in such Rate or Assessment instead of some other Person who ought to have been rated or assessed, or that the Persons rated are over-rated or under-rated therein, or that any other Alteration or Amendment of such Rate or Assessment may be necessary, then and in any such Case it shall be lawful for the Commissioners, or any Thirteen or more of them, at a Special Meeting to be convened for that Purpose, from Time to Time to add or insert, or cause to be added and inserted, to or in any such Rate or Assessment the Name of the Person so omitted,

with the Sum for which he ought to be rated and assessed, and the Amount of such Assessment in respect thereof, and also to insert and substitute, or cause to be inserted and substituted, the Name of such Person as may be the Tenant or Occupier of any Wharfs, Houses, Tenements, or Hereditaments, instead of the Name of the Person incorrectly inserted in such Rate or Assessment as the Tenant or Occupier of any Wharfs, Houses, Erections, or Buildings rateable under this Act, and to lessen or raise the Rates or Assessments of the Person over-rated or under-rated, and otherwise from Time to Time to alter and amend the said Rates or Assessments as often as Occasion shall require; and the Monies charged to any Person in consequence thereof shall and may be demanded, received, and recovered in the same Manner as if the Name of such Person, or other Alteration or Amendment, had been inserted and made in such Rate or Assessment at the Time of or previous to the original making or signing thereof.

XCI. And be it enacted, That if any Person shall think himself aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, such Person, having first paid such Rate or Assessment, shall or may apply for Relief in the Premises to the Commissioners at their First or Second Meeting to be holden next after he shall have paid the same, and the Commissioners are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them shall seem reasonable, and to order the Repayment of any Money so paid as aforesaid, or any Part thereof; and if any Person shall be dissatisfied with the Order or Determination of the Commissioners thereupon, then such Person may appeal against such Order or Determination to the General or Quarter Sessions of the Peace for the said County of *Cornwall* within the Time and in manner herein-after directed in that Behalf.

Persons aggrieved may appeal against the Rate.

XCII. And be it enacted, That all Rates and Assessments made, allowed, and signed by virtue of this Act shall be deposited with the Clerk of the Commissioners, who shall permit any Person rated by virtue of this Act, or any Creditors of the said Rates or Assessments, to inspect the same at all seasonable Times; and such Clerk shall, within Fourteen Days after Demand, deliver a true Copy of such Rates or Assessments, or any of them, or of any Part thereof, to any Person rated as aforesaid, or any such Creditors on the said Rates, being first paid for the making of such Copy after the Rate of Sixpence for every One hundred Names of the Persons assessed.

Rates may be inspected.

XCIII. And be it enacted, That the Book of Rates to be delivered to the Collector or other Officer by the Commissioners, and all Entries afterwards made therein, or examined Copies thereof respectively, being signed by the Commissioners or any Two of them, or by a Justice of the Peace for the said Borough or County, shall be received as Evidence of the Rates imposed by virtue of this Act, and of the Payment of such of them or any Part thereof as shall by such Entries appear to have been paid to such Collector, without Proof of any Examination thereof with the original Book or of the Handwriting

Rate Book to be Evidence.





these Presents until the said Sum of \_\_\_\_\_ Pounds, with Interest for the same after the Rate of \_\_\_\_\_ *per Centum per Annum*, to be paid half-yearly, shall be fully paid and satisfied: In witness whereof we have set our Hands and Seals the Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

And every such Mortgage or Security, being under the Hands and Seals of Thirteen or more of the Commissioners, shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever.

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

Power of transferring Mortgages.

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

Form of Transfer.

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

No Preference in payment of Mortgages.

XCVIII. And be it enacted, That all the Monies which shall be raised by virtue of this Act from and by the Rates and Assessments herein-before authorized to be assessed and levied, and all the Monies which shall be borrowed on Mortgage of the same Rates and Assessments, and all the Monies which are herein directed to be applied to the Purposes of this Act, in regard to the Disposal of which no specific Directions are herein given, shall be and the same are hereby vested in the Commissioners, and the same shall from Time to Time and at all Times be paid, applied, and disposed of by and under the Order of the Commissioners in manner following; that is to say, in paying and defraying the Costs, Charges, and Expences of applying for or incident to the obtaining and passing of this Act; and in paying off and discharging all Monies, Debts, and Demands heretofore borrowed

Application of Rate.

or otherwise incurred, and remaining due and owing by virtue of the said first herein-before recited Act; and in and for the paying and defraying the Charges and Expences of providing Materials for, and paving, stoning, flagging, repairing, amending, widening, fencing, and improving the Streets, Lanes, Roads, Bridges, Passages, and other Places within the said Borough, and the present and future Tunnels, Gutters, Sinks, Drains, Sewers, and Watercourses in or belonging thereto; and also in providing a sufficient Number of Lamp Posts, Lamp Irons, and Lamps, and of keeping the same in repair from Time to Time; and in paying and defraying the Charges and Expences of lighting, watching, and regulating the same Streets, Lanes, Roads, Passages, and other Places in the Manner hereby directed; and for paying the Expences of Firemen and Fire Engines; and for paying the Purchase Monies for, and the Costs, Charges, and Expences of and attending or incident to the purchasing by the Commissioners of any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or any Estate, Right, or Interest of or in any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, which by this Act are authorized to be purchased, Erection of Bridges, and all other Costs, Charges, and Expences relating or incident to the Execution of this Act, and the Powers and Authorities hereby given and granted to the Commissioners; and in and for paying the annual Interest of the Principal Monies to be borrowed on the Credit of such Rates and Assessments by virtue of this Act, and in and for paying off the Principal Monies to be borrowed as last aforesaid, and in and for carrying the Intents and Purposes of this Act into full and complete Execution in other respects, or in or for any of the aforesaid Purposes, and for no other Use, Intent, or Purpose whatsoever: Provided always, that it shall be lawful for the Commissioners to accept and receive from any Person whomsoever any Sum of Money, and to apply the same for any of the Purposes in this Act mentioned: Provided also, that in case any Person shall advance or lend and pay any Monies for or towards defraying the Expences of applying for and obtaining this Act, such Person shall be repaid such Money, with lawful Interest for the same, from the Time of advancing and lending the same, out of the Money which shall be first raised or borrowed under and by virtue of this Act.

Rights of  
Corporation  
of Truro.

XCIX. And be it enacted, That from and after the passing of this Act the Mayor, Recorder, Deputy Recorder, Aldermen, and Capital Burgesses of the said ancient Borough of *Truro*, and their Successors, shall have, exercise, and enjoy all and singular such and the same Powers, Authorities, or Jurisdictions over and within the entire District comprised within the Limits of the Borough of *Truro* as such Limits are settled and described in and by the herein-before recited Act of the Second and Third Years of the Reign of His present Majesty, as respects the Election of Members to serve in Parliament, as previously to the passing of this Act the said Mayor, Recorder, Deputy Recorder, Aldermen, and Capital Burgesses had, exercised, and enjoyed over and within the said ancient Borough of *Truro*; any Charter, Law, Usage, or established Custom to the contrary notwithstanding.

C. And

C. And be it enacted, That the Mayor, Recorder, Deputy Recorder, and the senior Alderman for the said Borough for the Time being, shall, from and immediately after the passing of this Act and at all Times thereafter, be and they are hereby respectively constituted Justices to keep the Peace, and to inquire of, hear, and determine Offences within the Limits of the said Borough, as such Limits are settled and described in and by the said recited Act of the Second and Third Years of the Reign of His present Majesty, as respects the Election of Members to serve in Parliament, and to do, transact, hear, determine, and execute all such Acts, Matters, and Things within the same Limits, and to have, exercise, and be invested with all and every other the Powers, Authorities, and Jurisdictions of Justices of the Peace within the Limits of the said Borough as settled and determined, and as the said Mayor and Recorder did, previously to and at the Time of the passing of this Act, exercise and enjoy within the Limits of the ancient Borough of *Truro* aforesaid by any Charter, Law, Statute, Usage, or established Custom; and also that the said Mayor, Recorder, Deputy Recorder, and senior Alderman, and every or any of them, and also the Constables of the said Borough, shall have the same Power to quarter and billet Officers and Soldiers, Horses and Dragoons, in Inns, Livery Stables, Alehouses, Victualling Houses, and other Houses liable to such quartering and billeting within the Limits of the said Borough, as settled and described in and by or for the Purposes of the said last-named Act, as any Justice of the Peace or Constable hath or shall or may have by the Laws and Statutes of this Realm within any County, Riding, Division, Parish, or Place within which such Justice or Constable hath Jurisdiction.

CI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to contract and agree with any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Tenant in Fee Simple or for Life or Years, or in Fee Tail, General or Special, or with any Feoffees in Trust for charitable or other Purposes, Husbands, Guardians, Committees for Idiots or Lunatics, Executors, or Administrators, or other Trustees whomsoever, not only for and on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Idiots, Lunatics, Femes Covert, or other Persons under any Disability of acting for themselves, or with any Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any others the Owners or Proprietors for the Time being of all and every or any the Messuages, Buildings, Lands, Tenements, or Hereditaments mentioned and specified in the Schedule to this Act annexed, or any Part thereof, or of any Estate, Right, or Interest therein, for the absolute Purchase of such several Premises or any of them, or any Part thereof, or of any Estate, Right, or Interest therein, which shall be necessary to be purchased for the Purposes herein as mentioned, and to take down all or any of such Messuages, Houses, Buildings, Walls, Tenements, and Hereditaments so to be purchased, or any Part of the same respectively, and to form, make, and lay out a Street of the clear Width of Thirty-six Feet at least, commencing at or near a certain Bridge called the *West Bridge*, in the said Borough, and

Power to  
purchase  
Buildings,  
&c.

and terminating at or near a certain Street called *Castle Street*, also in the said Borough, as the Commissioners shall think fit.

Conveyances  
to be made  
to the Com-  
missioners.

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

Form of  
Conveyance.

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

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

Corporate  
Bodies may  
sell.

CIII. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical; Corporations Aggregate or Sole, Tenants in Fee Simple or for Life or for Years, or in Fee Tail, General or Special, and all Feoffees in Trust for charitable and other Purposes, Husbands, Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and other Trustees and Persons whomsoever, not only for and on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for every other Person whomsoever, who is, are, or shall be seised or possessed of or interested in any of the Messuages, Buildings, Lands, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, or to any Property which may be taken or agreed for by the Commissioners, under the Power in this Act before mentioned, for the Improvement of the said Town of *Truro*, or entitled to any Estate, Right, Title, Lien, Charge, or Interest therein whatsoever, to contract and agree with the Commissioners for the absolute Sale thereof or of any Part thereof, and of all and every Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, unto the Commissioners for the Purposes of this Act, and to convey and assign the same respectively unto the Commissioners; and all such Contracts, Bargains, Sales, Conveyances, and other Assurances shall, without any Acknowledgment, Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment or Registry, be good, valid,

valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Party so conveying, but also to convey all the Estate, Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them or any of them and all Persons entitled in Remainder or Reversion expectant on any particular Estates; and the same shall be deemed and considered to bar all Dower of the Wife of such Party, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and of the Issue of the same Party claiming under them; any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding.

CIV. And be it enacted, That if any of the Messuages, Buildings, Lands, Tenements, or Hereditaments which are mentioned or described in the Schedule to this Act annexed, or any of the Owners thereof, or of the Persons in whose Occupation or Possession 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 conveyed, disposed of, and applied to and for the Purposes of this Act, as fully and effectually as if the same were more properly named and described in the said Schedule, provided it shall appear to any Two Justices of the Peace and be certified by Writing under their Hands that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only, or that the real Owners and Occupiers of such Messuages, Buildings, Lands, Tenements, or Hereditaments had previous Notice that the same respectively would be wanted for the Purposes of this Act.

Misnomer in describing the Premises not to retard the Execution of this Act.

CV. Provided always, and be it enacted, That if the said Commissioners shall not, within the Space of Three Years next after the passing of this Act, agree for or cause to be valued and paid for in manner directed by this Act the several Messuages, Buildings, Lands, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, or so much thereof as shall be necessary for the Purposes of this Act, then and from thenceforth the Powers hereby given to them for such Purpose only shall cease, determine, and be utterly void, except with the Consent of the Owners and Occupiers thereof respectively.

Power to purchase limited to Three Years.

CVI. Provided also, and be it enacted, That in every Case of any Messuage, Building, Land, Tenement, or Hereditament, with the Appurtenances thereto belonging, mentioned or described in the Schedule to this Act annexed, and authorized by this Act to be purchased for the Purposes thereof, wherein it shall be found that Part only of such entire connected Property will be required, it shall be lawful for the said Commissioners to purchase such Part only of the said Premises respectively as shall be necessary for such Purposes; but in case the Owner of such Property (either having an absolute

Commissioners to purchase Part only of the Premises in certain Cases, unless required by the Owners to purchase the Whole.

[Local.]

33 Z

Interest

Interest or having an Interest in Trust for others as aforesaid) shall be desirous of disposing of the whole thereof, then the said Commissioners shall and they are hereby directed and required to purchase the whole thereof accordingly; and upon Payment of the Money to be contracted or agreed for to the Person entitled thereto, or into the Bank of *England* in manner herein-after directed, for the Use of the same Person, all the Estate, Use, Trust, and Interest of any Person therein shall thenceforth vest in the Commissioners for the Purposes of this Act.

Mortgagees not in Possession to assign Mortgages to Commissioners.

CVII. And be it enacted, That every Person, or Body Politic, Corporate, or Collegiate, who shall have any Mortgage on such Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which may be required for the Purposes of this Act, (not being in Possession of the said Premises by virtue of such Mortgage), shall, on Tender of the Mortgage Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the Principal Money, by the Commissioners, immediately convey, assign, and transfer such Mortgage to the Commissioners or to such Person as they shall appoint; or in case such Mortgagee shall have Notice in Writing from the Commissioners that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months, then, on Payment of the Principal and Interest so due on such Mortgage, such Mortgagee shall convey, assign, and transfer the said Mortgage and his Interest in the Premises to the Commissioners or to such Person as they shall appoint in Trust for them; but in case such Mortgagee shall refuse to convey or assign on such Tender or Payment as aforesaid, then all Interest on every such Mortgage shall from the Time of such Tender or Expiration of such Notice cease and determine: Provided always, that in case the Sum due upon any such Mortgage, with all Interest due thereon, shall amount to more than the real Value of such Messuages, Buildings, Lands, Tenements, or Hereditaments, or the Part thereof which shall be taken for the Purposes of this Act, then the Commissioners shall not be liable to pay the Mortgagee any more than the real Value of such Premises; which Value, in case the Parties cannot agree upon the same, shall be ascertained and settled by a Jury in like Manner as the Value of any Property wanted for the Purposes of this Act is herein-after directed to be ascertained and settled.

On Persons refusing to treat or to sell, Jury to be summoned to assess Value, &c.

CVIII. Provided always, and be it enacted, That if any such Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Fee Simple or for Life or for Years, or in Fee Tail, General or Special, Feoffees, Husbands, Guardians, Committees, Executors, or Administrators, Trustees, or other Persons whomsoever in anywise interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments hereby authorized to be purchased, and in the Schedule to this Act particularly mentioned and described, or any Occupier thereof sustaining any Loss, Injury, or Damage, (upon Notice to him given or left in Writing at the Dwelling House or usual or last Place of Abode of him, or of the principal

cipal or head Officer of such Body Politic, Corporate, Collegiate, or Ecclesiastical, or Corporation, or at the House of the Tenant in Possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments intended to be purchased,) shall, for the Space of Fourteen Days next after such Notice given or left as aforesaid, neglect or refuse to treat and agree or shall not agree for the Sale of the said Premises, or by reason of Absence or Disability shall be prevented from treating and agreeing, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in Possession of or the Interest they claim therein to the Satisfaction of the said Commissioners, then and in every such Case the Value and Recompence to be made for such Messuages, Buildings, Lands, Tenements, or Hereditaments shall be inquired into and ascertained by a Jury of Twelve indifferent Men of the said County of *Cornwall*; and for ascertaining the Value thereof, and Recompence to be made for the same, the Sheriff of the said County of *Cornwall* shall, on Request in Writing to him for that Purpose made by the said Commissioners, impanel, summon, and return an indifferent Jury of Twenty-four Persons qualified to serve upon Juries at the Sessions of the same County, and who are respectively seised and possessed of Freehold, Copyhold, or Leasehold Estates within the said County of the annual Value of Fifty Pounds, to appear before the said Sheriff at such Time and Place as in such Warrant shall be appointed, and the said Sheriff is hereby required to impanel, summon, and return such Number accordingly to attend at the Time and Place so appointed, and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff is hereby empowered to swear Twelve to be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriff shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to make up such Jury 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, but shall not challenge the Array; and the said Sheriff is hereby also required and empowered from Time to Time, as Occasion shall be and require, to summon and call before the said Jury and examine upon Oath (which Oath the said Sheriff or his Under Sheriff is hereby empowered to administer) every Person who shall be thought necessary and proper to be examined as a Witness touching or concerning the Premises; and the said Sheriff shall also order and cause the said Jury to view the Places in question, if there be Occasion, and use all lawful Ways and Means as well for his own as for the said Jury's better Information in the Premises, as the said Sheriff shall think fit; and the said Jury shall assess the Damages and Recompence to be given for the said Messuages, Buildings, Lands, Tenements, or Hereditaments to the respective Owners thereof according to their respective Interests therein, and shall give in their Verdict thereupon; and after the said Jury shall have inquired of and assessed such Damage and Recompence, and given in their Verdict, the said Sheriff shall thereupon adjudge, order, and determine the Sum of Money so assessed by the said Jury to be paid to the Person interested in the said Messuages,

suages, Buildings, Lands, Tenements, or Hereditaments, according to such Verdict or Inquisition of the said Jury.

Verdict of  
the Jury to  
be final.

CIX. And be it enacted, That such Verdict or Inquisition of the said Jury, and the Judgment, Order, or Determination thereupon so had and made, shall be final, binding, and conclusive to all Intents and Purposes against all Tenants in Fee Simple, or for Life or for Years, Tenants in Tail, and all Infants, Issue unborn, Idiots, Lunatics, Femes Covert, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, as well absent as present, claiming in Possession, Reversion, Remainder, or Expectancy, or otherwise, and against their several and respective Heirs, Successors, Executors, and Administrators, and against every other Person whomsoever; and all and every such Owners and other Persons in anywise interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments shall thereby be from thenceforth to all Intents and Purposes divested of all Right, Title, Claim, Remainder, Reversion, Interest, or Property of, in, to, or out of the same; and every Verdict and Judgment thereupon as aforesaid shall be transmitted to and fairly entered and kept amongst the Records of the Quarter Sessions of the Peace for the said County of *Cornwall*, and the same or a true Copy thereof shall be admitted, received, and taken as Evidence and Proof in all Courts of Law and Equity in all Places whatsoever; and all Persons shall have recourse to them *gratis*, and may have Copies thereof, paying Sixpence for every One hundred Words, and so in proportion for any less Number of Words; and the said Sheriff acting in the Premises shall have Power from Time to Time to impose any reasonable Fine on any of the Persons who shall be summoned and returned on such Jury, and shall not appear without some sufficient Excuse, or who shall refuse to be sworn on such Jury, or being so sworn shall refuse to give or shall not join in giving his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, and on any Person who, being summoned to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, after having been paid or tendered a reasonable Sum for his Costs, Charges, or Expences, without some sufficient Excuse, or appearing shall refuse to be sworn or give Evidence, so as such Fine to be imposed on any Juryman or Witness shall not exceed the Sum of Five Pounds for any One Offence.

By whom  
Jury shall be  
paid.

CX. And be it enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered by, for, or on behalf of the Commissioners as a Recompence or Satisfaction for any such Messuages, Buildings, Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person as aforesaid, and in any Case where any Person or Party shall have been prevented by Absence from *Great Britain* from entering into Treaty with the Commissioners, all the Costs and Charges incurred in summoning and impannelling and returning such Jury, taking such Inquisition, and the Attendance of  
8  
Witnesses,



Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the Commissioners out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Ten Days next after Demand made thereof from the Commissioners, then the same shall be levied and recovered by Distress and Sale of any Goods or Chattels of the Commissioners under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Cornwall*, 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; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the Commissioners, as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party refusing or neglecting to treat or agree, as before mentioned, and by the Commissioners; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges the same shall be settled and ascertained by any Justice of the Peace for the said County of *Cornwall*, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party having had any such Disagreement or Dispute with the Commissioners, such Costs may be deducted by them out of the Monies awarded to be paid to such Party as so much Money advanced for his Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the Commissioners from the Party liable to the Payment thereof by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

CXI. And be it enacted, That every Tenant at Will, Lessee for a Year, Tenant from Year to Year, and every other Person in Possession of any Messuages, Buildings, Lands, Tenements, or other Hereditaments which shall be purchased or taken by virtue and for the Purposes of this Act, shall deliver up the Possession of such Premises to the Commissioners, or to such Person as they the Commissioners shall appoint to take possession of the same, upon having Six Calendar Months Notice from the Commissioners or their Clerk to quit the same at such Time or Times as shall be required by such Notice, they the Commissioners making such Satisfaction and Compensation to every such Tenant or Lessee or other Person as aforesaid (except a Mortgagee), in case he shall be required to quit before the Expiration of his Term or Interest in the Premises, as the Commissioners shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be ascertained and settled by a Jury in such and the like Manner as the Satisfaction and Compensation to be made by the Commissioners for the Purchase of any Messuages, Buildings,

Lessees and Tenants for Years or at Will to deliver Possession on Six Months Notice.

Lands, Tenements, or Hereditaments is and are herein directed to be ascertained and settled in case of any Dispute or Difference about the same; and such Lessee, Tenant, or other Person aforesaid in Possession shall, at such Time as he shall be required by the Commissioners, peaceably and quietly deliver up the Possession of the said Premises to the Commissioners, or to the Person authorized by them to take possession thereof; and if any such Lessee, Tenant, or other Person aforesaid so in Possession as aforesaid shall refuse or neglect to deliver up such Possession, then and in every such Case it shall be lawful for the Commissioners to issue their Precept to the said Sheriff to deliver Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs and Charges as shall accrue from the issuing or Execution of such Precept on the Person refusing to deliver up Possession as aforesaid by Distress and Sale of his Goods and Chattels.

On Payment of Money, Property to vest in the Commissioners.

CXII. And be it enacted, That upon Payment or legal Tender of such Sum of Money as shall have been contracted or agreed for between the Parties, or assessed by such Justice or Jury in manner aforesaid, for the Purchase of any such Messuages, Buildings, Lands, Tenements, or other Hereditaments, or as a Compensation for Damages, as herein mentioned, to the Proprietor of such Messuages, Buildings, Lands, Tenements, or other Hereditaments, or to such other Person as shall be interested therein, or entitled to receive such Money or Compensation respectively, within One Calendar Month next after the same shall be so agreed for or assessed, or upon Payment of the said Sum of Money within the said One Calendar Month into the Bank of *England*, as herein-after directed and required, for the Use of the Person entitled thereto, it shall be lawful for the said Commissioners and their Attornies, and their Agents, Workmen, and Servants, to enter upon such Messuages, Buildings, Lands, Tenements, and other Hereditaments respectively, then and thereupon such Messuages, Buildings, Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person therein, shall thenceforth be vested in and become the sole Property of the said Commissioners for the Purposes of this Act; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder of his Issue, and of every other Person whomsoever therein: Provided nevertheless, that in case any Person shall enter upon any such Premises for any of the Purposes of this Act before such Payment or Deposit into the Bank of *England* as aforesaid shall have been made, every Person so offending shall forfeit and pay the Sum of Ten Pounds for every Day he shall remain on the said Premises.

Power to sell Messuages, &c. not wanted for

CXIII. And whereas some Part of the said Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased for the Purposes of this Act may happen to be more than will be necessary for the

the Purposes of this Act; be it therefore enacted, That it shall be lawful for the Commissioners and they are hereby required to sell or dispose of and to convey, and cause to be sold or disposed of and conveyed, such Part of the said Messuages, Buildings, Lands, Tenements, or Hereditaments to be vested in them by virtue or in pursuance of this Act, to any Person willing to contract, agree for, or purchase the same.

CXIV. And be it enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any of the Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers aforesaid, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person under any Disability or Incapacity, as herein-before is mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Buildings, Lands, Tenements, or Hereditaments, or affecting other Messuages, Buildings, Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Buildings, Lands, Tenements; and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until the Purchase shall be made the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Bank Annuities

the Purposes of this Act.

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

1 G. 4. c. 35.

Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities shall from Time to Time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

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

CXV. And be it enacted, That if any Money so agreed or awarded to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments under the Powers in this Act contained, and belonging to any Corporation, or to any Person 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 for the Time being entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his Guardian or Committee in case of Infancy, Idiocy, Lunacy, 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 Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option, to Two Trustees, to be nominated by the Person making such Option, and approved of by the said Commissioners (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application where not more than 20*l.*

CXVI. And be it enacted, That when such Money so 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 who would for the Time being have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased or sold; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then the same shall be paid to his Guardian or Committee, to and for the Use and Benefit of such Person so entitled thereto.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

CXVII. And be it enacted, That in case any Person to whom any Sum of Money shall be awarded for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments which shall be purchased under the Provisions of this Act, or of any Estate 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 Purchaser thereof, or in case such Person to whom such Sum of Money shall be awarded as aforesaid cannot be found, or if the Person entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments be not known

known or discovered, then and in every such Case it shall be lawful for the Commissioners to pay the said Sum of Money so awarded as aforesaid 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 in the said Messuages, Buildings, Lands, Tenements, or Hereditaments (describing them), subject to the Order, Control, or Disposition of the said Court of Exchequer; which said Court, on the Application of any Person making claim to such Sum of Money or any Part thereof by Petition, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the same 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, Title, or Interest of the Person 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 of the Bank of *England* who shall receive such Sum of Money is hereby required to give a Receipt for such Sum of Money, mentioning and specifying therein for what and for whose Use the same is received, to such Person as shall pay any such Sum of Money into the Bank as aforesaid.

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

Respecting  
disputed  
Titles to  
Money.

CXIX. And be it enacted, That where, by reason of any Disability or Incapacity of the Person or Corporation entitled to any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest therein, to be purchased or taken under the Authority

[Local.]

34 B

ity

The Court  
may order  
reasonable  
Expences of  
Purchases to

be paid by  
the Commis-  
sioners.

rity of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the reasonable Expences of all Purchases, and of the Re-investment of the Purchase Money in Lands, Tenements, or Hereditaments, 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.

Commis-  
sioners may  
enter into  
Contracts.

CXX. And be it enacted, That it shall be lawful for the Commissioners, and they are hereby authorized and empowered, from Time to Time to enter into any Contract, as well for paving, stoning, repairing, amending, widening, fencing, improving, and watching, as for lighting the several Streets, Lanes, Roads, Passages, and other Places within the said Borough, or any of them, or for doing any other of the Works by this Act authorized to be done, or for furnishing any Materials, Implements, Labour, or other necessary Matters and Things whatsoever for the Performance thereof, or for any other of the Purposes of this Act, with any Person who shall be willing to undertake and engage in the same: Provided always, that no such Contract shall be made for a longer Term than Three Years from the making thereof, and that before any such Contract shall be entered into Ten Days Notice at the least shall be given in some Newspaper circulated in the said Borough, expressing the Purport of the Contract intended to be made, in order that Persons willing to undertake the same may make Proposals to the Commissioners at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time when the said Works are to be completed, together with the Penalties to be incurred in case of Nonperformance of such Contracts respectively; and the same shall be signed by the Commissioners, or any Thirteen or more of them, and also by the Person contracting to perform such Works respectively, and a Copy of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk of the said Commissioners.

Commission-  
ers may com-  
pound for  
Breach of  
Contract.

CXXI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to compound and agree with any Person or Corporation who shall have entered into any Contract with the Commissioners, in pursuance or under the Authority of this Act, for any Penalty contained in any such Contract, or in any Bond or other Security for such Sum of Money or other Recompence as the Commissioners shall think proper.

Commis-  
sioners not  
personally  
answerable  
for Contract.

CXXII. And be it enacted, That no Contract which shall be made by the Commissioners or any of them for any of the Purposes of this Act shall be binding upon the Commissioners as Individuals or in their private Capacity, nor shall any of the Commissioners personally, or their respective Representatives, be answerable for or subject to the Payment of the Interest of any Monies to be borrowed

in pursuance of this Act; and that all Monies which shall be expended or recovered against any of the Commissioners, or any Person employed by them, by means of any Action, Prosecution, or Appeal to be brought by or against them or any of them touching the Execution of this Act or in relation thereto, shall be borne and defrayed out of the Money which shall come to the Hands of the Treasurer to the Commissioners, or any such Person, by virtue of this Act.

CXXIII. And be it enacted, That nothing herein contained shall extend or be construed to extend to prevent or hinder the Mayor, Aldermen, and Capital Burgesses of the said Borough, and their Successors, from holding and keeping Fairs and Markets within the said Borough, and taking, receiving, collecting, and recovering all Tolls and Duties to Fairs and Markets belonging, and all Toll, Traverse Toll, Thorough and other Tolls whatsoever, in the same Manner as they were entitled to hold and keep, receive and collect, recover; use, and exercise the same respectively, nor to abridge, diminish, or take away any of the Rights, Benefits, Privileges, Emoluments, Liberties, Franchises, and Jurisdictions which the said Mayor, Aldermen, and Capital Burgesses were possessed of or had a Right unto by Charter, Prescription, Custom, or otherwise howsoever, before the passing of this Act.

Saving Right of the Corporation to hold Fairs and Markets.

CXXIV. And be it enacted, That if any Person shall obstruct, hinder, molest, or interrupt any of the Commissioners, or any Treasurer, Clerk, Assessor, Collector, Surveyor, or other Officer, Workman, or Agent, or Person whomsoever who is or shall be employed by virtue of this Act, in the Performance of his Duty, or in execution of any of the Works, Matters, or Things to be done by virtue or under the Authority of the same respectively, or any of the Rate-payers within the said Borough while in the Execution of any of the Powers hereby vested in them, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Ten Shillings.

Penalty for obstructing Execution of Act.

CXXV. And be it enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall in every Case be heard, adjudged, and determined by or before any Justice of the Peace in and for the said Borough or County, in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not, and which shall in every Case be made within Six Calendar Months at furthest next after the committing of such Offences respectively, and not afterwards; and upon any such Information or Complaint as aforesaid the said Justice shall summon the Party accused and examine into the Complaint thereof; and if upon the Confession of the Party accused, or on the Oath of any One or more credible Witness or Witnesses, the Party accused shall be convicted of having committed such Offence, then and in every such Case the Penalty, Fine, or Forfeiture hereby made payable

Recovery and Application of Penalties.

able in respect of such Offence, together with the Costs of Conviction, to be ascertained by such Justice, shall be forthwith paid by the Party so convicted as aforesaid; and in case such Party so convicted shall refuse or neglect to pay the same forthwith, then, except in Cases otherwise provided by this Act, the same shall, by Warrant under the Hand and Seal of such Justice (which he is hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justices, by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus of the Money arising by such Sale, if any, to the Party whose Goods and Chattels shall be distrained, one Moiety of which Penalties not herein directed to be otherwise applied shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer of the Commissioners, to be applied for the Purposes of this Act; and it shall be lawful for the said Justice to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender give sufficient Security to the Satisfaction of such Justice for his Appearance before the said Justice on any such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Eight Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty, Fine, or Forfeiture, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to such Justice, either upon the Confession of the Offender or otherwise, that the Offender hath not sufficient Goods or Chattels whereon such Penalty, Fine, or Forfeiture, and such Costs as aforesaid, can be levied were such Distress Warrant issued, such Justice shall not be required to issue the same, and thereupon it shall be lawful for the said Justice, and he is hereby required and empowered, by Warrant under his Hand and Seal to commit such Offender to the Common Gaol or House of Correction for the said Borough or County, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, or until such Offender shall have fully paid such Penalty, Fine, Forfeiture, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice, or shall otherwise be discharged by due Course of Law.

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

CXXVI. And be it enacted, That where any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty for any Offence in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence; which Justice or Justices is and are hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

CXXVII. And



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

Justices may proceed by Summons in the Recovery of Penalties.

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

Persons paying Rates, &c. may be Witnesses.

CXXIX. And be it enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in such Distress or in any Proceeding relating thereto, nor a Trespasser *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person aggrieved by such Irregularity may recover Satisfaction for special Damages in an Action upon the Case.

Distress not to be avoided for Want of Form.

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

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

CXXXI. And be it enacted, That no Plaintiff shall recover in any Action to be commenced against any Person or Party for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant Twenty-one Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff, and specifying the Cause of such Action; nor shall the Plaintiff recover in any such Action if Tender of sufficient Amends shall have been made to him or his Attorney by or on the Behalf of the Defendant before such Action brought; and in case no such

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

[Local.]

34 C

Tender

Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation  
of Actions.

CXXXII. And be it enacted, That no Action or Suit shall be commenced or prosecuted against any Person for any thing done or to be done in pursuance or under the Authority of this Act after the Expiration of Six Calendar Months next after the Fact committed or the Cause of Action has ceased and determined, except as may be herein otherwise directed ; and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere ; and the Defendant in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act ; and if upon such Trial such Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as herein-before authorized, then and in any of the said Cases the Jury shall find a Verdict for the Defendant ; and upon such Verdict being given, or if the Plaintiff shall become nonsuited, or suffer a Discontinuance of such Action or Suit, after the Defendant shall have appeared thereto, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, then and in every such Case the Defendant shall have his Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Case by Law : Provided nevertheless, that in the Case of paying Money into Court as aforesaid the Defendant shall be entitled to his Costs from the Time of such Payment only.

Appeal to  
the General  
or Quarter  
Sessions.

CXXXIII. And be it enacted, That if any Person shall think himself aggrieved by any Rate or Assessment made and assessed under or by virtue of this Act, or by any Determination or Judgment made or given by any Justice of the Peace or by any Commissioner or Commissioners in pursuance of this Act, or by any Matter or Thing made or done in pursuance of this Act (except in Cases where the Verdicts or Inquisitions of Juries are directed to be taken), he may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace for the said County of *Cornwall* at their General or Quarter Sessions of the Peace; or at some Adjournment thereof, to be held for the said County, such Appellant having given at least Fourteen clear Days Notice in Writing of

of his Intention of making such Appeal, and of the Matter and Cause thereof, to the Party against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any other Matter or Thing made or done by the Commissioners or by any Justice of the Peace, in which Case such Notice shall be given to the Clerk to the Commissioners, and within Four Days next after such Notice causing Recognizances to be entered into before some Justice of the Peace for the said County by Two sufficient Persons in any Sum not exceeding Fifty Pounds each, conditioned for the Party appearing to try such Appeal, and abide the Order and Award of the Justices at such Session thereon, and to pay such Costs as shall be awarded at such Session; and thereupon the Justices present at any such Session, upon due Proof upon Oath of such Notice and Recognizances having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the same Justices shall on any such Appeal have Power to repeal, cancel, and set aside any such Order, Judgment, or Determination of any of the said Justices or Commissioners, notwithstanding any discretionary Power which may be given to them by this Act, and to award such Restitution, Damages, and Costs to the Party appealing or prosecuting such Appeal, or such Costs to the Respondent or Party defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever, and not to be removeable by Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster*; but if Two out of every Five of the Justices present at such General or Quarter Sessions of the Peace, or some Adjournment thereof, at which such Appeal shall be heard, shall by Writing under their Hands, within Two Days next after an Adjudication had thereon, declare it to be in their Judgment a fit Case for Removal, a Case shall be stated and settled by the Chairman, if the Parties differ about the same, for the Opinion of One of His Majesty's Courts of Record at *Westminster*, and the same being so settled shall and may be set down for Argument without any Writ, in like Manner as on a Case reserved at the Assizes for the Opinion of the Court; and the said Court shall have full Control and Jurisdiction in and over the same, and the Matters therein contained, thereupon, in like Manner as if the same had been removed by Certiorari.

CXXXIV. And be it enacted, That if Notice of an Intention to appeal as aforesaid shall have been given, and Security entered into as aforesaid within Two Days after the giving of such Notice, and the Order, Determination, or Judgment as aforesaid to be appealed against shall not have been perfected or carried into effect, no Order made thereon shall be executed until after the Termination of the General or Quarter Sessions of the Peace for the said County, or some Adjournment thereof, which shall follow next after Notice shall be given as aforesaid at which the same could be prosecuted; but if Notice of Appeal shall be given, and the Party giving the same shall not

Orders, &c. against which Notice of Appeal shall be given not to be enforced, if Security be given until after the Termination of the next General or Quarter Sessions.

cause the same to be prosecuted with Effect at the next General or Quarter Sessions, or some Adjournment thereof as aforesaid, such Recognizances to be given as aforesaid shall be forfeited, and the Monies to arise therefrom, after Payment of all Expences to be incurred in obtaining the same, shall be paid to and received by the Treasurer to be appointed by the said Commissioners as aforesaid, and applied in aid of the Funds to be raised for the Purposes of this Act.

Compelling  
Witnesses to  
attend.

CXXXV. And be it enacted, That if any Person shall be summoned as a Witness by any Justice of the Peace for the said Borough or County of *Cornwall* touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his Costs and Expences, without a sufficient Excuse being given for such Nonappearance, or appearing shall refuse or decline to be examined upon Oath or to give Evidence touching the Matter in question before such Justice, then and in every such Case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds nor less than Forty Shillings, to be recovered as other Penalties are by this Act directed to be recovered.

Witnesses  
giving false  
Evidence to  
be punished.

CXXXVI. And be it enacted, That if any Witness who shall be examined by or before any Justice of the Peace or otherwise under this Act upon Oath shall wilfully and corruptly give false Evidence, and if any Person shall corruptly make or subscribe a false Declaration, they or he shall, on Conviction thereof, suffer the Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by Law subject and liable to.

Act not to  
affect the  
Liabilities of  
Parishioners  
to repair  
Parish Roads.

CXXXVII. And be it enacted, That nothing in this Act contained shall, in respect of any Land or other Property within the said Borough which shall not be rated under this Act, alter or affect the Duties or Liabilities of the Parishioners of the said several Parishes to repair the Roads known as Parish Roads within the said Borough, and that the said Commissioners shall not be liable to pave or repair such Parish Roads, or any of them, or any Part thereof; but when and so soon as there shall be Buildings on each Side thereof or of any Part thereof for the Space of One hundred Yards together, then so much thereof as shall be so built upon shall be taken under the Control of the Commissioners, in like Manner as the Streets within the said Borough.

Construction  
of Words.

CXXXVIII. And be it enacted, That in the Construction of this Act the Word "Commissioners" shall be deemed and taken to mean the Commissioners for executing this Act; and the Word "Oath" shall extend to and include the Affirmation of a Quaker, Separatist, or Moravian; and the Word "Corporation" shall include any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and every Word importing the Singular Number or Masculine Gender only shall (unless there be something in the Subject or Con-

text repugnant to such Construction) be construed to mean and include Two or more Persons or Things, and a Female as well as a Male.

CXXXIX. And be it 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.

*[Faint handwritten notes]*

## The SCHEDULE to which the foregoing Act refers.

| No. | Description.   | Proprietors.             | Tenants.  | Lessees.                         |
|-----|--|--------------------------|---|----------------------------------|
| 1   | Garden - - -   | Earl of Falmouth -       | Richard Hawken -                                | Anthony Plummer.                 |
| 2   | Dwelling House and Carpenter's Shop.                                 | Ditto - -                | William Couch -                                 | Ditto.                           |
| 3   | Dwelling House - -   | Ditto - - -              | Thomas Penna - -                                | Ditto.                           |
| 4   | Shops, Tan Yard, and Office  | Ditto - - -              | Anthony Plummer -                               | Ditto.                           |
| 5   | Outbuildings, Tan Yard, and Office.                                  | Ditto - - -              | Thomas and William Bolitho.                     | Ditto.                           |
| 6   | Outbuildings and Yard -  | J. S. Enys, Esquire      | Anthony Plummer -                               | Ditto.                           |
| 7   | Dwelling House, Bakehouse, and Yard.                                 | Ditto - - -              | John Dennis - -                                 | Ditto.                           |
| 8   | Dwelling House - - -   | Ditto - - -              | Mary Matthews (Under-tenant, J. Tippet).        | Ditto.                           |
| 9   | Dwelling House - - -   | Ditto - - -              | John Gill - - -                                 | Ditto.                           |
| 10  | Two Dwelling Houses and Gardens.                                     | Honourable A M Agar -    | Samuel Tregensa and James Crowle.               | Thomas Penna.                    |
| 11  | Carpenter's Shop - - -   | Ditto - - -              | Richard Anear - -                               | Ditto.                           |
| 12  | Outbuildings and Yard -  | Ditto - - -              | Anthony Plummer -                               | Ditto.                           |
| 13  | River commencing from Anthony Plummer's Tan Yard to the West Bridge. | Corporation of Truro.    |   |                                  |
| 14  | Garden - - -   | Thomas Matthews.         | John Matthews.                                  |                                  |
| 15  | Dwelling House, Out-house, and Yard.                                 | Ditto - - -              | Ditto.  |                                  |
| 16  | Carpenter's Shop - - -   | Ditto - - -              | Henry Jane.                                     |                                  |
| 17  | Two Dwelling Houses -  | Ditto - - -              | Benjamin Bawden and William Crocker.            |                                  |
| 18  | Dwelling House, Shops, and Garden.                                   | John Sarah - -           | John Hugo - - -                                 | Lease, Seven Years unexpired.    |
| 19  | Dwelling House, Stable, Shed, and Garden.                            | Ditto - - -              | John Maynard (Part under-let to Henry Maynard). |                                  |
| 20  | Dwelling House and Garden  | Ditto - - -              | Elizabeth Priest.                               |                                  |
| 21  | Dwelling House and Garden  | Ditto - - -              | William Johns.                                  |                                  |
| 22  | Dwelling House, Store Rooms, and Garden.                             | Thomas Whitford -        | David McIlwraith -                              | Lease, Seven or Fourteen Years.  |
| 23  | Currier's Shop and Garden  | Ditto - - -              | Thomas Guthrie.                                 |                                  |
| 24  | Dwelling House and Garden.   | Ditto - - -              | John Brown.                                     |                                  |
| 25  | Dwelling House, Cellars, Stable, Sheds, Yard, and Garden.            | Grace and Hannah Ferris. | William Rowe - -                                | Lease, Thirteen Years unexpired. |
| 26  | Two Dwelling Houses -  | Thomas Whitford -        | Unoccupied.                                     |                                  |
| 27  | Public House, Stables, Yards, Brewhouse, and Sheds.                  | Ditto - - -              | Joseph Davies.                                  |                                  |
| 28  | Stables, Cellar, and Yard -  | William Traer Chappel    | G A Knight.                                     |                                  |
| 29  | Dwelling House and Cellar, Dwelling House.                           | Ditto - - -              | William Higgs, Elizabeth Jenkins.               |                                  |
| 30  | Dwelling House - - -   | Corporation of Truro     | Patrick Barlow - -                              | William Barlow.                  |