



ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. cviii.

An Act to rectify a Mistake in an Act passed in the present Session of Parliament, for lighting, watching, and improving the Parish of *Tormoham* in the County of *Devon*. [31st August 1835.]

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act for lighting, watching, and improving the Parish of Tormoham in the County of Devon*: And whereas 5 & 6 W. 4. c. 45. by reason of the many Alterations and Amendments made in the said Act in its Progress through the Commons House of Parliament the Clause prescribing the Mode of distraining and recovering the Rates authorized to be levied by the said Act in case of Refusal or Nonpayment of the same, and which Provision was in the Bill when read the First Time in the Commons House of Parliament, has been by Mistake omitted in the said Act; it is therefore expedient that the said Mistake should be rectified, but the same cannot be done 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 the said recited Act, and all and every the Clauses, Powers, and Provisions therein contained, shall extend, and be construed, deemed, and taken to extend, to this Act, in as full and ample a Manner, to all Intents and Purposes, as if the same were repeated and re-enacted in this Act. Powers of re-cited Act extended to this Act.

If Persons neglect to pay the Rates, the same may be levied by Distress.

II. And be it further enacted, That if any Person or Persons shall neglect or refuse to pay the Money rated or assessed upon him, her, or them under the said recited Act, or his, her, or their Proportion or Proportions of the same, to the Collector or Collectors of such Rates, or other Person or Persons authorized to receive the same, for the Space of Ten Days next after Demand made thereof, then and in such Case the same shall and may be levied and recovered, on and from every such Person or Persons so neglecting or refusing, by Distress and Sale of the Goods and Chattels of such Defaulter, by Warrant under the Hand and Seal of any Justice of the Peace for the County of *Devon*, on Proof upon Oath of such Neglect or Refusal; and the Surplus (if any) of the Monies to be raised by such Distress and Sale shall be paid, on Demand, to the Owner of the Goods or Chattels so distrained and sold, after deducting all Costs, Charges, and Expences attending or preparatory to such Distress and Sale, to be ascertained by such Justice.

Public Act.

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

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