Anno tricesimo tertio

Georgii II. Regis.

An Act for widening certain Streets, Lanes, and Passages, within the City of *London*, and Liberties thereof; and for opening certain new Streets and Ways within the same; and for other Purposes therein mentioned.



WHEREAS several Streets, Lanes, and Passages, within the City of London, and the Liberties thereof, are too narrow and incommodious for the passing and repassing, as well of Foot Passengers as of Coaches, Carts, and other Carriages, to the Prejudice and Inconvenience of the Owners and Inhabitants of Houses in and near the same, and to the great Hindrance of Business, Trade, and Commerce: And whereas such Defects might be remedied, and several new Streets and Ways be made within the said City and Liberties, to the great Ease, Safety, and Conve- Preamble.

Convenience, of Passengers, and Advantage of the Publick in general, in case the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, were enabled to widen and enlarge the said narrow Streets, Lanes, and Passages, and to open and lay out such new Streets and Ways; and for those Purposes to purchase the several Houses, Buildings, and Grounds, which may be necessary to that End: Wherefore, for promoting and encouraging a Design so useful and beneficial to the Publick, May it please Your most Excellent 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 Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, shall have Power and Authority, not only to widen and render more convenient such and so much of the several Streets, Lanes, and Passages, mentioned and described in a Schedule to this Act annexed, intituled, The First Schedule, in manner in the said Schedule particularly mentioned, but also to design, make, open, and lay out, such new Streets, Ways, and Passages, in the Parts and Places particularly mentioned and described in another Schedule to this Act also annexed, intituled, The Second Schedule, in manner in such Second Schedule mentioned.

Power given to the Mayor, Aldermen, and Commons of the City, in Common Council assembled, to widen any of the Streets and Passages mentioned in the First Schedule;

and to open and lay out such new ones as are mentioned and described in the Second Schedule;

And, for enabling the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, to effect the Purposes aforesaid, be it further enacted by the Authority aforesaid, That the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, shall have full Power and Authority to treat and agree with the Owners and Occupiers of, and all other Persons interested in, such Houses, Buildings, Grounds, and Estates, as shall be necessary to be purchased for the more effectual Performance of any of the Purposes aforesaid, and to purchase and become possessed of the same; and, upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchases, to cause such Houses and Buildings, or so much thereof as shall be necessary to be pulled down, and such Grounds, or so much thereof as shall be necessary to be laid into new Streets, Ways, and Passages, or in, for, or towards the widening, enlarging, or improving any of the present Streets, Ways, and Passages, described in the Two Schedules hereunto annexed;

and in order thereto, they may treat and agree with the Owners and Occupiers, &c. of such Grounds and Buildings as shall be necessary for that Purpose, for the Purchase thereof, &c.

ed; and this Act shall be sufficient to indemnify them the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, their Agents Workmen, Officers, and Servants, and all Persons acting by or under their Authority, against the Heirs, Executors, Administrators, or Assigns, of any of the said Owners or Occupiers, as if the same had been sold and conveyed by Deed of Feoffment, Bargain and Sale, or other Assurance in the Law whatsoever. and they are indemnified for so doing.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees and Feoffees in Trust, Guardians and Committees for Lunaticks and Ideots, Executors, Administrators, and Guardians whatsoever, not only for or on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Persons whatsoever, and to and for all Femes Covert who are or shall be seised in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised or possessed of, or interested in, any Lands, Tenements, or Hereditaments, which shall be necessary to be purchased for any of the Purposes of this Act, to sell and convey all or any such Lands, Tenements, Hereditaments, Estates, and Interests, or any Part thereof, to the said Mayor, and Commonalty, and Citizens; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be made by such Persons as aforesaid, shall be good and valid in Law, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Persons whomsoever, and all claiming or to claim by, from, or under them; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and all such Persons, so conveying as aforesaid, shall be and are hereby indemnified for what they shall do by virtue of or in pursuance of this Act, notwithstanding any Omission or Mistake of Matter of Form whatsoever: And if it shall happen that any Person or Persons, Bodies Politick, Corporate, or Collegiate, or other Person or Persons, seised or possessed of, or interested Bodies Politick, Corporate, and Collegiate, and all other Persons, are impowered to sell and convey Lands for the said Purposes; and they are indemnified for what they shall so do in pursuance of this Act;

but if they shall refuse to treat or agree in the Premisses, or shall be disabled from treating,

or cannot evince a clear Title,

a Jury is to be summoned,

and drawn according to the Directions in Act 3 *Geo.* II.

any of whom may be challenged, but not the Array.

Witnesses may be also summoned and examined on Oath;

and the Court may direct the Jury to view the Places in Question,

terested in, any such Lands, Tenements, or Hereditaments, as aforesaid, shall refuse to treat or agree for the Sale and Conveyance of their respective Estates and Interests therein, or by reason of Disability, cannot agree with the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, or with any Person or Persons by them in this Behalf authorized or appointed, or shall not produce and evince a clear Title to the Premisses they are in Possession of, or to the Interest they claim, to the Satisfaction of the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, or of the Person or Persons by them so authorized or appointed; then, and in every such Case, it shall and may be lawful to and for the Sheriffs of the said City, and they are hereby required, upon a Warrant or Warrants, Precept or Precepts, to be issued and directed to them for this Purpose by the Court of Mayor and Aldermen of the said City (which Warrants or Precepts the said Court are hereby impowered and authorized to issue) to impanel and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than Forty eight, nor more than Seventy two; and out of such Persons, so to be impanelled, summoned, and returned, a Jury of Twelve Persons shall be drawn, by some Person to be by the said Court appointed, in such Manner as Juries for the Trial of Issues joined in His Majesty's Courts at Westminster, by an Act made in the Third Year of the Reign of His present Majesty, intituled, An Act for the better Regulation of Juries, are directed to be drawn; which Persons, so to be impanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the said Court, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend the said Court from Day to Day, till discharged by the said Court: And all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; but shall not be at Liberty to challenge the Array: And the said Court is hereby authorized and impowered, by Precept or Precepts, from time to time, as Occasion shall require, to call before them all and every Person and Persons whomsoever, who shall be thought proper or necessary to be examined as Witnesses before them, on their Oath or Oaths, concerning the Premisses: And the said Court, if they think fit, shall and may likewise authorize the said Jury to view the Place or Places in Question, in such Manner as they shall direct;

and the said Court shall have Power to command such Jury, Witnesses, and Parties, to attend, until all such Affairs, for which they were summoned, shall be concluded: And the said Jury, upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Court is hereby impowered and required to administer) shall inquire of the Value of such Lands, Tenements, and Hereditaments, and of the respective Estate and Interest of every Person seised or possessed thereof, or interested therein, or of or in any Part thereof; and shall assess and award the Sum or Sums to be paid to every such Person or Persons, for the Purchase of such their Estates and Interests; and the said Court shall give Judgement for such Sum or Sums of Money so to be assessed; which said Verdict or Verdicts, and the said Judgement Decree, or Determination thereupon (Notice in Writing being given to the Person or Persons interested, at least Fourteen Days before the Time of such Assessment, declaring the Time and Place of the Meeting of the said Court and Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his, her, or their usual Place or Places of Abode, or with some Tenant or Occupier of some of the said Lands, Tenements, or Hereditaments, intended to be valued and assessed, in case such Party cannot otherwise be found out to be served with such Notice) shall be binding and conclusive to all Intents and Purposes whatsoever, against all and every Person or Persons, Bodies Politic and Corporate, claiming any Estate, Right, Title, Trust, Use, or Interest, in, to, or out of the said Lands, Tenements, or Hereditaments, and Premisses, either in Possession, Reversion, Remainder, or Expectancy, as well against the King's most Excellent Majesty, His Heirs and Successors, as against Infants and Issue unborn, Lunaticks, Ideots, and Femes Covert, and Persons under any other legal Incapacity or Disability, and all Trustees and Cestuique Trusts, his, her, and their Heirs, Successors, Executors, and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgements and Decrees, and all other Proceedings of the said Court and Juries, so to be made, given, and pronounced as aforesaid, shall be fairly written on Parchment, and signed by the Town Clerk of the said City for the time being.

and to assess the Damages and Recompence upon Oath;

and their Verdict, and the Judgement given thereupon,

(previous Notice having been first given to the Parties interested)

are to be binding and conclusive to all Parties;

and the said Verdicts, Judgements, and other Proceedings, are to be written on Parchment, and signed by the Town Clerk.

And it is hereby further enacted and declared by the Authority aforesaid, That upon Payment of such Sum or Sums of Money, so to be awarded or adjudged, the Person

Upon Payment of the Purchase-money,

Person or Persons to whom the same shall be so awarded, for the Purchase of the said Lands, Tenements, or Hereditaments, or for the Purchase of any Estate or Interest therein, shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law, to the said Mayor and Commonalty, and Citizens, or to such Person or Persons as the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, shall order, direct, or appoint, of the said Lands, Tenements, and Hereditaments, or of such Estate or Interest, for which such Sum or Sums of Money shall be so awarded; and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances; and shall do all Acts, Matters, and Things, necessary and requisite to make a good, clear, and perfect Title to the said Mayor, and Commonalty, and Citizens, or the Person or Persons so by them in this Behalf to be appointed as aforesaid; and such Conveyances, Assignments, and Assurances, shall contain all such reasonable and usual Covenants as, on the Part of the said Mayor, and Commonalty, and Citizens, or of the Person or Persons so by them in this Behalf to be appointed as aforesaid, shall be reasonably required: And in case such Person or Persons, to whom such Sum or Sums shall be so awarded as aforesaid, shall not be able to evince their Title to the Premisses, and to make, or procure to be made, such good, valid, and legal Conveyances thereof as aforesaid, or shall refuse so to do, being thereto required, and such Sum or Sums, so assessed and awarded as aforesaid, being tendered to be paid to him, her, or them, on their making such Title, and executing, or procuring to be executed, such Conveyances, Assignments, or Assurances, as aforesaid; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found within the said City, or Liberties thereof; or in case, by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear what Person or Persons is or are intitled to the Premisses in Question; then, and in every such Case, it shall and may be lawful to and for the said Court of Mayor and Aldermen, to order the said Sum or Sums, so assessed and awarded as aforesaid, as and for the Value of, and Purchase-money for, the said Lands, Tenements, and Hereditaments, to be paid into the Bank of England, for the Use of the Parties interested in

the Parties to execute legal Conveyances of the said Lands and Grounds.

But if they shall not make a clear Title, or execute legal Conveyances thereof, upon Tender of the Sum awarded,

or cannot be found, or a Dispute be depending concerning a Right to the Premisses,

the Money is then to be paid into the Bank for the Use of the Parties,

in the said Premisses, to be paid them, and every of them, according to their respective Estates and Interests therein, at such Time as the said Court shall order and direct: And the Cashier or Cashiers of the Bank of England, who shall receive such Sum and Sums, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what Premisses, and for whose Use, the same is or are received, to such Person as shall pay any such Sum or Sums into the Bank as aforesaid.

and a Receipt taken for the same.

And be it further enacted by the Authority aforesaid, That all such Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings of the said Court of Mayor and Aldermen, and Juries, as relate to, or concern any Lands, Tenements, or Hereditaments, so to be purchased as aforesaid; and all Receipts which the said Cashier or Cashiers of the Bank shall give for any Sum or Sums of Money paid into the Bank, in consequence of any such Verdict and Judgement; shall be entered into a distinct Book or Books, which shall be kept among the Records of the said Court: And the said Verdicts, Judgements, Sentences, Decrees, and Orders, and other Proceedings, shall be deemed and taken to be Records, to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever: And all Persons shall and may have Recourse to the same gratis, and take Copies thereof, paying for every Copy, not exceeding Two hundred Words, Four Pence, and so proportionably for any greater Number of Words: And immediately on such Payment, and Entry of such Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings, of the said Court and Juries, and of such Receipt or Receipts of the said Cashier or Cashiers as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons for whose Use such Money shall be paid, in, to, and out of, the said Lands, Tenements, Hereditaments, and Premisses, shall vest in the said Mayor and Commonalty and Citizens, or the Person or Persons to whom the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, shall order, direct, or appoint such Conveyances to be made; and they shall respectively be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever, as fully

All Verdicts, Judgements, Orders, and other Proceedings of the Court,

and Receipts of the Cashiers,

are to be entered in proper Books, and kept among the Records of the Court;

and shall be deemed good Evidence of the Facts;

and Recourse may be had thereto, and Copies taken thereof.

On Payment, and Entry made as aforesaid, the Right and Property of the Premisses is to vest in the Corporation absolutely.

and effectually, as if every Person, having any Estate in the Premisses, had actually conveyed the same to them by Lease and Release, Bargain and Sale, inrolled Feoffment with Livery and Seisin, Fine and Recovery, or any other legal Conveyance whatsoever: And such Payment shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, in Reversion or Remainder, against the Issue and Issues of such Person and Persons, and every Person claiming under them, as effectually as a Fine and Recovery, or either of them, would do, if levied or suffered by the proper Parties in due Form of Law.

The Purchase-money, upon Petition of the Parties interested, may be placed out in the public Funds, &c.

Provided always, That it shall and may be lawful for the said Court of Mayor and Aldermen, after such Payment into the Bank and Entry as aforesaid, upon the Petition of any Person or Persons in whom the legal Estate, in Possession, of such Lands, Tenements, or Hereditaments, was vested at the Time of the said Payment into the Bank, to place out or invest, or to cause to be placed out or invested, such Sum or Sums of Money, or any Part thereof, in some of the publick Funds, or on Government Security, at Interest, in the Names of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the said City, for the time being; and the same shall, as soon as conveniently may be, after the Death or Removal of any of them, be, by the Survivors or Survivor of them, transferred into the Names of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the said City, for the time being; and so, from time to time, as often as any One of the said Officers shall happen to die, or be removed, in Trust, to transfer and assign the same to such Person or Persons to whom the Premisses shall belong, on their executing proper Conveyances thereof; and in the mean Time, in Trust, to pay the Interest and Dividends arising therefrom to such Person or Persons, so in Possession of the said Premisses as aforesaid.

in the Names of the Chamberlain, Town Clerk, and Comptroller for the time being,

in Trust, to pay the Interest and Dividends to the said Parties.

The Persons intitled to recover the mesne Profits of the Premisses against the Persons in Possession,

Provided always, and it is hereby enacted, That all and every Person or Persons who would be intitled to recover the mesne Profits of the Premisses against the Person or Persons so in Possession, in case the same had not been so conveyed to, or vested in, the said Mayor and Commonalty, and Citizens, or other Person or Persons

as aforesaid, shall be intitled to recover the Sum or Sums to arise from all Interests and Dividends as aforesaid, by Action of Debt, or otherwise, against the Person or Persons who shall receive the same; and the Governor and Company of the Bank of England are hereby authorized and required to obey such Order and Orders, from time to time, as shall be made by the said Court of Mayor and Aldermen, for the Payment of such Sum or Sums of Money, or any Part thereof, in order to the same being invested in publick Securities as aforesaid: And the said Mayor and Commonalty, and Citizens, or other Person or Persons to whom the said Premisses shall, by the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, be ordered or appointed to be conveyed as aforesaid, shall be quieted in the Seisin and Possession of the Lands, Tenements, and Hereditaments, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable, in any Court of Law or Equity, for the Money so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport, and true Meaning, of this Act.

are intitled to recover the Interest Money,

and the Bank is to obey any Order of the Court made for that Purpose;

but the City is not to be disturbed in their Possession,

nor is accountable for the Money placed out as aforesaid.

And be it further enacted, That in case any Feme Covert is or shall be seised, in Fee Simple, or in Tail, General or Special, or for Life, of any such Lands, Tenements, and Hereditaments, so to be purchased by the said Mayor and Commonalty, and Citizens, or other Person or Persons as aforesaid, or of any Interest in the same, to her separate Use, free from the Controul or Intermeddling of her Husband, the Purchase-money arising from the Sale of such Estate or Interest of such Feme Covert, on the Conveyance of such Estate or Interest to the said Mayor and Commonalty, and Citizens, or other Person or Persons as aforesaid, shall be paid to such Person or Persons as she shall, by Writing under her Hand, nominate to receive the same, in Trust, to be reinvested in Lands, Tenements, or Hereditaments, to be conveyed and settled for such Uses, Estate, and Interest, as the said Feme Covert had in the Premisses so purchased by the said Mayor and Commonalty, and Citizens, or other Person or Persons, as aforesaid.

Where Feme Covert is seised in Fee Simple, &c. in any of the Premisses to her sole and separate Use,

the Purchase-money is to be paid to her Attorney, in Trust, to be reinvested in other Lands to be settled to the same Uses.

And be it further enacted by the Authority aforesaid, That the Principal Money arising from the Sale of any Houses, Edifices, Lands, Tenements, and Hereditaments, which shall be purchased for the Purposes contained in this Act of any Body Corporate or Collegiate, Corporation Aggregate or Sole, being Feoffees in Trust, Guardians, Committees, or other Trustees, shall be paid to

The Money payable in respect of Lands, &c. belonging to Corporate Bodies, &c.

is to be paid to them or to their Order, in Truſt, to be reinveſted in other Lands, and to be ſettled to the ſame Uſes.

to them reſpectively, or to ſuch Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed then afterwards to be reinveſted in the Purchaſe of other Meſſuages, Lands, Tenements, and Hereditaments, to be conveyed and ſettled to and upon, and ſubject to, the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Houſes, Edifices, Lands, Tenements, and Hereditaments, which ſhall be purchaſed from them reſpectively by the ſaid Mayor and Commonalty, and Citizens, or other Perſon or Perſons as aforeſaid, were reſpectively ſettled, limited, or aſſured, at the Time of ſuch the purchaſing of the ſame, or ſo many thereof as, at the Time of making ſuch Conveyances and Settlements, ſhall be exiſting and capable of taking Effect.

All Bargains and Sales in purſuance of this Act, and inrolled in the Huſtings, deemed good and valid in Law.

And be it further enacted by the Authority aforeſaid, That all Bargains and Sales whatſoever, to be made and acknowledged by any Perſon or Perſons whomſoever, and which ſhall be inrolled in the Huſtings of the ſaid City, of any ſuch Lands, Tenements, and Hereditaments, as ſhall be purchaſed by virtue of and for the Purpoſes of this Act, ſhall have the Force, Effect, and Operation, in Law, to all Intents and Purpoſes, which any Fine or Fines, Recovery or Recoveries whatſoever, would have, if levied or ſuffered by the Bargainer or Bargainers, or any Perſon or Perſons ſeiſed of any Eſtate in the Premiſſes, in Truſt, for or to the Uſe of ſuch Bargainer or Bargainers, in any legal Manner or Form whatſoever.

Memorials of all Claims of Right, &c. to any of the Premiſſes to be purchaſed and conveyed as aforeſaid,

are to be entered, within 5 Years from the Date of the Inrollment of the Bargain and Sale, with the Town Clerk;

his Fee for entering the ſame.

And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whoſoever, having or claiming any Right, Title, Intereſt, Uſe, Property, Claim, and Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, in, to, or out of, any Lands, Tenements, or Hereditaments, which, by virtue and for the Purpoſes of this Act, ſhall be purchaſed and conveyed, or mentioned or intended to be conveyed, by any ſuch Bargain and Sale as aforeſaid, ſhall, within the Space of Five Years, to be computed from the Date of the Inrollment of ſuch Bargain and Sale, enter a Memorial of ſuch their Right, Title, Intereſt, Uſe, Property, Claim, and Demand, in a Book to be for that Purpoſe prepared and kept by the Town Clerk of the ſaid City; which Book the ſaid Town Clerk is hereby required to prepare and keep accordingly, and for which Entry he ſhall be intitled to ſuch Fee, and no other, as the Regiſter of the County of Middleſex is by Law

Law intitled to, for the Registry of a Memorial containing the same Number of Words; and all and every Person or Persons whosoever, not entering such Right, Claim, and Demand, within such Time, and in such Manner, as aforesaid, or, having so entered the same, and not prosecuting such their Right, Claim, or Demand, with Effect, within the Space of Five Years, to be computed from the Time of such Entry, shall be for ever barred of all Right, Title, Use, Equity, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, upon, or out of, the said Premisses, and every Part thereof; and the said Mayor and Commonalty, and Citizens, and those claiming by, from, or under them, shall be quieted in the Possession of all such Lands, Tenements, Hereditaments, and Premisses; any Law, Statute, Usage, Matter, or Thing whatsoever, to the contrary notwithstanding.

All Claims not entered or prosecuted within 5 Years, are null and void.

Provided nevertheless, That any Person or Persons, barred of any Right, Title, Estate, Interest, Claim, or Demand whatsoever, in, to, or out of, the said Lands, Tenements, and Hereditaments, by virtue of this Act, shall be at Liberty to bring an Action or Actions of Debt, or for Money had and received to his, her, or their Use, or take such other legal Remedy as he, she, or they, shall think proper, against any Person or Persons, or the legal Representative of any Person or Persons, who received the Purchase-money arising from such Sale of the said Lands, Tenements, and Hereditaments, or Premisses aforesaid; and that in every such Case, the Plaintiff or Plaintiffs, on Proof of such Title as would have enabled them to recover such Lands, Tenements, or Hereditaments, or any Part thereof, or any Estate or Interest in the same, shall recover the said Purchase-money, or so much thereof as shall be equivalent to their Interest in the said Premisses, together with such Interest as shall be equivalent to the mesne Profits of the Premisses which they would have been intitled to recover, in case this Act had not been made.

Persons barred of their Right, &c. by virtue of this Act, may bring their Action for the Purchase-money received, &c.

And be it further enacted, That all and every Tenant at Will, or Lessee for a Year, or other Person or Persons, in Possession of any such Lands, Tenements, Hereditaments, and Premisses, or any Part thereof, which shall be purchased by virtue of, and for the Purposes of this Act, and who shall have no greater Interest in the Premisses than a Tenant at Will, or as Lessee by Parole for a Year, or from Year to Year, shall deliver up the Possession of such Premisses immediately to the said Mayor and

Tenants at Will, or Lessees for a Year, &c. are to deliver up immediate Possession of the Premisses,

Commonalty, and Citizens, or to such Person or Persons as the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, shall appoint to take Possession of the same, in case the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, or such Person or Persons authorized by them, shall pay or tender to him or them Six Months Rent of the same Premisses, or shall give him or them Twelve Months Notice to quit such Possession, when such Person or Persons in Possession shall, at the End of the said Twelve Months, or so soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premisses to the said Mayor and Commonalty, and Citizens, or the Person or Persons authorized by the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, to take Possession thereof: And that in case any such Person or Persons, so in Possession as aforesaid, shall refuse to give such Possession as aforesaid, then it shall and may be lawful to and for the said Court of Mayor and Aldermen to issue their Precept or Precepts to the Sheriffs of the said City, to deliver Possession of the Premisses to such Person or Persons as shall, in such Precept or Precepts, be nominated to receive the same: And the said Sheriffs are hereby required to deliver such Possession accordingly of the said Premisses, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

upon Payment or Tender, of Six Months Rent, or a Year's Notice to quit the same;

and if they shall refuse to give such Possession, the Court may issue their Precept to the Sheriffs,

who are to deliver Possession accordingly, and levy the Costs of Execution.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, who shall have any Mortgage or Mortgages on such Lands, Tenements, and Hereditaments as aforesaid, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with Six Months Interest of the said Principal Money, by the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, or by such Person or Persons as they shall appoint, immediately assign such Mortgage or Mortgages to the said Mayor and Commonalty, and Citizens, or to such Person or Persons as the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, shall appoint; or in case such Mortgagee or Mortgagees shall have Notice, in Writing, from the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, or the Person or Persons so by them appointed,

Mortgagees, upon Tender of the Principal and Interest due, together with Half a Year's *extra* Interest,

are to assign over their Mortgages immediately;

or otherwise, upon 6 Months Notice given them,

ed, that they will pay off and discharge the Principal and Interest which shall be due on the said Mortgage or Mortgages, at the End or Expiration of Six Months, to be computed from such Notice given; that then, at the End of the said Six Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall assign their Interest in the Premisses to the said Mayor, and Commonalty, and Citizens, or such Person or Persons as the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, shall appoint: And in case such Mortgagee or Mortgagees shall refuse so to assign as aforesaid, on such Tender or Payment, that then all Interest on every such Mortgage shall cease.

and Payment of the Principal and Interest which shall be then due,

if they refuse, the Interest to cease from that Time;

And be it further enacted by the Authority aforesaid, That upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid, into the Bank, at the End of Six Months from such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, to be paid him, her, or them, at such Time as the said Court of Mayor and Aldermen shall order and direct; the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like Manner as is herein before directed, in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, of the said Mortgagee or Mortgagees, and of every Person or Persons in Trust for him, her, or them, shall vest in the said Mayor and Commonalty, and Citizens; and they shall be deemed to be in the actual Possession of the Premisses comprized in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

and upon Payment of the Principal and Interest into the Bank, at the End of 6 Months from such Notice, for the Use of such Mortgagee,

and the Cashier's Receipt taken for the same,

the Right of such Mortgagee is to vest in the City.

And be it further enacted by the Authority aforesaid, That all Sums of Money, or other Consideration, Recompence, or Satisfaction, to be paid and made pursuant to any such Agreement or Verdict as aforesaid, or which shall be due on such Mortgage, shall be tendered to the Party or Parties intitled to the same; and in case of Refusal to accept the same, shall be paid into the Bank of England; before the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, or any Person or Persons authorized or appointed by them, shall proceed to pull down any House or Houses, or other Erections and Buildings, or to use the Ground for the Purposes of this Act: And the said Monies shall be paid into, and the Accounts thereof be, from time to time, carried on by the Bank, in the Names of the Chamberlain, Town

The Purchase-money, &c. to be first tendered to the Parties,

and on their Refusal to accept the same, is then to be paid into the Bank,

before the Premisses shall be made use of;

the Monies to stand in the Names of the Chamberlain, Town Clerk,

and Comptroller, in Trust for the Parties intitled thereto.

Town Clerk, and Comptroller of the Chamber of the said City, for the time being, in Trust for the Persons intitled to the said Monies.

Court may fine the Sheriffs, their Deputies, Bailiffs, or Agents,

Jurymen,

Evidences,

and all other Persons, making Default in the Premisses;

and levy the same by Distress and Sale,

And be it further enacted by the Authority aforesaid, That the said Court of Mayor and Aldermen, shall have Power, from time to time, to impose any reasonable Fine, not exceeding the Sum of Ten Pounds, on such Sheriffs, or their Deputy or Deputies, Bailiffs or Agents respectively, making Default in the Premisses, and on any of the Persons who shall be summoned and returned on any such Jury or Juries, who shall not appear, or who shall refuse to be sworn on the said Jury or Juries, or, being so sworn, shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any the Matters aforesaid, and shall not attend, or shall refuse to be sworn, or who, being sworn, shall refuse to give his, her, or their Evidence; also on any other Person or Persons who shall, in any other Manner, wilfully neglect his or their Duty in the Premisses, contrary to the true Intent and Meaning of this Act; and from time to time to levy such Fine or Fines, by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner: And all such Fines shall be applied to the Use of the Poor of the Hospitals of Bridewell and Bethlehem, within the said City, and be paid for that Purpose to the Treasurer of the said Hospitals for the time being.

to be applied to the Use of *Bridewell* and *Bethlehem* Hospitals.

Where the Proprietors shall be applied to for Sale and Conveyance of any Premisses let by them,

and they shall signify their Inclination to treat, &c.

Provided always, and be it hereby enacted and declared by the Authority aforesaid, That if any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, shall be applied to, by or on Behalf of the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, to treat for, sell, dispose of, or convey, for any of the Purposes of this Act, any Part or Parts of any House, Warehouse, Yard, or Ground, in the actual Occupation of One Tenant, or of several joint Tenants; and the Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, so applied to, shall, by Notice in Writing, to be left at the Comptroller's Office in the Guildhall of the said City within Thirty Days next after such Application, signify his, her, or their Inclination or Desire to treat for, sell, dispose of, and convey, the Whole of such House, Warehouse, Yard, or Ground; then and in every such Case, the Whole of

every such House, Warehouse, Yard, or Ground, shall be deemed, taken, and held, to be necessary to be purchased, for effecting the Purposes of this Act: And if it shall happen that the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, shall not think proper or be willing to purchase the Whole of such House, Warehouse, Yard, or Ground, then, and in every such Case, nothing in this Act contained shall extend, or be construed to extend, to compel the Owner or Owners, Occupier or Occupiers thereof, to treat for, sell, dispose of, or convey, any Part of such House, Warehouse, Yard, or Ground; any thing herein before contained to the contrary hereof in any wise notwithstanding.

the Whole of the Premisses shall be deemed necessary to be purchased; but if the Court shall not be willing to purchase the Whole, the Proprietors are not bound to sell a Part.

Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, or any Person or Persons in whom any House or Ground shall be vested by virtue of this Act, to let, sell, or dispose of, so much or such Parts thereof, as shall not be necessary for the opening or widening of any of the said Streets, Lanes, Ways, and Passages, to any Person or Persons, to and for such Use or Uses as they shall think proper.

Such Parts of any Premisses, &c. as shall not be necessary for the opening or widening of the Streets, may be let or sold by the Court, or Proprietors.

Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, and they are hereby authorized and impowered, from time to time, to appoint a Committee to manage and transact such Matters and Things as shall be necessary in or about the Execution of the Purposes intended by this Act; which Committee so to be appointed, shall have such or so much of the Powers and Authorities by this Act given to the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, as the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, shall, from time to time, think fit or proper to delegate to such Committee.

A Committee may be appointed, and Power delegated to them for carrying the Purposes of this Act into Execution;

Provided nevertheless, and be it enacted by the Authority aforesaid, That no Person concerned in Building, or dealing in any Materials for Building, shall be capable of acting as a Member of any Committee so to be appointed, or intrusted to manage or conduct the Execution of the Purposes aforesaid; neither shall any Person be eligible or capable of acting as a Member of such Committee, during such Time as he shall have or execute any Office or Place of Profit by or under the Authority of this Act, or

but no Persons here described, may be of such Committee.

hold any Place or Employment under the said Mayor, and Commonalty, and Citizens, or during such Time as he shall have any Share or Interest in any Contract or Agreement for effecting the Purposes aforesaid.

And whereas by the pulling down several of the said Houses and Buildings, or some Part or Parts thereof, and laying the same into Streets and Ways for the Purposes aforesaid, the Rectors, Vicars, or Curates, of the respective Parishes wherein such Houses and Buildings respectively now stand, will be deprived of their Remedy for recovering the Tythes, or yearly Sums of Money, or customary Payments in lieu of Tythes, now charged on such respective Houses or Buildings, and payable by the respective Occupiers thereof, unless some Provision shall be made by this Act for the future Payment of the same; be it therefore enacted by the Authority aforesaid, That whatever the Tythe, or yearly Sum of Money, or customary Payment in lieu of Tythe, charged on any Messuages, Tenements, or Buildings, to be pulled down and laid into Streets and Ways under the Authority of this Act, shall be valued or ascertained at, by any Jury to be impanelled by virtue of this Act, shall be deducted out of the Sum at which the said Messuages, Tenements, or Buildings, shall be so valued or ascertained, and the same shall be paid into the Chamber of the City of London, for the Use of the said City: And all such Tythes, Sums of Money, or customary Payments in lieu thereof, which shall be in Arrear, or shall then after become due and payable to the Rectors, Vicars, or Curates, of the said respective Parishes wherein such Houses, Buildings, or Tenements, respectively are, for or in respect of any such Houses, Buildings, or Tenements, which, or whereof any Part or Parts, shall be so pulled down and laid into Streets or Ways, shall for ever then afterwards be charged upon all and every the Manors, Messuages, Lands, Tenements, Markets, Fairs, and all other the Revenues of and belonging to the said Mayor and Commonalty, and Citizens of the said City, in Possession or Reversion, but without Prejudice to all precedent Charges thereon; and such Arrears shall be forthwith paid; and the growing Payments shall then after be payable to the Rectors, Vicars, or Curates, of the said several Parishes respectively, and their Successors for the time being, for ever, clear of all Taxes and Deductions, by the Chamberlain of the said City for the time being, at the Four most usual quarterly Feasts, or Days of Payment, in every Year (that is to say) The Annunciation of the Blessed Virgin

The Tythe, &c. charged on any Messuages, to be pulled down and laid into the Streets, is to be deducted out of the Purchase-money, and paid into the Chamber of *London*,

and is to be thereafter chargeable with all Arrears thereof, on the City Lands, &c.

and paid quarterly by the Chamberlain to the respective Rectors and Vicars, &c. free of all Taxes and Deductions,

Virgin Mary, the Nativity of Saint John Baptist, the Feast of Saint Michael the Archangel, and the Nativity of our Blessed Saviour, by equal Payments in every Year; the First Payment thereof to begin and commence on such of the said Feast Days as shall first and next happen after the pulling down any of such Houses, Buildings, or Tenements, or any Part or Parts thereof, and laying the same into the Streets and Ways aforesaid, for the Purposes aforesaid.

And whereas so much of the Act, passed in the Eleventh Year of the Reign of his late Majesty King George the First, intituled, An Act for the better Regulating of Buildings, and to prevent Mischiefs that may happen by Fire within the Weekly Bills of Mortality, and other Places therein mentioned, as relates to the pulling down or rebuilding of Partitions or Party Walls between House and House, is confined to Cases where One of the Houses is to be erected or built; and it may happen that Party Walls within the said City, or Liberties thereof, may be so far out of Repair as to render it necessary to pull down and rebuild the same, although neither of the adjoining Houses require to be new built: And whereas the Workmen, appointed by virtue of the said recited Act to examine Party Walls, are often equally divided in Opinion about the Necessity of rebuilding the same, whereby a Certificate from the major Part of such Workmen, as by the said recited Act is required, cannot be obtained, and the Purposes of the said Act, in many Instances, have been evaded; be it therefore enacted and declared by the Authority aforesaid, That so much of the said recited Act as relates to Party Walls, within the said City or Liberties, shall, from and after the passing of this present Act, extend, and be construed, deemed, and taken to extend, to all Cases whatsoever, within the said City or Liberties, where it is or shall be necessary to pull down and rebuild any Party Wall, whether either of the adjoining Houses shall or shall not be, or required to be, rebuilt or new built: And that from and after the passing of this present Act, in case the major Part of the Workmen appointed, in manner by the said recited Act prescribed, to view the Party Wall of any House or Houses, within the said City or Liberties, intended to be pulled down, shall not, within the Space of One Month next after such Appointment, sign a Certificate in Writing, as by the said Act is required, then, and in every such Case, it shall and may be lawful to and for the Court of Mayor and Aldermen of the said City, and they are hereby authorized

Act 11 *Geo.* I.

So much of the recited Act, as relates to Party Walls, is to extend to all Cases where it shall be necessary to pull down and rebuild any Party Wall within the City, or the Liberties thereof;

and where a Majority of the Workmen shall refuse to sign a Certificate pursuant to the said Act,

the Court, upon Application to them, may appoint another Workman to be added to the Number;

rized and required, upon Application to them for that Purpoſe made, by the Owner or Occupier of either of the Houſes between which the Party Wall ſo propoſed to be pulled down, ſhall be, to name and appoint One other able Workman to be added to the Workmen appointed by virtue or in purſuance of the ſaid recited Act: And the Workmen, ſo appointed by virtue or in purſuance of the ſaid former Act, and of this preſent Act, or the major Part of them, who ſhall meet for that Purpoſe (reaſonable Notice having been given to all of them of ſuch intended Meeting) ſhall view the Party

and the Majority certifying thereupon ſuch Wall to be bad,

Wall, ſo propoſed to be pulled down: And in caſe the major Part of ſuch Workmen ſhall certify in Writing, under their Hands, that ſuch Party Wall is defective and bad, and ought to be pulled down, then, and in ſuch

it is to be pulled down, and rebuilt,

Caſe, it ſhall and may be lawful to and for the Owner or Occupier of either of the ſaid adjoining Houſes to cauſe ſuch Party Wall to be pulled down and rebuilt, and he or ſhe ſhall have ſuch Remedy for recovering a Moiety of the Expences thereof, as in and by the ſaid recited Act is

ſubject however to the Determination of the Juſtices, upon Appeal to them.

given or provided; ſubject nevertheleſs to ſuch Appeal and Determination, by the Juſtices of the Peace of and for the ſaid City, as by the ſame Act is directed.

And whereas it would tend greatly to prevent the Spreading of the fatal Effects of Fire within the ſaid City and Liberties, if Party Walls between Houſe and Houſe, within the ſame, were to be made of greater Thickneſs than is preſcribed by the Act, paſſed in

Act 7 *Annæ.*

the Seventh Year of the Reign of Her late Majeſty Queen Anne, intituled, An Act for making more effectual an Act, made in the Sixth Year of Her Majeſty's Reign, for the better preventing of Miſchiefs that may happen by Fire; and if no Timbers, except the Timbers of the Roof, Girders, and the Templets under the ſame, were laid into the Party Walls; and if the Ends of the Girders, lying within the ſaid Party Walls, did not exceed One Foot; and if none of the Ends of the Girders in adjoining Houſes met, or were laid oppoſite to each other, and the Sides thereof were laid at leaſt Nine Inches diſtant from each other; be it therefore enacted by

Party Walls, for the future, are to be Two Bricks and a Half thick in the Cellar, and Two Bricks upward;

the Authority aforeſaid, That all Party Walls which, from and after the Expiration of Three Calendar Months next after the paſſing of this Act, ſhall be erected or built within the ſaid City, or Liberties thereof, ſhall be Two Bricks and a Half thick at the leaſt, in the Cellar, and Two Bricks thick upwards, to the Top of the Garret Floor; and that the ſame ſhall be built of Stone, or of good, ſound, hard, well burnt Bricks, and none other;

and also that, from and after the Expiration of the said Three Calendar Months, no Timbers, except the Timbers of the Roof, Girders, and the Templets under the same, shall be laid into the Party Walls erected or built, or to be erected or built, within the said City or Liberties; and that the Ends of Girders, lying within such Party Walls, shall not exceed One Foot; and that none of the Ends of the Girders, in adjoining Houses, shall meet, or be laid opposite to each other; and that the Sides thereof shall be at least Nine Inches distant from each other: And if any Head Builder, Master Bricklayer, or Workman, shall erect and build, or cause to be erected and built, any Party Wall, within the said City or Liberties, contrary to the Directions, true Intent, and Meaning of this Act, or shall use, in the Building thereof, any Bricks, other than good, sound, hard, well burnt Bricks, or shall lay any Timber, in any Party Wall erected or built, or which shall be erected or built, within the said City or Liberties, contrary to the Directions, true Intent, and Meaning of this Act, then such Head Builder, Master Bricklayer, or Workman, shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to be equally divided, One Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish where such Building shall be, and to be levied by Warrant under the Hands and Seals of Two or more of his Majesty's Justices of the Peace, by Distress and Sale of the Offender's Goods, upon Conviction upon Oath of One or more credible Witness or Witnesses, or upon his or their own Confession, rendering the Overplus (if any be) to the Owner or Owners: And, for want of such Distress, the Offender shall be imprisoned for the Space of Six Months, unless the said Penalty shall be sooner paid, by Warrant under the Hands and Seals of the said Two Justices, who are hereby required and impowered to issue such Warrant accordingly.

and no Timbers, except those of the Roof, Girders, and Templets, are to be laid into the same;

the Girders not to be more than 1 Foot therein,

and not to meet, or be opposite to those in the adjoining Houses,

and the Sides to be 9 Inches distant from each other;

on Penalty of forfeiting 50 *l.* for every Offence in any of the Premisses;

to be divided between the Informer and Poor of the Parish, &c.

And whereas several Houses within the said City and Liberties are, in Part, erected or built over the Grounds of other Proprietors, or the several Floors, Rooms, or Parts thereof, are the Property of different Persons, whereby Difficulties and Disputes may arise amongst the said several Owners or Proprietors, touching the pulling down and rebuilding the said Premisses, or the Party Walls thereof, and such Rebuilding may thereby be prevented or delayed, to the great Injury and Inconvenience of such of the Owners as are desirous to rebuild the same; For Remedy thereof, and in order to prevent the fatal Effects of Fire, be it enacted by the Authority aforesaid, That when any House, within the said City or Li-

Where a Part Owner of a House gone to Decay shall be desirous to re-build the same, but the other Parties shall refuse, &c. to join therein,

berties, in part erected or built over Ground being the Property of some other Person, or whereof the several Floors, Rooms, or Parts, are the Property of different Persons, shall be so decayed as to make the Owner of the said Ground, or of any Part of the said House, desirous to rebuild the same, and the Owner or Owners, Occupier or Occupiers of such House, or of any Part or Parts of the said House, shall not be able or willing to join, or by reason of any legal Disability cannot join in such Rebuilding, then, and in every such Case, it shall and may be lawful to and for the Court of Mayor and Aldermen of the said City, and they are hereby authorized and required, upon Application to them by the Party so desiring to rebuild, to issue their Order to the Sheriffs of London to summon a Jury to be and appear before the said Court, at such Time as the said Court shall appoint, then and there to try whether the Premisses ought to be rebuilt or not, and to cause Notice thereof to be given to or left at such Premisses, for such Owner or Owners, Occupier or Occupiers: And if such Jury shall be of Opinion that the Premisses ought to be rebuilt, and any of the said Owners or Occupiers, or some Person or Persons on his, her, or their Behalf, shall not, in Court, upon such Verdict, declare and signify their Consent and Readiness to join in the Expence of such Rebuilding, then such Jury shall be again impanelled and sworn to enquire and fix the Value of the Part or Parts of the said House belonging to the Person or Persons so refusing or neglecting to signify, or being legally disabled from giving his, her, or their Consent to such Rebuilding; and, upon Payment or Tender of the Value, which shall be awarded by such Jury, to the Party or Parties interested, if he, she, or they can be found within the said City, or the Liberties thereof, or upon Payment thereof into the Bank of England, in the Name of the Chamberlain of the said City for the time being, for the Use and Behoof of the Person or Persons intitled thereto, in case he, she, or they cannot be found within the said City or Liberties, the Estate and Interest of the Party or Parties, so refusing or neglecting, or being disabled as aforesaid, of, in, or to the said Premisses, shall vest in the Person or Persons applying for and obtaining such Award or Verdict; and he, she, or they may immediately proceed to pull down and rebuild the said House and Premisses, and any or every Part thereof; and shall from thenceforth hold and enjoy the same for ever, against such Owners and Occupiers,

the Court, upon Application to them, shall order the Premisses to be surveyed by a Jury;

and if they shall be of Opinion that the same ought to be rebuilt, and any of the Parties shall not thereupon consent to join in the Expence,

the Jury is to fix the Value of such Persons Part;

and upon Payment or Tender of the Money awarded, &c.

the Premisses to vest in the Person obtaining the Verdict, who may proceed to pull down and rebuild the same.

piers, and his, her, and their Heirs, Executors, Administrators, and Assigns, and all other Persons whatsoever.

Where a Party Wall shall be pulled down by virtue of Act 11 *Geo.* I. and rebuilt agreeable to the Directions of this Act,

Provided always, and be it enacted by the Authority aforesaid, That in all Cases where any Party Wall within the said City or Liberties shall, by virtue of the said recited Act of the Eleventh Year of His late Majesty's Reign, and of this present Act, be pulled down, and rebuilt agreeable to the Directions of this present Act, by the Owner or Occupier of One of the adjoining Houses, the Expence of such Party Wall shall be estimated and computed at and after the Rate of Seven Pounds per Rod; any thing in the said former Act to the contrary thereof in any wise notwithstanding.

the Expence shall be computed at 7 *l.* per Rod;

and where any Party Wall shall be built agreeable to the Directions of this Act, in Execution of any Contract entered into before 1 *March*, 1760,

Provided also, and be it enacted by the Authority aforesaid, That in all Cases where any Party Wall shall be erected or built, agreeable to the Directions of this present Act, in Execution of any Contract or Contracts entered into with the Builder or Workman before the First Day of March, One thousand seven hundred and sixty, the Expence of such Party Wall shall be estimated and computed at and after the Rate of Seven Pounds per Rod; any thing in such Contract or Contracts to the contrary thereof in any wise notwithstanding.

the Expence shall be computed in like Manner.

And whereas Houses and Tenements in several Parts of the said City of London, and the Liberties thereof, are often, either from litigated Titles thereto, or the Obstinacy or Poverty of the Owners or Proprietors thereof, or of Parties interested therein, in so ruinous a Condition, that Passengers passing thereby are in Danger of their Lives, from the falling thereof, or of Bricks or Timber therefrom; and often are hurt by the falling of the Walls thereof, or of Bricks or Timber therefrom; be it therefore enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and sixty, if any Presentment shall be made by any Inquest or Grand Jury in London, that any Houses or Tenements in the said City of London, or the Liberties thereof, are in such ruinous Condition, it shall be lawful for the Court of Mayor and Aldermen, and the said Court is hereby required, on Notice of any such Presentment being made, and on a Copy thereof being laid before them, to cause, with all convenient Speed then afterwards, a proper and sufficient Hoard to be put up to guard all such ruinous Houses and Tenements from the publick Street, and to cause Notice in Writing to be given to the Owner or Owners, or other Person or Persons interested therein,

When any House or Tenement shall be presented as in a ruinous Condition,

the Court shall order a sufficient Hoard to be put up before the same,

if

and give Notice to the Owner to take down or repair such Buildings forthwith;

and if such Order shall not be complied with, the Court may cause such Buildings to be taken down, and secured;

and levy the Charges on the Owner, if he can be found;

or on the future Occupier of such House, &c.

if he, she, or they, can be found in the said City of London, or the Liberties thereof; and if not, to cause such Notice in Writing to be left at the Premisses in such ruinous Condition; to repair the same, or to take down such Buildings, as the Case shall require, within the Space of Six Days then next ensuing: And if such Owner or Owners, or other Person or Persons interested in any such Houses or Tenements, shall not repair or take down the same, within the said Space of Six Days after any such Notice as aforesaid shall be given or left as aforesaid, then, on Proof, on Oath, being made of any such Notice being so given or left, the said Court is hereby authorized and required, with all convenient Speed then afterwards, to order and cause all or so much of such Houses or Tenements as are or shall be in such ruinous Condition, and likely to be dangerous to Passengers passing thereby, to be taken down and secured, in such Manner as shall, from time to time, be thought requisite: And all the Charges of putting up every such Board, and taking down and securing all or so much of such ruinous Houses or Tenements as shall be necessary to be taken down or made secure, for the Safety of Passengers passing that Way, shall, from time to time, be paid by the Owner or Owners of such Houses or Tenements, if known, and he, she, or they, can be met with, within the said City of London, or the Liberties thereof: And if such Owner or Owners shall, on Demand thereof, neglect or refuse to pay the same, then such Charges may be levied, by Warrant under the Hand and Seal, or Hands and Seals, of any such Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattles of such Owner or Owners, if any such can be found in the said City of London; and if no such Owner or Owners can be met with in the said City of London, or the Liberties thereof, or sufficient Distress of his, her, or their Goods or Chattles cannot be met with, wherefrom such Costs and Charges may be levied; then, and in every such Case, the Person or Persons, who shall, at any Time then after, occupy any such Houses or Tenements, or the Ground whereon the same stood, is and are hereby required and authorized to pay the same, and to deduct the same out of the Rent thereof: And if he, she, or they, shall neglect or refuse to pay such Charges, then the same shall, by Warrant under the Hand and Seal, or Hands and Seals, of any such Justice or Justices as aforesaid, be levied by Distress and Sale of the Goods and Chattles of any such Occupier or Occupiers, in Manner as

as other Distresses and Sales are by this Act directed to be made, together with the Costs of every such Distress and Sale; and the Landlord and Landlords of the Premisses is and are hereby required to allow every such Occupier and Occupiers all such Charges which he, she, or they, shall so pay, or which shall be recovered by Distress and Sale from him, her, or them, as aforesaid, upon Receipt of the respective Rent: And every Occupier, paying any such Charges, shall be acquitted and discharged, for so much Money as he, she, or they, shall so pay, as if the same had been actually paid to such Person or Persons, to whom his, her, or their Rent should have been due or payable; and such Money, as the same shall, from time to time, be received or recovered, shall be paid to the Chamberlain of the said City, and be by him from time to time placed to the Credit of the Cash of the said City of London.

which is to be allowed in his Rent.

The Money recovered to be paid to the Chamberlain.

And whereas the Pavements of the Streets in the City of London and the Liberties thereof are frequently damaged, by the breaking up of the same to amend or new-lay Water Pipes, or to lay Water therefrom, belonging to Proprietors of Water-works, and by improper laying of such Water Pipes, and also by the bursting, leaking, or ouzing of Water Pipes belonging to the Proprietors of Water-works; and such Pavements are sometimes re-laid, and also amended, by Paviours employed by such Proprietors of Water-works, with bad Materials, and in an improper Manner, and whilst the Ground is wet by the ouzing of the Pipes, and by reason thereof the Pavement made on the Ground when so wet often gives Way, and has Holes therein; be it therefore enacted by the Authority aforesaid, That if, at any Time after the said Twenty fourth Day of June, it shall be made appear, on Oath, before any Justice or Justices of the Peace of the said City of London, by any credible Person, or shall be found on the View of any such Justice or Justices, or by the Presentment of any Inquest or Grand Jury of the said City, that any Pavement in the said City, or the Liberties thereof, is damaged by the breaking up the same to amend or re-lay any Water Pipe or Pipes, or to lay Water therefrom, belonging to the Proprietors of any Water-works, or by the bursting, or leaking, or ouzing of any Water Pipe or Pipes belonging to the Proprietors of any Water-works, or by the improper laying of any Water Pipe or Pipes in the said City of London, or the Liberties thereof, belonging to any Proprietors of Water-works; or that any such

Where the Pavements of the Streets shall be damaged by the breaking up the same, to amend or re-lay any Water Pipes, &c.

Pavement hath been laid down, amended, or new or re-laid, by any Paviour employed by or under any Proprietors of Water-works, with bad Materials, or in an improper Manner; then, and in any of the said Cases, it shall be lawful for any such Justice or Justices to cause Notice thereof, in Writing, to be given or left, by the Party or Parties complaining, at the public Office of the Proprietors of the Water-works to whom such Water Pipes which shall have occasioned any such Damage shall belong, or by whose Paviour any Pavement shall have been so defectively laid new, or re-laid, or amended, with bad Materials, or in an improper Manner, or with their Collector of the District in which any such Default in Pavement shall be, to make good, amend, or new-lay, in a proper Manner, every such Pavement, within the Space of Three Days next after every such Notice, in Writing, shall be so given or left as aforesaid: And if the Proprietors of such Water-works shall not, within the said Space of Three Days next after every such Notice, in Writing, shall be so given or left as aforesaid, cause, at their Costs and Charges, every such defective Pavement to be well and effectually re-laid, repaired, or amended, with good Materials, and in a proper and effectual Manner, it shall be lawful for any such Justice or Justices of the said City to cause every such Pavement, defective or improper Pavement, to be well and effectually relaid, repaired, or amended, with good Materials, and in a proper and effectual Manner, by any Paviour or Paviours any such Justice or Justices shall think fit to employ for that Purpose, having Regard to the Condition such Pavement was in before the same was damaged by any of the Means aforesaid: And every Paviour who, pursuant to any Order of any such Justice or Justices, shall relay, or new lay, repair, amend, or make good, any such Pavement, or defective or improper Pavement, as aforesaid, shall, from time to time, be paid the Charges of doing thereof, as the same shall be ascertained under the Hand or Hands of some Justice or Justices of the said City of London, who is and are hereby respectively authorized to ascertain the same; and also to determine and adjudge whether all or what Part of such Charges ought to be paid by the Proprietors of such Water-works, or whether any and what Part thereof ought to be paid by the Person or Persons who was or were liable by Law to have made good such Pavement, in case the same had not been damaged by some of the Means as aforesaid: And if the Proprietors of such Water-works shall not, on Demand being made at their Public Office, or on

any Justice, upon Complaint, or View thereof, may give Notice at the Office of the Proprietors of the Water Works, &c. to make good, or new lay such Pavements forthwith;

and if such Order shall not be complied with,

such Justice may set Men to work,

who shall be paid their Charges, as ascertained by a Justice,

who is likewise to determine by whom the Whole, or any Part thereof, ought to be paid;

on their Collector of the District as aforesaid, of the Money which shall be ordered to be paid by them by any such Justice or Justices as aforesaid, pay the same, within the Space of Three Days next after any such Demand as aforesaid shall be made thereof; or if any Person or Persons liable by Law to have made good any such Pavement as aforesaid, shall not pay such proportionable Part of the Charges of making good the same, as any such Justice or Justices as aforesaid shall determine and ascertain, by any Order which shall be made and signed by him or them, ought to be paid by such other Person or Persons respectively, within the Space of Three Days next after any such Notice thereof shall have been given to, or left for, such other Person or Persons, at his, her, or their usual Place of Abode, and Demand of Payment thereof shall be made on him, her, or them, or at his, her, or their usual Place of Abode; then on Oath being made of such Demand, and of the Money so ordered to be paid remaining unpaid by the Space of Three Days from the Time of the same having been demanded as aforesaid (and which Oath every such Justice and Justices as aforesaid is and are hereby respectively impowered to administer) any such Justice or Justices shall, by Warrant under his Hand and Seal, or their Hands and Seals, directed to the Constables of the said City, cause the Expences of amending every such Default in Pavement, defective or improper Pavement, or new or re-laying any such Pavement as aforesaid, which shall have been amended or re-laid under any such Order as aforesaid, to be levied by Distress and Sale of the Goods and Chattles of the Proprietors of such Water-works, or of the Collector as aforesaid of the District in which any such Default of Pavement as aforesaid shall have been, or of the other Persons liable to make good any such defective Pavement, in such Proportion as any such Justice or Justices as aforesaid shall determine and ascertain the same ought to be so paid, together with the Charges of every such Distress and Sale, rendering the Overplus, if any, to the Owners thereof; and which Money, when levied, shall be paid to the Paviour or Paviours who shall have been employed by any such Justice or Justices as aforesaid, and have amended, repaired, or re-layed, any such Pavement or Pavements as aforesaid.

and on their Refusal of Payment accordingly may levy the Charge by Distress and Sale.

And be it further enacted by the Authority aforesaid, That the Inhabitant of any Parish where any Offence against this Act shall have been committed, shall be admitted and allowed to be a competent Witness, notwithstanding his or her Inhabitancy in such Parish.

Inhabitants deemed competent Witnesses.

No Order of a Justice may be quashed for want of Form,

or removed by *Certiorari*.

And it is hereby also enacted by the Authority aforesaid, That no Order which shall be made by any Justice or Justices, by virtue of or under this Act, or any other Proceedings to be had, touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only; or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster.

Limitation of Actions.

And be it enacted by the Authority aforesaid, That if any Action shall be brought, or Suit commenced, against any Person or Persons, for any thing done in pursuance of this Act, or in relation to the Premisses, or any of them, such Action or Suit shall be laid or brought within Six Months next after the Fact done; and shall be laid or brought in the City of London, and not elsewhere: And the Defendant or Defendants in such Action may

General Issue.

plead the General Issue, and give this Act, and the Special Matter, in Evidence at any Trial to be had thereupon; and that the same was done in pursuance, and by Authority of this Act: And if the same shall appear to have been so done, or if any Action or Suit, shall not be brought within the Time before limited; or shall be brought in any other County or Place than as aforesaid; then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs; the said Defend-

Treble Costs.

ant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants hath or have, for Costs, in other Cases by Law.

Publick Act.

And it is hereby further enacted, That this Act shall be deemed a Publick Act; and shall be taken Notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same. 8

First

First SCHEDULE *to which the Act refers.*

Openings to be made

In the Ward of Alderſgate.

A Paſſage, Twenty Feet wide, to be opened, from the Eaſt Side of *Alderſgate Street* (oppoſite to *Little Britain*) to the Weſt of *Noble Street*, oppoſite to *Oat Lane*; and from thence through to *Wood Street*, oppoſite to *Love Lane*.

In the Ward of Aldgate.

A Paſſage, Fifty Feet wide, to be opened, from the Maſon's Shop facing *Crutched Fryers*, in the Occupation of *Dent*, in a direct Line to the *Minories*.

A Paſſage, Twenty five Feet wide, to be opened, through *Northumberland Alley*, into *Crutched Fryers*.

In the Ward of Biſhopſgate.

A Paſſage, Twenty five Feet wide, to be opened, through *Angel Court*, in *Biſhopſgate Street*, into *Little Saint Helen's*.

A Paſſage, Twenty Feet wide, to be opened, from *Broad Street*, through *Union Court*, into *Biſhopſgate Street*.

In Coleman Street *Ward*.

A Paſſage, Fifty Feet wide, to be opened, from the North End of *Tokenhouſe Yard* to *London Wall*.

In the Ward of Farringdon without.

A Paſſage, Thirty Feet wide, in the Middle Part of *Snow Hill*, from thence to *Fleet Market*.

A Paſſage, Twenty five Feet wide from *Butcherhall Lane* into *Little Britain*.

In Farringdon *Ward* within.

To make a Paſſage through *Cock Alley*, on the South Side of *Ludgate Hill*, and oppoſite to the *Old Baily*, Forty Feet wide, into *Black Fryers*.

Second SCHEDULE *to which the Act refers.*

Passages to be improved and enlarged

In the Ward of Aldgate.

TO pull down the Houses on the East Side of *Billiter Lane*, in order to enlarge the Passage to the Width of Thirty Feet.

To pull down the Houses at the East End of *Leadenhall Street*, to make the Passage there Thirty five Feet wide.

To pull down such Part of the Houses on the East Side of *Poor Jury Lane*, beginning at, and including, a House on the North Side of *The Horse and Trumpet*, and extending southwards towards *Gould Square*, as will be sufficient to range in a Line with that End of the Lane next to *Aldgate*; the Passage of which is intended to be made Thirty five Feet wide, by pulling down, and setting back, all the Houses from the Gate to the said *Horse and Trumpet*.

In Broad Street *Ward.*

To pull down the House at the West End of the Buildings situate between *Cornhill* and *Threadneedle Street*, and opposite to the South End of *Prince's Street*, and lay the Ground into the Street.

To pull down the Houses on the South Side of *Threadneedle Street*, extending from the House before mentioned eastward, till it reaches to that Part of the Street which is opposite to the Bank Gates; and to enlarge the Passage there to Thirty five Feet in Width.

In the Ward of Coleman Street.

To pull down One House on the North East Corner of the *Old Jury*, and another House at the South West Corner of *Coleman Street*, both of which are occupied by Brasiers, and lay the Ground thereof into the Street.

In Cordwainer's *Ward.*

To pull down the House at the North East Corner of *Trinity Lane* near the *Dog* Tavern, and lay the Ground into the Street.

In the Ward of Cornhill.

To pull down the Houſe at the Weſt End of the Buildings ſituate between *Cornhill* and *Lombard Street*, and lay the Ground into the Street.

In the Ward of Cripplegate within.

To pull down the Houſes which project forwards at the Weſt End of *Silver Street*, from the End of *Monkwell Street*, quite through into *Alderſgate Street*, to make a commodious Street Forty Feet wide.

To pull down the Houſe at the Corner of *Aldermanbury* facing *Milk Street*, which was formerly the *Baptiſt Head* Tavern, and lay the Ground thereof into the Street.

In the Ward of Farringdon within.

To pull down the Tin Shop, and the Trunkmaker's Houſe, at the South Weſt Corner of *Cheapſide*, leading into *Saint Paul's Churchyard*, and lay the Ground into the Street.

To pull down ſuch Part of the Houſes in *Creed Lane* as are neceſſary to widen the Paſſage to Thirty Feet.

In the Ward of Farringdon without.

To pull down all the Houſes in the Middle Row between the Paved Alley adjoining to *Saint Sepulchre's* Church and *Giltſpur Street*, from the North End thereof quite through to the South End, which faces *Hart Street*, and lay the Ground into the Street.

To pull down all the Houſes in the Middle Row between the *Great Old Baily* and *Little Old Baily*, beginning at the North End thereof, which faces *Hart Street*, and proceeding ſouthwards, including the *Baptiſt's Head* at the South End, facing the *Great Old Baily*, and lay the Ground into the Street.

To pull down the Shops or Sheds under *Saint Dunſtan's* Church in *Fleet Street*, and lay the Ground into the Street.

In Langbourn *Ward.*

To pull down ſuch Part of the Houſes, at the End of *Mark Lane*, next to *Fenchurch Street*, as will make the Paſſage there Thirty Feet wide.

To pull down ſuch Part of the Houſes at the Eaſt End of *Lombard Street* as will make the Paſſage there Thirty Feet wide.

In

In the Ward of Portſoken.

To pull down the Houſe at the North Eaſt Corner of *Hounſditch*, and adjoining to the Churchyard, and lay the Ground thereof into the Street.

In Tower *Ward.*

To pull down ſuch Part of the Houſes on *Saint Dunſtan's Hill*, adjoining to the *George* Alehouſe, and oppoſite to the Chain, and ſuch Part of the Warehouſes oppoſite to the End of *Saint Dunſtan's* Church, as will render the Paſſage there Thirty Feet wide.

To pull down the Houſe on the North Weſt Corner of *Great Tower Street*, now occupied by Maſter *Crawford*, a Bruſhmaker, and alſo the Houſe on the South Eaſt Corner of *Little Tower Street*, now in the Occupation of Meſſieurs *Julon* and *Lindner*, Hatters, in order to make that dangerous Paſſage ſafe and convenient.

To pull down the Houſe in *Mark Lane* which adjoins to the Church of *Allhallows Staining*, and projects Twelve Feet before the other Houſes, in order to make it range in a Line with the ſaid Houſes, and enlarge the narrow Paſſage there.

In the Ward of Vintry.

To pull down the Houſes on the North Side of *Thames Street* which are ſituated and reach from *Elbow Lane* to *College Hill*, and alſo thoſe Houſes on the South Side of the ſaid Street which reach from *Vintners Hall* to *Bull Wharf Lane*, in order to make the ſaid Street Forty Feet wide.

To pull down the Houſe at the Corner of *Tower Royal*, facing *College Hill*, and lay the Ground into the Street.

In the Ward of Wallbroke.

To pull down the Houſe at the North Eaſt Corner of *Bucklerſbury*, which projects before the other Buildings.

In Biſhopſgate *Ward.*

To pull down the Two Houſes between *New Broad Street* and *New Broad Street Buildings*, which project ſo far into the Street as to make the Paſſage and Communication to the ſaid Streets very narrow and inconvenient.

F I N I S.