ANNO UNDECIMO

Georgii III. Regis.

CAP. XII.

An Act for better paving the Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Paſſages, in that Part of *Goodman's Fields*, which lies in the Pariſh of *Saint Mary Matfellon*, otherwiſe *Whitechapel*, in the County of *Middleſex*, and alſo *Red Lion Street* and *White Lion Street*, lying contiguous to the ſaid *Fields*, and for removing and preventing Nuiſances, Annoyances, and Obſtructions therein.

WHEREAS the Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Paſſages, in that Part of Goodman's Fields, (being Part of the Manor or reputed Manor of Barnes, in the County of Middleſex and City of London) which lies in the Pariſh of Saint Mary Matfellon, otherwiſe Whitechapel, in the ſaid County of Middleſex, and the Streets called Red Lion and White Lion Streets, lying contiguous to the ſaid Fields, are very ill paved and ruinous, and the Paſ- Preamble.

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sage thereof is greatly obstructed by many Nuisances and Annoyances therein: And whereas it would be of great Benefit and Advantage to the Inhabitants of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, and to all Persons resorting thereto, or passing through the same, if the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, were properly paved, and all Nuisances, Annoyances, and Obstructions therein were removed and prevented for the future; and the Inhabitants of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, are willing to pave the same at their own Expence, but as the same cannot be effected without the Aid 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 Harry Akerman, William Complin, Richard Cole, John Coverley, Thomas Dickason, Thomas Farrer, William Garrett, George Garrett, Edward Hawkins, Samuel Hawkins, George Hayley, Edward Hopkins, John Hawes, John Harris, Thomas Jordan, Leonard Lefevre, William Loney, Joseph Langfer, John Lafont, John Long, Job Mathew, Abraham de Mattos Mocata, Thomas Massa, William Mills, Robert Newcome, John Pott, George Prior, Casten Rhode, Charles Raikes, William Reynolds, George Russell, Joseph Rickards, Robert Cartwright Smith, William Scullard, David Samuda, Claude Scott, Thomas Slack, John Spieker, Abjohn Taylor, John Townsend, Samuel Wood, John Willes, Stephen Wear, Robert Wilson, James Waller, and Peter Walker, and their Successors, being Inhabitants of some or one of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, to be elected in Manner herein after-mentioned, shall be, and they are hereby appointed Commissioners for putting this Act in Execution: And in case any of the said Commissioners shall happen to die, or shall neglect or refuse to act for the Space of One Year, or shall remove out of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, it shall be lawful for the surviving or remaining Commissioners, or any Ten or more of them, from Time to Time, by Writing under their Hands and Seals, to elect one other Person or Persons, to be a Commissioner or Commissioners, in the Room and Stead of the Commissioner or

Commissioners appointed.

In case of Death, Refusal, or Removal,

or Commissioners, so dying or refusing to act, or removing, Ten Days Notice of the Time and Place of Meeting for every such Election being given, by affixing the same in Writing upon the principal Door of the Parish Church of Saint Mary Whitechapel, and also by Advertisement in some or one of the publick News Papers; and every Person or Persons so elected shall be, and is, and are hereby vested with the same Powers for putting this Act in Execution, as the Person or Persons in whose Place he or they shall be elected, was or were vested with. other Commissioners to be chosen.

And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be an Inhabitant of some or one of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, and unless he shall, in his own Right, or in the Right of his Wife, be in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements or Hereditaments of the clear yearly Value of Forty Pounds, or possessed of or intitled to a personal Estate of the Value of One thousand Pounds; and if any Person not being so qualified shall presume to act as a Commissioner in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, together with Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Court of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed, and wherein the Proof of Qualification shall lie on the Person prosecuted; and it shall be sufficient for the Prosecutor to prove that the Person so prosecuted had acted as a Commissioner in the Execution of this Act. Qualification of Trustees. Person acting not qualified, to forfeit 50*l.*

And be it further enacted, That no Person who shall sell Ale, Wine, or any Spirituous or Fermented Liquors by Retail, shall be capable of acting as a Commissioner under this Act. No Victualler to act as a Commissioner.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet together at the Vestry Room of the said Parish at Ten of the Clock in the Forenoon, on the third Thursday next after the passing of this Act, and shall then and there proceed to the Execution of this Act; and they are hereby impowered to adjourn themselves, from Time to Time, to meet at the same Place, or at such other Place in the said Parish of Saint Mary Whitechapel as the said First Meeting.

Commissioners, or any Five or more of them, shall, from Time to Time, think fit; and if at any Meeting so appointed there shall not appear a sufficient Number of Commissioners to act or adjourn to another Day, or in Case the said Commissioners so assembled shall omit, neglect, or refuse to adjourn themselves, then, and in every such Case, any Two of the said Commissioners, or the Clerk to the said Commissioners, shall appoint a Meeting of the said Commissioners to be held, within Seven Days after, at the same Place; publick Notice whereof shall be given by affixing the same in Writing on the principal Door of the Parish Church aforesaid, at least Four Days before such Meeting.

Commissioners how to adjourn.

Manner of adjourning.

Provided always, That no Order or Determination of the said Commissioners, or any of them, shall be valid unless the same shall be made at a Meeting held in pursuance of this Act; nor shall any Commissioner hereby appointed, or hereafter to be appointed, as aforesaid, be capable of acting as such during the Time he shall enjoy any Office of Profit by virtue of the Powers given by this Act, or have any Share or Interest in any Contract relating to the Execution thereof.

No Order vali unless at a Publick Meeting, nor shall any Commissioner enjoy Offices.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may, by any Writing under their Hands and Seals, appoint One or more Clerk or Clerks, Surveyor or Surveyors, or Inspector, and such other Officers for the Execution of this Act as they shall think proper, and from Time to Time remove him or them, and appoint others as they shall find necessary or convenient; and by and out of the Money to be raised by virtue of this Act, pay such Salaries and Allowances to such Officers, and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they shall think reasonable; and the said Commissioners, or any Five or more of them, shall take such Security for the Execution of the respective Offices, by such Person and Persons as aforesaid, as the said Commissioners, or any Five or more of them, shall think proper; and all and every such Person and Persons as is, or are hereby made liable to pay the several Rates or Sums of Money hereby granted, shall pay the same, to such Person or Persons as shall from Time to Time be appointed to collect or receive the same, as herein after mentioned; and all such Officers and Persons so to be appointed as aforesaid, shall, under their Hands, at such Times and in such Manner as the said Commissioners, or any Five or more of them, shall direct, deliver to such Commissioners true and perfect Accounts

Commissioners may appoint Officers;

who shall give Security.

Persons subject to be rated to pay the same to such Officers.

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in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by them respectively received by virtue and for the Purposes of this Act, and how much thereof has been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint, and all the said Officers and Persons so accounting as aforesaid, shall upon Oath, if thereunto required, (which Oath the said Commissioners, or any Two or more of them, are hereby impowered to administer) verify their said Accounts; and if any Officer or Person shall not make and render, or shall refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make such Payment as aforesaid, or shall not deliver to the said Commissioners, or any Two or more of them, or to such Person or Persons as they shall appoint, within Seven Days after being thereunto required, by Notice in Writing under the Hands of any Two or more of the said Commissioners, all Books, Papers, and Writings, in his Custody or Power, relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Commissioners, or any Two or more of them, or as they shall direct or appoint; then, and in any of the Cases aforesaid, the said Commissioners, or any Five or more of them, may and are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions, in the Names of the said Commissioners, or in the Names of any Two or more of them, against the Officer or Officers, Person or Persons so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the said Commissioners, or any Two or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Justice or Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons so neglecting or refusing shall be and reside, such Justice or Justices may and is, and are hereby authorised and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Officer or Officers

who are to account upon Oath if required.

Commissioners empowered to administer Oaths to Officers.

Officers refusing to account upon Oath or delivering Books on Seven Days Notice,

or refusing to pay the Balance of the Account,

subject to be sued.

On Complaint, Justices may call such Officer before them,

ficers, Perſon or Perſons ſo refuſing or neglecting to be brought before him or them, and upon his or their 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 Parties, or by the Teſtimony of any One or more credible Witneſs or Witneſſes upon Oath, before ſuch Juſtice or Juſtices, (which Oath he or they are hereby impowered to adminiſter) it ſhall appear to ſuch Juſtice or Juſtices that any of the Monies that ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtice or Juſtices may, and he and they is and are hereby authoriſed and required, upon the Nonpayment thereof, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons offending in the Premiſes reſpectively: And if no Goods or Chattels of ſuch Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy ſuch Money, and the Charges of ſuch Diſtreſs and Sale; or in caſe it ſhall appear to ſuch Juſtice or Juſtices by the Confeſſion of the Party ſo offending, or by the Teſtimony of any credible Witneſs or Witneſſes, upon Oath, which Oath ſuch Juſtice or Juſtices is and are hereby empowered to adminiſter, that any Books, Papers, or Writings relating to the Execution of this Act ſhall be in the Cuſtody or Power of any ſuch Officer or Perſon, and he ſhall refuſe to deliver the ſame as aforeſaid, then, and in either of the ſaid Caſes, ſuch Juſtice or Juſtices ſhall commit every ſuch Offender to the Common Gaol of the County or Place where ſuch Offender ſhall be and reſide, there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Commiſſioners, or any Five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint; which Compoſition the ſaid Commiſſioners, or any Five or more of them, are hereby impowered to make; and until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Commiſſioners, or any Five or more of them.

and proceed in a ſummary Way.

Money found by ſuch Juſtices ſo unaccounted for by the Officers, to be levied by Diſtreſs.

In caſe Diſtreſs not ſufficient, &c.

Such Officer refuſing to deliver Books, &c. to be committed,

until Delivery of Books, &c. or of Compoſition with the Commiſſioners.

Provided always, That no Perſon who ſhall be committed on Account of his having no Goods or Chattels ſhall be committed for any Term longer than Six Months.

Commitment to be no longer than Six Months.

And

And be it further enacted, That upon the Death of any such Officer, or other Person to be appointed as aforesaid, his Executors or Administrators shall, within Twenty-one Days next after such Decease, deliver to the said Commissioners under this Act, or any Two or more of them, an Account in Writing, under his, her, or their Hand or Hands, of the Monies collected or received by the Person so deceased, for the Purpose of this Act; and shall also deliver all Books, Papers and Things concerning his Office to such Person or Persons as the said Commissioners, or any Five or more of them, by Writing under their Hands, shall appoint to receive the same; and such Money, if any due, shall be paid by the Executors or Administrators of the Person so deceased, in Preference to and before any of his or their other Debts are paid or satisfied.

Executors to account,

and the Money in their Hands belonging to the Trust to be paid in Preference.

And be it further enacted, That if any Person or Persons who shall be employed by the said Commissioners as a Clerk, Surveyor, or any other Officer or Servant in the putting this Act, or any of the Powers herein contained, in Execution, shall exact, take, or accept, by any Ways or Means whatsoever, any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards, as shall be appointed, allowed, and approved of by the said Commissioners, or any Five or more of them, for or on account of any Thing done, or to be done, by virtue of this Act, or on any Account whatsoever, relative to the putting this Act in Execution, or shall be, by any Ways or Means, concerned or interested in any Bargain, Contract, or Agreement made, or to be made by the said Commissioners, or any Five or more of them, for the Purposes of putting this Act in Execution, every such Person or Persons so offending, shall be disqualified, and be for ever incapable of serving or being employed by or under the Commissioners appointed by this Act, and shall forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, within Six Calendar Months after the Offence committed; in which no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Officers taking other Fees than allowed, or being concerned in any Bargain, to be disqualified, and forfeit 100*l.*

Action to be brought within 6 Months.

And be it further enacted, That from and after any or either of the Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, which by this Act are to be repaved, relayed, or repaired, shall actually be begun to be repaved, relayed, or repaired, the Property

Pavements vested in Commissioners.

of all the present and future Pavements in the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, as well in the Foot-ways as Carriage-ways, and of all Materials, Implements, and other Things, to be purchased for the Purposes of this Act, shall be, and the same are hereby vested in the said Commissioners, and they, or any Five or more of them, are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions, in the Name or Names of any Two or more of them the said Commissioners, or in the Name of their Treasurer or Clerk, or to prefer any Bill or Bills of Indictment, in any such Name or Names, as the Case shall require, against any Person or Persons whomsoever, who shall steal, purloin, or by any Ways or Means carry away, spoil, injure, or destroy, or cause to be stolen, purloined, taken, carried away, spoiled, injured, or destroyed, the same, or any Part or Parts thereof; and the said Commissioners, or any Five or more of them, shall have full Power and Authority to sell and dispose of all or any Part or Parts of the old and useless Materials, to such Person or Persons as shall be willing to purchase the same, at such Price or Prices as the said Commissioners, or any Five of them, shall think reasonable; and the Money arising therefrom shall be applied to such and the same Purposes as the Monies arising from the Rates and Assessments in and by this Act directed to be made, are to be applied.

Streets to be paved.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall have full Power and Authority, from Time to Time, to cause, order, and direct, all or any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, to be new paved, repaired, relayed, raised, lowered, or altered, when, and as often, and in such Manner and Form, and with such Materials as the said Commissioners, or any Five or more of them, shall think fit; and also to be freed from all Annoyances, Nuisances, Incroachments, and Obstructions whatsoever; and for such Purposes may, from Time to Time, cause to be dug, carted, and carried out of, or brought into the same, or any of them, such Gravel, Stones, and other Materials as they shall judge necessary; and may likewise cause the Water-pipes, which now lie, or hereafter shall be laid under Ground, to be taken up and new-laid in such Places, Manner, and Form, as they the said Commissioners, or any Five or more of them, shall judge best, and to employ such Artificers, Workmen,

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Workmen, and other Persons, and to issue such Money on those Accounts, and to do all and every such other Acts and Things as the said Commissioners, or any Five or more of them, shall judge necessary, fit, or reasonable, for effectually carrying the Purposes of this Act into Execution.

Commissioners may make Contracts,

And be it further enacted, That the said Commissioners, or any Five or more of them, may, and are hereby impowered, from Time to Time, and at all Times hereafter, as Occasion shall require, to contract with any Person or Persons, for paving, relaying, repairing, raising, lowering, amending, altering, and keeping in Repair, all or any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, and for the several Works hereby directed to be performed, or any of them; which Contract and Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of Nonperformance thereof; and such Contract or Contracts shall be signed by the said Commissioners, or any Five or more of them, and by the Person or Persons contracting to perform such Works; but previous to the making of any such Contract, Ten Days Notice shall be given in some publick News-paper, expressing the Intention of such Contract, in order that any Person or Persons willing to undertake the same, may make Proposals for that Purpose to the said Commissioners, at a certain Time and Place in such Notice to be mentioned.

giving Ten Days Notice in the publick News-paper.

Paviours, Carters, &c. to be appointed.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from Time to Time, to employ such and so many Paviors, Artificers, Workmen, Labourers, Carters, and others, in the respective Works aforesaid, as they shall judge necessary for the due Execution of such Works; and no Person or Persons shall, for any Act done in consequence of his or their being so employed by Order of the said Commissioners, be subject or liable to any Action, Indictment, or Information, upon the Statute made in the Fifth Year of the Reign of Queen Elizabeth, intituled, An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry, and Apprentices.

Disputes about Wages of Workmen, how settled.

And be it further enacted, That if any Dispute shall arise with respect to the Wages of such Paviors, Artificers, Workmen, or Labourers employed on or about the

the said Pavement, it shall and may be settled by any One of His Majesty's Justices of the Peace for the County of Middlesex, or for the Liberty of His Majesty's Tower of London, in a summary Way, whose Determination shall be final.

Penalty on obstructing Workmen.

And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any Surveyor or Surveyors, or other Officer or Officers, Workmen, Person or Persons whomsoever, who are or shall be employed by virtue of this Act, in the Performance or Execution of his or their Duty, every such Person so offending shall, for the First Offence, forfeit the Sum of Five Pounds, for the Second Offence the Sum of Ten Pounds, and for the Third and every other Offence, the Sum of Twenty Pounds.

Water Pipes breaking, how to be repaired.

And be it further enacted, That when and so often as any Pipe or Pipes belonging to any Water Companies who do or shall furnish any Part of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages with Water (which now lie, or hereafter shall be laid under Ground, shall break, burst, or decay, so as to require Reparation) the Surveyor for the Time being to the Commissioners, or such other Person as the said Commissioners, or any Five or more of them, shall appoint for that Purpose, shall forthwith give immediate Notice thereof to the Pavior of the Water Company to whom he apprehends such Pipe or Pipes does, do, or may belong, who is hereby required to take up the Pavement and open the Ground at or near the Place where such Reparation shall appear to be wanting; and if, upon taking up of the Pavement and opening the Ground, it shall appear that the Pipe or Pipes so broken, burst, or decayed, do not or doth not belong to the Water Company whose Pavior shall have taken up such Pavement and opened such Ground, then and in every such Case the Surveyor, or other Person as aforesaid, shall give immediate Notice in Writing to the Pavior of that Company to whom it shall appear that the said Pipe or Pipes do or doth belong, such Notice to be given or left with such Pavior, or at his last or usual Place of Abode, and the Pavior of the Company to whom such Pipe or Pipes shall belong, is hereby required to repair the same, and fill in, and well and sufficiently ram, the Ground, within Two Days after such Notice given or left as aforesaid; and shall also, within Twenty-four Hours after such Pipe shall be repaired and the Ground filled in, give Notice in Writing to the Pavior or Paviors contracting with the said Commissioners, or to the Surveyor or other Person

Perſon aforeſaid, of ſuch Pipe or Pipes being repaired, and ſuch Ground being filled in, ſuch Notice to be given to ſuch Contractor, Surveyor, or other Perſon, or left at his or their laſt or uſual Place of Abode; and in caſe it ſhall happen that the Pavior who firſt receives Notice to take up the Pavement and open the Ground for the Purpoſes aforeſaid, ſhall take up ſuch Pavement and open ſuch Ground, and it ſhall then be diſcovered that the Pipe or Pipes which is, are, or ſhall be burſt, broken, or decayed, do or doth not belong to the Company to whom he is Pavior, that then and in ſuch Caſe the Pavior of the Company to whom ſuch Pipe or Pipes do or doth belong, ſhall make Satisfaction to the Pavior who ſo took up ſuch Pavement and opened ſuch Ground for ſuch Work; and in caſe the Pavior to whom ſuch Notice ſhall be ſo given to take up ſuch Pavement and open ſuch Ground ſhall neglect or refuſe to do the ſame, within Twenty-four Hours after Notice given, he ſhall for the firſt Offence forfeit and pay the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Four Pounds; and in caſe the Pavior of the Company to whom ſuch Pipe or Pipes ſo broken or decayed ſhall belong ſhall neglect or refuſe to repair and amend the ſame, and fill in and well and ſufficient ram the Ground ſo taken up, for the Space of Twenty-four Hours next after ſuch Notice given, or ſhall neglect to give Notice to the Pavior or Paviors contracting with the ſaid Commiſſioners, or to the Surveyor to the ſaid Commiſſioners, or to ſuch other Perſons as aforeſaid, ſuch Pavior ſhall, for the firſt Offence, forfeit the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Four Pounds; and if the Perſon or Perſons contracting with the ſaid Commiſſioners to relay ſuch Pavements ſo broken or taken up for the Reaſons aforeſaid, ſhall neglect or refuſe to relay ſuch Pavement in a good, ſufficient, and effectual Manner, within Twenty-four Hours after ſuch Notice given to him as aforeſaid, or if the Surveyor or other Perſon to whom ſuch Notice ſhall be given, ſhall neglect to acquaint the Contractor or other proper Perſon or Perſons of ſuch Notice, then and in every ſuch Caſe the Perſon or Perſons ſo offending ſhall, for the firſt Offence, forfeit the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Four Pounds.

Company having no Pavior, Notice to be given to the Clerk.

Provided always, That if it shall happen that at any Time there shall be no regular or fixed Appointment of a Pavior of any of the Water Companies, in that Case such Notice as aforesaid shall be delivered to or left at the Office of the Clerk or Secretary of such Company respectively, who shall in every such Case be substituted in the Room of such Pavior to all the Intents and Purposes aforesaid.

Paviors of Water Companies to give Notice where they live.

And be it further enacted, That every Pavior now appointed, or hereafter to be appointed, by the said several Water Companies, who shall have any Pipe or Pipes laid in, through, or under any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, shall, and he is hereby required, within the Space of One Month next after the passing of this Act, or within the Space of Seven Days next after he shall be appointed Pavior to such Company or Companies, and within the Space of Three Days next after every Removal of his Abode, to give Notice in Writing to the Surveyor or Clerk for the Time being to the said Commissioners, of his the said Pavior's Name and Place of Abode, and to what Company he is Pavior; and in case any such Pavior shall neglect or refuse to give such Notice within the respective Times aforesaid, every such Pavior so offending in either of the said Cases, shall, for the First Offence, forfeit the Sum of Ten Shillings, for the Second Offence the Sum of Twenty Shillings, and for the Third and every other Offence the Sum of Forty Shillings.

Notice of taking up Pavement for repairing Sewers, &c. or laying Water Pipes, to be given to the Commissioners;

and the Pavement to be repaired by them, and Parties taking up the Pavement to reimburse Expences of relaying it.

And be it further enacted, That when and so often as any Part of the Pavement of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages shall be taken up for the Purpose of making, repairing, altering, cleansing, or emptying any Sewer, Vault, arched Cellar, or Drain, or of laying, altering, or amending any Water Pipe or Plug, or for any other Purpose whatsoever, the Person or Persons so taking up such Pavement shall, within Twenty-four Hours, give Notice thereof to the Inspector, Surveyor, or Clerk for the Time being of the said Commissioners, in order that the same may, with all convenient Speed, be laid down and repaired by and under the Direction of the said Inspector, Surveyor, or Clerk, and the Charges and Expences thereof shall be paid by the said Commissioners, or any Five or more of them, and the said Commissioners shall be reimbursed the same by the Person or Persons, Companies of Water-works, or Commissioners of Sewers, who shall take up, or cause or procure to be taken

taken up the said Pavement, or any Part or Parts thereof.

Provided always, and be it further enacted, That it shall be lawful for the said Commissioners for putting this Act in Execution, or any Five or more of them, from Time to Time, to compound and agree with the said Companies, or Commissioners of Sewers, or other Person or Persons respectively, for a certain Sum of Money by the Foot, or other Measure, as the said Commissioners for putting this Act in Execution, or any Five or more of them, shall think reasonable, in lieu and instead of laying down or repairing such Pavement as shall be necessarily taken up for any of the Purposes aforesaid. Commissioners may compound with Commissioners of Sewers and Water Companies.

And be it further enacted, That in case such Person or Persons, Companies of Water-works, or Commissioners of Sewers respectively, shall neglect or refuse to pay the Monies which the said Commissioners shall have so paid and disbursed, or what shall be due upon such Contract or Composition as aforesaid, within Two Months next after Notice thereof, to be left by the said Surveyor or Clerk, at the Dwelling-house, or last Place of Abode, of such Person or Persons, or of the Secretary or Secretaries, Clerk or Clerks, of such Companies of Water-works, or Commissioners of Sewers respectively, which Notice shall be in Writing, and signed by the Clerk or Surveyor for the Time being of the Commissioners for putting this Act in Execution, by Order of the said Commissioners, or any Five or more of them, and annexed to the Bill, containing an Account of the Expence of such Repair or Money due upon such Compositions, it shall and may be lawful to and for the said last-mentioned Commissioners, or any Five or more of them, and they are hereby authorised and empowered to bring, or cause to be brought, any Action or Actions in the Name or Names of their Clerk, or Two or more of the said Commissioners for the Time being, for the Recovery of such Sum or Sums of Money respectively; and in case such Person or Persons hereby directed to give such Notice to the Surveyor or Clerk for the Time being of the Commissioners for putting this Act in Execution, as is before directed, shall neglect so to do for the Space of Two Days after such Pavement shall be so taken up, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Five Pounds. Commissioners of Sewers, Water Companies, or other Persons, neglecting or refusing to pay the Monies expended for repairing the Pavements after Notice, may be sued in the Name of Clerk to the Commissioners. Persons neglecting to give Notice of taking up such Pavement to forfeit 5*l.*

And be it further enacted, That if, for the Purposes of this Act, it shall at any Time be found necessary to raise, sink, Commissioners may alter Pipes and Plugs,

paying for the same.

sink, or otherwise alter the Position of any of the Pumps, Pipes, or Plugs laid down or placed by any of the said Companies, or by any Person or Persons, or of any of the Leaden or other Pipes which shall be laid into or from any of the said Companies Pipes, the the said Commissioners, or any Five or more of them, shall and may, and they are hereby empowered to cause the same to be done, from Time to Time, and in such Place or Places as they, or any Five or more of them, in their Discretion, shall think proper; and the same shall be paid for out of the Monies arising by virtue of this Act, and shall be done with as little Detriment or Inconvenience to the said Companies, and other Persons, as the Circumstances of the Case will admit of.

For procuring Water in Time of Fire.

And, for the more easy obtaining of Water in Cases of Fire, be it further enacted, That the several Water Companies, who shall supply any of the Inhabitants of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, with Water, shall, from Time to Time, within the Space of Thirty Days after the passing of this Act, or within Seven Days after the Appointment of any Turncock or Turncocks, give Notice in Writing to the said Commissioners of the Names and Places of Abode of their respective Turncocks, distinguishing the Districts to which they respectively belong; and if any of the said Companies shall neglect to give such Notice within the Times aforesaid, they shall, for every such Neglect, forfeit the Sum of Five Pounds; and the said Commissioners shall, and they are hereby required yearly to cause to be printed and distributed among the Householders and Inhabitants of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, a List of the Names and Places of Abode of the several Turncocks of such Water Companies respectively.

Names of the Turncocks to be delivered in.

Penalty for every Neglect therein.

Penalty of breaking up Pavements, or laying Obstructions in the Streets.

And be it further enacted, That if any Person shall, without Authority from the said Commissioners, or any Five or more of them, or (in case of Exigency) from their Clerk or Surveyor for the Time being, take up or alter, or cause to be taken up or altered, any Part of the Pavement of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, or any of them, when new paved, relayed, or repaired by the said Commissioners, for any Purpose whatsoever, every Person so offending, shall, for every such Offence, forfeit and pay the Sum of Five Pounds, and shall also pay the Expences of relaying and reinstating the same, according to the Directions

of the said Commissioners, or any Five or more of them, or of the Surveyor for the Time being, and the said Forfeiture and Expence shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, in the Names of any Two or more of the said Commissioners, or in the Name of their Treasurer or Clerk, to be commenced; within Six Months next after such Offence committed; in which Action or Suit, no Protection, Essoin, or Wager of Law, or more than One Imparlance shall be allowed.

Course of Gutters to be turned if necessary

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from Time to Time, to direct and cause the Course of any Gutter or Channel running in, through, or cross the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, or any of them, to be turned or altered in such Manner as they shall think proper, and to direct any Grate or Grates already placed, or hereafter to be placed over any Sewers, to be removed and replaced in such Manner, and at such Place and Places as they shall think most proper; all which shall, from Time to Time, be done at the Expence of the said Commissioners, and paid for out of the Money arising by virtue of this Act; any Law, Usage, or Custom to the Contrary notwithstanding.

Where necessary to make new Grates, or repair old ones, Commissioners of Sewers to pay the Expence.

And be it further enacted, That when and so often as there shall be Occasion to make new or additional Grate or Grates over any Sewer or Sewers within the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, or to repair or alter any old Grate or Grates belonging to the Commissioners of Sewers, or any other Person or Persons, in the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, the same shall be made new, repaired, or altered, by and at the Expence of the said Commissioners of Sewers, or such other Person or Persons to whom the same doth or shall belong; and the same, when so made new, repaired, or altered, shall be laid down in such Place and Places, and in such Manner and Form, as shall be directed by the Surveyor or Clerk to the Commissioners for putting this Act in Execution, at the Expence of the said Commissioners of Sewers, or such other Person or Persons as aforesaid: And in case the said Commissioners of Sewers, or such other Person or Persons as aforesaid, shall neglect or refuse so to do for the Space of Fourteen Days next after Notice given or left

in Writing with their Clerk or Clerks for the Time being, or with such other Person or Persons as aforesaid, it shall and may be lawful to and for the said Commissioners appointed by this Act, or any Five or more of them, or their Surveyor, to cause such Grate or Grates as shall be necessary to be made new, repaired, altered, and laid down, to be so made new, repaired, altered, and laid down, the Expence whereof shall be reimbursed and paid by the said Commissioners of Sewers, or such other Persons as aforesaid, or recovered of him, them, or any of them, in like Manner as the Charges and Expences of relaying Pavements is herein before authorised to be recovered.

Sewers, &c. to be repaired by the Commissioners of Sewers.

And be it further enacted, That when and so often as any Sewer or Drain, which shall be situate in or communicate with any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, shall require to be made new, repaired, altered, cleansed, or emptied; then, and in every such Case, the said Commissioners of Sewers, or such other Person or Persons to whom such Sewer or Drain shall belong, shall, within Fourteen Days after Notice in Writing given to, or left for the Surveyor or Clerk for the Time being of the Commissioners of Sewers, or such other Person or Persons as aforesaid, at his or their last or usual Place of Abode, by the said Commissioners appointed to put this Act in Execution, or any One or more of them, or by the Surveyor or other Person authorised by them, make new, effectually repair, cleanse, or empty, such Sewer or Drain, as the Case may require; and in Default thereof, it shall and may be lawful to and for the said Commissioners appointed by this Act, or any Five or more of them, or their Surveyor for the Time being, to cause such Sewer or Drain to be made new, repaired, or altered, cleansed, or emptied, as the Case may require, or so much thereof as shall be necessary, the Charges and Expences whereof shall be paid by the Commissioners for putting this Act in Execution, who shall be reimbursed the same by the Clerk or Treasurer for the Time being to the said Commissioners of Sewers, or by such other Person or Persons as aforesaid: And in case the said Clerk or Treasurer to the said Commissioners of Sewers, or such other Persons as aforesaid, shall neglect or refuse to pay what shall have been so paid and disbursed, within Two Months next after Notice thereof shall be left at the Dwelling-house or last Place of Abode of such Clerk or Treasurer, or other Person, which Notice shall be in Writing, and signed by

by the Clerk to the Commissioners for putting this Act in Execution, and annexed to the Bill containing an Account of such Charges and Expences; it shall and may be lawful to and for the Commissioners for putting this Act in Execution, or any Five or more of them, and they are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions, in the Name of any Two or more of the said Commissioners, or of their Clerk for the Time being, against such Clerk or Treasurer of the said Commissioners of Sewers for the Time being, or such other Person or Persons as aforesaid, for the Recovery of such Sum or Sums of Money as they shall have so expended for the Purposes aforesaid; in which Action or Actions no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Commissioners to pay for altering Sewers or Drains.

Provided always, That if it shall be necessary to new-make, alter, or remove, any Sewer, Drain, or Grate, in any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, that shall not be publick Sewers, Drains, or Grates, but belonging to private Persons, such New-making, Alteration, or Removal, shall be paid for by the Commissioners for putting this Act into Execution out of the Monies to be raised by virtue of this Act.

Streets to be watered.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall have full Power and Authority to cause the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, or any of them, to be watered as often as they shall think fit; and also to cause any Well or Wells to be dug and sunk, in such Places as they shall think proper; and also any Pump or Pumps to be erected in or near such Places, and also any Pump or Pumps now standing in any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, to be removed or altered as they shall think fit, and to defray the Expences thereof out of the Monies to be raised by virtue of, and for the Purposes of this Act.

Foot-paths to be swept every Day, except *Sundays*.

And be it further enacted, That every Occupier of any House or Tenement within the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, shall, from and after One Month next after the passing of this Act, sweep and clean, or cause to be swept and cleansed, the Foot-paths before their respective Houses, Buildings, and Walls, Once in every Day, between the Hours of Six and Ten of the Clock in the Forenoon, (Sundays excepted) upon Pain of forfeiting for every Neglect therein the Sum of Five Shillings.

Waggons shall not stand longer than while loading or unloading;

And, for the more speedy Removal of sundry Nuisances and Obstructions in the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, be it further enacted, That if any Cart, Waggon, Dray, or other Carriage, shall be suffered to stand or continue in any Part of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, longer than is necessary for the Loading or Unloading thereof; or if any Coach, Chariot, or other Carriage, or any Goods, Materials, or Things whatsoever shall stand, be placed, laid, and left, in any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, so as to obstruct the free Passage thereof; then, and in every such Case, any One or more of the said Commissioners, or any One or more of their Officers, shall and may seize, or cause to be seized, the Cart, Waggon, Dray, Coach, Chariot, or other Carriage so placed, or suffered to stand or continue, contrary to the true Intent and Meaning of this Act, together with the Horse or Horses thereunto belonging, or the Goods, Materials, or Things, so laid or placed, and left as aforesaid; and remove the same, or cause the same to be removed to such Place or Places, as by the said Commissioners, or any Five or more of them, shall be appointed for that Purpose, there to be kept until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall and do claim the same, and pay to the Person or Persons, in whose Custody the same shall then be, the Sum of Ten Shillings, together with the Charges of removing and keeping the same; and in case the same shall not be claimed, and the said Sum of Ten Shillings and Charges paid, within the Space of Five Days next after such Seizure, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to cause the same to be sold, and the Monies arising therefrom shall be applied to the Purposes of this Act.

and any Coach, Carriage, or other Matter obstructing the Passage, may be taken and kept till the Owners shall pay for, and Charges, and in Default of Payment within Five Days, to be sold.

Penalty on driving Wheel-barrows or Casks on the Footway.

And be it further enacted, That if any Person or Persons shall lead, run, ride, drive, draw, or cause to be led, run, driven, or drawn, any Horse, Mule, or other Beast; or any Coach, Chariot, Cart, or Wheel or Wheels, Sledge, Truck, Cask, Wheel-barrow, or any other Carriage whatsoever, on any Part of the Foot Pavements of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, every such Person or Persons shall forfeit, for the First Offence, the Sum of Ten Shillings, for the Second Offence the Sum of Twenty Shillings,

lings, and for the Third, and every other Offence, the Sum of Forty Shillings.

Provided always, and be it further enacted, That any Person or Persons shall and may erect or set up, or cause to be erected or set up, in the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, or any of them, any Inclosure, Posts, Bars, or Rails, or other Matters or Things, for the Purpose of making Mortar, and depositing Bricks, Lime, or other Materials for Building, or repairing any Houses, Buildings, or other Works; every such Person or Persons, first obtaining Leave under the Hand of the Surveyor or Clerk for the Time being of the said Commissioners, which he is hereby impowered to give, by their Permission, signed by Two or more of them; but if any Person or Persons shall erect or set up, or cause to be erected or set up, any such Inclosures, Posts, Bars, or Rails, or any other Matter or Thing for the Purposes aforesaid, without such Leave first had and obtained, every such Person shall, for every such Offence, forfeit and pay any Sum, not exceeding Five Shillings for every Hour such Inclosure, Matter or Thing, as aforesaid, shall remain and continue. Inclosures may be made for the Purpose of Building.

And be it further enacted, That the said Commissioners, or any Five or more of them, may order and direct the Houses or other Buildings within the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, or any of them, to be numbered with Figures, placed or painted on the Doors thereof, or on such other Part of the said Houses and Buildings respectively as they the said Commissioners, or any Five or more of them, shall think proper; and may also order and direct to be engraved, painted, or otherwise described, on a conspicuous Part of some House or other Building, at or near the End or Corner of each of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, the Names by which such respective Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, are usually or properly called or known; and if any Person or Persons shall wilfully or maliciously destroy, injure, obliterate, or deface, any such Number, Figure, Name, or Description, or any Part thereof, or cause and procure the same to be done, and shall be convicted thereof by his or their own Confession, or by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace, acting in and for the County, Liberty, or Place, where such Offence shall be committed; every such Per- Houses to be numbered, and Names of Streets painted.

ſon ſo offending, ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Shillings.

Penalty on defacing the ſame.

And be it further enacted, That from and after the Firſt Meeting of the ſaid Commiſſioners, the ſaid Commiſſioners, or any Five or more of them, ſhall and may cauſe all Signs, or other Emblems to denote the Trade or Calling of any Perſon or Perſons which then, or at any Time after, ſhall be placed or hung in any Part of the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, to be fixed or placed on the Fronts of ſuch Houſes, Shops, Warehouſes, or Buildings reſpectively, whereunto the ſame ſhall belong; and alſo ſhall and may cauſe all Sign-poſts, Sign-irons, Poſts, Boards, Spouts, Gutters, Pent-houſes, Butchers Gallowſes, or other Things occaſioning any Obſtruction, Nuiſance, or Annoyance in the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, or any of them, to be taken down, removed, or altered, in ſuch Manner as the ſaid Commiſſioners, or any Five or more of them, ſhall think moſt proper and convenient: And that for the future all Signs, Emblems, Boards, Spouts, or Gutters, ſhall be placed or fixed on the Fronts of the Houſes, Shops, Warehouſes, or Buildings whereunto they reſpectively belong, as the ſaid Commiſſioners, or any Five or more of them ſhall direct, and not otherwiſe; and if any Perſon or Perſons ſhall, at any Time thereafter, hang, place, erect, or build, any Sign, Sign-poſt, or Sign-iron, Board, Spout, or Gutter, or cauſe the ſame to be done in any other Manner than aforeſaid, or ſhall in any Manner occaſion any Obſtruction, Incroachment, Nuiſance, or Annoyance in the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, every ſuch Perſon ſhall, for the Firſt Offence, forfeit and pay the Sum of Five Pounds; for the Second Offence, the Sum of Ten Pounds; and for the Third and every other Offence, the Sum of Twenty Pounds; together with all Coſts, Charges, and Expences, which ſhall be paid or laid out by the ſaid Commiſſioners for removing or altering the ſame; ſuch Coſts, Charges, and Expences, to be recovered by Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, or in the Court of Requeſt for the Liberty of the Tower Hamlets.

Signs to be removed,

and placed in the Front of the Houſes.

Nuiſances.

Penalty on placing Signs otherwiſe, and on Annoyances, Firſt Offence 10*l.* &c.

Unuſed Sign-irons to be returned.

Provided always, and be it further enacted, That if any Sign, Sign-iron, or Poſt, Board, Gutters, Spout, Pent-houſe, or other Projection, or any Part thereof, ſhall remain unuſed after the Alteration made thereto as before

before directed, the same shall be returned to, and be the Property of the Person to whom the same belonged, before such Removal or Alteration.

Steps and Slopes to be removed.

And whereas the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, are in some Parts thereof greatly obstructed, and made dangerous to Foot Passengers, by Steps or Slopes being brought out from Houses, and by Steps and Doors going down into Cellars, Vaults, or other Places, and by Shew Glasses, Shew Boards, or other Matters or Things projecting from Shops or Houses, over and beyond the Area belonging to such House, or into the Foot-ways; be it therefore further enacted, That from and after the first Meeting of the Commissioners appointed by this Act, all such Steps or Slopes projecting into the Foot-ways of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, and all Steps and Doors going down out of the Foot-ways, into any Cellars, Vaults, or other Places belonging to any House, Warehouse, Shop, Cellar, or other Building, which do, or shall cause or occasion any Nuisance, Annoyance, Incroachment, or Obstruction in the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, or any of them, (either in the Foot or Carriage-way thereof) shall be at the Expence of the said Commissioners, from Time to Time removed, fixed, placed, or altered in such Manner and Form, as shall be approved of by the said Commissioners, or any Five or more of them, or by their Surveyor.

Time of emptying Bog-houses.

And be it further enacted, That if any Person or Persons whomsoever shall come with any Cart or Carts, or begin to empty any Bog-house or Bog-houses, Sesspool or Sesspools, or to take away any Night-soil from any House or Houses within any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages before the Hour of Eleven of the Clock in the Night, or shall continue to take away the same after the Hour of Six of the Clock in the Morning from Michaelmas to Ladyday, or after the Hour of Five of the Clock in the Morning from Ladyday to Michaelmas, or if any Person shall put or cast, or cause to be put or cast out of any Cart, Tub, or otherwise, in or near any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, any such Night-soil; it shall and may be lawful to and for any Constable, Beadle, or Watchman, (and they are hereby strictly required and directed so to do) or any other Person or Persons whomsoever, to apprehend and carry him or

them, guilty of either of the said Offences, to the Watch-house of the said Parish, and from thence, as soon as conveniently may be, before some Justice of the Peace for the County, Liberty, or Place, where the same shall happen, who, upon Oath made of such Offence or Offences, as aforesaid; which Oath such Justice is hereby impowered and required to administer; shall and may fine such Person or Persons so offending in any Sum, not exceeding the Sum of Five Pounds, and not less than the Sum of Forty Shillings, and in Default of immediate Payment thereof, shall and may commit such Person or Persons guilty of any of the said Offences to the common Gaol for the said County, Liberty or Place for any Time not exceeding One Month, nor less than Five Days; there to be kept to hard Labour: And it shall and may be lawful to and for the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, to order any Sum, not exceeding Ten Shillings, nor less than Two Shillings and Sixpence, to be paid to the Person who shall detect, apprehend, and convey before any such Justice or Justices of the Peace, any such Person or Persons guilty as aforesaid, to be paid out of the Fine hereby before inflicted, or in case the Offender shall be committed, out of the Rates to be raised by virtue of this Act.

Inhabitants to give Notice to Surveyors when Pavements want Repair.

And be it further enacted, That when and as soon as any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, shall actually be repaved, relayed, or repaired, by the said Commissioners by virtue of this Act; if any Householder or Householders shall make Complaint in Writing under his, her, or their Hand or Hands, and shall leave the same at the last or usual Place of Abode of the Surveyor or Surveyors, Clerk or Clerks to the said Commissioners, of any Defect or Want of Repair in any of the Pavements of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages; then, and in every such Case, the said Surveyor or Surveyors shall view the said Pavement, and report the Condition thereof to the said Commissioners, at their next Meeting; and if the said Surveyor or Surveyors, to whom such Notice shall be given, or left as aforesaid, shall, upon such View, find the Pavement complained of to be bad and defective (unless it shall appear to arise from a Defect relating to the Water Pipes lying under such Pavement) the said Commissioners, or any Five or more them, shall give Orders to their Contractor or Contractors, Pavior

or Paviors, to repair the same within such Time as they shall judge necessary for the Repair thereof, which Time shall be specified in such Order; and if the Contractor or Contractors, Pavior or Paviors to whom such Order shall be given, shall not repair and amend such Pavement within such Time as he or they shall be directed by the said Commissioners to repair and amend the same; then and in every such Case, the said Contractor or Contractors, Pavior or Paviors, shall forfeit and pay the Sum of Twenty Shillings for every Day that the said defective Pavement shall remain unrepaired after the Time limitted by the said Commissioners, in their said Order: And One Half of every such Penalty shall be applied and paid to such complaining Inhabitant, for his or her Loss of Time and Trouble in and about the Premises, and the other Half for the Purposes of this Act.

Assessment to be made yearly.

And, for defraying the Charges and Expences attending the Execution of the several Powers by this Act granted, be it further enacted, That from and after the passing of this Act, a Rate or Assessment (over and above all Rates and Assessments now payable) shall once in every Year, or oftener, if it shall be thought needful by the said Commissioners, or any Seven or more of them, be made, laid, and assessed by the said Commissioners, or any Seven or more of them, upon all and every Person or Persons, who do or shall inhabit, hold, occupy, possess, or enjoy any Land, House, Shop, Warehouse, Cellar, Vault, or other Tenements or Hereditaments, within any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, for raising such competent Sum and Sums of Money, as the said Commissioners, or any Seven or more of them, shall, from Time to Time, think needful and direct; so as such Rate or Assessment, Rates or Assessments, do not in any one Year exceed in the Whole the Sum of One Shilling and Two-pence in the Pound of the yearly Rents, or yearly Value of such of the said Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments respectively, as shall be situate in any of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, the greater Part or Parts of which said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages respectively, shall be actually begun to be paved with new or other Stones of a flat Surface, by virtue or in pursuance of this Act, and not exceeding Nine-pence in the Pound of the yearly Rents, or yearly Value of such of the said Lands, Houses, Shops, Ware-

houſes, Cellars, Vaults, or other Tenements or Hereditaments reſpectively, as ſhall be ſituate in any of the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, which ſhall be actually begun to be new-paved; the Footways whereof ſhall be conſtructed with new or flat Stones, and the Carriage-ways thereof with the old Stones which ſhall be taken up in the ſame, or any other of the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, by virtue or in purſuance of this Act, and not exceeding Sixpence in the Pound of the yearly Rents, or yearly Value of ſuch of the ſaid Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements or Hereditaments reſpectively, as ſhall be ſituate in any of the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, which ſhall only be repaired by virtue or in purſuance of this Act.

Houſes in different Streets in Poſſeſſion of the ſame Perſon to be rated ſeparately.

And whereas it may happen, that the ſame Perſon or Perſons may hold or occupy a Dwelling-houſe, Warehouſe or Shop, or other Premiſes, ſituate in ſome one of the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, which may be rated at the firſt or ſecond Mode of Aſſeſſment; and may alſo hold and occupy a Houſe, Shop, or Warehouſes, or other Premiſſes, ſituate in another of the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, and lying behind or contiguous to the firſt-mentioned Houſe, Shop, or Warehouſe, or other Premiſes, which may be rated at the Second or Third Mode of Aſſeſſment: Be it therefore further enacted, That diſtinct and ſeparate Rates ſhall, by the ſaid Commiſſioners, or any Seven or more of them, be made of ſuch reſpective Houſes, Shops, Warehouſes, Buildings, or other Premiſes, according to the Rate impoſed or raiſed on the reſpective Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages, in which ſuch Houſes, Shops, or Warehouſes, or other Premiſes, ſhall be ſituated, or be eſteemed to belong, notwithſtanding ſuch Houſes, Shops, Warehouſes, or other Premiſes, ſhall be in the joint Poſſeſſion of the ſame Perſon or Perſons.

Corner or adjoining Houſes how to be rated.

And whereas ſeveral Houſes, Warehouſes, Shops, or other Buildings in the ſaid Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Paſſages, are partly ſituate within the ſame, and are partly ſituate in, or do adjoin to or abutt upon other Streets, Lanes, Ways, or Paſſages, which are not within, or Part of the aforeſaid Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Paſſages intended to be

paved by virtue or in pursuance of this Act; and the Holders and Occupiers of such Houses or Warehouses, Shops, or other Buildings, are, or may be obliged to pave the said Streets, Lanes, Ways, or Passages, or are, or may be subject to be rated and taxed towards paving or repairing such other Streets, Lanes, Ways, or Passages, in which the same are partly situate, or do thereto adjoin or abutt: Be it therefore further enacted, That such Houses, Warehouses, Shops and other Buildings, shall be only rated and taxed for the Purposes in this Act, at such Sum and Sums of Money as the said Commissioners, or any Seven or more of them, shall think reasonable, not exceeding One half of the Rate they would have been rated and taxed at, if such Houses, Warehouses, Shops, or other Buildings, had stood wholly within the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, intended to be paved or repaired by virtue of this Act.

Commissioners may compound with Persons for not less than half.

And whereas it may be reasonable to excuse some Persons from the Payment of the aforesaid Rates or Assessments in Part, on account of their Poverty; for Relief therefore in such Case, be it further enacted and declared, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby authorised and impowered to grant to such Person or Persons such Relief, in the Payment of the said Rate or Assessment, as they the said Commissioners shall think proper, so as the Reduction doth not exceed One half of the Assessment payable by such Person or Persons.

Houses let in Tenements to be taxed.

And whereas many Houses within the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, are, by the several Owners and Proprietors thereof, let out in Lodgings and Tenements to divers Tenants, whereby it will be difficult to rate or assess the said Tenants, in respect of such Houses, or to recover such Rates and Assessments when made; for Remedy whereof, be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to rate and assess the Owner or Owners, Proprietor or Proprietors of such Houses or Tenements, as shall be let to, or occupied by Two or more Tenants; which Rate or Assessment shall be paid by the Occupier or Occupiers of any Part or Parts of such Houses or Tenements, and the Occupier or Occupiers of such Houses or Tenements is, and are hereby authorised and required to pay such Sum and Sums of Money as shall be so rated or assessed upon the Owner or Owners, Proprietor or Proprietors thereof, (the same being

being duly demanded of such Occupier or Occupiers) and to deduct the same out of his, her, or their respective Rents; and the Owner or Owners, Proprietor or Proprietors of such Houses or Tenements is, and are hereby directed and required to allow such Deductions and Payments upon the Receipt of the Residue of his, her, or their Rents; and every such Occupier paying such Assessment or Assessments, shall be acquitted and discharged for so much of his or her Rent, as the said Assessment or Assessments so paid by him or her shall amount unto, as if the same had been actually paid to the Person or Persons to whom his or her Rent shall be due and payable; and in Default of Payment of the said Rate or Rates, Assessment or Assessments, the same shall be and remain a Charge upon the said Premises, and shall and may be recovered of and from the Owner or Owners, Proprietor or Proprietors thereof, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at Westminster, or in the Court for the Recovery of small Debts within the Tower Hamlets, to be commenced and prosecuted by, and in the Name or Names of Two or more of the said Commissioners, or of the Collector or Collectors, to be appointed by virtue of this Act; in which Action or Suit, no Protection, Essoin, or Wager of Law, or more than One Imparlance shall be allowed.

Power to compound.

Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, from Time to Time, to compound with the Owner or Owners, Proprietor or Proprietors of any such Houses or Tenements, the annual Rent or Value whereof shall be under Ten Pounds, for the Rate by this Act authorised to be laid upon such Houses or Tenements, so as in such Composition there be not remitted to any such Owner or Owners, Proprietor or Proprietors respectively, more than One Third of the Rate or Assessment by this Act laid upon such Houses or Tenements respectively.

Publick Buildings, &c. to be rated.

And forasmuch as it is reasonable that all publick Buildings, and all Dead Walls, and void Spaces of Ground, within or adjoining to the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, or any of them should be rated and assessed in a due Proportion towards the paving the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages; be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby

hereby required to rate and assess all Churches, Church-yards, Chapels, and other publick Buildings whatsoever, and all dead Walls, and void Spaces of Ground within the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, or any of them, at such Rate as the said Commissioners, or any Seven or more of them, shall judge reasonable for every square Yard of such Churches, Church-yards, Chapels, and publick Buildings, and dead Walls, and void Spaces of Ground, not exceeding the Rate of Sixpence for every square Yard of Pavement belonging to every such Church, Church-yard, Chapel, or publick Buildings, dead Walls, and void Spaces of Ground; and such Rate or Rates, Assessment or Assessments, so to be from Time to Time made upon any Church, Church-yard, or Chapel, shall be paid by the respective Church or Chapel Wardens; and such Rate or Rates, Assessment or Assessments, so to be from Time to Time made upon any publick Building, or upon any dead Wall, or void Space of Ground, shall be paid by the respective Owner or Owners, Proprietor or Proprietors, thereof.

Rates on Meeting-houses,

And whereas several Meeting-houses within the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, are uninhabited and unoccupied, except at, and during the Times of publick Worship, whereby it will be difficult to rate and assess the same towards the Purposes of this Act, and to recover the Rate and Assessment thereon when made: For Remedy whereof, be it further enacted and declared, That the Rate or Rates, Assessment or Assessments, so to be from Time to Time made upon any Meeting-houses within the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, shall and may be demanded of the Minister or Deacons, or other Person usually officiating therein; and such Minister or Deacons, or other Person, is and are hereby required to pay the same upon Demand to the Collector or Collectors of the said Rates and Assessments for the Time being, by whom the same shall be demanded; and if such Minister, Deacon, or other Person of whom such Rate or Rates, Assessment or Assessments shall be so demanded, shall refuse or neglect to pay the same upon such Demand, then and in every such Case, such Rate or Rates, Assessment or Assessments, shall and may be recovered of and from the Person or Persons so required to pay the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or in the Court of Requests, for Recovery of small Debts for the

to be paid by the Minister or Deacon.

Tower Hamlets, to be commenced and prosecuted by and in the Name or Names of Two or more of the said Commissioners, or of the Collector or Collectors, who shall have so demanded the same; in which Action or Suit, no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and in Default of Payment of such Rate or Rates, Assessment or Assessments, the same shall be and remain a Charge upon such Meeting-house, and be paid by the Landlord or Owner thereof.

Untenanted Houses to be rated.

And be it further enacted, That if it shall happen that any of the Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements within the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, shall at the Time of making any of the said Rates or Assessments be empty, untenanted or unoccupied, then, and in every such Case, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to rate and assess the said Premises; and in such Case, as well as in the Case the said Premises shall, after the making of such Rate or Rates, Assessment or Assessments, become empty, untenanted, or unoccupied, One Half of such Rate or Assessment shall be a Charge on such Premises respectively, and be paid by the first Tenant or Occupier thereof, who shall and may, and is hereby authorised to deduct and retain the same out of his, her, or their Rents, and the Landlord or Landlords, Owner and Owners of such Premises, is and are hereby required to allow such Deduction and Abatement upon the Receipt of the Residue of his, her, or their respective Rents; and the Tenant or Occupier shall be and is hereby acquitted and discharged of and from so much of his or her Rent as the Rate or Assessment so paid by him or her shall amount unto.

Manner of Recovery.

And be it further enacted and declared, That if any Person or Persons who shall be rated or assessed by virtue or in pursuance of this Act, shall refuse or neglect to pay the Money so rated or assessed for the Space of Fourteen Days next after the same shall be due, and demanded by the Collector or Collectors authorised and appointed to collect and receive the same (such Demand being either personally made of the respective Person or Persons so charged, or left in Writing at his, her, or their respective House or Houses, or Place or Places of Abode) then and in every such Case it shall and may be lawful to and for such Collector or Collectors, every or any of them, having a Warrant under the Hand and Seal of any Justice of the Peace for the County of Middlesex, or for the Liberty

Liberty of His Majesty's Tower of London, (which Warrant the said Collector and Collectors is and are hereby required to apply for, and the Justice so applied to is hereby authorised and required to grant) with the Assistance of a Constable, or other Peace Officer of the Parish, where the Person or Persons so refusing or neglecting shall reside, to enter into the House or Houses, Apartment or Apartments of the Person or Persons so refusing or neglecting as aforesaid, and then and there to distrain his, her, or their Goods and Chattels; and if the same shall not be replevied, or such Rate or Assessment paid within Five Days next after such Distress made, together with the Costs and Charges thereof, then to sell and dispose of so much and such Part of the said Goods and Chattels as shall be sufficient to pay the said Rate or Assessment, with the Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner or Owners of such Goods or Chattels (the said Costs and Charges to be settled and allowed by such Justice who shall have granted such Warrant or Warrants respectively); and in case no such Goods or Chattels can be found to be so distrained, or in case such Goods and Chattels shall be locked up or secured, or removed from the said Collector or Collectors, so that he or they cannot distrain the same, then and in either of the said Cases, upon Information thereof given to any Justice of the Peace, acting in and for the said County or Liberty, it shall and may be lawful for such Justice, and he is hereby required to commit the Person or Persons so assessed, and refusing or neglecting to pay the said Rates, to the common Gaol for the County, Liberty, or Place where such Person or Persons shall reside, or shall be found, there to remain without Bail or Mainprize for any Time not exceeding Two Months, or until the Payment of such Rate or Assessment, and the reasonable Charges occasioned by the Nonpayment thereof.

Occupiers quitting without paying, Rates, may be followed.

And be it further enacted, That when any Person or Persons, who hath or have been rated and assessed by virtue of this Act, shall quit his, her, or their Dwelling-house, Warehouse, Shop, Vault, Cellar, or Tenement, whereupon such Rate or Assessment has been made, before he, she, or they shall have paid the same, and shall afterwards refuse to pay the same when due and demanded by the Person or Persons authorised and appointed to collect and receive the same, that then, and in every such Case, it shall and may be lawful to and for the said Collector or Collectors, and every or any of them, by Warrant under the Hand and Seal of any Justice of

the Peace, acting in and for the said County, or for the Liberty of His Majesty's Tower of London, (which Warrant the said Justice is hereby authorised and required to grant to any Place within his Jurisdiction, or out of the Limits thereof; such Warrant being first backed or countersigned by some Magistrate in the County, City, or Liberty, where the Distress is to be made) to distrain the Goods and Chattels of such Person or Persons so neglecting or refusing, and the same to sell and dispose of, rendering the Overplus (if any) upon Demand, to the Owner of such Goods and Chattels, after deducting the reasonable Charges and Expences of such Distress and Sale.

Agreement between Landlord and Tenant touching the Paving, &c. not vacated, and in case of Dispute, to be determined by Commissioners.

Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement between Landlord and Tenant, touching or concerning the paving of the said Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, or any Part of them; but that every Person who is now, by virtue of any such Contract or Agreement, obliged to pave, or keep in Repair, any Part of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, or any of them, shall in lieu thereof be obliged to pay the Rates hereby directed to be made and assessed, or so much thereof as shall, by the said Commissioners, or any Seven or more of them, be deemed just and reasonable, according to the true Meaning of such Contract, Covenant, or Agreement, for and during such Time as such Contract, Covenant, or Agreement, shall remain in Force; and in case any Dispute shall arise concerning such Contract, Covenant, or Agreement, the said Commissioners, or any Seven or more of them, shall have Power, and they are hereby required to hear and finally determine the same.

Commissioners impowered to borrow Money upon the Credit of the Rates.

And for the more effectually enabling the said Commissioners to execute the Purposes of this Act in the most expeditious Manner, it is hereby further enacted, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, and they are hereby impowered, from Time to Time, when they shall judge it necessary for the Purposes aforesaid, to borrow and take up at Interest any Sum or Sums of Money not exceeding Four thousand Pounds, upon the Credit of the Rates or Assessments to be made by virtue of this Act, and by any Writing or Writings upon Vellum or Parchment, signed by the said Commissioners, or any Seven or more of them, to assign the said Rates and Assessments, or a

competent Part thereof, to any such Person or Persons who shall advance or lend such Money thereon, as a Security or Securities for the several Sums so borrowed, with legal or lower Interest for the same, which Interest shall be payable and paid by the said Commissioners half-yearly, out of the Monies to arise by or from the Rates or Assessments to be made by virtue of this Act.

For borrowing Money by Annuities on Lives.

And whereas many Persons may chuse to advance Money for the Purchase of Annuities to be secured upon, and payable out of the said Rates and Assessments; be it further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Commissioners, or any Seven or more of them, or such Person or Persons as they shall appoint to receive the same, for the Uses and Purposes of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of Four thousand Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of every such Contributor or Contributors respectively, or the natural Life of such other Person or Persons as shall be nominated by, or on Behalf of such Contributor or Contributors respectively, at the Time of Payment of his, her, or their respective Contribution-money, so as the said Annuity or Annuities do not exceed the Rate of Nine Pounds by the Hundred by the Year, and so in Proportion for any greater or lesser Sum, to be paid as aforesaid, and so as the said Annuities to be purchased in pursuance of this Act, do not at any Time exceed in the Whole the Sum of Four thousand Pounds.

If Annuitants die, any Person may purchase Annuities for their Lives.

Provided always, and it is hereby further enacted, That the better to enable the Commissioners to raise Money to pay the Money borrowed on the said Rates, and until the said Sum of Four thousand Pounds to be borrowed by virtue of this Act shall be fully paid and satisfied, that when and as often as any such Annuitant or Annuitants shall die, it shall and may be lawful for any Person or Persons to purchase of the said Commissioners, or any Seven or more of them, One or more Annuity or Annuities, in the Room of such Annuitant or Annuitants so dying, upon the Life of such Person or Persons, upon such Terms and Conditions, and payable in such Manner as above mentioned; so that the Sum or Sums to be contributed for the Purchase of any Annuity or Annuities to be granted by virtue of this Act, shall, at no one Time, exceed the said Sum of Four thousand Pounds.

Annuities charged upon the Rates.

And be it further enacted, That all and every Annuity or Annuities so to be purchased, under and by virtue of this Act, shall be, and are hereby charged upon, and shall be paid and payable from Time to Time, out of the Monies arising by the Rates and Assessments aforesaid; and all and every the Contributor and Contributors, upon the Credit of this Act, duly paying the Consideration or Purchase-money as aforesaid, for any such Annuity or Annuities as aforesaid, or his, her, or their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, and be entitled, by virtue of this Act, to have, receive, and enjoy the respective Annuity or Annuities so to be purchased out of the said Rates or Assessments by this Act appointed for the Payment thereof, as aforesaid, during the Term of the natural Life of the Person to be nominated by each Purchaser or Contributor as before mentioned; and that all and every such Purchaser and Purchasers, and their Executors, Administrators, and Assigns, shall have good, sure, absolute, and indefeasible Estates, and Interests in the Annuity or Annuities so by him, her, or them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall now, or hereafter, be subject or liable to the Tax charged, or to be charged upon Land by Authority of Parliament; and that every Contributor for the Purpose of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase-money, shall have a Receipt or Receipts for the same, and also an Order on Parchment (which may be made without any Stamp) for Payment of the said Annuity or Annuities, for and by half-yearly Payments, which Order shall be signed by the said Commissioners, or any Five or more of them; and after signing thereof, the same shall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning of this Act.

Clerk to enter all Securities for Monies borrowed, or Annuities granted.

And be it further enacted, That the Clerk of the said Commissioners for the Time being shall enter in a Book or Books, to be for that Purpose provided and kept by the said Commissioners, all Securities for Monies borrowed, or Annuities granted, by virtue or in pursuance of this Act; and all Assignments or Transfers thereof, expressing in Words at Length, the Names, Surnames, Additions, Places of Abode, and other Descriptions of all such Persons as shall from Time to Time be intitled to such Securities, and the Sums received upon such Securities, and also the Name, Surname, Addition, Place of Abode, and other Description of every Person for whose Life any

any Annuity shall be granted by virtue of this Act, and the Days whereon the said Annuity shall be payable; to which Book and Books the Person and Persons intitled to, and possessed of such Annuity, and all and every the Person or Persons liable to the Payment of the said Rates and Assessments, shall at all reasonable Times have Access, with free Liberty to inspect the same, without Fee or Reward.

For Assignment of Securities.

And be it further enacted, That it shall and may be lawful to and for any Person or Persons intitled to any of the Securities aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand or Hands respectively, to assign or transfer such Securities, by Indorsement on the Back thereof, to any Person or Persons whatsoever, and so toties quoties; and such Assignments or Transfers, after they shall respectively be entered by the Clerk of the said Commissioners in Manner aforesaid, (which he is hereby required to do without Fee or Reward) shall intitle the Person or Persons to whom they shall be respectively made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred.

Money vested in Commissioners.

And be it further enacted, That all Monies raised or collected by virtue or by means, or under the Authority of this Act, shall be, and the same are hereby vested in the said Commissioners, and shall be applied for the Purposes of this Act, and to and for no other Use or Purpose whatsoever.

Expences of the Act.

Provided always, and be it further enacted, That the Charges and Expences of procuring and passing this Act shall be paid out of the first Monies which shall be raised by virtue of this Act.

Penalties not otherwise provided for, how to be levied.

And be it further enacted, That all Penalties and Forfeitures by this Act imposed, (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Offenders Goods and Chattels, by Warrant under under the Hand and Seal of any Justice of the Peace acting in and for the County, Liberty, or Place, where the Offence shall be committed; which Warrant such Justice is hereby impowered and required to grant upon the Confession of the Party or Parties, or upon the Information of One or more credible Witness or Witnesses upon Oath; and the Penalties and Forfeitures, when recovered, after rendering

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the Overplus (if any be) upon Demand, to the Party or Parties whose Goods or Chattels shall be so distrained and sold, the Charges of such Distress and Sale being first deducted, shall be paid to the Clerk or Treasurer to the said Commissioners for the Time being, and be applied towards the Purposes of this Act; and in case sufficient Distress cannot be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorised and required, by Warrant under his Hand, to cause such Offender or Offenders to be committed to the Common Gaol of the County or Liberty where such Offence shall be committed, or where such Offender shall be convicted, there to remain without Bail or Mainprize, for any Time not exceeding Two Months, nor less than One Week, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Part of Penalties may be paid to the Informers.

Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from Time to Time, if they shall see Cause, to pay and apply such Part of the said Penalties and Forfeitures as they shall think proper, not exceeding One Half thereof, to and for the Use of the Informer or Informers; any Thing herein contained to the Contrary thereof notwithstanding.

Power to administer Oaths.

And be it further enacted, That in all Cases where Cognizance is given to any Justice or Justices of the Peace by this Act, it shall be lawful for such Justice or Justices to administer an Oath to any Person, for his or their more certain Information in the Matters then depending.

Justices may act although Commissioners.

And be it further enacted, That it shall and may be lawful to and for any Justice or Justices of the Peace for the County of Middlesex, or for any Justice or Justices for the Liberties of His Majesty's Tower of London, although such Justices shall be Commissioners for the Purposes of this Act, to hear and determine any Offences arising within their respective Jurisdictions, which are made punishable by virtue of this Act.

Commissioners to pay their own Expences.

And be it further enacted, That the said Commissioners shall, at all their Meetings under this Act, pay and defray their own Expences.

Distress not unlawful for want of Form,

And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be

be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or want of Form in any Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, ab initio, on account of any Irregularity which shall be hereafter done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity, may recover full Satisfaction for the Special Damage in an Action on the Case.

Plaintiff not to recover if Tender of Amends be made.

Provided always, That no Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by, or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, any such Irregularity, Trespass, or wrongful Proceeding, before such Action brought; and the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, may, at any Time before Issue joined, pay into the Court such Sum of Money as he or they shall think fit; whereupon such Proceedings, or Orders, and Judgements, shall be had, made, and given in and by such Court, as in other Actions, where the Defendant is allowed to pay Money into Court.

Writings to be without Stamps.

And be it further enacted, That no Nomination, Contract, Bond, Warrant, Judgement, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by any Commissioner, or Justice or Justices of the Peace, or exhibited before them, or under the Hand and Seal, or Hands and Seals of, or only signed by, any other Person or Persons whomsoever, relating to the Execution of this Act, shall be chargeable with any Stamp-duty whatsoever.

Orders, &c. to be entered in Books.

And be it further enacted, That the Orders and Proceedings of the said Commissioners, or any of them, at all their Meetings, shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings, so entered, shall be signed by the Clerk to the said Commissioners, and such Orders and Proceedings so signed shall be deemed to be Originals; which said Book and Books shall and may be produced and read in Evidence in all Courts whatsoever.

Appeals may be made to the Quarter Sessions.

Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Thing done in pursuance

of this Act, such Person or Persons shall and may, within Three Months next after the Cause of Complaint shall arise, appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be holden in and for the County of Middlesex, or Liberty of his Majesty's Tower of London, such Appellant or Appellants first giving, or causing to be given, Notice in Writing, of his, her, or their Intention to bring such Appeal, and of the Cause or Causes thereof, to the Clerk or Treasure to the said Commissioners, and within One Month next after such Notice, entering into a Recognizance or Recognizances before some Justice of the Peace in and for the said County or Liberty, with Two sufficient Sureties conditioned to try such Appeal mentioned in such Notice, and abide the Order, and pay such Costs as shall be awarded by the said Justices; and the Matter of such Appeal shall be heard and determined by the said Justices, at the next General Sessions of the Peace to be held in and for the said County or Liberty, or any Adjournment thereof, or at any Adjournment of the then last General Sessions of the Peace in and for the said County or Liberty, which shall first happen next after the Expiration of One Month from the Day of giving such Notice; and the said Justices, at such Sessions or Adjournment, upon due Proof of such Notice being given, and of the entering into such Recognizance or Recognizances, shall hear and finally determine the Causes and Matter of such Appeal in a summary Way, and award such Costs for the Appellant or Appellants, or Respondent or Respondents, as they the said Justices shall think proper; and the Determination of such Justices shall be final, binding, and conclusive, to and upon all Parties concerned or interested therein.

Justices to amend Rates appealed against without altering the other Rates.

Provided always, That upon all Appeals from any of the Rates or Assessments to be made or imposed by the Authority of this Act, the Justices of the Peace, where they shall see just Cause of Relief, shall and are hereby impowered to amend the same Rates and Assessments, in such Manner only as shall be necessary for giving Relief to the Person or Persons so appealing, without altering such Rates or Assessments with respect to any other Persons mentioned in the same.

Proceedings not to be quashed for Want of Form.

And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing to be done or transacted, in or relating to

to the Execution of this Act, shall be vacated or quashed for want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; any Law or Statute to the Contrary notwithstanding. Not removed by *Certiorari*.

And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, unless Thirty Days Notice thereof shall be first given in Writing to the Clerk or Treasurer to the said Commissioners, signed by the Plaintiff or Plaintiffs, or unless the same shall be commenced before the Expiration of Six Months next after the Fact committed, or unless Tender of reasonable Amends hath not, or shall not have been made by or in Behalf of the Defendant or Defendants in such Action or Suit, nor unless such Action or Suit shall be laid and brought in the County of Middlesex; and the Defendant or Defendants, in any Action or Suit, to be commenced for any Thing done in pursuance of this Act, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought, was done in pursuance, and by the Authority, of this Act; and if such Matter or Thing shall appear to have been so done; or if it shall appear that such Action or Suit was brought before Thirty Days Notice thereof was given in Writing to the Clerk or Treasurer of the said Commissioners, signed by the Plaintiff or Plaintiffs; or if it shall appear that such Action or Suit was not commenced before the Expiration of Six Months next after the Fact committed; or if it shall appear that Tender of reasonable Amends was made by or in Behalf of the Defendant or Defendants in such Action or Suit, before such Action or Suit was commenced or brought; or such Action or Suit shall be brought in any other County or Place than the County of Middlesex; that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and shall have Limitation of Actions. General Issue. Treble Costs.

have such Remedy for the same, as any Defendant or Defendants hath or have in any other Cases by Law.

Publick Act. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

FINIS.