ANNO UNDECIMO

Georgii III. Regis.

CHAP. XXI.

An Act for paving *Wapping Street*, in the County of *Middlesex*, and the several Streets and Passages leading into the same; and for removing all Encroachments and Obstructions therefrom, and preventing the like for the future; and for opening a Passage from *Hermitage Street* into *Nightingale Lane*; and paving such Passage, and for the East Side of *Nightingale Lane*.

WHEREAS the Pavement of the Street leading from the Hermitage Bridge, in the Parish of St. John of Wapping, in the County of Middlesex, to a Place called New Crane, in the Parish of St. Paul Shadwell, in the County aforesaid, which is commonly called Wapping Street, and the several Streets, Lanes, and Passages, opening into the same, Preamble.

same, are in a very ruinous Condition; and the said Streets and Places are likewise rendered very incommodious, and the Passage through the same greatly obstructed, by Posts and Projections, and other Nuisances, and annoyed by Spouts, Signs, and Gutters; and the said Street, called Wapping Street, is rendered incommodious, for want of a convenient Passage out of the same at the West End thereof; and the present Methods prescribed by Law are found ineffectual for removing the said Annoyances and Obstructions, and for the proper paving of such Streets, Lanes, and Places, and keeping such Pavement in sufficient Repair: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Aldermen, and Recorder of the City of London, and the Presidents, and Treasurers of Saint Bartholomew's Hospital, Christ's Hospital, Bridewell Hospital, and Saint Thomas's Hospital, for the Time being; also the several Persons herein after named, being Inhabitants residing within the said several Streets, Lanes, Passages, and Places aforesaid (and which comprise the District comprised in this Act) or Landlords, or Owners of Tenements, within the said District, (to wit) Nathaniel Allen, William Brackstone, John Boddy, Stephen Beck, Thomas Bennett, Joseph Curtis, William Camden, John Camden, John Curties, Samuel Curties, Timothy Curtis, Henry Cock, Barnabas Campbell, Thomas Coxhead, Benjamin Dixon, Philip Devereux, Jonathan Eade, George Elliott, Edward Ewer, John Hartshorne, James Healy, Thomas Hammond, James Herbert, Edward Hore, John Horsley, Samuel Hulme, Thomas Lawton, Richard Martin, Daniel Martin, Robert Mangles, Peter Mestear, Peter Mallard, Richard Martyn, John Miller, George Oliver, Joel Oseland, John Pepwell, James Potts, Fell Parker, Hugh Roberts Esquire, Hugh Roberts, John Rimes, Thomas Reaveley, Arthur Silverside, Thomas Smith Shipwright, Samuel Sorrell, Nathaniel Serjeant, Joseph Sheppard, Richard Smith Hatter, William Taylor, Joseph Tinkler, John Thompson, William Wilson Esquire, Lewis Weston, William Wilton, William Waugh, Thomas Willis, Thomas Wilkinson, John Walker, and Griffith Williams, shall be, and they and their Successors, to be elected in Manner herein after mentioned, are hereby appointed Commissioners for putting this Act in Execution: And in case

Commissioners Names.

case of the Death of any of the above Commissioners, particularly described by Name or Refusal to act, or neglecting to attend at the Meetings of the said Commissioners which shall be held in pursuance of this Act, for the Space of Twelve Months, unless prevented by Sickness, or other unavoidable Occasion, it shall be lawful for the surviving or remaining Commissioners, or any Nine or more of them, from Time to Time, by Writing under their Hands and Seals, to elect One other Person inhabiting within the said District, to be a Commissioner, in the Room and Stead of such Commissioner so deceased, removed, or refusing to act, or neglecting to attend within the Time aforesaid, Ten Days publick 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 aforesaid Parish Church of Saint John of Wapping, and every Person so elected shall be, and is hereby vested with the same Powers for putting this Act in Execution, as the Person, in whose Place he shall be elected, was vested with.

On Death, &c. of Commissioners, others to be chosen.

and Notice to be given of such Election.

And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall then be in his own Right, or in Right of his Wife, in the actual Possession or Receipt of the Rents 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, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same; to be recovered in any of his Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, or Suit, or Information, together with Costs of Suit, 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 on the Part of the Prosecutor to prove, that the Person so prosecuted had acted as a Commissioner in the Execution of this Act.

Qualification of Commissioners.

Penalty on acting, if not qualified.

Provided always, and be it further enacted by the Authority aforesaid, That no Victualler, or Person who shall sell Ale, Wine, or other Spirituous Liquors by Retail, shall be capable of acting as a Commissioner under this Act.

Victuallers incapable of acting as Commissioners.

Time and Place of Commissioners First Meeting;

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall meet together at the Vestry Room of the Parish Church of the Parish of Saint John of Wapping aforesaid, the Second Monday after the passing of this Act, and shall then and there proceed to the putting of this Act in Execution: And they the said Commissioners, or any Two or more of them, being the Whole or major Part of the Commissioners appearing at such Meeting, are hereby impowered to adjourn themselves from Time to Time, to meet at the same or other convenient Place within the District aforesaid, as they shall think proper, for putting this Act in Execution: And if at any Meeting, so appointed, there shall not appear a sufficient Number of Commissioners to act or to adjourn to another Day, or in case the said Commissioners shall at any Time omit, neglect, or refuse to adjourn themselves; then, and in every such Case, the Commissioners Clerk shall appoint a Meeting of the said Commissioners at the same Place, by publick Notice in Writing, to be affixed, at least Six Days before the Time appointed by such Notice for such Meeting, on the principal Door of the Parish Church aforesaid: And in case the said Clerk shall die, or be incapable of acting, before the Appointment of such Meeting, or shall refuse or neglect to make such Appointment when required by any Two or more of the said Commissioners, then any Five or more of the said Commissioners shall and may, by the like publick Notice, appoint the said Commissioners to meet at the Place where the last Meeting was held; and that all Orders and Determinations of the said Commissioners (save the above Appointment) shall be made at a Meeting held in pursuance of this Act, and not otherwise; and that no such Order or Determination shall be valid, unless the Majority of the Commissioners present shall concur therein: And the said Commissioners, at all their Meetings, shall defray their own Expences; but no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers hereby granted, during the Time he shall hold or enjoy any Office of Profit under this Act, or have any Share or Interest in any Contract relating to the Execution hereof.

who may adjourn,

or in Default thereof the Clerk may appoint a Meeting,

and give Notice in Writing.

In case of the Clerk's Death, or Refusal to appoint, Commissioners to appoint a Meeting, with like Notice.

No Order valid but of the Meetings.

To pay their own Expence.

Commissioners not to act where interested.

They may appoint Officer,

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall and may, by Writing under their Hands and Seals, at their first or any subsequent Meeting held in pursuance of this Act, appoint One or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, Receiver or

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or Receivers of the Rates or Assessments, Surveyor or Surveyors, and such other Officer or Officers for the Execution of this Act, as they the said Commissioners, or any Five or more of them, shall think proper; and are hereby impowered from Time to Time to remove him or them, and appoint others, as they shall find necessary or convenient; and by and out of the Monies to be raised by virtue of this Act, may, and are hereby impowered to appoint and 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 and may take such Security for the due 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 such Person or 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 so appointed to collect and receive the same, according to the true Meaning of this Act; and all such Officers and Persons so to be appointed as aforesaid, shall, under their Hands, at such Time and Times, and in such Manner as the said Commissioners, or any Five or more of them, shall direct, deliver to such Commissioners, or such Person or Persons as they, or any Five or more of them, shall appoint, true and perfect Accounts, in Writing, of all Matters and Things committed to their Charge by virtue of this Act; and also of all the Monies which shall have been, by such Officer or Officers, and Person or Persons respectively, received by virtue and for the Purposes of this Act; and how much thereof hath 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 and required to administer) verify their said Accounts: And if any Officer or Person, Officers or Persons, 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 Payment as aforesaid; or shall not deliver to the said Commissioners, or any Five or more of them, or to such Person or Persons

remove them, and appoint others;

and allow Salaries.

Officers to give Security.

Rates to be paid to the Collectors.

Officers to account, &c.

pay Monies in Hand, and deliver up Books when required;

and in case of Neglect or Refusal,

Persons as they shall appoint, within Ten Days after being thereunto required by any Five or more of such Commissioners, by Notice in Writing given to, or left at the last or usual Place of Abode of any such Officer or Person, and all Books, Papers, and Writings, in his or their 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 his or their respective Hands, to the said Commissioners, or any Five or more of them, or as they shall direct or appoint; then, and in either of the Cases aforesaid, such 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 such Commissioners, or in the Names of any Three or more of them, in any of His Majesty's Courts of Record at Westminster, 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, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or by 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 One or more of the 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 Hands and Seals, to cause the Officer or Officers, 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 credible Witness or Witnesses upon Oath, 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 is, and are hereby authorised and required, upon Nonpayment thereof, by a Warrant or Warrants under his or their 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

Actions may be brought:

Or may proceed by Distress and Sale of the Offender's Goods.

And for want of Goods, the Offender may be committed.

anſwer and ſatisfy the ſaid Money, and Charges of diſtraining and ſelling the ſame; or in caſe it ſhall appear to ſuch Juſtice or Juſtices, by the Confeſſion of the ſaid Party ſo offending, or by the Teſtimony of any credible Witneſs upon Oath, 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 Officers, Perſon or Perſons, and he or they 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 or they 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.

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

On Death of Officers, or becoming inſolvent, Executors, &c. to account.

And be it enacted by the Authority aforeſaid, That in caſe of the Death of any ſuch Officer, or other Perſon to be appointed as aforeſaid, or of his becoming Bankrupt, before he ſhall have paid and delivered up all the Monies he ſhall have received by virtue of this Act; then, and in every ſuch Caſe, the Executor or Executors, Adminiſtrator or Adminiſtrators, Aſſignee or Aſſignees, of his Eſtate and Effects, or other Perſon or Perſons poſſeſſing the ſame, or in whom the ſame have or hath veſted, ſhall, in the firſt Place, and in preference to all other Creditors, pay the ſaid Monies remaining unpaid or delivered up as aforeſaid, out of his ſaid Eſtate and Effects, or as far as the ſame will extend, to the ſaid Commiſſioners under this Act, or to any Perſons appointed by them, or any Five or more of them, and alſo all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act: And every Executor or Adminiſtrator, Aſſignee, or other Perſon or Perſons poſſeſſed of ſuch Effects as aforeſaid, may plead ſuch Payment in any Action or Suit that may be brought againſt him, her,

or them, on account of the said Estate or Effects, or give the same in Evidence: And in case of Nonpayment of such Monies, or Nondelivery of such Books, Papers, Writings, or Things, by the Space of Ten Days after the same shall be demanded; it shall and may be lawful for the Person to be appointed by the said Commissioners as aforesaid, or any Five or more of them, and he is hereby required to commence and bring, and authorised to maintain, One or more Action or Actions, in any of His Majesty's Courts of Record at Westminster, against such Executor or Administrator, Assignee, or other Person or Persons possessing the Estate and Effects which did belong to such deceased Person or Bankrupt, for Recovery thereof, together with Costs of Suit, or of Damages, in lieu of such Books, Papers, Writings, and Things.

Officers taking any Reward other than their Salaries,

And be it further enacted, That if any Person who shall be employed as a Clerk, Treasurer, Collector, Receiver, or Surveyor, or any other Officer or Servant, who shall be any-ways employed by the said Commissioners in putting this Act, or any the Powers thereof, in Execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards, as shall be appointed, allowed, and approved of by the 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 any ways be concerned or interested in any Bargain or Contract made, or to be made, by the said Commissioners, or any of them, for the Purposes of putting this Act in Execution; every such Person, so offending, shall be incapable of ever serving or being employed under this Act, and shall over and above forfeit 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 said Action, no Essoin, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

or being interested in any Bargain made by the Commissioners, are disqualified, and shall forfeit 100*l.*

Commissioners impowered to pave and alter Streets, *&c.* therein named.

And be it further enacted by the Authority aforesaid, That from and after the Second Monday from the Passing of this Act, the said Commissioners, or any Five or more of them, are hereby authorised and impowered, from Time to Time, to cause, order, and direct the said Street, called Wapping Street, and a Lane opening into the said Street, called Brewhouse Lane, as far as a Lane called Old Gravel Lane, and a Street, called Little Hermitage Street,

Street, which opens into Wapping Street aforesaid at the West End thereof; and the Street which is hereby authorised to be made and opened from Little Hermitage Street aforesaid, into Nightingale Lane, in the County aforesaid; and also the South End of Nightingale Lane aforesaid, as far as the End of Burr Street, or any of them, to be paved, repaired, sunk, or altered, in such Manner as they shall think fit.

May contract for paving the Streets.

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, at any of the said publick Meetings, as Occasion shall require, to contract by Deed or Deeds, in Writing, with any Person or Persons, for paving and keeping in Repair the said Streets, Lanes, and Places, authorised to be paved as aforesaid, 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 compleated, and the Penalties to be suffered, in case of Nonperformance thereof, and 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 One or more Publick News Papers, expressing the Intention of the intended Contract, in order that any Person or Persons willing to undertake the same, may make Proposals for that Purpose, to be offered and presented to the said Commissioners, at a certain Time and Place in each Notice to be mentioned.

Surveyors to inspect the Works;

And it is further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby directed, to cause all and every the Works done in pursuance of this Act, to be inspected by their Surveyor and Surveyors, or by such other Person or Persons as they shall from Time to Time appoint: And in case the same shall not be well and sufficiently performed, according to the true Sense and Meaning of such Contract or Contracts, or shall not be finished and compleated at or within the Time or Times that the same are agreed to be compleated by the said Contract or Contracts, the said Commissioners shall and may, in their own Names, or in the Names of any Five or more of them, bring an Action in any of His Majesty's Courts of Record at Westminster, against any Person or Persons so contracting, and neglecting to perform such Contract or Contracts, and for any Penalty or Penalties, Damage or Damages, which shall

and if Contract not performed, Action to be brought thereon.

shall be contained in such Contract or Contracts; and upon the proving the Signing of the said Contract and Contracts and Nonperformance thereof, at the Time or Times for the Purpose therein mentioned, the said Commissioners shall be entitled to, and shall recover such Penalty or Penalties, Damage or Damages; which, when recovered, shall be applied for the Purposes of this Act.

Materials may be dug out of, or brought into the Streets, &c.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall also have full Power and Authority to cause to be dug, carted, and carried out of, and brought into the said Streets and Places, authorised to be paved as aforesaid, such Gravel, Stones, and other Materials, and to employ such Artificers, Workmen, Labourers, Carters, and others, 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, or conducive to the accomplishing the Ends and Designs of this Act.

Property of all Materials vested in the Commissioners.

And be it further enacted by the Authority aforesaid, That the Property of the Pavements of the said Streets and Places to be paved, and of all other Materials and Things which shall be provided and made use of for the Purposes of this Act, shall be, and the same are hereby vested in the Commissioners for the Time being; 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, or to prefer, and order and direct the preferring of Indictments against any Person or Persons who shall steal, take, or carry away any Part of such Materials or Things, or disturb them in the Possession thereof.

Penalty on stealing, or injuring the Materials.

Penalty on interrupting Workmen.

And be it further enacted by the Authority aforesaid, 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 whatsoever, who is, 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 Twenty Shillings, for the Second Offence, the Sum of Forty Shillings, and for the Third and every other Offence, the Sum of Three Pounds.

Commissioners may sell the old Mate-

And it is hereby further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of

of them, shall have full Power and Authority, from Time to Time, to sell and dispose of all or any Part of the old Pavement, or other Materials, to such Person or Persons as shall be willing to purchase the same, and to apply the Purchase-money to the Purposes of this Act.

Notice to be given to Surveyors of taking up Pavement, or repairing Vaults, &c.

And be it further enacted by the Authority aforesaid, That when and so often as any Part of the Pavement within the District aforesaid shall be taken up for the Purpose of making, repairing, altering, cleansing, or emptying any Sewer, Vault, 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 immediately give Notice thereof to the Surveyor to the Commissioners for putting this Act in Execution, in order that the same may, with all convenient Speed, be laid down and repaired, under the Inspection of the said Surveyor, and the Charges and Expences thereof shall be paid by the said Commissioners; and they shall be reimbursed the same by the Companies of Water-works, or Commissioners of Sewers, on whose Account, or by whose Order, the said Pavements, or any Part or Parts thereof, shall be taken up; but if such Pavement shall not be taken up on their Account, then such Expence shall be reimbursed by the Occupier or Owner of the Vault or Drain, or other Place, on which Account such Pavement shall be taken up, or other Person or Persons taking up, or causing the same to be taken up.

Commissioners to relay it, and be reimbursed the Expences.

Commissioners may compound with the Companies of Sewers.

Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners for puting 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 the Purposes aforesaid.

On Refusal of Payment.

And be it further enacted by the Authority aforesaid, That in case such Companies of Water-works, or Commissioners of Sewers, Owner, Occupier, or Person or Persons aforesaid respectively, shall neglect or refuse to pay what the said Commissioners shall have so paid and disbursed, or what shall be due upon such Contract or Com-

position as aforesaid, within Six Days next after Notice thereof, to be left by the Surveyor or Clerk appointed, or to be appointed, by the said Commissioners appointed by this Act, 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 to 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 Composition; 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 impowered to bring, or cause to be brought, commenced, and prosecuted, in the Name of such Person or Persons as they shall appoint, any Action or Actions for the Recovery of such Sum or Sums of Money respectively, with Costs of Suit; but as to the Monies that shall become payable as aforesaid from the Companies of Water-works and Commissioners of Sewers, such Action or Actions shall be brought against the respective Treasurers, or other Person or Persons holding, possessing, or having the Management of any Monies belonging to such Companies and Commissioners, in any One of His Majesty's Courts of Record at Westminster, in Debt, Case, or otherwise, by Bill, Plaint, or Information, which Action or Suit no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed: And in case such Person or Persons, hereby directed to give such Notice to the Surveyor or Clerk to the Commissioners for puting this Act in Execution as is before directed, shall neglect so to do for the Space of Six Hours after such Pavement shall be so taken up, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

an Action may be brought for the Money.

And be it further enacted by the Authority aforesaid, That if, for the Purposes of this Act, it shall at any Time be found necessary to raise, sink, or otherwise alter the Position of any of the Pipes or Plugs laid down or placed by the said Companies, or of any of the Leaden or other Pipes which shall be laid into or from any of the said Companies Pipes; which the said Commissioners, or any Five or more of them, are hereby inpowered to cause to be done as often, and in such Places, as they shall think proper;

Commissioners to pay for altering Pipes.

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.

Water Companies Pipes breaking, Notice to be given to such Companies;

And be it further enacted by the Authority aforesaid, That when and so often as it shall happen that any Pipe or Pipes belonging to any Water Company shall break or burst within the District aforesaid, it shall and may be lawful to and for the Surveyor to the said Commissioners for the Time being, or such other Person as the said Commissioners, or any Five or more of them, shall appoint for that Purpose, to give immediate Notice thereof to the Pavior of the Water Company to whom he apprehends such Pipe or Pipes does, or do, or may belong, and require him to take up the Pavement, and open the Ground, at or near the Place where the Water shall or may issue by reason of such Pipe or Pipes breaking or bursting, within Two Days next after such Notice given to such Pavior, or left at his last or usual Place of Abode: And if, upon taking up the Pavement, and opening the Ground, it shall appear, that the Pipe or Pipes so broke or burst do or doth not belong to the Water Company whose Pavior shall have taken up such Pavement, and opened such Ground; that then, and in such Case, the Surveyor, or other Person as aforesaid, shall give immediate Notice 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 the Ground, within Two Days after such Notice given or left as aforesaid; and also, within Six Hours after such Pipes shall be repaired, and the Ground filled in, to give Notice thereof to the Pavior or Paviors contracting with the said Commissioners, or to the Surveyor or other Person appointed by the said Commissioners for that Purpose; which Notice may be 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 or broke, doth or do not belong to the Company to whom he is a Pavior; that then, and in such Case, the Pavior of the Company to whom such Pipe

when repaired Notice to be given to Commissioners' Paviors.

Pipes not belonging to the Company who first opens the Grounds are to be paid their Charges by the Company to whom they belong.

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 Notices shall be so given to take up such Pavement, and open such Ground, shall neglect or refuse to do the same within the said Two Days after such Notice given, he shall, for the First Offence, forfeit and pay the Sum of Twenty Shillings; and for the Second Offence, the Sum of Forty Shillings; and for the Third and every other Offence, the Sum of Three Pounds: And in case the Pavior of the Company to whom such Pipe or Pipes so broke or burst shall belong shall neglect to repair and amend the same, and fill in the Ground so taken up, for the Space of Two Days 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 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 Three Pounds: And if the Person or Persons contracting with the said Commissioners to relay such Pavement, so broke or taken up for the Reasons aforesaid, shall neglect or refuse to relay such Pavement, in a good, sufficient, and effectual Manner, within Two Days after 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 Pavior or Contractor 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 Three Pounds.

Paviors to Water Companies to give Notice to the Surveyor, &c. of their Names and Abode.

And be it further enacted by the Authority aforesaid, That the several and respective Persons now appointed Paviors to the several and respective Water Companies, who shall have any Pipe or Pipes laid in, through, or under any of the Streets, Lanes, or Places within the District comprised in this Act, shall, and each such Person is hereby required, within Fourteen Days next after the passing of this Act, and each such Pavior hereafter to be appointed as aforesaid is hereby required within the Space of Three Days next after he shall be appointed Pavior to any such Company, to give Notice in Writing to the Surveyor or Clerk for the Time being to the said Commissioners, of their the said Paviors respective Names and Places of Abode,

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Above, and to what Company they are respectively Paviors: And in case any such Pavior shall neglect or refuse to give such Notice as is above required, he shall forfeit the Sum of Twenty Shillings; and also the like Sum of Twenty Shillings every Time he shall remove from such Place of Abode, and omit to give the like Notice within Two Days after every such Removal.

No Alteration to be made in the Pavement, without Commissioners Consent,

And be it further enacted by the Authority aforesaid, That no Person or Persons shall make, or cause to be made, any Alteration in the Form of the Pavement or Pavements of the said Streets, Lanes, or Places, within the District aforesaid, or of any Part thereof, without the Consent or Direction of the said Commissioners, or any Five or more of them, under their Hands and Seals; upon Pain of forfeiting, for every such Offence, the Sum of Five Pounds, over and above all Expences incurred, or to be incurred, in reinstating the same.

Course of Gutters may be turned,

And be it further enacted by the Authority aforesaid, 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 or through the said Streets, Lanes, or Places, within the said District, or any of them, to be turned or altered in such Manner as they shall think proper; and to direct the 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; so as the same be not detrimental or prejudicial to the publick Sewers, and be from Time to Time, 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.

and Grates altered, &c.

Where it shall be necessary to make new Grates, or repair Old ones, Notice to be given to Commissioners of Sewers, &c.

And be it further enacted by the Authority aforesaid, That when and so often as there shall be Occasion to make new or additional Grates over any Sewer or Sewers within the said District, or to repair, alter, cleanse, or amend any of the said Sewers, or the Grates over the same, the Clerk for the Time being of the Commissioners for the said Sewers shall, at the Request in Writing of the Surveyor for the said Commissioners of Pavement, or other Person or Persons authorised by them for that Purpose, forthwith summons the said Commissioners of Sewers to meet, in order to take the Premises under Consideration,

which they are hereby authorised and required to do, at such Meeting; and also at the same Meeting, or any adjourned or other Meeting, to exercise the several Powers and Authorities with which they are invested, in order that the said several Works may be speedily and effectually done, compleated, and finished.

Penalty of laying Ashes, &c. in the Streets.

And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall throw, cast, or lay, or cause or permit or suffer to be thrown, cast, or laid, any Ashes, Dust, Dirt, Soil, or other Filth whatsoever, before his, her, or their Dwelling-house, Shop, Stable, Wall, or other Building in the said District, or in any of the Streets, Lanes, Alleys, Passages, or Places within the District comprised in this Act; but shall keep, or cause the same to be kept, in their respective Houses or Yards, until such Time as the Person or Persons contracted with or employed to carry away such Ashes, Dust, Dirt, Filth, or Soil, do come by or near their Houses, Doors, or Places where they dwell, with a Cart or Carts, or other Conveniency, for carrying away the same; upon Pain of forfeiting, for the First Offence, 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 Three Pounds.

Penalty on obstructing the Streets, &c. by Carriages, Timber, or other Materials.

And be it further enacted by the Authority aforesaid, That from and after the Second Monday next after the passing of this Act, if any Timber, Stones, or other Materials, Goods, Merchandise, or other Things whatsoever, are set out, placed, or laid in any of the said Streets, Lanes, Alleys, Passages, or Places, or District aforesaid, so as to obstruct the free Passage thereof; or if any Coach or other Carriage (except Hackney Coaches, which shall and may stand in such Part or Parts of the said Streets, Lanes, or Places, or some of them only, as shall be appointed by the said Commissioners, or any Five or more of them) shall be placed or suffered to stand, remain, or continue in any of the said Streets, Lanes, or Passages aforesaid, so as to obstruct, endanger, or incommode, any Person or Persons, Carriage or Carriages whatsoever; or in case any Cart, Waggon, Dray, or other Carriage, shall be placed or suffered to stand any longer than is needful and necessary for loading or unloading thereof respectively; or if any such Cart, Dray, Waggon, or other Carriage, shall be placed or set across any Part of the said Streets or Places within the said District, or any

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of them, for any Purpose whatsoever; it shall and may be lawful, in any of the said Cases, for any One of the said Commissioners, or any One of their Officers, or Person to be appointed by them, or any One of them, to remove Nuisances, to seize, or cause to be seized the said Cart, Waggon, Dray, Coach, or other Carriage, so placed or suffered to stand contrary to the true Meaning of this Act, together with the Horse or Horses thereunto belonging, or the Goods, Materials, Matters, and Things respectively, making or occasioning such Annoyance, Nuisance, or Obstruction, and remove the same, or cause the same to be removed, taken, carried away, and deposited in such Place or Places as the said Commissioners, or any Five or more of them, shall direct or appoint; there to remain until the Offender or Offenders shall have paid and discharged all Costs, Charges, and Expences attending the carrying away and depositing the same as aforesaid, as also a Sum not exceeding Twenty Shillings for each such Offence: And in case the same shall not be claimed, and the said Sum of Twenty Shillings and Charges paid within Three Days next after such Seizure, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, or the Person or Persons to be by them appointed for that Purpose, to cause the same to be appraised and sold, and the Monies arising therefrom shall be applied to the Purposes of this Act.

Penalty on driving, &c. Wheel-barrows on the Foot-pavements.

And be it enacted by the Authority aforesaid, That if any Person or Persons shall run, drive, draw, or cause to be run, driven, or drawn, on any Part of the Foot-pavements of the said Streets, Lanes, or Places, or any or either of them, any Wheel or Wheels, Sledge, Wheel-barrow, or any Carriage or other Thing whatsoever; such Person or Persons shall forfeit, for the First Offence, the Sum of Five Shillings; for the Second Offence, the Sum of Ten Shillings; and for the Third and every other Offence, the Sum of Twenty Shillings: And it shall and may be lawful for any Person or Persons whatsoever to take the Person or Persons so offending into Custody, and take him or them to a Justice or Justices of the County or Place where such Offence shall be committed, to be dealt with as herein after is directed.

Hoards, &c. may be made for building and repairing, with Leave.

Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in any of the said Streets, Lanes, or Places comprised within

within the District aforesaid, 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 to the said Commissioners, for those Purposes respectively, which he is hereby impowered to give by their Permission: But if any Person or Persons shall erect, set up, or cause to be erected and 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 a Sum not exceeding Twenty Shillings for every Day such Inclosure, Matter, or Thing as aforesaid, shall remain and continue.

Foot-pavements to be swept every Day (except *Sundays*).

And be it further enacted by the Authority aforesaid, That all and every Person and Persons inhabiting within the said District shall, from and after the said Second Monday 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 Nine in the Forenoon (Sundays excepted) under Pain of forfeiting Five Shillings for every Neglect therein.

Houses to be numbered, and Names of the Streets, *&c.* to be fixed on the Corner Houses.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, may order and direct the Houses within the said Streets, Lanes, and Places, 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 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 Street, Lane, Court, Yard, Alley, Passage, or Place adjoining to, or being near the said Streets, Lanes, or Places hereby authorised to be paved respectively, the Names by which such respective Streets, Lanes, Courts, Yards, Alleys, Passages, or Places so adjoining is 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 or

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 or Place where such Offence shall be committed; every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Five Pounds.

Signs, &c. to be regulated.

And be it further enacted by the Authority aforesaid, That from and after the said Second Monday next after the passing of this Act, the said Commissioners, or any Five or more of them, shall or may cause all Signs which then, or at any Time after, shall be placed or hung in any Part of the said Streets, Lanes, or Places within the District aforesaid, to be fixed or placed on the Fronts of such Houses respectively whereunto the same shall belong; and also shall and may cause all Sign-irons, Sign-posts, Boards, Spouts, Gutters, Pent-houses, Posts, Rails, or other Things occasioning any Obstruction or Annoyance in the said Streets or Places, to be 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, Boards, Spouts, or Gutters, shall be placed or fixed on the Fronts of the Houses, Shops, Warehouses, or Buildings whereunto they respectively belong, and not otherwise: And if any Person or Persons shall at any Time hereafter hang, place, erect, or build, any Sign, Sign-post or Iron, Board, Spout, or Gutter, or cause the same to be done, in any other Manner than as aforesaid; or shall place Posts or Rails, or in any other Manner occasion any Incroachment, Nuisance, or Annoyance to be made in the said Streets, Lanes, or Places, or any of them, comprised within the District aforesaid, or permit or suffer any Nuisance to remain or continue therein; every such Person shall, for every such Offence, forfeit and pay the Sum of Five Pounds.

Signs, &c. unused, to be returned.

Provided always, and be it further enacted by the Authority aforesaid, That if any, or any Part of any such Sign, Sign-iron, or Post, Board, Gutter, Spout, Pent-house, or other Projection or Incroachment shall remain unused after the Alteration made thereto as 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.

And whereas the said Streets, Lanes, Alleys, and Places, within the District aforesaid, are, in some Parts

Steps, &c. projecting too far, to be removed.

thereof, greatly obstructed, and made dangerous to Foot-passengers, by Steps being brought out or projecting from Houses, and by Steps and Doors going down into Cellars, Vaults, and other Places, and by Shew-glasses, Shew-boards, and other Matters or Things projecting from Shops or Houses, over and beyond the Area belonging to such Houses, or into the Footways; be it therefore enacted by the Authority aforesaid, That from and after the said Second Monday next after the passing of this Act, all such Steps projecting into the Foot-ways of the said Streets, Lanes, Alleys, and Places, and all Steps and Doors going down out of the Foot-ways into any Cellars, Vaults, or other Places belonging to any House, Shop, Warehouse, or Tenement, as likewise all Shew-glasses or Shew-boards projecting over and beyond the Area, or into the Foot-ways, and all and every other Material, Matter, or Thing, belonging to any House, Workhouse, Shop, Cellar, or other Building, which do or shall cause or occasion any Nuisance, Annoyance, Incroachment, or Obstruction in the said Streets, Lanes, and Places, or any of them, within the District aforesaid, (either in the Foot or Carriage Way thereof) shall and may 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 their Surveyor by their Direction.

Pavement of Streets and opening into those to be paved, to be repaired on Notice from the Commissioners;

And whereas it is apprehended that the Pavements of the said several Streets, Lanes, Alleys, Courts, and Passages immediately opening into the said Streets, Lanes, and Places before named and authorised to be paved, and which are within the District comprised in this Act, might be kept in much better Order and Condition than they have hitherto been, without new-paving the same, if further Powers were given unto the said Commissioners appointed by this Act; be it therefore enacted by the Authority aforesaid, That the Surveyor for the Time being to the said Commissioners, or other Person or Persons by them appointed, shall, from Time to Time, view the State and Condition of the Pavement of the said Streets, Lanes, and other Places, and all Defects and Wants of Repair, and to present the same to the said Commissioners upon Oath (which Oath they, or any Two or more of them, are hereby impowered to administer) and the said Commissioners, or any Five or more of them, shall thereupon send Notice in Writing to the Tenant, Occupier,

Occupier, or Owner of the House or Houses, or other Building or Tenement, opposite to which such defective or bad Pavement shall be (to be left at his, her, or their House or usual Place of Abode) requiring the same to be amended within Six Days; and if the same shall not be done according to such Notice, the said Surveyor, or other Person appointed for that Purpose by the said Commissioners, or any Five or more of them, shall cause the same to be forthwith amended, and he shall be reimbursed and paid for the same by such Tenant, Occupier, or Owner, immediately after delivering in a Bill or Account containing the Particulars thereof: And in case of Nonpayment thereof after such Delivery, it shall and may be lawful for the said Surveyor, or Person aforesaid, to make Complaint thereof to any Justice or Justices of the Peace for the County or Place where the Person or Persons so neglecting or refusing to pay shall be or reside; and such Justice or Justices may, and is and are hereby authorised and required to issue a Warrant, under his or their Hand and Seal, or Hands and Seals, to cause the Party or Parties to be brought before him or them; and upon the Party or Parties appearing, or not being to be found after due Enquiry, and Proof thereof by the Oath of the Party making such Enquiry, to hear and determine the Matter in a summary Way: And if, upon the Confession of the Party or Parties, or by the Oath of One or more credible Witness or Witnesses, it shall appear to such Justice or Justices that such Charges and Expences have been incurred by such Surveyor or Person, and not paid or satisfied by the Party or Parties aforesaid, or any Part thereof; then such Justice or Justices may, and he or they is and are hereby authorised and required to issue a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, for levying the same, or so much thereof as shall appear to him or them to be reasonably due, by Distress and Sale of the Goods and Chattels of the Party or Parties: And if after Payment of the Monies to be levied as aforesaid, together with all Charges attending such Distress and Sale, there shall be an Overplus, then the same shall be paid to the Owner or Owners of such Goods and Chattels, upon Demand.

and in Default thereof, the Surveyor may do it, and oblige the Owner to pay the Expence.

Provided always, That nothing herein contained shall be deemed or taken to make void any Custom, Usage, Contract, Covenant, or Agreement between Landlord and Tenant, touching or concerning the keeping in Repair such Pavement: And in all Cases where the Landlord is required

Not to make void any Contract, &c. between Landlord and Tenant.

Tenant may deduct such Expence out of his Rent.

required to keep such Pavement in Repair, it shall and may be lawful for the Tenant or Tenants, Occupier or Occupiers, to deduct the reasonable Expence incurred by paving or repairing of Pavement, or so much Monies as he, she, or they shall have paid for defraying the Expence of any such Pavement, out of his, her, or their Rent due, or to grow due to such Landlord or Landlords; who is and are hereby required to allow such Deductions and Payments in Part of the Rent then due; and every such Tenant or Tenants shall be acquitted and discharged of so much of the said Rent as the Money so paid as aforesaid shall amount to.

Rates, not to exceed 1*s.* 6*d.* in the Pound.

And, for defraying the Charges and Expences of paving and repairing the said Streets, Lanes, and Places, which the said Commissioners are hereby authorised and impowered to pave, and for removing Annoyances and Incroachments therein, and for other the Purposes of this Act, be it enacted by the Authority aforesaid, That, from and after the passing of this Act, One or more Rate or Rates, Assessment or Assessments, shall, Twice 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, of and upon all and every Person and Persons who do or shall inhabit, hold, or occupy any Land, House, Shop, Warehouse, Wharf, Dock-yard, or other Yards, Cellar, Vault, or other Tenement, within the said last-mentioned Streets, Lanes, and Places respectively, or adjoining to or opening into the same, and in such competent Sum and Sums of Money as the said Commissioners, or any Seven or more of them, shall yearly and every Year order and direct; so as such Rates or Assessments do not exceed in the Whole the Sum of One Shilling and Sixpence in the Pound, in any One Year, of the yearly Rent or yearly Value of such Lands, Houses, Shops, Warehouses, Wharfs, Dock-yards, or other Yards, Cellars, Vaults, or other Tenements as aforesaid.

And be it enacted by the Authority aforesaid, That One Third Part of the said respective Rates is and are hereby required to be allowed by the Landlord or Landlords of any Houses, Shops, Wharfs, Dock-yards, or other Yards, Warehouses, or other Buildings and Tenements situate in the said Streets and Places to be rated as aforesaid, to the Tenant or Tenants, Occupier or Occupiers thereof, who shall pay the same; and such Payment shall be

be adjudged and considered in Law as Money actually paid for Rent due, or to become due to such Landlord or Landlords of the same Estates respectively; and the other Two Third Parts thereof shall be borne and sustained by the Tenant or Tenants, Occupier or Occupiers, of such Estate or Estates.

Rates to be signed by Two Justices, who are to grant Warrants to collect and levy the same.

And be it further enacted by the Authority aforesaid, That all Rates made by virtue of this Act, shall be allowed and signed by Two Justices of the Peace acting in and for the said County or Place; who are also hereby impowered and required to grant a Warrant or Warrants for collecting thereof, as also for levying of the same by such Person or Persons as the said Commissioners, or any Five or more of them, shall nominate or appoint; and which Warrants shall be sufficient Authorities to the respective Persons thereby authorised for the Purposes therein mentioned; and the said Rates, after the same shall be so allowed and signed by the said Justices, shall be collected half-yearly, or oftener, if the said Commissioners, or any Seven or more of them, shall think it necessary, by the Collector or Collectors, or other Person or Persons to be appointed by the said Commissioners as aforesaid for that Purpose: And if any Person or Persons shall refuse, neglect, or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed at by virtue of this Act, for the Space of Ten Days after personal Demand made thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons; then, and in every such Case, it shall and may be lawful to and for the said Person and Persons who shall be required by such Warrant as aforesaid, and he and they is and are hereby authorised and required to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting, refusing, or omitting to pay the same: And in case no such Goods or Chattels can be found, to be so distrained, or in case such Goods or Chattels shall be locked up or secured, or removed from the Person or Persons authorised to distrain as aforesaid; so that he or they cannot distrain the same; then, and in either of the said Cases, upon Information thereof given to the said Justices, or any Two Justices of the Peace for the said County or Place where the Person or Persons so rated and assessed as aforesaid shall then reside, it shall and may be lawful for such Justices, and they are hereby required to commit the Offender or Offenders to the Common Gaol or House of

Manner of Recovery.

of Correction for the County or Place where such Offence shall be committed; there to remain without Bail or Mainprize for any Time not exceeding the Space of Six Months, or until the Payment of such Rate or Assessment, and reasonable Charges occasioned by the Nonpayment thereof.

Where Houses are let out in Tenements, Owners are to be assessed,

And whereas many Houses within the said Streets, Lanes, and Places hereby authorised to be paved, are or may, by the several Owners or Proprietors thereof, be let out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to rate and assess such Houses, or to recover such Rates and Assessments when made: For Remedy whereof, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, from Time to Time, and at all Times when they meet, to make a Rate in pursuance of this Act, to rate and assess the Owner or Owners of such Houses or Tenements as shall be let to or occupied by Two or more Tenants; which Rate and Assessment shall be paid by One or more of the Tenants or Occupiers of any Part or Parts of such Houses: And in case any Occupier or Occupiers of any Part of such Houses or Tenements shall refuse or neglect to pay the same, for the like Space of Ten Days after such Demand as aforesaid, the said Rate and Assessment shall, in like Manner, be levied by Distress and Sale of the Goods of him, her, or them, so refusing to pay the same as aforesaid; and such Occupier or Occupiers of such Tenements respectively is and are hereby required, and authorised, to pay such Sum and Sums of Money as shall be so rated or assessed on the Owner or Owners of such Houses, in pursuance of this Act, and to deduct the same out of the Rent thereof; and the Owner or Owners, Proprietor or Proprietors thereof, are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of their Rents: And every such Tenant paying such Rate or Rates, Assessment or Assessments, shall be acquitted and discharged for so much Money as the said Rate or Rates, Assessment or Assessments, shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent should have been, or shall be due and payable.

but Tenants to pay;

who may deduct it out of their Rents.

May compound with the Owner for the Rates of Houses, &c. under 10*l.* a Year.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, or any Nine or more of them, from Time to Time, to compound with the Owner or Owners,

Proprietor or Proprietors, of any such Houses, or any other Houses within the said Streets and Places to be rated as aforesaid, the Annualrent or Value whereof shall be under Ten Pounds, for the Rate by this Act authorised to be laid upon such Houses; so as, in such Compositions, there be not remitted to such Owner or Owners, Proprietor or Proprietors respectively, more than One Third of the Rate by this Act laid upon such Houses respectively.

Where Houses shall be unoccupied,

And be it further enacted by the Authority aforesaid, That in case it shall so happen, that any of the Lands, Houses, Shops, Warehouses, Cellars, Vaults, Wharfs, Dock-yards or other Yards, or other Tenements, or any Part or Parts thereof, within the said Streets and Places to be rated as aforesaid, or any or either of them, shall, at any Time from and after the making of the said Rate or Rates, Assessment or Assessments, be empty, untenanted or unoccupied; that then, and in every such Case, One Half of the said Rate or Rates, Assessment or Assessments, or One Half of such other Rates as may be assessed by virtue of this Act, shall be paid by the Owners or Proprietors of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements: And in case of Nonpayment thereof, such Lands, Houses, Shops, Warehouses, Vaults, Cellars, or other Tenements, shall be, and the same are hereby made a Security for, and chargeable with, such Arrears; or any Action or Actions may be commenced and prosecuted against the Landlord or Landlords, or Owner or Owners thereof, for the Recovery thereof, with Costs of Suit, in the Name of such Person or Persons as the said Commissioners, or any Five or more of them, shall order and direct.

Owners to be charged only One Half of the Rates;

and the Premises remain a Security.

And it is hereby 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 required, at such Times as the Rates hereby directed shall be made, to rate and assess, for the Purposes aforesaid, all Churches, Church-yards, Meeting-houses, and other Places of Publick Worship, or intended for that Purpose, with the Ground belonging thereunto, Hospitals, Prisons, and all other publick Buildings whatsoever, and all void Spaces of Ground fenced in, or otherwise situate and being in or adjoining to the said Streets, Lanes, and other Places, to be rated as aforesaid, at such Rate as the said Commissioners, or any Seven or more of them, shall judge reasonable; but not exceeding Sixpence for every Square Yard belonging to every such Church, Church-yard, Meeting-house,

Churches, Church-yards, Meeting-houses, Dead Walls, and void Spaces of Ground, &c. may be rated.

and

and other Place of Publick Worship, with the Ground thereunto belonging, Prison and other publick Building, Dead Wall, and void Space of Ground: And such Rate or Rates, Assessment or Assessments, so to be from Time to Time made, shall be paid by the respective Persons following; that is to say, For every Church and Church-yard, by the Churchwardens thereof; for every Dead Wall, and vacant Piece of Ground, by the Owner or Owners, or Proprietor or Proprietors thereof; for every Meeting-house and other Place of Publick Worship, with the Ground thereunto belonging, by the Proprietor or Proprietors, Trustee or Trustees, or their Treasurer, Minister, or Deacon, or other Person officiating therein; and for every Hospital, Prison, or other Publick Building, by the Person or Persons who are now liable to pay for paving or keeping in Repair the Pavements in the Front thereof: And in case any of the Persons aforesaid shall refuse or neglect to pay the said last-mentioned Rates to the said Collector or Collectors, upon personal Demand thereof made, or in Writing left at the usual Place of Abode of the Person or Persons required to pay the same; then, and in every such Case, the same shall and may be recovered of the Person or Persons so required to pay the same, by any Action in any of his Majesty's Courts of Record at Westminster, or other inferior Courts, together with Costs of Suit, to be commenced or prosecuted in the Name or Names 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.

Vacant Grounds to be fenced in at the Expence of the Owner.

And be it enacted by the Authority aforesaid, That all Landlords or Owners, Tenants or Occupiers, of any waste or vacant Piece of Ground, or Scite of any House or Tenement, lying in or adjoining to any of the Streets, Lanes, or Places comprised in this Act, which shall lie open to and unfenced from the same, or where the Fence shall be in a ruinous Condition, or out of Repair, shall, within Ten Days after Notice delivered to him, her, or them, or any or either of them, by the Order of the said Commissioners, or any Five or more of them, well and sufficiently fence in the Premises mentioned in such Notice, or cause the old Fence (if any) to be well and sufficiently repaired within the Time aforesaid: And in case such Works shall not be completely finished within the Time aforesaid, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order

and cause the same to be done, completed, and finished; and the Tenant or Occupier thereof, or other Person in Possession thereof, or seised thereof, to whom such Notice as aforesaid shall have been given, shall pay the Expence thereof upon Demand of the Person authorised by the said Commissioners, or any Five or more of them, to receive the same: And in case of Refusal or Neglect to pay the same, it shall and may be lawful for such Person or Persons as the said Commissioners, or any Five or more of them, shall authorise, appoint, order, or direct, for that Purpose, to bring, commence, and prosecute One or more Actions or Suits for the Recovery of such Expence, together with Costs of Suit, from the Person or Persons so neglecting or refusing to pay as aforesaid.

Tenants and Occupiers to pay the Rates.

And, to the End the said Rates may be more effectually collected and received, be it further enacted, That all and every Tenant or Tenants, Occupier or Occupiers, of Lands, Houses, Shops, Warehouses, Wharfs, Cellars, Docks, Dock-yards or other Yards, Vaults, or other Tenements, are and shall be liable to pay all and every the Rates and Assessments that shall have been rated and assessed by virtue of this Act, for or in respect of the Tenement or Tenements by him, her, or them respectively occupied, and all Arrears thereof accruing and becoming due while the said Tenements were empty and unoccupied, when no Composition shall have been made as aforesaid, to the Collector or Collectors, or other Person or Persons appointed by the said Commissioners as aforesaid; and shall be subject to such Distress and Imprisonment as aforesaid, in case of Nonpayment thereof as aforesaid: And in case of such Payment, such Tenant or Tenants, and Occupier or Occupiers, shall be at Liberty, and is and are hereby authorised to deduct and detain, out of his, her, and their Rent, such Proportion of such Rates, as he, she, or they shall respectively pay for or on account of the several Owner or Owners, Proprietor or Proprietors, Landlord or Landlords of such Lands, Houses, Shops, Warehouses, Cellars, Wharfs, Docks, Dock-yards or other Yards, Vaults, or other Tenements.

Occupiers quitting without paying Rates, may be followed.

And be it further enacted by the Authority aforesaid, That when any Person or Persons, who have or hath been rated and assessed by virtue of this Act, shall quit his, her, or their Dwelling-house, Warehouse, Wharf, Shop, Vault, Cellar, Dock, Dock-yard or other Yard, or Tene-

ment, 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 as aforesaid, 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 such Person or Persons as shall be appointed by the said Commissioners, or any Five or more of them, and every or any of them, by Warrant under the Hand and Seal of any One or more Justices of the Peace acting in and for the said County or Places (which Warrant the said Justice or Justices is and are hereby authorised and required to grant) into any Place within their respective Jurisdictions, 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, rendering the Overplus (if any such shall be) after deducting the reasonable Charges and Expences of such Distress and Sale to the Owner of such Goods and Chattels demanding the same.

Commissioners with Two Justices, impowered to mitigate or remit Rates.

Provided always, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, with Two or more Justices of the Peace of the County or Place aforesaid, and they are hereby impowered, upon the Complaints of any Person or Persons subject to the Payment of any Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, who shall think himself, herself, or themselves aggrieved thereby, to mitigate, reduce, or lessen the same, as they, in their Discretion, shall think just and reasonable; and also to remit or excuse the Payment thereof by any Person or Persons hereby made subject to the Payment thereof, for or on account of the Poverty or Indigence of such Person or Persons, or Inability to pay: And the said Commissioners, or any Five or more of them, shall appoint or order the Time and Place of hearing such Complaints; and Notice thereof, left in Writing with, or at the Place of Abode of, the Person or Persons neglecting or refusing to pay such Rates after Demand made thereof as aforesaid, shall be sufficient; and such Justices are hereby required to attend, upon Notice to them thereof given, by Order of any Three or more of the said Commissioners.

And

And be it further enacted, That all and every Person or Persons paying the Rates and Assessments of this Act laid, within the Streets, Lanes, and Places to be paved as aforesaid, shall be, and they, and every of them is and are hereby exempted and discharged from all other Charges and Expences of paving the same Streets, Lanes, and Places, or any Part or Parts thereof, and also from all Penalties which may or might be incurred by reason or means of their neglecting to pave the same respectively; any Law, Statute, or Usage to the Contrary notwithstanding.

Persons paying this Rate, exempted from all other Expences of Paving.

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Agreement made between Landlord and Tenant, either expressed or implied, in any Lease now granted, or to be expressed or implied in any Lease hereafter to be made pursuant to any Contract or Agreement for a Lease, now subsisting, touching, or concerning the paving the said Streets, Lanes, and Places to be rated as aforesaid, or any Part of them, or either of them; but that every Person or Persons, who, by virtue of any Lease already granted, or any Lease hereafter to be made pursuant to any Contract or Agreement for a Lease now subsisting, is, are, or ought to be obliged or liable to pave and keep in Repair any Part of the said Streets, Lanes, and Places, 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 Lease, Contract, or Agreement, for and during such Time as such Lease, Contract, or Agreement, shall remain in force, or ought to have Continuance; any Thing in this Act contained to the Contrary thereof in any-wise notwithstanding.

Agreement between Landlord and Tenant not vacated; and Tenants paying the Rates to be assessed by virtue of this Act, not obliged to pave, &c.

And be it further enacted by the Authority aforesaid, That in case any Person who shall be appointed to the Office or Duty of Collector of the said Rates and Assessments, or any Part thereof, shall refuse or neglect to take such Office and Duty upon him, within the Space of Six Days next after such Rate or Assessment as aforesaid shall be made, and delivered or tendered to him; every Person so refusing or neglecting, and also every such Person who shall be negligent in the Performance or Execution of his Duty,

Penalty on Collectors refusing to execute the Office.

Duty, shall, for every such Offence, forfeit and pay the Sum of Ten Pounds.

None liable to serve above once in Three Years.

Provided nevertheless, That no Person shall be obliged to serve the said Office of Collector oftener than once in Three Years.

In case of Collectors becoming insolvent, the Monies to be again assessed.

And it is hereby further enacted, That in case any Collector of the said Rates or Assessments shall become insolvent, or shall imbezzle or make away with, detain or misapply, any Sum or Sums of Money so collected by him for the Purposes aforesaid, or shall die possessed of any Sum or Sums of Money by him or them collected by virtue of this Act, or so as the same cannot be obtained by the Time the said Commissioners shall stand in need thereof for the Purposes for which the same was collected; then, and in every such Case, such Sum and Sums of Money shall be again rated and assessed by the said Commissioners, or any Seven or more of them, in the Streets, Lanes, and Places, for which such Person shall have been appointed Collector, in such Proportion and Manner as the Rates are directed to be made by this Act; and shall be collected, levied, and distrained in such Manner, and under such Penalties, as are herein provided for collecting and levying the Rates due and payable by this Act.

Collectors disqualified from acting as Commissioners.

Provided always and be it enacted, That none of the Commissioners herein named, or who shall be hereafter chosen by virtue of this Act, shall act as Commissioners, during such Time as he or they shall execute the Office of Collector or Collectors of the Rates to be raised and levied pursuant to this Act.

Pavements liable to be repaired by any Parish, &c. are to be repaired at their Expence by the Commissioners Paviors.

And be it further enacted by the Authority aforesaid, That where any Part or Parts of the Pavements of the said Street, Lanes, Alleys, or other Places within the District as aforesaid, hath or have been accustomed, or ought to be paved and repaired by any particular Parish or Parishes, Bodies Politick or Corporate, and not by the Owners or Occupiers of the Houses or other Buildings adjoining to the Pavements of the said Streets, Lanes, Alleys, and Places respectively; the same shall be paved and repaired at the Expence of the respective Parish or Parishes, Bodies Politick or Corporate, by the Pavior or Paviors contracting with or employed by the said Commissioners.

The Commissioners may compound with such Parishes.

Provided always, That it shall and may be lawful for the said Commissioners, or any Five or more of them, from

from Time to Time, to compound and agree for the same with any such Parish or Parishes, or Bodies Politick or Corporate, for a certain Sum of Money by the Foot or other Measure, as the said Commissioners, or any Five or more of them, shall think reasonable.

7000 *l.* may be advanced for the Purchase of Annuities.

And whereas the Money to be collected, by virtue of the Rates to be made in pursuance of this Act, will not be sufficient for the speedy carrying into Execution the Purposes aforesaid; 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 Five or more of them, for the Uses and Purposes in this Act mentioned, any Sum or Sums of Money not exceeding in the Whole the Sum of Seven 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 such Contributor or Contributors respectively, or the natural Life of such other Person or Persons as shall be nominated by or on the 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 Ten Pounds by the Hundred, and so in proportion for any greater or less Sum, to be paid as aforesaid.

Annuities to be charged upon the Rates,

And be it further enacted, That all and every the 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 as aforesaid; and all and every the Contributor and Contributors upon the Credit of this Act, duly paying the Contribution or Purchase-money for any such Annuity or Annuities as aforesaid, or his, her, or their respective Executors, Administrators, or Assigns, shall have, receive, and enjoy, and be intitled, 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 such Purchaser or Contributor as before mentioned; and that all and every such Purchaser and Purchasers, and their Executors, Administrators, or assigns, shall have good, sure, absolute, and indefeasible Estates and Interest in the Annuity or Annuities so by him or them respectively to be purchased, according to the Tenor and true Meaning of this Act; any

and deemed indefeasible Estates,

not chargeable to the Land Tax.

that none of the said Annuities shall be subject or liable to the Tax charged or to be charged upon Land by Authority of Parliament; and that every Contributor upon this Act for the Purchase 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 Stamps) for Payment of the said Annuity or Annuities for and during the natural Life of the Person who shall be so nominated as aforesaid, by Four Quarterly Payments in the Year; 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.

Receipts and Orders for Payment to be signed, and given to the Contributors.

Annuities may be assigned *toties quoties*.

And be it further enacted, That it shall and may be lawful to and for any Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and Seals, to assign such Annuity or Annuities, or any Part thereof or Interest therein, to any Person or Persons whatsoever, and to toties quoties, and a Memorandum or Entry of all such Orders and Assignments shall be made, in the Book to be kept as hereafter mentioned, at the Charge of the said Commissioners; for which Entry or Memorandum the Sum of Two Shillings and Sixpence shall be paid, and no more; and no such Assignment shall be deemed valid, unless such Memorandum or Entry shall be first made as aforesaid.

Houses, &c. to rise perpendicularly, when new-built or new-fronted.

And be it enacted by the Authority aforesaid, That all Houses and Buildings hereafter to be built or new-fronted, or any Part thereof, within the District aforesaid, shall, for the effectual and absolute Prevention of all Manner of Projections, Annoyances, and Inconveniencies thereby, rise perpendicularly from the Foundation: And if any Person or Persons shall, at any Time or Times hereafter, presume to build or new-front any House or other Building, or any Part thereof, within the District aforesaid, or cause the same to be done, or rise otherwise than perpendicularly from such Foundation, it shall and may be lawful to and for the said Commissioners or any Five or more of them, under their Hands and Seals, to cause the same to be pulled down and removed by any Person, Workmen, or Persons they shall think fit; the Costs and Charges whereof shall be paid and reimbursed to the said Commissioners,

or any Five or more of them, or their Order, by the Owner or Owners of such Houses or Buildings, or other Person or Persons ordering or directing the same: And in case of such Refusal or Neglect in paying or reimbursing the same to the said Commissioners, or such Person or Persons as they, or any Five or more of them, shall appoint to receive the same, it shall and may be lawful for any Five or more of them to cause any Action or Actions to be brought in the Name of any of their Officers, for the Recovery thereof, with Costs of Suit.

Receiver, or other Person authorised by the Commissioners, are to be allowed to inspect and take Copies of, or Extracts from the Books of Land Tax, and of Poors Rates, &c. in the several Parishes, *gratis*,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Receiver or Receivers of the Rates or Assessments, or for any other Person or Persons authorised by the said Commissioners, or any Five or more of them, at all convenient Times, (first having an Order under the Hands of the said Commissioners, or any Five or more of them, for that Purpose) to inspect the Books of Assessments of the Land Tax, and also the Books or Rates made for raising Money for the Relief and Maintenance of the Poor, of all or any of the Parishes or Places into which the District hereby described doth extend, or either of them, in order to ascertain the Rates and Assessments to be raised by virtue hereof; and also to take Copies thereof, or make Extracts therefrom; and likewise to inspect and take Copies of, or Extracts out of or from, any Book or Books kept by any Parish Officer or Officers, or other Officer or Officers appointed by Authority of Parliament within the Cities of London or Westminster, or County of Middlesex, for the paving, cleansing, or lighting any Square, Street, Lane, Place, or District, in London, Westminster, or Middlesex; which Inspection, Copies, and Extracts, the Vestry Clerk or Vestry Clerks, or other Officer or Officers of the respective Parishes and Places, or other Officer or Officers, Person or Persons, having the Custody of such Book, Assessment, and Rate, Books, Assessments, and Rates, are hereby required to permit and suffer to be made, without Fee or Reward, by such Receiver or Receivers, or other Person or Persons appointed as aforesaid, on their producing an Order under the Hands of the said Commissioners, or any Five or more of them, for that Purpose: And in case any such Vestry Clerk, or other such Officer or Officers, or Person or Persons, shall neglect or refuse so to do, within Three Days after such Order shall be produced and shewn to him or them, or a Copy thereof left at his or their last or most usual Place of Abode; then, and in every such Case,

in order to ascertain the said Assessments.

Penalty for Refusal.

Case, he or they so refusing or neglecting, 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 Three Pounds.

As Annuitants die, the Rates to be lowered.

Provided always, That, as such Annuitant or Annuitants shall die off, and such Rates or Assessments can be lowered and reduced, the same shall be so done, in equal Proportions, from Time to Time.

Monies raised vested in the Commissioners, to be applied for the Purposes of this Act.

And be it further enacted by the Authority aforesaid, 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 all Monies raised or collected by virtue of this Act shall be applied for the Purposes of this Act, and to and for no other Use or Purpose whatsoever.

Expences of passing this Act to be first paid.

Provided always, and be it further enacted by the Authority aforesaid, 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.

Optional Clause.

The Out Streets may be paved by the Commissioners, upon Petition of the Tenants, &c.

And be it further enacted by the Authority aforesaid, That if at any Time hereafter Two-thirds or more of the Householders, and Landlords or Owners of Houses and Tenements, within any the said Streets, Lanes, Alleys, Courts, Passages, or Places, opening immediately into the said Streets, Lanes, and Places herein before mentioned and authorised to be paved, shall, at any Time hereafter, apply by Petition to the said Commissioners, or any Nine or more of them, expressing their Desire to have the same paved, and cleared of Incroachments, Nuisances, Obstructions, and Annoyances; that then it shall and may be lawful for the said Commissioners, or any Nine of them, to cause the same to be done; and they are hereby impowered to rate and assess the Inhabitants of such Street, Lane, Passage, Alley, Court, or Place, for the Purposes aforesaid (so as such Assessment does not exceed One Shilling and Sixpence in the Pound), and to raise Monies upon Annuities for Lives, or otherwise, upon the Credit of such Rate or Assessments, sufficient for defraying the Expences of the said Works only; and the Pavement of the said Street, Lane, or other Place comprehended in such Petition, shall, after an Order made by the said Commissioners, or any Nine or more of them, for the Purposes aforesaid, be from thenceforth vested in the said Commissioners appointed by this Act; and such Street or Place shall remain under the same Government, Direction, and Management of them and their Officers, or other Persons appointed by them

and may assess the Inhabitants;

and to raise Monies by Annuities for Lives, to defray the Expence of such Pavement;

and then such Street to be comprehended in this Act.

them for that Purpose, as the said several Streets, Lanes, and Places, first authorised to be paved; and the said Commissioners, Officers, Servants, Workmen, and other Persons acting under them, shall have the same Power and Authority, in, over, and through such Street or Place petitioned for as aforesaid, and the several Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commissioners, Bodies Politick and Corporate, and their Officers, Servants, and Workmen, and all and every other Person or Persons whatsoever interested or intitled to any Privilege therein, and every Matter and Thing relating to the Premises, as the said Commissioners appointed by this Act, and their Officers, Servants, and Workmen acting under them, are invested with by this Act, for the better Management, ordering, regulating, and rendering more commodious the several Streets and Places hereby first authorised to be paved; and every Clause, Matter, and Thing contained in this Act, shall be construed, adjudged, deemed, and taken to extend to every such Street, Lane, and Place, petitioned for as aforesaid, as also to the several Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commissioners, Bodies Politick and Corporate, their Officers, Servants, and Workmen, and all and every other Person and Persons interested or intitled to any Privilege therein, and every Matter or Thing relating to or in any-wise concerning the Premises, in like Manner as the same Clauses extend, or shall be adjudged or construed to extend, in similar Cases, to the several Streets and Places first authorised to be paved, and the several Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commissioners, Bodies Politick and Corporate, and all and every other Person or Persons whatsoever interested or intitled to any Privilege therein, or to any Matter or Thing relating to the Premises; and the like Penalties, Forfeitures, and Punishments, shall be inflicted, and for the like Causes, as are herein expressed; and shall be sued for, recovered, levied, and executed in the same Manner.

Provided always, and be it enacted by the Authority aforesaid, That the Accounts of the Receipts and Disbursements arising upon the Works to be done for the Street or Place comprised in such Petition, and all other Business and Transactions relating thereto, shall be kept separate and distinct from the Accounts of the Receipts and Disbursements arising in consequence of the Works

Accounts of such Pavement, with the Business relating thereto, to be kept separate.

to be done in the several Streets and Places herein before first authorised to be paved, and other Business and Transactions relating thereto; but that such Accounts, as also the Accounts of the Business arising in consequence of any subsequent Petition, shall be kept separate and distinct from each other, and in no-wise interfere one with the other; and the Monies, Cash, or Fund of each Account, shall be applied to the Uses only for which such Account is kept, and for no other Use or Purpose whatsoever.

Commissioners may compound for any Penalty given by this Act, or mitigate the same.

And be it further enacted by the Authority aforesaid, 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 compound and agree with any Person or Persons, against whom any Action or Actions, Suit or Suits, shall be brought, commenced, or prosecuted, for any Penalty or Penalties contained in this Act, or in any Contract or Contracts hereafter to be entered into, on account of any Breach or Nonperformance of any such Contract or Contracts, for such Sum or Sums of Money as they, or any Five or more of them, shall think proper; and also to mitigate, compound, or lessen any other the Forfeitures incurred under this Act; so as the Sums so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Nonperformance of any Clause comprised in this Act, or of such Contract or Contracts, and all the Costs, Charges, and Expences, which shall be occasioned thereby; and so as the Mitigation of the other Forfeitures as aforesaid do not extend to remit above One Moiety of the said Forfeitures respectively.

Commissioners may contract for the Purchase of Lands, &c. out of *Little Hermitage Street*.

And, as the rendering of Wapping Street more commodious will be of great Advantage to all those that are concerned or interested in the Trade or Merchandise brought into the River Thames, by reason of its Affinity to and immediate Communication with the said River, as well as to the Inhabitants thereof, and the Publick in general; be it therefore enacted by the Authority aforesaid, That the said Commissioners, or any Nine or more of them, shall have full Power and Authority to contract and agree for the Purchase of any Houses, Shops, or Warehouses, or any Part thereof, or any Lands, Grounds, or other Tenements or Hereditaments, with the Owners and Occupiers thereof, and all other Persons interested therein respectively, as the said Commissioners, or any Nine or more of them, shall think necessary to be purchased, for making and opening a Street, not exceeding Thirty Feet wide,

wide, out of the said Street called Little Hermitage Street, into the said Street or Lane called Nightingale Lane aforesaid; and also for rendering Wapping Street aforesaid more useful and commodious, and for clearing the same from Projections and other Obstructions; and upon Payment of the Sum or Sums agreed upon for such Purchase or Purchases, to cause such Houses or other Buildings to be pulled down, and such Grounds, or so much thereof as they shall adjudge necessary, to be laid into the said Street intended to be made, and the said Street called Wapping Street, for the Purposes aforesaid; and to pay the Purchase-money, and all Expences attending such Purchases, out of any Monies arising by virtue of this Act.

Corporations, &c. may contract for the Sale of Lands, &c.

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

nified for what they shall do by virtue, or in pursuance, of this Act, notwithstanding any Omission or Mistake of Matter of Form whatsoever.

Bodies Politick, &c. refusing to treat for the Sale of their Estates or Interests,

And if it shall happen that any Person or Persons, Bodies Politick, Corporate, or Collegiate, or other Person or Persons seised or possessed of, or interested in any Lands, Tenements, or Hereditaments as aforesaid, situate between the said Street called Little Hermitage Street and the said Street or Lane called Nightingale Lane, or in a certain Messuage or Tenement situate on the North Side of Wapping Street aforesaid, at the West Corner of an Alley opening into the said Street, commonly called or known by the Name of Milk Alley, now or lately occupied by Dupree, and containing in Front Thirteen Feet Six Inches, or thereabouts, from East to West, and Twenty-seven Feet and Six Inches, or thereabouts, from South to North, shall refuse to treat or agree for the Sale and Conveyance of their respective Estates and Interests therein respectively with the said Commissioners, or any Nine or more of them, or with any Person or Persons authorised by them, or any Nine or more of them, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim, to the Satisfaction of the said Commissioners, or of the Person or Persons so authorised by them; then, and in every such Case, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby authorised and impowered to Issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of Middlesex; who is hereby authorised, directed, and required accordingly to impannel, summon, and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than Forty-eight, nor more than Seventy-two; and out of such Persons so impannelled, summoned and returned, a Jury of Twelve Men shall there be drawn by some Person to be by the said Commissioners, or any Five or more of them, appointed, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts at Westminster, by an Act made in the Third Year of the Reign of King George the Second, intituled, An Act for the better Regulation of Juries, are directed to be drawn; which Persons so to be impannelled, summoned, and returned as aforesaid, are hereby required to come and appear before the said Commissioners, or any Five or more of them, at such Time and Place as in such Warrant or

Commissioners to issue a Warrant to the Sheriff, &c. to summon a Jury,

who are to be drawn as the Act 3 *Geo.* II. directs.

Warrants, Precept or Precepts, shall be directed and appointed; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array: And the said Commissioners, or any Five or more of them, are hereby authorised and impowered by Precept or Precepts, from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whomsoever who shall be thought proper or necessary to be examined as a Witness or Witnesses before them, on their Oath or Oaths, touching and concerning the Premises; and the said Commissioners, or any Five or more of them, if they think fit, shall and may likewise authorise the said Jury to view the Place or Places in question, in such Manner as they shall direct: And the said Commissioners, or any Five or more of them, shall have Power to adjourn such Meeting from Day to Day, as Occasion shall require, and to command such Jury, Witnesses, and Parties, to attend, until all such Affairs, for which they were summoned, shall be concluded: And the said Jury upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any Five or more of them, are hereby impowered to administer) shall enquire of and assess the Value of such Lands, Tenements, and Hereditaments, and the Damages that will be sustained thereby, and of the proportionable Value of the respective Estates and Interests claimed therein, or in any Part thereof: And the said Commissioners, or any Five or more of them, shall and may give Judgement that the Sum or Sums of Money, so to be assessed, be the Value of such Lands, Tenements, or Hereditaments, and of such respective Estates and Interests therein, and Damages sustained; which said Verdict or Verdicts, and the said Judgement thereupon (Notice in Writing being given to the Person or Persons interested, or claiming so to be, at least Fourteen Days before the Time of the Meeting of the said Commissioners and Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his or their usual Place or Places of Abode, or with some Tenant or Occupier of some of the said Lands, Tenements, or Hereditaments, intended to be valued and assessed, in case such Party cannot otherwise be found out to be served with such Notice) shall be binding and conclusive, as to Value and Damages, as well against the King's Majesty, His Heirs and Successors, as against every other Person or Persons, Bodies

Jurors may be challenged.

Witnesses may be examined on Oath.

Jury to assess the Damages.

Commissioners to give final Judgement thereon.

Previous Notice to be given to Parties interested.

Politick and Corporate, and against all other Persons whomsoever claiming any Estate, Right, Title, Trust, Use, or Interest, in, to, or out of the said Lands, Tenements, Hereditaments, and Premises, whether in Possession, Reversion, Remainder, or Expectancy.

Upon Payment of the Sums assessed, Premises to be conveyed to the Commissioners.

And be it further enacted and declared, That upon Payment of the Sum or Sums of Money, so to be awarded or adjudged, to the Person or Persons to whom the same shall be awarded, for the Purchase of the said Lands, Tenements, or Hereditaments, or for the Purchase of any Estate or Interest therein, such Person or Persons shall make and execute, or procure to be made or executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law, to the said Commissioners, or any Five or more of them, of the said Lands, Tenements, and Hereditaments, or of such Estate or Interest for which such Sum or Sums of Money shall be so awarded; and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances; and shall do all Acts, Matters, and Things, necessary to make a good, clear, and perfect Title to the said Commissioners:

Where a good Title cannot be made, or legal Conveyance executed, &c.

And in case the Person or Persons, to whom such Sum or Sums of Money shall be awarded as aforesaid, shall not be able to evince their Title to the Premises to the Satisfaction of the said Commissioners, or any Nine or more of them, and to make or procure to be made good, valid, and legal Conveyances thereof, or shall refuse so to do being thereto required, and the Sum or Sums so assessed and awarded being produced and tendered to be paid to him, her, or them, on their making such Title, and executing or procuring to be executed such Conveyances, Assignments, or Assurances as aforesaid;

or the Parties not to be found, &c.

or in case such Person or Persons, to whom such Sum or Sums of Money shall be so awarded, cannot be found; then, and in every such Case, it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, to order the said Sum or Sums of Money, so assessed and awarded as the Value of, and Purchase Money for the said Lands, Tenements, and Hereditaments as aforesaid, to be paid into the Bank of England, in the Name and with the Privity of the Accountant-general of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them) subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person

ſon or Perſons making Claim to ſuch Sum, or any Part thereof, by Motion or Petition, ſhall be and is hereby impowered, in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order Diſtribution thereof according to the reſpective Eſtate or Eſtates, Title, or Intereſt, of the Perſon or Perſons making claim thereunto, of, in, or to, ſuch Lands, Tenements, and Hereditaments, to be made appear to, and to be declared by the ſaid Court, and according to the Value thereof aſſeſſed as aforeſaid; and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of England, who ſhall receive ſuch Sum and Sums, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums, mentioning and ſpecifying for what Premiſes, and for whoſe Uſe, the ſame is or are received, to ſuch Perſon as ſhall pay any ſuch Sum or Sums into the Bank of England as aforeſaid.

Verdicts, &c. to be regiſtered.

And be it further enacted, That a Memorial of all ſuch Verdicts, Judgements, Sentences, Decrees, and Orders of the ſaid Commiſſioners and Juries, as relate to or concern any ſuch Lands, Tenements, or Hereditaments, ſo to be purchaſed, ſhall be entered in the Office appointed for regiſtering Deeds, Conveyances, Wills, and other Incumbrances, within the County of Middleſex; and the ſaid Verdicts, Judgements, Sentences, Decrees, and Orders, ſhall be deemed and taken to be Records to all Intents and Purpoſes whatſoever; and the ſame, or true Copies thereof, ſhall be deemed and taken to be a good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatſoever; and all Perſons ſhall and may have Recourſe to the ſame gratis, and take Copies thereof, paying for every Copy not exceeding Two hundred Words Sixpence, and ſo proportionably for any greater or leſſer Number of Words: And immediately after ſuch Verdicts, Judgements, Sentences, Decrees, and Orders, of the ſaid Commiſſioners and Juries, and Payment into the Bank as aforeſaid, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand in Law and Equity, of the Perſon or Perſons (to whoſe Credit ſuch Money ſhall be paid) in, to, and out of the ſaid Lands, Tenements, Hereditaments, and Premiſes, ſhall veſt in the ſaid Commiſſioners, and they ſhall be deemed in Law to be in the actual Poſſeſſion thereof to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon, having any Eſtate in the Premiſes, had actually conveyed the

Copies good Evidence.

On ſuch Payment, Premiſes to veſt in the ſaid Commiſſioners.

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

Commissioners may invest Money in the Publick Funds, &c.

Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, before such Payment into the Bank as aforesaid, and before any Application in respect thereof to the said Court of Chancery, at the Petition of any Person or Persons in Possession of such Lands, Tenements, or Hereditaments, to place out or invest, or cause to be placed out or invested, such Sum or Sums of Money, or any Part thereof, in some of the publick Funds, or Government Securities, at Interest, in the Name of any Person or Persons authorised and appointed by the said Commissioners, or any Five or more of them, for that Purpose, in Trust, to transfer and assign the same to the Person or Persons to whom the Premises belong, on their executing proper Conveyances thereof; and, in the mean Time, in Trust, to pay the Interest and Dividends arising therefrom to the Person or Persons who was or were in Possession of the said Premises at the Time of the said Payment into the Bank.

Commissioners to order the same to be paid accordingly.

Provided also, and be it further enacted, That all and every Person and Persons who shall be intitled to recover the mesne Profits of the Premises against the Person or Persons in Possession, in case the same had not been so conveyed to or vested in the said Commissioners as aforesaid, shall be intitled to recover the Sum or Sums to arise from such Interest and Dividends as aforesaid, by Action of Debt or otherwise, against the Person or Persons who shall receive the same; and the said Commissioners, or any Five or more of them, are hereby impowered to make such Order as aforesaid on the Bank for the Payment of such Sum or Sums of Money, or any Part thereof, as shall be necessary, in order to the same being so invested in

publick Securities; and the said Commissioners shall be quieted in the Possession of the Lands, Tenements, and Hereditaments, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable, in any Court of Law or Equity, for the Money so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport, and true Meaning of this Act.

If Money not tendered, the Verdicts and Judgements not to be binding.

Provided always, and be it further enacted, That in case the said Sum or Sums of Money so assessed by the said Jury, and ordered and adjudged by the said Commissioners to be paid to the Owners, Occupiers, and others, for their respective Interests in the Premises aforesaid, shall not be paid, tendered, or deposited by the said Commissioners as herein directed, within Six Calendar Months after the same shall have been so assessed, ordered, and adjudged; then, and in such Case, the Verdict of the said Jury, and the Order and Adjudication of the said Commissioners, shall not be binding upon the said Parties; any Thing herein contained to the Contrary notwithstanding.

Purchase-monies of Premises held in Trust, to be invested in other Purchases to the same Uses.

And be it further enacted by the Authority aforesaid, That the principal Money arising from the Sale of any Houses, Edifices, Lands, Tenements, or Hereditaments, which shall be purchased, for the Purposes contained in this Act, of any Bodies Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Feme-covert, shall be paid to such Person or Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed, then afterwards to be reinvested in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, to be conveyed and settled to and upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Houses, Edifices, Lands, Tenements, and Hereditaments, which shall be purchased of them respectively by the said Commissioners as aforesaid were respectively limited or assured at the Time of such Purchase, or so many thereof as, at the Time of making such Conveyances and Settlements, shall be existing, and capable of taking Effect.

Conveyances by Femes-covert inrolled, to be effectual;

And be it further enacted, That the Conveyance of any such Estate or Interest of any Feme-covert to the said Commissioners, or any Person or Persons in Trust for them, by Bargain and Sale acknowledged by such Feme-

covert, and to be inrolled in the said Office appointed for registering Deeds, Conveyances, Wills, and other Incumbrances within the County of Middlesex, within Six Calendar Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme-covert in the Premises as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or suffered thereof in due Form of Law; and further, that all Bargains and Sales whatsoever to be made of any such Lands, Tenements, and Hereditaments, as shall be purchased by the said Commissioners, by virtue of and for the Purposes of this Act, shall have the Force, Effect, and Operation in Law, to all Intents and Purposes, which any Fine or Fines, Recovery or Recoveries whatsoever, would have, if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seised of any Estate in the Premises, in Trust for, or to the Use of such Bargainer or Bargainers, in any legal Manner or Form whatsoever.

and so all other Bargains and Sales for the Purposes of this Act.

And be it further enacted, That all and every Person and Persons whomsoever, having any Right, Title, Interest, Use, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, or out of any Lands, Tenements, or Hereditaments, which, by virtue and for the Purposes of this Act, shall be purchased by, and conveyed or mentioned, or intended to be conveyed to the said Commissioners by any such Bargain and Sale as aforesaid, shall, within the Space of Five Years, to be computed from the Date of the Inrolment of such Bargain and Sale, enter a Memorial of such their Right, Title, Interest, Use, Property, Claim, and Demand, in a Book to be for that Purpose prepared and kept by the Clerk appointed by the said Commissioners; which Book such Clerk is hereby required to prepare and keep accordingly; and for which Entry he shall be intitled to such Fee, and no other, as the Register of the County of Middlesex is by Law intitled to for the Registry of a Memorial containing the same Number of Words: And all and every Person and Persons whomsoever, not entering such Right, Claim, and Demand, within such Time, and in such Manner as aforesaid; or having so entered the same, and not prosecuting such their Right, Claim, and Demand, with Effect, within the Space of Five Years, to be computed from the Time of such Entry; shall be for ever barred of all Right, Title, Use,

Persons having any Right, &c. in Lands so purchased, to enter their Claims within a limited Time, or be debarred:

Use, Equity, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, upon, or out of the said Premises, and every Part thereof; and the said Commissioners, and those claiming by, from, or under them, shall be quieted in the Possession of all such Lands, Tenements, Hereditaments, and Premises; any Law, Statute, Usage, Matter, or Thing whatsoever to the Contrary notwithstanding.

But at Liberty to recover the Purchase-money from Persons receiving the same.

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

After Purchase, Tenants to deliver Possession within Six Months after Notice.

And be it further enacted, That all and every Tenant at Will, or Lessee for a Year, or other Person or Persons in Possession of any Lands, Tenements, or Hereditaments and Premises, or any Part thereof, which shall be purchased by the said Commissioners as aforesaid, and who shall have no greater Interest in the Premises than as Tenants at Will, or as Lessee by Parole for a Year, or from Year to Year, shall, at the Expiration of Six Calendar Months after Notice in Writing left upon the Premises, or so soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or any Person authorised by them, or any Five or more of them, to take Possession thereof: And in case any such Person or Persons shall refuse to give such Possession, then it shall and may be lawful to and for the said Commissioners, or any Five

On Refusal, Commissioners to issue a Precept to the Sheriff to deliver Possession.

Five or more of them, to iſſue their Precept or Precepts to the Sheriff of the County of Middleſex, to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall, in ſuch Precept or Precepts, be nominated to receive the ſame; and the ſaid Sheriff is hereby required to deliver Poſſeſſion accordingly of the ſaid Premiſes, and to levy ſuch Coſts as ſhall accrue from the Iſſuing and Execution of ſuch Precept or Precepts on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods.

Mortgagees, on Tender of Principal and Intereſt, to convey:

And be it further enacted, That all and every Perſon and Perſons who ſhall have any Mortgage or Mortgages on ſuch Lands, Tenements, and Hereditaments, now being in Poſſeſſion thereof by virtue of ſuch Mortgage or Mortgages, ſhall, on the Tender of the Principal Money and Intereſt due thereon, together with Six Months Intereſt of the ſaid Principal Money, by the ſaid Commiſſioners, or any Five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint, immediately aſſign ſuch Mortgage or Mortgages to the ſaid Commiſſioners, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint in Truſt for them; or in caſe ſuch Mortgagee or Mortgagees ſhall have Notice in Writing from the ſaid Commiſſioners, or any Five or more of them, that they will pay off and diſcharge the Principal and Intereſt which ſhall be due on the ſaid Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from ſuch Notice given, that then, at the End of the ſaid Six Calendar Months, on Payment of the Principal and Intereſt ſo due, ſuch Mortgagee or Mortgagees ſhall aſſign his, her, or their Intereſt in the Premiſes to the ſaid Commiſſioners, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall appoint in Truſt for them: And in caſe ſuch Mortgagee or Mortgagees ſhall refuſe to aſſign as aforeſaid on ſuch Tender or Payment, that then all Intereſt on every ſuch Mortgage ſhall ceaſe and determine.

On Refuſal Intereſt to ceaſe.

Premiſes to veſt in the Commiſſioners.

And be it further enacted, That upon Payment of the Principal Money and Intereſt due upon any Mortgage as aforeſaid into the Bank, at the End of Six Calendar Months from ſuch Notice as aforeſaid, for the Uſe of the Mortgagee or Mortgagees, the Caſhier or Caſhiers of the Bank ſhall give a Receipt or Receipts for the ſaid Money, in like Manner as is herein before directed in caſe of other Payments into the Bank; and thereupon all the Eſtate, Right,

Right, Title, Interest, Use, Trust, Property, Claim, and Demand, of the said Mortgagee or Mortgagees, and of every Person or Persons in Trust for him or them, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

Monies to be paid or tendered, before Use made of the Premises.

And be it further enacted, That all Sums of Money to be paid pursuant to any such Agreement or Verdict as aforesaid, or on any such Mortgage, shall be and are hereby charged and chargeable upon all Monies which shall be raised or received for the Purposes of this Act, and shall be tendered to the Party or Parties intitled to the same; and in case of Refusal to accept the same, shall be paid into the Bank of England in the Names of any Person or Persons appointed by the said Commissioners, or any Five or more of them, for that Purpose, in Trust for such Person or Persons as shall be intitled to receive the same, before the said Commissioners shall proceed to pull down any House or Houses, or other Erections or Buildings, or to use the Ground for any of the Purposes of this Act.

Power to fine Sheriffs, &c. for not attending.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall have Power, from Time to Time, to impose any reasonable Fine, not exceeding the Sum of Ten Pounds, on the said Sheriff, or his Deputy or Deputies, Bailiffs, or Agents respectively, making Default in the Premises; and on any of the Persons who shall be summoned and returned on any such Jury or Juries, who shall not appear, or who shall refuse to be so sworn on the said Jury or Juries, or being so sworn, shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any of the Matters aforesaid, and shall not attend, or shall refuse to be sworn, or who, being sworn, shall refuse to give his, her, or their Evidence; and on any other Person or Persons who shall, in any other Matter, wilfully neglect his, her, or their Duty in the Premises, contrary to the true Intent and Meaning of this Act; and, from Time to Time, to levy such Fine or Fines by Order of the said Commissioners, or any Five or more of them, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner; and all such Fines shall be applied for the Purposes of this Act.

Commissioners may sell Lands purchased;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to let, sell, or dispose of so much or such Part of such Lands, Tenements, and Hereditaments so purchased by them as aforesaid, as shall not be necessary for the Purposes aforesaid; as also

or any waste Ground, and Court or Yard that the New Street may go through, so as not to obstruct any Lights or Passage.

of the Land or Ground of any Court, Yard, or Alley through which the said Street intended to be made from Little Hermitage Street to Nightingale Lane aforesaid shall go, in order to build on, or convert the same to any other private Use, so as such Building or Convertion does not obstruct, hinder, or prejudise the Lights and free Passage that any Person or Persons hath or have heretofore had, held, and enjoyed, to and from his, her, and their Lands, Tenements, and Hereditaments, situate in or adjoining to such Court, Yard, or Alley; and the said Commissioners are hereby vested with the Fee-simple and Inheritance of the waste Lands, Grounds, or Tenements of any such Court, Yard, or Alley, which they are hereby impowered to sell, at the Time of executing any Conveyance thereof, to a Purchaser; which Conveyance may be made in the Names of the said Commissioners, or any Five or more of them, who are hereby impowered to execute the same; and all Conveyances of the said Premises shall be adjudged sufficient to vest such Estate in the Purchaser as shall have been agreed for, or shall be expressed, or meant and intended to be granted or conveyed, by such Conveyance; and the Purchase-money, or other Monies arising under any such Conveyance, shall be applied by the said Commissioners to the Purposes of this Act.

Commissioners who are Justices for *Middlesex*, and the Liberty of the *Tower Without*, may act.

And be it further enacted, That it shall and may be lawful to and for any of the Justices of the Peace for the County of Middlesex, or for any of the Justices for the Liberty of the Tower Without, within the said County, although such Justices shall be Commissioners for the Purposes of this Act, to hear and determine any of the Offences arising within their respective Jurisdictions, which are made subject to and punishable by any pecuniary Penalty directed to be levied by virtue of this Act.

Persons injured may appeal to the Quarter Sessions.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at any General Quarter Sessions of the

the Peace to be held for the County or Place wherein the Cause of Complaint shall arise, and within Six Calendar Months after the Cause of such Complaint shall have arisen; such Appellant first giving, or causing to be given, Twenty-one Days Notice, at the least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk to the said Commissioners, and within Two Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by, the Justices at such Quarter Sessions: And the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, 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 Offender's Goods and Chattels, by Warrant under the Hand and Seal of One Justice of the Peace acting in and for the said County or Places, and within his proper Jurisdiction; 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 the Overplus (if any be, upon Demand) to the Party or Parties whose Goods and Chattels shall be so distrained and sold (the Charges of such Distress and Sale being first deducted) shall be paid to the Treasurer to the said Commissioners for the Time being, and applied towards the Purposes of this Act: And in case sufficient Distress shall not 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 and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction

of such County or Place, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Commissioners may reward Informers.

Provided always, and be it further enacted by the Authority aforesaid, 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, or any of them, as they shall think proper, not exceeding One Moiety of them, or any of them, to and for the Use of the Informer or Informers, or any of them; any Thing herein contained to the Contrary notwithstanding.

Justices may administer Oaths.

And be it further enacted by the Authority aforesaid, 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 Matter then depending.

Books to be kept for entering Commissioners Names, &c.

And be it further enacted, That a Book or Books shall be prepared and kept by the said Commissioners, or by such Person or Persons as they, or any Five or more of them, shall appoint, wherein shall be fairly entered, from Time to Time, the Names of such Persons as they, or any Five or more of them, shall nominate and appoint to put in Execution the Purposes of this Act; and Copies of all Orders and Proceedings relating thereto; and also an Account of what Monies have been assessed, raised, levied, and paid by virtue of this Act, and how the same shall have been applied; and the Names of the Annuitant or Annuitants, and what Sum or Sums he, she, or they paid for such Annuity or Annuities respectively, and what he, she, or they is or are to receive for the same; which Book or Books the said Annuitants, or any of them, and all Persons contributing to the said Rates or Assessments, may, at all convenient Times, peruse and inspect without Fee or Reward.

which may be inspected *gratis*.

Distress not to be deemed unlawful for want of Form, nor the Party be deemed a Trespasser *ab initio*.

And be it further enacted by the Authority aforesaid, 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 deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default 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 afterwards 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 hath been made.

Provided always, That no Plaintiff or 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 Proceedings, before such Action brought: And in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see 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 by the Authority aforesaid, 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 Commissioners, or Justice or Justices of the Peace, or exhibited before them, under the Hand and Seal or Hands and Seals of, or only signed by, any other Person or Persons whatsoever, relating to the Execution of this Act, shall be chargeable with any Stamp-duty whatsoever.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Commissioners, at 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 or Clerks at any Meeting of any Five or more of the said Commissioners assembled, as the Case shall require; and such Orders shall be deemed and taken to be original Orders; which said Book or Books shall and may be produced and read in Evidence in all Courts whatsoever.

Proceedings not to be quashed for want of Form,

And be it further enacted by the Authority aforesaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Or-

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der made, or other Matter or Thing to be done or transacted, in or relating 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.

or removable by *Certiorari*.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Twenty Days Notice shall be thereof given in Writing to the Clerk to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calender Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought: And every such Action shall be brought, laid, and tried in the County or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and the Defendant or Defendants, in such Actions and Suits, and every of them, may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which shall be had thereupon; and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act: And if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall be commmenced within the Time before for that Purpose limitted, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein: And if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or if, upon any Demurrer, or Demurrers in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

And be it further enacted by the Authority aforesaid, That this Act shall be taken and allowed, in all Courts of Justice as a Publick Act; and all Judges, Justices, and others, are hereby required to take Notice thereof as such, without the same being specially pleading. Publick Act.

FINIS.