ANNO UNDECIMO

Georgii III. Regis.

CAP. XXII.

An Act to amend and render more effectual ſeveral Acts made relating to paving, cleanſing, and lighting the Squares, Streets, Lanes, and other Places within the City and Liberty of *Weſtminſter*, and Parts adjacent.

WHEREAS an Act of Parliament was made in the Second Year of the Reign of His preſent Majeſty, For paving, cleanſing, and lighting the Squares, Streets, and Lanes, within the City and Liberty of *Weſtminſter*, the Pariſhes of *Saint Giles in the Fields*, *Saint George the Martyr*, *Saint George*, *Bloomſbury*, thoſe Parts of the Pariſh of *Saint Andrew*, *Holborn*, which lie in the County of *Middleſex*, the ſeveral Liberties of the *Rolls* and *Savoy*, and that Part of the Duchy of *Lancaſter* which lies in the County of *Middleſex*, and for preventing Annoyances therein, and for other Purpoſes therein mentioned; and ſeveral other Acts were

Preamble.

Act 2 Geo. III. cap. 21.

were made in the Third, Fourth, Fifth, and Sixth Years of his said present Majesty, for amending the first-mentioned Act, or for enabling the Commissioners thereby appointed more effectually to carry the Purposes of the said Acts into Execution, and great Progress hath been made in the Works by the said Acts directed to be performed; but the Commissioners are unable to complete the same without further Aid: And whereas it is apprehended that it would forward the good Purposes of the said Acts, and be a great Ease to the present Commissioners, if an additional Number of Commissioners were to be elected and appointed by each Parish, Precinct, and Place, to act with the present Commissioners; and also, if a certain Number of the Inhabitants within each Parish, Precinct, and Place, were to be elected and appointed as Committees to assist in carrying the said Acts into Execution, within their respective Parishes, Precincts, and Places: And whereas some further Powers and Authorities are necessary to be given, and some further Regulations made, in order to effect the Purposes aforesaid: 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 Vestrymen of the several Parishes of Saint James, Saint Margaret, Saint John the Evangelist, Saint Martin in the Fields, Saint George, Hanover Square, and Saint Paul, Covent Garden, within the City and Liberty of Westminster, and of the Parishes of Saint Giles in the Fields, and Saint George, Bloomsbury, in the County of Middlesex, and the Inhabitants who have a Right to assemble in Vestry, or other publick Meetings of the several Parishes of Saint Anne, within the Liberty of Westminster aforesaid, and of Saint Clement Danes, and Saint Mary le Strand, as well within as without the Liberties of the said City and the Precinct of the Savoy, and of the Parishes of Saint Andrew, Holborn, above the Bars, and Saint George the Martyr, and of the Liberty of Saffron Hill, Hatton Garden, and Ely Rents, in the said County of Middlesex, (except such Part of the last-mentioned Liberty as has been paved, lighted, and cleansed by virtue of an Act of Parliament, intituled, An Act for the better paving, cleansing and enlightening the City of *London*, and the Liberties thereof, and for preventing Obstructions and Annoyances within the same, and for other Purposes therein mentioned; and for repealing an Act made in the Sixth Year of His present Majesty's Reign,

Vestrymen and Inhabitants may meet and chuse additional Commissioners within their respective Parishes, who are to be joined with the present Commissioners.

6

Reign, for those Purposes; shall, and they are hereby respectively impowered and required to meet and assemble in the Vestry-rooms, or other usual Places of Meeting, for transacting the publick Business of such Parishes, Precincts, and Places, upon the Second Thursday after the passing of this Act, or within Eight Days afterwards, between the Hours of Ten in the Morning and Two in the Afternoon, and to elect and appoint an additional Number of Commissioners for carrying the said Acts, and this Act, into Execution, as herein after mentioned; (that is to say), Three Persons for the Parish of Saint Margaret, Westminster; Three Persons for the Parish of Saint John the Evangelist; Three Persons for the Parish of Saint Martin in the Fields; Three Persons for the Parish of Saint George, Hanover Square; Three Persons for the Parish of Saint James; Three Persons for the Parish of Saint Anne; Three Persons for the Parish of Saint Paul, Covent Garden; Three Persons for the Parish of Saint Clement Danes, and so much of the Duchy of Lancaster as lies in the said Parish of Saint Clement Danes; Three Persons for the Parish of Saint Mary le Strand, and so much of the Duchy of Lancaster as lies in the said Parish of Saint Mary le Strand; Three Persons for the Parish of Saint Giles in the Fields; Three Persons for the Parish of Saint George, Bloomsbury; Three Persons for such Part of the Parish of Saint Andrew, Holborn, as lies in the Liberty above the Bars; and Three Persons for the Liberty of Saffron Hill, Hatton Garden, and Ely Rents; Three Persons for the Parish of Saint George the Martyr; and One Person for the Precinct of the Savoy; which said Persons, so to be elected and appointed as aforesaid, shall be, and are hereby joined with the Commissioners appointed or elected, or to be elected by virtue of the said Act of the Second Year of His present Majesty, for putting the said several before-mentioned Acts, and this Act, in Execution, and shall be vested with the like Powers and Authorities, in all Respects whatsoever, as those Commissioners are vested with.

Additional Commissioners to be Householders resident within their Parish.

Provided always, That no Person shall be capable of being elected or appointed a Commissioner by virtue of this Act, or of acting as such, who shall not be a Householder and resident within such Part of the Parish, Precinct or Place, for which he shall be elected or appointed, as shall be within the Limits of the said former Acts and this Act; and when any of the Commissioners to be elected or appointed by virtue of this Act shall die, resign, refuse to act, or shall cease to be Householders and Residents as aforesaid; that then, and as often as either of the said

Cases shall happen, the said Vestrymen respectively, or other Inhabitants having a Right to assemble in Vestry, or publick Meetings where there is no select Vestry, in and for such Parishes, Precincts and Places, shall, from Time to Time, elect and appoint One other Commissioner, in the Place of every Commissioner so dying, resigning, or refusing to act, or being incapable of acting.

Vestrymen and Inhabitants to chuse Committeemen to assist in the Execution of this Act.

And, for the better effecting the Purposes of the said several Acts and this Act, be it further enacted, That the Vestrymen, or other Inhabitants having a Right to assemble as aforesaid, within the several Parishes, Precincts, or Places aforesaid, shall assemble in the Vestryrooms, or other Places of Meeting as aforementioned, upon the Second Thursday after the passing this Act, or within Eight Days then after; and also on the Second Thursday in the Month of February, annually afterwards, between the Hours of Ten in the Morning and Two in the Afternoon, and shall elect and appoint any Number of Persons, being Householders, resident in such Parish, Precinct or Place, not exceeding Twenty-one, nor less than Seven; and the Persons so elected and appointed shall be, and are hereby constituted a Committee for the better carrying the several Purposes of the said Acts, and this Act, into Execution, within their respective Parishes, Precincts and Places, and for superintending and inspecting all or any of the Works carrying on or performed by virtue of the said former Acts and this Act, within their respective Parishes, Precincts and Places, and for examining the several Bills relative thereto, and for certifying to the Commissioners such Bills and other Allowances for Payment as they shall find to be fair and just, or objecting to the Payment of such as shall be found otherwise (the Salaries allowed by the Commissioners to their Officers, and the contingent Expences of the Commission only excepted) on which Certificates for Payment, but not without, (except as aforesaid) the said Commissioners, or any Three or more of them, shall, from Time to Time, when they have approved of such Bills, order the same to be paid.

Qualification of Commissioners.

And be it further enacted, That no Person elected and appointed a Commissioner by virtue of this Act, shall be capable of acting as such, unless he shall be, in his own Right, in the actual Possession or Receipt of Rents and Profits of Lands, Tenements or Hereditaments, either Freehold or Copyhold, of the clear yearly Value of Three hundred Pounds, or possessed of or intitled unto a personal Estate to the Amount or Value of Ten thousand Pounds, or be Heir apparent of a Peer or Lord of Parliament;

liament; and that no Person elected or appointed a Committee-man by virtue of this Act, shall be capable of acting as such, unless he shall be then Resident and an Householder in the said Parish or Place, and seised and possessed of a real or personal Estate, or real and personal Estates together, of the Value of Two thousand Pounds.

Provided always, and be it enacted, That no Person already appointed, or hereafter to be elected a Commissioner by virtue of all or any of the before-recited Acts, or of this Act, shall be capable of acting as such, who shall hold any Office of Profit, or have any Share, or be any way interested or concerned in any Contract or Work to be done in or about the Execution of any of the Powers of the said former Acts, or of this Act, nor shall any Person to be elected a Committee-man as aforesaid be capable of acting as a Committee-man, who shall hold any Office of Profit, or have any Share, or be any way interested or concerned in, any Contract or Work to be done by virtue or in pursuance of this present Act; but every such Commissioner and Committee-man shall, in any or either of such Cases, be thenceforth for ever disqualified to act as a Commissioner, or Committee-man; any Thing herein contained to the Contrary notwithstanding: And in case any such Person not being qualified, or so disqualified as aforesaid, for a Commissioner, shall nevertheless presume to act as a Commissioner in the Execution of the said former Acts, or this Act, every such Person shall, for every Offence, forfeit and pay the Sum of Five hundred Pounds, to any Person or Persons who will sue for the same; and in case any such Person not being qualified, or so disqualified as aforesaid, for a Committee-man, shall nevertheless presume to act as a Committee-man, every such Person shall, for every Offence, forfeit and pay the Sum of One hundred Pounds, to any Person or Persons who will sue for the same, such respective Forfeitures to be recovered in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, Wager of Law, or more than One Imparlance shall be allowed; and every such Person so prosecuted shall prove he is qualified as aforesaid, or otherwise shall pay the said respective Penalties, upon Proof given of his having acted as a Commissioner or Committee-man, as the Case may be, in the Execution of the said Acts, or of this Act.

Commissioners shall not be concerned in any Contract, &c.

Commissioners acting without being qualified, to forfeit 500 *l.*

And be it further enacted by the Authority aforesaid, That the Right Honourable the Master of the Rolls for the

Except the Master of the *Rolls* and Dean of *Westminster*.

the Time being, and the Dean of Weſtminſter for the Time being, ſhall be Commiſſioners for putting the ſaid former Acts and this Act in Execution, and that their being ſuch ſhall be a ſufficient Qualification to them; any Thing in the ſaid former Acts, or this Act, to the Contrary notwithſtanding.

Committees may meet and adjourn.

And be it further enacted, That the ſaid Committees ſhall meet in the Veſtry-rooms, or other Places of meeting as aforementioned, within Fourteen Days after they ſhall have been choſen as aforeſaid, and may adjourn from Time to Time, and meet there, or at any other Place or Places within the ſaid Pariſhes, Precincts, or Places reſpectively, as often as they ſhall think fit; and they,

Duty of Committee-men.

or any Five or more of them, ſhall have Authority, and are hereby impowered to ſee that all Contracts heretofore made and entered into for any Works to be done within their reſpective Pariſhes, Precincts, and Places, are well and duly performed and executed according to the Terms and Conditions of all ſuch Contracts; and they are alſo to examine into, and to hear all Complaints which ſhall be made to, or brought before them, by any of the Inhabitants or any other Perſon or Perſons, againſt any Contractor or Contractors, by Examination of Witneſſes upon Oath, (which Oath the Committee, or any Three or more of them, are hereby authoriſed and impowered to adminiſter); and the ſaid reſpective Committees, or any Three or more of them, ſhall ſurvey the Works, or enquire into the Matters which are the Subject of the Complaint, and report the ſame, and the Examinations ſo taken, to the ſaid Commiſſioners at their next or Second Meeting after ſuch Complaint made and Survey taken, or Enquiry made; and upon ſuch Report being made to the ſaid Commiſſioners, they the ſaid Commiſſioners ſhall and are hereby required, from Time to Time, to impoſe a Fine or Fines upon every ſuch Contractor for Non-performance of his Contract, as they are authoriſed and impowered by the ſaid former Acts, any or either of them, to do, according to the Nature and Degree of the Offence; and if it ſhall happen that there ſhall not appear Three or more of ſuch Committee-men at any Meeting which ſhall be appointed to be had or held, then, and in ſuch Caſe the Clerk to ſuch Committees reſpectively ſhall, and is hereby required, to ſummon the whole Committee to meet at the Place where the laſt Meeting was appointed, within Eight Days then next following; and ſuch Committees ſhall, at all their Meetings, bear their own Expences; but no Act of any ſuch Committee ſhall be valid, unleſs made

or

or done at some Meeting to be held in pursuance of this Act, at which Meeting not less than Three, Five, or more Committee-men, as required by this Act, shall be present; and all the Powers and Authorities by this Act granted to or vested in such Committees, shall and may, from Time to Time, be exercised by the major Part of the Committee-men who shall attend at any publick Meeting to be holden as herein before mentioned, the Number of such Committee-men present at such Meeting not being less than Three or Five, as required by this Act; and all the Orders and Proceedings of the major Part of such Committee-men so assembled shall have the same Force and Effect as if done or made by all the Committee-men for the Time being.

Committees may appoint Officers,

And be it further enacted, That it shall and may be lawful to and for the said respective Committees, not less than Five Committee-men being present at any Meeting, or Meetings, to be held in pursuance of this Act, to appoint a Clerk, and also to appoint One or more Supervisor or Supervisors, Collector or Collectors, Inspector or Inspectors, and shall take such Security for the due Execution of such of their respective Offices, as the said respective Committees shall think proper, and may likewise, from Time to Time, remove all such Clerks, Supervisors, Collectors or Inspectors, and appoint others in the Room of such of them as shall be so removed, or that shall die, and appoint such Salaries and other Allowances to them, for and in consideration of his and their Trouble in executing his or their Office and Offices respectively, and also such Allowances to such other Person or Persons as shall be aiding and assisting in and about the Execution of this Act, as the said respective Committees shall think reasonable; all which Salaries and Allowances shall be paid, from Time to Time, as the same shall become due and payable in Manner herein-after directed; and every such Committee may discontinue and not fill up the Vacancy to be occasioned by the Death or Removal of any Supervisor or Inspector, whenever any of the said Committees respectively shall think such Officer unnecessary for them; but if any Person so appointed Clerk, Supervisor, Collector or Inspector, shall exact, take or accept any Fee or Reward whatsoever, other than such Salaries and Allowances as shall be appointed, allowed, and approved of by the respective Committees for or on account of any Thing done or to be done by virtue of this Act, or on any Account whatsoever relative to putting the said Acts, or this Act, in Execution, or

who shall not be concerned in Contracts &c.

shall be any-ways concerned in Interest in any Bargain made, or to be made, relative to every such Person so offending in any such Case, shall be incapable of ever serving 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 Callendar Months next after the Offence committed; in which Suit no Essoin, Protection or Wager of Law, or more than One Imparlance, shall be allowed: Provided always, that the Inspector or Inspectors shall be elected annually, and that the Salary of each such Inspector shall be allowed and confirmed by the Commissioners, or any Five or more of them, at any of their Meetings; and that the Office of Supervisor in each of the said Parishes, Precincts, and Places, shall be discontinued when and as soon as all the said Squares, Streets, Lanes, and Places in each and every such Parish, Precinct, and Place respectively, shall be new-paved pursuant to this Act.

Proceedings of the Committees to be entered in Books.

And be it further enacted by the Authority aforesaid, That all the Acts, Orders, and Proceedings of the said Committees shall, from Time to Time, be entered in Books to be kept for those Purposes by the Clerks to the said Committees, and shall be signed by the Chairman of each respective Committee, at their next Meeting; and all such Orders so signed shall be deemed and taken to be original Orders, and shall and may be produced and read in Evidence in all Courts whatsoever; but no Act or Order of any of the Committees shall be valid, unless done or made at some Meeting to be held in pursuance of this Act; and all such Books and Proceedings of the said respective Committees shall and may be perused and inspected, at all seasonable Times, by the said Commissioners, or by their Clerk for the Time being, or by such other Person or Persons as the said Commissioners shall appoint for that Purpose, who may also take Copies thereof, or Extracts therefrom, without Fee or Reward.

Commissioners may order what Streets shall be paved, &c. and how, signifying the same to the Committees.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall have Authority, and are hereby impowered, from Time to Time, to order and direct in what Manner, and with what Materials, all or any of the Squares, Streets, Lanes, and Places within the respective Parishes and Liberties aforesaid, shall be new-paved or repaired, and what Number of Lamps shall,

shall be put up and kept lighted therein, and how the same shall be placed, and how often the same Squares, Streets, Lanes, and Places, shall be cleansed, (having respect to the Abilities of the Inhabitants of the Places to be so paved, lighted, and cleansed, and the Monies which by virtue of the Powers of this Act can be raised therein), and shall signify such their Orders and Directions in Writing to the said Committees respectively, by causing a Copy or Copies of every such Order and Direction to be delivered to or left for the Clerk of each respective Committee, who shall and is hereby required to lay the same before every such Committee at the next Meeting.

Committees are to advertise for Contractors;

And be it further enacted, That every Committee, as soon as conveniently may be, and, at farthest, within One Calendar Month, after any such Order or Direction shall be laid before them, shall cause Notice to be given by Advertisement in some or one of the publick Newspapers, Six several Days at the least, that such Committee will meet at a Time and Place to be expressed in such Advertisement, at the Distance of Fourteen Days or more from the Time of the first Publication of such Advertisement, to receive Proposals from any Person or Persons willing to contract for paving or repairing, lighting, and cleansing the particular Squares, Streets, Lanes or other Places so ordered and directed by the said Commissioners to be paved or repaired, lighted, and cleansed, agreeable to such Orders and Directions; and the said Committees respectively (not less than Five Committee-men being present) shall and may, and they are hereby impowered, to make any Contract or Contracts in Writing with any fit Person or Persons, for repairing, or for paving and keeping in Repair, lighting, and cleansing all or any such Squares, Streets, Lanes, or Places, so ordered and directed to be repaired, paved, lighted and cleansed, every such Contract to specify the several Works to be done, the Prices to be paid for the same, and the Time or Times when or within which the said Works are to be completed, and the Forfeitures or Penalties to be borne or suffered for the Nonperformance thereof; and being signed by Five or more Committee-men, and by the Person or Persons contracting to perform such Works, shall, together with a true Copy of every such Contract, attested by the Clerk, and also with the original Proposals and Copies of all Minutes and other Proceedings of the Committee relative thereto, be transmitted

and to enter into Contracts for paving, &c.

transmitted to and laid before the Commissioners at their next Meeting; which Contract or Contracts being by them, or any Five or more of them, at that or some other subsequent Meeting, within One Month then next, confirmed by some proper Subscription at the Foot thereof, or to be indorsed thereon, and signed by Five or more of the said Commissioners, if they shall so think fit, such Contract, and the Proposal on which the same is founded, shall be returned to the Clerk to the respective Committees, within Seven Days from the Time of such Confirmation; and if such Contract or Contracts shall be so confirmed, then, and not otherwise, the same shall be valid and effectual in Law, and carried into Execution, and the Performance thereof shall and may be enforced by Action at Law, or otherwise, by and in the Name or Names, and at the Suit of or against the Committee for the Time being, and the Contractor or Contractors, his or her Executors or Administrators, according to the Tenor and true Meaning thereof; but every such Contract not so confirmed within the Time last aforesaid shall be void, and the Parties thereto shall thenceforth be absolutely discharged of and from the same, and every Covenant, Promise, and Engagement therein contained, both at Law and in Equity, as if the same had never been made; and the Committee making such Contract or Contracts so not confirmed, as soon after as the same shall so become void, and so toties quoties, shall and may again advertise for Proposals in Manner aforesaid, and make any fresh Contract or Contracts, and transmit the same, with the Copy or Copies thereof, for Confirmation in Manner aforesaid, together with all the Proposals and Proceedings of the Committees relative thereto; and such Contract or Contracts shall and may be confirmed or made void in Manner aforesaid, at the Discretion of the said Commissioners, in the same or like Manner as before enacted or directed.

Contracts shall be binding until confirmed by Commissioners.

And be it further enacted by the Authority aforesaid, That wherever it shall be found that any of the Squares, Streets, Lanes, or Places, subjected to the Powers of this Act, are lying in Two or more Parishes, Precincts, or Liberties, the Commissioners for the Time being shall and may, and are hereby impowered to order and direct the whole of any such Square, Street, Lane, or Place, to be paved or repaired, lighted, and cleansed, by and under the Direction of the Committee of any or either of the said Parishes, Precincts, or Liberties, and to order and direct what Sum in Gross shall be paid by the Committee

How Streets, &c. which lie in two Parishes shall be paved.

mittee or Committees of the other of the said Parishes, Precincts, or Liberties, towards and in respect of the Charges of paving and setting up Lamp-irons, removing Obstructions, and other incidental Expences; and also what annual, quarterly, or other Sums shall be paid by such other Committee or Committees, towards and in respect of the repairing and keeping in Repair, lighting, and cleansing the same, to the Committee by whom, or under whose Directions, such Square, Street, Lane, or Place, shall be so paved or repaired, or kept in Repair, lighted, and cleansed; and that such gross Sum shall be paid accordingly, by and out of the Monies to be raised by the additional Rate; and such annual, quarterly, or other Sums, shall be paid accordingly, by and out of the other Rate or Assessment hereby directed to be made and assessed, for the Purposes of repairing, cleansing, and lighting, by the Committee, or Committees, by whom the same shall be so directed to be paid.

How Payments for subsisting Contracts shall be made.

Provided always, and it is hereby enacted and declared, That for and in respect of all such Contracts as have been heretofore made and entered into by the Commissioners appointed by virtue of the said former Acts, to and with any Person or Persons, for repairing, lighting, or cleansing, any of the Squares, Streets, Lanes, and Places aforesaid, for any Time or Term yet subsisting, and not expired, the Committees to be chosen in and for every the Parishes, Precincts, and Places respectively, in which the Squares, Streets, Lanes, and Places to be repaired, lighted, and cleansed, in pursuance of every such subsisting Contract lies, shall, and are hereby impowered and required (a true Copy of every such Contract, signed by the Clerk to the said Commissioners, being first laid before them) to direct, order, and cause the Monies which shall be collected by virtue of the Rates or Assessments herein and hereby directed to be made (the said additional Rate and Rates only excepted) or so much thereof as shall be necessary and sufficient for that Purpose, to be paid to the Treasurer or Treasurers of the said Commissioners, for the enabling the said Commissioners to apply, and to be by them applied, in Payment and Satisfaction of the future growing Payments to become due and payable upon, and by virtue of, such subsisting Contracts.

When subsisting Contracts expire, Committees may advertise for fresh Contracts.

And be it enacted by the Authority aforesaid, That when and as often as the Time for the doing all or any Part of the Work or Business to be done, or finding and providing Materials to be provided, by and in pursuance of such now-subsisting Contract or Contracts, shall

expire; then, and from thenceforth, the Committee to be chosen in and for the Parish, Precinct, or Place, in which the Squares, Streets, Lanes, and Places do lie, which are comprised in, and to be repaired, lighted, or cleansed, under and by virtue of such Contract or Contracts, shall and may, by order of the Commissioners, advertise for, and receive Proposals, and make any Contract or Contracts, subject to the Controul and Confirmation of the said Commissioners, either for repairing, cleansing, and lighting, or for new-paving, cleansing, and lighting the Squares, Streets, Lanes, and Places comprised in such expired Contract or Contracts, theretofore contracted to be repaired, cleansed, and lighted as aforesaid, in the same or like Manner as the said Committees respectively are herein before directed and enabled to advertise for Proposals, and make original Contracts for paving, or for repairing, lighting, and cleansing any such Squares, Streets, and Lanes, as have not been hitherto paved, lighted, and cleansed, by virtue of any of the Acts of Parliament herein before recited.

All Contracts to be made between First *January* and First *July*.

And be it further enacted by the Authority aforesaid, That no Contract shall, at any Time, be made or entered into, in any Year, by virtue of this Act, but between the First Day of January and the First Day of July, except in Cases of Death of the Contractors, or in Cases of Failure of Contract; any Thing contained in any of the before-mentioned Acts to the Contrary hereof notwithstanding.

The Business of the Surveyor and of the Inspectors.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Inspector, appointed or to be appointed by the said Commissioners for the Time being, to survey, view, and inspect, within all and every the Squares, Streets, Lanes, and Places hereby subjected to the Powers of this Act, and also to and for the Supervisor or Inspector, to be appointed by each and every of the several Committees respectively, to view and inspect, within the several and respective Parishes, Precincts, and Places, in and for which every such Supervisor or Inspector shall have been appointed, as well all and every the Works done or begun to be done, as also to view the Condition of the Pavements of the said several Squares, Streets, Lanes, and Places not begun or contracted to be done, in pursuance of this Act, and to and for the said Surveyor to the Commissioners, to present upon Oath to the said Commissioners, and also to and for such Supervisors or Inspectors, appointed by the several Committees, to present upon Oath to the said Committees respectively (which Oath the said Commissioners, or Three or more of them, and the said Committees respectively, or any Three Committee-

Committee-men, are hereby impowered to adminiſter) all defective and bad Pavements within the ſaid Squares, Streets, Lanes, and Places not paved nor begun to be new paved, under the Powers of the ſaid Acts, or this Act; and thereupon, or upon the reaſonable Complaint and Requeſt of any Three or more Houſeholders, dwelling in any Square, Street, Lane, or Place, wherein Cauſe of Complaint ſhall be, in Writing under their Hands, every ſuch reſpective Committee ſhall thereupon give Notice thereof to the ſaid Commiſſioners, in Writing, and ſhall and may cauſe all and every ſuch Pavements not under Contract, to be well and ſufficiently repaired forthwith, or as ſoon as conveniently may be, and the Expence thereof to be defrayed by and out of any Monies to ariſe by any Rate or Rates hereby directed to be made, for the Purpoſes of repairing, cleanſing, and lighting; and in caſe ſuch Pavements ſo preſented or complained of ſhall be under Contract made by or with any ſuch Committee to be paved or repaired, and the paving and repairing thereof ſhall not be well and ſufficiently performed, according to the Intent 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 or is agreed to be compleated by the Contractor or Contractors, the Surveyor or Inſpector appointed by each Committee reſpectively ſhall report the ſame to ſuch Committee at their next Meeting, and the ſaid Surveyor or Inſpector to the Commiſſioners for the Time being ſhall and may report the ſame to the ſaid Commiſſioners, at their next or other ſubſequent Meeting; and ſuch Committee ſhall and may, in the joint Names of any Two or more of them, bring, inſtitute, commence, and proſecute an Action of Debt, in any of His Majeſty's Courts of Law at Weſtminſter, againſt any Perſon or Perſons ſo contracting, and not performing any ſuch Contract or Contracts, for any or all the Penalty and Penalties contained in ſuch Contract or Contracts, within One Month next after ſuch Report made to the ſaid Committee; and if the ſaid Committee ſhall not, within One Month next after ſuch Report made to them, bring, inſtitute, and commence ſuch Action; then, and at any Time then after, it ſhall and may be lawful to and for the Commiſſioners for the Time being, if they ſhall ſo think fit, in the joint Names of any Two or more of them, or in the Name of any Perſon appointed by them, or any Three or more of them, for that Purpoſe, to bring, inſtitute, commence, and proſecute an Action or Actions of Debt, againſt the Contractor

Contractor or Contractors, in such Court for such Penalty and Penalties, and in such Manner, as the Commitees respectively are herein before directed or enabled to do; and on Proof of the signing the said Contract or Contracts, and Nonperformance thereof, at the Time or Times therein for that Purpose mentioned, the Plaintiffs, in every such Action, shall be intitled to, and shall recover such Penalty or Penalties, which, when received, shall be applied for the Purposes of this Act, within the Parish, Precinct, or Place in which the Cause of Action arose, and not otherwise or elsewhere.

Streets, &c. belonging to Palaces exempted.

Provided always, and it is hereby further enacted and declared, That nothing in this Act, or any of the said former Acts contained, shall authorise or require the said Commissioners, or Committee of any Parish, Precinct, or Place, to pave, repair, cleanse, or light the Streets, Lanes, Courts, Yards, or any other Place or Places, situated before or belonging to any Royal Palace, Ground, or Building, which now belongs or hereafter shall belong to His Majesty, His Heirs or Successors, any Thing in this Act, or in any of the former Acts contained, to the Contrary notwithstanding.

Also Squares and Places which are under particular Acts.

And be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to Golden Square, Red Lyon Square, or to any other Square, Street, or Place, now paved, cleansed, and lighted, under any particular Act of Parliament.

A certain Part of *Saint Margaret* and *Saint John* exempted until the Inhabitants are of Ability to contribute towards paving, &c.

And whereas there are several Streets and Places within the united Parishes of Saint Margaret and Saint John the Evangelist, where the Inhabitants are not of Ability to raise Money sufficient to defray the Expence of new-paving or repairing, cleansing, and lighting such Streets and Places, under the Regulations of this Act; be it therefore enacted and declared, That it shall not be lawful for the said Commissioners appointed to put this Act in Execution, to order or direct any of the Streets or Places within the said Parishes of Saint Margaret and Saint John the Evangelist, to be new-paved or repaired, cleansed, or lighted, except the several Streets and Places herein after-mentioned; (that is to say) Parliament Street, Darby Street, Downing Street, King Street, Fluyder Street, Crown Street, Crown Court, Charles Street, New Charles Street, Duke Street, Delahay Street, Great George Street, Little George Street, Canon Row, Brewers Yard, Dorset Court, Manchester Buildings, The Fish Market, New Court, Bridge Street, Little Bridge Street, Union Street, Saint Margaret Street, Abingdon Street, Little Abingdon Street, Milbank Street to the Horse Ferry, Market

Market Street, to the High Road near the Burial Ground, Great Queen Street, Little Queen Street, Princes Court, Park Proſpect, Long Ditch, Broken Croſs, Great Sanctuary, Little Sanctuary, Old Tothil Street, Dartmouth Street, Dartmouth Row, Broad Way, the Street leading from the Broad Way to Queen Square, Queen Square, Petty France, and James Street, and ſuch other Streets and Places, or Parts of Streets and Places, as are already new paved, cleanſed, and lighted, under the Direction of the Commiſſioners appointed by the ſaid former Acts; nor ſhall any Rate or Aſſeſſment be made by virtue of this Act, for the Purpoſes of paving, repairing, cleanſing, or lighting any Part of the ſaid Pariſhes, other than as herein before mentioned, any Thing in this Act, or in any former Act, to the Contrary hereof in any-wiſe notwithſtanding.

Proviſo. Provided nevertheleſs, That if at any Time hereafter any Streets or Places within the Limits which are exempted from being paved, repaired, lighted, and cleanſed as aforeſaid, ſhall become ſo advanced in Rents as that the Inhabitants thereof ſhall, in the Opinion of the Commiſſioners, be of Ability to contribute a reaſonable Sum to the paving, repairing, lighted, and cleanſing the ſame, under the Authority of this Act, then, and from thenceforth, ſuch particular Streets and Places ſhall be ſubject to be paved, repaired, lighted, and cleanſed, in ſuch Manner, and by ſuch Ways and Means, as the ſeveral Squares, Streets, Lanes, and other Places, which are under the Direction of the ſaid Commiſſioners or Committee-men, can or may be paved, repaired, lighted, and cleanſed.

Such Parts of the ſaid Pariſhes ſo exempted to remain under former Acts of Parliament. And be it further enacted, That all the Streets and Places within any of the ſaid Pariſhes of Saint Margaret and Saint John the Evangeliſt, not ſubject to be paved, repaired, cleanſed, or lighted as aforeſaid, ſhall ſtill remain ſubject to the Powers and Proviſions of ſuch former Acts of Parliament, as do now, or did before the making of this Act, extend to ſuch other Streets and Places, any Thing contained in this preſent Act to the Contrary hereof in any-wiſe notwithſtanding.

Inhabitants liable to be charged for paving, &c. by this Act, exempted from former Laws. And be it further enacted, That all and every the Inhabitants, Owners and Occupiers, of all and every or any Lands, Grounds, Houſes, Shops, Warehouſes, Wharfs, Coach-houſes, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, in all and every the Squares, Streets, Lanes, and Places hereby directed to be paved, or to be repaired, lighted, and cleanſed, ſhall, from and after the Twenty-fifth Day of March, One thouſand

seven hundred and seventy-one, be absolutely exonerated, discharged, and indemnified from and against the Execution and Service of the Office of Scavenger, in and for the several Parishes, Precincts, and Places, wherein such Squares, Streets, Lanes, and Places are situate and lying, and of and from the hanging out Lights in such Squares, Streets, Lanes, and Places, and all Presentments and Returns of any Annoyance Jurors, Constables, or other Officers, (other than and except the Inspectors hereby directed to be appointed,) for and in respect of dangerous or defective Pavements, Defaults of Lighting, and all Annoyances in, Obstructions of, and Encroachments upon, all or any of the said Squares, Streets,, Lanes, and Places, and all Pains, Penalties, Duties, and Services, for or concerning any such Annoyances, Obstructions, Incroachments, or dangerous or defective Pavements, and Defaults of Lighting; and that the several Acts of Parliament made in the Second and Third Years of their late Majesties King William and Queen Mary, of the Nineteenth Year of his late Majesty King George the Second, and of all and every other Act and Acts of Parliament whatsoever, so far as the same or any or either of them do or does concern any such Annoyances, Obstructions, Incroachments, dangerous or defective Pavements, and hanging out Lights in any of the Squares, Streets, Lanes, and Places, hereby directed to be paved or to be repaired, lighted, and cleansed; and also so much of the before-recited Act of the Third Year of his present Majesty, as relates to and impowers the Surveyor to the said Commissioners, or any other Person or Persons to be by them appointed for that Purpose, to view the Condition of the Squares, Streets, and Lanes, within the several Parishes, Precincts, and Places, intended to be subject to, and within the Powers of this present Act, and to present on Oath all or any defective and bad Pavements therein, and to give Notice thereof as therein mentioned, and the repairing the same, and the charging the Expence of such Reparations on any such Inhabitants, Occupiers or Owners of any Houses or other Buildings as therein expressed; and all Pains, Penalties, and Charges, which such Inhabitants, Occupiers or Owners, shall or may be liable to by force of the said several Acts of the Third and Fourth of William and Mary, and Twenty-ninth of George the Second, and of that Part and so much of the Third of his said present Majesty, as is herein before recited; and also so much and such Part of all, or every of the herein recited or any other Act or Acts of Parliament,

All former Acts, so far as

Parliament, as directs or vests the Power of paving, repairing, lighting, or cleansing all or any of the Squares, Streets, Lanes, or Places, hereby subject to the Powers of this Act, to be in the Commissioners appointed by or in pursuance of the before-recited Acts, or any of them, or vests in them the Property of all or any Stones or other Materials of or in any of the said Squares, Streets, Lanes, and Places last mentioned, in the said Commissioners, shall be, and are and is hereby repealed.

they respect Places under this Act, are repealed.

And be it further enacted by the Authority aforesaid, That, from and after the passing this Act, any Thing in the herein before-recited Acts, or any or either of them, contained to the Contrary notwithstanding, the Property of all and every the Pavements in all and every the Squares, Streets, Lanes, and Places, within each and every of the Parishes, Precincts, and Places, subjected to the Powers of this Act, and the Lamps, Iron, Timber, and all other Materials and Things, which shall be made Use of for the Purposes of this Act, and also the Property of all and every the Stones, Posts, and old Materials of every Kind, belonging to the old or present Pavements, as well of the Carriage-ways as of the Foot-ways, within each and every the said Parishes, Precincts, and Places, (except in such Streets and Places as have been paved by virtue of a Clause in the said Act of the Fifth Year of His present Majesty's Reign, commonly called The Optional Clause), shall be, and is and are hereby vested in the Committee for the Time being, of each and every such Parish, Precinct, and Place respectively; and the Committee of every such Parish, Precinct, and Place respectively, or the major Part of such of them as shall be assembled at any of their Meetings, shall and may, if they shall so think fit, authorise and impower any Person or Persons with whom such Committee shall contract in manner herein mentioned and directed, to take all or any such old Stones, Posts, or other Materials, at a Price or Prices to be specified in any Contract or Contracts so to be made, and to make Use of such of the said Stones or other Materials, as shall, by such Contract or Contracts, be deemed proper and fit for Use, in or about the new-paving or repairing, or other Works contracted to be done within the same Parish, Precinct, and Place, such Price or Prices to be allowed to the Contractor or Contractors for and in Payment of the Monies to be paid to him or them, or otherwise such major Part of every such Committee shall and may, and are hereby impowered,

Old Pavements, and all Materials, old and new, vested in the Committee.

from Time to Time, to sell and dispose of any such Stones or other old Materials, or any Part or Parts thereof, to any Person or Persons who shall be willing to purchase the same, and to apply the Monies arising by such Sale in manner herein after mentioned; and if any Person or Persons, to whom any such Stones or other Materials shall be sold, shall refuse or neglect to pay for the same for the Space of Ten Days after the Sale thereof, or other Time limitted for Payment of such Purchase-money, it shall and may be lawful for the said Committee, or any Three or more of them, to direct and cause an Action or Actions to be brought and prosecuted, in the Names of any Two or more of them, against any the Purchaser or Purchasers of any such Materials, for Recovery of the Monies due and payable for any such Materials so sold, in which Action or Actions, no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and such major Part of every such Committee shall and may, and are hereby also impowered, from Time to Time, if they shall so judge fit and expedient, to hire or take at a Rent any Piece of Ground to carry to, lay, and dispose of, all or any of the said Stones or other Materials, during such Time, and until there shall be Occasion to make use of, or a fit Opportunity to make Use of, or to sell and dispose of the same; and in case any Person or Persons shall, without the Consent or Authority of such major Part of such Committee, take, carry away, or convert to his, her, or their own Use or Uses, or shall steal any, or any Part of such Stones, Posts, or other Materials, or any other Stones, Lamps, Iron, Timber, or other Materials or Things, the Property whereof is hereby vested in the Committee for the Time being, of any of the Parishes, Precincts, and Places subjected to the Powers of this Act, it shall and may be lawful to and for the major Part of such Committee as shall be assembled at any of their Meetings, 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 or cause, direct or order, the preferring of any Indictment or Indictments, against any Person or Persons who shall take, or carry away, or shall steal any or any Part of any such Materials or Things; and if any Person or Persons shall wilfully or maliciously break, destroy, or otherways damage or spoil, any of the said Materials or Things, or any Works done, or begun to be done, in pursuance of this Act, or take up any Pavement, under any Pretence whatsoever, without the Consent of the said Committee, or any

Three or more of them, (except in Cases of Fire, or Alarms of Fire), every Person so offending, and being thereof convicted by the Oath of One or more Witness or Witnesses, before any One or more Justice or Justices of the Peace for the County of Middlesex, or for the City and Liberty of Westminster, as the Case shall be, shall, for the First Offence, forfeit any Sum not more than Forty Shillings, nor less than Ten Shillings; and for the Second, and every other Offence, any Sum not exceeding Three Pounds, nor less than Twenty Shillings; to be levied and recovered by Distress and Sale of the Goods and Chattels of every such Offender, by Warrant under the Hand and Seal, or Hands and Seals, of the Justice or Justices before whom such Conviction shall be made, every such Forfeiture and every the Sum and Sums of Money to be recovered by or in every or any such Action and Actions to be brought as aforesaid, and every Sum and Sums of Money to arise by the Sale of all or any such Materials so sold as aforesaid, when received, shall be paid into the Hands of the Banker or Bankers, to be chosen and approved of as herein after mentioned, or into the Bank of England, to the Account of the Parish, Precinct, or Place, in which the Offence was committed, or by Order of whose Committee the same was recovered or received; and the same, and every Part thereof, shall be issued, paid, and applied for and towards repairing, lighting, and cleansing the Squares, Streets, Lanes, and Places within the said Parish, Precinct, or Place, and in Aid of the Rates to be made for those Purposes; and in case any Person or Persons so offending and convicted shall have no Goods or Chattels whereon any of the Forfeitures last-mentioned can be levied; then, and in that Case, it shall and may be lawful to and for One or more such Justice or Justices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders convicted to the House of Correction, there to remain for any Time not exceeding One Calendar Month, nor less than Ten Days, to be expressed in such Warrant, to be reckoned from and exclusive of the Day of Commitment, and not to be discharged unless upon Payment of the full Sum forfeited, until the Expiration of the Time so to be expressed.

Committees to meet annually, and make Rates for the Purposes of the Act.

And be it further enacted, That the said respective Committees, not less than Five Persons being present, within their respective Parishes, Precincts, and Places, shall, and they are hereby authorised and impowered to meet, and shall meet, in the Vestry-rooms, or other usual Places afore-

aforesaid, upon the Second Thursday in June next, and also upon the Second Thursday in June in every Year afterwards, and at any other Time or Times, as often as Occasion shall require; and they, or the major Part of them, shall make One or more Rate or Rates, Assessment or Assessments, upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Wharf, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement or Hereditament whatsoever, within such Parts of the said respective Parishes, Precincts, and Places, (the Occupiers of Land, Ground, Houses, Shops, Wharfs, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements or Hereditaments, in such Squares, Streets, Lanes, and Places as have been paved under and by virtue of the said Optional Clause only excepted) for the Purposes of repairing, cleansing and lighting the several Squares, Streets, Lanes, and other Places, within the said respective Parishes, Precincts, and Places, as are not by any or either of the said former Acts exempted from the Jurisdiction of the Commissioners, and for defraying the Expence of removing all Annoyances and Obstructions therefrom, and all other the necessary Purposes of the said former Acts, and this Act, (except as to new-paving), so as no such Rate or Rates, Assessment or Assessments, within any Square, shall exceed in the Whole the Sum of One Shilling and Three-pence in the Pound; and within any Street, Lane, or other Place, the Sum of One Shilling in the Pound, in any One Year, according to such Proportion of the yearly Rent or Value as the same was assessed to the Rates for the Relief of the Poor, in the Year One thousand seven hundred and Seventy, within the said respective Parishes, Precincts, and Places.

Houses hereafter to be built, how to be rated.

Provided always, That all Houses, or other Buildings, which shall hereafter be erected or built within the Limits aforesaid, shall be rated and assessed for the Purposes of this Act, in the same Manner and Proportions as other Houses or Buildings shall be then assessed.

Committees may make an additional Rate of 6 *d.* if necessary.

Provided always nevertheless, and be it further enacted, That from and after the said Twenty-fifth Day of March, the said respective Committees, not less than Seven Persons being present, within their respective Parishes, Precincts, and Places, shall, and they are hereby authorised and impowered, annually, or oftener, as Occasion shall require, to make a further Rate or Assessment in manner aforesaid, not exceeding Sixpence in the Pound

Pound in any One Year, within all such Squares, Streets, Lanes, and other Places, or such Parts thereof as shall, at the Time of making any such Rate, be paved by virtue of the said former Acts, and this Act, or any of them, (except such Streets, Lanes, and Places, as have been paved under and by virtue of the said Clause, called the Optional Clause), and so in like Manner within all other the Squares, Streets, Lanes, and Places within the Limits of the said former Acts, as soon as the Pavements thereof respectively, or any Part thereof, shall be compleated, so far as the Pavements so compleated shall extend.

Commissioners may borrow Money on the Credit of the Rate.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Committees within the respective Parishes, Precincts, and Places, not less than Seven Persons being present, and they are hereby impowered, from Time to Time, when they shall judge it necessary, to borrow and take up at Interest such Sum or Sums of Money as any Person or Persons shall be willing to lend and advance upon the Credit of Five-sixth Parts of the said additional Rate or Assessment; and by any Writing or Writings upon Vellum or Parchment, signed by the said Committees respectively, not less than Seven Persons to assign the said Five-sixth Parts of the said additional Rate or Assessment, to any Person or Persons who shall advance and lend such Money thereon, as a Security or Securities for the several Sums so borrowed, with legal or lower Interest for the same, which Interest shall be payable and paid Half-yearly, upon Certificates of the Committees, and by Order of the Commissioners, in the same or like Manner as other Monies and Payments are herein-after directed to be paid and made, out of the Monies to arise by or from the said additional Rate or Assessment; and the remaining Sixth Part shall be deposited in the Bank of England, as a Sinking Fund, for the Purposes of paying off the Monies borrowed, or for future new-paving, as the Committee shall think fit.

Money received by the Committee to be deposited in the Bank.

And be it further enacted by the Authority aforesaid, That such Sum or Sums of Money, when so received by the said Committees, shall be by them deposited in the Bank of England, and placed to the Account of the Parish, Precinct, or Place, by whose Committee the same was borrowed or raised, and in which it is to be applied, in the Name of the Commissioners for the new-paving, cleansing, and lighting the City and Liberty of *Westminster*, and Places adjacent, and shall be issued and applied by the said Commissioners, or any Five or more of them, for the

the new-paving any Square, Street, Lane, or Place, subjected to the Powers of this Act, in manner herein after mentioned, and not otherwise.

For entering Securities in Books.

And be it further enacted, That there shall be entered in a Book or Books, to be for that Purpose provided and kept by the Clerk or Clerks to the said Committees, all Securities for Monies so borrowed, and all Assignments or Transfers thereof, expressing, in Words at length, the Names, Surnames, Additions, Places of Abode, and other Descriptions, of all such Persons as shall, from Time to Time, be intituled to such Securities, and the Sums received upon such Securities, to which Book or Books the Persons intitled thereto, or interested therein, shall, at all seasonable Times, have Access, with free Liberty to inspect the same, without Fee or Reward: And if any Sum or Sums of Money shall at any Time remain from the said Rate or Assessment, over and above what shall be sufficient to pay the Interest hereby charged thereupon, then such Sum or Sums of Money shall be applied for or towards paying other Parts of every the Parish, Precinct, or Place wherein the same was raised, and when the whole of such Parish, Precinct, or Place shall be paved, then, and not before, all the Remainder of such Surplus shall be applied for or towards paying off the Principal so borrowed as aforesaid, and for that Purpose shall remain in the Bank of England, until the same shall amount to the Sum of Five hundred Pounds, or One full and equal Eight-part of the whole Monies borrowed on the Security of the said additional Rate or Assessment, which Sum shall be applied for and towards the Payment of the Money lent and advanced on such additional Rate; and no Preference, either in the Payment of Interest or Principal, shall be given to any Person or Persons whatsoever, on account of the Priority of advancing any such Sum or Sums, but that each Person shall be a Creditor in equal Degree, according to the Sum or Sums so by him, her, or them lent and advanced as aforesaid,

Surplus of Rates to be applied in reducing the Debts.

And, to the End such Surplus-money last mentioned may be so applied for or towards discharging or reducing the Principal Monies to be borrowed as aforesaid, be it further enacted, That when and as often as there shall remain in the Bank of England, of the Monies deposited or paid in as aforesaid, a Surplus of the said additional Rate laid or assessed on any of the said Parishes, Precincts, or Places, to the Amount of Five hundred Pounds, or One-eight Part of the whole Principal

Monies borrowed as aforesaid, the Commissioners are hereby impowered, and on Request to them for that Purpose made and signified by Writing, signed by the major Part of not less than Seven of the Committee of the Parish, Precinct, or Place, to which such Surplus belongs, or from whence it arose, may and shall cause Notice in Writing to be given to or left for each of the Creditors or Lenders of all the Mortgage-monies to be so discharged or reduced, or their personal Representatives or Assigns, at his, her, or their last or usual Place of Abode, of the Commissioners Intention to apply such Surplus-money in Discharge, or part Discharge, as the Case shall be, of such Mortgage-monies at the Expiration of Three Months next after the Date of such Notice; and every such Creditor or Lender, his, her, or their Representatives or Assigns, having had such Notice given to or left for him, her, or them, shall be obliged to accept his or her Share or Proportion thereof at the Expiration of the Time to be expressed in such Notice, or in Failure of Acceptance thereof, all Interest of such Share shall from thenceforth cease and not be payable.

Creditors may assign their Securities.

And it is hereby further enacted, That it shall and may be lawful to and for any Person or Persons intitled to any of the Securities aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand or Hands respectively, to assign or transfer such Securities, by Indorsement on the Back thereof, or otherwise, to any Person or Persons whatsoever, and witnessed by Two Witnesses, and so toties quoties; and such Assignments and Transfers, after they shall be respectively entered in the Book or Books of the said Committees in Manner aforesaid, shall intitle the Person or Persons to whom they shall be respectively made, and his, her, and their respective Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned, or transferred and entered.

Houses situated beyond Turnpikes, exempted from Rates.

Provided also, and be it further enacted by the Authority aforesaid, That no Rate or Assessment shall be made or collected by virtue of this Act upon any Land, House, Tenement, or Hereditament, situate on the Outside of any Turnpike-gate, as the same is now fixed, whereat Toll is, by the said recited Act, passed in the Fifth Year of His present Majesty, authorised to be taken, or in any Road or Place not repaired or lighted by virtue of the said former Acts, or this Act, or such other Places as in the Opinion of the respective Committees, not less than

Three Persons, shall not be within the true Intent and Meaning of this Act.

First Rate to commence 25 *March* 1771.

And be it further enacted by the Authority aforesaid, That the first Rate or Rates, Assessment or Assessments, directed to be made as aforesaid, shall commence from the Twenty-fifth Day of March, One thousand seven hundred and seventy-one; and every future Rate or Rates, Assessment or Assessments, shall commence from the Time that the last preceding Rate or Rates, Assessment or Assessments ended, and not otherwise, and the Monies therein and thereby charged and assessed shall be payable and recoverable quarterly, in Manner herein after directed.

How empty Houses shall be assessed.

And be it further enacted, That where any of the Lands, Houses, Shops, Warehouses, Wharfs, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, within the respective Parishes and Places aforesaid, shall, at the Time of making any of the said Rates or Assessments, be empty, untenanted, or unoccupied, then, and in all such Cases, it shall and may be lawful for the said respective Committees to rate and assess such Premises at One Half of the Rates or Assessments herein before granted, during such Time only as such Premises, after making any such Rate or Rates, Assessment or Assessments respectively, shall be empty, untenanted or unoccupied; and One Half only of such Rate or Assessment shall be charged on such Premises respectively for and during so long Time as the same shall be empty, untenanted, or unoccupied; and in any of the Cases aforesaid, the said Rates or Assessments, and all Arrears due thereon respectively, shall be paid by the Owners, Proprietors, or Lessors, or by the first or any other Tenants or Occupiers thereof; and such Tenants or Occupiers shall and may, and is and are hereby respectively authorised to deduct and detain the same out of their Rent, and the Landlords or Owners of such Premises is and are hereby required to allow such Deductions and Payments upon Receipt of the Residue of their respective Rents; and the said respective Tenants or Occupiers shall be and are hereby acquitted and discharged of and from so much of their respective Rents as the Rates or Assessments, and all Arrears due thereon, and so paid by them respectively, shall amount unto.

Under-tenants, &c. liable to the Rates.

And whereas there are many Houses, Buildings, Lands, Grounds, Tenements, Hereditaments, and Premises within the Limits aforesaid, which are taken on Leases for Years, or otherwise, and by the Lessees or Tenants,

Tenants, and also by Landlords or Owners thereof, are let out in Parts or separate Apartments to Undertenants, and other Houses and Premises let ready furnished to Lodgers; be it therefore enacted by the Authority aforesaid, That the several Lessors, Landlords, Owners, or Proprietors, of all such Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, so let out, or which shall hereafter be let out in Parts or separate Apartments, or ready furnished to a Lodger or Lodgers, shall respectively be deemed and taken as the Occupier thereof, and shall be liable and subject to the Payment of the Rates or Assessments directed by this Act to be made, raised, and levied, according to the yearly Rent or Value of such Premises.

How those Rates shall be recovered.

And, for the more easy Recovery of such Rates or Assessments respectively, be it further enacted by the Authority aforesaid, That each and every Person so renting or occupying any such Part or separate Apartment as aforesaid, shall be liable and compellable to the Payment of the said Rates or Assessments, and all Arrears due thereon, to be recovered in Manner herein after directed; and the respective Occupiers who shall pay such Rates or Assessments, or any Arrears due thereon, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent, or any other Rent due and payable from him, her, or them to such respective Lessor or Landlord, Owner or Proprietor; and the Receipt for such Payment shall be a sufficient Discharge for all and every such Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or shall be levied on the Goods and Chattels of him, her, or them respectively, by virtue of this Act.

Rates for Houses of Ambassadors, &c. to be paid by Landlords, &c.

And be it further enacted by the Authority aforesaid, That every Rate, Tax, or Assessment, which shall be made, laid, or assessed by virtue of this Act, for or in respect of any Houses, Buildings, Lands, Grounds, Tenements, Hereditaments, Premises, which any Ambassador or Resident, Agent, or other publick Minister of any Foreign Prince or State, or the Servant of any such Ambassador, Resident, Agent, or publick Minister, or other Person not liable by Law to pay such Rate or Assessment, now doth, or hereafter shall inhabit, shall be paid by the Landlords, Lessors, Owners, or Proprietors, of all such Houses, Buildings, Lands, Grounds, Tenements, Hereditaments, or Premises respectively, who shall be liable and compellable to the Payment thereof, and

and the same shall be recovered in Manner herein after directed.

How publick Buildings and dead Walls shall be assessed.

And forasmuch as it is reasonable that all publick Buildings, dead Walls, and void Spaces of Ground should be rated and assessed for the Purposes of this Act; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Committees within their respective Parishes, Precincts, or Places, and they are hereby required, from Time to Time, to rate and assess all Parish-churches, Church-yards, Chapels, Meeting-houses, Schools, Inns of Court and Chancery, Halls, Societies, Markets, Warehouses, Wharfs, void Spaces of Ground, and all other publick Buildings whatsoever, situate, standing, lying, and being within their respective Parishes, Precincts, or Places, at a Rate not exceeding Sixpence in any One Year for every square Yard of Pavement paved or repaired, cleansed, and lighted, under and by virtue of this Act, or any other the said former Acts belonging to such Parish-church, Church-yard, Chapel, Meeting-house, Inn of Court and Chancery, School, Hall, Society, Market, Warehouse, Wharf, dead Wall, void Space of Ground, and other publick Buildings respectively whatsoever, and which are not charged by virtue of this Act by the Pound Rate, or otherwise, which Rate or Rates, Assessment or Assessments, to be laid upon such Parish-churches, Chapels, and Church-yards, shall be paid by the respective Church or Chapel-wardens; and the Rate or Rates, Assessment or Assessments, to be laid upon such Meeting-houses, Schools, Inns of Court and Chancery, Halls, Societies, Markets, Warehouses, Wharfs, dead Walls, void Spaces of Ground, and publick Buildings, shall be paid by the Owner or Owners, Proprietor or Proprietors thereof respectively; all which Rates or Assessments shall be recovered and applied as the other Rates hereby made payable are to be recovered and applied.

How Rates and Assessments in general shall be recovered.

And, for the better and more effectual recovering the said respective Rates and Assessments, be it further enacted by the Authority aforesaid, That in case any Inhabitant, Occupier, Owner, or Proprietor, or the Lessee of any Land, Ground, House, Shop, Warehouse, Wharf, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, within the Limits aforesaid, (and liable to pay any Rate or Assessment by virtue of this Act) shall refuse or neglect to pay the Money rated and assessed upon him, her, or them respectively, and all

Arrears due thereon, it shall and may be lawful to and for the respective Collectors of the said Rates or Assessments to collect and levy such Rates or Assessments, by Warrant under the Hands and Seals of any Two of His Majesty's Justices of the Peace for the said County of Middlesex, or City and Liberty of Westminster, as the Case shall be, and all Arrears due thereon, by Distress and Sale of the Goods and Chattels of the Party so neglecting or refusing to pay the same, which shall be found either within the said Parish, Precinct, or Place, or elsewhere; and if within Five Days next after such Distress shall be made, the said respective Rates or Assessments, and all Arrears due thereon, shall not be paid, together with the reasonable Charges of taking and keeping the same, the said respective Collectors shall cause the said Goods and Chattels to be sold, or such Part thereof as shall be sufficient to pay the said Rates or Assessments, together with all Arrears due thereon, and the reasonable Charges of making such Distress and Sale, returning the Overplus, and the Goods and Chattels remaining (if any be) to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

Collectors to account for Rates.

And be it further enacted by the Authority aforesaid, That the respective Collectors of the said Rates and Assessments, within the said respective Parishes, Precincts, or Places, shall, once in every Week, or oftener if the respective Committees shall so direct, pay all the Money which they shall, from Time to Time, collect and receive, into the Bank of England, or to such Banker or Bankers as the said Committees respectively, with the Approbation of the said Commissioners, or any Five or more of them, shall direct, (except only so much and such Parts thereof as are herein directed to be paid to the Commissioners, or their Treasurer, for Payment of the Monies agreed to be, by the said Commissioners, paid upon and pursuant to any and every the Contracts by them heretofore made and now subsisting, for repairing, lighting, and cleansing any of the Squares, Streets, Lanes, and Places aforesaid.

Collector to account on Oath.

And be it further enacted by the Authority aforesaid, That the said Collector shall, as often as thereunto required by any of the said Committees, not less than Three Persons respectively, make up true and perfect Accounts of all Money by such Collectors respectively received and paid in Pursuance of this Act, and deliver all such Accounts to the respective Committees, and verify the same upon Oath, (which Oath any Three Committeemen are hereby impowered to administer), and every such

Collector refusing or neglecting to make up and render such Account to the Committee requiring the same as aforesaid, and to verify the same upon Oath as aforesaid, or to pay over all such Monies as shall be remaining in his Hands, shall and may, by Warrant under the Hands and Seals of Two of His Majesty's Justices of the Peace for the City and Liberty of Westminster, or for the said County of Middlesex, as the Case shall be, upon Complaint to them made by any Three or more of the said Committee-men, and Proof thereof by the Oaths of Two or more credible Witnesses, (which Oath the said Justices are hereby authorised and impowered to administer) be committed to the common Gaol of the said City and Liberty, or of the said County, as the Case shall be, there to remain without Bail or Mainprize, until he the said Collector shall have made a fair and true Account, and until such Money as upon such Account shall appear to be remaining in his Hands shall be paid over by such Collector, or his Surety or Sureties, to such Person or Persons as shall be, by such Three or more Committee-men making such Complaint, appointed to receive the same; but the Commitment of such Collector to Gaol shall not acquit or discharge any Surety or Sureties, Security or Securities, that shall or may have been taken by or given to any Committee for the due and faithful Execution of the Office of Collector or Payment of Monies, to be by such Collector received by virtue of his said Office, or any Action, Suit, or Process, commenced or to be commenced, for Recovery of any Monies so received.

If Committees neglect to make Rates, then the Commissioners may do it.

And be it further enacted and declared by the Authority aforesaid, That if the Committee for any or either of the Parishes, Precincts, or Places included in this Act, shall omit or neglect to make any Rate or Assessment herein before authorised and directed to be made, and to raise the Money by this Act directed in Manner before mentioned, within such Parish, Precinct, or Place respectively, for the Space of Three Calendar Months, then the Commissioners for putting the said former Acts, and this Act, in Execution, may and shall make such Rates or Assessments, which ought to have been made by any such Committee as aforesaid, and cause the same to be collected and recovered, and Money raised thereupon, in such Manner as the said Committees might or ought to have done, any Thing herein before contained to the Contrary notwithstanding.

Persons having an Order from the

And be it further enacted by the Authority aforesaid, That it shall be lawful for any Person or Persons, having an Order under the Hands of the Commissioners, or any

any Two or more of them, or of Three or more Committee-men of each respective Parish, Precinct, or Place, for that Purpose, to inspect and take Copies or Extracts of any Books or Rates made for raising Money for Relief and Maintenance of the Poor within any Parish, Precinct, or Place, comprised in this Act; which Inspection, Copies, and Extracts, the Person or Persons having the Custody of such Books or Rates respectively are hereby required to permit and suffer to be made, without Fee or Reward, by such Person or Persons appointed as aforesaid, upon his or their producing such Order; and in case any Person or Persons, having the Custody of any Book or Rate, shall neglect or refuse so to do within Two Days after such Order shall be so produced, and shewn to him or them, or a Copy thereof left at his or their last most usual Place of Abode, he or they shall, for the First Offence, forfeit the Sum of Forty Shillings, for the Second Offence the Sum of Three Pounds, and for the Third and every other Offence the Sum of Five Pounds, to be levied and recovered in like Manner as Penalties and Forfeitures are, by the said Act of the Fourth Year of his present Majesty's Reign, to be levied and recovered, and shall be applied by the Committees for the Purposes of this Act, within the respective Parish, Precinct, or Place, in which every such Forfeiture shall be incurred.

Commissioners or Committees to inspect Poor's Rates.

And be it further enacted, That from and after the said Twenty-fifth Day of March, One thousand seven hundred and seventy-one, so much of the before-mentioned Act, made in the Second Year of the Reign of his present Majesty, and of all or any other of the before-mentioned Acts as authorises or impowers the said Commissioners to make any Rate or Rates, Assessment or Assessments, upon any Lands, Houses, Shops, Wharfs, Warehouses, Cellars, or any other Tenements or Hereditaments, within the several Parishes aforesaid, or to appoint Collectors of all or any such Rate or Rates, Assessment or Assessments, and also as authorises and impowers any Collector or Collectors, by them, or any of them, appointed, or employed, to collect, or levy any Rate or Rates, Assessment or Assessments whatsoever, within any of the Parishes, Precincts, and Places aforesaid, (except as herein is excepted) shall be, and is hereby repealed.

So much of former Acts as impowers the Commissioners to make Rates, repealed

Provided always, That the Collector or Collectors to the said Commissioners shall and may, nevertheless, continue to collect and levy all Arrears of any Rate or Rates, Assessment or Assessments, already rated or assessed by virtue of the said recited Acts, or any of them, by such and the

Collectors appointed by the Commissioners may continue to collect Arrears of former Rates.

same Ways and Means, and in such and the same Manner, as they could or might have done in case this Act had not been made; and that the Money to arise by such Arrears shall, from Time to Time, be paid, applied, and disposed of, for discharging all Debts, Charges, and Expences, incurred by the Commissioners before, and until the Twenty-fifth Day of March, One thousand seven hundred and seventy-one, for the Purposes of the said former Acts; and if any Surplus shall then after arise, the same shall be applied to the same Uses and Purposes as the Monies hereby directed to be rated and assessed within such Parishes, Precincts, and Places respectively, are herein directed to be applied and disposed of, and to no other Use or Purpose whatsoever.

How Arrears of Scavengers Rates shall be collected.

Provided always, and it is hereby enacted and declared, That all and every the Arrears and growing Payments of all and every the Rate and Rates heretofore made for raising Money for or towards paying the Charges and Expences of any Scavenger or Scavengers, for sweeping and cleansing the Streets, Lanes, and Passages, and for carrying away the Dirt, Soil, and Ashes arising, or to arise, or to be made within any of the Parishes, Precincts, and Places subjected to the Powers of this Act, which now are or hereafter shall be or become due or payable until, and at or upon, the Twenty-fifth Day of March, One thousand seven hundred and seventy-one, shall and may be collected and levied by such Person and Persons, and in such Manner, and by such Ways and Means, and shall and may be applied and disposed of to such Uses and Purposes as the same might or could have been collected or applied and disposed of in case this Act had not been made; any Thing herein contained to the Contrary notwithstanding.

Interest of Money and all other Payments shall be certified by the Committees to the Commissioners.

And be it further enacted by the Authority aforesaid, That all and every the Payments of Interest of Monies borrowed, and all Payments to be made upon and for all and every Contract and Contracts herein and hereby directed to be made, and all Salaries, Payments and Allowances, Charges and Expences whatsoever, to be made and given for any Thing to be done or contracted for, by each and every the said Committees to be chosen as aforesaid, shall be first certified to the said Commissioners by each of the said Committees respectively, by Writing under the Hands of Three or more of the Committee-men, and delivered to the said Commissioners, or their Clerk, at the next or some other subsequent Meeting

ing of the said Commissioners, with the several Bills of Particulars relating thereto, and thereupon the said Commissioners (not having any just and reasonable Cause to the Contrary) shall, and are hereby directed and required, within Twenty-one Days after the Delivery of every such Certificate, to make an Order for Payment of the Sum and Sums of Money to be specified in such Certificate, and sign a Draught or Order on the proper Cashier or Officer of the Bank of England, for Payment thereof at Sight; every such Order to be signed by Three or more of the said Commissioners.

Persons may recover Money certified by the Committees, unless some just cause to the Contrary.

And be it further enacted by the Authority aforesaid, That if for and upon any Sum or Sums of Money which shall become due and payable for Interest of Monies to be borrowed as aforesaid, or for or on account of any Contract or Contracts to be made by any of the said Committees, and confirmed by the said Commissioners as aforesaid, or for any incidental Charges and Expences relating to the putting in Execution any of the Powers of this Act, or to or for any Salaries, or other Payments or Allowances to be made and given pursuant to this Act, such Certificate for Payment thereof being so made and delivered as aforesaid, the said Commissioners (not having and declaring some just and reasonable Cause to the Contrary) shall not, within Twenty-one Days next after the Delivery of such Certificate, make and sign an Order for Payment of the Monies to be specified or expressed in such Certificate, it shall and may be lawful to and for the Person or Persons to whom the Monies in and by such Certificate are expressed to be due or payable, to commence, maintain, and prosecute an Action or Actions in any of His Majesty's Courts of Record at Westminster, against any Two or more of the said Commissioners, but not against the Committee, or any of them; and in such Action no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Commissioners shall not be charged with more Money from any Parish than they shall have received from such Parish.

Provided always, and it is hereby further enacted and declared, That nothing herein contained shall extend, or be construed to extend, to charge the said Commissioners with, or for any Monies to be paid to any Person or Persons, upon the Certificate or Certificates of the Committee of any of the Parishes, Precincts, or Places, subjected to the Powers of this Act, more than and beyond the Amount of what shall have been paid into and remaining in the Bank of England, in the Name of the Commissioners, by and on the Account of the Committee or Com-

mittees of the particular Parish, Precinct, or Place, for which the Monies mentioned in such Certificate or Certificates shall be payable, any Thing herein contained to the Contrary notwithstanding.

The Commissioners shall keep separate Accounts of Money received from each Parish.

And be it further enacted, That the said Commissioners shall, and are hereby required, from Time to Time, to cause separate and distinct Accounts to be kept of all Monies paid into the Bank of England, or to the Treasurer to the said Commissioners, by the Collectors of each respective Parish, Precinct, or Place, subjected to the Powers of this Act, and of all other Monies deposited or paid into the Bank of England, in the Names and in the Manner aforesaid, on the Account of every such Parish, Precinct, or Place, and how and to what particular Uses the same have been applied; and such Accounts shall be made up One in every Year, and a true Copy or Copies thereof, signed by the Clerk to the said Commissioners, shall be transmitted to the Vestry Clerk of each respective Parish, Precinct, or Place, between Christmas and Ladyday, in every Year, to be by him laid before the Vestry at their next Vestry Meeting, and all the Monies raised, collected, borrowed, and received, within the said Parishes, Precincts, and Places respectively, shall, from Time to Time, be laid out and expended for the Purposes of the said recited Acts, and this Act, within each respective Parish, Precinct, or Place where such Monies shall be raised, collected, borrowed, or received, and not elsewhere, except as is herein before directed, and except also the Salaries of the proper Officers of the said Commissioners, and the contingent Expences of the said Commission.

Committees to transmit to Commissioners once a Year the true Amount of all Monies rated within each Parish.

And be it further enacted, That the said Committees respectively shall, and are hereby required, at Ladyday and Michaelmas in every Year, or within One Month then next following, to transmit to the said Commissioners, Abstracts, or Extracts, signed by their Clerks respectively, containing the true Amount of all Monies by the said Committees respectively rated and assessed, and at how much in the Pound, and of the Amount of so much of all and every such Rates as shall appear to them to be collected and received, and in Arrear and unreceived, and of all Monies borrowed on the Securities of every the said additional Rates.

Salaries of the Commissioners Officers, and the Expences of the Commission, how to be paid.

And in order to the ascertaining and paying the several Proportions of every the Salaries of the Officers of the Commissioners, and other contingent Expences of the Commission, be it enacted, That the said Commissioners shall, and they are hereby directed, annually, or oftener, by

by Writing ſigned by their Clerk, to ſignify and inform all and every the ſeveral Committees to be choſen as aforeſaid, of the right and true Proportion to be paid by each of the ſaid Pariſhes, Precincts, and Places reſpectively, to make good the ſaid Salaries and contingent Expences, in proportion and according to the Amount of all the Monies to be raiſed by the Rates to be made by virtue of this Act, for repairing, lighting, and cleanſing; ſuch Writing to be delivered to, or left for the reſpective Clerks to each and every the ſaid Committees, and by ſuch Clerks laid before the reſpective Committees at their next Meeting, after the ſame ſhall be ſo delivered or left; and thereupon each and every of the ſeveral Committees reſpectively, within Fourteen Days next after every ſuch Writing ſhall be ſo laid before them, ſhall, and are hereby required to cauſe their Certificate or Allowance in Writing, ſigned by Three or more of them, to be tranſmitted to the Commiſſioners, or their Clerk, ſignifying the Conſent of the ſaid Committee, that the Commiſſioners may make an Order or Draught to or upon the Bank of England, or Banker to be appointed as aforeſaid, as the Caſe ſhall be, for Payment of the reſpective Proportion or Share ſo aſcertained out of the Monies ariſen by the Rates as laſt aforeſaid; and ſuch Share or Proportion ſo certified may be paid by virtue of ſuch Certificate or Allowance, and Order, ſo made and ſigned, and not otherwiſe.

Saint Margaret and *Saint John* to be One Pariſh for the ſeveral Purpoſes of the Act;

Provided always, and be it enacted and declared, That, for the ſeveral Purpoſes of this Act, the Pariſhes of Saint Margaret and Saint John the Evangeliſt ſhall, in all Reſpects, be conſidered as One Pariſh only, and that Three-fifths, as near as may be, of the Committee-men to be choſen and appointed for the ſaid united Pariſhes, ſhall be Inhabitants reſiding within the ſaid Pariſh of Saint Margaret; and the remaining Part of them ſhall be Inhabitants reſiding within the ſaid Pariſh of Saint John the Evangeliſt; and that the Committee-men ſo choſen for the ſaid united Pariſhes ſhall be conſidered as One Committee only, who are to meet and act in Conjunction for the ſaid united Pariſhes; and that all Meetings of the ſaid Committee-men ſhall, from Time to Time, be held in the Veſtry-room of the ſaid Pariſh of Saint Margaret, and at no other Place.

and the Committee-men for thoſe Pariſhes are jointly to make Rates.

And be it further enacted, That all the ſaid Committee-men to be choſen and appointed for the ſaid united Pariſhes ſhall, and they are hereby authoriſed and required, from Time to Time, to make all ſuch Contracts as ſhall be

be directed to be made by the said Commissioners for the Purposes of this Act, within the said united Parishes, and also all Rates and Assessments which shall be necessary to be made within the said united Parishes for paving, repairing, lighting, and cleansing the Squares, Streets, Lanes, and other Places therein, and all other the necessary Purposes of the said former Acts, or of this Act; and the said Committee-men shall have full Power and Authority to do and perform all other Matters and Things, which any other Committee-men are by this Act authorised to do and perform, within any of the Parishes and Places within the Limits of this Act; and the said Rates and Assessments, when raised or levied, together with all Monies which the said united Parishes may hereafter be intitled to, for the better carrying on and compleating the several Works to be done by virtue of this Act, shall be added together, and made One common Stock or Fund, and be issued and applied for the Benefit of the said united Parishes, as the said Committee-men, at any of their Meetings to be held as aforesaid, shall, from Time to Time, think fit to order and direct; and the said Committee-men are hereby authorised and required in the Appointment of their Officers, to consider the said united Parishes as One Parish only, for the Purposes of this Act, any Thing in this Act contained to the Contrary thereof in any-wise notwithstanding.

How Commissioners and Committee-men shall be chosen for *Saint Giles* and *Saint George Bloomsbury*.

And for the better and more effectually carrying the said former Acts, and this Act, into Execution, within the said Parishes of Saint Giles in the Fields, and Saint George Bloomsbury, it is hereby enacted and declared, That for and notwithstanding any Thing herein contained to the Contrary thereof, the Commissioners and Committee-men to be elected or chosen in and for the said respective Parishes, shall, at all Times hereafter, be elected or chosen by the respective Vestry-men of the said Parishes, at distinct Meetings to be held in their separate Vestry-rooms; and the Committees, when elected or chosen as aforesaid, shall, from Time to Time, assemble and meet together in the Vestry-room of the said Parish of Saint Giles in the Fields, to and for the Purposes of making all and every the said Rates or Assessments, and for every Purpose concerning the repairing, cleansing, and lighting the several Squares, Streets, Lanes, and other Places within the said respective Parishes, and for exercising all and every other the Powers and Authorities hereby granted, except as herein-after is mentioned; and that with respect to the Rate or Rates, Assessment or Assessments, herein

herein before directed to be made, for the Purposes of repairing, cleansing, and lighting the several Squares, Streets, Lanes, and other Places within the said respective Parishes, and for all and every other the Purposes of this Act, and the said former Acts, the said Two Parishes shall be deemed and taken to be One Parish, and the Committees thereof shall act in conjunction, and be considered as One Committee to all Intents and Purposes whatsoever, except as herein-after is mentioned.

Rates in *Saint Giles* and *Saint George*, to be placed to the separate account of each Parish.

Provided nevertheless, and it is hereby further enacted, That the several Sums of Money to be raised by the additional or further Rate or Rates, Assessment or Assessments, within each of the said Parishes of Saint Giles in the Fields, and Saint George Bloomsbury, shall be placed to the separate Account of the Parish in which the same shall be collected or received, to and for the Uses for which the same was so rated or assessed; and each of the said respective Committees shall have full Power and Authority, at Meetings to be held at their respective Vestry-rooms, to assign so much of the said additional Rate or Rates, Assessment or Assessments, as shall be laid, rated, or assessed within their separate Parish, as a Security or Securities for the several Sum or Sums to be by them respectively borrowed or taken up at Interest by virtue of the Powers hereby granted, and according to the Directions herein-before contained, which said Sum or Sums, and all other Monies which the said respective Parishes shall or may raise, collect, or receive by virtue of the said additional Rate or Rates, Assessment or Assessments, shall be deposited in the Bank of England, and placed to the separate and distinct Account of the respective Parish whereon the same was, were, or shall be borrowed, rated, or assessed; and after Payment of the Interest of the Money to be so borrowed, the Residue of the Money arising by the said additional Rate or Rates, Assessment or Assessments, shall be, by the said respective Committees, at Meetings to be held at their respective Vestry-rooms, separately, distinctly, and without the Interposition of each other, applied in and about the new-paving any Part or Parts of their said respective Parish, according to the Powers and Directions of this Act.

So much of the Parish of *Saint Andrew, Holborn*, above the Bars, and *Saint George the Martyr*, to be united for the Purposes of this Act.

Provided always, and be it enacted and declared, That for the several Purposes of this Act, so much of the Parish of Saint Andrew, Holborn, as lies above the Bars, in the County of Middlesex, and the Parish of Saint George the Martyr, in the said County, shall, in all Respects, be considered as One Parish only; and that the

Committee-men to be chosen and appointed for such Part of the said Parish of Saint Andrew, Holborn, as lies above the Bars, shall be Inhabitants residing within that Part of the said Parish, and the Committee-men to be chosen and appointed for the Parish of Saint George the Martyr, shall be Inhabitants residing within the said Parish of Saint George the Martyr, and that the said Committee-men so to be chosen as aforesaid shall be considered as One Committee only, and shall meet, and at all Times hereafter act, in conjunction for so much of the said Parish of Saint Andrew, Holborn, as lies above the Bars, and for the said Parish of Saint George the Martyr, and that all Meetings of the said Committee-men shall, from Time to Time, be held at the Workhouse belonging to such Part of the said Parish of Saint Andrew, Holborn, as lies above the Bars, and at no other Place.

How the Committee-men within Parishes shall make their Rates.

And be it further enacted, That all the said Committee-men to be chosen and appointed for the said united Parishes shall, and they are hereby authorised and required, from Time to Time, to make all such Contracts as shall be directed to be made by the said Commissioners for the Purposes of this Act, within the said united Parishes, and also all Rates and Assessments which shall be necessary to be made within the said united Parishes, for paving, repairing, lighting, and cleansing the Squares, Streets, Lanes, and other Places therein, and all other the necessary Purposes of the said former Acts, or of this Act; and the said Committee-men shall have full Power and Authority to do and perform all the Matters and Things, which any other Committee-men are by this Act authorised to do and perform, within any of the Parishes and Places within the Limits of this Act; and the said Rates and Assessments, when raised or levied, together with all Monies which the said united Parishes may hereafter be entitled to, for the better carrying on and compleating the several Works to be done by virtue of this Act, shall be added together and made One common Stock or Fund, and be issued and applied for the Benefit of the said united Parishes, as the said Committee-men, at any of their Meetings to be held as aforesaid, shall, from Time to Time, think fit to order and direct; and the said Committee-men are hereby authorised and required, in the Appointment of their Officers, to consider the said united Parishes as One Parish only, for the Purposes of this Act; any Thing in this Act contained to the Contrary thereof in any-wise notwithstanding.

Provided

Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to any Square, Street, or Place, which has been paved, cleansed, and lighted, under the Clauses in the said Act made in the Fifth Year of His present Majesty, impowering the Inhabitants of any particular Square, Street, or Place, to raise a Sum sufficient to new-pave the same, and enabling the Commissioners to assign the Rates or Assessments made upon such Square, Street, or Place, as a Security for the Repayment of such Money with Interest; but that all such Squares, Streets, and Places, shall continue under the Direction of the said former Act, in the same Manner as if this Act had not been made. This Act not to extend to the optional Streets.

And whereas the Liberty of the Rolls is included within the Provisions of the said former Acts, and ought to be included in this Act, be it therefore further enacted by the Authority aforesaid, That the Commissioners appointed and elected, or to be appointed and elected by virtue of the said former Acts, any or either of them, and of this Act, shall, over and above the Powers given by the said former Acts, have full Power and Authority to pave and repair, light, and cleanse the Streets, Lanes, and Places, within the said Liberty of the Rolls, and to make, collect, and recover the like Rates or Assessments, and to put this Act in Execution therein, as fully and effectually as the same can be done by the Commissioners or Committees appointed to put this Act in Execution within the several Parishes, Precincts, and Places included in this Act; and the said Liberty of the Rolls shall bear a due Proportion with the said Parishes, of the Expences to be provided for by this Act. The Liberty of the Rolls included.

And whereas the Street or Place called Heming's Row, in the said Parish of Saint Martin in the Fields, is a great Thoroughfare, the Passage through Part whereof having been hitherto narrow, inconvenient, and dangerous, by means of a Wall and some Buildings belonging to the said Parish, which have lately been pulled down in order to the Building a new House for the Reception and Maintenance of the Poor of the said Parish, which new House hath been set back from where the said Wall stood at the Distance of Ten Feet, or thereabouts; and in order to the widening the said Street called Heming's Row, and rendering the same commodious for the future, it hath been proposed, on the Behalf of the Vicar, Churchwardens, and Inhabitants of the said Parish in Vestry assembled, that the said Ground, and other the Ground belonging to them, being Two hundred The South Side of *Heming's Row* to be paved.

and Five Feet long, and Ten feet wide, or thereabouts, now lying near to, and appearing to be Part of the said Street, shall, for ever hereafter, be Part of the said Street; be it therefore enacted by the Authority aforesaid, That from and after the passing this Act, the Ground last mentioned shall thenceforth for ever lie open to and be deemed and taken to be Part of the said Street, and shall be paved or repaired, lighted, and cleansed as such, under and by virtue of the Powers of this Act; and that the Churchwardens and Overseers of the Poor of the said Parish shall thenceforth for ever be exempted and discharged from all Expences of repairing, paving, lighting, and cleansing the said Street or Place called Heming's Row, and of and from all and every Rate and Rates hereafter to be made in pursuance of any of the said recited Acts, or this Act, for and in respect of the said Street or Place called Heming's Row.

Churchwardens exempted from contributing.

Proviso. Provided nevertheless, That nothing herein contained shall exempt any other Person or Persons whomsoever from the Payment of all or any of the Rate or Rates to be made as last aforesaid, for and in respect of any Part or Parts of the said Street called Heming's Row.

The Posts in *Church Passage*, not to be taken away; And whereas at the North and South Ends of a certain Passage or Place in the said Parish of Saint James, leading out of Piccadilly into Jermyn Street, commonly called or known by the Name of Church Passage, there are Posts set up to prevent the Admission or passing of Carriages (one Side of the said Passage being Part of the Cemetery or Burial Ground belonging to the said Parish); be it therefore enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to authorise or impower the said Commissioners or Committees, or either of them, or any other Person or Persons by them employed, to take up or remove all or any of the Posts which now are or hereafter may be set up either at the North or South End of the said Passage, by Order of the Vestry of the said Parish of Saint James; but that the same shall, at all Times hereafter, be and remain in such Manner as the said Vestry shall direct, provided the same do not obstruct Passengers on Foot.

nor the Posts and Porters Block near *Savile Row*. And be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to impower the said Commissioners or Committees, or either of them, or any other Person or Persons by them employed, to take down or remove the Porters Block, or to take up or remove the Posts belonging thereto, or any the Posts now standing and being

at or near a Place called Vigo Lane, leading from the Top of Sackvile Street to Savile Row.

nor those in *King Square Court* Passage.

And be it further enacted, That nothing in this Act, or any or either of the said former Acts contained, shall extend to authorise or impower the said Commissioners, or the Committee of the Parish of Saint Anne within the Liberty of Westminster, or any of them, or any Person or Persons by them employed, to take up or remove the Posts which are now standing at the North End of a Passage leading from the West End of King's Square Court to Chapel Street, in the said Parish of Saint Anne, or which may hereafter be there set up, so as the same do not obstruct or prevent Persons passing on Foot through the said Passage; any Thing in this Act, or any or either of the said former Acts, contained to the Contrary thereof in any-wise notwithstanding.

Two Commissioners may put up Chains, *&c.* at certain Times in *Maddox Street* and *Mill Street*.

And whereas by Reason of the great Concourse of Coaches, and other Carriages in Maddox Street and Mill Street, within the Parish of Saint George, Hanover Square, upon Sundays, and great Holidays, it frequently happens that the Inhabitants and Parishioners are very much disturbed and interrupted in the Time of Divine Service; be it further enacted, That the said Commissioners, or any Two or more of them, may order and direct any Bars or Chains to be erected and placed across the said Streets called Maddox Street and Mill Street, during the Time of Divine Service, and for the Space of One Hour before and One Hour after, or may take any other Method for preventing the passing and repassing of Coaches, during such Time as they shall think fit and proper.

Commissioners vested with Power to remove Annoyances in Streets not paved.

And be it further enacted by the Authority aforesaid, That the said Commissioners shall have, and they are hereby vested with, all the Powers and Authorities for removing Nuisances, Annoyances, and Obstructions, and otherwise regulating the several Squares, Streets, Lanes, and Places, within the Limits of the said recited Acts, which have not been already new-paved or compleated by virtue of the said Acts, as by the said Act, passed in the Second Year of his present Majesty, they are vested with, in the Squares, Streets, Lanes, and Places, that have been new-paved or compleated under their Direction.

To prevent taking away Night Soil but between certain Hours.

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall come with any Cart or Carts, or begin to empty any Boghouse or Boghouses, or to take away any Night Soil from any House or Houses within the Limits aforesaid, before the Hour of Twelve of the Clock at Night, or

shall continue to take away the same after the Hour of Six in the Morning, from Michaelmas to Lady-day, or after the Hour of Five of the Clock from Lady-day to Michaelmas, or if any Person shall put or cast, or cause to be put or cast, out of any Cart, Tub, or otherwise, in or near any of the Squares, Streets, Lanes, Courts, Yards, Mews, Alleys, Passages, and Places within the Limits aforesaid, or within half a Mile thereof, any such Night Soil, it shall and may be lawful to and for any Constable, Beadle, or Watchman, (and they are hereby strictly required and directed so to do) or any other Person or Persons whatsoever, to apprehend and carry him or them guilty of either of the said Offences to such Watch-house as they shall think most convenient, there to be kept, and from thence conducted as soon as conveniently may be, before some Justice of the Peace for the said County or City, and Liberty of Westminster, as the Case shall be, who, upon Oath made of such Offence or Offences as aforesaid, (which Oath such Justice is hereby impowered and required to administer) shall and may commit such Person or Persons, guilty of any of the said Offences, to the House of Correction for the said County or City, and Liberty of Westminster, for any Time not exceeding Three Months, nor less than Ten Days, there to be kept to hard Labour: And it shall and may be lawful to and for the said Commissioners, at any Meeting to be held in pursuance of this Act, to order any Sum not exceeding Twenty Shillings, nor less than Five Shillings, to be paid to the Person who shall detect, apprehend and convey before any such Justice or Justices of the Peace, any such Person or Persons guilty as aforesaid, to be paid out of the Rates to be raised by virtue of this Act.

Contingent Expences incurred how to be defrayed.

And, for as much as it may sometimes happen, that as well the said Commissioners as the said Committees may be necessarily and unavoidably put unto, bear and suffer, some Costs, Charges, and Expences, not provided for by any of the said former Acts or this Act, in and about the enforcing the Performance of Contracts, and otherwise; be it further enacted, That it shall and may be lawful to and for the said Commissioners, by virtue of any Certificate or Allowance of the Committee of the Parish, Precinct, or Place, wherein or in respect of which any such Costs, Charges, or Expences shall have been incurred, (the said Committee, or Five or more of them, at any of their publick Meetings, being the Majority of the Committee-men then met) to be signed as aforesaid, to make an Order or Draught on the Bank of

England, or Banker as aforesaid, for Payment of all or any such Costs, Charges, and Expences, by and out of the Monies deposited or paid into the Bank, or to the Banker, on the Account of such respective Parish, Precinct, or Place.

Charges of obtaining this Act, and of certain Applications to Parliament in the last Session, how to be paid.

And be it further enacted by the Authority aforesaid, That the Commissioners appointed by and in pursuance of all or any of the before-recited Acts, by and out of any Monies in the Hands of their Treasurer (other than and except such Monies as have arisen from or by Means of the said Clause), commonly called the Optional Clause, shall and may defray and satisfy the Charges and Expences by them incurred in and about the obtaining and passing this Act; and that every the several Committees to be chosen pursuant to the Directions of this Act, by and out of the first Monies to be by them severally and respectively assessed and raised, within their several and respective Parishes, Precincts, and Places, shall and may defray and satisfy the Share or Proportion of every the said Parishes, Precincts, and Places, of the Charges and Expences which such Parishes, Precincts, and Places respectively have borne, sustained, or been put unto in or about their several and respective Applications to the Honourable House of Commons, touching this present Act, and also touching any Bill or Bills, which, in the last Session of Parliament, was or were brought into the said House by any or either of the said several Parishes, Precincts, and Places, to the Intent to enable certain Commissioners to be appointed in and for such Parishes separately, and exclusively of all others, to pave, light and cleanse their own Parishes only.

Proceedings not to be charged with Stamp Duty.

And be it further enacted, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, or Assignment, Transfer or other Security for the borrowing of Money, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by any Committee or Committees, Commissioner or Commissioners, for putting the said former Acts, or any of them, or this Act, in Execution, or by any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of any of the Powers or Authorities thereby or hereby vested in such Committee or Committees, Commissioner or Commissioners, or Justice or Justices of the Peace, or any of them, or Transfer or Assignment of any of the Securities aforesaid, made by any Person or Persons, shall be charged or chargeable with any Stamp Duty whatsoever.

Provided

Appeal may be made.

Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, made in pursuance of this Act, every such Person or Persons may, and shall first apply for Relief to the Committee of the Parish, Precinct, or Liberty wherein the Cause of Complaint is supposed to have arisen, at the First or Second Meeting of the said Committee, next after Demand made of such Rate or Rates, Assessment or Assessments; and the said Committees respectively are hereby authorised and impowered, if they shall see Cause so to do, to give such Relief, or make such other Order in the Premises as to them shall seem meet; and in case the Party or Parties so applying for Relief shall not be satisfied with the Order and Determination of the said Committee, he, she, or they shall and may apply and appeal for Relief to the Commissioners at their First or Second Meeting next after such Determination of the said Committee in the Premises, giving to the said Committee, or their Clerk, Six Days Notice of such Appeal; and the said Commissioners shall and may, and are hereby enabled and impowered thereupon, to hear, determine, and make such Order therein, as to them shall seem meet; and if the Party or Parties appealing shall be dissatisfied with the Order and Determination of the said Commissioners, yet nevertheless he, she, or they shall be obliged to pay the Rate or Assessment complained of, according to the Order of the said Commissioners in the Premises, and shall and may thereafter, and not before, appeal to the Quarter Session of the Peace to be holden in and for the said County of Middlesex, or City and Liberty of Westminster, as the Case shall be, within Three Months next after such Determination of the said Commissioners, such Appellant first giving, or causing to be given, Six Days Notice at least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk to such Committee, and within Four Days next after such Notice entering into Recognizance before some Justice of the Peace for such County, or City, and Liberty of Westminster, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Quarter Session; and the said Justices, at such Quarter Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary

mary 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 Justices, at their Quarter Session, shall be final, binding, and conclusive.

Distress not deemed unlawful.

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 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 only, in any Action on the Case.

Proceedings not to be quashed for want of Form,

And be it further enacted by the Authority aforesaid, That no Rate or Rates, Assessment or Assessments, or any Proceeding to be had, touching any Order made, or any other Matter or Thing to be done or transacted in or relating to any such Complaint or Appeal, or any Order or Determination thereon, shall be quashed or vacated for want of Form, or be removed into any of His Majesty's Courts of Record at Westminster by Certiorari, or by any other Writ or Process whatsoever; any Law, Statute, or Usage to the Contrary notwithstanding.

Plaintiff shall not recover, if sufficient Amends tendered.

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, every or any such Irregularity, Trespass, or wrongful Proceeding, 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 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 Order and Judgement shall be had, made, or given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Commissioner or Commissioners, or any other Person or

Persons acting under them, or against any Committee-man or Committee-men, or other Person or Persons acting under any of the said Committees, for any Thing done in pursuance of this Act, until after the Expiration of Twenty-one Days next after Notice thereof shall be given in Writing to the Clerk of the said Commissioners, or Clerk to the said Committee, as the Case shall be, or after sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be brought; and every such Action shall be brought, laid, and tried in the County of Middlesex, and not elsewhere; and that the Defendant or Defendants, and every of them, in every such Action and Suit, may plead the General Issue, and give the Special Matter in Evidence at any Trial or Trials to be had thereupon; and that the Matter or Thing for which such Action or Suit shall be so brought, was done in pursuance and by the Authority of this Act; and if 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 the Expiration of Twenty-one Days after Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if such Action or Suit was not commenced within the Time before limitted for that Purpose, or shall be laid in any County or Place other than the said County of Middlesex, then the Jury 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 Suit, shall become nonsuited, or suffer a Discontinuance of such Action or Suit, or if upon any Demurrer in such Action or Suit, Judgement shall be given for the Defendant or Defendants, 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.

General Issue.

Treble Costs.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same, or giving the same in Evidence.

FINIS. 3