ANNO UNDECIMO

Georgii III. Regis.

CAP. XXIII.

An Act for paving and regulating *Rosemary Lane*, from the Parish of *Saint Botolph, Aldgate*, to *Cable Street*; also the said *Cable Street*, the Foot-path in *Back Lane*, Part of the Precinct of *Well Close*, the Street leading from *Nightingale Lane* to *Ratcliff Cross*, *Butcher Row*, and *Brook Street*, and the several Streets, Lanes, and Passages opening into the same; and for removing all Obstructions and Annoyances therefrom, and preventing the like for the future.

WHEREAS the several Streets, Lanes, and Part of the Precincts hereinafter mentioned, (that is to say) Rosemary Lane, from the Boundary of the Parish of Saint Botolph, Aldgate, to Cable Street, the said Street called Cable Street, the Foot-path of the Back Lane, to the Turnpike-gate in Cannon Street Road, Part of the Precinct of Well Close, the Street leading from Nightingale Lane, in East Smithfield, to Ratcliff Cross, the Street called Butcher Row, and Brook Street, Preamble.

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Street, in the Hamlet of Ratcliff, all which are in the Tower Hamlets, and County of Middlesex; and also the several Streets, Lanes, Passages, and Places, opening immediately into the above-mentioned Streets, Lanes, and Precinct, are very ill-paved, and the Passage through the same greatly obstructed by Posts, Projections, and other Nuisances, and annoyed by Spouts, Signs, and Gutters, and the present Methods prescribed by Law are found ineffectual for removing such Annoyances and Obstructions; and for the proper paving of such Streets, Lanes, Precinct, Passages, and Places, and keeping such Pavements in sufficient Repair: And whereas there is a Doubt whether some Part of Rosemary Lane is comprehended within a certain Act of Parliament, made and passed this present Session, intituled, An Act for better paving the Streets, Squares, Lanes, Courts, Alleys, Ways, and other Publick Passages in that Part of *Goodman's Fields*, which lies in the Parish of *Saint Mary Matfellon*, otherwise *Whitechapel*, in the County of *Middlesex*, and also *Red Lyon Street* and *White Lyon Street*, lying contiguous to the said Fields, and for removing and preventing Nuisances, Annoyances, and Obstructions therein: 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, That John Shakespear, Robert Pell, Samuel Dickenson, William Wilson, Charles Bowles, James Savage, Claus Heide, Jens Pedersen, Edward Hawkins, John Sherwood, Charles Merry, Esquires; Robert Brownson, William Moor, Richard Maddock, Robert Clark, Joseph Cox, David Bland, Robert Lackland, Joseph Hall, Abraham Peakes, Henry Ripp, Henry Mayo, William Blacknore, Abial Home, Theophilus Pretzler, Thomas Quintin, Charles Jerdein, James Thwaites, John Bristow, Joseph Jollands, Philip Splidt, William Pell, James Caney, John Robinson, James Aspinal, John Pain, Thomas Bradshaw, James Robinson, Robert Heathcote, William Saunders, William Cooke, Joseph Bird, Daniel Bott, David Trinder, John Fleming, Richard Cole, James Henley, John Matthews, Samuel Patten, John Philipps, Matthew Whiteing, Thomas Burrow, Henry Goodwin junior, Samuel Hawkins, William Hill, Carsten Rhode, Major Rhode, Richard Russel senior, Richard Russell junior, Thomas Cogan, Daniel Jenkinson, John Jenkinson, William Robinson, George Behorne, Richard Vaux, William Harvey, Robert Calendar, Charles Hillar, Joseph Dizington, and Aaran Clinker, Gentlemen; shall be, and they and

Commissioners Names.

their Successors, to be elected in Manner herein after mentioned, are hereby appointed Commissioners for putting this Act in Execution: And in case of the Death of any of the above-named Commissioners, or Refusal to act, or neglecting to attend, at the Meetings of the said Commissioners, which shall be held in pursuance of this Act, for the Space of Twelve Months, (unless prevented by Sickness, or other unavoidable Occasion) it shall be lawful for the surviving or remaining Commissioners, or any Nine or more of them, from Time to Time, by Writing under their Hands and Seals, to elect one other Person, inhabiting within the said District, to be a Commissioner, in the Room and Stead of such Commissioner so deceased, removed, or refusing to act, or neglecting to attend, within the Time aforesaid, Ten Days publick Notice of the Time and Place of Meeting, for every such Election, being given, by affixing the same in Writing on the principal Doors of the respective Parish Churches following; (that is to say), of Saint Mary, Whitechapel; Saint George, Saint Paul, Shadwell; and Saint Dunstan, Stepney, in the County aforesaid; and such other Places within the District aforesaid as the said Commissioners, or any Five or more of them, shall direct; and every Person so elected shall be, and is hereby vested with the same Powers for putting this Act in Execution, as the Person in whose Place he shall be elected was vested with.

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

Ten Days Notice to be given of such Election.

And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall then be, in his own Right, or in Right of his Wife, in the actual Possession, or Receipt of the Rents of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, or possessed of, or intitled to a Personal Estate of the Value of One thousand Pounds: And if any Person, not being so qualified, shall presume to act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same, to be recovered in any of his Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill or Suit or Information, together with Costs of Suit, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance shall be allowed; and wherein the Proof of Qualification shall lie on the Person prosecuted; and it shall be sufficient, on the Part of the Prosecutor, to prove that the Person so

Qualification of Commissioners.

Penalty on acting if not qualified, 50 l.

prosecuted had acted as a Commissioner in the Execution of this Act.

Victuallers incapable of acting as Commissioners.

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

Time and Place of Commissioners first Meeting,

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall meet together, at the House known by the Name or Sign of the White Swan, opposite Old Gravel Lane, in Ratcliff Highway, within the District aforesaid, on the Second Monday next after the passing of this Act,

who may adjourn;

and proceed to put this Act in Execution; and they, or any Two or more of them (being the Whole or major Part of the Commissioners appearing) at such Meeting, are hereby impowered to adjourn themselves from Time to Time, to meet at the same or other convenient Place within the District aforesaid, as they shall think proper for putting this Act in Execution: And if at any Meeting so

or in Default thereof the Clerk may appoint a Meeting;

appointed there shall not appear a sufficient Number of Commissioners to act, or to adjourn to another Day, or if the said Commissioners shall at any Time omit, neglect, or refuse to adjourn themselves; then, and in every such Case the Commissioners Clerk shall appoint a Meeting of the said Commissioners, at the same Place, by

giving Notice in Writing.

publick Notice in Writing, to be affixed, at least, Six Days before the Time appointed by such Notice for such Meeting, on the principal Doors of the respective Parish

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

Churches aforesaid: And in case the said Clerk shall die, or be incapable of acting, before the Appointment of such Meeting, or shall refuse or neglect to make such Appointment, when required by any Two or more of the said Commissioners, then any Two or more of the said Commissioners shall and may, by the like publick Notice, appoint the said Commissioners to meet at the Place where the last Meeting was held; and that all Orders and Determinations of the said Commissioners, (save the above Appointment, and except as after mentioned) shall be made at a Meeting held in pursuance of this Act, and

No Order valid but of Meetings.

not otherwise; and that no such Order or Determination shall be valid, unless the Majority of the Commissioners present shall concur therein; and the said Commissioners,

Commissioners to pay their own Expences, and not to act where interested.

at all their Meetings, shall defray their own Expences; but no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers hereby granted, during the Time he shall hold or enjoy any Office

of

of Profit under this Act, or have any Share or Interest in any Contract relating to the Execution hereof.

Commissioners may appoint Officers,

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall and may elect and chuse, and, by Writing under their Hands and Seals, at any Meeting held in pursuance of this Act, appoint One or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers of the Rates or Assessments, Surveyor or Surveyors, and such other Officer or Officers, for the Execution of this Act, as they the said Commissioners, or any Five or more of them, shall think proper; and are hereby impowered, from Time to Time, to remove him or them, and appoint others, as they shall find necessary or convenient; and by and out of the Monies to be raised by virtue of this Act may, and are hereby impowered to appoint and pay such Salaries and Allowances to such Officers, and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they shall think reasonable, Six Days Notice in Writing having been first given to each Commissioner, or left at his last or usual Place of Abode, of the intended Election of any such Clerk, Treasurer, Collector, Receiver, or Surveyor; and the said Commissioners, or any Five or more of them, shall and may take such Security for the due Execution of the respective Offices, by such Person and Persons as aforesaid, as the said Commissioners, or any Five or more of them, shall think proper; and such Person or Persons as is or are hereby made liable to pay the several Rates or Sums of Money hereby granted, shall pay the same to such Person or Persons as shall, from Time to Time, be so appointed to collect and receive the same, according to the true Meaning of this Act; and all such Officers and Persons so to be appointed as aforesaid, shall, under their Hands, at such Time and Times and in such Manner as the said Commissioners, or any Five or more of them, shall direct, deliver to such Commissioners, or to such Person or Persons as they, or any Five or more of them, shall appoint, true and perfect Accounts, in Writing, of all Matters and Things committed to their Charge by virtue of this Act; and also of all the Monies which shall have been, by such Officer or Officers, and Person or Persons, respectively received by virtue and for the Purposes of this Act; and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such

and remove them, and appoint others,

and allow Salaries.

Notice to be given to each Commissioner of such Election.

Officers to give Security.

Rates to be paid to the Collectors.

Officers to account, &c.

to pay Money in Hand, and deliver up Books when required;

such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint; and all the said Officers and Persons so accounting as aforesaid, shall, upon Oath, if thereunto required, (which Oath the said Commissioners, or any Two or more of them, are hereby impowered and required to administer) verify their said Accounts: And if any such Officer or Person, Officers or Persons, shall not make and render, or shall refuse to verify upon Oath, any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by any Five or more of such Commissioners, by Notice in Writing, given to or left at the last or usual Place of Abode of any such Officer or Person; and all Books, Papers, and Writings, in his or their Custody or Power, relating to the Execution of this Act; or shall refuse or neglect to pay such Monies, as upon the Balance of any Account or Accounts shall appear to be in his or their respective Hands, to the said Commissioners, or any Five or more of them, or as they shall direct or appoint; then, and in either of the Cases aforesaid, such Commissioners, or any Five or more of them, may, and are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions, in the Names of such Commissioners, or in the Names of any Three or more of them, in any of his Majesty's Courts of Record at Westminster, against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or any Five or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any One or more of the Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons so neglecting or refusing, shall be and reside, such Justice or Justices may, and is and are hereby authorised and required, by a Warrant or Warrants, under his or their Hands and Seals, to cause the Officer or Officers, Person or Persons so refusing or neglecting, to be brought before him or them; and, upon his

and, in case of Neglect or Refusal,

Actions may be brought;

or may proceed by Distress and Sale.

his and their appearing (or not being to be found), to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtice or Juſtices, that any of the Monies that ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtice or Juſtices may, and is and are hereby authoriſed and required, upon Nonpayment thereof, by a Warrant or Warrants under his or their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons offending in the Premiſes reſpectively: And if no Goods or Chattels of ſuch Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame; or in caſe it ſhall appear to ſuch Juſtice or Juſtices, by the Confeſſion of the ſaid Party ſo offending, or by the Teſtimony of any credible Witneſs upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, ſhall be in the Cuſtody or Power of any ſuch Officer or Officers, Perſon or Perſons, and he or they ſhall refuſe to deliver the ſame as aforeſaid; then, and in either of the ſaid Caſes, ſuch Juſtice or Juſtices ſhall commit every ſuch Offender to the Common Gaol of the County or Place where ſuch Offender ſhall be and reſide, there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid; or until he ſhall compound with the ſaid Commiſſioners, or any Five or more of them, and ſhall have paid ſuch Compoſition, in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Commiſſioners, or any Five or more of them, are hereby impowered to make), and until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Commiſſioners, or any Five or more of them: Provided always, That no Perſon, who ſhall be committed on account of his having no Goods or Chattels, ſhall be detained in Priſon for any Term longer than Six Months.

If no Goods, Offender may be committed.

And it is hereby further enacted, That in caſe of the Death of any ſuch Officer or other Perſon to be appointed as aforeſaid, or of his becoming Bankrupt before he ſhall have paid and delivered up all the Monies he ſhall have received by virtue of this Act; then, and in every ſuch Caſe, the

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

the Executor or Executors, Administrator or Administrators, Assignee or Assignees of his Estate and Effects, or other Person or Persons possessing the same, or in whom the same have or hath vested, shall, in the first Place, and in preference to all other Creditors, pay the said Monies remaining unpaid or delivered up as aforesaid, out of the said Estate and Effects, or as far as the same will extend to the said Commissioners under this Act; or to any Person appointed by them, or any Five or more of them; and also all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act, and every Executor or Administrator, Assignee, or other Person or Persons possessed of such Effects as aforesaid, may plead such Payment in any Action or Suit that may be brought against him, her, or them, on account of the said Estate and Effects, or give the same in Evidence: And in case of Nonpayment of such Monies, or Nondelivery of such Books, Papers, Writings, and Things, by the Space of Ten Days after the same shall be demanded, it shall and may be lawful for the Person to be appointed by the said Commissioners as aforesaid, or any Five or more of them, and he is hereby required to commence and bring, and authorised to maintain, One or more Action or Actions, in any of His Majesty's Courts of Record at Westminster, against such Executor, Administrator, Assignee, or other Person or Persons possessing the Estate and Effects which did belong to such deceased Person or Bankrupt, for Recovery thereof, together with Costs of Suit, or of Damages, in lieu of such Books, Papers, Writings, and Things.

Officers taking any Reward, other than their Salaries;

And be it further enacted, That if any Person, who shall be employed as a Clerk, Treasurer, Collector, Receiver, or Surveyor, or any other Officer or Servant, who shall be any-ways employed by the said Commissioners in putting this Act, or any the Powers thereof, in Execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards, as shall be appointed, allowed, and approved of by the said Commissioners, or any Five or more of them, for or on account of any Thing done, or to be done, by virtue of this Act, or on any Account whatsoever relative to the putting this Act in Execution, or shall any-ways be concerned or interested in any Bargain or Contract made, or to be made, by the said Commissioners, or any of them, for the Purposes of putting this Act in Execution; every such Person so offending

or being interested in any Bargain made by the Commissioners, are disqualified

fending shall be incapable of ever serving or being employed under this Act, and shall, over and above, forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, within Six Calendar Months after the Offence committed; in which said Action, no Essoin, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed. from being employed, and forfeit 100 *l.*

And be it enacted by the Authority aforesaid, That, from and after the Second Monday after the passing of this Act, the said Commissioners, or any Five or more of them, are hereby authorised and impowered, from Time to Time, to cause, order, and direct the several Streets, Lanes, and Places following, which are in the District aforesaid, videlicet, Rosemary Lane, from the Boundary of the Parish of Saint Botolph, Aldgate, aforesaid, to Cable Street aforesaid, or so much thereof as shall or may not be comprehended within the Description of a certain Act, intituled, An Act for better paving the Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick Passages, in that Part of *Goodman's Fields* which lies in the Parish of *Saint Mary Matfellon*, otherwise *Whitechapel*, in the County of *Middlesex*, and also *Red Lyon Street* and *White Lyon Street*, lying contiguous to the said Fields, and for removing and preventing Nuisances, Annoyances, and Obstructions therein, the said Street, called Cable Street, the Foot-path of the Back Lane to the Turnpike-gate in Cannon Street Road aforesaid, Well Close Square, Parsons Street, Shorter Street, Neptune Street, the Foot-paths of Grace's Alley, North-east Passage, and Ship Alley, within the said Precinct of Well-close, the Street leading from Nightingale Lane aforesaid to Ratcliff Cross aforesaid, and that Part of East Smithfield opening into the said last-mentioned Street, which lies between the Precinct of Saint Catharine and Nightingale Lane aforesaid, the said Streets called Butcher Row and Brook Street, or any of them, to be paved, repaired, sunk, or altered, in such Manner as they shall think fit. Commissioners impowered to pave and alter Streets, &c.

Provided always, and be it further enacted by the Authority aforesaid, That neither this Act, or any Thing herein contained, shall be construed, deemed, or taken to comprehend or include such Part of the said Lane called Rosemary Lane, (if any) or any other Part of the District comprehended within the said Act for better paving the Streets, Squares, Lanes, Courts, Alleys, Ways, and other publick To what Part of *Rosemary Lane* this Act shall extend.

lick Passages in that Part of Goodman's Fields which lies in the Parish of Saint Mary Matfellon, otherwise Whitechapel, in the County of Middlesex, and also Red Lion Street and White Lion Street, lying contiguous to the said Fields, and for removing and preventing Nuisances, Annoyances, and Obstructions therein; any Thing herein contained to the Contrary in any-wise notwithstanding.

Rosemary Lane to be paved with flat Stones.

Provided always, and be it further enacted, That so much of the said Lane, called Rosemary Lane, as lies within the District comprised in this Act, shall be paved with Stones of a flat Surface, in like Manner as the West End of the said Lane is already paved.

Commissioners may contract for paving the Streets.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, may, and are hereby impowered, from Time to Time, as Occasion shall require, to contract, by Deed or Deeds in Writing, with any Person or Persons for paving and keeping in Repair the said Streets, Lanes, and Places, authorised to be paved as aforesaid, or any of them; which Contract and Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by the said Commissioners, or any Five or more of them, and by the Person or Persons contracting to perform such Works; but previous to the making of any such Contract, Ten Days Notice shall be given in One or more publick Newspapers, expressing the Intention of the intended Contract, in order that any Person or Persons willing to undertake the same, may make Proposals for that Purpose, to be offered and presented to the said Commissioners, at a certain Time and Place in each Notice to be mentioned.

Surveyor to inspect the Works,

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

And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby directed to cause all and every the Works done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall from Time to Time appoint; and in case the same shall not be well and sufficiently performed, according to the true Sense and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times that the same are agreed to be completed by the said Contract or Contracts, the said Commissioners shall and may, in their own Names,

Names, or in the Names of any Five or more of them, bring an Action in any of His Majesty's Courts of Record at Westminster, against any Person or Persons so contracting and neglecting to perform such Contract or Contracts, and for Penalty or Penalties, Damage or Damages, which shall be contained in such Contract or Contracts; and upon the proving the Signing of the said Contract or Contracts, and Nonperformance thereof, at the Time or Times for the Purposes therein mentioned, the said Commissioners shall be intitled to, and shall recover such Penalty or Penalties, Damage or Damages, which, when recovered, shall be applied for the Purposes of this Act.

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

And be it further enacted by the Authority aforesaid, That the said Commissioners acting under these Presents, or any Five or more of them, shall also have full Power and Authority to cause to be dug, carted, and carried out of, or brought into the said Streets, Lanes, and Places, authorised to be paved as aforesaid, such Gravel, Stones, and other Materials, and to employ such Artificers, Workmen, Labourers, Carters, and others, and to issue such Money on those Accounts, and to do all and every such other Acts and Things as the said Commissioners, or any Five or more of them, shall judge necessary or conducive to the accomplishing the Ends and Designs of this Act.

Property of all Materials vested in the Commissioners.

And be it further enacted by the Authority aforesaid, That the Property of the Pavements of the said Streets, Lanes, and Places to be paved, and of all other Materials and Things which shall be provided and made Use of for the Purposes of this Act, shall be, and the same are hereby vested in the Commissioners for the Time being, and they, or any Five or more of them, are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions in the Name or Names of any Two or more of them, or to prefer and order and direct the preferring of Indictments against any Person or Persons who shall steal, take, or carry away any Part of such Materials or Things, or disturb them in the Possession thereof.

Penalties on stealing or injuring Materials.

Penalty on interrupting Workmen.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, obstruct, hinder, or molest any Surveyor or Surveyors, or other Officer or Officers, Workmen, Person or Persons whatsoever, who is, are, or shall be employed by virtue of this Act, in the Performance or Execution of his or their Duty, every such Person so offending shall, for the First Offence, forfeit the Sum of Twenty Shillings;

for the Second Offence the Sum of Forty Shillings; and for the Third, and every other Offence, the Sum of Three Pounds.

Commissioners may sell old Materials, and apply the Money, &c.

And it is hereby further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall have full Power and Authority, from Time to Time, to sell and dispose of all or any Part of the old Pavement, or other Materials, to such Person or Persons as shall be willing to purchase the same, and to apply the Purchase-money to the Purposes of this Act.

Notice to be given to Surveyor of taking up Pavement for repairing any Vault, &c.

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

Commissioners to relay it, and be reimbursed the Expences.

Commissioners may contract with the Companies, &c. for relaying such Pavements.

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

On Refusal of Payment,

And be it further enacted by the Authority aforesaid, That in case such Companies of Water-works, or Com-

missioners of Sewers, Owner, Occupier, or Person or Persons aforesaid respectively, shall neglect or refuse to pay what the said Commissioners shall have so paid and disbursed, or what shall be due upon such Contract, or Composition as aforesaid, within Fourteen Days next after Notice thereof, to be left by the Surveyor or Clerk appointed, or to be appointed by the said Commissioners appointed by this Act, at the Dwelling-house or last Place of Abode of such Person or Persons, or of the Secretary or Secretaries, Clerk or Clerks of such Companies of Water-works, or Commissioners of Sewers respectively, which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act in Execution, by Order of the said Commissioners, or any Five or more of them, and annexed to the Bill, containing an Account of the Expence of such Repair, or Money due upon such Composition, it shall and may be lawful to and for the said last-mentioned Commissioners, or any Five or more of them, and they are hereby authorised and impowered to bring, or cause to be brought, commenced and prosecuted, in the Name of such Person or Persons as they shall appoint, any Action or Actions for the Recovery of such Sum or Sums of Money respectively, with Costs of Suit; but as to the Monies that shall become payable as aforesaid from the Companies of Water-works, and Commissioners of Sewers, such Action or Actions shall be brought against the respective Treasurers, or other Person or Persons holding, possessing, or having the Management of any Monies belonging to such Companies and Commissioners, in any One of his Majesty's Courts of Record at Westminster, on Debt, Case, or otherwise, by Bill, Plaint, or Information, in which Action or Suit no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed: And in case such Person or Persons hereby directed to give such Notice to the Surveyor or Clerk to the Commissioners for putting this Act in Execution, as is before directed, shall neglect so to do for the Space of Six Hours after such Pavement shall be so taken up, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

Action to be brought for the Money.

And be it further enacted by the Authority aforesaid, That if, for the Purposes of this Act, it shall, at any Time, be found necessary to raise, sink, or otherwise alter the Position of any of the Pipes or Plugs laid down

Commissioners to pay for altering Pipes.

or

or placed by the said Companies; or of any of the leaden or other Pipes, which shall be laid into or from any of the said Company's Pipes, which the said Commissioners, or any Five or more of them, are hereby impowered to cause to be done, as often and in such Places as they shall think proper; and the same shall be paid for out of the Monies arising by virtue of this Act; and shall be done with as little Detriment or Inconvenience to the said Companies, and other Persons, as the Circumstances of the Case will admit.

Where any of the Water Companies Pipes break, Notice to be given to such Companies.

And be it further enacted by the Authority aforesaid, That when and so often as it shall happen, that any Pipe or Pipes, belonging to any Water Company, shall break or burst within the District aforesaid, it shall and may be lawful to and for the Surveyor to the said Commissioners for the Time being, or any such other Person as the said Commissioners, or any Five or more of them, shall appoint for that Purpose, to give immediate Notice thereof to the Pavior of the Water Company to whom he apprehends such Pipe or Pipes does or do, or may belong, and require him to take up the Pavement and open the Ground, at or near the Place where the Water shall or may issue, by Reason of such Pipe or Pipes breaking or bursting, within Two Days next after such Notice given to such Pavior, or left at his last or usual Place of Abode: And if, upon taking up the Pavement and opening the Ground, it shall appear that the Pipe or Pipes so broke or burst do or doth belong to the Water Company, whose Pavior shall have taken up such Pavement, and opened such Ground; that then, and in such Case, the Surveyor or other Person as aforesaid shall give immediate Notice to the Pavior of that Company, to whom it shall appear that the said Pipe or Pipes do or doth belong, such Notice to be given or left with such Pavior, or at his last or usual Place of Abode; and the Pavior of the Company to whom such Pipe or Pipes shall belong, is hereby required to repair the same, and fill in the Ground within Two Days after such Notice given, or left as aforesaid; and also, within Six Hours after such Pipe shall be repaired, and the Ground filled in, to give Notice thereof to the Pavior or Paviors contracting with the said Commissioners, or to the Surveyor or other Person appointed by the Commissioners for that Purpose, which Notice may be left at his or their last or usual Place of Abode: And in case it shall happen that the Pavior, who first receives Notice to take up the Pavement, and open the Ground for

When compleated to be given to Commissioners Paviors.

the Purposes aforesaid, shall take up such Pavement, and open such Ground; and it shall then be discovered that the Pipe or Pipes, which is, are, or shall be burst or broke, doth, or do not belong to the Company to whom he is Paviour; that then, and in such Case, the Paviour of the Company, to whom such Pipe or Pipes do or doth belong shall make Satisfaction to the Paviour who so took up such Pavement, and opened such Ground, for such Work; and in Case the Paviour to whom such Notice shall be so given to take up such Pavement, and open such Ground, shall neglect or refuse to do the same, within the said Two Days after Notice given, he shall, for the first Offence, forfeit and pay the Sum of Twenty Shillings; for the second Offence, the Sum of Forty Shillings; and for the third, and every other Offence, the Sum of Three Pounds: And in case the Paviour of the Company, to whom such Pipe or Pipes so broke or burst shall belong, shall neglect or refuse to repair and amend the same, and fill in the Ground so taken up, for the Space of Two Days next after such Notice given, or shall neglect to give Notice to the Paviour or Paviours contracting with the said Commissioners, or to the Surveyor to the said Commissioners, or to such other Persons as aforesaid; such Paviour shall, for the first Offence, forfeit the Sum of Twenty Shillings; for the second Offence, the Sum of Forty Shillings; and for the third and every other Offence, the Sum of Three Pounds: And if the Person or Persons contracting with the said Commissioners to relay such Pavement, so broke or taken up for the Reasons aforesaid, shall neglect or refuse to relay such Pavement, in a good, sufficient, and effectual Manner, within Two Days after Notice given to him as aforesaid; or if the Surveyor, or other Person to whom such Notice shall be given, shall neglect to acquaint the said Paviour, or Contractor, of such Notice; then, and in every such Case, the Person or Persons so offending shall, for the first Offence, forfeit the Sum of Twenty Shillings; for the second Offence, the Sum of Forty Shillings; and for the third and every other Offence, the Sum of Three Pounds.

If it proves that the Pipe does not belong to the Company who first opens the Ground, they are to be paid their Charges by the Company to whom it does belong.

And be it further enacted by the Authority aforesaid, That the several and respective Persons, now appointed Paviours to the several and respective Water Companies, who shall have any Pipe or Pipes laid in, through, or under any of the Streets, Lanes, or Places, within the District comprised in this Act, shall, and every such Person is

Paviors to Water Companies to give Notice to the Surveyor or Clerk of their Names and Abode.

hereby required, within Eight Days after the passing of this Act; and such Paviour hereafter to be appointed as aforesaid is hereby required within the Space of Three Days next after he shall be appointed Paviour to any such Company, to give Notice in Writing to the Surveyor, or Clerk for the Time being, to the said Commissioners, of their the said Paviors respective Names and Places of Abode, and to what Company they are respectively Paviors: And in case any such Paviors shall neglect or refuse to give such Notice, as is above required, he shall forfeit the Sum of Twenty Shillings; and also the like Sum of Twenty Shillings every Time he shall remove from such Place of Abode, and omit to give the like Notice, within Three Days after every such Removal.

No Alterations to be made in the form of the Pavement without Commissioners Consent.

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

Course of Gutters to be turned if necessary,

and Grates altered, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from Time to Time, to direct, and cause the Course of any Gutter or Channel, running in or through the said Streets, Lanes, or Places, within the said District, or any of them, to be turned or altered, in such Manner as they shall think proper, and to direct the Grates already, or hereafter to be placed over any Sewers to be removed, and replaced in such Manner, and at such Place and Places as they shall think most proper (so as the same be not detrimental or prejudicial to the publick Sewers), and be, from Time to Time done, at the Expence of the said Commissioners, and paid for out of the Money arising by virtue of this Act; any Law, Usage, or Custom to the Contrary notwithstanding.

That when any Sewers, or the Grates over them want cleansing, repairing, or altering, the Clerk to the Paving Commission-

And be it further enacted by the Authority aforesaid, That when and so often as there shall be Occasion to make new or additional Grates over any Sewer or Sewers within the said District, or to repair, alter, cleanse, or amend any of the said Sewers, or the Grates over the same, the Clerk, for the Time being, of the Commissioners

sioners of the said Sewers shall, (at the Request, in Writing, of the Surveyor for the said Commissioners of Pavement, or other Person or Persons authorised by them for that Purpose,) forthwith summon the said Commissioners of Sewers to meet, in order to take the Premises under Consideration, which they are hereby authorised and required to do at such Meeting; and also at the same Meeting, or any adjourned or other Meeting, to exercise the several Powers and Authorities with which they are invested, in order that the said several Works may be speedily and effectually done, compleated, and finished.

ers shall give Notice to the Commissioners of Sewers.

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

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

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

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

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

Penalty for driving, &c. Wheelbarrows, &c. on Foot Pavements.

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

Provided

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Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in any of the said Streets, Lanes, or Places comprised within the District aforesaid, any Inclosure, Posts, Bars, or Rails, or other Matters or Things, for the Purpose of making Mortar, and depositing Bricks, Lime, or other Materials for building or repairing any Houses, Buildings, or other Works; every such Person or Persons first obtaining Leave under the Hand of the Surveyor or Clerk for the Time being to the said Commissioners for those Purposes respectively, which he is hereby impowered to give by their Permission; but if any Person or Persons shall erect, or set up, or cause to be erected and set up, any such Inclosures, Posts, Bars, or Rails, or any other Matter or Thing for the Purposes aforesaid, without such Leave first had and obtained, every such Person shall, for every such Offence, forfeit and pay a Sum not exceeding Twenty Shillings for every Day such Inclosure, Matter or Thing, as aforesaid, shall remain and continue.

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

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, inhabiting within the said District, shall, from and after the said Second Monday next after the passing of this Act, sweep and clean, or cause to be swept and cleansed, the Foot-paths of their respective Houses, Buildings and Walls, Once in every Day, between the Hours of Six and Nine in the Forenoon, (Sundays excepted), upon pain of forfeiting Two Shillings and Sixpence for every Neglect therein.

Foot Pavements to be swept every Day except *Sundays*.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, may order and direct the Houses within the said Streets, Lanes, and Places, or any of them, to be numbered with Figures, placed or painted on the Doors thereof, or on such other Part of the said Houses respectively, as they the said Commissioners, or any Five or more of them, shall think proper, and may also order and direct to be engraved, painted, or otherwise described, on a conspicuous Part of some House or other Building, at or near the End or Corner of each Street, Lane, Court, Yard, Alley, Passage, or Place adjoining to, or being near the said Streets, Lanes, or Places, hereby authorised to be paved respectively, the Names by which such respective Streets, Lanes, Courts, Yards, Alleys, Passages, or Places so

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

adjoining, is usually or properly called or known: And if any Person or Persons shall wilfully or maliciously destroy, injure, obliterate, or deface any such Number, Figure, Name, or Description, or any Part thereof, or cause or procure the same to be done, and shall be convicted thereof, by his or their own Confession, or by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace acting in or for the County or Place where such Offence shall be committed, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Five Pounds.

Signs, &c. to be regulated.

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

Signs, &c. unused to be returned.

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

the Person to whom the same belonged before such Removal or Alteration.

And whereas the said Streets, Lanes, Alleys, and Places within the District aforesaid, are in some Parts thereof greatly obstructed and made dangerous to Foot Passengers, by Steps being brought out or projecting from the Houses, and by Steps and Doors going down into Cellars, Vaults, and other Places, and by Shew-glasses, Shew-boards, and other Watters or Things projecting from Shops or Houses, over and beyond the Area belonging to such Houses, or into the Foot-ways; be it therefore enacted by the Authority aforesaid, That from and after the said Second Monday next after the passing of this Act, all such Steps projecting into the Foot-ways of the said Streets, Lanes, Alleys, and Places; and all Steps and Doors going down out of the Foot-ways into any Cellars, Vaults, or other Places belonging to any House, Shop, Warehouse, or Tenement; as likewise all Shew-glasses or Shew-boards projecting over and beyond the Area, or into the Foot-ways, and all and every other Material, Matter or Thing, belonging to any House, Warehouse, Shop, Cellar, or other Building, which do, or shall cause or occasion any Nuisance, Annoyance, Incroachment, or Obstruction in the said Streets, Lanes, and Places, or any of them within the District aforesaid, either in the Foot or Carriage Way thereof, shall and may be at the Expence of the said Commissioners, from Time to Time, removed, fired, placed, or altered in such Manner and Form as shall be approved of by the said Commissioners, or any Five or more of them, or their Surveyor by their Direction, save and except the Right which any Proprietor or Owner has or may have in or to any Bar or Bars placed across any of the said Streets.

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

And, for defraying the Charges and Expences of paving and repairing the said Streets, Lanes, and Places which the said Commissioners are hereby authorised and impowered to pave, and for removing Annoyances and Incroachments therein, and for other the Purposes of this Act, be it further enacted by the Authority aforesaid, That when and so soon as any of the said Streets, Lanes, and Places, shall be new-paved by the said Commissioners by virtue of this Act, One or more Rate or Rates, Assessment or Assessments, shall, Twice in every Year, or oftener, if it shall be thought needful by the said Commissioners, or any Nine or more of them, be made, laid, and assessed by the said Commissioners, or any

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

Nine or more of them, of and upon all and every Person and Persons who do or shall inhabit, hold, or occupy any Land, House, Shop, Warehouse, Wharf, Cellar, Wharf, Vault, or other Tenement within the said last-mentioned Streets, Lanes, and Places respectively, and in such competent Sum and Sums of Money as the said Commissioners, or any Nine or more of them, shall yearly, and every Year, order and direct, so as such Rates or Assessments do not exceed in the Whole the Sum of One Shilling and Sixpence in the Pound in any One Year, of the yearly Rent or yearly Value of such Lands, Houses, Shops, Warehouses, Wharfs, Cellars, Vaults, or other Tenements within the said several Streets, Lanes, and Places authorised as aforesaid, to be paved throughout, and so as such Rates or Assessments do not exceed Sixpence in the Pound in any One Year, of the yearly Value of such Tenements as are situate in any of the said Streets, Lanes, Courts, Alleys, or other Passages, the Foot-paths whereof shall be new-paved.

and where only a Foot-path not to exceed 6 *d.* in the Pound.

No Person to be rated for any Building behind his Dwelling-house, or in his Occupation, unless such be situate in some Place to be paved.

And whereas it may happen that the same Person or Persons may hold or occupy a Dwelling-house, Warehouse, Shop, or other Premises situate in some or One of the said Streets, Squares, Lanes, Courts, Alleys, Ways, or other publick Passages, and may also hold and occupy Warehouses or other Premises situate and lying behind the first-mentioned House, Shop, Warehouse, or other Premises, and in Places which are not liable to be assessed by virtue of this Act; be it further enacted, That no Person shall be subject or liable to be rated or assessed for any such Warehouses or other Premises, unless the same shall be situate in some Street, Square, Lane, or other publick Passage, to be paved by virtue or in pursuance of this Act.

Landlords to allow One Third Part of the Rates as Rent, the other Two Thirds to be borne by the Tenants.

And be it further enacted by the Authority aforesaid, That One Third Part of the said respective Rates is hereby required to be allowed by the Landlord or Landlords of any Houses, Shops, Wharfs, Warehouses, or other Buildings and Tenements situate in the said Streets and Places to be rated as aforesaid, to the Tenant or Tenants, Occupier or Occupiers thereof, who shall pay the same; and such Payments shall be adjudged and considered in Law as Money actually paid for Rent due, or to become due to such Landlord or Landlords of the same Estates respectively, and the other Two Third Parts thereof shall be borne and sustained by the Tenant or Tenants, Occupier or Occupiers of such Estate or Estates.

And

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And be it further enacted by the Authority aforesaid, That all Rates made by virtue of this Act shall be allowed and signed by Two Justices of the Peace acting in and for the said County or Place, who are also hereby impowered and required to grant a Warrant or Warrants for collecting thereof, as also for levying the same, by such Person or Persons as the said Commissioners, or any Five or more of them, shall nominate or appoint; and which Warrants shall be sufficient Authorities to the respective Persons thereby authorised for the Purposes therein mentioned: And the said Rates, after the same shall be so allowed and signed by the said Justices, shall be collected half-yearly, or oftener, if the said Commissioners, or any Nine or more of them, shall think it necessary, by the Collector or Collectors, or other Person or Persons to be appointed by the said Commissioners, as aforesaid, for that Purpose; and if any Person or Persons shall refuse, neglect, or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed at by virtue of this Act, for the Space of Ten Days after personal Demand thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons; then, and in every such Case, it shall and may be lawful to and for the said Person or Persons who shall be required by such Warrant as aforesaid, and he and they is and are hereby authorised and required to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting, refusing, or omitting to pay the same; and in case no such Goods or Chattels can be found to be so distrained, or in case such Goods and Chattels shall be locked up, or secured, or removed from the Person or Persons authorised to distrain as aforesaid, so that he or they cannot distrain the same; then, and in either of the said Cases, upon Information thereof given to the said Justices, or any Two Justices of the Peace for the said County or Place where the Person or Persons so rated and assessed as aforesaid shall then reside, it shall and may be lawful for such Justices, and they are hereby required to commit the Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offences shall be committed, there to remain without Bail or Mainprize for any Time not exceeding the Space of Six Months, or until the Payment of such Rate or Assessment, and reasonable Charges, occasioned by the Nonpayment thereof.

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

by Distress and Sale.

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

but Tenants to pay;

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

who may deduct it.

Rates for Houſes under 10*l. per Annum*, may be compounded for.

Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Nine or more of them, from Time to Time, to compound with the Owner or Owners, Proprietor or Proprietors, of any ſuch Houſe, or any other Houſes within the ſaid Streets, Lanes, and Places, to be rated as aforeſaid, the annual Rent or Value whereof ſhall be under Ten Pounds, for the Rate by this Act authoriſed to be laid upon ſuch Houſes, ſo as in ſuch Compoſition there be not remitted to any ſuch Owner or Owners,

Proprietor

Proprietor or Proprietors respectively, more than One-third of the Rate by this Act laid upon such Houses respectively.

Where Houses shall be unoccupied,

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

Owners to be charged only One-third of the Rates;

and the Premises remain a Security.

Churches, Church-yards, Meeting-houses, &c. may be rated.

And it is hereby further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, and they are hereby required, at such Times as the Rates hereby directed shall be made, to rate and assess for the Purposes aforesaid, all Churches, Church-yards, Meeting-houses, and other Places of publick Worship, or intended for that Purpose, with the Ground belonging thereunto, Hospitals, Prisons, and all other publick Buildings whatsoever, and all dead Walls, void Spaces of Ground, fenced in, or otherwise situate, and being in or adjoining to the said Streets, Lanes, and other Places, to be rated as aforesaid, at such Rate as the said Commissioners, or any Nine or more of them, shall adjudge reasonable, but not exceeding Sixpence for every square Yard belonging to every such Church, Church-yard, Meeting-house, and other Place of publick Worship, with the Ground thereunto belonging, Prisons, and other publick Buildings, dead Wall, and void Space of Ground: And such Rate or Rates, Assessment or Assessments, so to be

be from Time to Time made, shall be paid by the respective Persons following; that is to say, For every Church and Church-yard, by the Church-wardens thereof; for every dead Wall or vacant Piece of Ground, by the Owner or Owners, or Proprietor or Proprietors thereof; for every Meeting-house, and other Place of publick Worship, with the Ground thereunto belonging, by the Proprietor or Proprietors, Trustee or Trustees, or their Treasurer, Minister, or Deacon, or other Person officiating therein; and for every Hospital, Prison, or other publick Building, by the Person or Persons who are now liable to pay for paving or keeping in Repair the Pavement in the Front thereof: And in case any of the Persons aforesaid shall refuse or neglect to pay the said last-mentioned Rates to the said Collector or Collectors, upon personal Demand thereof made, or in Writing, left at the usual Place of Abode of the Person or Persons required to pay the same; then, and in every such Case, the same shall and may be recovered of the Person or Persons so required to pay the same, by any Action in any of His Majesty's Courts of Record at Westminster, or other inferior Courts, together with Costs of Suit, to be commenced and prosecuted in the Name or Names of the Collector or Collectors who shall have so demanded the same, in which Action or Suit, no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Vacant Ground to be fenced in at the Expence of the Owners.

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

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

Tenants and Occupiers to pay the Rates.

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

Occupiers quitting without paying Rates may be followed.

And be it further enacted by the Authority aforesaid, That when any Person or Persons, who hath, or have been rated and assessed by virtue of this Act, shall quit his, her, or their Dwelling-house, Warehouse, Wharf, Shop, Vault, Cellar, or Tenement, whereupon such Rate or Assessment has been made, before he, she, or they shall have paid the same, and shall afterwards refuse to pay the same when due, and demanded as aforesaid, by the Person or Persons authorised and appointed to collect and receive the same; that then, and in every such Case, it

shall and may be lawful to and for such Person or Persons as shall be appointed by the said Commissioners, or any Five or more of them, and every or any of them, by Warrant under the Hand and Seal of One or more Justices of the Peace, acting in and for the said County or Place, (which Warrant the said Justice or Justices is and are hereby authorised and required to grant), into any Place within their respective Jurisdictions, or out of the Limits thereof, such Warrant being first backed or counter-signed by some Magistrate in the County, City, or Liberty, where the Distress is to be made, to distrain the Goods and Chattels of such Person or Persons so neglecting or refusing, and the same to sell, rendering the Overplus, (if any such shall be) after deducting the reasonable Charges and Expences of such Distress and Sale, to the Owner of such Goods and Chattels demanding the same.

Commissioners with Two Justices impowered to mitigate or remit Rates.

Provided always, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, with Two or more Justices of the Peace of the County or Place aforesaid, and they are hereby impowered, upon the Complaint of any Person or Persons subject to the Payment of any Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, and also to remit or excuse the Payment thereof by any Person or Persons, hereby made subject to the Payment thereof, for or on account of the Poverty or Indigence of such Person or Persons, or Inability to pay: And the said Commissioners, or any Five or more of them, shall appoint or order the Time and Place of hearing such Complaints; and any Two Justices of the Peace, for the County or Place aforesaid, are hereby required to attend on the Business aforesaid, on being requested thereunto by Writing, under the Hands of any Five or more of the said Commissioners, who shall also cause Notice thereof to be left in Writing with, or at the Place of Abode of, the Person or Persons neglecting or refusing to pay such Rates, after Demand made as aforesaid; which Notice shall be sufficient.

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

And be it further enacted, That all and every Person or Persons, paying the Rates and Assessments by this Act laid, within the Streets, Lanes, and Places, to be paved as aforesaid, shall be, and they and every of them is and are hereby exempted and discharged from all other Charges and Expences of paying the same Streets, Lanes,

and

and Places, or any Part or Parts thereof, and also from all Penalties which may or might be incurred by Reason or Means of their neglecting to pave the same respectively; any Law, Statute, or Usage, to the Contrary notwithstanding.

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

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

Collectors disqualified from acting as Commissioners.

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

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

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

Commissioners may compound.

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

with

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

Not exceeding 6000 *l.* may be borrowed on the Credit of the Rates,

And, for the more effectually enabling the said Commissioners to execute the Purposes of this Act in the most expeditious Manner, it is hereby further enacted, That it shall and may be lawful for the said Commissioners, or any Nine or more of them, and they are hereby impowered, from Time to Time, when they shall judge it necessary for the Purposes aforesaid, to borrow and take up at Interest any Sum or Sums of Money, not exceeding Six thousand Pounds, upon the Credit of the Rates or Assessments to be made by virtue of this Act, and by any Writing or Writings, upon Vellum or Parchment, signed by the said Commissioners, or any Five or more of them, to assign the said Rates and Assessments, or a competent Part thereof, to any such Person or Persons who shall advance or lend such Money thereon, as a Security or Securities for the several Sums so borrowed, with legal or lower Interest for the same; which Interest shall be payable and paid by the said Commissioners, out of the Monies to arise by or from the Rates or Assessments to be made by virtue of this Act.

which Sum may be advanced to the Commissioners for Purchase of Annuities.

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

at any Time, exceed in the Whole the Sum of One thousand Pounds.

Annuitants dying, Persons may purchase Annuities from Commissioners not exceeding 1000*l.*

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

Annuities charged upon the Rates;

And be it further enacted, That all and every the Annuity or Annuities, so to be purchased under and by virtue of this Act, shall be and are hereby charged upon, and shall be paid and payable from Time to Time out of, the Monies arising by the Rates and Assessments as aforesaid; and all and every the Contributor or Contributors upon the Credit of this Act, duly paying the Contribution or Purchase-money for any such Annuity or Annuities as aforesaid, or his, her, or their respective Executors, Administrators, or Assigns, shall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy the respective Annuity or Annuities, so to be purchased out of the said Rates or Assessments, by this Act appointed for the Payment thereof as aforesaid, during the Term of the natural Life of the Person to be nominated by each such Purchaser or Contributor, as before mentioned; and that all and every such Purchaser and Purchasers, and their Executors, Administrators, or Assigns, shall have good, sure, absolute, and indefeasible Estates and Interest in the Annuity or Annuities, so by him, her, or them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject or liable to the Tax, charged or to be charged upon Land, by Authority of Parliament; and that every Contributor upon this Act, for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase-money,

and deemed indefeasible Estates;

not chargeable to the Land-tax.

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

shall have a Receipt or Receipts for the same, and also an Order on Parchment (which may be made without any Stamp) for Payment of the said Annuity or Annuities, for and during the natural Life of the Person who shall be so nominated as aforesaid, by half-yearly Payments; which Order shall be signed by the said Commissioners, or any Five or more of them; and, after signing thereof, the same shall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning of this Act.

Annuities may be assigned.

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

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

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

ſon or Perſons as they, or any Five or more of them, ſhall appoint to receive the ſame, it ſhall and may be lawful for any Five or more of them to cauſe an Action to be brought in the Name of any of their Officers, for the Recovery thereof, with Coſts of Suit.

As Annuitants die, the Rates to be lowered.

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

Monies raiſed, veſted in the Commiſſioners.

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

Expences of the Act to be firſt paid.

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

Out-ſtreets may be paved by the Commiſſioners, upon Petition of Four-fifths of the Tenants or Landlords.

And be it further enacted by the Authority aforeſaid, That if, at any Time hereafter, Four Fifths or more in Number and Value of the Houſeholders, and alſo Four Fifths or more in Number and Value of the Landlords or Owners of Houſes and Tenements, within any the ſaid Streets, Lanes, Alleys, Courts, Paſſages or Places opening immediately into the ſaid Streets, Lanes and Places herein before mentioned and authoriſed to be paved, ſhall at any Time hereafter apply by Petition under their Hands to the ſaid Commiſſioners, or any Nine or more of them, expreſſing their Deſire to have the ſame paved and cleared of Incroachments, Nuiſances, Obſtructions, and Annoyances, that then it ſhall and may be lawful for the ſaid Commiſſioners, or any Nine or more of them, to cauſe the ſame to be done; and they are hereby impowered to rate and aſſeſs the Inhabitants of ſuch Street, Lane, Paſſage, Alley, Court, or Place, for the Purpoſes aforeſaid, ſo as ſuch Aſſeſſment does not exceed One Shilling and Sixpence in the Pound for the Foot and Carriage Way, and Sixpence in the Pound for the Foot-way only; and to raiſe Monies upon Annuities for Lives, or otherwiſe, upon the Credit of ſuch Rates or Aſſeſſments, for defraying the Expences of the ſaid Works,

Monies may be raiſed by Annuities for Lives.

or

Such Street then may be comprehended in this Act.

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

like Causes, as are herein expressed; and shall be sued for, recovered, levied, and executed in the same Manner.

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

Provided always, and be it further enacted by the Authority aforesaid, That the Accounts of the Receipts and Disbursements arising upon the Works to be done for the Street or Place comprised in such Petition, and all other Business and Transactions relating thereto, shall be kept separate and distinct from the Accounts of the Receipts and Disbursements arising in consequence of the Works to be done in the several Streets, Lanes, and Places herein before first authorised to be paved, and other Business and Transactions relating thereto; but that such Accounts, as also the Accounts of the Business arising in consequence of any subsequent Petition, shall be kept separate and distinct from each other, and in no-ways interfere one with the other; and the Monies, Cash, or Fund of each Account, shall be applied to the Uses only for which such Account is kept, and for no other Use or Purpose whatsoever.

Penalties may be mitigated.

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

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

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

made subject to and punishable by any pecuniary Penalties directed to be levied by virtue of this Act.

Persons injured may appeal to the Quarter Sessions.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace, to be held for the County or Place wherein the Cause of Complaint shall arise, and within Three Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving, or causing to be given, Twenty-one Days Notice, at the least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk to the said Commissioners; and within Two Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of, and to pay such Costs as shall be awarded by the Justices, at such Quarter Sessions; and the said Justices, at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be finally binding and conclusive to all Intents and Purposes.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed, (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of One Justice of the Peace acting in and for the said County or Places, and within his proper Jurisdiction; which Warrant such Justice is hereby impowered and required to grant upon the Confession of the Party or Parties, or upon the Information of One or more credible Witness or Witnesses, upon Oath; and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained and sold (the Charges of such Distress and Sale being first deducted)

shall be paid to the Treasurer to the said Commissioners for the Time being, and be applied towards the Purposes of this Act: And in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorised and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol, or House of Correction of such County or Place, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Commissioners may reward Informers.

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

Justices may administer Oaths.

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

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

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

which may be inspected *gratis*.

And

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

And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or Want of Form in any Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be hereafter done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage, in an Action on the Case.

Plaintiff not to recover, if Tender of Amends hath been made.

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

Writings to be without Stamps.

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

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Commissioners, at their Meetings, shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered shall be signed by the Clerk or Clerks, at any Meeting of any Five or more of the said Commissioners assembled, as the Case shall require; and

such Orders shall be deemed and taken to be original Orders; which said Book or Books shall and may be produced and read in Evidence in all Courts whatsoever.

Proceedings not to be quashed for want of Form,

And be it further enacted by the Authority aforesaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted, in or relating to the Execution of this Act, shall be vacated or quashed for want of Form; or be removed by Certiorari, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at Westminster; any Law or Statute to the Contrary notwithstanding.

or removable by *Certiorari*.

Limitation of Actions.

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

General Issue.

Demurrers, in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

Treble Costs.

Publick Act.

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

FINIS.