ANNO UNDECIMO

Georgii III. Regis.

CAP. XXXIII.

An Act for paving, repairing, cleanſing, lighting, and watching the Streets, Squares, Lanes, and other Paſſages within the Pariſh of *Saint John, Clerkenwell*, in the County of *Middleſex*, and for removing Obſtructions and Annoyances therein.

WHEREAS the ſeveral Streets, Squares, Lanes, Courts, Yards, and other publick Paſſages within the Pariſh of Saint John, Clerkenwell, in the County of Middleſex, are extremely ill-paved, and the Paſſage through the ſame greatly obſtructed by Poſts and Projections, and annoyed by Signs, Spouts, and Gutters, projecting into and over the ſame, and are in general very ill-paved, and not duly lighted, and the preſent Methods preſcribed by Law are ineffectual for paving, cleanſing, and lighting the ſame: And whereas, if Powers were given to new-pave, and to maintain and preſerve the Pavements of the ſaid Streets, and other Places, and to remove all the Nuiſances and Obſtructions therein, and to prevent the ſame for the future, and alſo for lighting, cleanſing, and watching the ſame in a proper Manner, it would tend greatly Preamble.

a

greatly to the Safety of the Inhabitants of the said Parish, and be of publick Utility; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Reverend Sir George Booth, Baronet; the Reverend Roger Parry Rector, and the Rector of the said Parish for the Time being; Uriah Bristow and Joseph Faikney, Churchwardens, and the Churchwardens of the said Parish for the Time being; William Montague, Giles Grindey, Heaton Wilkes, William Wildman, John Craggs, William Spencer senior, Humphrey Gammon, Francis Peter Mallett, William Storey, John Lunn, Thomas Farren, George Ion, James Bailey, John Kirk, William Nightingale, James Emonson, James Upjohn, Thomas Titter, Vestrymen; Joseph Wimpey, William Gomm, Gabriel Wirgman, David Henry, Richard Barwell, John Court, John Parson, Benjamin Lyon, William Fosbrooke, Richard Rugge, Thomas Boys, William Blackborrow, Joseph Keeling, and Richard Gomm, shall be and be called Commissioners for putting this Act in Execution.

Commissioners Names.

And be it further enacted by the Authority aforesaid, That as often as any Commissioner by this Act appointed, or to be elected, shall die, or refuse to act, it shall and may be lawful for the surviving or remaining Commissioners, or any Seven or more of them, at any Meeting assembled, by Writing under their Hands and Seals, to elect and appoint One other Person a Commissioner in the Room of the Commissioner so dying, or refusing to act; but Notice in Writing, or printed, and signed by the Clerk or Clerks, shall be given to or left for such Commissioners at their last or usual Place of Abode, One Day at least before such Election; and all Persons who shall be so elected and appointed (being qualified as herein after mentioned) are hereby vested with the same Powers and Authorities as any Commissioner or Commissioners hereby appointed is or are vested with.

Commissioners dying, &c. others to be elected.

Provided always, and be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, during the Time he shall hold any Place of Profit, or enter into any Contract, or have any Share or Interest in any Contract relating to the Execution of any of the Powers of this Act.

No Commissioner to hold a Place of Profit.

Provided also, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents, Issues, or Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Sixty Pounds, or shall be Heir-apparent to some Person having such Estate of the clear yearly Value of One hundred and Twenty Pounds, or be possessed of or intitled unto a personal Estate to the Amount or Value of Two thousand Pounds; and if any Person, not being so qualified, shall presume to act as a Commissioner in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Commissioner in the Execution of this Act.

Qualification of Commissioners.

Penalty on Persons acting if not qualified.

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, at any Meeting to be held in pursuance of this Act, to appoint One or more Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Surveyor or Surveyors, with such Allowances as shall be judged reasonable by the said Commissioners, or the major Part of them, at such Meeting or Meetings; and also may, from Time to Time, appoint such other Officer or Officers as they shall find necessary and convenient; and shall or may take such Security as they shall think proper from such Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Surveyor or Surveyors, or other Officer or Officers so to be appointed as aforesaid; and likewise may, from Time Time, remove any or either of such Officer or Officers, or other Person or Persons, and appoint others in the Room of such of them as shall be so removed, or that shall die; and such Commissioners as aforesaid shall and may, out of the Monies arising or to arise by virtue of this Act, pay or cause to be paid such Salaries or other Allowances as they shall judge reasonable to be paid or made to the Officers or other Persons so appointed, for and in consideration of his and their Office

Commissioners to appoint Officers,

and take Security.

Commissioners to appoint Officers Salaries.

fice and Offices respectively, and to such other Person or Persons as have been or shall be aiding and assisting in and about the Execution of this Act.

Penalty on Officers neglecting their Duty, &c.

And be it further enacted by the Authority aforesaid, That if any Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Surveyor or Surveyors, or other Officer or Officers, Servant or Servants, which shall or may hereafter be appointed by the said Commissioners in the Execution of this Act, or any Part thereof, shall exact, demand, take, or accept any Fee or Reward whatsoever, other than such Salaries and Rewards as shall be appointed, allowed, and approved of by such Commissioners as aforesaid, for or on account of any Thing done, or to be done by virtue of this Act, or for forbearing to do any Thing ordered or directed by the Commissioners for putting this Act in Execution, or on any Account whatsoever relating to the Execution thereof, or shall any Way be concerned or interested in any Bargain made, or to be made, by such Commissioners, or any of them, for any of the Purposes intended by this Act, every Person so offending shall for ever be incapable of being employed under this Act, and shall, over and above, forfeit and pay the Sum of Fifty 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 Months next after the Offence committed, wherein no Protection, Essoin, or Wager of Law, or more than One Imparlance, shall be allowed.

First Meeting of Commissioners.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet together in the Vestryroom in the said Parish, on the Second Monday next after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, and shall proceed to the Execution of this Act; and shall then, and from Time to Time afterwards adjourn themselves to meet at the Place aforesaid, or at any other Place or Places within the said Parish, as such Commissioners shall think proper or convenient for putting this Act in Execution, and of which Adjournment Notice in Writing, or printed, and signed by the Clerk or Clerks, shall be given to or left for such Commissioners at their last or usual Place or Places of Abode, One Day at least before such intended Meeting: And if it shall happen that there shall not appear at any Meeting, which shall be appointed to be had or held by such Commissioners, a sufficient Number of such Commissioners as

as are hereby appointed to constitute a Quorum to act at such Meeting, and to adjourn to another Day; then, and in such Case the Clerk or Clerks of such Commissioners for the Time being, shall, and is and are hereby required to summon such Commissioners to meet at the Place where the last Meeting was appointed to be held, within Eight Days next after the Day on which such Meeting was to have been held as aforesaid, such Summons to be signed by the Clerk or Clerks, and to be delivered at the last or usual Place of Abode of such Commissioners, at least, Two Days before such Meeting; and in case the said Clerk or Clerks shall happen to die before such Summons issued, or shall neglect to issue such Summons in Manner aforesaid, then the Treasurer or Treasurers for the Time being to such Commissioners shall and may, and he or they is and are hereby required to issue such Summons within Eight Days from the Time the said Commissioners ought to have been summoned by the Clerk or Clerks in Manner aforesaid; and such Commissioners shall at their Meetings pay their own Expences.

Power to adjourn.

Commissioners to defray their own Expences.

And be it further enacted by the Authority aforesaid, That all the Acts, Orders, and Proceedings of such Commissioners, from Time to Time, shall be entered in a Book or Books to be kept for that Purpose, and signed by the Chairman for the Time being, at their next Meeting; and such Orders shall then be deemed and taken to be original Orders; and such Book or Books shall and may be produced and read in Evidence in all Courts whatsoever.

Proceedings to be entered in a Book,

to be read in Evidence.

Provided always, and be it enacted by the Authority aforesaid, That no Act of such Commissioners shall be valid, unless done or made at some Meeting to be held in pursuance of this Act, where either Five or more Commissioners (as may be necessary under any Part of this Act) shall be present.

No act valid unless done at a publick Meeting.

Provided also, and it is hereby enacted and declared, That all the Powers and Authorities by this Act granted to or vested in such Commissioners shall and may, from Time Time, be exercised by the major Part of them who shall attend any publick Meeting to be holden as herein before mentioned, the Number of such Commissioners present at such publick Meetings not being less than Five (except where a great Number is declared necessary by this Act); and all the Orders and Proceedings of the major Part of such Commissioners present at such publick Meetings

Majority at publick Meetings to act.

ings shall have the same Force and Effect as if done or made by all such Commissioners for the Time being.

Property of Pavements vested in Commissioners.

And be it further enacted, That the Property of the said Pavements, Posts, Lamps, Iron, Timber, Furniture, and all other Materials and Things which shall be made Use of for the Purposes of this Act, shall be, and the same is hereby vested in the Commissioners for the Time being; and they, or any Five 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 One 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 or any Part of such Materials or Things; and if any Person or Persons shall wilfully or maliciously break up, destroy, or otherwise damage or spoil any of the said Materials or Things, or any of the Works done in pursuance of this Act, or any Part or Parts thereof, every Person so offending therein, and being thereof convicted by the Oath of One or more Witness or Witnesses before any One or more Justice or Justices of the Peace for the County of Middlesex, shall, for the First Offence, forfeit any Sum not exceeding Forty Shillings, nor less than Ten Shillings, and for the Second and every other Offence, any Sum not exceeding Three Pounds, nor less than Twenty Shillings, to be levied and recovered by Distress and Sale of the Goods and Chattels of every such Offender, by Warrant under the Hand and Seal, or Hands and Seals of the Justice or Justices before whom such Conviction shall be made; which Forfeiture shall be applied to the Purposes of this Act: And in case the Person or Persons so offending and convicted shall have no Goods or Chattels whereupon the same can be levied; then, and in such Case respectively, it shall and may be lawful to and for One or more of such Justice or Justices of the Peace as aforesaid, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Person or Persons respectively to the House of Correction, there to remain for any Space not exceeding Two Calendar Months, nor less than Ten Days, to be reckoned from the Day of Commitment; and the Person or Persons so incurring and being convicted of any of the said pecuniary Penalties, shall not be discharged until he, she, or they shall have paid the Sum forfeited as aforesaid, or until the Expiration of the said respective Times.

Penalty on damaging Works, &c.

to be levied by Distress and Sale.

For want of Distress, Offender to be committed.

And be it further enacted by the Authority aforesaid, That the Property of all Stones, Posts, and all and every Part and Parts of the old Materials which shall belong to the old Pavement, as well of the Carriage as of the Foot Ways within the Limits aforesaid, shall be vested in the said Commissioners for putting this Act in Execution, and their Successors; and it shall and may be lawful to and for the said Commissioners and their Successors, or their Surveyor or Surveyors for the Time being, by their Order, or the Order of any Five or more of them, to sell or dispose of the same, or of all or any Part or Parts thereof, to such Person or Persons who shall be willing to buy or purchase the same, and to apply the Purchase-money arising by such Sale to the Purpose of this Act. Old Materials, &c. vested in Commissioners, and may be sold,

Provided always, and it is hereby enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order all or any of the said old Materials to be made Use of in paving or repairing any Square, Street, Lane, Court, Yard, Alley, Passage, or Place within the Limits aforesaid; and the said Commissioners may, from Time to Time, hire a Piece of Ground to convey, lay, and dispose of all or any of the said old Materials as aforesaid, for and until such Time as they shall have Occasion, or judge it necessary to use the same. or made Use of in paving Squares, &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, to hire a Piece of Ground for the Purpose of digging Gravel for the better paving the said Streets, Squares, and Places, for such Time, and for such Sum and Sums of Money, as to them shall appear reasonable; which Sum and Sums of Money shall be paid out of the Monies arising, or to arise by virtue of this Act; and also to buy such Carts, Horses, Teams, or Carriages, as may be necessary for the Purpose of carting such Gravel, or for cleansing the Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, or for any other Purpose directed by this Act; and shall and may hire such Persons, buy such Materials, and make such Regulations for the better cleansing the same, as they, or any Five or more of them, in their Discretion, shall think proper; any Law, Statute, or Usage to the Contrary thereof in any-wise notwithstanding. Commissioners may hire Ground for getting Gravel.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, Commissioners may contract with Persons for paving, &c.

may, and they are hereby authorised and impowered, at any of their said Meetings, to contract with any fit Person or Persons for paving, keeping in Repair, cleansing, and lighting all or any of the said Squares, Streets, Lanes, Courts, Alleys, Yards, Passages, or Places, within the Limits aforesaid; which Contract and Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works shall be compleated, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by the said Commissioners, or any Seven or more of them, and also by the Person or Persons contracting to perform such Works respectively; which Contract shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to such Commissioners; but, previous to the making of any such Contract, Fourteen Days Notice at the least shall be given in some publick News-paper, expressing the Intention of such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose to the said Commissioners, at a certain Time and Place in such Notice to be mentioned.

Penalty on Persons carrying Cinders, &c.

And be it further enacted, That if any Person or Persons, other than the Scavenger contracting with the said Commissioners, or those employed under him, shall, without the Privity and Consent of the Owner, carry away any Cinders or Ashes from any House or other Premises in any Square, Street, or Place, within the Limits aforesaid, that such Person or Persons so carrying away such Cinders or Ashes shall forfeit a Sum not exceeding Five Shillings for every such Offence.

Penalty on Owners of Carts.

And it is hereby further enacted, That in case the Person who shall carry away the Cinders or Ashes, without being properly authorised by the Scavenger, cannot be apprehended, that then a like Penalty of Five Shillings shall be forfeited by the Owner of the Cart in which such Cinders or Ashes shall be placed in order to be carried away.

Works to be inspected.

And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, 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 Intent and Meaning of such Contract or Contracts, or shall not be finished and compleated at or within the Time or Times that

that the same is or are agreed to be compleated by the said Contractor or Contractors, the said Surveyor or Surveyors, or other Person or Persons, shall report the same to the said Commissioners at their next or any subsequent Meeting, who shall or may thereon, in their own Names, or in the Names of any Five or more of them, or in the Name or Names of their Treasurer or Treasurers for the Time being, bring an Action of Debt in any of His Majesty's Courts of Law at Westminster against any Person or Persons so contracting and neglecting to perform any such Contract or Contracts, and for any Penalty or Penalties which shall be contained in such Contract or Contracts; and on Proof of the Signing of the said Contract or Contracts, and Nonperformance thereof at the Time for that Purpose therein mentioned, the said Commissioners shall be intitled to, and shall recover such Penalty or Penalties; which, when recovered, shall be applied for the Purposes of this Act.

Commissioners may compound, &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 Seven or more of them, to compound and agree with any Person or Persons against whom such Commissioners shall bring, or cause to be brought any Action or Actions, Suit or Suits, for any Penalty or Penalties contained in any Contract or Contracts hereafter to be made or entered into, in pursuance of this Act, on account of any Breach or Nonperformance of any such Contract or Contracts, for such Sum or Sums of Money as they shall think proper, so as the Sum so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract or Contracts, and all Costs, Charges, and Expences which shall be occasioned thereby.

Paviors, Carters, &c. to be appointed.

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 order and direct such and so many Paviors, Artificers, Workmen, Labourers, Carters, and others, in the respective Works aforesaid, as they shall judge necessary for the due Execution of such Works; and no Person or Persons shall, for any Act done in consequence of his or their being so employed by Order of such Commissioners, be subject or liable to any Action, Indictment, or Information upon the Statute made in the Fifth Year of the Reign of Queen Elizabeth, intituled, An Act containing divers Orders

ders for Artificers, Labourers, Servants of Husbandry, and Apprentices.

Commissioners may cause the Streets, &c. to be new-paved.

And be it further enacted by the Authority aforesaid, That the Commissioners for putting this Act in Execution, or any Five or more of them, may cause all or any of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, or any Part or Parts thereof, whether Foot or Carriage Way, within the Limits aforesaid, to be new-paved or repaired; and, for such Purposes, may cause to be dug, carted, and carried out of or brought into the same, or any of them, or any Part or Parts thereof, such Gravel, Stones, and other Materials as they shall judge necessary; and may likewise cause the Ground thereof to be raised or lowered, the Course of the Channels running in or through the same to be turned or altered, new Grates to the common Sewers to be added or replaced, and in what Numbers or Places they shall think proper, and the Water-pipes which now lie, or hereafter shall be laid under Ground to be taken up and new-laid in such Places, Manner, and Form, as they shall judge best; and may cause all or any Posts or Rails in such Streets or Places within the Limits aforesaid, as they shall judge useless, or to be a Nuisance or Obstruction either to Foot Passengers or to Carriages, to be taken up and removed; and likewise all Steps, Bulks, Stalls, Dung-holes, Saw-pits, Shew-glasses, and Shew-boards, encroaching upon the Foot-way, as also all Steps and Doors opening or leading from the Foot-way or Carriage-way into Vaults, Cellars, or other Places, to be removed, filled up, or altered, as they the said Commissioners shall judge necessary.

Penalty on altering the Form of the Streets, &c.

And be it further enacted by the Authority aforesaid, That no Person or Persons shall alter, or cause to be altered the Form of any of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, which shall be new-paved by Order of such Commissioners as aforesaid, or the Manner of the Pavement thereof, or in any-wise incroach thereon, or put up any Post or Posts, Step or Steps, or erect any Bulks or Stalls, or place out any Shew-glasses or Shew-boards, so as to be an Incroachment, or make any Dung-holes or Saw-pits, upon Pain that every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, nor less than Forty Shillings, over and above the Expences of relaying and reinstating such Pavements, or taking down

down such Posts, Bulks, or Stalls, and removing or altering such Shew-boards or Shew-glasses, or filling up such Dung-holes, or Saw-pits, according to the Direction of such Commissioners.

Occupiers of Houses may make Areas.

Provided always, and it is hereby enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to prevent any Owner or Occupier of any House, Shop, Warehouse, Building, Tenement, or Hereditament, within the Limits aforesaid, to make any Area or Areas, either in the Front or at the End of any such House, Shop, Warehouse, Building, Tenement, or Hereditament, after the same shall be paved; but they shall have like Power to make such Area or Areas as before the passing of this Act; any Thing herein before contained to the Contrary thereof in any-wise notwithstanding.

Notice to be given when Pavements want Repair.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, if any Householder or Householders, within the Limits aforesaid, shall make Complaint in Writing under his, her, or their Hand or Hands, and shall leave the same at the last or usual Place of Abode of the Surveyor or Surveyors to the said Commissioners, of any Defect or Want of Repair in any of the Pavements of any of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, either before or after the same shall have been new-paved or repaired by virtue of this Act, Three Days before the Meeting of the said Commissioners; then, and in every such Case, the said Surveyor or Surveyors shall view the said Pavement, and report the Condition thereof to the said Commissioners at their next Meeting; and if the said Surveyor or Surveyors, to whom such Notice shall be given or left as aforesaid, shall, upon such View, find the Pavement complained of to be bad and defective, (unless it shall appear to arise from a Defect relating to the Water-pipes lying under such Pavement) the said Commissioners shall give Order to their Contractor or Contractors, Paviour or Paviors, to repair the same within such Time as they the said Commissioners shall judge necessary for the Repair thereof, which Time shall be specified in such Order; and if the Contractor or Contractors, Paviour or Paviors, to whom such Order shall be given, shall not repair and amend such Pavements within such Time as he or they shall be directed by the said Commissioners to repair and amend the same; then, and in every such Case, the

Penalty on Contractors, &c. neglecting to pave, after Notice.

said Contractor or Contractors, Paviar or Paviors, shall forfeit and pay the Sum of Twenty Shillings for every Day that the said defective Pavement shall remain unrepaired after the Time limitted by the said Commissioners in their said Order; and One Half of every such Penalty shall be applied and paid to such complaining Inhabitant for his or her Loss of Time and Trouble in and about the Premises.

If Surveyors think such Pavements not defective, &c. Commissioners to View the same.

Provided always, and it is hereby enacted and declared, That if the said Surveyor or Surveyors shall, on any View or Views, be of Opinion, that the Pavement or Pavements mentioned to be bad and defective by such Householder or Householders in such Notice is not bad and defective, then, and in such Case, the said Commissioners, or any Two or more of them, shall forthwith proceed to view the said Pavement, and their Opinion and Order concerning the same, after such View, shall be final and conclusive; any Thing in this Act contained to the Contrary thereof in any-wise notwithstanding.

Streets, &c. to be watered.

And it is hereby further enacted by the Authority aforesaid, That such Commissioners as aforesaid, or any Five or more of them, shall have full Power and Authority to cause all or any of the Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, within the Limits aforesaid, to be watered as often as they shall think fit; and also to cause any Well or Wells to be dug or sunk in such Places (not being a Vault, Cellar, or other Building, under any of the Streets and Places aforesaid) as they shall think proper, and also any Pump or Pumps to be erected in or near such Places, and also any Pumps now standing, or which shall hereafter be erected for the Purpose of Watering the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, to be removed and altered, and to defray the Expence thereof out of the Monies to be raised by Virtue of and for the Purposes of this Act.

Projections, &c. to be removed.

And be it further enacted, That such Commissioners as aforesaid, or any Five or more of them, shall and may cause all Trees, Signs, Sign-posts, Sign-irons, Dyers, Scourers, and Barbers Poles, or any other Poles, Porches, Pent-houses, Boards, Spouts, and Gutters, projecting into or over the Highways or Footways, and all other Incroachments, Projections, or Annoyances whatsoever within the Limits aforesaid, to be taken down and removed; and shall cause all Signs, Boards, and Gutters, to be affixed and placed close to or on the Fronts of the Houses, Shops,

Warehouses, or Buildings, whereunto they respectively belong, or otherwise as the said Commissioners shall think proper and convenient; and shall return, or cause to be returned to the respective Owners, all or so much of such Signs, Sign-posts, Poles, Sign-irons, Boards, Spouts, and Gutters, as shall not be affixed or put up, or otherwise made use of in the Alterations directed by the said Commissioners, in pursuance of this Act; and that for the future all Signs, Sign-boards, and Gutters, shall be placed and fixed close to or on the Fronts of the Houses, Shops, Warehouses, or Buildings, to which 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 other Post, Sign-iron, Pole, Porch, Penthouse, Board, Spout, Gutter, or other Projection, Obstruction, or Annoyance whatsoever, or cause the same to be done, contrary to the Directions aforesaid, and the true Intent and Meaning of this Act, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, nor less than Forty Shillings, and the Sum of Five Pounds for every Week the same shall be continued.

Signs, &c. how to be affixed.

And whereas it might tend to the publick Convenience if all Buildings and Erections projecting into or upon the Footways, were taken down and removed, as also all Doors of Cellars leading from and out of any of the Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, and all Steps belonging thereto, and all other Projections whatsoever, and not herein before mentioned, were taken down, removed, and altered, as the said Commissioners shall think fit; be it further enacted by the Authority aforesaid, That if any Person or Persons whomsoever in any wise interested in any of the said Premises, upon Ten Days Notice to them given or left in Writing at the House or Houses, Place or Places of Abode of such Person or Persons, or at the House, Shop, Shed, or other Place of the Tenant in Possession of such Premises, shall neglect or refuse to treat, or shall not agree for the Sale of any such Premises, in any Part or Parts thereof, or for their Interest therein; then, and in every such Case, the said Commissioners shall cause the Value of the Premises to be inquired into and ascertained by and on the Oath of a Jury of Twelve indifferent Men of the County of Middlesex, (which Oath the said Commissioners, or any One or more of them, is and are hereby impowered to administer) what Damages will be sustained by, and what Recompence

Buildings, &c. projecting may be removed.

Persons refusing to treat, a Jury to be summoned.

Recompence and Satisfaction shall be made to such Owners, Occupiers, or Proprietors, or other Person or Persons interested in the Premises before mentioned, or any Part or Parts thereof, which the said Commissioners shall think proper to be pulled down and removed for their respective Interest therein; and in order thereunto the said Commissioners are hereby impowered and required, from Time to Time, as there shall be Occasion, to summon and call before the said Jury, and to examine upon Oath, all Persons whatsoever who shall be thought necessary or proper to be examined as Witnesses touching or concerning the Premises, (which Oath the said Commissioners, or any One or more of them, is and are hereby impowered to administer); and if any of the Parties interested shall request the same, or the said Commissioners, or any Five or more of them, shall think it necessary, shall also cause the said Jury to view the Place or Places in question, and shall also use all other lawful Ways and Means, as well for their own as for the said Jury's Information in the Premises, in such Manner as they the said Commissioners shall think fit; and after the said Jury shall have so inquired of, ascertained, and settled such Damages and Recompence, they the said Commissioners shall thereupon order and adjudge the Sum or Sums of Money so assessed by the said Jury for such Penalties as aforesaid, to be paid to the Persons interested in the said Premises, or any Part or Parts thereof, according to the Verdict and Inquisition, and the Order and Adjudication so had and made shall be final and conclusive to all Intents and Purposes against all Parties and Persons whatsoever claiming in Possession, Reversion, Remainder, or otherwise, their Heirs, Executors, Administrators, and Successors respectively, as well absent as present, Infants, Femes-covert, Lunaticks, Ideots, and Persons under any Disability whatsoever, as well as all other Persons whomsoever; and all and every Person and Persons in anywise interested in the Premises, or in any Part or Parts thereof, shall, from and after Payment or Tender of the Money so assessed and adjudged as aforesaid, in Manner hereafter directed, be hereby, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, or Property of, in, or to the same.

Witnesses to be summoned, &c.

Jury to settle the Damage,

whose Determination shall be final.

And be it hereby further enacted, That if any Person shall be intitled, either in Reversion or Remainder, to any such Premises, the Money so awarded by a Jury as a Satisfaction shall be settled to the same Uses as the Premises

Money awarded for Premises settled to like Uses.

were,

were, unless such Person so interested shall consent to give up such reversionary Interest.

And be it further enacted by the Authority aforesaid, That for the summoning and returning of such Jury or Juries, the said Commissioners, or any Five or more of them, are hereby impowered, from Time to Time, to issue their Warrant or Warrants to the Sheriff of the said County, thereby requiring him to impannel, summon, and return an indifferent Jury of Twenty-four Persons to appear before the said Commissioners at such Time and Place as in such Warrant or Warrants shall be appointed, of which Time and Place all Parties interested shall have Ten Days Notice given or left in Manner herein last before mentioned; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, summon, and return such Twenty-four Persons accordingly; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear accordingly to or upon such Summons, the said Commissioners shall cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and for Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return so many of the Standers-by as shall be necessary to make up the Number of Twelve to serve on such Jury. How a Jury may be summoned.

Provided always, That in case the said Sum or Sums so assessed by the said Jury, and ordered and adjudged by the said Commissioners to be paid as a Satisfaction to the Owners, Occupiers, or others, for their respective Interests in the said Premises, shall not be paid, tendered, or left as herein mentioned, according to the true Intent and Meaning of this Act, within One Calendar Month after the same shall have been so assessed, ordered, and adjudged, then, and in such Case, the Verdict of the said Jury, and Order and Adjudication of the said Commissioners, shall not be binding upon the said Parties; any Thing herein contained to the Contrary notwithstanding. Verdict not binding unless the Sums assessed be paid.

Provided always, and be it enacted by the Authority aforesaid, That all Persons concerned shall, from Time to Time, have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Commissioners acting in the Premises shall have Power, from Time to Time, to impose any reasonable Fine or Fines on such Sheriff, or his Deputy or Deputies, Bailiffs, or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned Jurors may be challenged. Penalty on Sheriff, &c.

on such Jury, and shall not appear, or shall refuse to be sworn on such Jury, or to give their Verdict, or in any Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who, being required to give Evidence touching the Premises, shall refuse to be examined or give Evidence; and from Time to Time, to levy such Fine or Fines in such Manner as any Penalties in this Act are directed to be levied and recovered, so that no Fine shall exceed the Sum of Ten Pounds upon any One Person for any One Offence.

Fine not to exceed 10*l.*

In case of Disputes, &c. Monies to be paid into the Bank.

And be it further enacted by the Authority aforesaid, That in case such Person or Persons to whom such Sums of Money shall be so assessed or due as aforesaid cannot be found, or if by Reason of Disputes depending in any Court of Law or Equity, or for Default of Evidence, or otherwise, it shall not appear to the said Commissioners what Person or Persons is or are intitled to the same, or if any Mortgagee or Mortgagees shall refuse to take in his, her, or their Mortgage Money, due upon the Premises, after Notice given to him, her, or them for that Purpose; then, and in all and every such Case or Cases, it shall and may be lawful to and for the said Commissioners, to order the Sum or Sums so assessed and awarded as aforesaid, or as shall be due on any such Mortgage, to be paid into the Bank of England, in the Name or Names of the Treasurer or Treasurers to the said Commissioners for the Time being, for the Use of the Parties interested in the said Premises, to be paid to them and every of them, according to their respective Estates and Interests in the said Premises, as the said Commissioners shall, by any Order to be by them made, direct.

Consideration Money how to be paid.

And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money, or other Consideration, Recompence, or Satisfaction to be paid, made, or given, pursuant to any Agreement, Award, Judgement, Sentence, Decree, or Determination, as shall be made in pursuance of this Act, shall be and are hereby charged and chargeable upon all or any Part of such Money or Monies as shall be received by virtue of this Act.

Names of Streets to be affixed up, and Houses numbered.

And be it further enacted by the Authority aforesaid, That such Commissioners as aforesaid, or any Five or more of them, shall and may cause to be painted, engraved, or described in Stone or Wood, or otherwise, and to be affixed in a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance

Entrance of each of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, the Name by which each respective Square, Street, Lane, Court, Yard, Alley, Passage, and Place, is properly or usually called or known; and may also cause every House, Shop, or Warehouse, in each of the said Streets and Places to be marked and numbered, in such Manner as they shall judge most proper for distinguishing the same: And if any Person or Persons shall wilfully destroy, pull down, injure, obliterate, or deface any such Names, Descriptions, Marks, or Numbers, or any Parts or Part thereof, or cause or procure the same to be done, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings.

Penalty on defacing Numbers, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Person shall at any Time or Times hereafter drive or place, or cause to be driven or placed in any of the Carriage-ways within the Limits aforesaid, any Coach, Cart, Waggon, Dray, or other Carriage, or on any Part or Parts thereof, so as to occasion any Annoyance whatsoever, and shall not immediately remove the same when required so to do by any Person or Persons whatsoever, or if any Person or Persons shall set or place any such Carriage for the Purpose of loading or unloading thereof, or for any other Purpose, upon any Foot-way or Crossing in any Square, Street, Way, Lane, Passage, or Place within the Limits aforesaid, every Person so offending shall, for every or either of the said Offences, forfeit and pay the Sum of Five Shillings; and One of such Commissioners, or any Person or Persons appointed by them for that Purpose, may seize, or cause to be seized, any such Coach, Cart, Waggon, Dray, or other Carriage, together with the Horse or Horses, if any shall be thereunto belonging, and drive or remove, or cause the same to be driven or removed to the Pound, or other proper Place within the said Parish, there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall and do pay to the Person or Persons in whose Custody the same shall be, the said Penalty, together with the Charges of removing the same, and of keeping such Horse or Horses, if any; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Five Days next after such Seizure thereof, then it shall and may be lawful to and for the said Commissioners, or any Five or more of

Annoyances how to be remedied.

of them, to order the same to be appraised and sold, and the Money arising therefrom shall be applied to the Purposes of this Act.

Penalty on not removing Casks, &c. after Notice.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times hereafter set or place, or cause to be set or placed in any of the Carriage-ways or Foot-ways within the Limits aforesaid, any Casks, Package, Timber, Stones, Wheels, Bricks, Lime, Sand, Mortar, or Wood, or any other Materials or Things whatsoever for the Purposes of making Mortar, or of building any House, Shop, Warehouse, Coach-house, Stable, or Tenement, or for any other Purposes, (unless the same shall be inclosed in a Board or other Erection, as herein-after is directed) and shall remove the same within the Space of One Day next after Notice to him or her given for that Purpose, or left at the Premises where the same shall be, or if empty and unoccupied, or in building, stuck against the Wall thereof by any One of such Commissioners as aforesaid, or by any Person or Persons by them appointed for that Purpose, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, nor less than Five Shillings; and any One of such Commissioners, or any Person or Persons so appointed by them, may seize or cause to be seized such Casks, Package, Timber, Stones, Wheels, Bricks, Lime, Sand, Mortar, Wood, or other Materials (not being inclosed as aforesaid), and take or remove, or cause the same to be taken or removed to the Pound, or other proper Place within the said Parish, there to be kept and detained until the Owner or Owners thereof, or his, her, or their Servant or Servants, shall and do pay to the Person in whose Custody the same shall be the said Penalty, together with the Charges of removing the same; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Five Days next after such Seizure thereof, then it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order the same to be appraised and sold, and the Money arising therefrom shall be applied to the Purposes of this Act.

Penalty if Nuisances are continued.

And it is hereby further enacted, That if any such Nuisance, Obstruction, or Annoyance shall be afterwards replaced, and be continued for the Space of One Hour after Notice to remove the same, the Person or Persons convicted of such Second Offence shall forfeit and pay the Sum

Sum of Ten Shillings, and the like Sum of Ten Shillings for every repeated Offence.

And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall erect or build, or cause to be erected or built, any Hoard, or erect any Posts, Bars, Rails, Boards, or other Thing by way of Inclosure for the Purpose of making Mortar, and depositing Bricks, Stone, Lime, Sand, or any other Materials for building or repairing any House, Tenement, or other Works, or for any other Purpose, without Leave or Licence first had and obtained under the Hand or Hands of the Surveyor or Surveyors for the Time being to such Commissioners, who is and are hereby required to grant the same forthwith to every Person so applying for such Licence, paying to the said Surveyor or Surveyors the Sum of One Shilling; and no Person whatsoever shall erect or build any such Kind of Hoard or Inclosure as aforesaid in any other Manner, or suffer the same to remain for any longer Time than shall be expressed or allowed in such Licence from the said Surveyor or Surveyors, to be signed as aforesaid, upon Pain of forfeiting any Sum not exceeding Twenty Shillings, nor less than Five Shillings, for every Twelve Hours that the same, or any Part thereof, shall be continued contrary to the Directions of this Act; and if any such Kind of Inclosure shall be erected or built without the Leave of the said Surveyor or Surveyors so had and obtained, and signed as aforesaid, or shall be set up in any other Manner, or continued for any longer Time than shall be allowed and expressed in such Licence; then, and in either of the said Cases, it shall and may be lawful for such Commissioners, or any Five or more of them, to cause the same to be pulled down and removed, and the Materials thereof shall be deposited in the Pound, or any other proper Place within the said Parish, there to be kept and detained until the Owner or Owners, or his, her, or their Servant or Servants, shall and do pay to the Person or Persons in whose Custody the same shall be the said Penalty, together with the Charges of removing the same; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Five Days next after such Seizure thereof, then it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order the same to be appraised and sold, and

Licences may be granted for erecting Hoards, &c.

the Money arising therefrom shall be applied to the Purposes of this Act.

No Lime be sifted, &c. in any Squares, &c.

And it is hereby further enacted, That if any Person or Persons shall sift, screen, or slack any Lime (except within such Inclosure as aforesaid) in any Square, Street, Way, Lane, or Passage, or cause the same to be so done, he or they shall forfeit and pay for every such Offence the Sum of Forty Shillings.

Penalty on driving Carriages, &c. on the Foot-pavements.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall for the future carry, run, drive, or draw, or cause to be carried, run, driven, or drawn, on any of the Foot-pavements within the Limits aforesaid, any Wheel or Wheels, Sledge, Wheel-barrow, or any Carriage whatsoever, or shall wilfully ride, lead, or drive any Horse, Ass, or other Cattle, Coach, or other Carriage whatsoever, upon any Part of the said Foot-pavements, or shall throw or cast any Dung, Ashes, Dirt, or Rubbish, into or upon any of the Carriage or Foot Ways; then, and in any such Case, and as often as they or any of them shall happen, it shall and may be lawful to and for any Person or Persons whatsoever, who shall see such Offence committed, to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, and they are hereby required so to do by the Authority of this Act; and without any other Warrant, to convey and deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County; and the Party or Parties accused being brought before any such Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence (which Oath the said Justice is hereby authorised and required to administer); and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon Information as aforesaid, he, she, or they, so convicted of any such Offence respectively, shall forfeit the Sum of Ten Shillings for the First Time of offending, the Sum of Twenty Shillings for the Second Time of offending, and the Sum of Forty Shillings for the Third and every other Time of offending: And in case such Offender or Offenders shall not upon such Conviction pay such Forfeitures by him, her, or them incurred as aforesaid, the Justice before whom such Offender or Offenders shall be convicted is hereby required to commit him,

him, her, or them to the House of Correction for the said County, there to be kept to hard Labour for any Space of Time not exceeding Ten Days, nor less than Three Days.

Stands of Hackney Coachmen, &c. to be regulated.

And whereas both Hackney Coachmen and Hackney Chairmen frequently take their Stands with their Coaches and Chairs in such Part of a Street as to occasion considerable Obstructions both on the Carriage and Foot-ways; be it therefore enacted, That from and after the passing of this Act the said Commissioners, or any Seven or more of them, may direct and regulate such Stands as they shall in their Discretion think proper within the Limits aforesaid; and if any Hackney Coachman or Hackney Chairman shall not comply with such Regulations, he or they shall forfeit the Sum of Ten Shillings for every Offence.

Time of emptying Bog-houses, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall come with any Cart or Carts, or begin to empty any Bog-house or Bog-houses, or to take away any Night-soil from any House or Houses within the Limits aforesaid, before the Hour of Twelve of the Clock in the Night, or shall continue to take away the same after the Hour of Five of the Clock in the Morning, from Michaelmas to Ladyday, or after the Hour of Four of the Clock from Ladyday to Michaelmas; or if any Person shall put or cast, or cause to be put or cast out of any Cart, Tub, or otherwise, in or near any of the Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, within the Limits aforesaid, or within half a Mile thereof, any such Night-soil, it shall and may be lawful to and for any Constable, Beadle, or Watchman, (and they are hereby strictly required and directed so to do) or any other Person or Persons whatsoever, to apprehend and carry him or them, guilty of either of the said Offences, to the Watch-house of the said Parish, and from thence, as soon as conveniently may be, before some Justice of the Peace for the said County, who, upon Oath made of such Offence or Offences as aforesaid (which Oath such Justice is hereby impowered and required to administer) shall and may commit such Person or Persons, guilty of any of the said Offences, to the House of Correction for the said County for any Time not exceeding Two Months, nor less than Fourteen Days, there to be kept to hard Labour; and it shall and may be lawful to and for the said Commissioners, at any Meeting to be held in pursuance of this Act, to order any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, to be paid to the Person who shall detect, apprehend,

apprehend, and convey before any such Justice or Justices, of the Peace any such Person or Persons guilty as aforesaid, to be paid out of the Rates to be raised by virtue of this Act.

Where any of the Water Pipes break, Notices to be given;

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-companies shall break, or burst, in any of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, it shall and may be lawful to and for the Surveyor for the Time being to the Commissioners for putting this Act in Execution, or such other Person as the said Commissioners, or any Five or more of them, shall appoint for that Purpose, to give immediate Notice thereof to the Paviour 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 after such Notice given to such Paviour, or left at his last or usual Place of Abode; and if, upon taking up of the Pavement and opening the Ground, it shall appear that the Pipe or Pipes so broken or burst do not or doth not belong to the Water-company whose Paviour 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 Paviour 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 Paviour, or at his last or usual Place of Abode; and the Paviour 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 Two Days after such Pipe shall be repaired, and the Ground filled in, to give Notice to the Paviour or Paviours contracting with the said Commissioners, or to the Surveyor, or other Person aforesaid, of such Pipe or Pipes being repaired, and such Ground being filled in, such Notice to be given to such Contractor, Surveyor, or other Person, or left at his or their last or usual Place of Abode: And in case it shall happen that the Paviour who first receives Notice to take up the Pavement and open the Ground for the Purposes aforesaid shall take up such Pavement and open such Ground, and it shall then be discovered that the Pipe or Pipes which is, are, or shall be burst or broken do or doth not belong to the Company to whom he is Paviour,

and the Expences of re-laying the Pavement to be paid.

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 broken 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 Person 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 any Person or Persons contracting with the said Commissioners to relay such Pavements, so broken or taken up for the Reasons aforesaid, shall neglect or refuse to relay such Pavement in a good, sufficient, and effectual Manner, within Two Days after such Notice given to him as aforesaid, or if the Surveyor or other Person to whom such Notice shall be given shall neglect to acquaint the Contractor 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: And if any Pipe or Pipes (other than such as belong to any of the Water-companies) shall happen to break or burst in any of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, the Owner or Owners thereof shall cause the Ground to be opened, and such Pipe or Pipes to be repaired, within the Times before respectively limitted for such Purposes; and also shall forthwith give Notice to the Contractor or Contractors, Surveyor or Surveyors, or other Person or Persons so appointed as aforesaid, to relay the Pavement so broken and taken up, upon Pain of forfeiting for every such Neglect or Refusal the Sum of Forty Shillings: Or if any Pavement shall be broken or taken

Pipes breaking in any Square, &c. Owners to open the Ground and repair the Pipes;

giving Notice to the Contractor, &c. to relay the Pavement on Pain of forfeiting 40 s.

7

Pavement taken up by Commissioners of Sewers for making Repairs, &c. Surveyor to give Notice to the Contractor to relay the same under Penalty of 40 s.

taken up by the Commissioners of Sewers for the Purposes of making, repairing, or altering any Sewer or Drain, or for any other Purpose whatsoever, the Surveyor for the Time being to the said Commissioners of Sewers, or such other Person or Persons so breaking or taking up the said Pavement, shall forthwith give Notice thereof to the Surveyor or Surveyors, Contractor or Contractors, or other Person or Persons appointed by the Commissioners for putting this Act in Execution, to relay, or repair the Pavement so broken or taken up as aforesaid, upon Pain of forfeiting, for every such Neglect or Refusal, the Sum of Forty Shillings; or if the said Surveyor or Surveyors to or for whom such Notice shall be given or left as aforesaid, shall neglect or refuse to acquaint the Contractor or Contractors, or other Person or Persons so appointed as aforesaid of such Notice, or if such Contractor or Contractors, or such other Person or Persons, shall not, within Two Days next after such Notice respectively given, relay or repair the same; then, and in every such Case, the Person or Persons so respectively offending, shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, and the like Sum of Twenty Shillings for every Day such Pavement shall continue without being relayed or repaired after the Expiration of the said Two Days.

Paviors, &c. to give Notice of the Death or Removal of Turncocks, &c.

And be it further enacted by the Authority aforesaid, That the several and respective Paviors and Turncocks now appointed, or hereafter to be appointed in case of the Death or Removal of any such Pavior or Turncock by the said several and respective Water-companies, shall, and they are hereby required within the Space of Twenty-one Days next after the passing of this Act, or within the Space of Three Days next after he or they shall be appointed Pavior or Paviors, Turncock or Turncocks, to such Company or Companies, to give Notice in Writing to the Surveyor or Surveyors for the Time being to the Commissioners for putting this Act in Execution, or to such other Person or Persons as shall be by them, or any Five or more of them, appointed for that Purpose; which Notice shall contain such Pavior's or Turncock's Name and Place of Abode respectively, as also to what Company he is Pavior or Turncock, and in what District he has the Care of such Company or Companies Pipes; and in like Manner the Surveyor or Surveyors to such Commissioners for the Time being shall, within the respective Times aforesaid, give Notice to the

respective Paviors and Turncocks of the said several Water Companies of his or their own Place or Places of Abode, and also to the Surveyor or Surveyors to the Commissioners of Sewers, of the Names and Places of Abode of such Contractor or Contractors, and of the Pavior or Paviors employed by such Commissioners; and every Person or Persons neglecting or refusing to give such Notice as aforesaid, within the Times before respectively specified, shall, for every such Offence, forfeit the Sum of Forty Shillings.

Commissioners of Sewers to repair Drains, &c.

And be it further enacted by the Authority aforesaid, That when any Sewer or Drain, which shall or may be under the Direction of the Commissioners of Sewers in any of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, shall require to be repaired or altered, or any new or additional Sewer or Sewers, Drain or Drains, shall be necessary to be made, or any new Grate or Grates to be made and put over any Sewer in any of the said Squares, Streets, or Places, or any old Grates over the same, shall require to be removed or altered for the Purpose of paving any of the said Streets or other Places; then, and in every such Case, it shall and may be lawful to and for the Commissioners for the Time being for putting this Act in Execution, or any Five or more of them, or their Surveyor or Surveyors for the Time being, to cause such Sewer or Sewers, Drain or Drains, to be made, repaired, or altered, or such new and additional Grates to be made and put down, or such old Grates to be repaired, removed, or altered, as the Case may require, and the Expence thereof shall, from Time to Time, be paid out of the Money arising, or to arise, by virtue of this Act.

Pipes not belonging to any Water-company, Charges of relaying, &c. to be paid by Owners to the Commissioners.

Provided always, and it is hereby enacted and declared, That the Charges and Expences of relaying or repairing the Pavement which shall be broken or taken up for the Purpose of repairing or amending any such Pipe or Pipes not belonging to any of the Water Companies, shall be paid to the Commissioners for putting this Act in Execution, or to such Person or Persons as they, or any Five or more of them, shall appoint to receive the same, by the respective Owner or Owners of such Pipe or Pipes; and in case the respective Owner or Owners of such Pipe or Pipes as aforesaid shall neglect or refuse to pay what shall have been so laid out and disbursed for the Purposes aforesaid, within

in

in Ten Days next after Notice thereof in Writing, signed by the Clerk to the Commissioners for putting this Act in Execution, and left at their respective Dwelling-houses or last Place of Abode, together with a Bill annexed thereto, (which Notice shall contain an Account of such Charges and Expences); that then, and in every such Case, it shall and may be lawful to and for the said Commissioners for putting this Act in Execution, or any Five or more of them, and they are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions in their own Names, or in the Name or Names of their Treasurer or Treasurers for the Time being, against all or any or either of the respective Persons aforesaid, for the Recovery of such Sum or Sums of Money as they shall have so laid out and expended for the Purposes aforesaid, in which Action or Actions no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Expence of altering Pipes to be borne by the Commissioners.

Provided nevertheless, and it is hereby enacted, That if, at any Time or Times, it shall be found necessary to raise, sink, or any otherwise alter the Position of any of the Pipes or Plugs laid down or placed by any of the Companies who furnish the Inhabitants within the Limits aforesaid with Water, or of any Leaden or other Pipes belonging to any of the said Water Companies, or to any other Person or Persons which, for the Purposes of conveying Water into any House, Area, or other Place, have been, or shall be laid into or from any such Pipe or Pipes, for the Purpose of new-paving or altering the Pavement of any of the Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, the Expence thereof shall, from Time to Time, be paid out of the Money arising, or to arise, by virtue of this Act, and shall always be done with as little Detriment and Inconvenience to the said respective Companies or Inhabitants as the Circumstances of the Case will admit.

Pipes replaced at Request, Proprietors to pay Expences, &c.

Provided always, That when and so often as any Part of the Pavements of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, shall be taken up by any Person or Persons for the Purposes of placing, altering, or amending any such Pipe, the same shall, with all convenient Speed, be repaired by the Paviour or Paviours contracting with or employed by the said Commissioners, or under the Direction of their Surveyor or Surveyors, at the Expence of the Proprietor or Proprietors

tors of the said Leaden or other Pipes respectively, if such Pipe is replaced, altered, or amended, at the Request of such Proprietor, and not otherwise.

Commissioners may compound with said Proprietors.

Provided also, That it shall and may be lawful to and for the said Commissioners, from Time to Time, to compound and agree with any of the said Proprietors for a certain Sum of Money, by the Foot or other Measure, as the said Commissioners shall think reasonable, in lieu and stead of their laying down and repairing such Parts of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, as shall be necessary to be taken up for the Purposes aforesaid.

Inhabitants may raise a Sum to new-pave any Square, &c.

And whereas it is apprehended, that if the Inhabitants of particular Squares, Streets, and Places within the Limits aforesaid, or others, would raise such competent Sum and Sums of Money as would be sufficient to new-pave such particular Square, Street, or Place, under the Direction of the Commissioners for putting this Act in Execution, it would be a Means of greatly forwarding the several Improvements intended to be made by this Act; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Inhabitants of any particular Square, Street, or Place, within the Limits aforesaid, or any other Person or Persons whatsoever, to raise, from Time to Time, such competent Sum or Sums of Money as shall be sufficient to new-pave such particular Square, Street, or Place; which Sum and Sums of Money, when so raised, shall be paid to such Commissioners, or to their Treasurer or Treasurers for the Time being, or to such other Person or Persons as such Commissioners, or any Seven or more of them, shall direct and appoint to receive the same, and for which such Person and Persons so advancing any such Sum or Sums of Money shall be Creditors; and the Principal and Interest shall be charged and chargeable upon the Rate or Rates, Assessment or Assessments, to be made, laid, and assessed upon such particular Squares, Streets, or Places for that Purpose by virtue and in pursuance of this Act; and which Money, when so paid and received, shall be deposited in the Bank of England, and thence issued and applied by such Commissioners, or any Seven or more of them, for new-paving such particular Square, Street, or Place; and it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to agree to pay

Monies so raised, charged upon the Rates laid upon such Squares, &c.

and allow legal or lower Interest half-yearly to any Person or Persons who shall raise any such Sum or Sums of Money, to commence from the Time that such Sum or Sums of Money shall be received by the said Commissioners, or any Seven or more of them, or their Treasurer or Treasurers, or any other Person or Persons so by the said Commissioners appointed to receive the same in manner aforesaid.

Commissioners to make Rates to repay the Money so advanced.

And, in order to enable the said Commissioners so to do, be it further enacted by the Authority aforesaid, That, from and after the Time that such competent Sum or Sums of Money shall be paid and received for that Purpose in manner aforesaid, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, yearly and every Year, or oftener, if Occasion shall require, to make, lay, and assess One or more Rate or Rates, Assessment or Assessments, upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, in any such Square, Street, or Place within the Limits aforesaid, for raising such competent Sum and Sums of Money as the said Commissioners, or any Seven or more of them, shall in their Discretion judge necessary, for and towards repaying the Money so raised and received, together with legal or lower Interest for the same; which said Rate or Rates, Assessment or Assessments, shall commence from the Time that such Sum or Sums of Money shall be so received as aforesaid, over and above any Rate or Rates, Assessment or Assessments herein after directed to be made for repairing, cleansing, lighting, and watching such Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places; and it shall and may be lawful to and for the Commissioners, or any Seven or more of them, by any Writing or Writings under their Hands and Seals, to assign over and convey the said Rate or Rates Assessment or Assessments of such particular Square, Street, or Place, or any Part or Parts thereof, to any Person or Persons who shall lend and advance their Money as aforesaid, as a Security for the Repayment thereof, together with Interest for the same; and the Treasurer or Treasurers for the Time being to such Commissioners shall, from Time to Time, keep the Accounts relating to such Rate and Assessment, and the Payment of the Interest of the Money borrowed, separate and distinct from the other Ac-

Rates may be assigned.

counts

counts of such Commissioners; and if any Sum or Sums of Money shall at any Time remain over and above what shall be sufficient to pay such Interest as aforesaid, then such Sum or Sums shall be applied towards paying off the Principal so advanced and received as aforesaid, and for that Purpose may be placed out at Interest on Government Securities in the Name or Names of the Treasurer or Treasurers for the Time being to such Commissioners, at such Time and in such Manner as the said Commissioners, or any Seven or more of them, shall direct or appoint, until the same shall amount to the Sum of Five hundred Pounds, which Sum shall be applied for and towards the Payment of the Money lent and advanced on the Rate of such particular Square, Street, or Place.

Notice to be given before paving any particular Square, &c.

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to authorise and impower the Commissioners for putting this Act in Execution to new-pave any such particular Square, Street, or Place upon Application made to them by the Inhabitants as aforesaid, unless One Month's Notice at the least of such Application shall be published in the London Gazette, and also in One or more of the Daily News-papers; in which Notice the Owners of Houses or the Occupiers thereof, having a Term of Seven Years or more in any House or Houses in such particular Square, Street, or Place, shall be required by himself, herself, or themselves, or by his, her, or their Attorney or Attornies, Agent or Agents, to meet at the Time and Place in such Notice to be mentioned, to signify their Assent to or Dissent from the new-paving such particular Square, Street, or Place, as shall be specified in such Notice; and also unless either printed Notice, or Notice in Writing, shall be left at every House then occupied in such particular Square, Street, or Place, One Month at least before the Time of such Meeting; and also unless Three Fourths of the Owners or Occupiers of Houses, having a Term of Seven Years or more as aforesaid, in such particular Square, Street, or Place, shall, by himself, herself, or themselves, or by his, her, or their Attorney or Attornies, Agent or Agents, then present, consent thereto in Writing under their respective Hands; which Consent is hereby directed to be preserved and filed by the Clerk or Clerks to the said Commissioners.

Creditors deemed equal in Degree.

And be it further enacted by the Authority aforesaid, That no Preference shall be given to any Person or Persons advancing any Sum or Sums of Money upon the Credit of this Act, in respect to the Priority of advancing the same, but that all Persons shall, in proportion to the Sum or Sums of Money by them advanced, be Creditors in an equal Degree one with another.

Lamps to be set up, &c.

And, for the better enlightening the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, from Time to Time, to cause such and so many Lamps to be set up in such Places within the Limits aforesaid, and to be placed in such Manner, and at such Distances, as they shall judge necessary, not exceeding Sixty Feet; and may contract or agree with any Person or Persons for such Lamps, or may find and provide the same, if they shall think fit; and also may contract or agree with any Person or Persons for the lighting, supplying, maintaining, and repairing such Lamps, and appoint how and where the said Lamps shall be placed, according to the Limitation aforesaid, and at what Time, and how long the said Lamps shall be and continue lighted and burning, so that they shall be lighted at Sun-setting, and continue burning till Sun-rising, and what Sum or Sums of Money shall be paid to the Person or Persons so to be contracted or agreed with to light, maintain, and repair the said Lamps; provided that no such Contract or Agreement shall be for a longer Term than Three Years from the Commencement thereof.

Lamp-irons where to be affixed.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order and direct Lamp-irons to be put or affixed against the Walls of all or any of the several Houses or Tenements within the Limits aforesaid, or into, upon, or against the Rails before the Area, or in such Manner and in such other Place as the said Commissioners, or any Five or more of them, shall think proper and convenient; and if any Person or Persons shall wilfully take away, break, throw down, or damage any Lamp that shall be set up for the Purposes of enlightening any of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, or wilfully extinguish the Light or Lights within the same, or throw down or damage the Irons or other Furniture thereof, it

Persons damaging Lamps, &c. to forfeit 40s.

shall and may be lawful to and for any Person or Persons whatsoever, who shall see such Offence committed, to seize, as also for any other Person or Persons to assist in seizing the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to convey and deliver him, her, or them into the Custody of a Peace-officer, in order to be secured and conveyed before some Justice of the Peace for the said County; and such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear, or be produced, to give Information or Evidence touching such Offence, (which Oath the said Justice is hereby authorised and required to administer); and if the Party or Parties accused shall be convicted of any such Offence either by his, her, or their Confession, or upon such Information or Evidence as aforesaid, he, she, or they so convicted shall forfeit and pay the Sum of Twenty Shillings for each Lamp or Lamp-iron so broken, thrown down, or damaged, or for every Lamp so extinguished as aforesaid, and moreover shall make full Satisfaction to the said Commissioners, or to such Person or Persons as they, or any Five or more of them, shall appoint and receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not on Conviction pay such Forfeiture, and make such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them, to the House of Correction for the said County, there to be kept to hard Labour for any Space of Time not exceeding One Calendar Month, nor less than Seven Days; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

On Nonpayment, Offenders to be committed.

And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall carelessly or accidentally break, throw down, or damage any Lamp or Lamps hung out or set up by Order of the said Commissioners within the Limits aforesaid, or the Irons or other Furniture thereof, and shall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then, and in every such Case, it shall and may be lawful to and for any One Justice of the Peace in and for the said County, upon Complaint to him made by One or more credible Witness or Witnesses, to summon before him the Party or Parties who shall be complained of for

Persons accidentally damaging Lamps, to make Satisfaction,

doing such Damages as aforesaid, and upon hearing the Allegations and Proofs on both Sides, or Nonappearance of the Party or Parties so complained of, to award such Sum or Sums of Money, by Way of Satisfaction to the Owner of such Lamp or Lamps, or to the said Commissioners, as the Case shall be, for such Damages as such Justice shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums of Money so awarded, within Ten Days after Demand, to cause the same to be levied as Fines, Penalties, and Forfeitures are by this Act herein after directed to be levied.

and on Non-payment, to be levied as Fines are to be levied.

Watch-houses to be built, and Watchmen appointed.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall and may cause a proper Watch-house or Watch-houses, and proper Watch-boxes, to be erected and built within the said Parish, and appoint such a Number of fit and able-bodied Men as they shall think proper at any Time to watch and guard the said Streets and other Places, and give such Orders and Directions concerning the Manner in which the said Watchmen shall be armed and stationed, and for the due and regular Performance of the said Service, as they the said Commissioners, or any Seven or more of them, shall judge expedient, and from Time to Time remove any of the said Watchmen, and appoint others in their Stead, and out of any Money to be raised by virtue of this Act, pay the Expences attending the building and fitting up such Watch-house or Watch-houses, and Watch-boxes, and also the Allowances to such Watchmen for their Attendance, and all other necessary Charges and Expences incident to and attending this Service.

Foot-ways to be swept, &c. once a-day.

And it is hereby further enacted, That every Occupier of any House or Tenement within the Limits aforesaid, and in respect to Inmates, every House-owner, shall once in every Day, between the Hours of Seven and Nine of the Clock in the Forenoon of each Day, scrape, sweep, and cleanse the Foot-way all along the Front of their respective Houses and Tenements, or cause the same to be scraped, swept, and cleansed; and in Default thereof shall, for every such Offence, forfeit and pay the Sum of Two Shillings, to be levied by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said County, upon the Oaths of Two or more credible Witnesses, which Oath the said

Justice

Justice or Justices of the Peace is and are hereby required and impowered to administer.

And it is hereby further enacted, That during the Time any Square, Street, Lane, Court, Yard, Alley, Passage, or Place, shall be new-paving or repairing under the Direction of the said Commissioners, they shall have Power to order the necessary Materials to be lodged in that or any adjoining Street or Place, or Streets or Places, according to their Discretion, as also to stop the Way through any adjacent Square, Street, Lane, Court, Yard, Alley, Passage, or Place, so long as they shall judge necessary; and all Persons acting under their Direction as aforesaid are hereby indemnified from any Prosecution or Action whatsoever, except where such Materials shall be lodged upon or over or within Six Feet of the Fire-plug or Cock; and no such Materials shall be deposited in or near the End of any Street or Place, in such Manner as to prevent the Admission of Fire-engines. Where Materials for Footways may be lodged.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, One or more Rate or Rates, Assessment or Assessments, shall, for the Purposes of repairing, cleansing, lighting, and watching the Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, within the Limits aforesaid, be made, laid, and assessed by the said Commissioners as aforesaid, or any Seven or more of them, once in every Year, or oftener, if they shall judge it needful, upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, in any of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, in such competent Sum and Sums of Money as the said Commissioners shall order and direct, so as such Rate or Rates, Assessment or Assessments, do not exceed in the Whole the Sum of Two Shillings in the Pound in any One Year, according to the yearly Rent or Value of such Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, situate as aforesaid. Rates not to exceed 2 s. in the Pound.

And be it further enacted by the Authority aforesaid, That the said First Rate or Rates, Assessment or Assessments, shall commence from the Twenty-fifth Day of March, One thousand seven hundred and seventy-one; and every such future Rate or Rates, Assessment or Assessments, Commencement of Rates.

Assessments, shall commence from the Time that the last preceding Rates or Assessments ended, and not otherwise; and the Monies therein and thereby charged and assessed shall be payable and recoverable, Quarterly, in Manner herein-after directed.

An additional Rate, &c. on new-paving Squares, &c.

And be it further enacted by the Authority aforesaid, That when and as soon as the said Commissioners shall have caused any Square, Street, Lane, Court, Yard, Alley, Passage, or Place within the Limits aforesaid, or any Part or Parts thereof, to be new-paved, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, as soon as conveniently may be, and so in like Manner yearly, or oftner, if Occasion shall require, to make, lay, and assess upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any such Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament respectively, as far as such new Pavement shall extend (excepting such Squares, Streets, and Places, as shall be new-paved at the Request of Three Fourths of the Inhabitants of any such Square, Street, or Place, in the Manner herein before directed) a further Sum not exceeding Sixpence in the Pound of the yearly Rent or Value of such Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments respectively, to commence from the Time that such new Pavement shall be respectively completed.

For borrowing Money.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, 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 such Sum or Sums of Money as any Person or Persons is or are willing to lend and advance upon the Credit of the said several Rates or Assessments; and by any Writing or Writings, upon Vellum or Parchment, signed by the said Commissioners, or any Seven or more of them, to assign the said Rates or Assessments, or any Part thereof, to any Person or Persons who shall advance and lend such Money thereon, as a Security or Securities for the several Sums so borrowed, with Interest for the same; which Interest shall be payable and paid Half-yearly by the Treasurer or Treasurers for the Time being, out of the Monies to arise by or from the said Rates or Assessments.

And be it further enacted by the Authority aforesaid, That such Sum or Sums of Money, when so received by the said Commissioners, or any Seven or more of them, at any Meeting to be held in pursuance of this Act, or by their Treasurer or Treasurers for the Time being, the same shall be deposited in the Bank of England, and thence issued and applied by such Commissioners, or any Seven or more of them, for the Purposes of this Act. Application of Monies.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Commissioners, or any Seven or more of them, for the Purposes of this Act, any Sum or Sums of Money for the absolute Purchase of One or more Annuity or Annuities; to be paid and payable during the full Term of the natural Life of such Persons as shall be nominated by and on Behalf of such respective Contributors at the Time of Payment of their respective Contribution-monies to be advanced and paid as aforesaid; all which Annuities so to be purchased shall be payable and paid by the Treasurer or Clerk to the said Commissioners for the Time being, out of the Monies to arise by or from the said Rates and Assessments, by Four equal quarterly Payments, the First Payment to be made to the respective Purchasers or their Assigns, at the Expiration of the First Quarter after Payment of their respective Purchase-monies; all which Annuities shall be sold to the best Bidder at a public Sale, Notice whereof shall be given in some publick News-paper Ten Days at the least before such Sale; and all and every the Annuity or Annuities so to be purchased shall be, and they are hereby charged upon and payable, from Time to Time, out of the Monies arising from the Rates and Assessments to be raised and assessed by virtue of this Act. For granting Annuities.

And be it further enacted, That all and every Person and Persons, who shall purchase such Annuity or Annuities, and shall duly pay the Purchase-money for the same, and his, her, and their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy the respective Annuity or Annuities so purchased, during the Term of the natural Life or Lives of the Person or Persons by them respectively nominated at the Time of such Purchase, and shall have good, sure, absolute, and indefeasible Estates and Interests in the said Annuities respectively, according to the true Intent and Mean- Annuities to be free from all Taxes.

ing of this Act; and that none of the said Annuitants shall be subject or liable to any Tax assessed upon Land by Authority of Parliament; and every such Purchaser shall, upon Payment of his or her Purchase-money as aforesaid, have an Order upon Parchment or Vellum for Payment of the Annuity or Annuities so purchased by him or her, for or during the natural Life or Lives of such Person or Persons as shall be nominated by him or her as aforesaid; which Order shall be signed by the said Commissioners, or any Seven or more of them, and after signing thereof, shall be firm, good, valid, and effectual in the Law, according to the Purport and Meaning thereof, and of this Act.

Securities to be entered in Books.

And be it further enacted, That there shall be entered in a Book or Books, to be for that Purpose provided and kept by the Clerk or Clerks to the said Commissioners, all Securities for Monies borrowed by virtue or in pursuance of this Act, and all Assignments or Transfers thereof, expressing in Words at Length the Names, Surnames, Additions, Places of Abode, and other Descriptions of all such Persons as shall, from Time to Time, be intitled to such Securities, and the Sums received upon such Securities; to which Book or Books the Persons intitled thereto, and all and every other Person or Persons liable to the Payment of the said Rates and Assessments, shall at all seasonable Times have Access, with free Liberty to inspect the same without Fee or Reward: And if any Sum or Sums of Money shall, at any Time, remain over and above what shall be sufficient to pay such Interest and Annuities as aforesaid, then such Sum or Sums of Money shall be applied towards paying off the Principal so borrowed and taken up at Interest as aforesaid; and, for that Purpose, may be placed out at Interest on Government Security, in the Name or Names of the Treasurer or Treasurers for the Time being to such Commissioners, at such Time and in such Manner as the said Commissioners, or any Seven or more of them, shall direct or appoint, until the same shall amount to the Sum of Five hundred Pounds; which Sum shall be applied for and towards the Payment of the Money lent and advanced on such Rates; and no Preference either in the Payment of Interest or Principal shall be given to any Person or Persons whatsoever on account of the Priority of advancing any such Sum or Sums, but that each Person shall be a

Creditors deemed equal in Degree.

Creditor

Creditor in equal Degree according to the Sum or Sums so by him, her, or them lent and advanced as aforesaid.

And be it further enacted by the Authority aforesaid, That Copies of all Assignments, Conveyances, and Securities made by virtue and in pursuance of this Act, shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Commissioners, and all and every Person and Persons to whom any such Assignment, Conveyance, or Security shall be made, is and are hereby impowered, from Time to Time, by Assignment under his, her, or their Hand or Hands, and to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings which shall be executed in the Presence of Two or more credible Witnesses, to assign over and transfer his, her, or their Right to the principal and Interest Money thereby secured to any Person or Persons whomsoever; all which Assignments or Transfers shall be produced, and notified to the said Clerk or Clerks within Thirty Days next after the Date thereof, who shall cause an Entry of such Transfers or Assignments to be made, containing the Date, Names of the Parties, and Sums of Money therein mentioned to be assigned and transferred in the said Book or Books to be kept for entering the said original Assignments and Conveyances, for which the said Clerk or Clerks, or One of them, shall be paid the Sum of Two Shillings and Sixpence, and no more; and which said Book or Books shall and may, at all seasonable Times, be perused and inspected without Fee or Reward, by any Person or Persons interested in such Security or Securities, Assignment or Assignments; and after such Entry shall be made, such Assignment and Transfer shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and the Payment thereon, and such Assignee may in such Manner assign or transfer again, and so toties quoties; and it shall not be in the Power of any Person who shall have made such Assignment or Transfer, to make void or discharge the same, or any Monies due thereon.

Copies of Assignments to be entered in a Book,

and notified to the Clerk within 30 Days.

Assignments may be transferred,

And it is hereby further enacted, That where any of the Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, shall, at the Time of making any of the said Rates or Assessments, be empty, untenanted, or unoccupied, then, and in every such Case, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them,

Untenanted Houses to pay only Half Rates,

them, to rate and assess such Premises respectively at One Half of such Rates or Assessments during the Time only that such Premises shall be empty, untenanted, or unoccupied; and also, in case any such Premises, after the making such Rate or Rates, Assessment or Assessments, shall become empty, untenanted, or unoccupied, One Half only of such Rate or Assessment shall be charged on such Premises respectively, for and during so long a Time as the same shall continue empty, untenanted, and unoccupied; and then and in any of the said Cases, the said Rate or Rates, Assessment or Assessments, and all Arrears due thereon, shall be paid by the Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, or by the First or any other Tenant or Occupier thereof, and in which last Case such Tenant or Tenants, Occupier or Occupiers, shall and may, and is and are hereby authorised to deduct and detain the same out of his, her, or their Rent or Rents respectively, and the Landlord or Landlords, Owner or Owners of such Premises, is and are hereby required to allow such Deduction and Payment upon Receipt of the Residue of his, her, or their respective Rents, and the said Tenant or Tenants, Occupier or Occupiers, shall be, and is and are hereby acquitted and discharged of and from so much of his, her, or their Rent as the Rate or Rates, Assessment or Assessments, and all Arrears due thereon, and so paid by him, her, or them, shall Amount unto.

to be paid by the Owners, &c.

And whereas there are many Houses, Buildings, Stables, Lands, Grounds, Tenements, Hereditaments, and Premises, within the Limits aforesaid, which are taken on Leases for Years or otherwise, and by the Lessees or Tenants, and also by Landlords or Owners, let out in Parcels or separate Apartments for Under-tenants, and other Houses and Premises let ready furnished to Lodgers; be it therefore enacted by the Authority aforesaid, That the Lessee, Landlord, Owner, or Proprietor, of each and every such House, Building, Stable, Land, Ground, Tenement, or Hereditament so let out, or which shall be let out in Parcels or separate Apartments, or ready furnished, to a Lodger or Lodgers, shall be deemed and taken as the Occupier or Occupiers thereof, and shall be liable and Subject to the Payment of the Rates or Assessments directed by this Act to be made, raised, and levied according to the yearly Rent or Value of such Premises.

Lessees liable to pay the Rates;

And, for the more easy Recovery of such Rates or Assessments, be it further enacted by the Authority aforesaid, That each and every Person so renting or occupying any such Parcel or separate Apartment as aforesaid, shall be liable and compellable to the Payment of the said Rates or Assessments, and all Arrears due thereon, to be recovered in Manner hereafter directed. In case of Refusal, shall be compelled so to do;

Provided always, That each and every respective Occupier or Occupiers who shall pay such respective Rates or Assessments, and any Arrears due thereon, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next or any other Rent due and payable from him, her, or them, to such respective Lessee, Landlord, Owner, or Proprietor, and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Tenants, Occupier or Occupiers to his, her, or their Landlord for such Money as he, she, or they shall pay, or shall be levied on the Goods and Chattels of him, her, or them by virtue of this Act. but to be allowed the same in Rent.

And forasmuch as it is reasonable that all publick Buildings, and all dead Walls, and void Spaces of Ground, shall be rated and assessed in a due Proportion towards the paving, cleansing, enlightening, and watching, within the Limits aforesaid; it is hereby further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, at their Discretion, and they are hereby required, from Time to Time, to rate and assess, towards the Purposes of this Act, all Parish Churches, Parochial and other Chapels, Meeting-houses, Schools, Markets, Warehouses, and all other publick Buildings whatsoever (charged or not charged to the Landtax) situate, standing, and being in any Square, Street, or Place, within the Limits aforesaid, which now is or are, or hereafter may be built, or in building, at a Rate not exceeding Two Shillings in the Pound, according to the clear yearly Income arising from such Parish Church, Parochial and other Chapels, Meeting-houses, Schools, Markets, Warehouses, and other publick Buildings respectively; and where there is not any such clear yearly Income, or the same cannot be fully ascertained, then and in either of the said Cases the same shall be charged and Publick Buildings, &c. to be rated.

assessed, at a Rate not exceeding Sixpence per square Yard, in any One Year, of the Pavement, paved or repaired under the Direction of the said Commissioners, and situate, lying and being in any such Square, Street, or Place, and belonging to such Parish Church, Parochial or other Chapel, Meeting-house, School, Warehouse, or other publick Building; and the said Commissioners, or any Seven or more of them, shall also, at their Discretion yearly, or oftener, if needful, assess all Church-yards, dead Walls, and void Spaces of Ground, towards the Purposes aforesaid, and which are not charged in respect of any Dwelling-house or other Building by the Pound-rate or otherwise, by virtue of this Act, so that in the Whole such Rate or Assessment shall not, in any One Year, exceed the Sum of Four-pence for every square Yard of Pavement, paved or repaired under the Direction of the said Commissioners, situate as aforesaid, or belonging to or lying before such Yards, dead Walls, or void Spaces of Ground; which Rates and Assessments shall commence the Twenty-fifth Day of March, One thousand seven hundred and seventy-one; and the said Rate or Rates, Assessment or Assessments to be made and paid for such Parish Church, Church-yard, and Parochial Chapels, shall be paid by the Churchwardens or Chapel-wardens respectively, out of any of the Monies payable to, and received by the said Churchwardens or Chapel-wardens respectively, either for Seats in the said Church or Chapels, or for Burial Fees; and the Rate or Rates, Assessment or Assessments to be made and paid for any other Chapel, Meeting-house, School, Market, Warehouse, or other publick Building, dead Wall, or void Space of Ground, shall be paid by the respective Owner or Owners, Proprietor or Proprietors thereof, and shall be charged and chargeable on the said Premises, and be recovered and applied in such Manner as other Rates and Assessments are directed to be recovered and applied by this Act.

By whom said Rates to be paid.

And whereas there are several Houses and other Buildings within the limits aforesaid, frequently begun to be built, but are not finished nor let: And forasmuch as it is reasonable that such Houses and Buildings should be rated and assessed for the Purposes aforesaid; be it therefore enacted, That until such Houses or other Buildings which now are or hereafter may be built, or in building, shall be finished and tenanted (if the Street, Square, Lane, or other Place, wherein such House or other Building shall be situate,

Unfinished Houses, &c. to be rated.

ſituate, ſhall be paved and lighted by virtue and in purſuance of this Act), it ſhall and may be lawful to and for ſuch Commiſſioners as aforeſaid, or any Seven or more of them, and they are hereby required and directed, when and as ſoon as conveniently may be, to rate and aſſeſs, according to their Diſcretion, all ſuch Houſes and other Buildings which ſhall be ſituate within the Limits aforeſaid, and which are or ſhall be erected and covered in, at a Rate not exceeding Four-pence for every ſquare Yard of Ground paved, or to be paved, by virtue of this Act, and belonging to the Fronts or Sides of ſuch Houſes or other Buildings; and for all Houſes and other Buildings which are or ſhall be erected and not covered in, at a Rate not exceeding Two-pence for every ſquare Yard of Ground paved, or to be paved, by virtue of this Act, and belonging to the Fronts or Sides of ſuch Houſes and other Buildings, until the ſame ſhall be covered in as aforeſaid, and then at a Rate not exceeding Four-pence for every Square Yard, until the ſame ſhall be lett or occupied; which Rates or Aſſeſſments ſhall commence from the Twenty-fifth Day of March, One thouſand ſeven hundred and ſeventy-one, and ſhall be paid by and recoverable from the Proprietor or Proprietors, Leſſee or Leſſees, Owner or Owners of ſuch Houſe or Houſes, Building or Buildings reſpectively, and ſhall be charged and chargeable on the ſaid Premiſes: And if the ſaid Owner or Owners, Proprietor or Proprietors, Leſſee or Leſſees, ſhall refuſe or neglect to pay the ſame upon Demand; then, and in every ſuch Caſe, ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, and all Arrears due thereon, ſhall and may be levied on the Goods and Chattels of the Perſon or Perſons ſo required to pay the ſame, in Manner herein after directed; and in caſe the Owner or Owners, Proprietor or Proprietors, Leſſee or Leſſees of ſuch Houſe or Houſes, Building or Buildings, ſhall not be known, or cannot be found, or ſhall be under Commiſſion of Bankruptcy, then the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments made thereon, ſhall be and remain charged and chargeable on the ſaid Premiſes, until the Owner or Owners, Proprietor or Proprietors, Leſſee or Leſſees, can be found, or until Aſſignees, in caſe of Bankruptcy, are appointed, when the ſame, and all Arrears due thereon, ſhall be levied on the Goods and Chattels of ſuch Owner or Owners, Proprietor or Proprietors, or Leſſee or Leſſees, or upon the Goods and Chattels of ſuch Aſſignee or Aſſignees, who is and are hereby made liable to pay the ſame,

Commencement of Rates, and by whom payable.

same, or upon the said Premises, in like Manner as other Rates made by virtue of this Act are made recoverable.

New Streets, &c. to be paved by Proprietors.

And whereas there are, and hereafter may be, new Streets and Places which are not paved, Part of which is built and in building, and small Pieces or Parcels of Ground in several of the Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, within the Limits aforesaid, unbuilt upon, are neither paved, cleansed, nor lighted: And whereas it would be a Means of greatly forwarding the good Purposes intended by this Act, if Builders and others, who by Law are liable to pave the same, were to pay such Sum or Sums of Money for that Purpose as is herein after directed to the said Commissioners, or any Five or more of them, or to their Treasurer or Treasurers for the Time being, or to such other Person or Persons as they shall appoint to receive the same; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to view and inspect any Square, Street, Lane, Court, Yard, Alley, Passage, or Place, within the Limits aforesaid, which now is or hereafter may be built upon, or in building; and if upon such View they shall be of Opinion that the same, or any Part or Parts thereof, is or are fit and proper to be paved, the said Commissioners, or any Seven or more of them, at any Meeting to be held in pursuance of this Act, after such View, shall and may order their Surveyor or Surveyors, or other Person or Persons by them appointed for that Purpose, to give Notice to the Owner or Owners, Proprietor or Proprietors, Lessee or Lessees of any such Lands, Grounds, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Tenement, or Hereditament, in any such Square, Street, Lane, Court, Yard, Alley, Passage, or Place, or leave the same at his, her, or their last or usual Place of Abode, or with his or their known Servant or Servants; or if no such Owner or Owners, Proprietor or Proprietors, Lessee or Lessees can be found, then, such Notice shall be stuck against the said Premises, or any Part thereof; which Notice shall require such Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, to meet such Commissioners at the Time and Place therein mentioned, not being less than Ten Days from the Date of such Notice, to compound for the Paving thereof, at any Sum not exceeding Three Shillings

Owners, &c. to meet and compound for Paving.

for

for every square Yard of such Pavement, whether Carriage-way or Foot-way; which Composition the said Commissioners, or any Seven or more of them, are hereby authorised to make; and if such Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, shall not attend, or shall not compound or agree with the said Commissioners as aforesaid, then it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to order the same to be paved as soon as conveniently may be; and all the Charges and Expences attending such Paving shall be paid by the respective Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, and shall be recovered and levied upon their Goods and Chattels in the Manner herein after directed.

Owners of vacant Grounds, &c. how to be charged.

Provided always, and it is hereby enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to impower the said Commissioners to charge, or make chargeable, any One Proprietor, Owner, or Lessee, of such vacant Ground, with more than Two hundred square Yards of Paving, on Account of any such vacant Ground in any One Square, Street, or Place, until the same shall be built upon, or shall be in building.

Clerks to make Entries of Rates.

And be it further enacted by the Authority aforesaid, That the Clerk or Clerks for the Time being to the said Commissioners shall, and he or they is and are hereby required to keep proper Entries in a Book or Books to be kept for that Purpose, and signed by the said Commissioners, who shall have made such Rates and Assessments respectively of all and singular the Rates and Assessments which they shall make, by virtue of this Act, for the Purposes aforesaid; to which Book or Books every Person liable to pay the said Rates or Assessments shall and may have free Access at all convenient Times, and shall be permitted to inspect the same without Fee or Reward.

Rates how to be recovered on Refusal to pay.

And, for the better and more effectual raising and levying the Rates and Assessments directed to be made by this Act, be it further enacted by the Authority aforesaid, That in case any of the Inhabitants or Occupiers, or any Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, of any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, within the Limits aforesaid, and herein

before made liable to pay any Rate or Assessment made, laid, and assessed by virtue of this Act, shall refuse or neglect to pay the Money rated and assessed upon him, her, or them respectively, and all Arrears due thereon, it shall and may be lawful to and for the Collector or Collectors appointed by the said Commissioners, or any Seven or more of them, to collect or levy such Rates or Assessments by Warrant under the Hands and Seals of Two of His Majesty's Justices of the Peace for the said County, and all Arrears due upon the said Rates or Assessments, by Distress and Sale of the Goods and Chattels of the Party so neglecting or refusing, which shall be found either within the Limits aforesaid or elsewhere; and if within Five Days next after such Distress shall be made, the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, shall not be paid, together with the reasonable Charges of taking and keeping the same, the said Collector or Collectors shall cause the said Goods to be appraised and sold, or such Part thereof as shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any be) to the Owner or Owners of such Goods and Chattels respectively.

Recovery of Rates.

And whereas it may happen that many Persons liable to, and who may be charged, rated, and assessed towards defraying the Expence of paving, repairing, cleansing, lighting, and watching the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, may, before the Payment of the Sums which may be rated on them respectively, quit and leave their Lands, Grounds, Dwelling-houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, in the Square, Street, or Place, where the same shall be rated and assessed, and remove to some other Square, Street, or Place, which are not within the Limits aforesaid, and thereby endeavour to avoid the Payment of the said Rates and Assessments; be it therefore enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit his, her, or their Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, in any Square, Street, or Place, wherein such Rate

Rate or Assessment has been made, before he, she, or they shall have paid the same, and shall afterwards refuse to pay the same when due and demanded by the Collector or Collectors authorised and appointed to receive the same, that then, and in every such Case, it shall and may be lawful to and for the said Collector or Collectors, or One of them, by Warrant obtained under the Hands and Seals of any Two or more Justices of Peace for the County of Middlesex, (which Warrant the said Justices are hereby authorised and required to grant in any Place within the County of Middlesex aforesaid, and such Warrant being first backed or countersigned by some Magistrate of the County, City, or Liberty where the Distress is to be made, (which Warrant such Magistrate is hereby required to back or countersign without Fee or Reward), to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting, and to sell the same, rendering the Overplus (if any be) after having deducted the reasonable Charges and Expences of such Distress and Sale to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made.

Provided always, That the said Commissioners, or any Seven or more of them, may, if they shall think proper, sue, in the Name or Names of their Treasurer or Treasurers, for all or any of the Rate or Rates, Assessment or Assessments, which shall be made by virtue of this Act, and all Arrears due thereupon and unpaid; in which Action no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed. Rates, may be sued for in Name of the Treasurer.

Provided always, and it is hereby further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching or concerning the paving, repairing, cleansing, or lighting any or any Part of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, within the Limits aforesaid; but that every Person who is now, by virtue of any such Contract or Agreement, obliged to pave, keep in Repair, and cleanse any or any Part of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, shall, in lieu thereof, be obliged to pay the Rates hereby directed to be made and assessed, or so much thereof as such Commissioners as aforesaid, or any Seven or more of them, shall No Contract for paving, &c. to be void by this Act.

deem just and according to the true Meaning of such Contract, Covenant, or Agreement, for and during the Time that such Contract, Covenant, or Agreement, shall remain in Force; and in case any Dispute shall arise concerning such Covenant, Contract, or Agreement, the said Commissioners, or any Seven or more of them, shall have Power to hear and finally determine the same.

Persons paying Rates exempted from paving, &c.

And be it enacted, That all and every Person or Persons, paying the Rates and Assessments by this Act laid and assessed, shall be, and they and every of them, is and are hereby exempted and discharged from the Expence of paving, cleansing, lighting, or keeping in Repair the said Squares, Streets, or Places, or any of them, and also from all Penalties which may or might be incurred by reason of their neglecting to pave, cleanse, light, or keep the same in Repair,

but not to excuse Arrears.

Provided also, and it is hereby enacted by the Authority aforesaid, That nothing in this Act contained shall prevent the collecting any Arrears due from any Person or Persons within the Limits aforesaid for any of the Purposes of this Act.

Collectors to pay Money as received to the Treasurer;

And be it further enacted by the Authority aforesaid, That the Collector or Collectors of the Rates and Assessments aforesaid shall pay the Money as he or they shall receive the same, to the Treasurer or Treasurers for the Time being to the said Commissioners; and upon Payment of every such Sum of Money to such Treasurer or Treasurers, such Collector or Collectors shall take a Receipt for the same of the said Treasurer or Treasurers, which shall be given without Fee or Reward, and therein the Name or Names of such Collector or Collectors shall be expressed, and the Sum or Sums of Money paid shall be specified; and if such Collector or Collectors shall, at any Time, keep and retain in his or their Hands more than the Sum of One hundred Pounds, for any Time longer than the Space of Two Days, (provided the Treasurer or Treasurers to such Commissioners shall within that Time be ready to receive the same), he or they shall forfeit and pay the Sum of Five Pounds for every Day that he or they shall retain any Sum exceeding the said Sum of One hundred Pounds beyond the said Two Days.

and forfeit 5 *l.* if they keep above 100 *l.* longer than Two Days.

Treasurer to pay it into the Bank.

And be it further enacted, That as soon as conveniently may be after the Person or Persons, or any or either of them,

them, acting as Treasurer or Treasurers to such Commissioners as aforesaid, shall at any Time have received the Sum of Five hundred Pounds of the Monies appointed to be received by him or them, by virtue and for the Purposes of this Act, he or they shall, from Time to Time, pay the same into the Bank of England, in the Name and on the Account of such Commissioners, and the same shall be disposed of by Order of such Commissioners, or any Seven or more of them, for the Purposes of this Act.

Officers to account upon Oath.

And be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers, Collector or Collectors, and other Officers to be appointed as aforesaid for the Time being, shall, upon Three Days Notice in Writing given, or left for them respectively at their usual Places of Abode, by the Clerk or Clerks to such Commissioners as aforesaid, deliver in upon Oath (if thereunto respectively required) to such Commissioners, or any Seven or more of them at such Time and Place as they shall appoint (which Oath such Commissioners, or any Two or more of them, are hereby impowered to administer) a true and perfect Account in Writing, under the respective Hands of such Treasurer or Treasurers, Collector or Collectors, and other Officers and Persons to be appointed as aforesaid, of all Matters and Things committed to their Charge by virtue of this Act, and also all Monies which he or they shall have received by reason of his or their said Office or Offices, and how much thereof hath been paid and disbursed by Order of the said Commissioners appointed for the Execution of this Act, or any Seven or more of them, and for what Purpose, together with the proper Vouchers for such Payments; also a true List of the Names of all Persons who shall have neglected or refused to pay the Rates or Assessments laid on them as aforesaid, and of the several Sums of Money from him, her, or them respectively due and in Arrear, together with the Dates that the same respectively become due, to the Intent that the same may be speedily got in and recovered; and if any Treasurer or Treasurers, Collector or Collectors, or other Officer or Officers, after such Notice given, shall neglect or refuse to bring in his Account as aforesaid, and to produce and deliver the Vouchers relating to the same, or to account for any Sum or Sums of Money by him or them received and collected, and to pay the same

Officers refusing to account,

for every Neglect or Refusal forfeit 10 *l.*

and every Part thereof, as is herein before directed, such Treasurer or Treasurers, Collector or Collectors, Officer or Officers, shall, for every such Neglect or Refusal respectively, forfeit the Sum of Ten Pounds; and it shall and may be lawful to and for the said Commissioners appointed for the Execution of this Act, or any Seven or more of them, and they are hereby authorised and impowered to bring, or cause to be brought, any Action in the Names of such Commissioners, or any Five or more of them, against such Treasurer or Treasurers, Collector or Collectors, Officer or Officers, so neglecting or refusing as aforesaid, for the Recovery as well of the said Forfeiture as of the Monies which shall be in the Hands of such Treasurer or Treasurers, Collector or Collectors, Officers or Persons respectively; or if Complaint shall be made by such Commissioners, or by any Person or Persons by them, or any Seven or more of them appointed, of any such Neglect or Refusal, any Justice of the Peace for the County or Place wherein such Treasurer or Treasurers, Collector or Collectors, Officer or Persons so neglecting or refusing shall be and reside, may, and is hereby authorised and required, by Warrant under his Hand and Seal, to cause such Treasurer or Treasurers, Collector or Collectors, Officer or Persons so neglecting or refusing, to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if, upon the Confession of the Party or Parties, or the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby impowered and required to administer) it shall appear to such Justice, that any of the Monies which shall have been collected, raised, and received by virtue of this Act, shall be in the Hands of such Treasurer or Treasurers, Receiver or Receivers, Officers or Persons, so unaccounted for by them respectively, such Justice may, and is hereby authorised and required, by Warrant or Warrants under his Hand and Seal, to cause such Money, as also such Forfeiture as aforesaid, to be levied by Distress and Sale of the Goods and Chattels of such Treasurer or Treasurers, Collector or Collectors, Officers or Persons respectively; and if no Goods or Chattels of such Treasurer or Treasurers, Collector or Collectors, Officers or Persons, can be found sufficient to answer and satisfy the said Money, as also the said Forfeitures, and the Charges of distraining and selling

Justices to inquire into the Default,

and levy the Penalty.

For want of Distress, Offender to be committed.

selling the Goods and Chattels so distrained; then, and in either of the Cases aforesaid, such Justice shall commit every such Offender to the House of Correction, until he or they shall make and give a true and perfect Account as aforesaid, or until he or they shall compound with the said Commissioners, or any Seven or more of them, and shall have paid such Composition in such Manner as they shall appoint; which Composition the said Commissioners, or any Seven or more of them, are hereby impowered to make; or until he shall deliver up such Books, Papers, and Writings as aforesaid, and give Satisfaction in respect thereof to the said Commissioners.

Collectors to account Four Times a Year.

Provided always, and be it further enacted, That Four Times at least in every Year an Account from the Book or Books to be kept by the Collector or Collectors of the said Rates, Duties, Sum and Sums of Money as assessed, shall be fairly stated, and signed by the said Collector or Collectors, and delivered by him or them to such Commissioners as aforesaid, who are hereby impowered to discharge the said Collector or Collectors of all Monies which he or they shall have truly accounted for.

On Death or Bankruptcy of Officers,

And be it further enacted, That if any Treasurer or Treasurers, Collector or Collectors, Officers, or other Persons, shall happen to die or become Bankrupt before he or they shall have fully paid and satisfied all the Monies by him or them received by virtue of this Act, then, and in every such Case the Executors, Administrators, Executrix, Administratrix, or other legal Representative or Representatives, or Person or Persons possessing the Estate and Effects of every such Treasurer or Treasurers, Collector or Collectors, Officer or Officers, or other Person, or the Assignee or Assignees of such Bankrupt, shall, out of such Estate and Effects, pay unto the Treasurer or Treasurers for the Time then being to the said Commissioners, all such Sums of Money as should be in the Hands of such Persons respectively, at the Time of his or their Death, or at the Time of suing out any Commission of Bankruptcy against him or them, and not paid over, or so much thereof as the said Estate or Effects will extend to pay; and the Receipt or Receipts of the said Treasurer or Treasurers shall be a good Discharge for the said Money; and every Executor or Administrator, Assignee or Assignees, or other Persons as aforesaid, may, to any Action or Suit commenced or

legal Representatives to pay the Monies remaining in Hand to the Treasurer,

whose Receipt shall be a Discharge.

brought against him, her, or them, plead or give in Evidence the Authority of this Act for such Payment, and shall be allowed the same prior to any Debt or Demand whatsoever; and in case of Nonpayment of the same by the Space of Five Years after the same shall have been demanded, it shall and may be lawful to and for the Treasurer or Treasurers for the Time being to such Commissioners, and he or they is and are hereby directed and required, in his or their own Name or Names, to commence One or more Action or Actions, in any of His Majesty's Courts of Record at Westminster, against such Executors, Administrators, Assignee or Assignees, or other Persons as aforesaid, for the Recovery of the same; in which Action no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

On Nonpayment for Five Years, Treasurer may commence Action for Recovery.

And be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers to the said Commissioners as aforesaid for the Time being, shall and may, and is and are hereby authorised and required, out of the Monies paid to him or them, in pursuance of this Act, to pay all Sums of Money drawn upon him or them, or ordered to be paid by such Commissioners, or any Seven or more of them, for the Purposes of this Act; and the said Treasurer or Treasurers for the Time being shall, and is and are hereby required to keep regular and fair Entries in a Book or Books, to be by him or them for that Purpose provided, of all and singular the Receipts and Payments which he or they shall make as aforesaid; to which Book or Books, every Inhabitant within the Limits of this Act shall and may have free Access at all convenient Times, and shall be permitted to inspect the same without Fee or Reward; and also that the Treasurer or Treasurers for the Time being shall have the said Account audited and passed by the Commissioners for the Time being, or any Seven or more of them, who are hereby impowered and required to audit and pass the same.

Treasurer to pay Monies drawn upon him,

and keep a regular Account.

Books to be inspected *gratis*.

And be it further enacted by the Authority aforesaid, That if any Action or Actions shall be brought by or by Order of such Commissioners, or any Seven or more of them, against any Person or Persons whatsoever for the Recovery of any Money or Monies by virtue of this Act, or for any Materials, Matters, and Things, sold and delivered by them, or any of their Officers by their Order, or for the Recovery of any Rate or Rates, or any other Purpose whatsoever,

Commissioners obtaining Verdict, Defendant to pay Double Costs.

whatsoever, and a Verdict shall be had and given against any such Person and Persons against whom such Action or Actions shall be brought, such Person or Persons shall pay Double Costs, and the said Commissioners, in such Action or Actions, shall have such Remedy or Remedies for recovering the same, as any Plaintiff or Plaintiffs may have for his, her, or their Costs in any other Cases by Law.

Penalties may be levied by Distress and Sale.

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 Offenders Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of Middlesex, (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 Informer is hereby rendered a competent Witness (which Oath such Justice is hereby impowered and required to administer); 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, and the Charges of such Distress and Sale being first deducted, shall be paid to the Treasurer or Treasurers to the said Commissioners for the Time being, and shall be applied to and for the Purposes of this Act.

Informer deemed a competent Witness.

Commissioners may reward Informers.

Provided always, and it is hereby enacted and declared, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, at any Meeting to be held in pursuance of this Act, to order their Treasurer or Treasurers for the Time being to pay such Part of the said Penalties to the Informer as they shall judge reasonable, not exceeding One Half thereof.

Distress not to be deemed unlawful for want of Form,

And be it further enacted by the Authority aforesaid, That where any such Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or Want of Form,

in any Proceedings relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers, ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity, may recover full Satisfaction for the special Damage in any Action on the Case.

nor the Party a Trespasser *ab Initio*.

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

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

Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Rate or Rates, Assessment or Assessments, or any other Matter or Thing done, or directed to be done, in pursuance of this Act, such Person or Persons shall apply for Relief to the Commissioners for putting this Act in Execution, at any Meeting to be held within One Month next after Demand made of such Rate or Rates, Assessment or Assessments, or next after such Matter or Thing done and committed by or by Order of the said Commissioners; and the said Commissioners are hereby authorised and impowered (if they shall think such Person or Persons aggrieved) to give such Relief in the Premises as to them shall seem necessary; and if such Person or Persons shall not be satisfied with the Determination of such Commissioners, he, she, or they shall be obliged to pay such Rate or Rates, Assessment or Assessments, and to comply with such Order of the said Commissioners, and then shall and may appeal to the Quarter Sessions of the Peace to be holden for

Appeal to the Quarter Sessions.

for the said County of Middlesex, within Three Months next after such Determination of the said Commissioners, 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 or Treasurer to such Commissioners, and, within Two Days next after such Notice, entering into Recognizance before such Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of, and to pay such Costs as shall be awarded by, the Justices of such Quarter Sessions; and the said Justices, at such Quarter Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Justices, at their Quarter Sessions, shall be final, binding, and conclusive.

Notice of Appeal to be given.

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

Writings to be without Stamps.

And be it further enacted by the Authority aforesaid, That no Rate or Rates, Assessment or Assessments, nor any Proceeding, to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed

Proceedings not to be quashed for want of Form.

nor removed by *Certiorari.*

removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; any Law, Statute, or Usage to the Contrary notwithstanding.

Expences of this Act how to be paid.

And be it further enacted by the Authority aforesaid, That all Costs, Charges, and Expences of passing this Act, and all other Charges incident to the obtaining thereof, shall be borne, paid, and defrayed out of the first Monies arising by virtue of this Act.

For allowing 30 *l. per Annum* to the Parish of *Saint James.*

And whereas the Streets and other Places within the Parishes of Saint John and Saint James Clerkenwell have been cleansed at the joint Expence of the Inhabitants of both Parishes, by an equal Rate or Assessment: And whereas if the Money to be raised within each Parish for cleansing the said Streets and Places, should be applied only to the Streets and Places within the Parish where the same shall be raised, the Inhabitants of the Parish of Saint James will be put to a much greater Expence for cleansing the Streets and other Places within the said Parish, than if the same were done by One Rate or Assessment to be raised and assessed upon the Inhabitants of both Parishes as heretofore; be it thereore enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall, and are hereby authorised and required, out of any Money which shall be raised by virtue of this Act, to pay or cause to be paid to the Scavengers for the said Parish of Saint James Clerkenwell, for the Time being, the annual Sum of Thirty Pounds for ever, by Two equal half-yearly Payments, upon the Twenty-fifth Day of March and the Twenty-ninth Day of September, the first Payment thereof to begin and be made on the Twenty-ninth Day of September, One thousand seven hundred and seventy-one; and the Money so to be received by the said Scavengers shall, from Time to Time, be applied for the Purpose of cleansing the Streets and other Places within the said Parish of Saint James Clerkenwell, and to and for no other Use or Purpose whatsoever.

Proviso.

Provided always, That if at any Time hereafter the Scavengers Rate for the said Parish of Saint James Clerkenwell, which is now Four-pence in the Pound, shall be less than that Sum, that then a proportional Abatement shall be made in the said annual Payment of Thirty Pounds,

Pounds, for such Time and Times as the said Rate shall continue under Four-pence in the Pound as aforesaid; any Thing herein before contained to the Contrary notwithstanding.

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-one Days Notice shall be thereof given in Writing to the Clerk or Treasurer to the said Commissioners, or after Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought; and all such Actions and Suits shall be laid and tried in the County of Middlesex, and not elsewhere; and that the Defendant or Defendants, in such Action or Actions, Suit or 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 or on which such Action or Actions, Suit or Suits, shall be 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-one 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 commenced 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 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, Suit or Suits, or if upon a Demurrer or Demurrers, in such Action or Actions, Suit or Suits, 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 other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

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

FINIS.