ANNO UNDECIMO

Georgii III. Regis.

CAP. XLVI.

An Act for paving, and keeping in Repair, the Streets, Lanes, and Paſſages, in the Pariſh of *Saint Luke*, in the County of *Middleſex*; for removing Obſtructions and Annoyances therein; and for widening the Paſſages at the Weſt End of *Chiſwell-ſtreet*, and at the South End of *Brick-lane*, in the ſaid Pariſh; and for other Purpoſes therein mentioned.

WHEREAS the Streets, Lanes, Courts, Alleys, Ways, and other publick Paſſages, within the Pariſh of Saint Luke in the County of Middleſex, particularly Chiſwell-ſtreet, the Lordſhip Part of Grub-ſtreet, Bunhill-row, Brown-ſtreet, Feather-ſtone-ſtreet, James-ſtreet, White-croſs-ſtreet, Golden-lane, the South and North Sides of Old Street, the Eaſt Side of Goſwell-ſtreet, Blue Anchor Alley, and Playhouſe-yard, are very ill-paved, and in a ruinous Condition, and the Paſſages thereof are greatly Preamble.

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greatly obſtructed by many Nuiſances and Annoyances therein: And whereas the Paſſage through the Weſt End of Chiſwell-ſtreet is greatly obſtructed by ſome old Houſes or Buildings, ſtanding on the North and South Sides thereof, and projecting into the ſaid Street; and the Paſſage through the South End of Brick Lane is obſtructed by ſeveral old Houſes, or Buildings, ſtanding on the Eaſt Side thereof, and projecting into the ſaid Lane: And whereas the better paving the ſaid Streets, Lanes, Courts, Alleys, Ways, and other publick Paſſages, and the preventing Nuiſances, Annoyances, and Obſtructions therein for the future; and the taking down the ſaid old Houſes and Buildings, at the Weſt End of Chiſwell-ſtreet, and the South End of Brick-lane aforeſaid, and the laying the Scite, or Ground whereon they ſtand, or of ſuch Part thereof as ſhall be neceſſary, into the Highway, will be of great Benefit and Advantage to the Inhabitants of the ſaid Pariſh, and of publick Convenience; but as the ſame cannot be effected without the Aid of Parliament; may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable Thomas Harley, the Honourable Henry Lawes Lutterell, Eſquire; Sir Robert Ladbroke, Knight; Sir Charles Whitworth, Knight; Barlow Trecothick, Richard Oliver, John Glynn, Eſquires; the Reverend William Nicolls, D. D. Rector of the ſaid Pariſh of Saint Luke; Sir James Eſdaile, Knight; Samuel Whitbread, Cadwallader Coker, Benjamin Cowley, Edward Bond, Thomas Moore, Joſeph Dickinſon, William Turner, Valentine Grimſtead, John Walford, Peter Eſdaile, John Sugar, Jenkin Jones ſenior, Jenkin Jones junior, John Calvert, William Seward, and John Jones, of White-croſs-ſtreet; Joſeph Lycett, John Jenkinſon, William Feaſt, Eſquires; Thomas Dennis, William Caſlon, Daniel Race, George Dance, Thomas Cecil, David Brown, William Withy, John Chippendale, William Payne, George Burnill, William Meeds, Thomas Hickman, William Moorman, Job Heath, John Cay, Major Haxby, Richard Bayley, Jonathan Hitchcock, Samuel Sorſby, John Edis, George Roadley, Matthew Witten, William Rix, James Smith, James Eſdaile, David Cooper, Edward M'Carty, Charles Moody, Benjamin Barnſley, Lewis Powell, Richard Grace, William Spencer, Francis

Commiſſioners Names.

cis Beck, Thomas Bennett, Thomas Romaine, Harland Ainſworth, William Slater, the Rector of the ſaid Pariſh of Saint Luke for the Time being, and the Members for the County of Middleſex for the Time being, and their Succeſſors, to be elected in Manner herein after mentioned, ſhall be, and they are hereby appointed Commiſſioners for putting this Act in Execution: And in caſe of the Death, Removal, or Refuſal to act, of any of the ſaid Commiſſioners, it ſhall and may be lawful for the ſurviving or remaining Commiſſioners, or any Seven or more of them, from Time to Time, by Writing under their Hands and Seals, to elect another Perſon to be a Commiſſioner in the Room and Stead of the Commiſſioner ſo dying, removing, or refuſing to act, Ten Days Notice of the Time and Place of Meeting for every ſuch Election being given, by affixing the ſame in Writing upon the principal Door of the Pariſh Church of Saint Luke aforeſaid, and alſo by Advertiſement in ſome or One of the publick News-papers; and every Perſon ſo elected ſhall be, and is hereby veſted with the ſame Powers for putting this Act in Execution, as the Perſon in whoſe Room he ſhall be elected, was veſted with.

How new Ones to be choſen.

And be it further enacted, That no Perſon ſo elected ſhall be capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall have occupied Lands, Tenements, or Hereditaments, within the ſaid Pariſh, of the yearly Value of Fifteen Pounds for Seven Years preceding the Time of his acting, and hath paid to the Poors Rates for the ſame.

Qualification of Commiſſioners.

And be it further enacted, That no Perſon who ſhall ſell Ale, Wine, or any Spirituous Liquors by Retail, ſhall be capable of being elected a Commiſſioner under this Act.

No Victualler to act.

And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall meet at the Swan Tavern in Whitecroſs-ſtreet, on the Second Friday next after the Day of the paſſing of this Act, and ſhall proceed to the Execution of this Act, and ſhall and may adjourn themſelves, from Time to Time, to ſuch Place or Places as the ſaid Commiſſioners, or any Seven or more of them ſhall think proper: And if at any Meeting ſo appointed there ſhall not appear a ſufficient Number of Commiſſioners to act, or adjourn to another Day, or in caſe the ſaid Commiſſioners, ſo aſſembled, ſhall omit, neglect, or refuſe to adjourn themſelves, then, and in every ſuch Caſe, any Three of the ſaid Commiſſioners, or the Clerk to the

First Meeting of Commiſſioners.

Power to adjourn.

said Commissioners, shall appoint a Meeting of the said Commissioners, to be held within Ten Days after, at the same Place; and publick Notice thereof, in Writing, shall be given by the Clerk, by affixing the same on the principal Door of the Parish Church of Saint Luke aforesaid, Six Days before such adjourned Meeting.

No Order valid unless made at a Meeting.

And be it further enacted, That no Order or Determination of the said Commissioners shall be valid unless the same shall be made at a Meeting held in pursuance of this Act; nor shall any Commissioner, as aforesaid, be capable of acting as such during the Time he shall enjoy any Place of Profit, by virtue of the Powers given by this Act, or have any Share or Interest in any Contract relating to the Execution thereof; and that the said Commissioners, at all their Meetings, shall bear their own Expences.

No Commissioner to act whilst under Contract.

Commissioners to bear their own Expences.

Power to appoint Officers.

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

Officers to account.

Writing

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

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

Representatives of Officers to account and pay in Preference to other Debts.

And be it further enacted, That upon the Death of any such Officer, or other Person, to be appointed as aforesaid, his Executors or Administrators shall, within Twenty-one Days next after the Decease of such Officer or Person, deliver to the said Commissioners, or any Seven or more of

of them, an Account of the Monies collected, or received, by the Officer or Person so deceased, and shall also deliver all Books, Papers, and Things, concerning his Office, to such Person or Persons as the said Commissioners, or any Seven or more of them, shall appoint to receive the same; which Money, if any due, shall be paid by the Executors or Administrators of the Officer or Person so deceased, in preference to and before any of his or their other Debts are paid or satisfied.

Officers taking Fees otherwise than as allowed.

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

to be incapable of serving and to forfeit 100*l.*

Pavements, &c. vested in Commissioners.

And be it further enacted, That from and immediately after the passing of this Act, the Property of all the present and future Pavements whatsoever in the said Streets, Row, Lane, Alley, and Yard, herein-after mentioned; that is to say, In Chiswell-street, the Lordship Part of Grub-street, Bunhill-row, Brown-street, Featherstone-street, James-street, Whitecross-street, Golden lane, the South and North Sides of Old-street, the East Side of Goswell-street, Blue Anchor-alley, and Playhouse-yard, and of all Materials, Implements, and Things, which shall be purchased, provided, or made Use of for the Purposes of this Act, shall be, and the same are hereby vested in the said Commissioners, and they, or any Seven or more of them, are hereby authorised and impowered to bring, or cause to be brought,

any Action or Actions in the Names of any Three or more of them, or in the Name of their Treasurer, or Clerk, or to prefer, or order and direct the preferring of any Bill or Bills of Indictment against any Person or Persons whomsoever, who shall steal, purloin, take, carry away, spoil, injure, or destroy the same, or any Part or Parts thereof, or disturb them in the Possession thereof.

Commissioners to cause the Streets to be paved.

And be it further enacted, That the said Commissioners, or any Seven or more of them, shall have full Power and Authority, from Time to Time, to cause, order, and direct the said Streets, Row, Lane, Alley, and Yard, or any of them, to be paved, repaired, raised, sunk, or altered, when, and in such Manner, as they shall think fit, (except in Chiswell-street; in the making of the Level of which Street, from the End of Bunhill-row to Moorfields, the Commissioners for paving shall give Notice to the Clerk of the Works of the City of London, and he and the Superintendant of the Commissioners for paving, appointed by this Act, shall ascertain and fix the Levels of such Parts of the said Street, as near as can be, for the Convenience of the New Buildings intended to be erected by the City of London, and the Convenience of the other Freeholders in the said Street.)

Particular Streets to be paved first.

Provided always, That the Pavements of the several Streets and Places called Chiswell-street, Whitecross-street, and Golden-lane, shall be compleated, previous to and before any other Street or Place, to be paved by virtue of this Act, shall be begun to be paved.

Power to employ Workmen, &c.

And be it further enacted, That the said Commissioners, or any Seven or more of them, shall also have full Power and Authority to cause to be dug, carted, and carried out of, or brought into the said Streets, Row, Lane, Alley, and Yard, such Gravel, Stones, and other Materials, and to employ such Artificers, Workmen, Labourers, Carters, and others, and to issue such Money on those Accounts, and to do all and every such other Acts and Things as the said Commissioners, or any Seven or more of them, shall judge necessary, or conducive to the accomplishing the Ends and Designs of this Act.

Commissioners may make Contracts.

And be it further enacted, That the said Commissioners, or any Seven or more of them, may, and are hereby impowered, from Time to Time, as Occasion shall require, to contract with any Person or Persons for paving, and keeping in Repair, the said Streets, Row, Lane, Alley, and Yard, or any of them; which Contract and Contracts shall specify the several Works to be done, and the Prices to

be paid for the same, and the Time or Times when the said Works shall be compleated, and the Penalties to be suffered in case of Nonperformance thereof; and shall be signed by the said Commissioners, or any Seven or more of them, and by the Person of Persons contracting to perform such Works; but previous to the making of any such Contract, Ten Days Notice shall be given in some publick News-paper, expressing the Intention of the intended Contract, in order that any Person or Persons willing to undertake the same, may make Proposals for that Purpose, to be offered and presented to the said Commissioners, at a certain Time and Place in such Notice to be mentioned.

Penalty on obstructing Workmen.

And be it further enacted, That if any Person or Persons shall, at any Time or Times, obstruct, hinder, or molest, any Surveyor or Surveyors, or other Officer or Officers, Workmen, Person or Persons whatsoever, who are or shall be employed by virtue of this Act, in the Performance or Execution of their Duty; every such Person so offending 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.

Commissioners may sell old Pavements.

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

Disputes about Wages to be settled by Justices.

And be it further enacted, That if any Dispute shall arise with respect to the Wages of such Paviors, Artificers, Workmen, or Labourers employed, it may be settled by any One or more of His Majesty's Justices of the Peace for the County of Middlesex, whose Award shall be final.

Pavements when taken up to be relaid under the Inspection of the Surveyor.

And be it further enacted, That when and so often as any Part of the Pavement of the said Streets, Row, Lane, Alley, or Yard, shall be taken up for the Purpose of making, repairing, altering, cleansing, or emptying any Sewer, Vault, or Drain, or of laying, altering, or amending any Water-pipe, or Plug, or for any other Purpose whatsoever, the Person or Persons so taking up such Pavement shall immediately give Notice thereof to the Surveyor, Inspector, or Clerk to the Commissioners for putting this Act in Execution, in order that the same may, with all convenient Speed, be laid down and repaired, under

Commissioners to be reimbursed their Charges.

under the Inspection of the said Surveyor, Inspector, or Clerk; and the Charges and Expences thereof shall be paid by the said Commissioners; and they shall be reimbursed the same by the Person or Persons, Companies of Water-works, or Commissioners of Sewers, who shall take up, or cause or procure to be taken up, the said Pavement, or any Part or Parts thereof.

Commissioners may compound for the relaying such Pavement.

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

Monies expended in relaying the Pavement how to be recovered.

And be it further enacted, That in case such Person or Persons, Companies of Water-works, or Commissioners of Sewers respectively, shall neglect or refuse to pay what the said Commissioners shall have so paid and disbursed, or what shall be due upon such Contract or Composition as aforesaid, within Ten Days next after Notice thereof, to be left by the Surveyor or Clerk appointed, or to be appointed, by the said Commissioners, at the Dwelling-house, or last Place of Abode of such Person or Persons, or of the Secretary or Secretaries, Clerk or Clerks of such Companies of Water-works, or Commissioners of Sewers respectively; which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act in Execution, by Order of the said Commissioners, or any Seven or more of them, and annexed to the Bill, containing an Account of the Expence of such Repair, or Money due upon such Composition; it shall and may be lawful to and for the said last-mentioned Commissioners, or any Seven or more of them, and they are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions, in the Name of their Clerk or Treasurer, for the Recovery of such Sum or Sums of Money respectively; and in case such Person or Persons, hereby directed to give such Notice to the Surveyor or Clerk to the Commissioners for putting this Act in Execution as is before directed, shall neglect so to do for the Space of Twenty-four Hours after such Pavement shall be so taken up, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

And be it further enacted, That if, for the Purposes of this Act, it shall at any Time be found necessary to raise, sink, or otherwise alter the Position of any of the Pipes or Plugs laid down or placed by the said Companies, or of any of the Leaden or other Pipes which shall be laid into or from any of the said Companies Pipes, which the said Commissioners, or any Seven or more of them, are hereby impowered to cause to be done, as often, and in such Places, as they shall think proper; the same shall be paid for out of the Monies arising by virtue of this Act, and shall be done with as little Detriment or Inconvenience to the said Companies, and other Persons, as the Circumstance of the Case will admit of. Power to raise or lower Pipes.

And be it further enacted, That when and so often as it shall happen that any Pipe or Pipes belonging to any Water Company shall break or burst in the said Streets, Row, Lane, Alley, or Yard, or any of them, it shall and may be lawful to and for the Surveyor or Inspector to the said Commissioners for the Time being, or such other Person as the said Commissioners, or any Seven or more of them, shall appoint for that Purpose, to give immediate Notice thereof to the Pavior of the Water Company to whom he apprehends such Pipe or Pipes does, or do, or may belong, and require him to take up the Pavement, and open the Ground at or near the Place where the Water shall or may issue, by reason of such Pipe or Pipes breaking or bursting, within Two Days next after such Notice given to such Pavior, or left at his last or usual Place of Abode; and if upon taking up the Pavement, and opening the Ground, it shall appear that the Pipe or Pipes so broke or burst do or doth not belong to the Water Company, whose Pavior shall have taken up such Pavement, and opened such Ground; that then, and in such Case, the Surveyor, Inspector, or other Person as aforesaid, shall give immediate Notice to the Pavior of that Company, to whom it shall appear that the said Pipe or Pipes do or doth belong; such Notice to be given, or left with such Pavior, or at his last or usual Place of Abode, and the Pavior of the Company, to whom such Pipe or Pipes shall belong, is hereby required to repair the same, and fill in the Ground, within Two Days after such Notice given, or left as aforesaid; and also within Twenty-four Hours after such Pipe shall be repaired, and the Ground filled in, to give Notice to the Pavior or Paviors contracting with the said Commissioners, or to the Surveyor, Inspector, or How the Water-pipes, when broke, are to be repaired.

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

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

Penalty on Paviors of Water Companies neglecting to give their Names and Places of Abode.

And be it further enacted, That the several and respective Paviors, or other Persons now appointed, or hereafter to be appointed, by the said several and respective Water Companies, who shall have any Pipe or Pipes laid in, through, or under, any of the said Streets, Row, Lane, Alley, or Yard, shall, and they are hereby required, within the Space of Eight Days next after the first Meeting of the Commissioners to put this Act in Execution, or within the Space of Three Days next after he shall be appointed to manage and take Care of the Water-pipes belonging to such Company or Companies, to give Notice in Writing to the Surveyor or Clerk to the said Commissioners, of his Name and Place of Abode, and to what Company he belongs; and in case any such Person or Persons shall neglect or refuse to give such Notice within the respective Times aforesaid, every such Person or Persons so offending, in either of the said Cases, 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.

Persons altering the Form of the Pavement, to forfeit 5 *l.*

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

Course of Channels may be altered,

And 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 direct, and cause the Course of any Gutter or Channel, running in or through the said Streets, Row, Lane, Alley, or Yard, or any of them, to be turned or altered in such Manner as they shall think proper; and to direct the Grates already placed, or hereafter to be placed, over any Sewers to be removed and replaced in such Manner, and at such Place and Places, as they shall think proper, so as the same be not prejudicial

prejudicial to the publick Sewers; and the same shall, from Time to Time, be done at the Expence of the said Commissioners, and paid for out of the Monies arising by virtue of this Act, any Law, Usage, or Custom to the Contrary notwithstanding.

Commissioners of Sewers to make and repair Grates.

And be it further enacted, That when and so often as there shall be Occasion to make any new, or to repair any Grate or Grates now being over any Sewer or Sewers, belonging to the Commissioners of Sewers in the said Streets, Row, Lane, Alley, or Yard, or any of them, the same shall be made new or repaired by and at the Expence of the said Commissioners of Sewers; and the same, when so made new or repaired, shall be laid down in such Manner as shall be directed by the Surveyor to the Commissioners for putting this Act in Execution.

Commissioners of Sewers to repair, empty, and cleanse old Drains.

And be it further enacted, That when and so often as any Sewer or Drain, which is or shall be, under the Direction of the Commissioners of Sewers, situate in, or communicating with the said Streets, Row, Lane, Alley, or Yard, or any of them, shall require to be repaired, cleansed, or emptied, the said Commissioners of Sewers shall, from Time to Time, repair, cleanse, and empty the same.

New Sewers and Grates may be made by the Commissioners for paving, and afterwards cleansed and repaired by Commissioners of Sewers.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners appointed by this Act, or any Nine or more of them, if they shall think it necessary, to make, or cause to be made, any new publick Sewer or Sewers, or publick Drain or Drains, to communicate with the said Streets, Row, Lane, Alley, and Yard, or any of them, and also any new Grate or Grates, over such Sewer or Sewers, Drain or Drains, and to cause the same to be placed in such Manner as the Surveyor to the said Commissioners shall think proper; and the Expences attending the making such new Sewer or Sewers, Drain or Drains, and Grate or Grates, shall be paid out of the Monies arising by virtue of this Act; and when such Sewer or Sewers, Drain or Drains, Grate or Grates, shall be made and compleated, the same shall be under the Care, Management, and Direction of the Commissioners of Sewers, in like Manner as the other Sewers now are; and the said Commissioners of Sewers shall cause such Sewer or Sewers, Drain or Drains, to be, from Time to Time, for ever after repaired, cleansed, or emptied; and

such Grate or Grates to be, from Time to Time, made new or repaired, as Occasion shall require.

If Commissioners of Sewers do not perform Works to be done by them, Commissioners for paving may do them, and the Expence shall be paid by the former.

And be it further enacted, That when and so often as it shall be necessary for the said Commissioners of Sewers to do and perform any of the several Works herein before directed to be done by them, the Clerk to the Commissioners appointed by this Act shall give Notice thereof in Writing to the Clerk to the Commissioners of Sewers, who shall thereupon forthwith summon the said Commissioners of Sewers to meet, to take the Premises into Consideration, (which they are hereby authorised and required to do), and at the same Meeting, or at any adjourned or other Meeting, to exercise the several Powers and Authorities with which they are or shall be invested; and in case the said Commissioners of Sewers shall neglect or refuse to meet by the Space of Seven Days next after such Notice given, or being met, shall refuse or neglect, for the Space of Ten Days then next, to send out a Jury to view the Place where such Work is thought necessary to be done; or if such Jury shall refuse or neglect to take such View, and make their Presentment thereupon; or in case the said Commissioners of Sewers shall, by the Space of Twenty Days next after such Presentment made, neglect or refuse to cause the said Works to be done, if such Jury shall return or report the same necessary, and the said Works can be done and finished within that Time, that then it shall and may be lawful to and for the said Commissioners appointed by this Act, or any Nine or more of them, to cause such Works to be done and finished, the Charges and Expences whereof shall be paid by the Commissioners for putting this Act in Execution, who shall be reimbursed the same by the Clerk or Treasurer for the Time being to the said Commissioners of Sewers; and in case the said Clerk or Treasurer to the said Commissioners of Sewers shall neglect or refuse to pay what shall have been so paid and disbursed, within Sixty Days next after Notice thereof for that Purpose shall be left at the Dwelling-house or Place of Abode of such Clerk or Treasurer, which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act in Execution, and annexed to the Bill, containing an Account of such Charges and Expences, it shall and may be lawful to and for the said Commissioners appointed by 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 or

Actions in the Name of their Clerk, against such Clerk or Treasurer to the said Commissioners of Sewers, for the Recovery of such Sum or Sums of Money as the said Commissioners for putting this Act in Execution, or any Seven or more of them, shall have been so expended for any of the Purposes aforesaid; in which Action or Actions no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

In what Case other Streets may be paved.

Provided always, and be it further enacted, That if at any Time hereafter Two-thirds or more of the Owners or Proprietors of Houses, Lands, Tenements, or Hereditaments, standing and being in any Street, Lane, Court, Alley, Way, or other publick Passage, within the said Parish, other than those herein before particularly described, shall be desirous to take the Benefit of this Act, and to have the same better paved, and all Nuisances, Annoyances, and Obstructions therein removed, and shall, by Writing under their Hands, signify such their Desire, and the Mode in which they would have the same done, and the Manner by which they propose to raise Money for those Purposes to the said Commissioners, or any Seven or more of them, and the said Commissioners, or any Seven or more of them, shall approve thereof; then all the Powers and Authorities by this Act granted, and all the Penalties, Forfeitures, Clauses, and Provisions herein contained, shall extend and have Relation, as well to the said Streets, Lanes, Courts, Alleys, Ways, and other publick Passages, as to the said Streets, Row, Lane, Alley, and Yard, herein before particularly mentioned, as fully and effectually as if the same had been herein before particularly inserted and directed to be paved; any Thing herein contained to the Contrary notwithstanding.

Separate Accounts to be kept.

Provided always, and be it further enacted, That the said Commissioners, or any Seven or more of them, shall cause separate and distinct Accounts to be kept of the paving the said respective Streets and Places, and the repairing thereof, and the Rates and Assessments to be made for the same, and of all other the Purposes of this Act, so far as the same relate thereto.

Penalty on driving Wheels, &c. on the Foot Pavements.

And be it further enacted, That if any Person or Persons shall run, drive, draw, or cause to be run, driven, or drawn, on any Part of the Foot-pavements of the said Streets, Row, Lane, Alley, or Yard, or any of them, any Wheel or Wheels, Sledge, Wheelbarrow, or any Carriage whatsoever; every such Person or Persons so offending,

fending, shall forfeit, for the First Offence, the Sum of Ten Shillings; for the Second Offence, the Sum of Twenty Shillings; and for the Third, and every other Offence, the Sum of Forty Shillings.

Time for emptying Bog-houses.

And be it further enacted, That if any Person or Persons whatsoever shall come with any Cart or Carts, or begin to empty any Boghouse or Boghouses, or to take away any Night-soil from any House or Houses within any of the Streets, Lanes, Courts, Alleys, Ways, or other publick Passages, within the said Parish, before the Hour of Eleven 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; 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 Streets, Lanes, Courts, Alleys, Ways, or other publick Passages, within the said Parish, any such Night-soil; it shall and may be lawful to and for any Constable, Beadle, or Watchman, (and they are hereby strictly required and directed so to do), or any other Person or Persons whomsoever, to apprehend, and to carry him or them guilty of either of the said Offences, to any One of the Watch-houses of the said Parish of Saint Luke, and from thence, as soon as conveniently may be, before One or more Justice or Justices of the Peace for the County of Middlesex, who, upon Oath made of such Offence or Offences as aforesaid, (which Oath such Justice or Justices is and are 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, or any Seven or more of them, 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, and convey before any such Justice or Justices, any such Person or Persons, guilty as aforesaid, to be paid out of the Rates to be raised by virtue of this Act.

Persons may set up Hoards for making of Mortar, &c. with Consent of the Commissioners.

Provided always, and be it further enacted, That it shall and may be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in any of the said Streets, Row, Lane, Alley, and Yard, any Inclosures, Posts, Bars, or Rails, or other Matter or Thing for the Purpose

Purpose of making Mortar, and depositing Bricks, Lime, or other Materials, for building or repairing any Houses, Buildings, or other Works, every such Person or Persons, first obtaining Leave under the Hand of the Surveyor or Clerk to the said Commissioners for those Purposes respectively, which he is hereby impowered by their Permission to give; but if any Person or Persons shall erect and set up, or cause to be erected and set up, any such Inclosures, Posts, Bars, or Rails, or any other Matter or Thing for the Purposes aforesaid, without such Leave first had and obtained, every such Person shall, for every such Offence, forfeit and pay any Sum, not exceeding Twenty Shillings, nor less than Five Shillings, for every Hour such Inclosure, Matter, or Thing as aforesaid, shall remain and continue.

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

And be it further enacted, That no Person or Persons whatsoever shall sift, throw, cast, or lay, or cause, permit, or suffer to be sifted, thrown, cast, or laid, any Ashes, Dust, Dirt, Soil, or other Filth whatsoever, before any Dwelling-house, Shop, Stable, Building, or Wall, in any of the Streets, Lanes, Courts, Alleys, Ways, and other publick Passages, within the said Parish; but shall keep, or cause the same to be kept, in their respective Houses or Yards, until such Time as the Person or Persons contracted with or employed to carry away such Ashes, Dust, Dirt, Filth, or Soil, do come by or near their Houses, Doors, or Places where they dwell, with a Cart or Carts, or other Conveniencies, for carrying away the same, upon Pain of forfeiting, for the First Offence, the Sum of Five Shillings; for the Second Offence, the Sum of Ten Shillings; and for the Third, and every other Offence, the Sum of Twenty Shillings.

Foot-ways to be swept.

And be it further enacted, That all and every Person and Persons inhabiting within the said Streets, Row, Lane, Alley, or Yard, shall, from and after the first Meeting of the Commissioners for putting this Act in Execution, sweep and clean, or cause to be swept and cleansed, the Foot-paths before their respective Houses, Buildings, and Walls, once in every Day, between the Hours of Nine and Twelve in the Forenoon, (Sundays excepted), upon Pain of forfeiting Twenty Shillings for every Neglect therein.

Houses to be numbered, &c.

And be it further enacted, That the said Commissioners, or any Seven or more of them, may order and direct the Houses within the said Streets, Row, Lane, Alley, and

Yard, or any of them, to be numbered with Figures, placed or painted over the Doors thereof, or on such other Part of the said Houses respectively as they the said Commissioners, or any Seven or more of them, shall think proper; and may also order and direct to be engraved, painted, or otherwise described, on a conspicuous Part of some House, or other Building, at or near the End or Corner of each Street, Row, Lane, Alley, and Yard respectively, the Name by which such respective Street, Row, Lane, Alley, and Yard, is usually or properly called or known: And if any Person or Persons shall wilfully or maliciously destroy, injure, obliterate, or deface, any such Number, Figure, Name, or Description, or any Part thereof, or cause or procure the same to be done, and shall be convicted thereof, by his or their own Confession, or by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the County of Middlesex, which Oath such Justice or Justices is and are hereby impowered to administer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Five Shillings.

Signs, &c. to be removed.

And be it further enacted, That the said Commissioners, or any Seven or more of them, shall and may cause all Trees, Signs, Sign-posts, Sign-irons, Dyers, Scourers, and Barbers Poles, or any other Poles, Perches, Penthouses, Boards, Spouts, and Gutters, projecting into or over the said Streets, Row, Lane, Alley, or Yard, or any of them, and all other Incroachments, Projections, or Annoyances whatsoever therein, to be taken down and removed; and shall cause all Signs, Sign-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, or any Seven or more of them, 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, Penthouse, Board, Spout, Gutter, or other Projection, Obstruction, or Annoyance whatsoever, or cause the same to be done, contrary to 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 Twenty Shillings; and also the further Sum of Five Shillings for every Hour the same shall continue.

Steps, Projections, &c. to be removed.

And whereas the said Streets, Row, Lane, Alley, and Yard, are in some Parts thereof greatly obstructed, and made dangerous to Foot-passengers, by Steps being brought out from Houses, Steps and Doors going down into Cellars, Vaults, and other Places, and by Shew-glasses, Shew-boards, and other Matters or Things projecting from Shops or Houses, over and beyond the Area belonging to such Houses, or into the Foot-ways; be it therefore further enacted, That from and after the passing of this Act, all such Steps projecting into the Foot-ways of the said Streets, Row, Lane, Alley, and Yard, and all Steps and Doors going down out of the Foot-ways into any Cellars, Vaults, or other Places, as likewise all Shew-glasses or Shew-boards projecting over and beyond the Areas, or into the Foot-ways, and all and every other Matters or Things which do, or shall cause or occasion any Nuisance, Annoyance, Incroachment, or Obstruction, in the said Streets, Row, Lane, Alley, and Yard, or any of them, either in the Foot or Carriage Way thereof, shall be from Time to Time removed, fired, placed, or altered, in such Manner and Form as shall be approved of by the said Commissioners, or any Seven or more of them, or their Surveyor, by their Direction, and shall be paid for out of the Money to be raised by virtue of this Act.

Extra Rates may be made twice in every Year.

And, for defraying the Charges and Expences attending the Execution of the several Powers by this Act granted, be it further enacted, That from and after the passing of this Act, a Rate, or Assessment (over and above all Rates and Assessments now payable) shall, twice in every Year, or oftener, if it shall be thought needful by the said Commissioners, or any Nine or more of them, be made, laid, and assessed by the said Commissioners, or any Nine or more of them, upon all and every Person and Persons who do or shall inhabit, hold, occupy, possess, or enjoy any Land,

Land, House, Shop, Warehouse, Cellar, Vault, or other Tenements or Hereditaments, within the said Streets, Row, and Lane, called Chiswell-street, the Lordship Part of Grub-street, Bunhill-row, Whitecross-street, and Golden-lane, for raising such competent Sum and Sums of Money as the said Commissioners, or any Nine or more of them, shall from Time to Time think needful and direct, so as such Rate or Assessment, Rates and Assessments, do not in any One Year exceed, in the Whole, the Sum of Two Shillings and Sixpence in the Pound, of the yearly Rents, or yearly Value, of such of the said Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments respectively, as shall be situate in any of the said Streets, Row, or Lane, aforesaid, the greater Part or Parts of which said Streets, Row, or Lane aforesaid respectively, shall be actually begun to be paved with new or other Stones, of a flat Surface, by virtue or in pursuance of this Act: And not exceeding the Sum of Two Shillings in the Pound of the yearly Rents, or yearly Value, of such of the said Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments respectively, as shall be situate in the said Streets called Brown-street, Feather-stone-street, and James-street, which shall be actually begun to be new-paved, the Foot-ways whereof shall be constructed with new or flat Stones, and the Carriage-ways thereof with sized Pebbles and old Stones, which shall be taken up in the same, or in any other of the Streets, Row, Lane, Alley, or Yard, by virtue or in pursuance of this Act: And not exceeding the Sum of One Shilling and Sixpence in the Pound of the yearly Rents, or yearly Value, of such of the Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments respectively, as shall be situate on the South and North Sides of Old-street, and the East Side of Goswell-street, which shall be actually begun to be new-paved; the Foot-ways whereof only shall be paved with Purbeck Squares: And not exceeding the Sum of One Shilling in the Pound of the yearly Rents, or yearly Value, of such of the Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments respectively, as shall be situate in the said Alley and Yard called Blue Anchor-alley and Playhouse-yard, which shall be actually begun to be new-paved; the Foot-ways whereof shall be paved with Purbeck Squares, and the Carriage-ways with

with used Pebbles, or old Stones, which shall be taken up in the same, or any other of the said Streets, Row, or Lane, by virtue or in pursuance of this Act.

Houses adjoining to the Streets, how to be rated.

And whereas several Houses, Warehouses, or other Buildings in the said Streets, Row, Lane, Alley, or Yard, are partly situate within the same, and are partly situate in, or are adjoining to, or abutting upon other Streets, Lanes, Ways, or Passages, which are not within or Part of the aforesaid Streets, Row, Lane, Alley, or Yard, and the Occupiers of such Houses, Warehouses, or other Buildings, by Carriages having Access to their Premises, will greatly wear the Pavements intended to be paved by virtue of this Act, by such Carriages coming to and going from their said Houses, Warehouses, or other Buildings; and such Houses, Warehouses, or other Buildings, are or may be obliged to pave the said other Streets, Lanes, Courts, Alleys, and other Places, or may be subject to be rated and taxed towards the paving or repairing the same: Be it therefore further enacted, That such Houses, Warehouses, or other Buildings, which now are, or hereafter shall be so situate, shall only be rated and taxed for the Purpose aforesaid, at such Sum or Sums of Money as the said Commissioners, or any Nine or more of them, shall think reasonable, not exceeding Two-thirds of the Rate they would have been rated and taxed at, if such Houses, Warehouses, or other Buildings, had stood wholly within the said Streets, Row, Lane, Alley, or Yard.

Houses let out in Tenements, how to be rated.

And whereas many Houses within the said Streets, Row, Lane, Alley, or Yard, are by the several Owners or Proprietors thereof let out in Lodgings to divers Tenants, whereby it will be difficult to recover such Rates and Assessments when made; for Remedy whereof, be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, to rate and assess the Owner or Owners of such Houses or Tenements as shall be let to, or occupied by Two or more Tenants, which Rate and Assessment shall be paid by One or more of the Tenants or Occupiers of any Part or Parts of such Houses; and in case any Occupier or Occupiers of any Part of such Houses or Tenements shall refuse to pay the same, then the said Rate and Assessment shall be levied by Distress and Sale of the Goods of him, her, or them, so refusing to pay the same; and such Occupier

pier or Occupiers of such Tenements respectively is, and are hereby required and authorised to pay such Sum and Sums of Money as shall be so rated or assessed on the Owner or Owners of such Houses in pursuance of this Act, and to deduct the same out of their Rent; and the Owner or Owners, Proprietor or Proprietors thereof, are hereby required to allow such Deductions and Payments, upon Receipt of the Residue of their Rents; and every such Tenant, paying such Rate or Rates, Assessment or Assessments, shall be acquitted and discharged of and from so much Money as the said Rate or Rates, Assessment or Assessments, shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent would have been, or shall be due and payable.

Untenanted Houses, how to be rated.

And be it further enacted, That in case it shall happen that any of the Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, or any Part or Parts thereof, within the said Streets, Row, Lane, Alley, or Yard, or any of them, shall, at the Time of the making of any of the said Rate or Rates, Assessment or Assessments, be empty, untenanted, or unoccupied; that then, and in every such Case, One-half Part of the said Rate or Rates, Assessment or Assessments, shall be paid by the Owners or Proprietors of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements; and in case of Nonpayment thereof, such Lands, Houses, Shops, Warehouses, Vaults, Cellars, or other Tenements shall be, and the same are hereby made a Security for, and chargeable with such Rate or Rates, Assessment or Assessments.

Dead Walls, &c. how to be rated.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, and they are hereby required, at such Times as the Rates hereby directed to be made, shall be made, to rate all dead Walls and void Spaces of Ground adjoining to the said Streets, Row, Lane, Alley, and Yard, at such Rate as the said Commissioners, or any Nine or more of them, shall judge reasonable, for every square Yard in the Front or Fronts of the said dead Walls and void Spaces of Ground, measuring to the Middle of the Street or Place, not exceeding the Rate of Twelve-pence per Yard, superficial Measure.

Method of Recovery of Rates.

And be it further enacted, That all Rates, made by virtue of this Act, shall be allowed and signed by Two Justices of the Peace acting in and for the County of Middlesex, who are hereby impowered and required to grant a Warrant or Warrants for collecting and levying the same; and the said Rates, after the same shall be so allowed and signed by the said Justices, shall be collected quarterly by such Person and Persons as shall be appointed to collect the same, in Manner herein after mentioned; and if any Person or Persons shall refuse or neglect to pay the Sum or Sums of Money which he, she, or they, shall be rated or assessed, for the Space of Ten Days after Demand made thereof in Writing, or left at the Place of Abode or Occupation of such Person or Persons; then, and in every such Case, it shall and may be lawful to and for the said Collector or Collectors, and he and they is and are hereby authorised and required to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting or refusing to pay the same; and in case no such Goods or Chattels can be found to be so distrained, or in case such Goods and Chattels shall be locked up, secured, or removed, so that he or they cannot distrain the same, then, and in either of the said Cases, upon Information thereof given to any Two Justices of the Peace for the said County, it shall and may be lawful for such Justices, and they are hereby required to commit the Offender or Offenders to the common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize, for any Time not exceeding the Space of One Month, or until Payment of such Rate or Assessment, and the reasonable Charges occasioned by the Non-payment thereof.

Persons removing without paying the Rates, how the same to be recovered.

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

for the County of Middlesex, which Warrant the said Justices are hereby authorised and required to grant; or out of the Limits thereof, such Warrant being first backed, or countersigned by some Magistrate in the County, City, or Liberty where the Distress is to be made, to distrain the Goods and Chattels of such Person or Persons so neglecting or refusing, and the same to sell, rendering the Overplus (if any such shall be) after deducting the reasonable Charges and Expences of such Distress and Sale, to the Owner of such Goods and Chattels, upon his or her demanding the same.

Tenants to pay Rates, and deduct the same out of their Rents.

And be it further enacted, That all and every Tenant or Tenants, Occupier or Occupiers of Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements in the said Streets, Row, Lane, Alley, and Yard, is and are hereby required and authorised to pay all and every the Sum and Sums of Money which shall be rated or assessed on the Owner or Owners of such Lands, Houses, Shops, Warehouses, Cellars, or other Tenements, by virtue of this Act, and to deduct the same out of their Rent; and the Owner or Owners, Proprietor or Proprietors thereof, shall, and they are hereby required to allow such Deductions and Payments, upon Receipt of the Residue of their Rents; and every such Tenant paying such Rate or Rates, Assessment or Assessments, shall be, and they are hereby acquitted and discharged of and from so much Money as the said Rate or Rates, Assessment or Assessments, shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent would have been, or shall be due and payable.

Commissioners may compound with Owners of Houses under the yearly Value of 8*l.*

Provided always, and 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 compound with the Owner or Owners, Proprietor or Proprietors, of any House or Houses within the said Streets, Row, Lane, Alley, or Yard, the annual Rent or Value whereof shall be under Eight Pounds, for the Rate or Assessment by this Act authorised to be laid upon such House or Houses, so as in such Composition there be not remitted to any such Owner or Owners, Proprietor or Proprietors respectively, more than One-third of the Rate or Assessment authorised by this Act to be laid upon such House or Houses respectively.

Persons paying the Rates

And be it further enacted, That all and every Person or Persons paying the Rates and Assessments by this Act made

not to be subject to any other Rate for paving.

made, shall be, and they are hereby exempted and discharged from all other Charges and Expences of paving the said Streets, Row, Lane, Alley, or Yard, or any Part or Parts thereof, and all other Streets, Lanes, Courts, Alleys, Ways, and other publick Passages within the said Parish; and also from all Penalties which may or might be incurred by reason or means of their neglecting to pave the same, any Law, Statute, or Usage to the Contrary notwithstanding.

Owners discharged from any former Acts for paving.

And whereas Provisions may have been formerly made by some Act or Acts of Parliament for paving, or keeping in Repair, the said Streets, Row, Lane, Alley, and Yard, or some Part or Parts thereof, be it therefore further enacted, That when and as soon as any Rate or Assessment shall be made, laid, or assessed, on the Owners or Occupiers of any Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, by virtue of this Act, such Owners or Occupiers respectively shall be no longer liable to be charged to any Rate or Assessment for and on Account of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, by virtue or in pursuance of such former Act or Acts, or any of them.

Contracts between Landlord and Tenant, not to be effected.

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

Parishes, &c. liable to the Repair of any Part of the Pavements, to continue so.

And be it further enacted, That where any Part or Parts of the Pavements of the said Streets, Row, Lane, Alley, or Yard, hath or have been accustomed, or ought to be paved and repaired by any particular Parish or Parishes,

rishes, Bodies Politick, Corporate, or Collegiate, and not by the Owners or Occupiers of the Houses, or other Buildings adjoining to the Pavement of the said Streets, Row, Lane, Alley, or Yard, the same shall be paved and repaired at the Expence of the respective Parish or Parishes, Bodies Politick, Corporate, or Collegiate, by the Pavior or Paviors contracting with or employed by the said Commissioners.

Commissioners may compound with such Parish.

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

Power to borrow Money.

And for the more effectually enabling the said Commissioners to execute the Purposes of this Act in the most expeditious Manner, it is hereby further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, and they are hereby impowered from Time to Time, when they shall judge it necessary for the Purposes aforesaid, to borrow and take up at Interest, any Sum or Sums of Money upon the Credit of the Rates or Assessments to be made and payable by virtue of this Act, and by any Writing or Writings upon Vellum or Parchment without Stamps, signed by them, to assign over the said Rates or Assessments to any such Person or Persons who shall advance or lend such Money thereon, as a Security or Securities for the several Sums to be borrowed, with Interest for the same, which Interest shall be payable, and paid Half-yearly by the Treasurer or Treasurers to the said Commissioners for the Time being, out of the Monies to arise by or from the said Rates or Assessments.

Money may be borrowed on Annuities.

And whereas many Persons may chuse to advance Money for the Purchase of Annuities, to be secured upon and payable out of the Rates and Assessments to be made by virtue of this Act; be it therefore further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Commissioners, or any Nine or more of them, any Sum or Sums of Money, for the Purposes of this Act, 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 Person or Persons, being of the Age of Forty-five Years or upwards, as shall be nominated by, or on the Behalf of such respective Contributors, at the Time of Payment of their respective Contribution-monies; which Annuity or Annuities shall not exceed the Rate of Nine Pounds per Centum per Annum for every One hundred Pounds, and so in proportion for any greater or less Sum, to be advanced and paid as aforesaid; all which Annuities so to be purchased, shall be payable and paid by the said Treasurer or Treasurers for the Time being, out of the Monies to arise by or from the said Rates and Assessments, by Quarterly Payments; the first Payment to be made to the respective Purchasers, or their Assigns, at the Expiration of Three Months after Payment of their respective Purchase-monies; the Rate whereof shall be settled and adjusted by a publick Sale of the said Annuities, by the said Commissioners, to the best Bidder for the same; and that the total Sums to be borrowed on Life Annuities, or at Interest, shall not exceed in the Whole the Sum of Twelve thousand Pounds.

Security to to be entered in a Book.

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

Annuities chargeable on the Rates.

And be it further enacted, That all and every the Annuity or Annuities, so to be purchased under and by virtue of this Act, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Monies arising

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

And be it further enacted, That it shall and may be lawful to and for any Person or Persons, intitled to any of the Securities aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and Seals, to assign such Annuity or Annuities, or any Part thereof, or Interest therein, to any Person or Persons whatsoever, and so toties quoties; and a Memorandum or Entry of all such Orders and Assignments shall be made in the Book to be kept as herein before mentioned, at the Charge of the said Commissioners, for which Entry or Memo- Securities may be assigned.

randum Two Shillings and Sixpence shall be paid, and no more; and no such Assignment shall be deemed valid, unless such Memorandum or Entry shall be first made as aforesaid.

Rates to be lowered in equal Proportions.

Provided always, That as such Annuitant or Annuitants shall die off, and such Rates or Assessments can be lowered and reduced, the same shall be so done in equal Proportions, from Time to Time, as the said Commissioners, or any Nine or more of them, shall order and direct.

Monies vested in the Commissioners.

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

Expence of the Act to be first paid.

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

Commissioners may compound for Penalties, &c.

And 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 compound and agree with any Person or Persons against whom the said Commissioners, or any Seven or more of them, 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 entered into, on account of any Breach of, or Nonperformance of, any such Contract or Contracts, for such Sum or Sums of Money as they, or any Seven or more of them shall think proper; and also to mitigate, compound, or lessen any other of the Forfeitures incurred under this Act, so as the Sums so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract or Contracts, and all the Costs, Charges, and Expences which shall be occasioned thereby, and so as the Mitigation of the other Forfeitures as aforesaid do not extend to remit above One Moiety of the said Forfeitures respectively.

The Passage at the West End of *Chiswell-street*, how to be widened.

And whereas the Passage through the West End of Chiswell-street is greatly obstructed by some old Houses or Buildings, standing on the North and South Sides thereof, and projecting into the said Street, and the removing the same, and

and laying the Scite, or Ground thereof, into the common Highway, will be of publick Convenience; be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, and they are hereby impowered, as soon as conveniently may be after the passing of this Act, to treat, contract, and agree with the Owner or Owners, Occupier or Occupiers, for the Purchase of the said Houses or Buildings, or such Parts, or so much thereof, as they shall think necessary for making the said West End of the said Street of a sufficient Width, and for the Scite or Ground thereof, and their Interest therein, for such Sum and Sums of Money as the said Commissioners, or any Nine or more of them, and the said Owner or Owners, Occupier or Occupiers, shall agree upon: And in case any Dispute or Difference shall arise between the said Commissioners and such Owner or Owners, Occupier or Occupiers, respecting such Purchase or Purchases, the same shall be ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of Middlesex; which Oaths any Seven or more of the Commissioners are hereby impowered to administer: And the said Commissioners, or any Nine or more of them, are hereby impowered and required, from Time to Time, as they shall see Occasion, to issue a Notice in Writing, under the Hands of any Nine or more of them, to the Sheriff of and for the County of Middlesex, thereby requiring him, or his Deputy, to return to the said Commissioners, or any Nine or more them, at such Time and Place as shall be expressed in such Notice, an indifferent Jury of Twenty-four Persons; and the said Commissioners, or any Seven or more of them, shall, at such Time and Place, swear, or cause to be sworn, Twelve of the said Twenty-four, who shall be drawn by Ballot, by the Clerk to the said Commissioners for the Time being; which Twelve shall be the Jury for the Purposes aforesaid; and the said Commissioners shall order such Jury to view the Places in question, if there be Occasion; and after the Jury shall have inquired, ascertained, and settled the Recompence and Satisfaction to be made to the Owner or Owners, Occupier or Occupiers aforesaid, they the said Commissioners, or any Nine or more of them, shall adjudge and order the Sum or Sums of Money so ascertained by the Jury, to be paid to the said Owners, or other Persons interested in such Houses or Buildings, and Ground, out of the aforesaid Rates and

Disputes between Commissioners and Owners to be ascertained by a Jury.

Assessments; which said Verdict or Inquisition, Judgement or Order, shall be final to all Intents and Purposes, against all Parties and Persons; and all such Owners shall, upon Payment or Tender of the Sum or Sums of Money so ascertained as aforesaid, be thereby from thenceforth, to all Intents and Purposes, divested of all Property, Right, Title, Interest, or Claim, in or upon the same: And in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy, shall return other honest and indifferent Persons, of the Standers-by, or that can be speedily procured to attend that Service, to make up the Number of Twelve; and all Persons concerned shall have their lawful Challenges against the said Jurymen: And the said Commissioners, or any Nine or more of them, shall have full Power, from Time to Time, to impose any reasonable Fine or Fines on such Sheriff, or his Deputy, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear; or who shall in any other Manner neglect their Duty, contrary to the Intent and Meaning of this Act; or on any Persons who, being required to give Evidence before such Jury, shall refuse or neglect to appear, or appearing, shall refuse to be sworn and give Evidence; so as no such Fine shall exceed the Sum of Five Pounds upon any Person for One Offence: And the said Commissioners, or any Nine or more of them, are hereby further impowered to summon or call before such Jury, and examine upon Oath, all Persons who shall be thought necessary or proper to be examined as Witnesses touching the Premises; which Oath the said Commissioners, or any Seven or more of them, are hereby impowered to administer: And it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, to take down the said Houses, or Buildings, and to lay the Scite, or Ground thereof, or of such Part thereof, as they the said Commissioners, or any Nine or more of them, shall think proper, into the Street or Highway; and the Expences attending the same shall be paid by the said Commissioners, or any Nine or more of them, out of the aforesaid Rates or Assessments; and the said Scite or Ground shall for ever after be deemed a publick and common Highway: And also it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, to take down all Bulks, Sheds, and Stalls, which shall obstruct the free Passage of the said Streets, Row, Lane, Alley,

Fines may be imposed by Commissioners on the Sheriff, &c. making Default in the Premises;

and remove Bulks, &c. obstructing free Passages.

Alley, and Yard, and to lay the Scite, or Ground thereof, or of such Part thereof as they shall think proper, into the Street or Highway, paying to the Owners or Occupiers thereof, such Recompence for the same as shall be agreed upon between them and the said Commissioners; and in case they cannot agree, such Sum of Money as shall be ascertained by the Verdict of a Jury as aforesaid.

The Passage at the South End of *Brick-lane* to be widened.

And whereas the Passage through the South End of Brick-lane is greatly obstructed by some old Houses, or Buildings, standing on the East Side thereof, and projecting into the said Lane, and the removing the same, and laying the Scite, or Ground, whereon they stand, into the common Highway, would be of publick Convenience; be it therefore further enacted, That when the Owners or Proprietors of the Houses, Lands, Tenements, and Hereditaments, in a certain Lane called Golden-lane, or the Occupiers thereof, or any of them, or any Person or Persons, shall have raised a sufficient Sum of Money for the Purchase of such Houses, or Buildings, and the Scite, or Ground, whereon they stand, in Brick-lane aforesaid, it shall be lawful for them, or any of them, to pay the same to the said Commissioners, or any Nine or more of them, or by their Order to their Treasurer: And in case the said Commissioners, or any Nine or more of them, shall think the said Sum of Money sufficient for that Purpose, it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, and they are hereby impowered to treat, contract, and agree with the Owner or Owners, Occupier or Occupiers, for the Purchase of the said Houses, or Buildings, in Brick-lane aforesaid, or such Parts thereof, or so much thereof, as they shall think necessary for making the said South End of Brick-lane of a sufficient Width, and for the Scite, or Ground, whereon the same stand, and their Interest therein, for such Sum and Sums of Money as the said Commissioners, or any Nine or more of them, and the said Owner or Owners, Occupier or Occupiers, shall agree upon: And in case any Dispute or Difference shall arise between the said Commissioners and the said Owner or Owners, Occupier or Occupiers, respecting such Purchase or Purchases, the same shall be determined by a Jury; and the said Commissioners, or any Nine or more of them, shall pursue such and the same Means and Methods for becoming possessed thereof, as are

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herein before prescribed with respect to the purchasing and becoming possessed of the Houses and Buildings in Chiswell-street aforesaid: And the Money to be paid for such Purchase, and the Expences attending the same, shall be paid out of the Sum of Money herein before mentioned to be raised by the Owners or Proprietors of Houses, Lands, Tenements, and Hereditaments, in Golden-lane, or the Occupiers thereof, or such Person or Persons as aforesaid: And it shall and may be lawful for the said Commissioners, or any Nine or more of them, to take down the said Houses and Buildings, and to lay the Scite, or Ground thereof, or of such Part thereof as they shall think proper, into the Street or Highway; and the same shall for ever after be deemed a publick and common Highway.

Ground not used may be sold.

And whereas, in the purchasing of Houses or Buildings, the said Commissioners may become possessed of more Land than may be necessary for the Purposes of this Act; be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, to sell and dispose of such Part of the Land they shall so purchase, which they shall not think necessary to be used for the Purposes of this Act; and the Sale or Conveyance thereof, being inrolled with the Clerk of the Peace for the County of Middlesex, shall be good and valid in Law, to all Intents and Purposes whatsoever.

Bodies Politick, &c. impowered to sell.

And whereas it may happen that some Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, or others, are or may be seised or possessed of Houses, Sheds, Buildings, Lands, Grounds, or Hereditaments, which may be necessary to be purchased for the Purposes of this Act, and such Person or Persons, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or Feoffees, may be willing to treat and agree for the Sale of such Houses, Sheds, Buildings, Lands, or Hereditaments, but may be incapable of granting or conveying the same by reason of Infancy or other Disability; be it therefore further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, or other Trustees whatsoever, for or on Behalf of any Infants, Femes-covert, or Cestuique Trusts, and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in,

in, any such Houses, Sheds, Buildings, Lands, or Hereditaments, to treat, contract, and agree with the said Commissioners, or any Nine or more of them, for the Purchase of such Houses, Sheds, Buildings, Lands, or Hereditaments, or any Part or Parts thereof, or for their Interest therein, for the Purpose aforesaid, and to sell and convey the same as Occasion shall be and require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes whatsoever, any Law, Statute, Usage, or any other Matter or Thing to the Contrary thereof in any-wise notwithstanding: And all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, and Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

No Commissioner to act where interested.

Provided always, and be it further enacted, That no Person shall act as a Commissioner in any Case relating to the contracting for, or purchasing any Houses, Sheds, Buildings, Lands, or Hereditaments, wherein he shall be personally concerned in Interest.

Commissioners who are Justices may act as such.

And be it further enacted, That it shall and may be lawful to and for any Justice of the Peace for the County of Middlesex to act as a Justice of the Peace in the Execution of this Act, notwithstanding his being herein or hereby appointed a Commissioner to put this Act in Execution.

For keeping the Street in *Finsbury* in Repair.

And whereas the City of London hath lately paved a common Highway in Finsbury, fronting Moorfields, from Ropemakers-alley to the End of Chiswell-street; now, in order to keep the said Pavement in good and effectual Repair, be it further enacted, That the said Commissioners, or any Nine or more of them, shall, from Time to Time, rate and assess the several Tenants and Occupiers of the Houses fronting the said Pavement, or adjoining thereto, at such annual Sum or Sums of Money as the said Commissioners, or any Nine or more of them, shall think proper, so as such Rate or Assessment doth not exceed in the Whole the Sum of One Shilling in the Pound of the yearly Rent or Value of such Houses; and the same shall be levied and recovered in the same Manner as the Rates and Assessments to be made by virtue of this Act are here-

by directed to be levied and recovered, and shall be applied in keeping the said Pavement in good and effectual Repair.

Appeal to the Quarter Sessions.

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

Penalties and Forfeitures how to be recovered.

And be it further enacted, That all Penalties and Forfeitures by this Act imposed, (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Offenders Goods and Chattels, by Warrant or Warrants, under the Hand and Seal, or Hands and Seals of One or more Justice or Justices of the Peace for the County of Middlesex; which Warrant or Warrants such Justice or Justices is and are hereby impowered and required to grant, upon the Confession of the Party or Parties, or upon the Information of any One or more credible Witness or Witnesses upon Oath, which Oath such Justice or Justices is, and are hereby impowered to administer;

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, (the Charges of such Distress and Sale being first deducted) shall be paid to the Clerk to the said Commissioners for the Time being, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid within Two Days, it shall and may be lawful to and for such Justice or Justices, and he or they is and are hereby authorised and required, by Warrant under his Hand and Seal, or their Hands and Seals, to cause such Offender or Offenders to be committed to the common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Commissioners may reward Informers.

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

Distress not unlawful for Want of Form.

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

Provided

Plaintiffs not to recover, if Tender of Amends be made.

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

Writings to be without Stamps.

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

Proceedings to be entered in Books.

And be it further enacted, That all Orders and Proceedings of the said Commissioners, at their Meetings, shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered, shall be signed by the Clerk or Clerks at any Meeting of Seven or more of the said Commissioners assembled, as the Case shall require, and such Orders shall be deemed and taken to be original Orders; which said Book or Books shall and may be produced and read in Evidence in all Courts whatsoever.

Distress not to be deemed unlawful for want of Form.

And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any

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of His Majesty's Courts of Record at Westminster; any Law or Statute to the Contrary notwithstanding.

And be it further enacted, 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 to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried in the County where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and the Defendant or Defendants, in such Actions and Suits, and every of them, may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which shall be had thereupon; and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act: And if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty-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 or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs, in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or if upon any Demurrer or Demurrers, in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in any of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs, in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

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

FINIS.