ANNO UNDECIMO

Georgii III. Regis.

CAP. LIV.

An Act for the better paving, cleanſing, lighting, and watching *Haydon Square*, the *New Square*, *Haydon-yard*, *Sheepy-yard*, *Church Street*, *Little Church Street*, otherwiſe the *Church Paſſage*, *Church Court*, and *Kenton Street*, and the Paſſages therein, or leading thereunto, in the Pariſh of *Trinity*, otherwiſe *Holy Trinity*, in the *Minories*, in the County of *Middleſex*, within the Liberty of His Majeſty's *Tower* of *London*; and for other Purpoſes therein mentioned.

WHEREAS Haydon Square, the New Square, Haydon-yard, Sheepy-yard, Church Street, Little Church Street, otherwiſe the Church Paſſage, Church Court, and Kenton Street, which lie in the Pariſh of Trinity, otherwiſe Holy Trinity, in the Minories, in the County of Middleſex, within the Liberty of His Majeſty's Tower of London, and the Paſſages Preamble.

Paſſages therein, or leading thereunto, are very ill paved and cleanſed, and are incommodious to Paſſengers, by Nuiſances, Annoyances, and Obſtructions therein, and many Irregularities are committed in the Night-time in the ſaid Squares, Yards, Streets, Paſſage, and Court and the Paſſages therein or leading thereunto, for want of the ſame being properly lighted and watched: And whereas it would be of great Benefit and Advantage to the Inhabitants of the ſaid ſeveral Squares, Yards, Streets, Paſſage, and Court, and to all other Perſons reſorting thereto, or paſſing through the ſame, if the ſaid Squares, Yards, Streets, Paſſage, and Court, and the Paſſages therein, or leading thereunto, were properly paved, cleanſed, lighted, and watched, and all Nuiſances, Annoyances, and Obſtructions therein were removed and prevented for the future, and the Inhabitants of the ſaid ſeveral Squares, Yards, Streets, Paſſage, and Court, are willing to do the ſame at their own Expence; but 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 William Cobbold, John Dyer, Iſaac Fox, Michael James, Benjamin Kenton, Timothy Mangles, Joſeph Merryman, John Stiles Mordaunt, John Pott, William Sharp, Thomas Wrigglesworth, Samuel Wright, and their Succeſſors, being Inhabitants of ſome or One of the ſaid Squares, Yards, Streets, Paſſage, or Court, or being a Proprietor or Owner of any Lands, Tenements, or Hereditaments within the ſame, or any of them, 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 any of the ſaid Commiſſiones ſhall happen to die, or ſhall neglect or refuſe to act for the Space of Six Months, or ſhall remove out of the ſaid Squares, Yards, Streets, Paſſage, and Court, or ſhall ceaſe to be a Proprietor or Owner of any of the Lands, Tenements, or Hereditaments within the ſame, or any of them, it ſhall be lawful for the ſurviving or remaining Commiſſioners, or any Five or more of them, from Time to Time, by Writing under their Hands and Seals, to elect One other Perſon or Perſons to be a Commiſſioner or Commiſſioners in the Room and Stead of the Commiſſioner or Commiſſioners dying, or refuſing to act, removing, or ceaſing to be a Proprietor or Owner of Lands, Tenements

Commiſſioners Names.

In caſe of Death, Refuſal to act for one Year, or Removal,

nements, or Hereditaments within the same, or any of them, Five Days publick Notice of the Time and Place of Meeting for every such Election, being given, by affixing the same in Writing upon the principal Door of the Parish Church of Trinity, otherwise the Holy Trinity, in the Minories, in the County of Middlesex aforesaid, and also by Advertisement in some or One of the publick News-papers; and every Person or Persons so elected, shall be, and is, and are hereby vested with the same Powers for putting this Act in Execution, as the Person or Persons in whose Place he or they shall be elected was or were vested with.

Qualification of Commissioners.

And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be an Inhabitant of some or One of the said Squares, Yards, Streets, Passage, and Court; or unless he shall be an Owner or Proprietor of some Lands, Tenements, or Hereditaments, within the same; and unless he shall, in his own Right, or in the Right of his Wife, be in the actual Possession or Receipt of the Rents or Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Twenty Pounds, or possessed of, or intitled to, a personal Estate of the Value of Five hundred Pounds: And if any Person, not being so qualified, shall presume to act as a Commissioner in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Twenty Pounds, together with Costs of Suit, to any Person or Persons who shall sue for the same; to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and wherein the Proof of Qualification shall lie on the Person prosecuted, and it shall be sufficient for the Prosecutor to prove, that the Person so prosecuted had acted as a Commissioner in the Execution of this Act.

Penalty on Persons acting if not qualified.

No Victualler to act as Commissioner.

And be it further enacted, That no Person who shall sell Ale, Wine, or any spirituous or fermented Liquors by Retail, shall be capable of acting as a Commissioner under this Act.

First Meeting of Commissioners.

And be it further enacted, That the said Commissioners, or any Three or more of them, shall meet together at the Vestry-room of the said Parish, at Ten of the Forenoon, on the Second Thursday after the Day of the passing of this Act, and shall then and there proceed to the Execution of this Act; and they are hereby impower-

ed to adjourn themselves, from Time to Time, to meet at the same Place, or at such other Place within the said Parish, as the said Commissioners, or any Three or more of them, shall, from Time to Time, think fit: And if at any Meeting so appointed there shall not appear a sufficient Number of Commissioners to act, or to adjourn to another Day; or in case the said Commissioners 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 said Commissioners, shall appoint a Meeting of the said Commissioners, to be held within Five Days after, at the same Place, publick Notice whereof shall be given by affixing the same in Writing on the principal Door of the aforesaid Parish Church, at least Three Days before such Meeting.

Manner of Adjournment.

Provided always, That no Order or Determination of the said Commissioners, or any of them, shall be valid, unless the same shall be made at a Meeting held in pursuance of this Act; nor shall any Commissioner hereby appointed, or hereafter to be appointed, as aforesaid, be capable of acting as such during the Time he shall enjoy any Office 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.

No Order valid unless at a publick Meeting.

And be it further enacted, That the said Commissioners, or any Three or more of them, shall and may, by any Writing under their Hands and Seals, appoint One or more Clerk or Clerks, Collector or Collectors, Surveyor or Surveyors, or Inspectors, and such other Officers for the Execution of this Act, as they 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 Money to be raised by virtue of this Act, 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 Three or more of them, shall, and are hereby required to take such Security for the due Execution of the respective Offices, by such Person and Persons as aforesaid, as the said Commissioners, or any Three or more of them, shall think proper: And all and every such Person and 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 or receive the same: And all such Officers and Persons so to

Commissioners may appoint Officers; and remove them, and appoint others.

Officers to give Security.

Persons liable to Rates, to pay the same to Collectors appointed.

be appointed as aforesaid, shall, under their Hands, at such Times and in such Manner as the said Commissioners, or any Three or more of them shall direct, deliver to such Commissioners true and perfect Accounts in Writing, of all Matters and Things committed to their Charge by virtue of this Act; and also of all Monies which shall have been by them respectively received by virtue and for the Purposes of this Act, and how much thereof has been paid and disbursed, and for what Purpose; 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 Three or more of them, or to such Person or Persons as they shall appoint: And all the said Officers and Persons so accounting as aforesaid, shall, upon Oath, if thereunto required, (which Oath, the said Commissioners, or any Two or more of them, are hereby impowered to administer) verify their said Accounts: And if any 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 such Payment as aforesaid, or shall not deliver to the said Commissioners, or any Two or more of them, or to such Person or Persons as they shall appoint, within Seven Days after being thereunto required by Notice in Writing under the Hands of any Two 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 shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Commissioners, or any Two or more of them, or as they shall direct or appoint; then, and in any of the Cases aforesaid, the said Commissioners, or any Three 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 the said Commissioners, or in the Names of any Two 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 Two or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any Refusal or Neglect as aforesaid, to any Justice or Justices of the Peace for the County or Place wherein such Officer or Officers,

Officers to account upon Oath.

Officers refusing to account,

Officers, Person or Persons, so neglecting or refusing shall be and reside; such Justice or Justices may, and is, and are hereby authorised and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting to be brought before him or them, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a summary Way: And if upon the Confession of the Party or Parties, or by the Testimony of any One or more credible Witness or Witnesses upon Oath before such Justice or Justices, (which Oath he or they are hereby impowered to administer) it shall appear to such Justice or Justices that any of the Monies that shall have been collected or raised by virtue of this Act, shall be in the Hand or Hands of such Officer or Officers, Person or Persons, such Justice or Justices may, and he and they is and are hereby authorised and required, upon the Non-payment thereof, by Warrant or Warrants under his or their Hand and Seal, or 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 such Money, and the Charges of such Distress and Sale: Or in case it shall appear to such Justice or Justices, by the Confession of the Party so offending, or by the Testimony of any credible Witness or Witnesses upon Oath, which Oath such Justice or Justices is and are hereby impowered to administer, 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 Person, and he shall refuse to deliver the same as aforesaid; then, and in either of the said Cases, such Justice or Justices shall commit every such Offender to the Common Gaol of the County or Place where such Offender shall be and reside, there to remain without Bail and Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, or any Five or more of them, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners, or any Five or more of them, are hereby impowered to make) and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect

Justices to enquire into the Default;

Monies deficient to be levied by Distress.

For want of Distress, the Offender to be committed, till Payment or Composition made.

ſpect thereof to the ſaid Commiſſioners, or any Five or more of them.

Proviſo. Provided always, That no Perſon who ſhall be committed on Account of his having no Goods or Chattels, ſhall be committed for any Term longer than Three Months.

Executors to account. 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 ſuch Deceaſe, deliver to the ſaid Commiſſioners under this Act, or any Two or more of them, or to ſuch Perſon or Perſons as they, or any Two or more of them, ſhall, by Writing for that Purpoſe under their Hands appoint, an Account in Writing under his, her, or their Hand or Hands of the Monies collected or received by the Perſon ſo deceaſed, for the Purpoſes of this Act; and ſhall alſo deliver all Books, Papers, and Things, concerning his Office, to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any Three or more of them, by Writing under their Hands, ſhall appoint to receive the ſame; and ſuch Money, if any due, ſhall be paid by the Executors or Adminiſtrators of the Perſon or Perſons ſo deceaſed, in Preference to and before any of his or their Debts are paid or ſatisfied.

and the Money to be paid in Preference to other Debts.

Officers taking other Fees than allowed by this Act, or being concerned in any Bargain, diſqualified, and to forfeit 50*l.* And be it further enacted, That if any Perſon or Perſons who ſhall be employed by the ſaid Commiſſioners as a Clerk, Surveyor, or any other Officer or Servant, in putting this Act, or any of the Powers herein contained in Execution, ſhall exact, take, or accept, by any Ways or Means whatſoever, 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 Three 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 be by any Ways or Means concerned or intereſted in any Bargain, Contract, or Agreement made, or to be made, by the ſaid Commiſſioners, or any Three or more of them, for the Purpoſes of putting this Act in Execution; every ſuch Perſon or Perſons ſo offending ſhall be diſqualified, and for ever be incapable of ſerving, or being employed by or under the Commiſſioners appointed by this Act; and ſhall forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Re-

words within Three Months after the Offence committed, in which no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Pavements vested in the Commissioners.

And be it further enacted, That from and after the passing of this Act, all the present and future Pavements, and all Posts, Rails, and Fences in the said Squares, Yards, Streets, Passage, and Court, or any or either of them, and the Passages therein, or leading thereunto, as well in the Foot-ways as Carriage-ways, and of all Materials, Implements, and other Things, to be purchased for the Purposes of this Act, shall be, and the same are hereby vested in the said Commissioners; and they, or any Three or more of them, are hereby authorised and empowered to bring, or cause to be brought, any Action or Actions in the Names of any Three or more of them the said Commissioners, or in the Name of their Treasurer or Clerk, or to prefer any Bill or Bills of Indictment in any such Name or Names, as the Case shall require, against any Person or Persons whomsoever, who shall steal, purloin, or by any Ways or Means carry away, spoil, injure, or destroy, or cause to be stolen, purloined, taken, carried away, spoiled, injured, or destroyed the same, or any Part or Parts thereof; and the said Commissioners, or any Three or more of them, shall have full Power and Authority, from Time to Time, and at all Times hereafter, to sell and dispose of all, or any Part or Parts of the old and useless Materials, to such Person or Persons as shall be willing to purchase the same at such Price or Prices as the said Commissioners, or any Three or more of them, shall think reasonable; and the Money arising therefrom shall be applied to such and the same Purposes as the Monies arising from the Rates and Assessments in and by this Act directed to be made are to be applied.

Commissioners may sell the old and useless Materials.

Streets to be paved.

And be it further enacted, That the said Commissioners, or any Three or more of them, shall have full Power and Authority, from Time to Time, and at all Times hereafter, to cause, order, and direct all or any of the said Squares, Streets, Yards, Passage, and Court, and the Passages therein, or leading thereunto, to be new paved, repaired, relayed, raised, lowered, or altered, when, and as often, and in such Manner and Form, and with such Materials as the said Commissioners, or any Three or more of them, shall think fit; and the Middle or Area of the said Square, called Haydon Square, or such Part as they shall think fit, to be railed and fenced off, and also the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, to be freed from

from all Annoyances, Nuisances, Incroachments, and Obstructions whatsoever, and for such Purposes, may, from Time to Time, cause to be dug, carted, and carried out of, or brought into the same, or any of them, such Gravel, Stones, and other Materials, as they shall judge necessary; and may likewise cause the Water-pipes which now lie, or hereafter shall be laid under Ground, to be taken up and new laid in such Places, Manner, and Form, as they the said Commissioners, or any Three or more of them, shall judge best; and to employ such Artificers, Workmen, and other Persons, and to issue such Money on these Accounts, and to do all and every such other Acts and Things as the said Commissioners, or any Three or more of them, shall judge necessary, fit, or reasonable, for the effectually carrying the Purposes of this Act into Execution.

Commissioners may alter Pipes and Plugs.

Provided always, That the said Commissioners shall not remove, or cause to be removed, the Cistern, Dung-hole, and Horse-pond now standing, and being on the East Side of the said Square, called Haydon Square, without the Consent of the Owner or Owners thereof; but shall permit and suffer the said Cistern, Dung-hole, and Horse-pond, and the Use thereof, to remain as the same now are.

nor remove the Cistern, &c. in *Haydon Square*.

Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to interfere with any Parts or Places under the Direction of the Commissioners for paving, cleansing, and lighting the City of London, and Liberties thereof.

Not to interfere with the City paving.

And be it further enacted, That the said Commissioners, or any Three or more of them, may, and they are hereby impowered to cause such and so many Glass Lamps to be erected in the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto; and to fix so many of such Lamps as they shall think proper to any House or other Building, making good the Damage which shall be done thereto; and to appoint a competent Number of fit and able-bodied Men to watch and guard the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, hereby intended to be lighted and watched; and, from Time to Time, to contract with any Person or Persons for lighting, maintaining, and repairing the said Lamps, and to make such Allowances to such Watchmen for their Attendance, and to give such Orders and Directions concerning the same, and the Manner in which the said Watchmen shall be armed and stationed, and

Commissioners to erect Lamps, and to appoint Watchmen.

Allowance to be made to the Watchmen, who may be removed.

and for the due and regular Performance of the said respective Services, as they the said Commissioners, or any Three or more of them, shall judge reasonable and expedient, and, from Time to Time, to remove any of the said Watchmen, and to appoint others in their Stead; and the Expence of erecting, lighting, and maintaining such Lamps, and the Allowances to be made to such Watchmen, and all other Charges incident to the said respective Services, shall be paid and discharged out of the Rates to be raised by virtue of this Act.

Duty and Power of the Watchmen.

And be it further enacted, That the said Watchmen shall, during the Time of their being stationed in the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, use their best Endeavours to prevent Murders, Robberies, and all other Outrages, Misdemeanors, and Indecencies; and, to that End, it shall and may be lawful for the said Watchmen, or any of them, and they, and every of them, are hereby impowered and required, without further Warrant, to apprehend and secure all Malefactors, Rogues, Vagabonds, and all other disorderly Persons who shall be found loitering, wandering, or misbehaving themselves, or committing any Disorders or Offences in or near the said Squares, Yards, Streets, Passage, and Court, and the Passages therein or leading thereunto, or whom the said Watchmen shall have reason to suspect of any evil Designs; and the Person or Persons so apprehended shall be delivered, as soon as conveniently may be, into the Custody of a Constable, or other Peace Officer, who is hereby required to secure such Person or Persons, and, as soon as conveniently may be, to convey him, her, or them before some Justice or Justices of the Peace for the County of Middlesex, or the Liberty of His Majesty's Tower of London, to be examined and dealt with according to Law.

Property of Lamps, &c. vested in Commissioners.

And be it further enacted, That the Right and Property to, and in all such Lamps as shall be erected or fixed in the said Squares, Yards, Streets, Passage, and Court, and the Passages therein or leading thereunto, in pursuance of this Act; and to and in the Posts, Irons, and other Furniture of such Lamps; and also to and in all Watch-houses, Coats, Arms, Implements, and Things to be provided for the said Watchmen, shall be vested in the said Commissioners; and they, or any Three or more of them, are hereby impowered to bring Actions in the Names of any Two or more of them, or in the Name of their Treasurer or Clerk, or to prefer and prosecute, with Effect, Bill or Bills of Indictment against

any Person or Persons who shall steal, take away, injure, or damage the same, or shall disturb them in the Possession thereof.

Penalty on Persons breaking Lamps.

And be it further enacted, That if any Person shall wilfully break, throw down, or otherwise damage any of the Lamps which shall be erected by the said Commissioners, or any of the Posts, Irons, or other Furniture thereof, or shall extinguish any of the said Lamps, it shall be lawful for any Justice of the Peace for the County of Middlesex, or Liberty of His Majesty's Tower of London, and he is hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons who shall see such Offence committed to apprehend, as also for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County of Middlesex, or Liberty of His Majesty's Tower of London; and the Party accused being brought before any such Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear, or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon Information as aforesaid, he, she, or they so convicted shall, for the First Offence, respectively forfeit the Sum of Twenty Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid; and for the Second Offence the Sum of Two Pounds for every such Lamp; and for the Third and every subsequent Offence the Sum of Four Pounds for every such Lamp; and full Satisfaction shall also be made to the said Commissioners, or any Three or more of them, or to their Treasurer or Clerk, by such Offender or Offenders for the Damage so by him, her, or them done: And in case such Offender or Offenders shall not upon Conviction pay the Forfeiture by him, her, or them incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be convicted, is hereby required to commit him, her, or them to the Common Gaol for the said County or Liberty, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, or less than One Month: And such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be

committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; and One Half of the said respective Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Half shall be applied as the Rates or Assessments to be made by virtue of this Act are directed to be applied.

Penalty on Persons negligently breaking Lamps.

And it is hereby enacted, That if any Person or Persons shall negligently or accidentally break, throw down, or otherwise damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand make Satisfaction to the said Commissioners, or any Three or more of them, or to their Treasurer or Clerk for the Damage by such Person or Persons done as aforesaid; it shall be lawful for any Justice of the Peace for the said County of Middlesex, or Liberty of His Majesty's Tower of London, and he is hereby required, upon Complaint thereof made by any One or more of the said Commissioners, or their Treasurer or Clerk, to summon the Party or Parties complained of, and upon his, her, or their appearing or making Default to appear, (Oath being made, that the Party or Parties complained of was or were served with such Summons, or that the same was left at his, her, or their Dwelling-house or Place of Abode, if known, or that he, she, or they could not be found) such Justice shall proceed to examine the Matter of the said Complaint, and upon Proof thereof, either by the Confession of the Party or Parties complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party or Parties complained of, for the Damage so by him, her, or them done, as to such Justice shall appear just and reasonable; and shall cause the Sum so awarded (in case the same be not paid forthwith, upon the making such Award or Order) to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons complained of, rendering to him, her, or them, upon Demand, the Overplus (if any be) after the Charges of prosecuting such Complaint, and of such Distress and Sale shall be deducted.

Commissioners may make Contracts.

And be it further enacted, That the said Commissioners, or any Three or more of them, may, and they are hereby impowered from Time to Time, and at all Times hereafter, as Occasion shall require, to contract with any Person or Persons for paving, relaying, repairing, raising, lowering, amending, altering, and keeping in Repair, cleansing, and lighting, all or any of the said Squares, Yards, Streets, Passage, and Court, and the

Passages

Paſſages therein, or leading thereunto, and for the ſeveral Works hereby directed to be performed, 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 Non-performance thereof, and ſuch Contract or Contracts ſhall be ſigned by the ſaid Commiſſioners, or any Three or more of them, and by the Perſon or Perſons contracting to perform ſuch Works; but previous to the making of any ſuch Contract, Five Days Notice ſhall be given in ſome publick News-paper, expreſſing the Intention of ſuch Contract, in order that any Perſon or Perſons willing to undertake the ſame, may make Propoſals for that Purpoſe to the ſaid Commiſſioners, or any Three or more of them, at a certain Time and Place, in ſuch Notice to be mentioned. Notice thereof to be given.

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, from Time to Time, to employ ſuch and ſo many Paviors, Artificers, Workmen, Labourers, Carters and others, in all and every, or any of the reſpective Works aforeſaid, as they ſhall judge neceſſary for the due Execution of ſuch Works; and no Perſon or Perſons ſhall, for any Act done in conſequence of his or their being ſo employed by Order of ſuch Commiſſioners, be ſubject or liable to any Action, Indictment, or Information upon the Statute made in the Fifth Year of the Reign of Queen Elizabeth, intituled, An Act containing divers Orders for Artificers, Labourers, Servants of Huſbandry, and Apprentices. Paviors, Carters, &c. to be appointed.

And be it further enacted, That if any Diſpute ſhall ariſe with reſpect to the Wages of ſuch Paviors, Artificers, Workmen, or Labourers employed on or about the ſaid Pavement, or Works to be done, it ſhall and may be ſettled by any One of His Majeſty's Juſtices of the Peace for the County of Middleſex, or for the Liberty of His Majeſty's Tower of London, in a ſummary Way, whoſe Determination ſhall be final. Diſputes about Wages of Workmen how to be ſettled.

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 whomſoever, who are, or ſhall be employed by virtue of this Act, in the Performance or Execution of his, her, or their Duty; every ſuch Perſon ſo offending, ſhall, for the Firſt Offence, forfeit the Sum of Five Pounds; for the Second Offence, the Sum of Ten Pounds; and for Penalty on obſtructing Workmen.

the Third, and every other Offence, the Sum of Twenty Pounds.

For taking up Pavement where Water Pipes break.

And be it further enacted, That when, and so often as any Pipe, or Pipes belonging to any Water Companies, who do, or shall furnish any Part of the said Squares, Yards, Streets, Passage, and Court, or the Passages therein, or leading thereunto, with Water, and which now lie, or hereafter shall be laid under Ground, shall break, burst, or decay, so as to require Reparation, the Clerk or Surveyor for the Time being to the Commissioners, or such other Person as the said Commissioners, or any Three or more of them shall appoint for that Purpose, shall forthwith give immediate Notice to the Pavior of the Water Company to whom he apprehends such Pipe or Pipes does, do, or may belong, who is hereby required to take up the Pavement, and open the Ground at or near the Place where such Reparation shall appear to be wanting: And if, upon taking up of the Pavement, and opening the Ground, it shall appear that the Pipe or Pipes so broken, burst, or decayed, do not nor doth not belong to the Water Company whose Pavior shall have taken up such Pavement, and opened such Ground; then, and in every such Case, the Surveyor, or other Person as aforesaid, shall give immediate Notice in Writing 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 Paviors, 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, and well and sufficiently ram the Ground within Two Days after such Notice given, or left as aforesaid; and shall also within Twenty-four Hours after such Pipe shall be repaired, and the Ground filled in, give Notice in Writing to the Pavior or Paviors contracting with the said Commissioners, or the Surveyor, or other Person aforesaid, of such Pipe or Pipes being repaired, and such Ground being filled in; such Notice to be given to such Contractor, Surveyor, or other Person, or left at his, or their last or usual Place of Abode: And in case it shall happen that the 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 broken, do or doth 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 so 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 Twenty-four Hours after Notice given, he shall, for the first Offence, forfeit and pay the Sum of Twenty Shillings; for the second Offence, the Sum of Forty Shillings; and for the third and every other Offence, the Sum of Four Pounds: And in case the Pavior of the Company to whom such Pipe or Pipes so broken or decayed shall belong shall neglect or refuse to repair and amend the same, and fill in, and well and sufficiently ram the Ground so taken up for the Space of Twenty-four Hours next after such Notice given, or shall neglect to give Notice to the Pavior or Paviors contracting with the said Commissioners, or to the Surveyor to the said Commissioners, or to such other Persons as aforesaid; such Pavior shall, for the first Offence, forfeit the Sum of Twenty Shillings; for the second Offence, the Sum of Forty Shillings; and for the third, and every other Offence, the Sum of Four Pounds: And if the Person or Persons contracting with the said Commissioners to relay such Pavements so broken or taken up, for the Reasons aforesaid, shall neglect or refuse to relay such Pavement in a good, sufficient, and effectual Manner, within Twenty-four Hours after such Notice given to him as aforesaid; or if the Surveyor or other Person to whom such Notice shall be given shall neglect to acquaint the Contractor, or other proper Person or Persons, of such Notice; then, and in every such Case, the Person or Persons so offending, shall, for the first Offence, forfeit the Sum of Twenty Shillings; for the second Offence, the Sum of Forty Shillings; and for the third, and every other Offence, the Sum of Four Pounds.

Companies having no Pavior, Notice to be given to the Clerk.

Provided always, That if it shall happen that at any Time there shall be no regular or fixed Appointment of a Pavior of any of the Water Companies, in that Case, such Notice as aforesaid shall be delivered to, or left at the Office of the Clerk or Secretary of such Company respectively, who shall, in every such Case, be substituted in the Room of such Pavior, to all Intents and Purposes aforesaid.

Pavior of Water Companies to give Notice of their Abode.

And be it further enacted, That every Pavior now appointed, or hereafter to be appointed by the said several Water Companies, who shall have any Pipe or Pipes laid in,

through, or under any of the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, shall, and is hereby required, within the Space of One Month next after the passing of this Act, or within the Space of Seven Days next after he shall be appointed Paviour to such Company or Companies, and within the Space of Three Days next after every Removal of his Abode, to give Notice in Writing to the Surveyor or Clerk for the Time being to the said Commissioners, of his the said Paviour's Name and Place of Abode, and to what Company he is Paviour; and in case any such Paviour shall neglect or refuse to give such Notice within the respective Times aforesaid, every such Paviour so offending shall, for the first Offence, forfeit 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.

Notice of taking up any Pavement to be given to Commissioners, the Pavement to be repaired by the Commissioners, and the Parties taking up the Pavements to reimburse the Commissioners the Expence of relaying, &c.

And be it further enacted, That when and so often as any Part of the Pavement of the several Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, shall be taken up, for the Purpose of making, repairing, altering, cleansing, or emptying any Sewer, Vault, arched Cellar, 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, within Twenty-four Hours, give Notice thereof to the Inspector, Surveyor, or Clerk for the Time being, of the said Commissioners, in order that the same may, with all convenient Speed, be laid down and repaired by and under the Direction of the said Inspector, Surveyor, or Clerk, and the Charges and Expences thereof shall be paid by the said Commissioners, or any Three or more of them; and the said Commissioners 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 with Commissioners of Sewers.

Provided always, and be it further enacted, That it shall be lawful for the said Commissioners for putting this Act in Execution, or any Three or more of them, from Time to Time, to compound and agree with the said Companies and Commissioners of Sewers, or other Person or Persons respectively, for a certain Sum of Money, by the Foot, or other Measure, as the said Commissioners for putting this Act in Execution, or any Three or more of them, shall think reasonable, in lieu and stead of laying

ing down or repairing such Pavement as shall be necessarily taken up for any of the Purposes aforesaid.

Commissioners of Sewers, &c. neglecting to pay the Money expended by the Commissioners for repairing the Pavements after Notice, may be sued in the Name of the Clerk.

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 the Monies which the said Commissioners shall have so paid and disbursed, or what shall be due upon such Contract or Composition as aforesaid, within Two Months next after Notice thereof, to be left by the said 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 or Surveyor for the Time being of the said Commissioners for putting this Act in Execution, by Order of the Commissioners, or any Three or more of them, 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 Three 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 in the Names of Two or more of the said Commissioners for the Time being, 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 for the Time being of the Commissioners for putting this Act in Execution, as is before directed, shall neglect so to do for the Space of Two Days after such Pavement shall be so taken up, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Three Pounds.

Penalty on neglecting to give Notice of taking up Pavements.

Commissioners impowered to raise, sink, &c. Pipes, &c.

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 any of the said Companies, or of any of the Leaden or other Pipes which shall be laid into or from any of the said Company's Pipes, which the said Commissioners, or any Three or more of them shall and may, and they are hereby impowered to cause the same to be done, from Time to Time, and in such Place or Places as they, or any Three or more of them, in their Discretion, 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

other Persons, as the Circumstance of the Case will admit of.

Names of the Turncocks to be delivered on the Penalty of 40s. for every such Neglect.

And, for the more easily obtaining of Water in Cases of Fire, be it further enacted, That the several Water Companies, who shall supply any of the Inhabitants of the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, with Water, shall, from Time to Time, within the Space of Thirty Days after the passing of this Act, or within Seven Days after the Appointment of any Turncock or Turncocks, give Notice in Writing to the said Commissioners of the Names and Places of Abode of their respective Turncocks, distinguishing the Districts to which they respectively belong; and if any of the said Companies shall neglect to give such Notice within the Times aforesaid, they shall, for every such Neglect, forfeit the Sum of Forty Shillings: And the said Commissioners shall, and they are hereby required, yearly, to cause to be printed and distributed among the Householders and Inhabitants of the said Squares, Yards, Streets, Passage, and Court, within the said Parish, a List of the Names and Places of Abode of the several Turncocks of such Water Companies respectively.

Penalty on Persons neglecting to give Notice of taking up such Pavement.

And be it further enacted, That if any Person shall, from and after the passing of this Act, without Authority, from the said Commissioners, or any Three or more of them, or (in case of Exigency) from their Clerk or Surveyor for the Time being, take up, or alter, or cause to be taken up or altered, any Part of the Pavement of the said several Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, or any of them, for any Purpose whatsoever; every Person so offending, shall, for every such Offence, forfeit and pay the Sum of Five Pounds, and shall pay the Expence of relaying and reinstating the same, according to the Direction of the said Commissioners, or any Three or more of them, or of the Surveyor for the Time being: And the said Forfeiture and Expence shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, in the Names of any Two or more of the said Commissioners, or in the Name of their Treasurer or Clerk, to be commenced within Six Months, next after such Offence committed; in which Action or Suit no Protection, Essoin, or Wager of Law, nor more than One Imparlance shall be allowed.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Three

or more of them, from Time to Time, to direct and cause the Course of any Gutter or Channel, running in, through, or cross the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, or any of them, to be turned or altered in such Manner as they shall think proper, and to direct any Grate or Grates, already placed, or hereafter to be placed, over any Sewers, to be removed and replaced in such Manner, and at such Place and Places, as they shall think most proper, so as the same be not prejudicial to the publick Sewers; all which shall, from Time to Time, be done at the Expence of the said Commissioners, and paid for out of the Money arising by virtue of this Act; any Law, Usage, or Custom, to the Contrary notwithstanding.

Commissioners may alter the Course of Gutters, &c.

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 Squares, Yards, Streets, Passage, or Court, 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 make and repair Grates;

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 Squares, Yards, Streets, Passage, and Court, 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.

To repair, empty, and cleanse old Drains.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners appointed by this Act, or any Three 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 Squares, Yards, Streets, Passage, and Court, 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 Expence 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,

New Sewers and Grates shall be made by Commissioners for paving, at their own Expence, and afterwards shall be cleansed and repaired by Commissioners of Sewers, at their Expence.

Grate or Grates, shall be made and completed, 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 may require.

When Works to be done by the Commissioners of Sewers, the Clerk of the Commissioners of Pavement to give Notice to the Clerk of the Commissioners of Sewers, who is to summon the said Commissioners.

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 said 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 Three 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

Commissioners of Sewers neglecting to meet for Seven Days, or refusing to send Jury in Ten Days to View, or such Jury neglecting or refusing to take such View or make Presentment, or Commissioners of Sewers neglecting for 20 Days, to cause the Works directed by the Jury to be done; Commissioners, or any Three, to cause such Works to be done, and recover the Expences from the Commissioners of Sewers.

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 Three 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 Three or more of them, shall have 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.

Streets to be watered.

And be it further enacted, That the said Commissioners, or any Three or more of them, shall have full Power and Authority to cause the said Squares, Yards, Streets, Passage and Court, and the Passages therein, or leading thereunto, to be watered as often as they shall think fit; and also to cause any Well or Wells to be dug and sunk in such Places as they shall think proper; and also any Pump or Pumps to be erected in or near such Places; and also any Pump or Pumps now standing in any of the said Streets, Squares, Yards, Passage, and Court, and the Passages therein, or leading thereunto, to be removed or altered, and to defray the Expences thereof out of the Monies to be raised by virtue of and for the Purposes of this Act.

Foot-paths to be swept every Day (except *Sunday*) between the Hours of Six and Nine.

And be it further enacted, That every Occupier of any House or Tenement within the said Squares, Yards, Streets, Passage, and Court, or the Passages therein, or leading thereunto, shall, from and after One Week from the passing of this Act, sweep and clean, or cause to be swept and cleansed, the Foot-paths before their respective Houses, Buildings, and Walls, once in every Day, between the Hours of Six and Nine of the Clock in the Forenoon, (Sundays excepted) upon Pain of forfeiting, for every Neglect therein, the Sum of Five Shillings.

No Waggon shall stand across the Street longer than for the loading and unloading; nor any Coach, Chariots, Goods, &c.

And, for the more speedy Removal of sundry Nuisances and Obstructions in the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, be it further enacted, That if any Cart, Waggon, Dray, or other Carriage, shall be suffered to stand or continue in any Part of any such Squares, Yards, Streets, Passage, and Court, or the Passages therein, or leading thereunto, longer than is necessary for the loading or unloading thereof; or if any Coach, Chariot, or other Carriage, or any Goods, Materials, or Things whatsoever, shall stand, be placed, laid, and left,

left, in any of the said Squares, Yards, Streets, Passage, and Court, or the Passages therein, or leading thereunto, so as to obstruct the free Passage thereof; then, and in every such Case, any One or more of the said Commissioners, or any One or more of their Officers, shall and may seize, or cause to be seized, the Cart, Waggon, Dray, Coach, Chariot, or other Carriage, so placed, or suffered to stand or continue, contrary to the true Intent and Meaning of this Act, together with the Horse or Horses thereunto belonging, or the Goods, Materials, or Things, so laid or placed, and left as aforesaid, and remove the same, or cause the same to be removed to such Place or Places, as by the said Commissioners, or any Three or more of them, shall be appointed for that Purpose, in the Nature of a common Pound, there to be kept, until the Owner or Owners thereof, or his, her, or their known Servant or Servants, or other Person authorised by him, her, or them, shall and do claim the same, and pay to the Person or Persons in whose Custody the same shall then be, the Sum of Ten Shillings, together with the Charges of removing and keeping the same; and in case the same shall not be claimed, and the said Sum of Ten Shillings, and Charges paid, within the Space of Five Days next after such Seizure, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to cause the same to be sold, and, after deducting the said Sum of Ten Shillings, and the Charges of removing and keeping, appraising and selling the same, the Overplus shall be paid to the Owner or Owners thereof upon Demand.

Penalty on obstructing Footpaths.

And be it further enacted, That if any Person or Persons shall lead, run, ride, drive, or cause to be run, driven, or drawn, any Horse, Mule, or other Beast, or any Coach, Chariot, Cart, or Wheel or Wheels, Sledge, Truck, Cask, Wheel-barrow, or any other Carriage whatsoever, on any Part of the Foot-pavements of any of the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, every such Person or Persons 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.

Inclosures may be made for the Purpose of building.

Provided always, and be it further enacted, That any Person or Persons shall and may erect or set up, or cause to be erected and set up in the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, or any of them, any Inclosure,

Posts, Bars, or Rails, or other Matters or Things for the Purposes of making Mortar, and depositing Bricks, Lime, or other Materials, for building or repairing any Houses, Buildings, or other Works, every such Person or Persons, first obtaining Leave under the Hand of the Surveyor or Clerk for the Time being of the said Commissioners, which he is hereby impowered to give, by their Permission, signed by Two or more of them; but if any Person or Persons shall erect or set up, or cause to be erected or 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 Five Shillings for every Hour such Inclosure, Matter, or Thing, as aforesaid, shall remain and continue.

Houses to be numbered, and Names of Streets painted.

And be it further enacted, That the said Commissioners, or any Three or more of them, may order and direct the Houses or other Buildings within the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, or any of them, to be numbered with Figures placed or painted on the Doors thereof, or on such other Part of the said Houses and Buildings respectively, as they the said Commissioners, or any Three or more of them, shall think proper; and also may 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 of the said Squares, Yards, Streets, Passage, and Court, and the Passages therein or leading thereunto, the Names by which such respective Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, 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, or Name, or any Description, or any Part thereof, or cause and procure the same to be done, and shall be convicted thereof, by his, her, or their own Confession, or by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace, acting in and for the County, Liberty, or Place where such Offence shall be committed, every such Person or Persons so offending shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

Penalty on Persons defacing Names, &c.

And be it further enacted, That from and after the passing of this Act, the said Commissioners, or any Three

Signs to be removed,

or more of them, shall and may cause all Signs, or other Emblems, to denote the Trade or Calling of any Person or Persons, which then or at any Time after shall be placed or hung in any Part of the said Squares, Yards, Streets, Passage and Court, and the Passages therein, or leading thereunto, to be fixed or placed on the Fronts of such Houses, Shops, Warehouses, or Buildings respectively whereunto the same shall belong: And also, shall and may cause all Sign Posts, Sign Irons, Posts, Boards, Spouts, Gutters, Pent-houses, Sheds, Rails, Butchers Gallowses, or other Things occasioning any Obstruction, Nuisance, or Annoyance in the said Squares, Yards, Streets, Passage and Court, and the Passages therein or leading thereunto, to be taken down, removed, or altered in such Manner as the said Commissioners, or any Three or more of them, shall think most proper and convenient; and that for the future, all Signs, Emblems, Boards, Spouts or Gutters, shall be placed or fixed on the Fronts of the Houses, Shops, Warehouses, or Buildings, whereunto they respectively belong, as the said Commissioners, or any Three or more of them, shall direct, and not otherwise: And if any Person or Persons shall at any Time hereafter, hang, place, erect, or build any Sign, Sign Post, or Sign Iron, Board, Spout or Gutter, Shed, or Rail, or cause the same to be done in any other Manner than as aforesaid; or shall in any Manner occasion any Obstruction, Incroachment, Nuisance, or Annoyance in the said Squares, Yards, Streets, Passage, and Court, or the Passages therein, or leading thereunto; every such Person or Persons shall, for the first Offence, forfeit and pay the Sum of Five Pounds; for the second Offence, the Sum of Ten Pounds; and for the third, and every other Offence, the Sum of Twenty Pounds, together with all Costs, Charges and Expences, which shall be paid or laid out by the said Commissioners for removing or altering the same; such Costs, Charges and Expences to be recovered by Bill, Plaint, or Information, in any of His Majesty's Courts of Record, or in the Court of Requests for the Liberty of the Tower Hamlets.

and placed on the Fronts of the Houses.

All future Signs to be placed on the Fronts of the Houses.

Penalty on placing Signs otherwise, and on Incroachments and Annoyances.

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

Unused Sign-irons to be returned.

And whereas it will tend to the publick Convenience if all Buildings, Erections, Shops, Sheds, Annoyances, and Obstructions, projecting into, upon, or adjoining to the said Squares, Yards, Streets, Passage, and Court, or any or either of them, or the Passages therein, or leading thereto, were taken down, removed, or altered; be it further enacted, That if any Person or Persons whomsoever, in any-wise interested in any of the said Premises, upon Ten Days Notice to him, her, or them given or left in Writing, and signed by the said Commissioners, or any Three or more of them, at the House or Houses, Place or Places of Abode of such Person or Persons, or at the House, Shop, Shed, or other Place of Abode of the Tenant in Possession of such Premises, shall neglect or refuse to treat, or shall not agree for the Sale of any such Premises, or any Part or Parts thereof, or for their Interest therein; then, and in every such Case, the said Commissioners, or any Three or more of them, shall cause the Value of the Premises to be inquired into, and ascertained by and on the Oath of a Jury of Twelve indifferent Men of the County of Middlesex, (which Oath the said Commissioners, or any Two or more of them, are hereby impowered and required to administer), and what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or Proprietors, or other Person or Persons interested in the Premises before mentioned, or any Part or Parts thereof, which the said Commissioners, or any Three or more of them, shall think proper to be pulled down, altered, or removed, for their respective Interests therein; and, in order thereunto, the said Commissioners, or any Three or more of them, are hereby impowered and required, from Time to Time, as they shall see Occasion, to summon and call before the said Jury, and to examine upon Oath, all such Person or Persons who shall be thought necessary or proper to be examined as Witnesses touching or concerning the Premises, which Oath the said Commissioners, or any Two or more of them, are hereby impowered and required to administer: And if any of the Parties interested shall request the same, or the said Commissioners, or any Three or more of them, shall think it necessary, shall also cause the said Jury to view the Place or Places in question, and shall use all other Ways and Means, as well for their own as for the said Jury's Information in the Premises, in such Manner as the said Commissioners, or any Three or more of them, shall think fit: And, after the said Jury shall have so enquired of, ascertained, and settled such Damages and Recompence, they the said Commissioners,

Buildings projecting out may be removed.

Where Persons refuse to treat, &c.

Witnesses to be summoned and examined upon Oath.

Jury to assess the Damage and Recompence.

Commissioners, or any Three or more of them, shall thereupon order and adjudge the Sum or Sums of Money so assessed by the said Jury for such Premises as aforesaid, to be paid to the Person or Persons interested in the Premises, or any Part or Parts thereof, according to the Verdict and Inquisition; and the Order and Adjudication so had and made, shall be final and conclusive, to all Intents and Purposes, against all Bodies Politick, Corporate, or Collegiate, and against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs, Executors, or Administrators, and Successors respectively, as well absent as present; Infants, Femes-covert, Lunaticks, Ideots, and Persons under any Disability whatsoever; as well as all other Person and Persons whomsoever, and all and every Body or Bodies, Person or Persons, in any-wise interested in the Premises, or in any Part and Parts thereof, shall, from and after Tender or Payment of the Money so assessed and adjudged as aforesaid, in Manner hereafter directed, be hereby, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, or Property of, in, or to the same; and the same shall, and are hereby vested in the Commissioners appointed, or to be appointed, by virtue of this Act, for the Purposes of this Act.

Verdict of the Jury to be final.

And be it further enacted, That if any Person shall be intitled either in Reversion or Remainder to any such Premises, the Money so awarded by a Jury as a Satisfaction shall be settled to the same Uses as the Premises were, unless such Person so interested shall consent to give up such reversionary Interest.

Money awarded for the Premises settled to like Uses.

And be it further enacted, That, for the summoning and returning of such Jury or Juries, the said Commissioners, or any Three or more of them, are hereby impowered, from Time to Time, to issue their Warrant or Warrants to the Sheriff of the said County of Middlesex, notwithstanding the said Place in which the said Premises shall be situate shall be within any Liberty or Royalty, thereby requiring him or them to impannel, summon, and return an indifferent Jury of Twenty-four Persons to appear before the said Commissioners, or any Three or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; of which Time and Place all Parties interested shall have Ten Days Notice in Writing, to be left at the House or Houses, Place or Places of Abode of such Person or Persons, or at the House, Shop, Shed, or other Place of Abode of the Tenant in Possession of the Premises; and the said Sheriff, or his Deputy or Deputies, is and

Sheriffs, &c. to summon a Jury.

are hereby required and impowered to impannel, ſummon, and return ſuch Twenty-four Perſons accordingly, out of the County at large; and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear according to or upon ſuch Summons, the ſaid Commiſſioners, or any Three or more of them, ſhall cauſe to be drawn, in ſuch Manner as Juries for Trial of Iſſues in any of His Majeſty's Courts of Record at Weſtminſter, by an Act made in the Third Year of the Reign of King George the Second, (intituled, An Act for the better Regulation of Juries, are directed to be drawn; Twelve Perſons, and ſhall cauſe the ſaid Twelve Perſons to be ſworn, who ſhall be the Jury for the Purpoſes aforeſaid: And for Default of a ſufficient Number of Jurymen the ſaid Sheriff, or his Deputy or Deputies, ſhall return ſo many of the Standers-by as ſhall be neceſſary to make up the Number of Twelve to ſerve on ſuch Jury.

Unleſs Satisfaction be made within a Month, Verdict not binding.

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

Jurors may be challenged.

Provided always, and be it enacted, That all Perſons concerned ſhall, from Time to Time, have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn, but ſhall not be at Liberty to challenge the Array: And the ſaid Commiſſioners, or any Three or more of them, acting in the Premiſes, ſhall have Power, from Time to Time, to impoſe any reaſonable Fine or Fines on ſuch Sheriff, or his Deputy or Deputies, Bailiffs, or Agents, making Default in the Premiſes; and on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury, and ſhall not appear, or ſhall refuſe to be ſworn on ſuch Jury, or to give their Verdict, or in any Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Perſons who, being required to give Evidence touching the Premiſes, ſhall refuſe to be examined or give Evidence; and, from Time to Time, to levy ſuch

Penalty on Sheriffs, &c. making Default.

Fine not to exceed 10*l.*

Fine or Fines, in such Manner as any Penalties in this Act are directed to be levied and recovered, so that no Fine shall exceed the Sum of Ten Pounds upon any One Person for any One Offence.

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

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

Steps, *&c.* to be removed.

And whereas the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, are in some Parts thereof greatly obstructed, and made dangerous to Foot Passengers, by Steps or Slopes being brought out from Houses, and by Steps and Doors going down into Cellars, Vaults, or 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 or Slopes projecting into the Foot-ways of the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto; and all Steps and Doors going down out of the Foot-ways into any Cellars, Vaults, or other Places belonging to any House, Warehouse, Shop, Cellar, or other Building, which do or shall cause or occasion any Nuisance, Annoyance, Incroachment, or Obstruction in the said Squares, Yards, Streets,

Streets, Passage, and Court, and the Passages therein, or leading thereunto, or any of them, (either in the Foot or Carriage Way thereof) shall be, at the Expence of the said Commissioners, from Time to Time, removed, fired, placed, or altered in such Manner and Form as shall be approved of by the said Commissioners, or any Three or more of them, or by their Surveyor.

Time of emptying Bog-houses.

And be it further enacted, That if any Person or Persons whomsoever shall come with any Cart or Carts, or begin to empty any Bog-house or Bog-houses, Cesspool or Cesspools, or to take away any Night-soil from any House or Houses within any of the said Squares, Yards, Streets, Passage, and Court, before the Hours of Eleven of the Clock in the Night, or shall continue to take away the same after the Hour of Six of the Clock in the Morning, from Michaelmas to Lady-day, or after the Hour of Five of the Clock in the Morning, from Lady-day to Michaelmas; or if any Person shall put or cast, or cause to be put or cast, out of any Cart, Tub, or otherwise, in or near any of the Squares, Streets, Passage, and Court, any such Night-soil; it shall and may be lawful to and for any of the said Watchmen to be appointed by the said Commissioners, (and they are hereby strictly required and directed so to do) or any other Person or Persons whomsoever, to apprehend and carry him or them, guilty of either of the said Offences, to the Watch-house of the said Parish; and from thence, as soon as conveniently may be, before some Justice of the Peace for the County, Liberty, or Place where the same shall happen, who, upon Oath made of such Offence or Offences as aforesaid, which Oath such Justice is hereby impowered and required to administer, shall and may fine such Person or Persons so offending in any Sum not exceeding the Sum of Five Pounds, and not less than the Sum of Forty Shillings; and, in Default of immediate Payment thereof, shall and may commit such Person or Persons, guilty of any of the said Offences, to the Common Gaol for the said County, Liberty, or Place for any Time not exceeding One Month, nor less than Five Days, there to be kept to hard Labour: And it shall and may be lawful to and for the said Commissioners, at any Meeting to be held in pursuance of this Act, to order any Sum, not exceeding Ten Shillings, nor less than Two Shillings and Sixpence, to be paid to the Person who shall detect, apprehend, and convey before any such Justice or Justices of the Peace any such Person or Persons guilty as aforesaid, to be paid out of the Fine hereby be-

Penalty for Offences.

fore

fore inflicted; or, in case the Offender shall be committed, out of the Rates to be raised by virtue of this Act.

Inhabitants to give Notice to Surveyors when Pavements want any Repairs.

And be it further enacted That when and as soon as any of the said Squares, Yards, Streets, Passage and Court, shall actually be repaved, relayed, or repaired, by the said Commissioners, by virtue of this Act, if any Householder or Householders shall make Complaint in Writing, under his, her, or their Hand or Hands, and shall leave the same at the last or usual Place of Abode of the Surveyor or Surveyors, Clerk or Clerks to the said Commissioners, of any Defect or want of Repair in any of the Pavements of the said Squares, Yards, Streets, Passage, and Court; then and in every such Case, the said Surveyor or Surveyors shall view the said Pavement, and report the Condition thereof to the said Commissioners, at their next Meeting; and if the said Surveyor or Surveyors, to whom such Notice shall be given, or left as aforesaid, shall, upon such View, find the Pavement complained of to be bad and defective, (unless it shall appear to arise from a Defect relating to the Water-pipes lying under such Pavement), the said Commissioners, or any Three or more of them, shall give Order to their Contractor or Contractors, Pavior or Paviors, to repair the same, within such Time as they shall judge necessary for the Repair thereof, which Time shall be specified in such Order; and if the Contractor or Contractors, Pavior or Paviors, to whom such Order shall be given, shall not repair and amend such Pavement, within such Time as he or they shall be directed by the said Commissioners, to repair and amend the same; then and in every such Case, the said Contractor or Contractors, Pavior or Paviors, shall forfeit and pay the Sum of Twenty Shillings for every Day that the said defective Pavement shall remain unrepaired, after the Time limited by the said Commissioners, in their said Order: And one Half of every such Penalty shall be applied and paid to such complaining Inhabitants, for his or her loss of Time and Trouble in and about the Premises, and the other Half of such Penalty for defraying the Charges and Expences attending the Execution of the several Powers by this Act granted.

Assessments to be made yearly.

And 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 Once in every Year, or oftener, if it shall be thought needful by the said Commissioners, or any Five or more of them, be made, laid, charged, and assessed, by the said Commissioners,

or any Five or more of them, upon all and every Person or Persons, Bodies Politick or Corporate, who do, or shall inhabit, hold, occupy, possess, or enjoy, any Land, House, Shop, Warehouse, Cellar, Vault, or other Tenement or Hereditament, within any of the said Squares, Yards, Streets, Passage, or Court, for raising such competent Sum and Sums of Money, as the said Commissioners, or any Five or more of them, shall from Time to Time think needful, and direct, so as such Rate or Assessment, Rates or Assessments, do not, in any One Year, exceed in the Whole the Sum of Three 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 any of the said Squares, Yards, Streets, Passage, and Court.

And be it further enacted, That all and every Person or Persons charged to the Rates or Assessments to be made by virtue of this Act, shall not be charged or chargeable to any other Rate or Assessment whatsoever, made or to be made for paving, repairing, cleansing, lighting, or watching the said Squares, Yards, Streets, Passage, or Court, or the Passages therein, or leading thereunto, or any of them.

Corner or adjoining Houses, how to be rated.

And whereas several Houses, Warehouses, Shops, or other Buildings in the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, are partly situate within the same, and are partly situate in, or do adjoin to or abutt upon other Streets, Lanes, Ways, or Passages, which are not within or Part of the aforesaid Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, intended to be paved, cleansed, lighted, and watched, by virtue, or in pursuance of this Act, and such Houses, or Warehouses, Shops, or other Buildings are, or may be obliged to contribute to the paving, cleansing, lighting, or watching such other Streets, Lanes, Ways, or Passages, or are, or may be subject to be rated and taxed towards paving, or repairing, cleansing, lighting, or watching such other Streets, Lanes, Ways, or Passages, in which the same are partly situate, or do thereto adjoin or abutt; be it therefore further enacted, That such Houses, Warehouses, Shops, or other Buildings, shall be only rated and taxed for the Purpose in this Act at such Sum and Sums of Money as the said Commissioners, or any Five or more of them, shall think reasonable, not exceeding One-fourth of the Rate they would have been rated and taxed

at, if such Houses, Warehouses, Shops, or other Buildings had stood wholly within the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, intended to be paved or repaired by virtue of this Act.

Commissioners impowered to compound with Persons for not less than Half of the Rates.

And whereas it may be reasonable to excuse some Persons from the Payment of the aforesaid Rates or Assessments in Part, on account of their Poverty; for Relief therefore in such Case, be it further enacted and declared, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby authorised and impowered to grant to such Person or Persons such Relief in the Payment of the said Rate or Assessment, as they the said Commissioners, or any Five or more of them, shall think proper, so as the Reduction doth not exceed One Half of the Rate or Assessment to be made by virtue of this Act.

Houses let in Tenements how to be rated.

And whereas many Houses within the said Squares, Yards, Streets, Passage, and Court, are, by the several Owners and Proprietors thereof, let out in Lodgings and Tenements, to divers Tenants, whereby it will be difficult to rate or assess the said Tenants in respect of such Houses, or 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 Five or more of them, to rate and assess the Owner or Owners, Proprietor or Proprietors of such Houses or Tenements, as shall be let to, or occupied by Two or more Tenants, which Rate or Assessment shall be paid by the Occupier or Occupiers of any Part or Parts of such Houses and Tenements, and the Occupier or Occupiers of such Houses or Tenements, is and are hereby authorised and required to pay such Sum and Sums of Money as shall be so rated or assessed upon the Owner or Owners, Proprietor or Proprietors thereof, the same being duly demanded of such Occupier or Occupiers, and to deduct the same out of his, her, or their respective Rents; and the Owner or Owners, Proprietor or Proprietors of such Houses or Tenements, is and are hereby directed and required to allow such Deductions and Payments upon the Receipt of the Residue of his, her, or their Rents; and every such Occupier paying such Assessment or Assessments, shall be acquitted and discharged of and from so much of his or her Rent, as the said Assessment or Assessments so paid by him or her shall amount unto, as if the same had been actually paid to the Person or Persons to whom his or her Rent shall be due and payable; and in Default of Payment of the said Rate or Rates,

Rates, Assessment or Assessment, the same shall be and remain a Charge upon the said Premises, and shall and may be recovered, of and from the Owner or Owners, Proprietor or Proprietors thereof, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or in the Court for the Recovery of small Debts within the Tower Hamlets, to be commenced and prosecuted by and in the Name or Names of any Two or more of the said Commissioners, or of the Collector or Collectors to be appointed by virtue of this Act; in which Action or Suit no Protection, Essoin, or Wager of Law, or more than One Imparlance shall be allowed.

Power to compound.

Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, from Time to Time, to compound with the Owner or Owners, Proprietor or Proprietors of any such Houses or Tenements, the annual Rent or Value whereof shall be under Ten Pounds, for the Rate by this Act authorised to be laid upon such Houses or Tenements, 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 by this Act laid upon such Houses or Tenements respectively.

Publick Buildings, &c. to be rated.

And, forasmuch as it is reasonable that all publick Buildings, Warehouses, and all dead Walls, and void Spaces of Ground, within or adjoining to the said Squares, Yards, Streets, Passage, and Court, or the Passages therein, or leading thereunto, should be rated and assessed in due Proportion, towards the paving, cleansing, lighting, and watching the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto; be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby required to rate and assess all Houses, Church-yards, Chapels, Warehouses, and other publick Buildings whatsoever; and all dead Walls, and void Spaces of Ground, within the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, or any of them, at such Rate as the said Commissioners, or any Five or more of them, shall judge reasonable for every square Yard of such Churches, Church-yards, Chapels, Warehouses, and publick Buildings, and all dead Walls, and void Spaces of Ground, not exceeding the Rate of Sixpence in the Pound, for every square Yard of Pavement belonging to every such Church, Church-

yard,

yard, Chapel, Warehouſes, publick Buildings, and void Spaces of Ground; and ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſo to be from Time to Time made upon any Church, Church-yard, or Chapel, ſhall be paid by the reſpective Church or Chapel-wardens; and ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſo to be from Time to Time made upon any Warehouſes, publick Buildings, or upon any dead Wall, or void Spaces of Ground, ſhall be paid by the reſpective Owner or Owners, Proprietor or Proprietors thereof.

Untenanted Houſes to be rated.

And be it further enacted, That if it ſhall happen that any of the Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, within the ſaid Squares, Yards, Streets, Paſſage, and Court, ſhall at the Time of making any of the ſaid Rates or Aſſeſſments be empty, untenanted, or unoccupied; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, to rate and aſſeſs the ſaid Premiſes and in ſuch Caſe, as well as in caſe the ſaid Premiſes, ſhall, after the making of ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, become empty, untenanted, or unoccupied, One-third of ſuch Rate or Aſſeſſment ſhall be a Charge on ſuch Premiſes reſpectively, and be paid by the firſt Tenant or Occupier thereof, who ſhall and may, and is hereby authoriſed to deduct and retain the ſame out of his, her, or their Rents, and the Landlord or Landlords, Owner or Owners of ſuch Premiſes, is and are hereby required to allow ſuch Deduction and Abatement upon the Receipt of the Reſidue of his, her, or their reſpective Rents; and the Tenant or Occupier ſhall be, and is hereby acquitted and diſcharged of and from ſo much of his or her Rent as the Rate or Aſſeſſment ſo paid by him or her ſhall amount unto.

Manner of recovering the Rates.

And be it further enacted and declared, That if any Perſon or Perſons who ſhall be rated or aſſeſſed by virtue or in purſuance of this Act, ſhall refuſe or neglect to pay the Money ſo rated or aſſeſſed for the Space of Fourteen Days next after the ſame ſhall be due and demanded by the Collector or Collectors authoriſed and appointed to collect and receive the ſame, (ſuch Demand being either perſonally made of the reſpective Perſon or Perſons ſo charged, or left in Writing at his, her, or their reſpective Houſe or Houſes, or Place or Places of Abode); then, and in every ſuch Caſe, it ſhall and may be lawful to and for ſuch Collector or Collectors, every or any of them, having a Warrant under the Hand and Seal of any Juſtice of the Peace for the County of Middleſex, or for the Liberty of His Majeſty's Tower of London, (which Warrant the

ſaid Collector and Collectors is and are hereby required to apply for, and the Juſtice ſo applied to is hereby authoriſed and required to grant,) with the Aſſiſtance of a Conſtable, or other Peace Officer of the Pariſh where the Perſon or Perſons ſo refuſing or neglecting ſhall reſide, to enter into the Houſe or Houſes, Apartment or Appartments, of the Perſon or Perſons ſo refuſing or neglecting as aforeſaid, and then and there to diſtrain his, her, or their Goods and Chattels; and if the ſame ſhall not be replevied, or ſuch Rate or Aſſeſſment paid, within Five Days next after ſuch Diſtreſs made, together with the Coſts and Charges thereof, then to ſell and diſpoſe of ſo much and ſuch Part of the ſaid Goods and Chattels as ſhall be ſufficient to pay the ſaid Rate or Aſſeſſment, with the Coſts and Charges attending ſuch Diſtreſs and Sale, returning the Overplus (if any) upon Demand, to the Owner or Owners of ſuch Goods or Chattels, (the ſaid Coſts and Charges to be ſettled and allowed by ſuch Juſtice, who ſhall have granted ſuch Warrant or Warrants reſpectively): And in caſe no ſuch Goods and Chattels can be found to be ſo diſtrained, or in caſe ſuch Goods and Chattels ſhall be locked up, or ſecured, or removed from the ſaid Collector or Collectors, ſo that he or they cannot diſtrain the ſame; then, and in either of the ſaid Caſes, upon Information thereof given to any Juſtice of the Peace, acting in and for the ſaid County or Liberty, it ſhall and may be lawful for ſuch Juſtice, and he is hereby required to commit the Perſon or Perſons ſo aſſeſſed, and refuſing or neglecting to pay the ſame Rates, to the common Gaol for the County, Liberty, or Place, where ſuch Perſon or Perſons ſhall reſide, or ſhall be found, there to remain without Bail or Mainprize, for any Time not exceeding Two Months, or until the Payment of ſuch Rate or Aſſeſſment, and the reaſonable Charges occaſioned by the Nonpayment thereof.

For want of Diſtreſs, or Goods ſecreted, Perſons to be committed.

And be it further enacted, That when any Perſon or Perſons, who ſhall or may be rated or aſſeſſed by virtue of this Act, ſhall quit his, her, or their Dwelling-houſe, Warehouſe, Shop, Vault, Cellar, Tenement, or Hereditament, whereupon ſuch Rate or Aſſeſſment ſhall be 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 or 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 Hand and Seal of any One Juſtice of the Peace, acting in and for the ſaid County, or for

Occupiers quitting without paying Rates, may be followed.

the Liberty of His Majesty's Tower of London, (which Warrant, the said Justice is hereby authorised and required to grant,) to enter into any Place within his Jurisdiction, 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, and to distrain the Goods and Chattels of such Person or Persons so neglecting or refusing, and the same to sell and dispose of, rendering the Overplus (if any) upon Demand, to the Owner of such Goods and Chattels, after deducting the reasonable Charges and Expences of such Distress.

Penalty on Collectors refusing to execute the Office.

And be it further enacted by the Authority aforesaid, That in case any Person who shall be appointed to the Office or Duty of Collector of the said Rates and Assessments, or any Part thereof, being an Inhabitant of the said Squares, Yards, Streets, Passage, or Court, or any of them, shall refuse or neglect to take such Office and Duty upon him, within the Space of Ten Days next after such Rate or Assessment as aforesaid shall be made, and delivered or tendered to him, every Person so refusing or neglecting, and also every such Person who shall be negligent in the Performance or Execution of his Duty, shall, for every such Offence, forfeit and pay the Sum of Five Pounds.

None liable to serve above once in two Years.

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

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

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

Provided

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 and concerning the paving, cleansing, lighting, or watching of the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, or any Part of them, or any Drain, or Watercourse therein, but that every Person who is now, by virtue of any such Contract or Agreement, obliged to pave, cleanse, or keep in Repair, any Part of the said Squares, Yards, Streets, Passage, and Court, and the Passages therein, or leading thereunto, or any Part of them, or any Drain or Watercourse therein, shall, in lieu thereof, be obliged to pay the said Rates hereby directed to be made and assessed, or so much thereof as shall, by the said Commissioners, or any Five 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 Five or more of them, shall have Power, and they are hereby required to hear and finally determine the same.

Agreement between Landlord and Tenant touching the paving, &c. not vacated.

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

Commissioners impowered to borrow Money upon the Credit of the Rates.

And whereas many Persons may chuse to advance Money for the Purchase of Annuities, to be secured upon and

For borrowing Monies by Annuities on Lives.

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

If Annuitants die, any Perſons may purchaſe Annuities for their Lives.

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

Annuities charged upon the Rates.

And be it further enacted, That all and every Annuity or Annuities ſo to be purchaſed under and by virtue of this Act, ſhall be, and are hereby charged upon, and ſhall be paid and payable, from Time to Time, out of the Monies ariſing by the Rates and Aſſeſſments aforeſaid; and all and every the Contributor and Contributors upon the Credit of this Act, duly paying the Conſideration or Purchaſe-money as aforeſaid, for any ſuch Annuity or Annuities as aforeſaid, or his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, ſhall have, receive, and enjoy, and be intitled by virtue of this Act to have, receive,

receive, and enjoy, the respective Annuity or Annuities so to be purchased out of the said Rates and 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 Purchaser or Contributor as before mentioned: And that all and every such Purchaser or Purchasers, and their Executors, Administrators, and 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 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 by Four equal quarterly Payments in every Year, the First of the said Payments to be made at the Expiration of the First Quarter next after Payment of the respective Purchase-monies; which Order shall be signed by the said Commissioners, or any Five or more of them; and after signing thereof, the same shall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning of this Act.

Clerk to enter all Securities for Monies borrowed, or Annuities granted.

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 Name, Surname, Addition, Place of Abode, and other Description of every Person for whose Life any Annuity shall be granted by virtue of this Act, and the Days whereon the said Annuity shall be payable, to which Book and Books the Person and Persons intitled to and possessed of such Annuity, and having lent any Monies as aforesaid, and all and every the Person or Persons liable to the Payment of the said Rates and Assessments shall, at all reasonable Times, have Access, with free Liberty to inspect the same, without Fee or Reward.

Assignments may be transferred.

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 or Hands respectively, to assign or transfer such Securities by Indorsement on the Back thereof, to any Person or Persons whatsoever, and so toties quoties; and such Assignments or Transfers, after they shall respectively be entered by the Clerk to the said Commissioners in Manner aforesaid, which he is hereby required to do without Fee or Reward, shall intitle the Person or Persons to whom they shall be respectively made, and his, her, or their respective Executors, Administrators, or Assigns, to the Benefit of the Security or Securities so assigned or transferred.

Assignments to be entered in a Book.

Money vested in 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 shall be applied for the Purposes of this Act, and to and for no other Use or Purpose whatsoever.

Expences of the Act to be defrayed out of the first Money arising by the Tolls.

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

Penalties and Forfeitures how to be recovered and applied.

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 Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace acting in and for the County, Liberty, or Place where the Offence shall be committed; which Warrant such Justice is hereby impowered and required to grant, upon the Confession of the Party or Parties, or upon the Information of One or more credible Witness or Witnesses upon Oath; and the Penalties and Forfeitures, when (recovered, after rendering the Overplus, if any be) upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, (the Charges of such Distress and Sale being first deducted) shall be paid to the Clerk or Treasurer to the said Commissioners for the Time being, and be applied towards the Purposes of this Act: And in case sufficient Distress cannot be found, or such Penalties or Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorised and required, by Warrant

Warrant under his Hand, to cause such Offender or Offenders to be committed to the Common Gaol of the County where such Offence shall be committed, or where such Offender shall be convicted thereof, there to remain without Bail or Mainprize for any Time not exceeding Two Months, nor less than One Week, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Three 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 thereof as they shall think proper, not exceeding One half thereof, to and for the Use of the Informer or Informers; any Thing herein contained to the Contrary thereof notwithstanding. Proviso.

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

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

And be it further enacted, That the said Commissioners shall, at all their Meetings under this Act, pay and defray their own Expences. Commissioners to defray their own Expences.

And be it further enacted, That where any Distress or Sale 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 be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be hereafter done by the Party or Parties distraining or selling; but the Person or Persons aggrieved by such Irregularity may recover such Satisfaction for the special Damage in an Action on the Case. Distress not to be deemed unlawful for Want of Form, nor the Party distraining be deemed a Trespasser *ab initio*.

Provided always, That no Plaintiff shall recover in any Action for any such Irregularity, Trespass, or other Proceedings,

Plaintiffs not to recover if Tender of Amends be made.

ceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or cause to be commited, any such Irregularity, Trespass, or wrong Proceeding before such Action brought; and the Defendant or Defendants, in any such Action, by Leave of the Court where such Action shall depend, may, at any Time before Issue joined, pay into Court such Sums of Money as he or they shall think 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 shall be 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 Commissioner or Commissioners, or Justice or Justices of the Peace, or exhibited before them, or under the Hand and Seal, or Hands and Seals of, or only signed by any other Person or Persons whomsoever relating to the Execution of this Act, shall be chargeable with any Stamp-duty whatsoever.

Orders, &c. to be entered in Books.

And be it further enacted, That the Orders and Proceedings of the said Commissioners, or any of them, at all 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 Three or more of the said Commissioners assembled, as the Case shall require; and such Order shall be deemed and taken to be original Orders for that Purpose; which Book or Books shall and may be produced and read in Evidence in all Courts whatsoever.

Persons aggrieved may appeal to the Quarter-sessions.

Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act, such Person or Persons shall and may, within Three Months next after the Cause of Complaint shall arise, appeal to the Justices of the Peace, at the General Quarter-sessions of the Peace to be holden in and for the County of Middlesex, or Liberty of His Majesty's Tower of London, such Appellant first giving, or causing to be given, Five Days Notice in Writing, of his, her, or their Intention to bring such Appeal, and of the Cause or Causes thereof, to the Clerk or Treasurer to the said Commissioners, and, within Fourteen Days next after such Notice, entering into a Recognizance or Recognizances, before some Justice of the Peace in and for the said County or Liberty, with Two sufficient Sureties conditioned to try such Appeal, mentioned in such Notice,

tice, and abide the Order, and pay such Costs as shall be awarded by the said Justices; and the Matter of such Appeal shall be heard and determined by the said Justices at the next General Quarter-sessions of the Peace, to be held in and for the said County or Liberty, or any Adjournment thereof, or at any Adjournment of the then last General Sessions of the Peace in and for the said County or Liberty, which shall first happen next after the Expiration of One Month from the Day of giving such Notice; and the said Justices, at such Sessions or Adjournment, upon due Proof of such Notice being given; and of the entering into such Recognizance or Recognizances, shall hear and finally determine the Causes and Matter of such Appeal in a summary Way, and award such Costs for the Appellant or Appellants, or Respondent or Respondents, as they the said Justices shall think proper; and the Determination of such Justices shall be final, binding, and conclusive, to and upon all Parties concerned or interested therein.

Justices to amend Rates appealed against without altering the other Rates.

Provided always, That upon all Appeals from any of the Rates or Assessments to be made or imposed by the Authority of this Act, the Justices of the Peace (where they shall see just Cause for Relief, shall, and are hereby impowered to amend the same Rates and Assessments, in such Manner only as shall be necessary for giving Relief to the Persons so appealing) without altering such Rates or Assessments with respect to any other Persons mentioned in the same.

Proceedings not to be quashed for want of Form only;

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 any other Matter or Thing to be done or transacted, in or relating to the Execution of this Act, shall be vacated or quashed for want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster, any Law or Statute to the Contrary notwithstanding.

Limitation of Actions.

And be it further enacted, That no Action or Suit shall be brought, commenced, or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, unless Thirty Days Notice thereof shall be first given in Writing to the Clerk or Treasurer to the said Commissioners, signed by the Plaintiff or Plaintiffs, or unless the same shall be commenced before the Expiration of Six Months next after the Fact committed, or unless Tender of reasonable Amends hath not, or shall not have been made by or on Behalf of the Defendant or Defendants in such Action or Suit, nor unless such

Action or Suit shall be laid and brought in the County of Middlesex; and the Defendant or Defendants, in any Action or Suit to be commenced for any Thing done in pursuance of this Act, shall and may plead the General Issue, and give this Act, and the special Matter in Evidence, at any Trial to be had thereupon; and that the Matter or Thing for which such Action or Suit shall be brought, was done in pursuance, and by the Authority of this Act: And if such Matter or Thing shall appear to have been so done, or if it shall appear, that such Action or Suit was brought before Thirty Days Notice thereof was given in Writing to the Clerk or Treasurer of the said Commissioners, signed by the Plaintiff or Plaintiffs; or if it shall appear, that such Action or Suit was not commenced before the Expiration of Six Months next after the Fact committed; or if it shall appear that Tender of reasonable Amends was made by or in Behalf of the Defendant or Defendants in such Action or Suit, before such Action or Suit was commenced or brought, or such Action or Suit shall be brought in any other County or Place than the County of Middlesex, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall, and may recover Treble Costs, and shall have such Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

General Issue.

Treble Costs.

Publick Act.

And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

FINIS.