Anno ſecundo

Georgii III. Regis.

CAP. XXI.

An Act for Paving, Cleanſing, and Lighting, the Squares, Streets, and Lanes, within the City and Liberty of *Weſtminſter*, the Pariſhes of *Saint Giles in the Fields*, *Saint George the Martyr*, *Saint George Bloomsbury*, that Part of the Pariſh of *Saint Andrew's Holborn* which lies in the County of *Middleſex*, the ſeveral Liberties of the *Rolls* and *Savoy*, and that Part of the Dutchy of *Lancaſter* which lies in the County of *Middleſex*, and for preventing Annoyances therein; and for other Purpoſes therein mentioned.

WHEREAS the ſeveral Squares, Streets, and Lanes, within the City and Liberty of Weſtminſter, the Pariſhes of Saint Giles in the Fields, Saint George the Martyr, Saint George Bloomſbury, that Part of the Pariſh of Saint Andrew Holborn which lies in the County of Middleſex, the ſeveral Liberties of the Rolls and Savoy, and that Part of the Dutchy of Lancaſter which lies in the County of Middleſex, are, in general, very ill paved and cleanſed and not duly lighted: And whereas

Preamble.

the preſent Methods preſcribed by Law for paving, cleanſing, and lighting, the ſaid Squares, Streets, and Lanes, are ineffectual: And whereas it would tend greatly to the Benefit and Safety of the Inhabitants of the ſaid Squares, Streets, and Lanes, and of all Perſons paſſing through the ſame, if the Pavements thereof were properly laid and regulated, and the ſaid Squares, Streets, and Lanes, kept clean, free from Obſtructions and Annoyances, and duly lighted: 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 from and after the paſſing of this Act, Sir John Cuſt Baronet, Speaker of the Houſe of Commons; and the Speaker of the Houſe of Commons for the time being; the Members for the County of Middleſex, and the City of Weſtminſter, for the time being; the Right Honourable Francis Ruſſel Eſquire, commonly called Marquis of Taviſtock; the Right Honourable Charles Spencer Eſquire, commonly called Lord Charles Spencer; the Right Honourable George Broderick Lord Viſcount Midleton in the Kingdom of Ireland, the Right Honourable James Smith Stanley Eſquire, commonly called Lord Strange; the Right Honourable George Harry Grey Eſquire, commonly called Lord Grey; the Right Honourable William Pulteney Eſquire, commonly called Lord Pulteney; the Right Honourable George Montagu Eſquire, commonly called Lord Viſcount Mandeville; the Right Honourable Lord Viſcount Barrington in the Kingdom of Ireland, the Right Honourable George Cavendiſh Eſquire, commonly called Lord George Cavendiſh; the Right Honourable John Cavendiſh Eſquire, commonly called Lord John Cavendiſh; the Right Honourable Robert Manners, commonly called Lord Robert Manners; the Right Honourable John Lord Carysfort in the Kingdom of Ireland, the Chancellor of the Exchequer for the time being, the Right Honourable Sir Francis Daſhwood Baronet, the Right Honourable Charles Townſhend, the Honourable Thomas Robinſon, the Honourable Edward Cornwallis, Sir John Philipps, Sir William Beauchamp Proctor, Sir George Colebrooke, Aſhton Curzon, Henry Bankes, Richard Lowndes, William Fitzherbert, William Dowdeſwell, Richard Bull, Peter Burrell, George Cooke, Edward Eliot, Archibald Edmonſtone, George Howard, Edward Kynaſton, William Northey, Thomas Pitt, John Plumptre, Thomas Townſhend junior,

Commiſſioners appointed for carrying this Act into Execution.

junior, John Tucker, George Forſter Tuffnell, James Weſt, Charles Whitworth, John Wilkes, Thomas Worſley, and the Surveyor of His Majeſty's Board of Works for the time being, John Morton Eſquire, ſhall be Commiſſioners for putting this Act in Execution; and that they, or any Fifteen or more of them, ſhall or may, at their Firſt Meeting, elect, by Ballot, any Number not exceeding Twenty other Perſons to be aſſociated to them in the Execution of the Truſts hereby in them repoſed; which ſaid Perſons ſo elected, ſhall be and continue for the Term of their natural Lives Commiſſioners for putting this Act in Execution, with the like Power, in all Reſpects, as hereby is given to the Commiſſioners herein before firſt appointed: And when any of the Commiſſioners herein named, or at any Time to be elected, except ſuch Perſons who ſhall be Commiſſioners by virtue of any Place or Office, ſhall die or refuſe to act, it ſhall and may be lawful for the remaining Commiſſioners, or any Eleven or more of them, at any Meeting for that Purpoſe aſſembled, whereof Fourteen Days Notice ſhall have been previouſly given in ſome public News Papers, to elect, by Ballot, a fit Perſon or Perſons to ſupply the Place or Places of him or them ſo dying, or refuſing to act; and all Perſons who ſhall be ſo elected and qualified as this Act directs, are hereby veſted with the ſame Powers for putting this Act in Execution, as the Perſons in whoſe Stead they ſhall be elected were veſted with.

15, or more, at their Firſt Meeting, to elect, by Ballot, 20 other Perſons to be aſſociated to them in the Truſt.

11, or more, giving 14 Days Notice, may fill up Vacancies occaſioned by the Death, or Refuſal to act, of any of the Commiſſioners, except of ſuch as are *ex Officio*.

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

Commiſſioners holding any Office, or intereſted in any Contract under the Truſt, are diſqualified from acting as ſuch.

And be it further enacted, That the ſaid Commiſſioners, or any Three or more of them, ſhall meet together at the Office of the Commiſſioners for Weſtminſter Bridge in Weſtminſter, on the Thurſday Sevennight after the paſſing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, and ſhall proceed to the Execution of this Act; and ſhall then, and from time to time afterwards, adjourn themſelves to meet at the Place aforeſaid, or at any other Place or Places within the ſaid City and Liberty, or within the ſaid Pariſhes or Places aforeſaid, or any or either of them, as they the ſaid Commiſſioners, or any Three or more of them, ſhall think proper or convenient for putting this Act in Execution: And if it ſhall happen that there ſhall not appear

3, or more, are to hold their Firſt Meeting at *Weſtminſter Bridge* Office, on the *Thurſday* Sevennight after paſſing the Act;

and they are then to adjourn, and meet afterwards, as they ſhall think proper.

On Failure of a ſufficient Number of Commiſſioners at any Meeting to act and adjourn, the Clerk is to appoint another Meeting, giving 10 Days Notice;

or, on his Death, Neglect, or Refuſal,

2 Commiſſioners may appoint one:

at any Meeting which ſhall be appointed to be had or held by the ſaid Commiſſioners, a ſufficient Number of Commiſſioners to act at ſuch Meeting, and to adjourn to another Day, then, and in ſuch Caſe, the Clerk to the ſaid Commiſſioners ſhall, by public Notice in ſome News Paper printed within the Weekly Bills of Mortality, to be given at leaſt Ten Days before the next Meeting, or, in caſe the ſaid Clerk ſhall happen to die before ſuch Notice given, or ſhall neglect or refuſe to give ſuch Notice as aforeſaid, then any Two Commiſſioners ſhall and may, by the like publick Notice, appoint the ſaid Commiſſioners to meet at the Place where the laſt Meeting was appointed to be held, within Fourteen Days next after the Day on which ſuch laſt Meeting was appointed to be held; and the ſaid Commiſſioners ſhall, at all their Meetings, pay their own Expences.

They are to bear their own Expences at all their Meetings.

Qualification of Commiſſioners,

300 *l. per Ann.* or 10,000 *l.*

And be it further enacted, That no Perſon ſhall be qualified or capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall be, in his own Right, or in Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Three hundred Pounds; or poſſeſſed of, or intitled to Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Value of Ten thouſand Pounds; or be Heir Apparent to any Peer or Lord of Parliament, or to any Perſon poſſeſſed of or intitled to a Real Eſtate of the clear yearly Value of Six hundred Pounds.

Penalty 100 *l.* on their acting if not qualified;

and they are to prove their Qualification, if proſecuted, or pay the Penalty.

And be it further enacted by the Authority aforeſaid, That if any Perſon not being qualified in Manner herein before mentioned, ſhall preſume to act as a Commiſſioner for putting this Act, or any of the Powers herein contained, in Execution, contrary to the Intent and Meaning hereof, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of One hundred Pounds, to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed: And every Perſon ſo proſecuted, ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, upon Proof given of his having acted as a Commiſſioner in the Execution of this Act.

And

And be it further enacted, That the ſaid Commiſſioners, or any Eleven or more of them, ſhall and may, by Writing under their Hands and Seals, at their Second or any ſubſequent Meeting, giving Fourteen Days Notice thereof in ſome public News Paper, appoint One or more Clerk or Clerks, Treaſurer or Treaſurers, Receiver or Receivers, of the Monies to be raiſed by virtue and for the Purpoſes of this Act, and ſo, from time to time, to appoint others as they ſhall find neceſſary or convenient; and alſo One or more Surveyor or Surveyors, to view the Condition of the ſaid Squares, Streets, and Lanes, and to ſee that the ſame are properly paved and kept in Repair, and ſufficiently cleanſed and lighted; and alſo ſuch other Officer or Officers as the ſaid Commiſſioners, or any Seven or more of them, ſhall think neceſſary: And the ſaid Commiſſioners, or any Seven or more of them, ſhall and may take ſuch Security for the due Execution of the reſpective Offices, by ſuch Perſon and Perſons as aforeſaid, as the ſaid Commiſſioners, or any Seven or more of them, ſhall think proper; and likewiſe may, from time to time, remove any or either of ſuch Officers, or other Perſons, and appoint others in the Room of ſuch of them as ſhall be ſo removed or ſhall die: And ſuch Perſon or Perſons as is or are hereby made liable to pay the ſeveral Rates or Sums of Money hereby granted, ſhall pay the ſame to ſuch Perſon or Perſons as ſhall, from time to time, be ſo appointed to collect and receive the ſame, for each reſpective Pariſh and Place, according to the true Meaning of this Act: And all ſuch Officers and Perſons ſo to be appointed as aforeſaid, ſhall, under their Hands, at ſuch Time and Times, and in ſuch Manner, as the ſaid Commiſſioners, or any Seven or more of them, ſhall direct, deliver to ſuch Commiſſioners, or ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall appoint, true and perfect Accounts in Writing, of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Officer or Officers, and Perſon or Perſons reſpectively, received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed by Order of the ſaid Commiſſioners, or any Five or more of them, and for what Purpoſes, together with the proper Vouchers for ſuch Payments; and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the ſaid Commiſſioners, or any Five or more of them, or to ſuch Perſon or

11, or more, at their Second or any ſubſequent Meeting, may appoint 1 or more Clerks, Treaſurers, and Receivers,

and alſo Surveyors;

and ſuch other Officers as they, or any 7 or more of them, ſhall think neceſſary; taking proper Security;

and they may remove them, and appoint others.

Rates to be paid to the Receivers.

Officers, and others, to render an Account upon Oath, at the Times, and in the Manner, 7 or more Commiſſioners ſhall direct;

and pay over the Money in their Hands to the Order of 5 or more Commiſſioners.

Perſons as they ſhall appoint; and all the ſaid Officers and Perſons ſo accounting as aforeſaid, ſhall, upon Oath, which Oath the ſaid Commiſſioners, or any Two or more of them, are hereby impowered and required to adminiſter, verify their ſaid Accounts: And if any ſuch Officer or Perſon ſhall not make and render, or ſhall refuſe to verify upon Oath any ſuch Account, or to produce or deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Commiſſioners, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, within Ten Days after being thereunto required by any Five or more of ſuch Commiſſioners, all the Books, Papers, and Writings, in his 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 Five or more of them, or as they ſhall direct or appoint; then, and in either of the Caſes aforeſaid, ſuch Commiſſioners, or any Five or more of them, may, and are hereby authorized and impowered to bring, or cauſe to be brought, any Action or Actions in the Name of ſuch Commiſſioners, or in the Name or 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 by any Five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Two or more of the Juſtices of the Peace for the County or Place wherein ſuch Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing, ſhall be and reſide, ſuch Juſtices may, and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting, to be brought before them, and upon his and their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, which Oath ſuch Juſtices are hereby impowered and required to adminiſter, it ſhall appear to ſuch Juſtices, that any of the Monies that ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtices

2 Commiſſioners may adminiſter the Oath:

And any Perſon refuſing to render ſuch Account, or to verify the ſame, or to produce and deliver up the Vouchers, and pay over the Balance, &c.

may be ſued, by Action brought in the Names of 2 or more Commiſſioners;

or Complaint may be brought againſt him before 2 or more Juſtices,

who are impowered to hear and determine the Matter in a ſummary Way;

and to levy, by Diſtreſs and Sale, the Money that ſhall appear to be in ſuch Perſon's Hands;

ſtices may, and are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattles of ſuch Officer or Officers, Perſon or Perſons reſpectively; and if no Goods or Chattles of ſuch Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame, then, and in either of the Caſes aforeſaid, ſuch Juſtices ſhall commit every ſuch Offender to the Houſe of Correction, 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; or until he ſhall deliver up ſuch Books, Papers, and Writings, as aforeſaid, and give Satisfaction in reſpect thereof to the ſaid Commiſſioners, or any Five or more of them: And the ſaid Commiſſioners, or any Eleven or more of them, ſhall and may, out of the Money ariſing by virtue of this Act, make ſuch Allowances to the Treaſurer or Treaſurers, Receiver or Receivers, Surveyor or Surveyors, Clerk or Clerks, and other Officer or Officers, ſo to be appointed as aforeſaid, for and in conſideration of his and their reſpective Office and Offices, and to ſuch other Perſon and Perſons as have been or ſhall be aiding and aſſiſting in and about the Execution of this Act, as to them the ſaid Commiſſioners, or any Eleven or more of them, ſhall ſeem reaſonable.

and for want of ſufficient Diſtreſs, to commit ſuch Offender, until he render an Account and Payment,

or ſhall compound with 5, or more, Commiſſioners, and have paid the Compoſition, or delivered up the Writings, &c.

11, or more, Commiſſioners may appoint Officers Salaries, and make Allowance to ſuch others as have aided or aſſiſted the Execution of this Act.

And be it further enacted, That if any Perſon or Perſons who ſhall be employed as a Clerk or Clerks, Treaſurer or Treaſurers, Receiver or Receivers, Surveyor or Surveyors, or any other Officer or Servant, Officers or Servants, who ſhall be any ways employed by the ſaid Commiſſioners in putting this Act or any the Powers thereof in Execution, ſhall exact, take, or accept, any Fee or Reward whatſoever, other than ſuch Salaries and Rewards as ſhall be appointed, allowed, and approved of by the ſaid Commiſſioners, or any Eleven or more of them, for or on account of any Thing done or to be done by virtue of this Act, or on any Account whatſoever, relative to the putting this Act in Execution; or ſhall any ways be concerned in Intereſt in any Bargain made or to be made by the ſaid Commiſſioners, or any of

Officers taking any Fee or Reward, other than their Salaries, for doing their Duty,

or being concerned in Intereſt in any Bargain made by the Commiſſioners for the Purpoſes of this Act,

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

Treaſurer to pay over, from time to time, the Monies he receives, as ſoon as the ſame amount to 300*l.* into the Bank, in the Name of the Commiſſioners;
And be it further enacted, That ſo ſoon as conveniently may be (during the Continuance of this Act) after the Perſon or Perſons, or either of them, acting as Treaſurer or Treaſurers to the ſaid Commiſſioners, ſhall, at any Time, have received the Sum of Three hundred Pounds of the Monies appointed to be received by him or them, by virtue of, and for the Purpoſes of, this Act, he and they ſhall, from time to time, pay the ſame into the Bank of England, in the Name of, and on account of, the ſaid Commiſſioners, and to be diſpoſed of by Order of the ſaid Commiſſioners, or any Five or more of them, for the Purpoſes of this Act.

which is to be diſpoſed of by an Order of 5, or more, of them.

And, for the better paving, repairing, and keeping in Repair, cleanſing and lighting, the ſaid Squares, Streets, and Lanes, and keeping the ſame free from Obſtructions and Annoyances, be it enacted, That from and after the ſaid Thurſday Sevennight after the Day of paſſing this Act, the ſaid Commiſſioners, or Three or more of them, ſhall have full Power and Authority, from time to time, to order and direct any of the ſaid public Squares, Streets, and Lanes, now in being, or hereafter to be made, within the ſaid City and Liberty, and Pariſhes and Places aforeſaid, and which are Thoroughfares uſed for the Paſſage of Wheel Carriages, or any Part or Parts of ſuch Squares, Streets, and Lanes, as well thoſe Parts uſed by Foot Paſſengers as thoſe uſed by Carriages, to be paved, repaired, raiſed or altered, cleanſed and lighted, when, in ſuch Manner, and as often as they the ſaid Commiſſioners, or any Three or more of them, ſhall think fit.

3, or more, Commiſſioners are impowered, from time to time, to order any of the public Squares, Streets, and Lanes, within the ſaid City and Liberty, being Thoroughfares for Wheel Carriages, &c.

to be paved, altered, cleanſed, and lighted, &c.

And be it further enacted, That the ſaid Commiſſioners, or any Three or more of them, ſhall alſo have full Power and Authority to cauſe to be dug, carted, and carried out of, or brought into, the ſaid Squares, Streets, and Lanes, or into any of them, ſuch Gravel, Stones, and other Materials, and to employ ſuch Artificers, Work-

and alſo ſuch Gravel, Stones, and other Materials, to be dug out of, or brought into the ſame;

men,

men, Labourers, Carters, and others, and to iſſue ſuch Money on thoſe Accounts, and to do all and every ſuch other Acts and Things as the ſaid Commiſſioners, or any Three or more of them, ſhall judge neceſſary or conducive to the accompliſhing of the Ends and Deſigns of this Act.

and ſuch Artificers and Workmen to be employed; and Money iſſued; and all other Acts conducive to the Deſigns of this Act, to be done, as they ſhall think fit.

And whereas by a Clauſe in an Act 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, it is provided, that no Perſon ſhall uſe any manual Occupation except he hath been brought up therein Seven Years at the leaſt, which Proviſion may be attended with Inconveniencies with reſpect to this Act; be it therefore further enacted by the Authority aforeſaid, That the ſaid Clauſe, with reſpect to ſuch Perſon or Perſons only as ſhall, by virtue and in conſequence of this Act, be employed in the Paving and Repairing the ſaid Squares, Streets, and Lanes, or any Part thereof, ſhall be, and the ſame is hereby repealed.

Clauſe in Act 5 *Eliz.* repealed, with reſpect to Perſons employed in conſequence of this Act, in paving, *&c.* the ſaid Squares and Streets.

And be it further enacted, That the ſaid Commiſſioners, or any Five or more of them, may and are hereby impowered from time to time, at any of their ſaid Meetings, as Occaſion ſhall require, to contract with any fit Perſon or Perſons for paving, keeping in Repair, cleanſing and lighting, all or any of the ſaid Squares, Streets, and Lanes; which Contract and Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to be paid for the ſame, and the Time or Times when the ſaid Works ſhall be completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, and ſhall be ſigned by the ſaid Commiſſioners, or any Five or more of them, and by the Perſon or Perſons contracting to perform ſuch Works; but previous to the making of any ſuch Contract, Fourteen Days Notice ſhall be given in ſome public News Paper, expreſſing the Intention of the intended Contract, in order that any Perſons willing to undertake the ſame, may make Propoſals for that Purpoſe, to be offered and preſented to the ſaid Commiſſioners at a certain Time and Place in each Notice to be mentioned.

Five or more Commiſſioners may contract for the paving, cleanſing, and lighting the Squares and Streets, *&c.*

giving 14 Days previous Notice for Perſons to deliver in Propoſals.

Provided always, That the Perſon ſo contracted with for cleanſing the ſaid Squares, Streets, and Lanes, or any Part or Parts thereof, ſhall have Liberty, by the Approbation and Order of the Juſtices of the Peace for the County of Middleſex, or City and Liberty of Weſtminſter reſpectively, at their Petit Seſſions, or any Two or more of them, to lodge their Dirt, Duſt, Aſhes, or

Contractors for cleanſing the Streets may, by Leave and Order of Two or more Juſtices, and making Satisfaction,

lodge their Dirt, for the Accommodation of Country Carts, in ſuch Places as ſhall not appear to be intended to be built upon.

other Filth, in ſuch vacant and public Places in or near the ſaid Squares, Streets, or Lanes, as ſhall not appear to the ſaid Juſtices to be intended to be built upon, and ſhall be thought convenient by the ſaid Juſtices for the Accommodation of the Country Carts; they the ſaid Perſons ſo contracted with, giving ſuch Satisfaction to the Owners and Occupiers of ſuch vacant Places, as the Juſtices in their Petit Seſſions ſhall direct.

3, or more, Commiſſioners may order all Works done in purſuance of this Act, to be inſpected by their Surveyor;

And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Three or more of them, and they are hereby directed to cauſe all and every the Works done in purſuance of this Act, to be inſpected by their Surveyor or Surveyors, or by ſuch other Perſon or Perſons as they ſhall, from time to time, appoint; and in caſe the ſame ſhall not be well and ſufficiently performed, according to the true Senſe and Meaning of ſuch Contract or Contracts, or ſhall not be finiſhed and completed at or within the Time or Times that the ſame are agreed to be completed by the ſaid Contract or Contracts, the ſaid Surveyors or other Perſons ſhall report the ſame to the ſaid Commiſſioners at their next Meeting, who ſhall and may thereupon, in their own Names, or in the Name of any Two of them, bring an Action of Debt in any of His Majeſty's Courts of Law at Weſtminſter, againſt any Perſon or Perſons ſo contracting and neglecting to perform ſuch Contract or Contracts, and for any Penalty or Penalties which ſhall be contained in ſuch Contract or Contracts; and on the proving the Signing of the ſaid Contract or Contracts, and Non-performance thereof, at the Time or Times for that Purpoſe therein mentioned, the ſaid Commiſſioners ſhall be intitled to, and ſhall recover, ſuch Penalty or Penalties, which, when recovered, ſhall be applied for the Purpoſes of this Act.

and where any ſhall be found to be not well and duly performed,

may ſue the Contractors for the Penalties;

to be applied to the Purpoſes of this Act.

Agreement between Landlord and Tenant, touching the paving, lighting, and cleanſing the Streets, not vacated by this Act;

Provided always, and be it further enacted, That nothing in this Act contained ſhall be deemed or taken to make void any Contract, Covenant, or Agreement between Landlord and Tenant, touching or concerning the Paving, Lighting, or Cleanſing any or any Part of the ſaid Squares, Streets, or Lanes, or either of them; but that every Perſon who is now, by virtue of any ſuch Contract or Agreement, obliged to pave, keep in Repair, cleanſe, or light any Part of the ſaid Squares, Streets, or Lanes, or either of them, ſhall, in lieu thereof, be obliged to pay the Rates hereby directed to be made and aſſeſſed, or ſo much thereof as ſhall by the ſaid Commiſſioners,

ſioners, 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 Agreement, the ſaid Commiſſioners, or any Five or more of them, ſhall have Power to hear and finally determine the ſame.

but the Rates made by the Commiſſioners are to be paid in lieu thereof;

and all Diſputes concerning ſuch Agreements are to be ſettled by 5 or more Commiſſioners.

And, for the better Information of the ſaid Commiſſioners, as to the Prices which are reaſonable to be paid for any ſuch Works as aforeſaid; be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Perſon or Perſons authorized by them, or any Three or more of them, ſhall have Leave to inſpect, and to take Copies of, or Extracts out of, any Books kept by any Pariſh Officer or Officers, or other Officer or Officers appointed by Authority of Parliament, within the Cities of London or Weſtminſter, or County of Middleſex, for the cleaning, paving, or lighting, any Street, Square, Place, or Diſtrict in London, Weſtminſter, or Middleſex; the Expence thereof to be defrayed out of the Money ariſing by virtue of this Act.

Commiſſioners, or Perſons authorized by them, may inſpect and take Copies of the Books kept for cleanſing, paving, or lighting the Streets and Places in *London, Weſtminſter*, or *Middleſex*.

And be it further enacted, That the Property of the ſaid Pavements, Lamps, Iron, Timber, Furniture, and of all other Materials and Things, which ſhall be made uſe of for the Purpoſes of this Act, ſhall be, and the ſame are, hereby veſted in the Commiſſioners for the time being, and they, or any Three or more of them, are hereby authorized and impowered to bring, or cauſe to be brought, any Action or Actions, in the Name or Names of any One or more of them, or to prefer, and order and direct the preferring of Indictments againſt any Perſon or Perſons who ſhall ſteal, take, or carry away any, or any Part of ſuch Materials or Things; and, if any Perſon or Perſons ſhall wilfully or maliciouſly break up, deſtroy, or otherwiſe damage or ſpoil, any of the ſaid Materials or Things, or any of the Works done in purſuance of this Act, or any Part or Parts thereof, every Perſon ſo offending therein, and being thereof convicted by the Oath of One or more Witneſs or Witneſſes, before any One or more Juſtice or Juſtices of the Peace for the County of Middleſex, or for the ſaid City and Liberty, ſhall for the Firſt Offence forfeit any Sum not exceeding Forty Shillings, nor leſs than Ten Shillings; and for the Second, and every other Offence, any Sum not exceeding Three Pounds, nor leſs than Twenty

Property of all Materials for the Purpoſes of this Act, veſted in the Commiſſioners.

3 may bring Actions, or prefer Indictments, againſt any Perſons who ſhall ſteal any Part thereof;

and Perſons wilfully damaging the ſame, forfeit,

for the 1ſt Offence, not exceeding 40 *s.* nor leſs than 10 *s.* and for the 2d and every other Offence, not exceeding 3 *l.*

nor leſs than 20 s. to be levied by Diſtreſs and Sale;

ty Shillings; to be levied and recovered by Diſtreſs and Sale of the Goods and Chattles of every ſuch Offender, by Warrant under the Hand and Seal, or Hands and Seals, of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made, which Forfeitures ſhall be applied to the Purpoſes of this Act: And in caſe the Perſon or Perſons ſo offending, and convicted, ſhall have no Goods or Chattles whereupon the ſame can be levied, then, and in every ſuch Caſe reſpectively, it ſhall and may be lawful to and for One or more ſuch Juſtice or Juſtices of the Peace as aforeſaid, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit ſuch Perſon or Perſons reſpectively to the Houſe of Correction, there to remain for any Space not exceeding Two Calendar Months, nor leſs than Ten Days, to be reckoned from the Day of Commitment; and the Perſon or Perſons ſo incurring, and being convicted of any of the ſaid pecuniary Penalties, ſhall not be diſcharged, until he, ſhe, or they, ſhall have paid the Sum forfeited as aforeſaid, or until the Expiration of the ſaid reſpective Times.

and for want of Diſtreſs, the Offender to be committed to the Houſe of Correction, not exceeding 2 Months, nor leſs than 10 Days.

5, or more, Commiſſioners may ſell the old Materials, and apply the Money to the Purpoſes of this Act.

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

Pavements taken up by the Workmen of any of the Water Companies, are to be repaired by the Commiſſioners Paviour, at the Expence of ſuch Company;

but where any of the Pipes or Plugs ſhall be raiſed, ſunk, or alter'd, for the Purpoſes of this Act,

And whereas the reſpective Companies who furniſh Water to the Inhabitants of the City and Liberty of Weſtminſter, are by Law now authorized or permitted to take up the Pavements, by their own Paviours, who may be guilty of Neglects in repairing the ſame, be it therefore further enacted by the Authority aforeſaid, That from and after the ſaid Thurſday Sevennight after the paſſing this Act, when, and ſo often as, any Part of the Pavements of the ſaid Squares, Streets, or Lanes, which ſhall be completed by virtue of this Act, ſhall be taken up by any Perſon or Perſons employed by any of the ſaid Companies, the ſame ſhall with all convenient Speed be repaired, at the Expence of the reſpective Company, by the Paviour or Paviours contracting with, or employed by, the ſaid Commiſſioners; but if, for the Purpoſes of this Act, it ſhall at any Time be found neceſſary to raiſe, ſink, or any otherwiſe alter the Poſition of any of the Pipes or Plugs laid down or placed by any of

of the ſaid Companies for the Purpoſe of ſupplying the ſaid City and Liberty, Pariſhes or Places, with Water as aforeſaid, the ſame ſhall be paid for out of the Monies ariſing by virtue of this Act, and alſo at all Times with as little Detriment or Inconvenience to the ſaid reſpective Companies as the Circumſtance of the Caſe will admit of.

the Expence is to be defrayed out of the Rates.

Provided always, and be it enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Five or more of them, from time to time, during the Continuance of this Act, to compound and agree with any of the ſaid reſpective Companies for a certain Sum of Money by the Foot, or other Meaſure, as the ſaid Commiſſioners, or any Five or more of them, ſhall think reaſonable, in lieu and in ſtead of laying down or repairing ſuch Parts of the ſaid Squares, Streets, or Lanes, as ſhall be neceſſary to be taken up by the Workmen of the ſaid Companies, for the Purpoſes of laying down, replacing, altering, or amending, any of the Pipes.

5, or more, Commiſſioners may contract with the ſaid Companies for relaying ſuch Pavements.

And whereas the Commiſſioners of Sewers are by Law now authorized or permitted to take up the Pavements for the Purpoſe of making or repairing Sewers; be it therefore enacted, That when and ſo often as any of the Pavements of the ſaid Squares, Streets, or Lanes, which ſhall be completed by virtue of this Act, ſhall be taken up for either of the ſaid Purpoſes, the ſame ſhall, with all convenient Speed, be repaired, at the Expence of the ſaid Commiſſioners of Sewers, by the Paviour or Paviours contracting with, or employed by, the Commiſſioners appointed to put this Act in Execution.

Pavements taken up by the Commiſſioners of Sewers, are to be relaid at their Expence, by the Commiſſioners Paviour.

Provided always, That it ſhall and may be lawful for the Commiſſioners appointed to put this Act in Execution, or any Five or more of them, from time to time, during the Continuance of this Act, to compound and agree with the Commiſſioners of Sewers for the time being, for a certain Sum of Money by the Foot, or other Meaſure, as the Commiſſioners for putting this Act in Execution, or any Five or more of them, ſhall think reaſonable, in lieu and in ſtead of laying down, or repairing, ſuch Parts of the ſaid Squares, Streets, or Lanes, as ſhall be neceſſary to be taken up by the Workmen of the ſaid Commiſſioners of Sewers, for the Purpoſes aforeſaid.

5, or more, Commiſſioners may contract with the Commiſſioners of Sewers for relaying ſuch Pavements.

And be it further enacted, That no Perſon or Perſons ſhall make, or cauſe to be made, any Alteration in the Form of any of the Pavements of the ſaid Squares, Streets, or Lanes, which ſhall be completed by virtue of this

No Alteration to be made in the Form of the Streets, &c.

this Act, or of any Part thereof, or any Incroachment therein, without the Conſent and Direction of the ſaid Commiſſioners, or any Five or more of them, under their Hands and Seals, upon Pain of forfeiting, for every ſuch Offence, the Sum of Five Pounds, over and above all Expences incurred, or to be incurred, in reinſtating the ſame; to be levied by Diſtreſs and Sale of the Goods and Chattles of every ſuch Offender, by Warrant under the Hands and Seals of any Two or more Juſtices of the Peace for the ſaid County of Middleſex, or for the ſaid City and Liberty, together with the Charges of ſuch Diſtreſs and Sale, rendering the Overplus, if any be, to the Owner of ſuch Goods and Chattles, when demanded.

without the Conſent, &c. of 5 or more Commiſſioners, on Penalty of 5*l.* over and above all Expences of reinſtating the ſame.

And be it further enacted, That out of all or any of the Aids or Supplies granted to His Majeſty, for the Service of the Year One thouſand ſeven hundred and ſixty two, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding in the Whole the Sum of Five thouſand Pounds, which ſhall be paid to the ſaid Commiſſioners, or any Five or more of them, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, by Writing under their Hands and Seals, appoint to receive the ſame, and ſhall be applied towards new paving the ſaid Squares, Streets, and Lanes.

5000*l.* to be iſſued and applied out of the Aids granted to His Majeſty for the Service of the Year 1762; to be paid to 5 or more Commiſſioners, or to their Order, and applied in new paving the ſaid Squares, Streets, and Lanes.

And be it further enacted, That Four Times at leaſt in every Year, or oftener if required, an Account from the Books to be kept by the Receiver or Receivers of the ſaid Rates, Duties, and Sum and Sums of Money, as aforeſaid, ſhall be fairly ſtated and ſigned by the ſaid Receiver or Receivers, and delivered by him or them to the ſaid Commiſſioners, who, or any Five or more of them, are hereby impowered to diſcharge ſuch Receiver or Receivers of all ſuch Monies as he or they ſhall have fairly and truly accounted for; and Copies of the ſaid Accounts, together with Copies of all Proceedings, Contracts, or Agreements, from time to time, had and made by the ſaid Commiſſioners, for any of the Purpoſes of this Act, ſhall be delivered to each Houſe of Parliament, within Thirty Days after the Opening of every Seſſion of Parliament.

Receiver to account Quarterly to the Commiſſioners.

Copies of the ſaid Accounts, and of the Proceedings of the Commiſſioners, to be delivered in every Seſſions to Parliament, within 30 Days after the Opening.

And be it further enacted, That no Perſon or Perſons whatſoever ſhall throw, caſt, or lay, or cauſe or permit or ſuffer to be thrown, caſt, or laid, any Aſhes, Duſt, Dirt, Soil, or other Filth or Annoyance whatſoever, before any Dwelling-houſe, Shop, Stable, Building, or Wall, in any or either of the ſaid Squares, Streets, or

Penalty of laying Aſhes, or other Annoyances in the Streets before the Scavenger comes to carry away the ſame,

or Lanes, being Thoroughfares for Wheel Carriages, and which ſhall be completed by virtue of this Act, but ſhall keep, or cauſe the ſame to be kept, in their reſpective Houſes or Yards, until ſuch Time as the Perſon or Perſons contracted with or employed to carry away ſuch Aſhes, Duſt, Dirt, Filth, or Soil, do come by or near their Houſes, Doors, or Places, where they dwell, with a Cart or Carts, or other Conveniencies for carrying away the ſame; upon Pain of forfeiting for the First Offence the Sum of Five Shillings, for the Second Offence the Sum of Ten Shillings, and for the Third, and every other Offence, the Sum of Twenty Shillings; to be levied and applied in ſuch Manner as any of the Penalties and Forfeitures hereby inflicted are directed to be levied and applied.

is for the 1ſt Offence 5s. for the 2d 10s. and for the 3d and every other Offence, 20s.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, for the future, ſet out, lay, drive, or carry, or cauſe, or procure, permit, or ſuffer to be ſet out, laid, drove, or carried, any Coach, Cart, Dray, Waggon, or other Carriage, Wheels, Timber, Stones, or any other Material, Matter, or Thing, which may occaſion any Annoyance, Nuiſance, or Obſtruction whatever, in any of the ſaid Squares, Streets, or Lanes, being Thoroughfares uſed for Wheel Carriages, and which ſhall be compleated by virtue of this Act, ſo as to ſtop, obſtruct, incommode, or endanger, any Perſon or Perſons, Carriage or Carriages whatſoever, paſſing thereon; or if any Cart, Waggon, or other Carriage, ſhall be ſuffered to remain in any of ſuch Squares, Streets, or Lanes, any longer than is needful and proper for the neceſſary loading or unloading thereof reſpectively; it ſhall and may be lawful for the ſaid Commiſſioners, or any Three or more of them, upon Complaint of any ſuch Obſtruction, Nuiſance, or Incroachment, to cauſe the ſame to be removed, taken, carried away, and depoſited in ſuch Place or Places as the ſaid Commiſſioners, or any Three or more of them, ſhall direct or appoint, there to remain until the Offender or Offenders ſhall have paid and diſcharged all Coſts, Charges, and Expences attending the carrying away and depoſiting the ſame as aforeſaid, as alſo a Sum not exceeding Forty Shillings; to be levied, recovered, and applied, in ſuch Manner as any Penalties hereby inflicted are directed to be levied, recovered, and applied.

Obſtruction, Nuiſance, or Incroachment occaſioned by ſetting out any Carriages, Timber, or other Material, Matter, or Thing, in the Streets, &c.

or by Carts, &c. ſuffered to remain longer therein than is neceſſary for the loading or unloading thereof, may be removed, by Order of 3 Commiſſioners, upon Complaint thereof,

at the Charges of the Offender, he paying moreover a Sum not exceeding 40s.

And whereas Perſons concerned in Building and Repairing Houſes and other Works, frequently incloſe Parts of the Public Streets with Boards, and otherwiſe, to make Mortar in, and depoſit Bricks, Lime, and other Materials, to the great Annoyance and Danger of Paſſengers and Carriages paſſing and repaſſing, be it therefore further enacted, That from and after the Firſt Meeting of the ſaid Commiſſioners no Perſon or Perſons ſhall erect, build, or ſet up, or cauſe or procure to be erected, built, or ſet up, in any Part of the Squares, Streets, or Lanes aforeſaid, which ſhall be compleated by virtue of this Act, which are or ſhall be Thoroughfares for Wheel Carriages, any Incloſure, Poſts, Bars, or Rails, or other Matter or Thing whatſoever for the Purpoſes aforeſaid, without the Conſent of the ſaid Commiſſioners, or any Three or more of them, in Writing under their Hands and Seals firſt had and obtained, upon Pain of forfeiting, for every Twelve Hours ſuch Nuiſance ſhall remain and continue, a Sum not exceeding Twenty Shillings; to be levied, recovered, and applied in ſuch Manner as any of the Penalties and Forfeitures hereby inflicted are directed to be levied, recovered, and applied.

No Incloſure, for the building or repairing of Houſes, to be made in any of the Streets, &c. which ſhall be compleated by virtue of this Act,

without the Conſent of 3 or more Commiſſioners, on Penalty of forfeiting not exceeding 20s. for every 12 Hours ſuch Nuiſance ſhall remain.

And, for defraying the Charges and Expences of paving, repairing, cleanſing, and lighting, the ſaid Squares, Streets, and Lanes, now being or hereafter to be made within the ſaid City and Liberty, and Pariſhes and Places aforeſaid, which are or ſhall be Thoroughfares for Wheel Carriages, and for preventing Annoyances therein, be it further enacted, That from and after the paſſing of this Act, One or more Rate or Rates, Aſſeſſment or Aſſeſſments ſhall, Twice in every Year, or oftener, if it ſhall be thought needful by the ſaid Commiſſioners, or any Five or more of them, be made, laid, and aſſeſſed, by the ſaid Commiſſioners, or any Five or more of them, of and upon all and every the Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, within the ſaid City and Liberty, and Pariſhes and Places, in ſuch competent Sum and Sums of Money as the ſaid Commiſſioners, or any Five or more of them, ſhall yearly and every Year order and direct, ſo as ſuch Rates or Aſſeſſments do not exceed in the Whole the Sum of One Shilling and Six Pence in the Pound, in any One Year, of the yearly Rent of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults,

A Rate, not exceeding 1s. 6d. in the Pound to be made on all Houſes, &c. by 5 or more Commiſſioners, Half-yearly or oftener, for defraying the Expences of paving, repairing, cleanſing, and lighting, the Streets,

Vaults, or other Tenements, as the ſame ſhall have been aſcertained and rated towards the Relief of the Poor in ſuch Pariſh or Place reſpectively for each preceeding Year; which Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be paid quarterly by ſuch Perſon and Perſons, and in ſuch Proportion, Manner, and Form, as the Rates towards the Relief of the Poor are now paid.

to be aſcertained by the Poor Rate of the reſpective Pariſhes, and to be paid Quarterly.

And be it further enacted, That it ſhall and may be lawful for the ſaid Receiver or Receivers to be appointed in purſuance of this Act, or any or either of them, at all convenient Times, firſt having an Order under the Hands of the ſaid Commiſſioners, or any Three or more of them, for that Purpoſe, to inſpect the Books or Rates made for raiſing Money for the Relief and Maintenance of the Poor of all or any the Pariſhes or Places comprehended within this Act, in order to aſcertain the Rates and Aſſeſſments to be raiſed by virtue of this Act, and to take Copies thereof; the Expence to be defrayed out of the Money ariſing by virtue of this Act.

Receivers authorized by an Order of 3 or more Commiſſioners, may inſpect the Pariſh Books concerning their Poor's Rate;

and take Copies thereof,

And whereas many Houſes within the ſaid City and Liberty, Pariſhes and Places, are by the ſeveral Owners or Proprietors thereof let out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to rate and aſſeſs ſuch Houſes, or to recover ſuch Rates and Aſſeſſments when made; for Remedy whereof be it enacted by the Authority aforeſaid, That from and after the ſaid Thurſday Sevennight after paſſing of this Act, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, from time to time, and at all Times when they meet to make a Rate in purſuance of this Act, to rate and aſſeſs the Owner or Owners of ſuch Houſes or Tenements as ſhall be let to or occupied by Two or more Tenants, which Rate and Aſſeſſment ſhall be paid by One or more of the Tenants or Occupiers of any Part or Parts of ſuch Houſes; and in caſe any Occupier or Occupiers of any Part of ſuch Houſes or Tenements ſhall refuſe to pay the ſame, then the ſaid Rate and Aſſeſſment ſhall be levied by Diſtreſs and Sale of the Goods of him, her, or them, ſo refuſing to pay the ſame; which Diſtreſs and Sale ſhall be made in ſuch Manner as other Diſtreſſes and Sales are by this Act directed to be made: And ſuch Occupier or Occupiers of ſuch Tenements

Where Houſes are let out in Lodgings to divers Tenants,

the Owners are to be aſſeſſed;

but the Rate may be levied on the Occupiers,

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

which is to be allowed them in their Rent.

Where Houſes, &c. ſhall be empty, untenanted, or unoccupied,

And be it further enacted, That in caſe it ſhall ſo happen that any of the Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or any Part or Parts thereof, within the ſaid City and Liberty, Pariſhes and Places, ſhall, at any Time from and after the making of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, be empty, untenanted, or unoccupied, that then, and in every ſuch Caſe, One Half of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, or the One Half of ſuch other Rates as may be aſſeſſed by virtue of this Act, ſhall be paid by the Owner or Proprietors of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements; and in caſe of Non-payment thereof, ſuch Lands, Houſes, Shops, Warehouſes, Vaults, Cellars, or other Tenements, ſhall be, and the ſame are hereby made a Security for, and chargeable with, ſuch Arrears.

the Owners are to be charged with One Half of the ſaid Rates,

and the Premiſſes are to remain a Security for the Arrears.

Where Houſes, &c. are occupied by Foreign Miniſters, or others, not liable by Law to pay the Rates,

And be it further enacted, That if any ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or any Part or Parts thereof, ſhall, at any Time from and after the making of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, be occupied or held by any Ambaſſador or Miniſter from any Foreign Prince or State, or other Perſon or Perſons not liable by Law to pay the Rate or Rates, Aſſeſſment or Aſſeſſments, hereby to be made and laid, that then, and in every ſuch Caſe, the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be wholly paid by the Owner or Owners, Proprietor or Proprietors, of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements; and in caſe of Non-payment thereof, ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other

the Owners are to pay the ſame;

Tenements, or any Part or Parts thereof, shall be, and the same are hereby made, a Security for, and chargeable with, such Arrears: And that the said Commissioners, or any Five or more of them, shall and may, if they think proper, bring or cause to be brought any Action or Actions, in the Name of their Treasurer for the time being, against any such Owner or Proprietor for the Money at any Time in Arrear.

and the Premisses to remain a Security for the Arrears; and an Action may be brought against the Owner.

And, to the end the said Rates may be more effectually collected and received, be it further enacted, That all and every Tenant or Tenants, Occupier or Occupiers, of Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, are and shall be liable to pay the Whole of such Rates to the Receiver or Receivers to be appointed by the said Commissioners, as herein is directed; and in case of such Payment, such Tenant or Tenants, Occupier or Occupiers, shall be at Liberty, and is and are hereby authorized to deduct and detain out of his, her, or their Rent, such Proportion of such Rates as he, she, or they, shall respectively pay on account of the several Owner or Owners, Proprietor or Proprietors, of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, and shall be hereby saved and kept harmless from any further Payment of any such Rate or Rates to any Person or Persons to whom any such Rent or Rents should or ought to be paid.

Tenants and Occupiers are to pay the Rates,

and deduct the Proportion paid on account of the Owner or Proprietor out of their Rent.

And, forasmuch as it is reasonable that all public Buildings, Dead Walls, and void Spaces of Ground, should be rated and assessed towards the better Paving, Cleansing, and Lighting the said City and Liberty, Parishes and Places, be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, at their Discretion, and they are hereby required, when and at such Time and Times as the Rates and Assessments hereby directed to be made shall from time to time be made, to rate and assess all Parish Churches, Church Yards, Chapels, Meeting Houses, Schools, Inns of Court, Halls, Societies, Markets, Warehouses, void Spaces of Ground, and all other public Buildings whatsoever, situate, standing, lying, and being within the said City and Liberty, Parishes and Places, at a Rate to be settled by Five or more of the said Commissioners, for every square Yard belonging to every such Parish Church,

All public Buildings, Dead Walls, and void Spaces of Ground, to be rated by the square Yard.

Church Yard, Chapel, Meeting Houſe, Inn of Court, School, Hall, Society, Market, Warehouſe, Dead Wall, void Space of Ground, and other public Buildings whatſoever; the Rate or Rates, Aſſeſſment or Aſſeſſments, to be made and paid for ſuch Pariſh Churches, Chapels, and Church Yards, to be paid by the reſpective Church or Chapel-Wardens; and the Rate or Rates, Aſſeſſment or Aſſeſſments, to be made and paid for ſuch Meeting Houſes, Schools, Inns of Court, Halls, Societies, Markets, Warehouſes, Dead Walls, void Spaces of Ground, and all other public Buildings, ſhall be paid by the Owner or Owners, Proprietor or Proprietors thereof.

The Rates for Pariſh Churches, Chapels, and Church Yards, to be paid by the Church or Chapel Wardens; and for other Places, by the reſpective Proprietors.

And be it further enacted, That if any Perſon or Perſons ſhall neglect, or refuſe, to pay the Sum or Sums of Money on him, her, or them, rated and aſſeſſed by virtue of this Act, for the Space of Ten Days after perſonal Demand thereof, or Demand in Writing, left at the Place of Abode or Occupation of ſuch Perſon or Perſons ſo rated and aſſeſſed, and neglecting or refuſing to pay ſuch Rate and Aſſeſſment, that then, and in every ſuch Caſe, it ſhall and may be lawful to and for ſuch Receiver or Receivers appointed to receive the ſaid Rates or Aſſeſſments (by Warrant under the Hands and Seals of Two or more Juſtices of the Peace for the County of Middleſex, or for the ſaid City and Liberty of Weſtminſter, as the Caſe may happen, which Warrant the ſaid Juſtices are hereby authorized and required to grant) by and with the Aſſiſtance of a Conſtable of the Pariſh or Place where ſuch Neglect or Refuſal ſhall happen, who is hereby required to be aiding and aſſiſting, to enter into any Part of the Premiſſes, within the ſaid City and Liberty, Pariſhes or Places, occupied by the Perſon or Perſons ſo rated and aſſeſſed, and to diſtrain his, her, and their Goods and Chattles; and if the ſame ſhall not be replevied, or the Monies paid within Five Days after ſuch Diſtreſs made, together with the Coſts of making ſuch Diſtreſs, to be aſcertained by any Two or more of the ſaid Juſtices of the Peace for the ſaid County, or City and Liberty, as the Caſe may require, then to appraiſe and ſell ſo much and ſuch Part thereof as will be ſufficient to pay the ſaid Rate and Aſſeſſment, together with all Coſts and Charges attending the ſaid Diſtreſs and Sale, returning the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattles.

Where the Rates ſhall not be paid within 10 Days after Demand,

the Receiver, by Warrant of 2 Juſtices,

with the Aſſiſtance of a Conſtable,

may levy the ſame, with all Charges, by Diſtreſs and Sale.

And

And be it further enacted by the Authority aforeſaid, That all the Money raiſed by virtue of this Act, and all Monies appropriated, given, or paid, for the Purpoſes of this Act, ſhall be, and the ſame are, hereby veſted in the ſaid Commiſſioners, and ſhall be by them applied for the Purpoſes of this Act, and to or for no other Uſe or Purpoſe whatſoever. All the Monies raiſed and appropriated by this Act are veſted in the Commiſſioners, to be applied for the Purpoſes of this Act only.

And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offenders Goods and Chattles, by Warrant under the Hand and Seal of ſuch Juſtice of the Peace for the ſaid County of Middleſex, or the City and Liberty of Weſtminſter, as the Caſe may be, which Warrant ſuch Juſtice is hereby impowered and required to grant, upon the Confeſſion of the Party or Parties, or upon the Information of any One or more credible Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtice is hereby impowered to adminiſter) and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) upon Demand, to the Party or Parties whoſe Goods and Chattles ſhall be ſo diſtrained and ſold, (the Charges of ſuch Diſtreſs and Sale being firſt deducted) ſhall be paid to the Treaſurer to the ſaid Commiſſioners for the time being, and be applied towards the Purpoſes of this Act. Penalties and Forfeitures in general, to be levied by Diſtreſs and Sale, by Warrant of a Juſtice; and to be paid to the Commiſſioners Treaſurer.

And be it further enacted, That if any Receiver or Receivers ſhall happen to die before he or they ſhall have fully paid and ſatisfied all the Money by him or them received by virtue of this Act, then, and in every ſuch Caſe, the Executors or Adminiſtrators, Executrix or Adminiſtratrix, or other legal Repreſentative or Repreſentatives, or Perſon or Perſons poſſeſſing the late Eſtate and Effects of every ſuch Receiver or Receivers, ſhall, out of ſuch Eſtate or Effects, pay the ſaid Treaſurer or Treaſurers for the time being, all ſuch Sums of Money by ſuch Receiver or Receivers ſo received and not paid, or ſo much thereof as the ſaid Eſtate or Effects will extend to pay; and the Receipt of Three or more of the ſaid Commiſſioners ſhall be a good Diſcharge for ſuch Money; and every Executor or Adminiſtrator, or other Perſon as aforeſaid, may, to any Action or Suit commenced or brought againſt him, her, or them, plead or give in Evidence the Payment of the ſame, Balance of Money received, and not paid over at the Time of the Receiver's Death, is to be paid by the Executors of the deceaſed's Eſtate; and the Receipt of 3 or more Commiſſioners is a ſufficient Diſcharge for the ſame;

and ſhall be allowed Payment of the ſame out of ſuch Eſtate or Effects; and in caſe of Non-payment of the ſame, by the Space of Twenty one Days after the ſame ſhall be demanded, it ſhall and may be lawful to and for the ſaid Treaſurer or Treaſurers for the time being, and he or they is and are hereby directed and required, in his or their own Name or Names, to commence and bring One or more Action or Actions in any of His Majeſty's Courts of Record at Weſtminſter, againſt ſuch Executors or Adminiſtrators, or other Perſon or Perſons as aforeſaid, for the Recovery of the ſame.

but on Non-payment within 21 Days after demanded, the Treaſurer may ſue the Executors.

And whereas it may happen that many Perſons liable to, and that may be charged and rated towards defraying the Expence of paving, repairing, cleanſing, and lighting, the ſaid Squares, Streets, and Lanes, may, before the Sums which ſhall be ſo rated on them reſpectively ſhall be paid, quit and leave their Dwelling-houſes, Ware-houſes, Shops, Vaults, Cellars, or Tenements, in the Pariſh or Place where they ſhall be ſo rated and aſſeſſed, and remove into ſome other of the ſaid Pariſhes or Places, or out of the Limits thereof, and thereby endeavour to evade the Payment of ſuch Rates and Aſſeſſments; be it therefore further enacted, That where any Perſon or Perſons who hath or have been ſo rated and aſſeſſed, ſhall quit his, her, or their Dwelling-houſe, Ware-houſe, Shop, Vault, Cellar, or Tenement, in the Pariſh or Place wherein ſuch Rate or Aſſeſſment has been made, before he, ſhe, or they, ſhall have paid the ſame, and ſhall afterwards refuſe to pay the ſame when due and demanded by the Perſon or Perſons authorized and appointed to collect and receive the ſame; that then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Receiver or Receivers, and every or any of them, by Warrant obtained under the Hands and Seals of any Two or more Juſtices of the Peace for the County of Middleſex, or for the ſaid City and Liberty, as the Caſe ſhall happen; which Warrant the ſaid Juſtices are hereby authorized and required to grant in any Place within the ſaid City and Liberty, Pariſhes or Places, or out of the Limits thereof, ſuch Warrant being firſt Backed or Counter-ſigned by ſome Magiſtrate in the County, City, or Liberty, where the Diſtreſs is to be made; to diſtrain the Goods and Chattles of ſuch Perſon or Perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the Overplus, if any

Where Perſons rated ſhall quit their Houſes, &c. before they have paid the Rates,

the Receiver, by Warrant of 2 Juſtices for *Middleſex*, or City and Liberty of *Weſtminſter*,

(the ſame being firſt backed by ſome Magiſtrate for the Place where the Diſtreſs is to be made)

any ſuch ſhall be, after having deducted the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattles demanding the ſame, to be aſcertained in like Manner as the Coſts and Charges of other Diſtreſſes and Sales are herein before provided and directed to be aſcertained.

may levy the Rates, and all Charges, by Diſtreſs and Sale.

And be it enacted, That no ſuch Rate or Aſſeſſment ſhall be made upon any Square, Street, or Lane, until the Pavement of ſuch Square, Street, or Lane, ſhall be compleated, by virtue of this Act; and that after the Pavement of ſuch Square, Street, or Lane, ſhall be compleated, all Contracts before made, except between Landlord and Tenant, for paving, repairing, lighting, or cleanſing the ſame, ſhall be void.

No Rate to be made upon any Place, till the Pavement is compleated; and all Contracts before made (except between Landlord and Tenant) for paving, cleanſing, or lighting the Streets, are then to ceaſe.

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

Perſons paying to theſe Rates, are exempted from all other Charges and Penalties on account thereof.

And whereas Proviſion has been made in ſeveral former Acts of Parliament, either for paving, cleanſing, lighting, or keeping in Repair, ſome or all of the Squares, Streets, or Lanes, or ſome Part thereof, intended to be paved, cleanſed, lighted, and kept in Repair, by this Act; be it therefore enacted by the Authority aforeſaid, That as ſoon as any Rate or Aſſeſſment ſhall be made, laid, or aſſeſſed, by the ſaid Commiſſioners, or any Five or more of them, by virtue and in purſuance of this Act, on the Owners or Occupiers of any Lands, Houſes, Shops, Ware-houſes, Cellars, Vaults, or other Tenements, or on any Church or Chapel-wardens for and on account of any Ground belonging to any Church, Church-yard, or Chapel, ſuch Owners or Occupiers, and ſuch Church or Chapel-wardens repectively, ſhall be no longer liable to be charged to any Rate or Aſſeſſment, for and on account of ſuch Lands, Houſes, Shops, Ware-houſes, Cellars, Vaults, or other Tenements, or for or on account of ſuch Church, Church-yard, or Chapel, by virtue and in purſuance of the ſaid former Acts, or any of them.

As ſoon as any Rate ſhall be made by virtue of this Act, the Owners or Occupiers of Houſes, &c. aſſeſſed thereto,

are diſcharged from Payment of like Rates made in purſuance of former Acts.

Inhabitants of *St. James's Square*, being included in an Act of 12 *Geo.* II.

Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Place or Places whatſoever, which are already under or included in an Act made in the Twelfth Year of the Reign of his late Majeſty King George the Second, intituled, An Act to enable the preſent and future Inhabitants of the Eaſt, North, and Weſt Sides or Lines of *Saint James's Square*, to make a rate on themſelves, for raiſing Money ſufficient to clean, adorn, and beautify the ſaid Square, and continue the ſame in Repair;

Lincoln's Inn Fields, in an Act of 8 *Geo.* II.

or in an Act made in the Eighth Year of the Reign of his ſaid late Majeſty, intituled, An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Lincoln's Inn Fields*, in the County of *Middleſex*, to make a Rate on themſelves for raiſing Money ſufficient to incloſe, clean, and adorn the ſaid Fields;

and *Golden Square*, in an Act of 24 *Geo.* II. are exempted out of this Act.

or in an Act made in the Twenty fourth Year of the Reign of his ſaid late Majeſty, intituled, An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Golden Square*, in the Pariſh of *Saint James's*, *Weſtminſter*, in the County of *Middleſex*, to make and levy a Rate on themſelves, for raiſing Money ſufficient for the better incloſing, paving, enlightening, and adorning of the ſaid Square, and ſupporting and keeping of the ſame in Repair for the future.

This Act not to extend to ſuch Parts of Streets, &c. as are already directed to be paved, lighted, or cleanſed, by any Road Act; nor to *Dean's Yard*, and Places adjoining to the South and Weſt Doors of *Weſtminſter Abbey*.

Provided alſo, and be it enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend, to any Part or Parts of any Street, Road, or Place, which is already directed to be paved, repaired, cleanſed, or lighted, under and by virtue of any Act or Acts of Parliament for repairing any Road or Highway; nor to a Place called Dean's Yard, and ſuch other Places as are adjoining to the Weſt and South Eaſt Doors of Weſtminſter Abbey, not being Street Pavement, but within the Poſts and Rails; but that ſuch laſt mentioned Place and Places be paved, repaired, cleanſed, and lighted at the Expence of the Dean and Chapter of Weſtminſter, as has been accuſtomed to be done.

Seven or more Commiſſioners may make a new Paſſage, or widen the old one, from *Drury Lane* into *Great Queen Street*, at the *Devil's Gap*;

And be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Seven or more of them, may, and they are hereby impowered, to make a new Paſſage, or widen the old one, from Drury Lane into Great Queen Street, in the Pariſh of Saint Giles in the Fields, in the County of Middleſex, at or near a certain Place called the Devil's Gap, and

and near adjoining to the East End of Long Acre, and for that Purpoſe to purchaſe any Houſe or Houſes, with the Appurtenances and the Ground and Soil thereof, on the South Side of the ſaid Gap, not exceeding Six in Number, and to lay ſuch Part of the Soil and Ground of ſuch Houſe or Houſes ſo purchaſed, as they ſhall ſee proper and moſt convenient for the Public, towards widening the ſaid Gap; and if a new Paſſage ſhall be found moſt proper and convenient, the ſaid Commiſſioners, or any Seven or more of them, may incloſe, ſell, and diſpoſe of the ſaid Paſſage for the Purpoſe of building thereon; and after the ſaid new Paſſage ſhall be made, or the preſent one widened, the ſaid Commiſſioners may pave, repair, cleanſe, and amend, the ſaid new or widened Paſſage, in like Manner, and under the ſame Powers, Proviſions, Rules, Regulations, and Authorities, as is herein before provided, in reſpect of the Squares, Streets, and Lanes, before mentioned.

and purchaſe Houſes and Ground for that Purpoſe, &c. not exceeding 6 in Number;

and if they make a new one, may incloſe and ſell the old Paſſage for building upon; and may pave, repair, and cleanſe the ſame, in like Manner as the Squares and Streets, &c. before mentioned.

Provided always, That no Part of the Monies that ſhall be given by Parliament for the Purpoſes of this Act, nor any Part of the Monies that ſhall be raiſed by the Rates to be made and levied by virtue of this Act, ſhall be applied to the Purpoſe of purchaſing the ſaid Houſes, or any of them, or the Ground or Soil thereof.

No Part of the Rates, or Money granted by Parliament, to be applied in the Purchaſe of the ſaid Houſes or Ground.

Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace, at any General Quarter Seſſions of the Peace, to be held for the County or Place wherein the Cauſe of Complaint ſhall ariſe, and within Three Months after the Cauſe of ſuch Complaint ſhall have ariſen; ſuch Appellant firſt giving or cauſing to be given Twenty one Days Notice at the leaſt in Writing, of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Treaſurer to the ſaid Commiſſioners, and, within Two Days after ſuch Notice, entering into Recognizance before ſome Juſtice of the Peace for ſuch County or Place, with Two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by, the Juſtices at ſuch Quarter Seſſions; and

Perſons aggrieved, where no other Method of Relief is appointed, may appeal to the Quarter Seſſions within 3 Months;

giving 12 Days Notice of ſuch Appeal to the Clerk or Treaſurer,

and entering into Recognizance, with Security, to try the ſame, &c.

Juſtices to determine ſuch Appeal in a ſummary Way, and award Coſts.

and the ſaid Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt, as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Quarter Seſſions ſhall be final, binding, and concluſive, to all Intents and Purpoſes.

Diſtreſs not to be deemed unlawful, nor the Party making it, a Treſpaſſer, for want of Form in the Proceedings;

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

nor the Party diſtraining a Treſpaſſer *ab initio*, on account of any ſubſequent Irregularity.

the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers ab initio, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover Full Satisfaction for the Special Damage in an Action on the Caſe.

Party to recover Full Satisfaction only for the Damage, in an Action on the Caſe;

But where ſufficient Tender ſhall have been made before the Action brought, the Plaintiff is not to recover.

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

Defendant, with Leave, may pay Money into Court, &c.

Contracts and other Writing not chargeable with any Duty.

Provided always, and be it enacted by the Authority aforeſaid, That no Nomination, Contract, Bond, Warrant, Judgement, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals, of, or only ſigned by, any Commiſſioner or Commiſſioners, or Juſtice or Juſtices of the Peace, or exhibited before them, or under the Hand and Seal, or Hands and Seals, of, or only ſigned by, any other Perſon or Perſons whatſoever,

ſoever, relating to the Execution of this Act, ſhall be chargeable with any Duty whatſoever.

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

And be it enacted by the Authority aforeſaid, That no Act or Order of the ſaid Commiſſioners ſhall be valid, unleſs done or made at ſome public Meeting. No Act, &c. of the Commiſſioners valid, unleſs done at a public Meeting.

And be it further enacted by the Authority aforeſaid, That no Proceeding to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or other Matter or Thing to be done or tranſacted in, or relating to, the Execution of this Act, ſhall be vacated or quaſhed for want of Form; or be removed by Certiorari, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at Weſtminſter; any Law or Statute to the contrary notwithſtanding. Proceedings againſt Offenders not liable to be quaſhed for want of Form; or removable by *Certiorari*.

And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until Twenty one Days Notice ſhall be thereof given in Writing to the Clerk or Treaſurer to the ſaid Commiſſioners, or after ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Months next after the Fact committed for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and every ſuch Action ſhall be brought, laid, and tried, in the County or Place where ſuch Matters and Things reſpectively ſhall be committed or done, and not in any other County or Place; and that the Defendant or Defendants in ſuch Actions and Suits, and every of them, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which ſhall be had thereupon; and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, was done in purſuance, and by the Authority Limitation of Actions. General Iſſue.

rity of this Act: And if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was brought before Twenty one Days Notice thereof given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid; or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid; then the Jury or Juries ſhall find for the Defendant or Defendants therein; and if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants; or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become Nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions; or if, upon any Demurrer or Demurrers, in ſuch Action or Actions, Judgement ſhall be given for the Defendant or Defendants therein, then, and in either of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants may have for his, her, or their Coſts in any other Caſes by Law.

Treble Coſts.

3

FINIS.

Anno Regni
GEORGII III.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

SECUNDO.

At the Parliament begun and holden at *Weſtminſter*, the Nineteenth Day of *May*, *Anno Dom.* 1761, in the Firſt Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Third Day of *November* following; being the Firſt Seſſion of the Twelfth Parliament of *Great Britain.*



LONDON:

Printed by *Mark Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett.* 1762.

CH 22